

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTH ZONE
BENCH, AT, CHENNAI

ORIGINAL APPLICATION NO.160 OF 2020

IN THE MATTER OF:

E.A.S. SARMA & ANR.

...APPLICANTS

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

PAPER BOOK FILED BY RESPONDENT NO. 6

THROUGH

ARGUS PARTNERS

R. SUDHINDER
ADVOCATES FOR THE RESPONDENT NO. 6
EXPRESS BUILDING, 2ND FLOOR,
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**REPLY FOR AND ON BEHALF OF ANSWERING
RESPONDENT NO.6 i.e. EAST COAST CONCESSIONS
PRIVATE LIMITED**

MOST RESPECTFULLY SHOWETH:

1. At the outset, Answering Respondent denies each and every statement(s), contention(s), submission(s), allegation(s), and/or averment(s) made by the Applicants as also the statement(s) which are contrary to and / or inconsistent with records of the case in seriatim, all in singular, save and except that is expressly and specifically admitted hereinafter by the Answering Respondent.

2. Any omission to deny any of the averment(s) may kindly not be construed as an admission on part of the Answering Respondent.

PRELIMINARY SUBMISSIONS:

A. ENVIRONMENTAL AND CRZ CLEARANCE

1. It is submitted that the Answering Respondent No. 6 i.e. East Coast Concessions Private Limited is a company incorporated under the Companies Act 2013 with a vision to contribute to the economic growth of the state of Andhra Pradesh by offering world-class, environmentally safe and sustainable energy solutions. Respondent No. 6 is currently engaged in development of LNG terminal with 1.75 MTPA handling capacity within Kakinada Deep Port Limits (KDWP), Kakinada.
2. The Respondent No.5, GMR Holdings Pvt. Ltd., now known as GMR Enterprises Pvt. Limited, submitted a proposal for grant of Environmental and CRZ Clearance (hereinafter referred to as "EC" for the sake of brevity) to Respondent No. 1 for development of LNG facility at Kakinada Deep

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Water Port (KDWP) Berth 7 located at latitude 16°57'42"N and longitude 82°16'33"E within the Kakinada Port Limits.

3. The Respondent No. 1 granted the EC to Respondent No.5 vide letter dated 07.03.2019. The EC dated 07.03.2019 forms part of the Original Application at Annexure A-1.
4. Respondent No. 5 thereafter changed its name from 'GMR Holding Pvt. Ltd.' to 'GMR Enterprises Pvt. Ltd.'. The change was intimated to Respondent No. 1 by Respondent No. 5 vide letter bearing no. GMR/GEPL/2019/01 dated 20.03.2019 with a request for the change in name to be incorporated into the EC.
5. In response to letter dated 20.03.2019 received from Respondent No.5, Respondent No.1 issued a corrigendum dated 15.05.2019 and changed the name of project proponent from GMR Holding Pvt. Ltd. to GMR Enterprises Pvt. Ltd. A copy of the letter 15.05.2019 is being placed on record and annexed herewith **Annexure-R1.**]
6. On 26.04.2019, vide its letter bearing Reference No. ECPL/BD/MoEFCC/2019/01, Answering Respondent No.6 submitted an application to Respondent No. 1for transfer of

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EC dated 07.03.2019 from Respondent No. 5 to Respondent No. 6. The Answering Respondent No. 6 also applied for the same online vide Transfer Application No. IA/AP/MIS/103758/2019 dated 29.04.2019, along with all the requisite documents. A copy of the letter bearing Reference No. ECPL/BD/MoEFCC/2019/01 dated 26.04.2019 and Application No. IA/AP/MIS/103758/2019 dated 29.04.2019 are being placed on record and annexed herewith as **Annexure-R2 (Colly)**.

7. In response to Transfer Application dated 26.04.2019 and online Transfer Application dated 29.04.2020, Respondent No.1 transferred the EC dated 07.03.2019 in favour of the Answering Respondent No. 6 vide its letter dated 18.06.2019. The said Transfer Letter dated 18.06.20219 is on record as Annexure A-2 of the Original Application.

8. Since the Answering Respondent's project was distinct from that of Respondent No. 5, certain amendments in the Environment and CRZ Clearance were required. The Answering Respondent No. 6 therefore applied for an amendment to the EC vide online Amendment Application dated 17.10.2019. It is pertinent to note that the

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Answering Respondent No. 6 is still awaiting confirmation on the Amendment Application. A copy of Amendment Application dated 17.10.2019 is being placed on record and annexed herewith as **Annexure-R3**.

B. LOCATION OF RESPONDENT NO. 6 PROJECT

1. The Applicants have erroneously identified the allegedly dredged site as the project site of the Answering Respondent No. 6. The plot identified by the Applicants and marked as "GMR (ECPL)" in Annexure A-3 of the Original Application does not fall within the project site of Respondent No. 6. Further, the coordinates quoted in the map at Annexure A-3 do not match the plot marked out in the map. The correct map demarcating the project site and Project Boundary Coordinates has been set out in Figure 1 (page 3) of the Technical Note which was annexed to Respondent No.6's EC Amendment Application, **AnnexureR-4**.

2. It is pertinent to note that the Andhra Pradesh Maritime Board dredging permissions to **M/s GMR Energy Limited** with environmental protections and requirements. The site of M/s GMR Energy Limited is

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approximately 1 (one) km south of Answering Respondent No.6's project site, which becomes apparent from a comparison of maps at Annexure A-3 and Annexure R- 4.

C. DREDGING PERMISSIONS AND WORK CARRIED ON

BY THIRD PARTY

1. The Applicant has brought to light certain permissions, at Annexure A-9 of the Original Application, granted by Respondent No. 7 i.e. Andhra Pradesh Maritime Board for dredging of channel for towing the barge out of mooring basin and for disposal of dredged spoil at specified location are granted to one '**GMR Energy Ltd.**'. The said permissions have been granted in two parts. The first permission has been granted vide Respondent No. 7's letter dated 01.02.2020. The Respondent No. 7 further granted a second permission for disposal of dredged spoil in deep sea using hopper barges to GMR Energy Ltd. vide its letter dated 10.06.2020. A copy of letters dated 01.02.2020 & 10.06.2020 are on record as Annexure No. 9 to the Original Application. Dredging work was allegedly carried out at the site demarcated by the Applicant under the said permissions by the company named in the permissions, ie. GMR Energy Pvt. Ltd.

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2. It is imperative to note that vide the Applicant's complaint dated 21.05.2020, on record as Annexure A-16 to the Original Application, the Applicant has erroneously named GMR Holdings Pvt. Ltd. ie. Respondent No. 5 as the erring party though it is clear from the Andhra Pradesh Maritime Board Permissions, on record as Annexure A-9 to the Original Application, that it was a distinct company ie. GMR Energy Pvt Ltd that held permissions to carry on the alleged work. Consequently, the wrong EC has been enclosed along with the complaint email due to which Respondent No. 6 (as the transferee of the EC) has been impleaded in the current proceedings.
 3. It is pertinent to mention here that GMR Energy Ltd. has not been impleaded as a party by the Applicants herein.
 4. Answering Respondent No. 6 thereafter received a letter dated 22.07.2020 from the Respondent No.1 wherein the Respondent No. 1 sought explanation from the Answering Respondent No. 6 on various concerns/allegations related to dumping of dredged waste material into the adjacent mangroves and mud-plains outside the project

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area thereby destroying(ed) the mangrove vegetation. Letter dated 22.07.2020 has been placed on record and marked as **Annexure R-5**.

5. In response to said letter dated 22.07.2020 issued by Respondent No.1, Answering Respondent No.6 reverted vide its letter dated 25.08.2020 highlighting that it had not undertaken any dredging activity within the Kakinada Deep Water Port till date. The Answering Respondent No. 6 further clarified that the construction of proposed LNG Terminal Project at Kakinada Deep Water Port (KDWP) had yet to commence. The Answering Respondent No. 6 further sought to draw the attention of Respondent No. 1 to its earlier letter dated 13.04.2020, on record as Annexure A- 15,namely its six monthly compliance report for the period from 01.10.2019 to 31.03.2020 wherein the Answering Respondent No. 6 had specifically stated that the construction of the project had yet to commence as the Answering Respondent No. 6 was awaiting an amendment to its EC. A copy of letter dated 25.08.2020 is being placed on record and annexed herewith as **Annexure-R6**.

PRELIMINARY OBJECTIONS:

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1. Original Application filed by the Applicants is wholly premised on gross mis-appreciation of the facts as also misconstruction of documents related to the matter and surrounding circumstances.
2. The averments made in the present complaint are inconsistent with the material facts and are made with ulterior motive to misguide this Hon'ble Tribunal. The Applicants did not undertake any fact-finding exercise and/or made any legitimate enquiry(es) to ascertain the actual facts before invoking the discretionary jurisdiction of this Hon'ble Tribunal. Thus, the instant original application deserves to be dismissed *in limine*.
3. That the Applicants have failed to disclose and/or justify the violations, as alleged, of any environmental norm(s)/ term(s)/ sanction(s)/ conditions(s)/ permission(s) of any government agencies leading to harming the flora and/or fauna. Hence, since the Applicants have failed to disclose any cause of action that has arisen against the Answering Respondent No. 6, the instant original application deserves dismissal *qua* Answering Respondent No.6.

4. First and foremost is the fact that the construction of the proposed LNG terminal at Kakinada Deep Water Port in the State of Andhra Pradesh to be executed by the Answering Respondent No.6 has yet to commence. Answering Respondent No.6 vide its letter dated 25.08.2020 bearing reference no. ECPL/BD/MoEFCC/2020/007 had categorically replied to Respondent No.1 stating that Answering Respondent No.6 has not undertaken any dredging activity within the Kakinada Deep Water Port stating further that construction of the proposed LNG terminal at Kakinada Deep Water Port had yet to commence. The same is corroborated by the Answering Respondent's six-monthly report dated 13.03.2020 at Annexure A-15 of the Original Application.
5. The allegations of dredging activity and associated environmental risks, that have been sought to be attributed to Answering Respondent No.6, is belied from bare perusal of documents filed by the Applicant(s) itself. Bare perusal of the Annexure - 9 at page 51 of the application would reveal that it is neither the Respondent No.5 nor the Answering Respondent No.6 that has been

1)

granted permission / approval for dredging activities by Andhra Pradesh Maritime Board (APMB) but a distinct and separate entity named M/s GMR Energy Limited.

6. Not only is the entity undertaking the dredging work and construction of bunds a different and distinct company, but also the locations of the project sites are different and separated by approximately 1 (one) kilometre. It is pertinent to note that the Andhra Pradesh Maritime Board dredging permissions to M/s GMR Energy Limited have their own environmental protections and requirements. Permissions to M/s GMR Energy Ltd. dated 01.02.2020 and 10.06.2020 form part of the Original Application, marked as Annexure A-9. Answering Respondent No.6 has nothing whatsoever to do with this site of with this dredging activity which is matter of concern between M/s GMR Energy Limited and the various environmental authorities. It is most respectfully submitted that the said dredging site of the M/s GMR Energy Limited is approximately 1 (one) km south of Answering Respondent No.6 project site. It is also respectfully submitted that the project of the

Answering Respondent No.6 does not contemplate the building of any bunds whatsoever and therefore allegations qua bunds levelled against the Answering Respondent No.6 are denied in totality.

7. That the dredging activities which the Applicants are aggrieved of seems to be carrying on by another entity/company i.e. GMR Energy Ltd. in an area about 1 KM south of the project site in question. It is reiterated that Respondent No. 7 granted permission for dredging of channel for towing the barge out of mooring basin and for disposal of dredged spoil at specified location to GMR Energy Ltd. vide its letter dated 01.02.2020. The Respondent No. 7 further granted permission for disposal of dredged spoil in deep sea using hopper barges to GMR Energy Ltd. vide its letter dated 10.06.2020. The Applicants have failed to implead GMR Energy Ltd. in the instant matter. Since GMR Energy Ltd. is a necessary party whose presence is necessary for effective adjudication of the instant dispute, the present original application deserves to be dismissed for non-joinder of necessary party.

8. That the present original application is not only frivolous and lacks grounds for institution, but also reeks of malicious and mala fide intent. Therefore, the present original application deserves dismissal.

PARAWISE REPLY

1. As regards the averments in para 1 and 2 of the Application, the Answering Respondent has no comments on the same for want of knowledge.
2. The averments in para 3 and 5 of the Application, the facts as regards grant of Environmental Clearance to Respondent No. 5 and the subsequent transfer to the Answering Respondent No. 6, are correct. However, it is pertinent to note that the site at which the alleged dredging work is being carried out does not fall within the clearance granted to Respondent No. 5 (and subsequently Respondent No. 6) and is in fact a plot approximately 1 km south of Respondent No. 6's project site.
3. As regards the averments in para 4, the plot identified and marked as "GMR (ECPL)" in Annexure 3 of the Original

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Application does not fall within the project site of Respondent No. 6. In the map at Annexure A-3, the coordinates quoted do not match the plot marked. The correct map demarcating the project site and Project Boundary Coordinates has been set out in Figure 1 (page 3) of the Technical Note which as annexed to Respondent No.6's EC Amendment Application. A representation of Respondent No. 6's layout of the project has been illustrated in Figure 2 (page 5) of the Technical Note. In further reply to this para, submissions made hereinabove are reaffirmed and reiterated but not reproduced herein for the sake of brevity. A copy of the maps submitted along with the Answering Respondent No. 6's EC Amendment Application demarcating the project site and boundary of the plot is being placed on record and annexed herewith as **Annexure-**

R7.

4. The averments in para 6 to 9 of the application, to the extent relates to specific conditions/norms of the environmental clearance, are not denied. The remaining averments are respectfully denied. It is reiterated that the no construction has begun on the project site of the Answering Respondent No.6 till date, much less in violation of environmental

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clearance norms. At the cost of repetition it is respectfully submitted that throughout the Original Application, Applicant(s) is referring to a plot that falls outside Answering Respondent No. 6's project site, for which Answering Respondent No. 6 has no knowledge, authority or construction rights and thus for any alleged violation of environment norms/laws on the said site, Answering Respondent No.6 cannot be held accountable or liable in law. The same is evident from the photographs of the site taken ___September 2020 which are being placed on record and annexed herewith as **Annexure-R8 (Colly)**. In further reply to this para, submissions made hereinabove are reaffirmed and reiterated but not reproduced herein for the sake of brevity.

5. The averments in para 10 of the application are respectfully denied. It is submitted that the Answering Respondent No. 6 has never been and still is not in violation of condition (xiv) of the environmental and CRZ clearance conditions, as correctly reproduced by the Applicants. It is reiterated that the since no construction activity has commenced on the project land, the issue of violation of condition (xiv) does not arise at the very first place.

6. The averments in para 11 to 13 of the application are respectfully denied. It is submitted that the content of preliminary submissions and preliminary objections may kindly be read as part and parcel of this paragraph. The same averments are not being repeated here for the sake of brevity.
7. The averments in para 14 of the application do not concern the Answering Respondent No. 6, hence need no response from Answering Respondent No. 6. However, for the sake of clarity, it is submitted that the Applicants are relying on permission letters dated 01.02.2020 and 16.06.2020. None of these permission letters were addressed to or applied for by the Answering Respondent No. 6. It is reiterated, at the cost of repetition, that Respondent No. 7 granted permission for dredging of channel for towing the barge out of mooring basin and for disposal of dredged spoil at specified location to M/s GMR Energy Ltd. vide its letter dated 01.02.2020. The Respondent No. 7 further granted permission for disposal of dredged spoil in deep sea using hopper barges to M/s GMR Energy Ltd. vide its letter dated 10.06.2020. It is submitted that the Answering Respondent No. 6 and M/s GMR Energy Ltd. are totally distinct, separate and different

legal entities. Hence, no liability could be fastened upon Answering Respondent No. 6 for any alleged act(s), omission(s) and / or violations on part of M/s GMR Energy Ltd.

8. The averments in para 15 of the application are respectfully denied in entirety. It is submitted that the maps placed on record by the Applicants do NOT depict the land/site/area which is in power, possession and control of the Answering Respondent No. 6. It is further submitted that the land/site/area as shown in the maps placed on record by the Applicants possibly is in power, possession and control of a separate, distinct and different legal entity/company i.e. M/s GMR Energy Ltd.

