

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

Original Application No. 160 of 2020

(Under Section 18(1) read with Sections 14 & 15, of National Green Tribunal
Act 2010)

IN THE MATTER OF:

1. **E.A.S SARMA,**
14-40-4/1, Gokhale Road,
Maharanipeta
Visakhapatnam – 530002,
Andhra Pradesh. And 1 another

... APPLICANT

-VS-

1. **UNION OF INDIA**
Rep. by its Secretary to Government
Ministry of Environment and Forests & Climate Change
& 6 Others.

... RESPONDENTS

COUNTER FILED BY THE 3Rd RESPONDENT

Madhuri Donti Reddy

**M/S MADHURI DONTI REDDY
ADVOCATE**

**STANDING COUNCIL FOR GOVERNMENT OF
ANDHRA PRADESH**

**A.P. POLLUTION CONTROL BOARD
T.T.D. SUPREME COURT OF INDIA**

#S2, Royal Castle, 26, Gill Nagar Extension, Choolaimedu,
Chennai – 600 094. Mobile: 98407 98460 / 6383121322

COUNSEL FOR 3RD RESPONDENT

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
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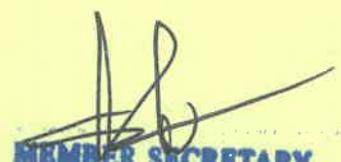
... **RESPONDENTS**

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It is certified that all the documents contained in the above annexure are true copies.

Date: **24** .09.2021


MEMBER SECRETARY,
Andhra Pradesh Coastal Zone
Management Authority (APCZMA)
Vijayawada, Andhra Pradesh.

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

Original Application No.160 of 2020

(Under Section 18(1) read with Sections 14 & 15, of National Green Tribunal Act 2010)

IN THE MATTER OF:

1. E.A.S SARMA,

14-40-4/1, Gokhale Road,
Maharanipeta,,
Visakhapatnam - 530002,
Andhra Pradesh,
Email:- eassarma@gmail.com,
(M) 9866021646.

2. K. MRUTYUMJAYA RAO,

3-18, Flat 404 Kamalakshi Residency,
Behind Benda Complex,
Sarpavaram Junhction
Kakinada-533005,
Andhra Pradesh,
Email: mrutyumjaya@hotmail.com,
Mobile No. 9441214848

..... **APPLICANTS**

VERSUS

1. UNION OF INDIA

Through the Secretary,
Ministry of Environment and Forests & Climate Change,
Indira Paryawaran Bhawan, Jor Bagh Road,
Lodi Colony, New Delhi-110003,
secy-moef@nic.in,
Tel: 011 23011317

2. STATE OF ANDHRA PRADESH

Through the Chief Secretary,
1st Block, 1st Floor,
Interim Government Complex,
A.P Secretariat Office, Velagapudi,
Andhra Pradesh.
cs@ap.gov.in
Tel: 0863-2441024.

**3. ANDHRA PRADESH COASTAL ZONE MANAGEMENT AUTHORITY,
(APCZMA)**

Through the Member Secretary,
D.No. 33-26-14 D/2,
Chalamavari Street, Kasturibaipet,
Vijayawada - 520 010.
apczma2016@gmail.com,
Tel: 0866-2463200.


**MEMBER SECRETARY,
Andhra Pradesh Coastal Zone
Management Authority (APCZMA)
Vijayawada, Andhra Pradesh.**

4. ANDHRA PRADESH FOREST DEPARTMENT,

Through the Principal Chief Conservator of Forest (HOFF),
Aranya Bhavan,
K.M. Munshi Road, Nagarampalem,
Guntur-522004, Andhra Pradesh.
priccf_hf_apfd@ap.gov.in,
Tel: 0877 223 1887.

5. GMR HOLDINGS PVT. LTD,

Through the Managing Director,
Unit No.1 B, First Floor,
Riaz Garden, Old no. 12, New no. 29,
Kodambakkam High Road,
Chennai, Tamilnadu
info@gmrgroup.in Tel: 011 42532600

6. EAST COAST CONCESSIONS PRIVATE LIMITED (ECPL)

Through the Managing Director
514, Dalamal Towers, Nariman Point,
Mumbai - 400021, Maharashtra
info@in.henergy.com Tel:- 022 2571 5100

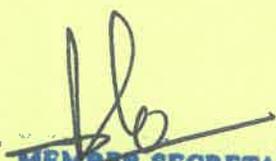
7. ANDHRA PRADESH MARITIME BOARD

Through its Chief Executive Officer,
Port Administrative Building, Beach Road, P.B. No.11,
Kakinada-533007
ceo.apmb@gmail.com Tel;- 022 2571 5100

.....RESPONDENTS**COUNTER AFFIDAVIT FILED BY THE 3rd RESPONDENT**

I, Vijay Kumar G Srkr, Son of Sri G Krishnaiah, Hindu, aged about 59 years, holding the post of Member Secretary, Andhra Pradesh Coastal Zone Management Authority (APCZMA), do hereby solemnly affirm and sincerely state as follows:

1. I am the deponent herein and as such I am well acquainted with the facts of the case.
2. This respondent denies each and every averment made in the affidavit filed in support of the application as false and incorrect except those that are specifically admitted herein in this counter affidavit.


**MEMBER SECRETARY,
Andhra Pradesh Coastal Zone
Management Authority (APCZMA)
Vijayawada, Andhra Pradesh.**

3. With regard to the averments made in paragraphs 1 and 2 of the affidavit is not related to this respondent and hence there is no remark.

4. With regard to the averment made in Paragraph 3 of the affidavit is denied as false. It is submitted that the 3rd respondent Andhra Pradesh Coastal Management Authority received application from the proponent M/s. GMR Enterprises Pvt. Ltd. (GEPL) dated 12.01.2017 seeking CRZ clearance to establish LNG import facility adjacent to Kakinada Deep Water Port (KDWP), East Godavari Dist., with handling capacity 1.75 MTPA. The application was examined in the APCZMA meeting held on 06.02.2017 and decided to issue NOC before forwarding the proposal to MoEF&CC for clearance under the provisions of CRZ Notification 2011. Accordingly a letter is addressed to MoEF&CC, GOI dated 20.03.2017 (Annexure 1).

5. It is submitted that the CRZ demarcation for