9. The averments in para 16 to 36 and 38 to 40 of the application are respectfully denied in entirety, except those which are matter of record. It is submitted that the content of the preliminary submissions and preliminary objections may kindly be read as part and parcel of this paragraph. The same averments are not being repeated here for the sake of brevity. It is further submitted that the averments of

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the Applicants are mainly related to the dredging activities and other related activities which are not being carried out by the Answering Respondent No. 6. Hence, the Applicants must be put to strict proof of all the allegations and averments made in the application and against the Answering Respondent No. 6.

10. The averments in para 37 and 41 to 44 are denied. The Answering Respondent No. 6 reiterates that no construction has been carried out as of date on the project site. However, as per the terms of the EC, the Answering Respondent No. 6 was duty bound to file a six monthly report regardless of whether construction had begun. It has done so vide letter dated 13th April 2020, on record as Annexure A-15 of the Original Application. It has specifically been stated in the letter that construction of the project has yet to commence as Respondent No. 6's application for amendment of its EC was still under process. It stands to reason that all compliances under the EC in the form of environmental protections would be applicable upon commencement of construction activities. The six-monthly report hence correctly stated that the

environmental conditions had been noted and would be complied with during the Construction and Operations phase. The Applicants have misconstrued the six-monthly report and chose to interpret it as the Answering Respondent No. 6's attempt to shirk the compliances. The Answering Respondent No. 6 states that it has every intention to abide by the compliances during the appropriate phase of the project, in consonance with its EC.

11. All and each of the ground(s) raised by the Applicants are respectfully denied in terms of the submissions made hereinabove. In further reply to this para, submissions made hereinabove are reaffirmed and reiterated but not reproduced herein for the sake of brevity. Having regard to the contentions raised, submissions and averments made hereinabove, none of the grounds are made out against the Answering Respondent No.6 and therefore it is only in the interest of justice that the present application filed against the Answering Respondent No.6 be dismissed with exemplary costs.

12. The averments in relation to limitation in filing the instant application are matter of record. Hence, need no response from the Answering Respondent No. 6.

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1. The averments in relation to the interim and final prayer are respectfully denied in entirety in light of all submissions made hereinabove.

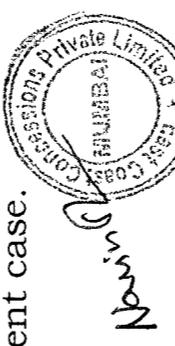
2. That the Answering Respondent No.6 craves leave of this Hon'ble Tribunal to add, amend and vary its reply and to further produce any oral or documentary evidence which the Answering Respondent No.6 may come across during the pendency/hearing of the instant application with the permission of the Hon'ble Tribunal.

PRAYER

In the facts and circumstances of the present case, it is most respectfully prayed that the Hon'ble Tribunal may be pleased to-

A. Dismiss the instant original application *qua* Answering Respondent No.6 with exemplary costs; and

B. Pass such other and further orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case.



RESPONDENT NO. 6

THROUGH

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1. At the outset, Answering Respondent denies each and every statement(s), contention(s), submission(s), allegation(s), and/or averment(s) made by the Applicants as also the statement(s) which are contrary to and / or inconsistent with records of the case in seriatim, all in singular, save and except that is expressly and specifically admitted hereinafter by the Answering Respondent.

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2. Any omission to deny any of the averment(s) may kindly not be construed as an admission on part of the Answering Respondent.

PRELIMINARY SUBMISSIONS:

A. ENVIRONMENTAL AND CRZ CLEARANCE

1. It is submitted that the Answering Respondent No. 6 i.e. East Coast Concessions Private Limited is a company incorporated under the Companies Act 2013 with a vision to contribute to the economic growth of the state of Andhra Pradesh by offering world-class, environmentally safe and sustainable energy solutions. Respondent No. 6 is currently engaged in development of LNG terminal with 1.75 MTPA handling capacity within Kakinada Deep Port Limits (KDWP), Kakinada.
2. The Respondent No.5, GMR Holdings Pvt. Ltd., now known as GMR Enterprises Pvt. Limited, submitted a proposal for grant of Environmental and CRZ Clearance (hereinafter referred to as "EC" for the sake of brevity) to Respondent No. 1 for development of LNG facility at Kakinada Deep

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- Water Port (KDWP) Berth 7 located at latitude 16°57'42"N and longitude 82°16'33"E within the Kakinada Port Limits.
3. The Respondent No. 1 granted the EC to Respondent No.5 vide letter dated 07.03.2019. The EC dated 07.03.2019 forms part of the Original Application at Annexure A-1.
 4. Respondent No. 5 thereafter changed its name from 'GMR Holding Pvt. Ltd.' to 'GMR Enterprises Pvt. Ltd.'. The change was intimated to Respondent No. 1 by Respondent No. 5 vide letter bearing no. GMR/GEPL/2019/01 dated 20.03.2019 with a request for the change in name to be incorporated into the EC.
 5. In response to letter dated 20.03.2019 received from Respondent No.5, Respondent No.1 issued a corrigendum dated 15.05.2019 and changed the name of project proponent from GMR Holding Pvt. Ltd. to GMR Enterprises Pvt. Ltd. A copy of the letter 15.05.2019 is being placed on record and annexed herewith **Annexure-R1.**]
 6. On 26.04.2019, vide its letter bearing Reference No. ECPL/BD/MoEFCC/2019/01, Answering Respondent No.6 submitted an application to Respondent No. 1 for transfer of

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EC dated 07.03.2019 from Respondent No. 5 to Respondent No. 6. The Answering Respondent No. 6 also applied for the same online vide Transfer Application No. IA/AP/MIS/103758/2019 dated 29.04.2019, along with all the requisite documents. A copy of the letter bearing Reference No. ECPL/BD/MoEFCC/2019/01 dated 26.04.2019 and Application No. IA/AP/MIS/103758/2019 dated 29.04.2019 are being placed on record and annexed herewith as **Annexure-R2 (Colly)**.

7. In response to Transfer Application dated 26.04.2019 and online Transfer Application dated 29.04.2020, Respondent No.1 transferred the EC dated 07.03.2019 in favour of the Answering Respondent No. 6 vide its letter dated 18.06.2019. The said Transfer Letter dated 18.06.20219 is on record as Annexure A-2 of the Original Application.
8. Since the Answering Respondent's project was distinct from that of Respondent No. 5, certain amendments in the Environment and CRZ Clearance were required. The Answering Respondent No. 6 therefore applied for an amendment to the EC vide online Amendment Application dated 17.10.2019. It is pertinent to note that the

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Answering Respondent No. 6 is still awaiting confirmation on the Amendment Application. A copy of Amendment Application dated 17.10.2019 is being placed on record and annexed herewith as **Annexure-R3**.

B. LOCATION OF RESPONDENT NO. 6 PROJECT

1. The Applicants have erroneously identified the allegedly dredged site as the project site of the Answering Respondent No. 6. The plot identified by the Applicants and marked as "GMR (ECPL)" in Annexure A-3 of the Original Application does not fall within the project site of Respondent No. 6. Further, the coordinates quoted in the map at Annexure A-3 do not match the plot marked out in the map. The correct map demarcating the project site and Project Boundary Coordinates has been set out in Figure 1 (page 3) of the Technical Note which was annexed to Respondent No.6's EC Amendment Application, **AnnexureR-4**.

2. It is pertinent to note that the Andhra Pradesh Maritime Board dredging permissions to **M/s GMR Energy Limited** with environmental protections and requirements. The site of M/s GMR Energy Limited is

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approximately 1 (one) km south of Answering Respondent No.6's project site, which becomes apparent from a comparison of maps at Annexure A-3 and Annexure R- 4.

C. DREDGING PERMISSIONS AND WORK CARRIED ON

BY THIRD PARTY

1. The Applicant has brought to light certain permissions, at Annexure A-9 of the Original Application, granted by Respondent No. 7 i.e. Andhra Pradesh Maritime Board for dredging of channel for towing the barge out of mooring basin and for disposal of dredged spoil at specified location are granted to one '**GMR Energy Ltd.**'. The said permissions have been granted in two parts. The first permission has been granted vide Respondent No. 7's letter dated 01.02.2020. The Respondent No. 7 further granted a second permission for disposal of dredged spoil in deep sea using hopper barges to GMR Energy Ltd. vide its letter dated 10.06.2020. A copy of letters dated 01.02.2020 & 10.06.2020 are on record as Annexure No. 9 to the Original Application. Dredging work was allegedly carried out at the site demarcated by the Applicant under the said permissions by the company named in the permissions, ie. GMR Energy Pvt. Ltd.

2. It is imperative to note that vide the Applicant's complaint dated 21.05.2020, on record as Annexure A-16 to the Original Application, the Applicant has erroneously named GMR Holdings Pvt. Ltd. ie. Respondent No. 5 as the erring party though it is clear from the Andhra Pradesh Maritime Board Permissions, on record as Annexure A-9 to the Original Application, that it was a distinct company ie. GMR Energy Pvt Ltd that held permissions to carry on the alleged work. Consequently, the wrong EC has been enclosed along with the complaint email due to which Respondent No. 6 (as the transferee of the EC) has been impleaded in the current proceedings.
3. It is pertinent to mention here that GMR Energy Ltd. has not been impleaded as a party by the Applicants herein.
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Letter dated 22.07.2020 has been placed on record and
marked as **Annexure R-5**.

5. In response to said letter dated 22.07.2020 issued by Respondent No.1, Answering Respondent No.6 reverted vide its letter dated 25.08.2020 highlighting that it had not undertaken any dredging activity within the Kakinada Deep Water Port till date. The Answering Respondent No. 6 further clarified that the construction of proposed LNG Terminal Project at Kakinada Deep Water Port (KDWP) had yet to commence. The Answering Respondent No. 6 further sought to draw the attention of Respondent No. 1 to its earlier letter dated 13.04.2020, on record as Annexure A- 15,namely its six monthly compliance report for the period from 01.10.2019 to 31.03.2020 wherein the Answering Respondent No. 6 had specifically stated that the construction of the project had yet to commence as the Answering Respondent No. 6 was awaiting an amendment to its EC. A copy of letter dated 25.08.2020 is being placed on record and annexed herewith as **Annexure-R6**.

PRELIMINARY OBJECTIONS:

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1. Original Application filed by the Applicants is wholly premised on gross mis-appreciation of the facts as also misconstruction of documents related to the matter and surrounding circumstances.
2. The averments made in the present complaint are inconsistent with the material facts and are made with ulterior motive to misguide this Hon'ble Tribunal. The Applicants did not undertake any fact-finding exercise and/or made any legitimate enquiry(es) to ascertain the actual facts before invoking the discretionary jurisdiction of this Hon'ble Tribunal. Thus, the instant original application deserves to be dismissed *in limine*.
3. That the Applicants have failed to disclose and/or justify the violations, as alleged, of any environmental norm(s)/ term(s)/ sanction(s)/ conditions(s)/ permission(s) of any government agencies leading to harming the flora and/or fauna. Hence, since the Applicants have failed to disclose any cause of action that has arisen against the Answering Respondent No. 6, the instant original application deserves dismissal *qua* Answering Respondent No.6.

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4. First and foremost is the fact that the construction of the proposed LNG terminal at Kakinada Deep Water Port in the State of Andhra Pradesh to be executed by the Answering Respondent No.6 has yet to commence. Answering Respondent No.6 vide its letter dated 25.08.2020 bearing reference no. ECPL/BD/MoEFCC/2020/007 had categorically replied to Respondent No.1 stating that Answering Respondent No.6 has not undertaken any dredging activity within the Kakinada Deep Water Port stating further that construction of the proposed LNG terminal at Kakinada Deep Water Port had yet to commence. The same is corroborated by the Answering Respondent's six-monthly report dated 13.03.2020 at Annexure A-15 of the Original Application.
5. The allegations of dredging activity and associated environmental risks, that have been sought to be attributed to Answering Respondent No.6, is belied from bare perusal of documents filed by the Applicant(s) itself. Bare perusal of the Annexure - 9 at page 51 of the application would reveal that it is neither the Respondent No.5 nor the Answering Respondent No.6 that has been

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granted permission / approval for dredging activities by Andhra Pradesh Maritime Board (APMB) but a distinct and separate entity named M/s GMR Energy Limited.

6. Not only is the entity undertaking the dredging work and construction of bunds a different and distinct company, but also the locations of the project sites are different and separated by approximately 1 (one) kilometre. It is pertinent to note that the Andhra Pradesh Maritime Board dredging permissions to M/s GMR Energy Limited have their own environmental protections and requirements. Permissions to M/s GMR Energy Ltd. dated 01.02.2020 and 10.06.2020 form part of the Original Application, marked as Annexure A-9. Answering Respondent No.6 has nothing whatsoever to do with this site of with this dredging activity which is matter of concern between M/s GMR Energy Limited and the various environmental authorities. It is most respectfully submitted that the said dredging site of the M/s GMR Energy Limited is approximately 1 (one) km south of Answering Respondent No.6 project site. It is also respectfully submitted that the project of the

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Answering Respondent No.6 does not contemplate the building of any bunds whatsoever and therefore allegations qua bunds levelled against the Answering Respondent No.6 are denied in totality.

7. That the dredging activities which the Applicants are aggrieved of seems to be carrying on by another entity/company i.e. GMR Energy Ltd. in an area about 1 KM south of the project site in question. It is reiterated that Respondent No. 7 granted permission for dredging of channel for towing the barge out of mooring basin and for disposal of dredged spoil at specified location to GMR Energy Ltd. vide its letter dated 01.02.2020. The Respondent No. 7 further granted permission for disposal of dredged spoil in deep sea using hopper barges to GMR Energy Ltd. vide its letter dated 10.06.2020. The Applicants have failed to implead GMR Energy Ltd. in the instant matter. Since GMR Energy Ltd. is a necessary party whose presence is necessary for effective adjudication of the instant dispute, the present original application deserves to be dismissed for non-joinder of necessary party.

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8. That the present original application is not only frivolous and lacks grounds for institution, but also reeks of malicious and mala fide intent. Therefore, the present original application deserves dismissal.

PARAWISE REPLY

1. As regards the averments in para 1 and 2 of the Application, the Answering Respondent has no comments on the same for want of knowledge.

2. The averments in para 3 and 5 of the Application, the facts as regards grant of Environmental Clearance to Respondent No. 5 and the subsequent transfer to the Answering Respondent No. 6, are correct. However, it is pertinent to note that the site at which the alleged dredging work is being carried out does not fall within the clearance granted to Respondent No. 5 (and subsequently Respondent No. 6) and is in fact a plot approximately 1 km south of Respondent No. 6's project site.

3. As regards the averments in para 4, the plot identified and marked as "GMR (ECPL)" in Annexure 3 of the Original

3A

Application does not fall within the project site of Respondent No. 6. In the map at Annexure A-3, the coordinates quoted do not match the plot marked. The correct map demarcating the project site and Project Boundary Coordinates has been set out in Figure 1 (page 3) of the Technical Note which as annexed to Respondent No.6's EC Amendment Application. A representation of Respondent No. 6's layout of the project has been illustrated in Figure 2 (page 5) of the Technical Note. In further reply to this para, submissions made hereinabove are reaffirmed and reiterated but not reproduced herein for the sake of brevity. A copy of the maps submitted along with the Answering Respondent No. 6's EC Amendment Application demarcating the project site and boundary of the plot is being placed on record and annexed herewith as **Annexure-**

R7.

4. The averments in para 6 to 9 of the application, to the extent relates to specific conditions/norms of the environmental clearance, are not denied. The remaining averments are respectfully denied. It is reiterated that the no construction has begun on the project site of the Answering Respondent No.6 till date, much less in violation of environmental

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clearance norms. At the cost of repetition it is respectfully submitted that throughout the Original Application, Applicant(s) is referring to a plot that falls outside Answering Respondent No. 6's project site, for which Answering Respondent No. 6 has no knowledge, authority or construction rights and thus for any alleged violation of environment norms/laws on the said site, Answering Respondent No.6 cannot be held accountable or liable in law. The same is evident from the photographs of the site taken ___September 2020 which are being placed on record and annexed herewith as **Annexure-R8 (Colly)**. In further reply to this para, submissions made hereinabove are reaffirmed and reiterated but not reproduced herein for the sake of brevity.

5. The averments in para 10 of the application are respectfully denied. It is submitted that the Answering Respondent No. 6 has never been and still is not in violation of condition (xiv) of the environmental and CRZ clearance conditions, as correctly reproduced by the Applicants. It is reiterated that the since no construction activity has commenced on the project land, the issue of violation of condition (xiv) does not arise at the very first place.

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6. The averments in para 11 to 13 of the application are respectfully denied. It is submitted that the content of preliminary submissions and preliminary objections may kindly be read as part and parcel of this paragraph. The same averments are not being repeated here for the sake of brevity.
7. The averments in para 14 of the application do not concern the Answering Respondent No. 6, hence need no response from Answering Respondent No. 6. However, for the sake of clarity, it is submitted that the Applicants are relying on permission letters dated 01.02.2020 and 16.06.2020. None of these permission letters were addressed to or applied for by the Answering Respondent No. 6. It is reiterated, at the cost of repetition, that Respondent No. 7 granted permission for dredging of channel for towing the barge out of mooring basin and for disposal of dredged spoil at specified location to M/s GMR Energy Ltd. vide its letter dated 01.02.2020. The Respondent No. 7 further granted permission for disposal of dredged spoil in deep sea using hopper barges to M/s GMR Energy Ltd. vide its letter dated 10.06.2020. It is submitted that the Answering Respondent No. 6 and M/s GMR Energy Ltd. are totally distinct, separate and different

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legal entities. Hence, no liability could be fastened upon Answering Respondent No. 6 for any alleged act(s), omission(s) and / or violations on part of M/s GMR Energy Ltd.

8. The averments in para 15 of the application are respectfully denied in entirety. It is submitted that the maps placed on record by the Applicants do NOT depict the land/site/area which is in power, possession and control of the Answering Respondent No. 6. It is further submitted that the land/site/area as shown in the maps placed on record by the Applicants possibly is in power, possession and control of a separate, distinct and different legal entity/company i.e. M/s GMR Energy Ltd.

9. The averments in para 16 to 36 and 38 to 40 of the application are respectfully denied in entirety, except those which are matter of record. It is submitted that the content of the preliminary submissions and preliminary objections may kindly be read as part and parcel of this paragraph. The same averments are not being repeated here for the sake of brevity. It is further submitted that the averments of

the Applicants are mainly related to the dredging activities and other related activities which are not being carried out by the Answering Respondent No. 6. Hence, the Applicants must be put to strict proof of all the allegations and averments made in the application and against the Answering Respondent No. 6.

10. The averments in para 37 and 41 to 44 are denied. The Answering Respondent No. 6 reiterates that no construction has been carried out as of date on the project site. However, as per the terms of the EC, the Answering Respondent No. 6 was duty bound to file a six monthly report regardless of whether construction had begun. It has done so vide letter dated 13th April 2020, on record as Annexure A-15 of the Original Application. It has specifically been stated in the letter that construction of the project has yet to commence as Respondent No. 6's application for amendment of its EC was still under process. It stands to reason that all compliances under the EC in the form of environmental protections would be applicable upon commencement of construction activities. The six-monthly report hence correctly stated that the

environmental conditions had been noted and would be complied with during the Construction and Operations phase. The Applicants have misconstrued the six-monthly report and chose to interpret it as the Answering Respondent No. 6's attempt to shirk the compliances. The Answering Respondent No. 6 states that it has every intention to abide by the compliances during the appropriate phase of the project, in consonance with its EC.

11. All and each of the ground(s) raised by the Applicants are respectfully denied in terms of the submissions made hereinabove. In further reply to this para, submissions made hereinabove are reaffirmed and reiterated but not reproduced herein for the sake of brevity. Having regard to the contentions raised, submissions and averments made hereinabove, none of the grounds are made out against the Answering Respondent No.6 and therefore it is only in the interest of justice that the present application filed against the Answering Respondent No.6 be dismissed with exemplary costs.
12. The averments in relation to limitation in filing the instant application are matter of record. Hence, need no response from the Answering Respondent No. 6.

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13. The averments in relation to the interim and final prayer are respectfully denied in entirety in light of all submissions made hereinabove.

14. That the Answering Respondent No.6 craves leave of this Hon'ble Tribunal to add, amend and vary its reply and to further produce any oral or documentary evidence which the Answering Respondent No.6 may come across during the pendency/hearing of the instant application with the permission of the Hon'ble Tribunal.

PRAYER

In the facts and circumstances of the present case, it is most respectfully prayed that the Hon'ble Tribunal may be pleased to-

- A. Dismiss the instant original application *qua* Answering Respondent No.6 with exemplary costs; and
- B. Pass such other and further orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case.

RESPONDENT NO. 6

THROUGH

ARGUS PARTNERS

R. SUDHINDER

ADVOCATES FOR THE RESPONDENT NO. 6
EXPRESS BUILDING, 2ND FLOOR,

9 - 10, BAHADUR SHAH ZAFAR MARG,

NEW DELHI - 110002.

PHONE NO. 23701284, 23701285,86

D/736-A/1989

r.sudhinder@argus-p.com

PLACE:

DATE:

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTH ZONE
BENCH, AT, CHENNAI**

ORIGINAL APPLICATION NO.160 OF 2020

IN THE MATTER OF:

E.A.S. SARMA & ANR.

...APPLICANTS

VERSUS

UNION OF INDIA & ORS.

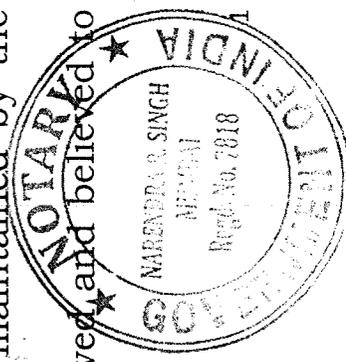
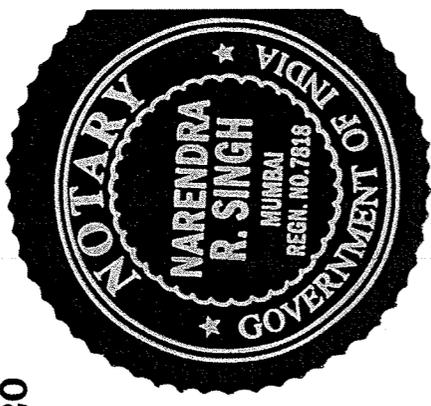
...RESPONDENTS

AFFIDAVIT

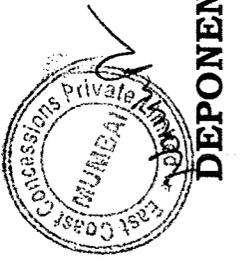
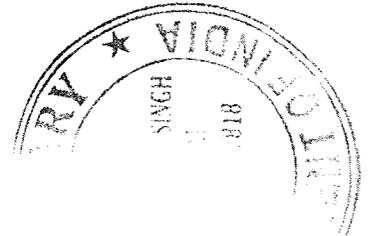
I, Navin Anil Sharma, S/O Mr. Anil Sitaram Sharma aged about 30 years, working as Legal Executive with the Respondent No. 6 having its registered office at 514, Dalamal Towers, Nariman Point, Mumbai-400021 presently at 12th Floor, Knowledge Park, Hiranandani Business Park, Powai, Mumbai-400076, do hereby solemnly affirm and state as under:

1. That I am the above-named Deponent and Authorised representative of the Answering Respondent No.6 Company, and as such I am conversant with the facts and circumstances of the present case and I am competent to swear the present affidavit.

2. I say that the accompanying reply has been drafted by my counsel under my instructions, contents of which have been read over and understood fully by me and I have acknowledged them to be correct and say that the contents which pertain to facts therein are true to the best of my knowledge and based upon information derived from the records maintained by the Respondent No.6 Company and upon legal advice received, and believed to be true.



3. That the annexures filed with the present reply are true copies of their respective originals.



DEPONENT

VERIFICATION

Verified at MUMBAI on this 08 day of OCT, 2020 that the contents of my above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.



DEPONENT

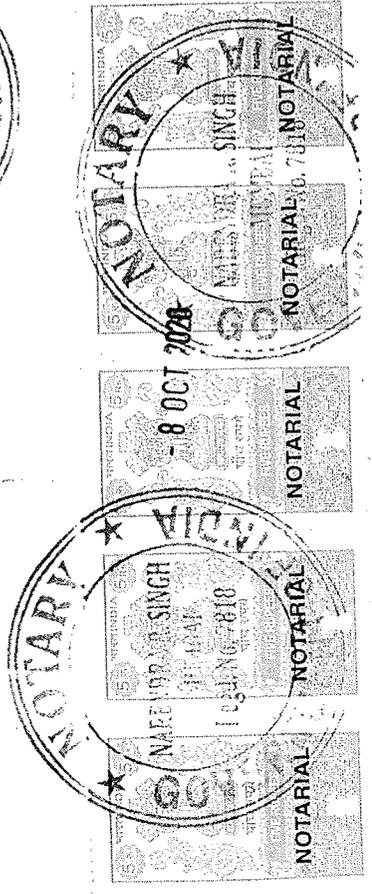
S. NO. 482 P. NO. 61
NOTARY Register. 18 Date 08/10/2020



BEFORE ME

NARENDRA R. SINGH

NARENDRA R. SINGH
ADVOCATE & NOTARY (GOVT OF INDIA)
C-1101, BLOOMING HEIGHTS,
PACIFIC ENCLAVE, NEAR HIRANANDANI
HOSPITAL, POWAI, MUMBAI-400 076
MOBILE: +91 90293551268 / 9869036688



- 8 OCT 2020

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTH ZONE BENCH, AT, CHENNAI**

ORIGINAL APPLICATION NO.160 OF 2020

IN THE MATTER OF:

E.A.S. SARMA & ANR.

...APPLICANTS

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

AFFIDAVIT

I, Navin Anil Sharma ,S/O Mr. Anil Sitaram Sharma aged about 30 years, working as Legal Executive with the Respondent No. 6 having its registered office at 514, Dalamal Towers, Nariman Point, Mumbai-400 021 presently at 12th Floor, Knowledge Park, Hiranandani, Business Park, Powai, Mumbai- 400076, do hereby solemnly affirm and state as under:

1. That I am the above-named Deponent and Authorised representative of the Answering Respondent No.6 Company, and as such I am conversant with the facts and circumstances of the present case and I am competent to swear the present affidavit.

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2. I say that the accompanying reply has been drafted by my counsel under my instructions, contents of which have been read over and understood fully by me and I have acknowledged them to be correct and say that the contents which pertain to facts therein are true to the best of my knowledge and based upon information derived from the records maintained by the Respondent No.6 Company and upon legal advice received and believed to be true.

3. That the annexures filed with the present reply are true copies of their respective originals.

DEPONENT

VERIFICATION

Verified at Mumbai on this __ day of 8th OCT 2020 that the contents of my above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

DEPONENT

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15/5/19

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SPEED POST

F.No. 10-30/2016- IA III
Government of India
Ministry of Environment, Forest and Climate Change
(I.A. Division)

Indira Paryavaran Bhavan
Jor Bagh Road, Aliganj
New Delhi-110 003

Date: 15th May, 2019

CORRIGENDUM

Subject: "Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsi Kakinada, District East Godavari, Andhra Pradesh - change in name from M/s GMR Holdings Private Limited to M/s GMR Enterprises Private Limited - Corrigendum reg.

Sir,

This has reference to your letter No. GMR/GEPL/2019/01 dated 20th March, 2019, on the above mentioned subject requesting Ministry to issue corrigendum regarding change in name of the project proponent from M/s GMR Holdings Private Limited to M/s GMR Enterprises Private Limited in the Environmental and CRZ Clearance accorded to the above mentioned project vide letter F.No.10-30/2016-IA-III dated 07.03.2019.

2. The matter has been examined in the Ministry. In this regard, it is conveyed that in the Environmental and CRZ Clearance issued vide letter F.No.10-30/2016-IA-III dated 07.03.2019, M/s GMR Enterprises Private Ltd shall be read in place of M/s GMR Holdings Private Limited.

3. All other terms and conditions of the Environmental and CRZ Clearance issued vide letter F.No.10-30/2016-IA-III dated 07.03.2019, shall remains the same.

4. This issues with the approval of Competent Authority in the Ministry.


(Kushal Vashist)

Director
Tel: 011- 24695382

To,

Shri Ram Prasad, Associate Vice President
M/s GMR Enterprises Private Limited
Unit No. 1 B, First Floor, Riaz Garden Old No. 12,
New No. 29, Kodambakkam High Road
Chennai - 600 034 (Tamil Nadu)

Copy to:

(i) The Secretary (Environment), Environment and Forest Department,
Government of Andhra Pradesh.

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- (ii) The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32.
- (iii) The Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment, Forests and Climate Change, 1st and 11th Floor, Handloom Export Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai-34.
- (iv) The Chairman, Andhra Pradesh Pollution Control Board Paryavaran Bhavan, A-III, Industrial Estate, Sanath Nagar Hyderabad, Andhra Pradesh.
- (v) The Member Secretary, Andhra Pradesh Coastal Zonal management Authority, Environment Forest Science and Technology Department, Hyderabad, Andhra Pradesh.
- (v) Guard File, Monitoring File.

(Kushal Vashist)
Director

Form-7APPLICATION FOR TRANSFER OF ENVIRONMENTAL CLEARANCE

(To be filled up by User Agency)

1. Details of Earlier Project Proponent

Proposal No. : IA/AP/MIS/103758/2019

(a) Name of the project : Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District Ea

(b) Name of the Company/Organisation Name : GMR Enterprises Pvt. Ltd

(c) Registered Address : Unit no 1B, First Floor, Riaz Garden, Old no. 12, New no. 29, Kodambakkam High Road, Chennai, Tamil Nadu

(d) Legal Status of the Company : Private

(e) Joint Venture (Yes/No) : No

2. Details of New Project Proponent

(a) Name of Company / Organisation. : EAST COAST CONCESSIONS PRIVATE LIMITED

(b) Registered Address. : 514, DALAMAL TOWERS, NARIMAN POINT, MUMBAI

(c) Legal Status of the Company. : Private

(d) Joint Venture (Yes/No). : No

3. Address for the Correspondence

(a) Name of Applicant. : ABHIRUP

(b) Designation (Owner/Partner/CEO) : DIRECTOR

(c) Address :- 514, DALAMAL TOWERS, NARIMAN POINT, MUMBAI

State : Maharashtra

District : Mumbai City

Town / Village : No

(d) Pin Code : 400076

(e) Email : abhirupb70@gmail.com

(f) Telephone no : 25763705

(g) Fax no : 25763777

(h) Mobile no : 7045949094

(i) Contact Person. : ABHIRUP

(j) Website (if any) : www.henergy.com

4. Category of the Project/Activity as per Schedule of EIA Notification,2006

(a). Major Activity. : 7(e) Ports, Harbours

Minor Activity : No

Major Sub Activity. : No

Minor Sub Activity : No

(b). Category : A

Reason for applicant at central level/state level(in case of B1 and B2 projects): No

5. Details of Environment Clearance

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- (a) Project Name : Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District Ea
- (b) MoEF&CC / SEIAA File No : 10-30/2016-1A-III
- (c) Date of issue of EC : 07/03/2019
- (d) Uploaded EC letter (PDF Only): 

6. Details of Consent to Establishment

- (i) Whether Consent to Establishment obtained (Yes/No) ? : No

7. Status of Implementation of Project

Uploaded details of Physical process made on the project / facilities / activities for which environmental clearance was granted:      

8. Document to be Attached:-

- (a) Uploaded No Objection from the transferor: 
- (b) Uploaded undertaking by transferee stating regarding acceptance of the terms and conditions was granted:       
- (c) Uploaded Copy of Transfer of the firm from competent authority: 
- (d) Uploaded Cover Letter duly signed by the project proponent or authorized person: 
- (e) Uploaded a copy of authorization duly signed by the project proponent in support of the person making this application on behalf of the User Agency:  
- (f) Uploaded Additional File, If any:  

Essential Details Sought

Details of State of the project		
S.no.	EDS Sought Date	EDS Sought Letter
NIL		

Additional Detail Sought: NIL

8. Undertaking:-

(a): I hereby give undertaking that the data and information given in the application and enclosures are true to be best of my knowledge and belief and I am aware that if any part of the data and information found to be false or misleading at any stage, The project will be rejected and clearance given, If any to the project will be revoked at our risk and cost. In addition to above, I hereby give undertaking that no activity / construction / expansion has since been taken up.

(b) Name : ABHIRUP BHATTACHARYA

(c) Designation: DIRECTOR

(d) Company: EAST COAST CONCESSIONS PRIVATE LIMITED

(e) Address: 514, DALAMAL TOWERS, NARIMAN POINT, MUMBAI

Ref: ECPL/BD/MoEFCC/2019/01

Date: April 26th, 2019

The Director

IA Division - III,

Ministry of Environment, Forest and Climate Change (MoEF & CC),

Indira Paryavaran Bhavan,

Jor Bagh Road, Jor Bagh

New Delhi-110003

Kind Attn: Mr. Kushal Vashist, Director, Environment Impact Assessment -III

Sub: Application for Transfer of Environmental and CRZ Clearance of GMR Holding Pvt. Ltd in the name of M/s East Coast Concessions Private Limited (ECPL) for development of LNG Facility at Kakinada Deep Water Port (KDWP)

Ref: Letter no. F. No. 10-30/2016-IA-III dated 7th March, 2019 regarding Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh by M/s GMR Holding Pvt Ltd - Environmental and CRZ Clearance

Dear Sir,

This is with reference to the Environmental and CRZ Clearance obtained by M/s GMR Enterprises Pvt. Ltd (GEPL) (formerly GMR Holding Pvt. Ltd.) vide **Letter No. F. No. 10-30/2016-IA-III** dated **7th March, 2019** (EC letter is attached as **Annexure - 1**) for development of LNG Facility at Kakinada Deep Water Port (KDWP), we would like to inform you that now East Coast Concessions Private Limited (ECPL) is planning to take forward the development of the LNG facility at Kakinada Deep Water Port. East Coast Concessions Private Limited (ECPL) is an H-Energy Group Company and was established with a vision to contribute to the economic growth of the state of Andhra Pradesh by offering world class, environmentally safe and sustainable energy solutions.

East Coast Concessions Private Limited (CIN: U63000AP2016PT032698)
(Formerly known as Michakapattanam Concessions Private Limited)
Regd Office: 514, Dabband Towers, Marine Point, Mumbai-400051, India
Corporate office: 12th Floor, ICKnowledge Park, Hiranandani Business Park, Powai, Mumbai -400 076, India
Delhi Office: GF-10A-23, Narain Mantri, Barakhamba Road, Connaught Place, New Delhi-110001
+91 22 25741035200 # www.henergy.com



Further attention is invited to the clause related to the Transferability of Environmental Clearance as per Para 11.1 of EIA Notification, 2006, which states

“A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written ‘no objection’ by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee concerned is necessary in such cases.”

In this connection, ECPL which is transferee, requests for transfer of the aforementioned EC of M/s GMR Enterprises Pvt. Ltd (GEPL) (formerly GMR Holding Pvt. Ltd.) to ECPL for taking up the full responsibility of complying with all the clauses of the EC (and related applicable compliances) granted for the aforementioned project. A copy of “No Objection Certificate (NOC)” given by M/s GMR Enterprises Pvt. Ltd (GEPL) (formerly GMR Holding Pvt. Ltd.) to East Coast Concessions Private Limited (ECPL) for development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh. A copy of the abovementioned NOC is attached as **Annexure - 2**.

Therefore, you are requested to kindly grant the approval for transfer of the Environmental and CRZ Clearance for the aforementioned project. We shall abide by the Environmental and CRZ Clearance conditions set forth by the MoEf & CC. An undertaking by ECPL for complying all the terms and conditions of EC as set forth in Letter **No. F. No. 10-30/2016-IA-III** dated **7th March, 2019** is attached as **Annexure - 3**.

The Transferability of Environmental Clearance sought out among the following entities:

TRANSFEROR	TRANSFeree
<p>M/s GMR Enterprises Pvt. Ltd (GEPL) (formerly GMR Holding Pvt. Ltd.),</p> <p>Unit no 1B, First Floor, Riaz Garden, Old no. 12, New no. 29, Kodambakkam High Road, Chennai, Tamil Nadu</p>	<p>M/s East Coast Concessions Private Limited</p> <p>Regd Office: 514, Dalarnal Towers, Nariman Point, Mumbai -400021, India</p> <p>Authorized Person: Mr. Abhirup Bhattacharya</p> <p>Designation: Director</p> <p>Email: abhattacharya@henergy.com</p> <p>Tel: +91 22 2576 3705</p> <p>Fax: +91 22 2576 3777</p>

We look forward to your kind co-operation and support in expeditious implementation of the above application. We would be happy to provide further information (if any), as required by you.

Yours faithfully,

For East Coast Concessions Private Limited



Abhirup Bhattacharya

Director

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H ENERGY

Encs:

- 1. Annexure-1:** A copy of Environmental and CRZ Clearance Letter no. F. No. 10-30/2016-IA-III dated 7th March, 2019
- 2. Annexure-2:** A copy of "No Objection Certificate (NOC)" given by M/s GMR Enterprises Pvt. Ltd (GEPL) (formerly GMR Holding Pvt. Ltd.)
- 3. Annexure - 3:** An undertaking by ECPL for complying all the terms and conditions of

EC

East Coast Concessions Private Limited (CIN: U63090MH2018PTC02426)
(Formerly known as Vishakapatnam Concessions Private Limited)
Regd Office: 514, Dalamal Towers, Nariman Point, Mumbai -400021, India
Corporate office: 12th Floor, Knowledge Park, Hiranandani Business Park, Powai, Mumbai - 400 076 India
Delhi Office: GF-13A-23, Narain Manzil, Barakhamba Road, Connaught Place, New Delhi 110001
I +91 22 28716100/5200 or www.henergy.com

F. No. 10-30/2016-IA-III
Government of India
Ministry of Environment, Forest and Climate Change
(IA.III Section)

Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi - 3

Date: 7th March, 2019

To,

**The Associate Vice President,
M/s GMR Holdings Private Limited,**
Unit no 1B, First Floor, Riaz Garden,
Old no. 12, New no. 29,
Kodambakkam High Road,
Chennai, Tamil Nadu
Email: Arunendu.Saha@gmrgroup.in

**Subject: Development of LNG Facility at Kakinada Deep Water Port (KDWP)
Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted
power plant located at Survey no. 411,413, Tehsil Kakinada, District
East Godavari, Andhra Pradesh by M/s GMR Holding Pvt Ltd -
Environmental and CRZ Clearance - reg.**

Sir,

This has reference to your online proposal No. IA/AP/MIS/52545/2016 dated 30th March, 2017 submitted to this Ministry for grant of Environmental and CRZ Clearance in term of the provisions of the Environment Impact Assessment (EIA) Notification, 2006 and Coastal Regulation Zone (CRZ) Notification, 2011, under the Environment (Protection), Act, 1986.

2. The proposal for grant of environmental and CRZ clearance to the project 'Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh by M/s GMR Holding Pvt. Ltd' was considered by the Expert Appraisal Committee (Infra-2) in its meeting held on 25-27 May, 2017. The details of the project, as per the documents submitted by the project proponent, and also as informed during the above meeting, are under:-

- (i). GMR Enterprises Pvt. Ltd (GEPL) (Formerly GMR Holding Pvt Ltd and LNG Express India Pvt. Ltd. through their SPV are proposing to import LNG at Kakinada Deep Water Port (KDWP) in the state of Andhra Pradesh and supply LNG/RLNG to meet the demand of domestic customers.
- (ii). GMR Energy Limited (GEL), subsidiary of GEPL, has three operating power plants i.e. 220 MW barge mounted power plant near KDWP and 1138 MW gas based power plants at Vemagiri. Proposed LNG facility will cater to the gas requirements of the GMR power plants. Additionally, it is envisaged that other existing gas based power plants, and upcoming industries would be benefitted from the proposed LNG facility at Kakinada Port. The project envisages to import 1.75 MTPA of LNG for this purpose.
- (iii). The proposed LNG import facility will be located at latitude 16°57'42"N and longitude 82°16'33"E within Kakinada Port Limits, East Godavari District, Andhra Pradesh. The LNG jetty will be located adjacent to Berth 7 of KDWP and backup area of about ~24.9 ha (61.6 acres) will be developed for LNG



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- storage, regasification, truck loading facility, send out and metering facilities and utilities. Berthing facilities for LNGC consist of six (6) Mooring Dolphins, four (4) Breasting Dolphins and one Central Platform. LNG will be imported using LNG Carrier (LNGC) ranging in size up to 160000 m³. Four unloading arms will be provided at jetty.
- (iv). LNG will be unloaded continuously and pumped to LNG storage tank of 15000 cum capacity and re-gasification as per the requirement. Glycol water based STV using ambient air and/ or waste heat recovery systems along with AAV vaporization will be used as regasification technology. The capital and maintenance dredging is estimated at 2.9 MCM and 0.1 MCM respectively.
- (v). The dredged material will be disposed at KDWP identified offshore disposal ground.
- (vi). The Power and Water requirement will be of the tune of 10 MW (in-house power generation with BOG) and 387.5 KLD respectively.
- (vii). The total greenbelt/ green areas will be about 15.4 acres.
- (viii). ToR for EIA study was granted by the Ministry vide F.No:10-30/2016-IA.III dated 20th May, 2016 and amendment vide letter dated 28th April, 2017.
- (ix). The EIA has been prepared by M/s. L&T Infrastructure Engineering Limited based on approved ToR and addresses all issues pertaining to marine, terrestrial and socio-economic aspects of the project. Air quality modelling study has been carried out which suggests predicted ground level concentrations will be well within the National Ambient Air Quality Standards.
- (x). Public hearing for the project was conducted on 17th December, 2016, at office premises of Director of Ports, beach road, Kakinada, East Godavari District and the issues raised during the public hearing have also been addressed in the final EIA report.
- (xi). The CRZ mapping / HTL & LTL demarcation of the proposed project has been carried out by Institute of Remote Sensing (IRS), Anna University, Tamil Nadu. The project facilities fall within CRZ III and IVA area and these are permissible as per CRZ Notification, 2011. Andhra Pradesh Coastal Zone Management Authority (APCZMA) has recommended the Project to MOEF&CC vide letter No.34/APCZMA/2017 dated 20.03.2017. As the project is falling within 10 km of the Coringa Wildlife sanctuary, necessary application to National Board for Wildlife (NBWL) is also made and under consideration.
- (xii). The cost for development of LNG facility and supply pipe line is approximately Rs. 950 crores and the project is expected to be commissioned in 13 months after obtaining necessary statutory clearances.
- (xiii). Employment Generation: During construction phase:-100 and operational phase-450 (Direct: 40, Indirect: 500).
- (xiv). Benefits of the project: Project shall meet the natural gas demand of industries in the state and in the area around the project. Natural Gas is safe and environment friendly as compared to other fuels. Combustion of natural gas emits negligible or no sulphur dioxide, thereby will lead to clean burning thereby reducing carbon emission. Many industries who are still not connected with the natural gas pipeline network will be able to receive LNG in cryogenic form, regasify in their site and use this clean fuel in their industries. This will indirectly result in reduction of greenhouse gas.



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3. The EAC, in its meeting held on 25-27 May, 2017, after detailed deliberations on the proposal, has recommended for grant of Environmental and CRZ Clearance to the project. As per recommendations of the EAC, the Ministry of Environment, Forest and Climate Change hereby accords Environmental and CRZ Clearance to the project 'Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh by M/s GMR Holding Pvt Ltd, under the provisions of the EIA Notification, 2006 and Coastal Regulation Zone (CRZ) Notification, 2011, under the Environment (Protection), Act, 1986 and amendments/circulars issued thereon, and subject to the specific and general conditions as under:-

PART A – SPECIFIC CONDITIONS:

- (i) Construction activity shall be carried out strictly according to the provisions of CRZ Notification, 2011. No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.
- (ii) All the recommendations and conditions specified by Andhra Pradesh Coastal Zone Management Authority (APCZMA) vide letter No.34/APCZMA/2017 dated 20.03.2017 shall be complied with.
- (iii) Prior clearance from NBWL shall be obtained in respect of protected area.
- (iv) The project proponent shall ensure that the project is in consonance with the new CZMP prepared by the State Government under the provisions of the CRZ Notification, 2011.
- (v) The Project proponent shall ensure that no creeks or rivers are blocked due to any activities at the project site and free flow of water is maintained.
- (vi) Dredging shall not be carried out during the fish breeding season.
- (vii) Dredging, etc shall be carried out in the confined manner to reduce the impacts on marine environment.
- (viii) Dredged material shall be disposed safely in the designated areas.
- (ix) Shoreline should not be disturbed due to dumping. Periodical study on shore line changes shall be conducted and mitigation carried out, if necessary. The details shall be submitted along with the six monthly monitoring report.
- (x) The ground water shall not be tapped within the CRZ areas by the PP to meet with the water requirement in any case.
- (xi) The commitments made during the Public Hearing and recorded in the Minutes shall be complied with letter and spirit. A hard copy of the action taken shall be submitted to the Ministry.
- (xii) While carrying out dredging, an independent monitoring shall be carried out by Government Agency/Institute to check the impact and necessary measures shall be taken on priority basis if any adverse impact is observed
- (xiii) Based on the Marine Biodiversity Study done by East Godavari Estuarine Ecosystem (EGREE) Foundation, Kakinada as submitted with EIA/EMP report, a detailed marine biodiversity management plan shall be prepared on marine, brackish water and fresh water ecology and biodiversity and implemented. The report shall be based on a study of the impact of the

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- project activities on the intertidal biotopes, corals and coral communities, molluscs, sea grasses, sea weeds, subtidal habitats, fishes, other marine and aquatic micro, macro and mega flora and fauna including benthos, plankton, reptiles, turtles, birds etc. as also the productivity. The data collection and impact assessment shall be as per standard survey methods.
- (xiv) Marine ecology shall be monitored regularly also in terms of sea weeds, sea grasses, mudflats, sand dunes, fisheries, echinoderms, shrimps, turtles, corals, coastal vegetation, mangroves and other marine biodiversity components as part of the management plan. Marine ecology shall be monitored regularly also in terms of all micro, macro and mega floral and faunal components of marine biodiversity.
 - (xv) Spillage of fuel / engine oil and lubricants from the construction site are a source of organic pollution which impacts marine life, particularly benthos. This shall be prevented by suitable precautions and also by providing necessary mechanisms to trap the spillage.
 - (xvi) Necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that they conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986.
 - (xvii) All the recommendations mentioned in the rapid risk assessment report, disaster management plan and safety guidelines shall be implemented.
 - (xviii) Measures should be taken to contain, control and recover the accidental spills of fuel and cargo handle.
 - (xix) The Queries and comments raised by the participants during the Public hearing to the project held on 17th December, 2016 will be suitably documented in the form of a management plan drawn up to address to the expressed concerns specially those related to inundation of coast line due to dredging during the 7th berth construction, training and skill development for local youth, LNG leakages and fires, spillages of LNG, Accident risk mitigation for fishermen due to LNG leakages, fishermen interests including safety of nets due to ship movements, impacts of fishing activities near Hope Island, turtle hatcheries, drinking water, electricity and education and training facilities at Hope Island.
 - (xx) Pre medical check-up to be carried out on workers at the time of employment and regular medical record to be maintained.
 - (xxi) All the mitigation measures submitted in the EIA report shall be prepared in a matrix format and the compliance for each mitigation plan shall be submitted to the RO, MoEF&CC along with half yearly compliance report.
 - (xxii) As per the Ministry's Office Memorandum F.No.22-65/2017-IA.III dated 1st May 2018, the project proponent shall prepare and implement Corporate Environment Responsibility (CER) Plan.

PART B - 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 Chennai by the project proponent during inspection of the project for

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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 Chennai regarding the implementation of the stipulated conditions.
 - (iv) Ministry of Environment, Forest and Climate Change 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, Forest and Climate Change.
 - (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) A copy of this clearance letter shall also be displayed on the website of the concerned State Pollution Control Board. The Clearance letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.
4. 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.
5. 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 and CRZ 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, Forest and Climate Change at <http://www.envfor.nic.in>. The advertisement should be made within Seven 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 Chennai.

6. This 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.

7. Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

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

9. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parishad/Municipal Corporation, Urban Local Body and the Local

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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.

10. The proponent shall upload the status of compliance of the stipulated Clearance 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&CC, the respective Zonal Office of CPCB and the SPCB.

11. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated Clearance conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF&CC, the respective Zonal Office of CPCB and the SPCB.

12. 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 Clearance conditions and shall also be sent to the respective Regional Office of MoEF&CC by e-mail.

13. The above 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.

14. This issues with approval of the Competent Authority.


(Kushal Vashist)
Director

Copy to:

- 1) The Secretary, Department of Environment, Government of Andhra Pradesh, Hyderabad.
- 2) The Additional Principal Chief Conservator of Forests (C), Ministry of Environment, Forest and Climate Change, Regional Office (SEZ), 1st and 11th Floor, Handloom Export Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.
- 3) The Chairman, Andhra Pradesh State Pollution Control Board, Paryavaran Bhawan, A-3 Industrial Estate, Sanath Nagar, Hyderabad - 500 018
- 4) Monitoring Cell, MoEF&CC, Indira Paryavaran Bhavan, New Delhi.
- 5) Guard File/ Record File/ Notice Board.
- 6) MoEF&CC Website.


(Kushal Vashist)
Director

GMR Enterprises Private Limited

CIN: U74900TN2007PTC102389

Administrative Office:
Ground Floor, New Udaan Bhavan,
Opp: Indira Gandhi International Airport
Terminal 3, New Delhi - 110 037
T+011-42532846.

GMR/GEPL/LNG/2019/05

Date : 19th Apr 2019

To,

The Chairman,
Kakinada Seaports Limited
#8-2-418, Meenakshi House,
3rd Floor, Road No.7, Banjara Hills,
Hyderabad 500034

Kind Attention: Mr. K.V Rao

Subject: Environmental and CRZ Clearance F.No. 10-30/2016-IA-III for "Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh by M/S GMR Enterprises Pvt Ltd." - reg.

Dear Sir,

With reference to our letter no. GMR/GEPL/LNG/2019/04 dated 19 Apr 2019, copy of which is enclosed, we wish to bring to your notice that as desired by you vide mail from KSPL dated 09 Apr 2019 we have issued "No Objection" to transfer the above-mentioned Environment Clearance to East Coast Concessions Private Limited (ECPL) and/or its affiliates.

This is for your information and records please.

Thanking you,

Yours faithfully,

For GMR Enterprises Private Limited

S. Ranjith

Head- LNG Project

New Regd. Office:
Unit No. 1B, 1st Floor,
Riaz Garden, Old No.12, New No.29,
Kodambakkam High Road, Chennai-600 034,
Tamil Nadu, INDIA.

GMR Enterprises Private Limited

CIN: U74900TN2007PTC102389

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GMR

Administrative Office:
Ground Floor, New Udaan Bhavan,
Opp: Indira Gandhi International Airport
Terminal 3, New Delhi – 110 037
T+011-42532846.

GMR/GEPL/LNG/2019/04

Date: 19th April 2019

To,

Mr. Abhirup Bhattacharya,
Director – East Coast Concessions Private Limited,
12th Floor, Knowledge Park,
Hiranandani Business Park, Powai,
Mumbai 400076.

Sub: Environmental and CRZ Clearance F.No. 10-30/2016-IA-III – reg.

Dear Sir,

With reference to the Development of the LNG Facility at berth 7 of Kakinada Deep Water Port (KDWP) located adjacent to Survey no. 317/318, GMR Barge Mounted Power Plant located at Survey no. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh by M/s GMR Enterprises Pvt. Ltd., we are happy to inform you that the formal Environmental Clearance has been received for the Project on 07 March 2019.

In this context, we have "No Objection" to transfer the above mentioned Environmental Clearance to East Coast Concessions Private Limited (ECPL) and/or its affiliates, who shall develop the project henceforth.

We would continue to support ECPL as required for the transfer of the Environmental Clearance.

Thanking you,
Yours Faithfully,

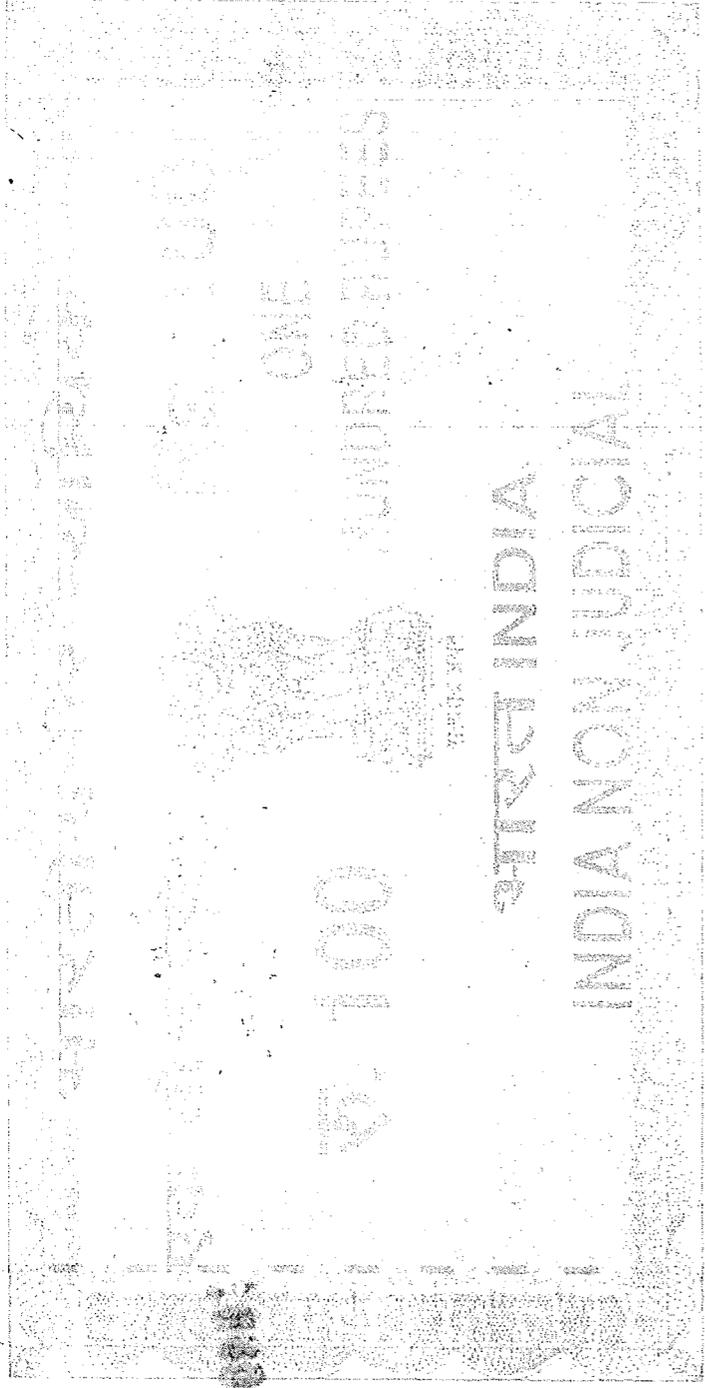
For GMR Enterprises Private Limited



S. Ramprasad
Head-LNG Project

New Regd. Office:
Unit No. 1B, 1st Floor,
Riaz Garden, Old No.12, New No.29,
Kodambakkam High Road, Chennai-600 034,
Tamil Nadu, INDIA.

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MAHARASHTRA

2019

VD 373114



MAHARASHTRA, INDIA
MUMBAI - 400022
15 APR 2019
MUMBAI

UNDERTAKING FOR TRANSFER OF ENVIRONMENT AND CRZ CLEARANCE

The undertaking is given at Maharashtra on this 24th day of April, 2019

East Coast Concessions Private Limited (herein after called "ECPL"), an H-Energy Group Company, is a company established with a vision to contribute to the economic growth of the country by offering world class, environmentally safe and sustainable energy solutions, having registered office at **514, Dalamal Towers, Nariman Point, Mumbai -400021, India.**

WHEREAS Ministry of Environment, Forest and Climate Change, Government of India has given Environmental and CRZ Clearance to GMR Holdings Private Limited vide **Letter No. F. No. 10-30/2016-IA-III** dated **7th March, 2019** for development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh.

AND WHEREAS the **Environmental and CRZ Clearance ("EC")** was obtained by GMR Enterprises Pvt. Ltd. (herein after called "GEPL") (Formerly GMR Holding Pvt. Ltd.) as GEPL and LNG Express India Pvt. Ltd. through their SPVs was proposing to import LNG at Kakinada Deep Water Port (KDWP) in the state of Andhra Pradesh and supply LNG/RLNG to meet the demand of domestic customers.

AND WHEREAS GEPL has given "No Objection Certificate (NOC)" to ECPL for transferring the EC so that the necessary monitoring and compliance work can be undertaken by ECPL with respect to the **EC Letter No. F. No. 10-30/2016-IA-III** dated **7th March, 2019**.

AND WHEREAS ECPL has to submit an undertaking for taking forward the responsibilities for complying with all terms & conditions as mentioned under **Environmental and CRZ Clearance ("EC")** granted for the said project and complying with all other applicable compliances.

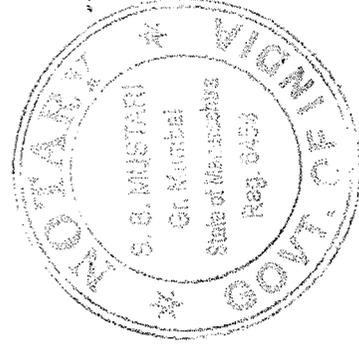
Now THEREFORE, the ECPL undertakes and agrees to abide the following terms and conditions, namely:-

1. To be liable for all the liabilities and claims resulting from non-compliance of the terms & conditions specified in the **Environmental and CRZ Clearance ("EC")** granted for development of LNG Facility at Kakinada Deep Water Port (KDWP) by Ministry of Environment, Forest and Climate Change, Government of India to GEPL.
2. To take full responsibility of development of the proposed project infrastructure amenities and utilities, including the disposal of land; and
3. To undertake all the other applicable / necessary compliance as may be applicable in the near future and any other activity related thereto.

Signature : 
Name of Authorized Person : Abhirup Bhattacharya
Designation : Director
Company : East Coast Concessions Private Limited
Date : 24.04.2019



INDIAN FEDERAL GOVT.
ANIL KUMAR BHANDARI
ADVOCATE HIGH COURT
Add: Opp. Bank of India, N. K. Road, N. K. Road
Opp. Haryana High Court, N. K. Road, N. K. Road
Pump House, Andheri (E), Mumbai - 400 052



25/4/19
S. B. MUSTARI
NOTARY
GOVT. OF INDIA
No. 2/4, Sai Dham Reg. Soc.
Takt Nagar, Sakinaka
Mumbai - 400 072

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HENERGY

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NOT APPLICABLE

East Coast Concessions Private Limited (CIN:- U60300MH2018PTC312426)
(Formerly known as Vishakapatnam Concessions Private Limited)
Regd Office: 514, Dalamal Towers, Nariman Point, Mumbai -400021, India
Corporate office: 12th Floor, Knowledge Park, Hiranandani Business Park, Powai, Mumbai - 400 076, India
Delhi Office: GF-16A-23, Narain Manzil, Barakhamba Road, Connaught Place, New Delhi 110001
P: +91 22 25715100/5200 W: www.henergy.com

Ref: ECPL/BD/MoEFCC/2019/01

Date: April 26th, 2019

The Director
IA Division - III,
Ministry of Environment, Forest and Climate Change (MoEF & CC),
Indira Paryavaran Bhavan,
Jor Bagh Road, Jor Bagh
New Delhi-110003

Kind Attn: Mr. Kushal Vashist, Director, Environment Impact Assessment -III

Sub: Application for Transfer of Environmental and CRZ Clearance of GMR Holding Pvt. Ltd in the name of M/s East Coast Concessions Private Limited (ECPL) for development of LNG Facility at Kakinada Deep Water Port (KDWP)

Ref: Letter no. F. No. 10-30/2016-IA-III dated 7th March, 2019 regarding Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh by M/s GMR Holding Pvt Ltd - Environmental and CRZ Clearance

Dear Sir,

This is with reference to the Environmental and CRZ Clearance obtained by M/s GMR Enterprises Pvt. Ltd (GEPL) (formerly GMR Holding Pvt. Ltd.) vide **Letter No. F. No. 10-30/2016-IA-III** dated **7th March, 2019** (EC letter is attached as **Annexure - 1**) for development of LNG Facility at Kakinada Deep Water Port (KDWP), we would like to inform you that now East Coast Concessions Private Limited (ECPL) is planning to take forward the development of the LNG facility at Kakinada Deep Water Port. East Coast Concessions Private Limited (ECPL) is an H-Energy Group Company and was established with a vision to contribute to the economic growth of the state of Andhra Pradesh by offering world class, environmentally safe and sustainable energy solutions.

East Coast Concessions Private Limited (CIN: U60300MH2018PTC012426)
(Formerly known as Vishakapatnam Concessions Private Limited)
Regd Office: 514, Delamal Towers, Nariman Point, Mumbai - 400021, India
Corporate office: 12th Floor, Knowledge Park, Hiranandani Business Park, Powai, Mumbai - 400 076, India
Delhi Office: GF 19A-23, Narain Manzil, Barakhamba Road, Connaught Place, New Delhi 110001
+91 22 25715100/5230 // www.henergy.com

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H ENERGY

Further attention is invited to the clause related to the Transferability of Environmental Clearance as per Para 11.1 of EIA Notification, 2006, which states

"A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written 'no objection' by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee or District Level Expert Appraisal Committee concerned is necessary in such cases."

In this connection, ECPL which is transferee, requests for transfer of the aforementioned EC of M/s GMR Enterprises Pvt. Ltd (GEPL) (formerly GMR Holding Pvt. Ltd.) to ECPL for taking up the full responsibility of complying with all the clauses of the EC (and related applicable compliances) granted for the aforementioned project. A copy of "No Objection Certificate (NOC)" given by M/s GMR Enterprises Pvt. Ltd (GEPL) (formerly GMR Holding Pvt. Ltd.) to East Coast Concessions Private Limited (ECPL) for development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh. A copy of the abovementioned NOC is attached as **Annexure - 2**.

Therefore, you are requested to kindly grant the approval for transfer of the Environmental and CRZ Clearance for the aforementioned project. We shall abide by the Environmental and CRZ Clearance conditions set forth by the MoEf & CC. An undertaking by ECPL for complying all the terms and conditions of EC as set forth in Letter **No. F. No.**

10-30/2016-IA-III dated **7th March, 2019** is attached as **Annexure - 3**.

East Coast Concessions Private Limited (CIN:- U63090MH2015PTC312426)
(Formerly known as Vishakapatnam Concessions Private Limited)
Regd Office: 514, Delamal Towers, Nariman Point, Mumbai -400021, India
Corporate office: 12th Floor, Knowledge Park, Hirzenandani Business Park, Powai, Mumbai -400 075, India
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T: +91 22 25715100/5200 E: www.henergy.com

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H ENERGY

The Transferability of Environmental Clearance sought out among the following entities:

TRANSFEROR	TRANSFeree
<p>M/s GMR Enterprises Pvt. Ltd (GEPL) (formerly GMR Holding Pvt. Ltd.), Unit no 1B, First Floor, Riaz Garden, Old no. 12, New no. 29, Kodambakkam High Road, Chennai, Tamil Nadu</p>	<p>M/s East Coast Concessions Private Limited Regd Office: 514, Dalamal Towers, Nariman Point, Mumbai -400021, India Authorized Person: Mr. Abhirup Bhattacharya Designation: Director Email: abhattacharya@in.henergy.com Tel: +91 22 2576 3705 Fax: +91 22 2576 3777</p>

We look forward to your kind co-operation and support in expeditious implementation of the above application. We would be happy to provide further information (if any), as required by you.

Yours faithfully,

For East Coast Concessions Private Limited



Abhirup Bhattacharya

Director

East Coast Concessions Private Limited (CIN - U65000MH2013PTC042436)
(Formerly known as Vishakapatnam Concessions Private Limited)
Regd Office: 514, Dalamal Towers, Nariman Point, Mumbai -400021, India
Corporate office: 72nd Floor, Knowledge Park, Hiranandani Business Park, Powai, Mumbai -- 400 076, India
Delhi Office: GF-19A-23, Narain Menzil, Barakhamba Road, Connaught Place, New Delhi 110001
T: +91 22 25715100/3200 V: www.henergy.com

Encls:

1. **Annexure-1:** A copy of Environmental and CRZ Clearance Letter no. F. No. 10-30/2016-IA-III dated 7th March, 2019
2. **Annexure-2:** A copy of "No Objection Certificate (NOC)" given by M/s GMR Enterprises Pvt. Ltd (GEPL) (formerly GMR Holding Pvt. Ltd.)
3. **Annexure - 3:** An undertaking by ECPL for complying all the terms and conditions of

EC

H ENERGY**To Whomsoever it may concern**

I, Abhirup Bhattacharya, hereby undertake that I am authorized to sign documents on behalf of M/s East Coast Concessions Private Limited (ECPL) in my capacity as Director, ECPL.



Abhirup Bhattacharya,
Director

For East Coast Concessions Private Limited

Date: 29th April 2019

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GMR Enterprises Private Limited



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Regd. Office:
Unit No.1B, First Floor, Riaz Garden,
Old. No.12, New No. 29,
Kodambakkam High Road,
Chennai - 600034,
Tamil Nadu, INDIA
CIN U74900TN2007PTC102389
www.gmrgroup.in

CERTIFIED TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING OF THE BOARD OF DIRECTORS OF GMR ENTERPRISES PRIVATE LIMITED HELD ON WEDNESDAY, SEPTEMBER 21, 2016 AT 3RD FLOOR, NEW UDAAN BHAWAN, OPP. TERMINAL -3, IGI AIRPORT, NEW DELHI- 110 037

"RESOLVED THAT approval of the Board be and is hereby accorded to the Energy Business Development Team to make enquiries with suppliers of Liquefied Natural Gas (LNG) and other vendors involved in shipping and handling of LNG/ Re-gasified Liquefied Natural Gas (RLNG), storage and providing re-gasification services for LNG/RLNG to prepare the business proposal to meet the requirements of the consumers for LNG/RLNG.

RESOLVED FURTHER THAT Mr Arunendu Saha , Mr Avinash Shah and Mr S.Ram Prasad be and are hereby severally authorized to submit Environment Impact Assessment (EIA) documents and letters to MoEF and submit documents and letters for conducting public hearing for seeking Environment (EC) and CRZ Clearance,

RESOLVED FURTHER THAT the Directors and Company Secretary of the Company be and are hereby authorized severally to sign and issue copy of this resolution to the concerned persons / authorities as may be required in this regard."

**// CERTIFIED TRUE COPY //
For GMR Enterprises Private Limited**



Director

Form-4APPLICATION FOR AMENDMENT IN ENVIRONMENTAL CLEARANCE

(To be filled up by User Agency)

1. Details of Project

Proposal No. : IA/AP/MIS/122127/2019

- (a) Name of the project : Development of LNG Facility at Kakinada Deep Water Port (KDWP)
 (b) Name of Company / Organisation. : EAST COAST CONCESSIONS PRIVATE LIMITED
 (c) Registered Address. : 514, DALAMAL TOWERS, NARIAMAN POINT, MUMBAI
 (d) Legal Status of the Company. : Private
 (e) Joint Venture (Yes/No) : No

2. Address for the Correspondence

- (a) Name of Applicant. : ABHIRUP
 (b) Designation (Owner/Partner/CEO) : DIRECTOR
 (c) Address :- 514, DALAMAL TOWERS, NARIAMAN POINT, MUMBAI

State : Maharashtra

District : Mumbai City

Town / Village : No

(d) Pin Code : 400076

(e) Email : abhirupb70@gmail.com

(f) Telephone no : 25763705

(g) Fax no : 25763777

(h) Mobile no : 7045949094

(i) Contact Person. : ABHIRUP

(j) Website (if any) : www.henergy.com

3. Category of the Project/Activity as per Schedule of EIA Notification, 2006

(a). Major Activity. : 7(e) Ports, Harbours

Minor Activity : No

Major Sub Activity. : No

Minor Sub Activity : No

(b). Category : A

Reason for applicant at central level/state level (in case of B1 and B2 projects): No

4. Location of Project

- (a) Plot No/Survey No/Khasra No : The LNG terminal is proposed at latitude 16057'42"N and longitude 82016'26"E within Kakinada Deep Water Port Limits (south of Survey no.411, 413.), East Godavari District, Andhra Pradesh
 (b) Village : Kakinada
 (c) Tehsil : Kakinada (U)
 (d) District : East Godavari
 (e) State : Andhra Pradesh
 (f) Pin Code : 533001
 (g) Bounded Latitudes (North) : Yes

From : Degree:16, Minutes : 57, Second :24.91
 To : Degree:16, Minutes : 57, Second :45.48
 (h) Bounded Longitudes (East) : Yes
 From : Degree:82, Minutes : 16, Second :9.71
 To : Degree:82, Minutes : 16, Second :54.62
 (i) Survey of India Topo Sheet No : E44W5

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5 Details of Environment Clearance

- (a) Project Name : Development of LNG Facility at Kakinada Deep Water Port (KDWPP)
 (b) MoEF&CC / SEIAA File No : 10-30/2016-IA-III
 (c) Date of issue of EC : 07/03/2019



- (d) Uploaded EC letter (PDF Only):

6 Details of Consent to Operate

- (i) Whether Consent to operate obtained (Yes/No) ? : No

Z Amendment Sought for

Amendment in Configuration/ Amendments in Clearance condition/ Other (specify) : Amendment in Configuration as detailed in Technical Note

8 Details of Product (as per the approved EC)

Details of Products			
S.no	Product / Activity (Capacity/ Area).	Quantity	Unit
1	LNG Handling	1.75	MMTPA
			Sea route

9 Details of Configuration (Multiple Entries Allowed)

Details of Configurations					
S.no	Plant/ Equipment/ Facility	Existing Configuration	Proposed Configuration	Final configuration after amendment	Remarks if Any
1	LNG FACILITY	• Handling Capacity - 1.75 MTPA	• Handling Capacity - 1.75 MTPA	• Handling Capacity - 1.75 MTPA	No Change
2	LNG facility	• LNG Storage tank capacity - 15000 m3	• LNG Storage tank capacity - 15000 m3	• LNG Storage tank capacity - 15000 m3	No Change
3	location of facilities	marine and landward facilities	• Shift in marine & landward facilities	• Shift in marine & landward facilities	refer technical note
4	FSU	Mooring of LNGC of upto 160000m3	FSU - 186000m3 & unload/reload LNG from/to LNGC	FSU - 186000m3 & unload/reload LNG from/to LNGC	
5	Project Cost	Project Cost - INR 950 Crores	Project Cost - INR 900 Crores	Project Cost - INR 900 Crores	Cost reduction
6	Location	Adjacent to Berth 7 of Kakinada Deep Water Port	200m of exist. Berth 7 & 200m of new jetty (8)	200m of exist. Berth 7 & 200m of new jetty (8)	Refer Technical Note

7	Handling of Shuttle Vessel	Nil	Reloading of LNG to Shuttle vessels 40,000m ³	Reloading of LNG to Shuttle vessels 40,000m ³	Refer Technical Note
8	LNG Facility	• Land Area - 61.6 acres	• Land Area - 61.6 acres	• Land Area - 61.6 acres	No Change
9	Ship size	• Ship/LNGC Capacity (75,500 m ³ - 160,000 m ³)	• LNGC vessel size upto 186000 m ³	• LNGC vessel size upto 186000 m ³	-
10	Cryogenic pipeline	Cryogenic pipeline length within the layout -804m	Cryogenic pipeline length within the layout -670m	Cryogenic pipeline length within the layout -670m	reduction in pipeline length

10 Reason for Amendment

Reason for Amendment : East Coast Concessions Private Limited (ECPL) proposes some modification in the project layout and LNG handling configuration which attracts the amendment in Environmental/CRZ clearance obtained from MoEF&CC. Change in location of marine facility: Due to availability of 200 m of berth no.7 for immediate utilization and reduction in construction foot print Change in vessel sizes: Availability of large vessel sizes in the market and suitability of port facilities for handling of large vessels Change in length of cryogenic pipeline: Due to utilization of berth no.7 and backup facilities Unloading/reloading of LNG within KDWP: LNG unload/reload in tranquil conditions is much safer than high seas and away from the ESZ of Coringa WLS

11 Any Other amendment required

Any Other Amendment Required				
S.no	Reference of Approved EC	Description as per Approved EC	Description as per Proposal.	Remarks
1	F. No. 10-30/2016-IA-III	Adjacent to Berth 7 of Kakinada Deep Water Port	200m of exist. Berth 7 & 200m of new jetty (8)	Refer Technical Note
2	F. No. 10-30/2016-IA-III	marine and landward facilities	Shift in marine & landward facilities	Refer technical note
3	F. No. 10-30/2016-IA-III	STS outside KDWP	STS within KDWP	Refer Technical Note
4	F. No. 10-30/2016-IA-III	Nil	Reloading of LNG to Shuttle vessels 40,000m ³	Refer Technical Note
5	F. No. 10-30/2016-IA-III	Ship/LNGC Capacity (75,500 m ³ - 160,000 m ³)	LNGC vessel size upto 186000 m ³	Refer Technical Note
6	F. No. 10-30/2016-IA-III	Project Cost - INR 950 Crores	Project Cost - INR 900 Crores	Refer Technical Note
7	F. No. 10-30/2016-IA-III	Mooring of LNGC of upto 160000m ³	FSU - 186000m ³ & unload/reload LNG from/to LNGC	Refer technical note

12 Details of EIA Consultant

Have you hired Consultant for preparing document (Yes/No) ? : Yes

(i) Accreditation No : NABET/EIA/1720/RA 0112

(ii) Name of EIA Consultant : L&T Infrastructure Engineering Limited

(iii) Address : Nos.513 to 516, 5th Floor, Block III, White House, H No: 6-3-1192/1/1,, Kundanbagh, Hyderabad, Telan

(iv) Mobile No: 040-403544

(v) Landline No : 040-40354444

(vi) E-mail Id : lnthyd@lnthiel.com

(vii) Category of Accreditation : A

(viii) Sector of Accreditation : Ports, harbours, breakwaters and dredging, (as per nabet-sector 33) and 7(e) as per MoEF&CC notifica

(ix) Validity of Accreditation : February, 2020

(x)Uploaded certificate of Accreditation certified by QCI/NABET (Upload PDF Only):  

13. Document to be Attached

- (a) Uploaded addendum to EIA/EMP Report : No Data
- (b) Uploaded Copy of revised -Feasibility Report /Detailed Project Report (DPR) / Detailed Engineering Report / Detailed Conceptual Plan / Approved Mining Plan (in case of mining proposals) : No Data
- (c) Upload Copy of final Layout Plan : No Data
- (d)Uploaded Cover Letter duly signed by the project proponent or authorized person:  
- (e)Uploaded a copy of authorization duly signed by the project proponent in support of the person making this application on behalf of the User Agency:  
- (f)Uploaded Additional File, If any : No Data

Essential Details Sought

Essential Details Sought		
S.no.	EDS Sought Date	EDS Sought Letter
1.	08/11/2019	Kindly submit recommendations of Coastal Zone Management Authority (CZMA) for the proposed Amendment.

Additional Detail Sought: NIL

14. Undertaking

- (a): I hereby give undertaking that the data and information given in the application and enclosures are true to be best of my knowledge and belief and I am aware that if any part of the data and information found to be false or misleading at any stage, The project will be rejected and clearance given, If any to the project will be revoked at our risk and cost. In addition to above, I hereby give undertaking that no activity / construction / expansion has since been taken up.
- (b)Name : ABHIRUP BHATTACHARYA
- (c)Designation: DIRECTOR
- (d)Company: EAST COAST CONCESSIONS PRIVATE LIMITED
- (e)Address: 514, DALAMAL TOWERS, NARIMAN POINT, MUMBAI

ENVIRONMENTAL/CRZ
CLEARANCE LETTER - GHPL

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F. No. 10-30/2016-IA-III

Government of India
Ministry of Environment, Forest and Climate Change
(IA.III Section)

Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi - 3

Date: 7th March, 2019

To,

**The Associate Vice President,
M/s GMR Holdings Private Limited,**
Unit no 1B, First Floor, Riaz Garden,
Old no. 12, New no. 29,
Kodambakkam High Road,
Chennai, Tamil Nadu
Email: Arunendu.Saha@gmrgroup.in

**Subject: Development of LNG Facility at Kakinada Deep Water Port (KDWP)
Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted
power plant located at Survey no. 411,413, Tehsil Kakinada, District
East Godavari, Andhra Pradesh by M/s GMR Holding Pvt Ltd -
Environmental and CRZ Clearance - reg.**

Sir,

This has reference to your online proposal No. IA/AP/MIS/52545/2016 dated 30th March, 2017 submitted to this Ministry for grant of Environmental and CRZ Clearance in term of the provisions of the Environment Impact Assessment (EIA) Notification, 2006 and Coastal Regulation Zone (CRZ) Notification, 2011, under the Environment (Protection), Act, 1986.

2. The proposal for grant of environmental and CRZ clearance to the project 'Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh by M/s GMR Holding Pvt. Ltd' was considered by the Expert Appraisal Committee (Infra-2) in its meeting held on 25-27 May, 2017. The details of the project, as per the documents submitted by the project proponent, and also as informed during the above meeting, are under:-

- (i). GMR Enterprises Pvt. Ltd (GEPL) (Formerly GMR Holding Pvt Ltd and LNG Express India Pvt. Ltd. through their SPV are proposing to import LNG at Kakinada Deep Water Port (KDWP) in the state of Andhra Pradesh and supply LNG/RLNG to meet the demand of domestic customers.
- (ii). GMR Energy Limited (GEL), subsidiary of GEPL, has three operating power plants i.e. 220 MW barge mounted power plant near KDWP and 1138 MW gas based power plants at Vemagiri. Proposed LNG facility will cater to the gas requirements of the GMR power plants. Additionally, it is envisaged that other existing gas based power plants, and upcoming industries would be benefitted from the proposed LNG facility at Kakinada Port. The project envisages to import 1.75 MTPA of LNG for this purpose.
- (iii). The proposed LNG import facility will be located at latitude 16^o57'42"N and longitude 82^o16'33"E within Kakinada Port Limits, East Godavari District, Andhra Pradesh. The LNG jetty will be located adjacent to Berth 7 of KDWP and backup area of about ~24.9 ha (61.6 acres) will be developed for LNG



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- storage, regasification, truck loading facility, send out and metering facilities and utilities. Berthing facilities for LNGC consist of six (6) Mooring Dolphins, four (4) Breasting Dolphins and one Central Platform. LNG will be imported using LNG Carrier (LNGC) ranging in size up to 160000 m³. Four unloading arms will be provided at jetty.
- (iv). LNG will be unloaded continuously and pumped to LNG storage tank of 15000 cum capacity and re-gasification as per the requirement. Glycol water based STV using ambient air and/ or waste heat recovery systems along with AAV vaporization will be used as regasification technology. The capital and maintenance dredging is estimated at 2.9 MCM and 0.1 MCM respectively.
 - (v). The dredged material will be disposed at KDWP identified offshore disposal ground.
 - (vi). The Power and Water requirement will be of the tune of 10 MW (in-house power generation with BOG) and 387.5 KLD respectively.
 - (vii). The total greenbelt/ green areas will be about 15.4 acres.
 - (viii). Tor for EIA study was granted by the Ministry vide F.No:10-30/2016-IA.III dated 20th May, 2016 and amendment vide letter dated 28th April, 2017.
 - (ix). The EIA has been prepared by M/s. L&T Infrastructure Engineering Limited based on approved ToR and addresses all issues pertaining to marine, terrestrial and socio-economic aspects of the project. Air quality modelling study has been carried out which suggests predicted ground level concentrations will be well within the National Ambient Air Quality Standards.
 - (x). Public hearing for the project was conducted on 17th December, 2016, at office premises of Director of Ports, beach road, Kakinada, East Godavari District and the issues raised during the public hearing have also been addressed in the final EIA report.
 - (xi). The CRZ mapping / HTL & LTL demarcation of the proposed project has been carried out by Institute of Remote Sensing (IRS), Anna University, Tamil Nadu. The project facilities fall within CRZ III and IVA area and these are permissible as per CRZ Notification, 2011. Andhra Pradesh Coastal Zone Management Authority (APCZMA) has recommended the Project to MOEF&CC vide letter No.34/APCZMA/2017 dated 20.03.2017. As the project is falling within 10 km of the Coringa Wildlife sanctuary, necessary application to National Board for Wildlife (NBWL) is also made and under consideration.
 - (xii). The cost for development of LNG facility and supply pipe line is approximately Rs. 950 crores and the project is expected to be commissioned in 13 months after obtaining necessary statutory clearances.
 - (xiii). Employment Generation: During construction phase:-100 and operational phase-450 (Direct: 40, Indirect: 500).
 - (xiv). Benefits of the project: Project shall meet the natural gas demand of industries in the state and in the area around the project. Natural Gas is safe and environment friendly as compared to other fuels. Combustion of natural gas emits negligible or no sulphur dioxide, thereby will lead to clean burning thereby reducing carbon emission. Many industries who are still not connected with the natural gas pipeline network will be able to receive LNG in cryogenic form, regasify in their site and use this clean fuel in their industries. This will indirectly result in reduction of greenhouse gas.

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3. The EAC, in its meeting held on 25-27 May, 2017, after detailed deliberations on the proposal, has recommended for grant of Environmental and CRZ Clearance to the project. As per recommendations of the EAC, the Ministry of Environment, Forest and Climate Change hereby accords Environmental and CRZ Clearance to the project 'Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh by M/s GMR Holding Pvt Ltd, under the provisions of the EIA Notification, 2006 and Coastal Regulation Zone (CRZ) Notification, 2011, under the Environment (Protection), Act, 1986 and amendments/circulars issued thereon, and subject to the specific and general conditions as under:-

PART A – SPECIFIC CONDITIONS:

- (i) Construction activity shall be carried out strictly according to the provisions of CRZ Notification, 2011. No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.
- (ii) All the recommendations and conditions specified by Andhra Pradesh Coastal Zone Management Authority (APCZMA) vide letter No.34/APCZMA/2017 dated 20.03.2017 shall be complied with.
- (iii) Prior clearance from NBWL shall be obtained in respect of protected area.
- (iv) The project proponent shall ensure that the project is in consonance with the new CZMP prepared by the State Government under the provisions of the CRZ Notification, 2011.
- (v) The Project proponent shall ensure that no creeks or rivers are blocked due to any activities at the project site and free flow of water is maintained.
- (vi) Dredging shall not be carried out during the fish breeding season.
- (vii) Dredging, etc shall be carried out in the confined manner to reduce the impacts on marine environment.
- (viii) Dredged material shall be disposed safely in the designated areas.
- (ix) Shoreline should not be disturbed due to dumping. Periodical study on shore line changes shall be conducted and mitigation carried out, if necessary. The details shall be submitted along with the six monthly monitoring report.
- (x) The ground water shall not be tapped within the CRZ areas by the PP to meet with the water requirement in any case.
- (xi) The commitments made during the Public Hearing and recorded in the Minutes shall be complied with letter and spirit. A hard copy of the action taken shall be submitted to the Ministry.
- (xii) While carrying out dredging, an independent monitoring shall be carried out by Government Agency/Institute to check the impact and necessary measures shall be taken on priority basis if any adverse impact is observed
- (xiii) Based on the Marine Biodiversity Study done by East Godavari Estuarine Ecosystem (EGREE) Foundation, Kakinada as submitted with EIA/EEMP report, a detailed marine biodiversity management plan shall be prepared on marine, brackish water and fresh water ecology and biodiversity and implemented. The report shall be based on a study of the impact of the

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project activities on the intertidal biotopes, corals and coral communities, molluscs, sea grasses, sea weeds, subtidal habitats, fishes, other marine and aquatic micro, macro and mega flora and fauna including benthos, plankton, reptiles, turtles, birds etc. as also the productivity. The data collection and impact assessment shall be as per standard survey methods.

(xiv) Marine ecology shall be monitored regularly also in terms of sea weeds, sea grasses, mudflats, sand dunes, fisheries, echinoderms, shrimps, turtles, corals, coastal vegetation, mangroves and other marine biodiversity components as part of the management plan. Marine ecology shall be monitored regularly also in terms of all micro, macro and mega floral and faunal components of marine biodiversity.

(xv) Spillage of fuel / engine oil and lubricants from the construction site are a source of organic pollution which impacts marine life, particularly benthos. This shall be prevented by suitable precautions and also by providing necessary mechanisms to trap the spillage.

(xvi) Necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that they conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986.

(xvii) All the recommendations mentioned in the rapid risk assessment report, disaster management plan and safety guidelines shall be implemented.

(xviii) Measures should be taken to contain, control and recover the accidental spills of fuel and cargo handle.

(xix) The Queries and comments raised by the participants during the Public hearing to the project held on 17th December, 2016 will be suitably documented in the form of a management plan drawn up to address to the expressed concerns specially those related to inundation of coast line due to dredging during the 7th berth construction, training and skill development for local youth, LNG leakages and fires, spillages of LNG, Accident risk mitigation for fishermen due to LNG leakages, fishermen interests including safety of nets due to ship movements, impacts of fishing activities near Hope Island, turtle hatcheries, drinking water, electricity and education and training facilities at Hope Island.

(xx) Pre medical check-up to be carried out on workers at the time of employment and regular medical record to be maintained.

(xxi) All the mitigation measures submitted in the EIA report shall be prepared in a matrix format and the compliance for each mitigation plan shall be submitted to the RO, MoEF&CC along with half yearly compliance report.

(xxii) As per the Ministry's Office Memorandum F.No.22-65/2017-JA.III dated 1st May 2018, the project proponent shall prepare and implement Corporate Environment Responsibility (CER) Plan.

PART B - 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 Chennai by the project proponent during inspection of the project for

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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 Chennai regarding the implementation of the stipulated conditions.
 - (iv) Ministry of Environment, Forest and Climate Change 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, Forest and Climate Change.
 - (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) A copy of this clearance letter shall also be displayed on the website of the concerned State Pollution Control Board. The Clearance letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.
4. 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.
 5. 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 and CRZ 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, Forest and Climate Change at <http://www.envfor.nic.in>. The advertisement should be made within Seven 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 Chennai.
 6. This 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.
 7. Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
 8. Status of compliance to the various stipulated environmental conditions and environmental safeguards will be uploaded by the project proponent in its website.
 9. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parishad/Municipal Corporation, Urban Local Body and the Local

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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.

10. The proponent shall upload the status of compliance of the stipulated Clearance 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&CC, the respective Zonal Office of CPCB and the SPCB.

11. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated Clearance conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF&CC, the respective Zonal Office of CPCB and the SPCB.

12. 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 Clearance conditions and shall also be sent to the respective Regional Office of MoEF&CC by e-mail.

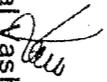
13. The above stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act 1974, the Air (Prevention and Control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification 1994,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

14. This issues with approval of the Competent Authority.


(Kushal Vashist)
Director

Copy to:

- 1) The Secretary, Department of Environment, Government of Andhra Pradesh, Hyderabad.
- 2) The Additional Principal Chief Conservator of Forests (C), Ministry of Environment, Forest and Climate Change, Regional Office (SEZ), 1st and 11th Floor, Handloom Export Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.
- 3) The Chairman, Andhra Pradesh State Pollution Control Board, Paryavaran Bhawan, A-3 Industrial Estate, Sanath Nagar, Hyderabad - 500 018
- 4) Monitoring Cell, MoEF&CC, Indira Paryavaran Bhavan, New Delhi.
- 5) Guard File/ Record File/ Notice Board.
- 6) MoEF&CC Website.


(Kushal Vashist)
Director

ENVIRONMENTAL/CRZ
CLEARANCE NAME TRANSFER
LETTER - GHPL TO GEPL

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SPEED POST

F.No. 10-30/2016- IA III
Government of India
Ministry of Environment, Forest and Climate Change
(I.A. Division)

Indira Paryavaran Bhavan
Jor Bagh Road, Aligarj
New Delhi-110 003
Date: 15th May, 2019

CORRIGENDUM

Subject: "Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey no. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh - change in name from M/s GMR Holdings Private Limited to M/s GMR Enterprises Private Limited - Corrigendum reg.

Sir,

This has reference to your letter No. GMR/GEPL/2019/01 dated 20th March, 2019, on the above mentioned subject requesting Ministry to issue corrigendum regarding change in name of the project proponent from M/s GMR Holdings Private Limited to M/s GMR Enterprises Private Limited in the Environmental and CRZ Clearance accorded to the above mentioned project vide letter F.No.10-30/2016-IA-III dated 07.03.2019.

2. The matter has been examined in the Ministry. In this regard, it is conveyed that in the Environmental and CRZ Clearance issued vide letter F.No.10-30/2016-IA-III dated 07.03.2019, M/s GMR Enterprises Private Ltd shall be read in place of M/s GMR Holdings Private Limited.
3. All other terms and conditions of the Environmental and CRZ Clearance issued vide letter F.No.10-30/2016-IA-III dated 07.03.2019, shall remains the same.
4. This issues with the approval of Competent Authority in the Ministry.

To,

**Shri Ram Prasad, Associate Vice President
M/s GMR Enterprises Private Limited**
Unit No. 1 B, First Floor, Riaz Garden Old No. 12,
New No. 29, Kodambakkam High Road
Chennai - 600 034 (Tamil Nadu)


(Kushal Vashist)
Director
Tel: 011- 24695382

Copy to:

- (i) The Secretary (Environment), Environment and Forest Department,
Government of Andhra Pradesh.

SR

- (ii) The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32.
- (iii) The Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment, Forests and Climate Change, 1st and 11th Floor, Handloom Export Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai-34.
- (iv) The Chairman, Andhra Pradesh Pollution Control Board Paryavaran Bhavan, A-III, Industrial Estate, Sanath Nagar Hyderabad, Andhra Pradesh.
- (v) The Member Secretary, Andhra Pradesh Coastal Zonal management Authority, Environment Forest Science and Technology Department, Hyderabad, Andhra Pradesh.
- (vi) Guard File, Monitoring File.

(Kushal Vashist)
Director

85

ENVIRONMENTAL/CRZ

CLEARANCE NAME TRANSFER

LETTER - GEPL TO ECPL

86

SPEED POST

F. No. 10-30/2016-IA-III
Government of India
Ministry of Environment, Forest and Climate Change
(IA.III Section)

Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi - 3

Date: 18th June, 2019

To,

M/s East Coast Concessions Private Limited (ECPL)
514, Dalamal Towers, Nariman Point,
Mumbai - 400021, Maharashtra

Subject: Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey No. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh - Transfer of Environmental and CRZ Clearance from M/s GMR Enterprises Pvt Ltd to M/s East Coast Concessions Private Limited (ECPL) reg.

Sir,

This has reference to your letter No. ECPL/BD/MoEF&CC/2019/01 dated 26th April, 2019 and online proposal No. IA/AP/MIS/103758/2019 dated 29th April, 2019, submitted to this Ministry for transfer of Environmental and CRZ Clearance accorded for Development of LNG Facility at Kakinada Deep Water Port (KDWP) Berth 7 located adjacent to Survey no. 317/318, GMR barge mounted power plant located at Survey No. 411,413, Tehsil Kakinada, District East Godavari, Andhra Pradesh in favour of M/s GMR Holdings Pvt Ltd vide letter of even No. dated 07.03.2019 and subsequently correction in name of the project proponent i.e. M/s GMR Enterprises Pvt Ltd issued vide letter of even No. dated 15.05.2019 to M/s East Coast Concessions Pvt Ltd (ECPL).

2. As per the information submitted, M/s East Coast Concessions Pvt Ltd (ECPL) an H-Energy Group Company is planning to take forward the development of the LNG facility at Kakinada Deep Water Port. All the required documents along with the relevant details required in Form-7 "Application for Transfer of Environmental Clearance" on the online portal of MoEF&CC have been uploaded. In this connection, M/s East Coast Concessions Pvt Ltd (ECPL), the transferee, requests for transfer of the aforementioned EC&CRZ clearance of M/s GMR Enterprises Pvt Ltd (GEPL) (formerly GMR Holding Pvt Ltd) to M/s East Coast Concessions Pvt Ltd (ECPL) for taking up the full responsibility of complying with all the clauses of the EC (and related applicable compliances) granted for the aforementioned project. No objection Certificate from M/s GMR Enterprises Pvt Ltd (GEPL) and undertaking from M/s East Coast Concessions Pvt Ltd stating that they will comply with all the terms and conditions of the EC&CRZ Clearance accorded by the Ministry of Environment, Forest and Climate Change vide letter F.No.10-30/2016-IA-III dated 07.03.2019 and subsequent corrigendum dated issued vide letter dated 15.05.2019 is submitted with the application.



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3. In this regard, referring to the clause related to transferability of Environment Clearance as per section 11 of the EIA Notification, 2006, and request of M/s East Coast Concessions Pvt Ltd (ECPL) for the transfer of EC&CRZ Clearance for Development of LNG Facility at Kakinada Deep Water Port (KDWP), the Ministry of Environment, Forest and Change hereby accords the transfer of Environment and CRZ Clearance accorded vide letter F.No.10-30/2016-IA-III dated 07.03.2019 and subsequent corrigendum issued vide dated 15.05.2019 to M/s East Coast Concessions Pvt Ltd (ECPL) on the same terms and conditions under which prior environmental and CRZ clearance was initially granted, and for the same validity period.
4. All the other conditions stipulated in the MoEF&CC letter F.No. 10-30/2016-IA-III dated 07.03.2019 and subsequent corrigendum issued vide letter dated 15.05.2019 shall remain unchanged.
5. This issues with the approval of the Competent Authority.

S. Bose
(Dr. Subrata Bose)
Scientist F

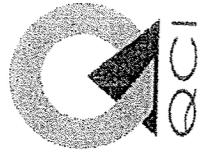
Copy to:

- 1) M/s GMR Enterprises Pvt. Ltd (GEPL) (formerly GMR Holding Pvt. Ltd.), Unit No. 1B, first Floor, Riaz Garden, old no. 12, New no. 29, Kodambakkam High Road, Chennai, Tamil Nadu.
- 2) The Secretary (Environment), Environment and Forest Department, Government of Andhra Pradesh.
- 3) The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32.
- 4) The Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment, Forests and Climate Change, 1st and 11th Floor, Handloom Export Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai - 34.
- 5) The Chairman, Andhra Pradesh Pollution Control Board, Paryavaran Bhavan, A-III, Industrial Estate, Hyderabad, Andhra Pradesh.
- 6) The Member Secretary, Andhra Pradesh Coastal Zonal management Authority, Environment Forest Science and Technology Department, Hyderabad, Andhra Pradesh.
- 7) Guard File, Monitoring File, MoEF&CC website.

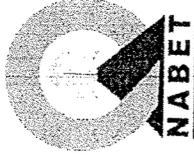
S. Bose
(Dr. Subrata Bose)
Scientist F

Wt
12/18

88



Quality Council of India
National Accreditation Board for
Education & Training



CERTIFICATE OF ACCREDITATION

L&T Infrastructure Engineering Ltd.

House No. 6-3-1192/1/1, 5th Floor, Block No. 3, White House, Kundan Bagh,
Begumpet, Hyderabad – 500016

Accredited as **Category - A** organization under the QCI-NABET Scheme for Accreditation of EIA Consultant Organizations: Version 3 for preparing EIA-EMP reports in the following Sectors:

Sl. No.	Sector Description	Sector (as per)		Cat.
		NABET	MoEFCC	
1	River Valley projects	3	1 (c)	A
2	Thermal power plants	4	1 (d)	A
3	Air ports	29	7 (a)	A
4	Industrial estates/ parks/ complexes/Areas, export processing Zones (EPZs), Special economic zones (SEZs), Biotech Parks, Leather Complexes	31	7 (c)	A
5	Ports, harbours, break waters and dredging	33	7 (e)	A
6	Highways	34	7 (f)	A
7	Common Effluent Treatment Plants (CETPs)	36	7 (h)	B
8	Common municipal solid waste management facility (CMSWMF)	37	7 (i)	B
9	Building and construction projects	38	8 (a)	B
10	Townships and Area development projects	39	8 (b)	B

Note: Names of approved EIA Coordinators and Functional Area Experts are mentioned in RAAC minutes dated December 28, 2017 posted on QCI-NABET website.

The Accreditation shall remain in force subject to continued compliance to the terms and conditions mentioned in QCI-NABET's letter of accreditation bearing no. QCI/NABET/ENV/ACO/18/0810 dated December 17, 2018. The accreditation needs to be renewed before the expiry date by L&T Infrastructure Engineering Limited, Hyderabad, following due process of assessment.

Sr. Director, NABET

Dated: December 17, 2018

Certificate No.

NABET/ EIA/1720/ RA 0112

Valid till

09.02.2020

For the updated List of Accredited EIA Consultant Organizations with approved Sectors please refer to QCI-NABET website.



Figure 1: Project Boundary

4 Salient Features of LNG Terminal for which EC/CRZ Clearance Accorded

S. No	Parameter	Description
1.	Location	Adjacent to Berth 7 of Kakinada Deep Water Port, East Godavari District, AP
2.	Land Area and existing land use	61.6 acres (Project site is a reclaimed land)
3.	Handling Capacity	1.75 MTPA
4.	Ship/LNGC Capacity	75,500 m ³ - 160,000 m ³
5.	Hull length overall (LOA)	220 m - 285.4 m
6.	Hull width (B)	35.0 m - 43.4 m
7.	Vessel draft (D) – Laden	9.75 m - 11.5 m
8.	Vessel draft – Ballast	8.0 m - 9.6 m
9.	LNG Storage tank capacity	15000 m ³
10.	Unloading Arms	Four unloading arms will be provided at jetty for the following services: <ul style="list-style-type: none"> • One arm shall be hybrid ((both LNG & vapour) • Two arms shall be dedicated for LNG unloading from LNGC to onshore • One arm shall be dedicated for vapour from LNGC to onshore and vice versa
11.	Regasification technology	Glycol water based STV using ambient air and waste heat recovery systems along with AAV for supplemental vaporization
12.	Capital Dredging	2.9 million m ³
13.	Maintenance Dredging	0.1 million m ³
14.	Dredge disposal	Capital dredged material will be disposed at KDWP identified offshore disposal ground
15.	Water requirement and source	<ul style="list-style-type: none"> • Construction phase: 1200 KLD; Source: existing water supply of GMR barge mounted power plant

10/11/2019

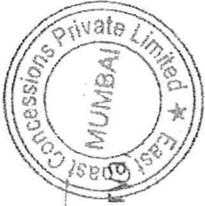
H ENERGY
power to the people

90

TO WHOMSOEVER IT MAY CONCERN

I, Abhirup Bhattacharya, hereby undertake that I am authorized to sign documents on behalf of M/s East Coast Concessions Private Limited (ECPL) in my capacity as Director, ECPL.

For East Coast Concessions Private Limited



Abhirup Bhattacharya
Director

Date: 15.10.2019

East Coast Concessions Private Limited
CIN: U05000MH2012PT000248
Registered Office: 12, East Coast Road, Marine Drive, Mumbai - 400 027
Corporate Office: 12, East Coast Road, Marine Drive, Mumbai - 400 027
Website: www.ecpl.com

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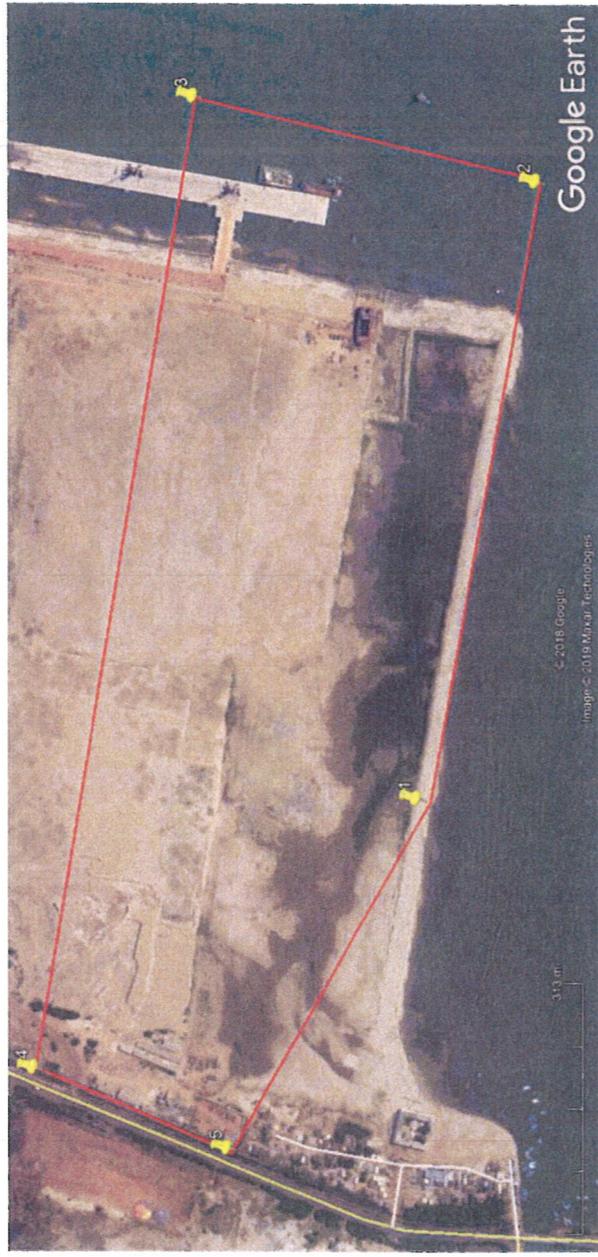


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भारत सरकार

GOVERNMENT OF INDIA

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
क्षेत्रीय कार्यालय (दक्षिण पूर्व परिक्षेत्र) / Regional Office (South Eastern Zone)

1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road,
Nungambakkam, Chennai – 600034; Ph: 044-28222041;

Fax: 28252536;

E-mail: ro.moefccc@gov.in



Dated: 22.7.2020

To,

Shri Susnanta Roy

Project Director,

East Coast Concessions Private Limited,

12th Floor, Knowledge Park, Hiranandani Business Park,

Powai, Mumbai 400 076.

Subject: Development of LNG Facility at Kakinada Deep Water Port (KDWP) by East Coast Concessions Private Limited.

Reference: EC. No. 10-30/2016-IA-III dated 18th June, 2019.

Sir,

With reference to above mentioned subject Ministry of Environment Forest and Climate Change New Delhi has issued clearance for the Development of LNG Facility at Kakinada Deep Water Port with stipulated conditions. However, this Ministry has received several complaints against your project implementation and noncompliance of stipulated conditions. The main allegation raised by the complainant is that you are dumping the dredge waste material into the adjacent mangroves and mud-plains, outside the project area and thereby destroyed the Mangrove vegetation. This is a violation of Specific Condition no.8 of the Clearance granted to you i.e Dredged material shall be disposed safely in the designated areas.

In view of this, it is requested to send details about the designated areas for the disposal of dredged material and an explanation on the allegation raised by the complainant along with the status of stipulated condition within 7 days from the receipt of this letter. The report must contain the coordinates of the area along with maps of the area in question.

Yours faithfully

(Hemant Kumar)

DDGF(C)

Ref: ECPL/BD/MoEFCC/2020/007

Date: 25th August, 2020

Shri Hemant Kumar
DDGF (C)
Regional Office South-Eastern Zone (SEZ)
Ministry of Environment, Forest and Climate Change,
1st & 2nd Floor, HEPC Building, 34, Cathedral Garden Road,
Nungambakkam, Chennai-600034

Sub: Development of LNG facility at Kakinada Deep Water Port (KDWP) by East Coast Concessions Private Limited.

- Ref:**
1. RO South-Eastern Zone Letter No. nil dated 22.07.2020.
 2. Our letter no. ECPL/BD/MoEFCC/2020/02 dated 13.04.2020 regarding six monthly compliance report for the period from 01.10.2019 to 31.03.2020.
 3. F. No. 10-30/2016-IA-III dated 18th June, 2019 for Development of LNG Facility at Kakinada Deep Water Port (KDWP) by East Coast Concessions Private Limited.

Dear Sir,

Reference is invited to your letter dated 22.07.2020, wherein it was brought to our attention that "Ministry has received several complaints against your Project implementation and non-compliance of stipulated conditions. The main allegation raised by the complainant is that you are dumping the dredge waste material into the adjacent mangroves and mud-plains, outside the project area and thereby destroyed the Mangrove vegetation".

In this regard, we would like to inform you that East Coast Concessions Pvt Ltd (ECPL) has not undertaken any dredging activity within the Kakinada Deep Water Port till date. In fact, the construction of our proposed LNG Terminal Project at Kakinada Deep Water Port (KDWP) is yet to commence. This has already been informed to you vide our letter no. ECPL/BD/MoEFCC/2020/02 dated 13.04.2020 containing our six monthly compliance report for the period from 01.10.2019 to 31.03.2020.

Considering the above, you may like to verify the veracity of the complaint received against ECPL.

Thanking you,
Yours faithfully,
For East Coast Concessions Private Limited



Sushanta Roy
Project Director

9A

- LNGC vessel size upto 186000 m³
- Permanent mooring of FSU upto 186000 m³ and unload/reload of LNG from/to LNGC
- Reloading of LNG to Shuttle vessels upto 40,000 m³ (Side by side transfer method from the FSU)
- Shift in marine and landward facilities to accommodate the proposed changes

The project layout with the modification proposed is given as **Figure FD0103** and on Google imagery is given in **Figure 2**.



Figure 2: Proposed Layout on Google Earth

EC Letter:

PART-B: General Condition (vi) of the Environmental/ CRZ Clearance letter obtained refers as “In the event of a **Change in Project profile** or Change in implementing agency, a fresh reference shall be made to Ministry of Environment, Forest and Climate Change”.

Therefore with the above changes, ECPL is seeking for amendment in Environmental/ CRZ Clearance for immediate development within the approved handling capacity.

6 Project Features

With the anticipated modifications, following are the project features of LNG terminal:

S. No	Parameter	Description
1.	Berthing facility	A ~400 meter long Jetty comprising of two segments. Segment (a) utilisation of a 200 meter section of existing Berth no 7 for breasting the FSU with separate mooring dolphins installed in line with LNG Jetty standards, and Segment (b) the main unloading platform and balance section of mooring and breasting dolphins South of Berth no.7 (both sections together shall hereinafter be termed as Jetty 8).
2.	Terminal handling capacity (no change)	1.75 MTPA
3.	Design Vessel Size	<ul style="list-style-type: none"> o FSU of upto 186,000 m³ o LNGC upto 186,000 m³ and

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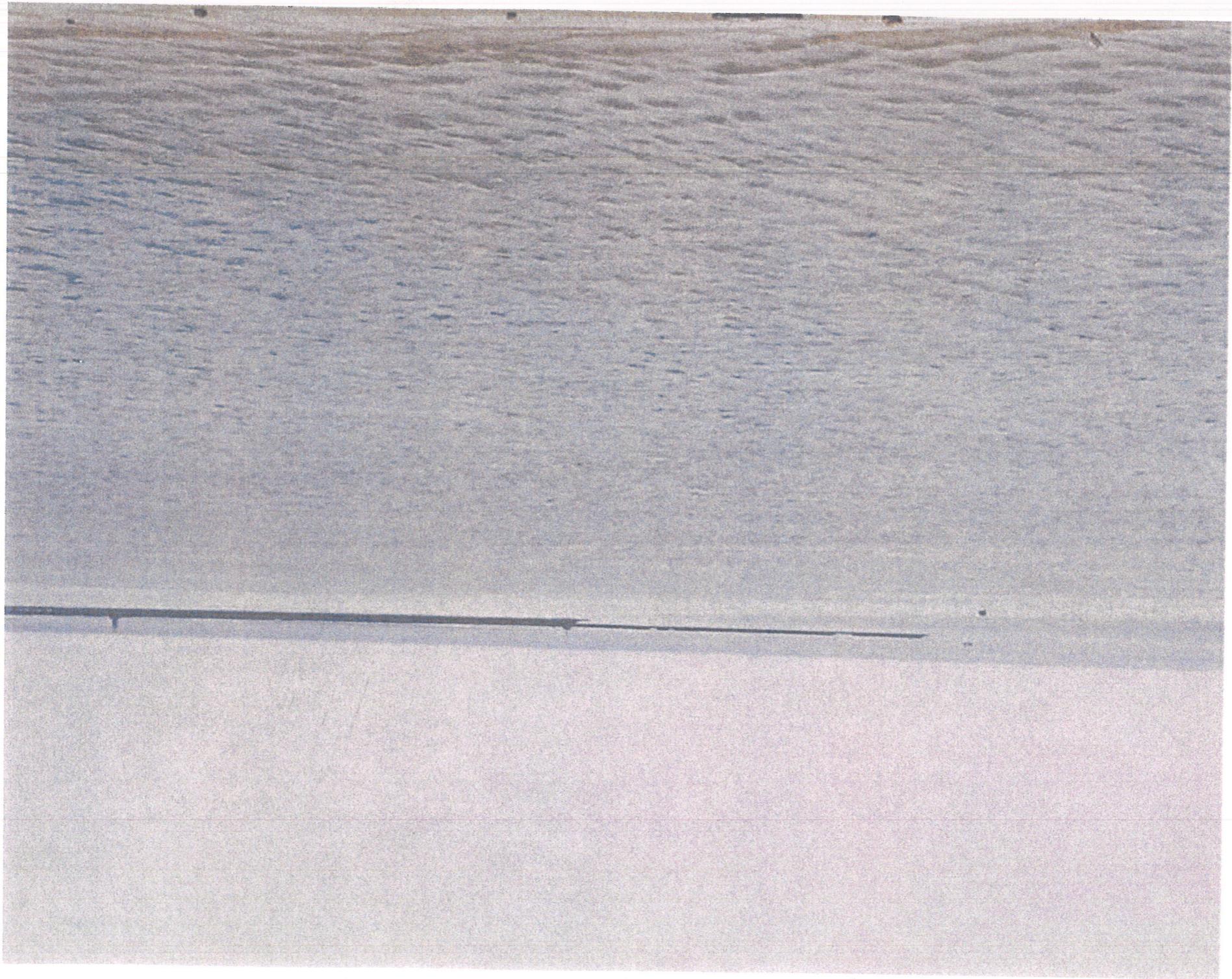
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2021

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTH ZONE, AT CHENNAI**



Original Application No. 160 of 2020

IN THE MATTER OF:-

E. A. S. Sarma & Anr. ... Applicants
Versus ... Respondents
Union of India & Ors.

KNOWN ALL to whom these presents shall come that I/We the undersigned appoint, Mr. K. Ashok Kumar, Mr. R. Sudhinder, Ms. Prerana Amitabh, Mr. Dattatray Vyas, Ms. Ekta Bhasin, Mr. Shashank Dixit, Ms. Pierre Uppal, Mr. Nikhil Kumar Singh, Mr. Akshay Sengar, Mr. Sanidhya Sonthalia advocate(s) (hereinafter called the advocates) to be the advocates for the Respondent No. 6 in the abovementioned case, to do all the following acts, deeds and things or any of them, that is to say:

1. To act, appear and plead in the above mentioned case in this Court or any other Court in which the same may be tried or heard in the first instance or in appeal or letters patent appeal, to review revision or execution or in any other stage of its progress until its final decision.
2. To present pleadings, appeals, letters patent appeal petition of appeal to Supreme Court, Cross objections or petitions or execution, review, revision withdrawal compromise or other petitions or affidavits or other documents as shall be deemed necessary or advisable for the prosecution of the said cause in all its stages.
3. To withdraw or compromise the said case or submit to arbitration any differences or dispute that shall arise touching or in any manner relating to the said cause.
4. To receive moneys and grant receipts thereof and to do all others acts and things which may be necessary to be done for the progress and in the case of the prosecution of the said cause.
5. To employ any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred on the advocates whenever they may think fit to do so.

AND I/We hereby agree to ratify whatever the advocates or their substitute shall do in the premises.

AND I/We hereby agree not to hold the Advocates or their substitute responsible for the result of the said case in consequence of their absence from the Court when the said cause in called up for hearing.

AND I/We hereby agree that in the event of the whole or any part of the fee agreed by me / us to be paid to the Advocates remaining unpaid, they shall be entitled to withdraw from the prosecution of the said cause until the same is paid.

IN WITNESS WHEREOF I/We hereunto set my/our hand to these presents the contents of which have been explained to and understood by me this the _____ day of October, 2020.

Accepted subject to terms regarding fees

.....
R. Sudhinder
Advocate(s) Navin Anil Sharma



Argus Partners
Solicitors & Advocates
Express Building, 2nd Floor,
9-10, Bahadur Shah Zafar Marg,
New Delhi - 110 002.
Tel.: 2370 1284, 2370 1285



..... or thumb impression) **BEFORE ME**

S. NO. 483 P. NO. 61
NOTARY Register. 18 Date 08/10/2020

NARENDRA R. SINGH
ADVOCATE & NOTARY (GOVT OF INDIA)
C-101, BLOOMING HEIGHTS,
HOSPITAL ENCLAVE, NEAR HIRANANDANI
HOSPITAL, POWAI, MUMBAI-400 076.
MOBILE: +91 9029551268 / 9820022680

BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL SOUTH ZONE BENCH,
AT, CHENNAI

ORIGINAL APPLICATION NO.160 OF 2020

IN THE MATTER OF:
E.A.S. SARMA & ANR.

...APPLICANTS

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

PAPER BOOK FILED BY
RESPONDENT NO. 6

THROUGH
ARGUS PARTNERS

R. SUDHINDER
ADVOCATES FOR THE RESPONDENT NO.

6

EXPRESS BUILDING, 2ND FLOOR,
9 - 10, BAHADUR SHAH ZAFAR MARG,
NEW DELHI - 110002.

PHONE NO. 23701284, 23701285,86

D/736-A/1989

r.sudhinder@argus-p.com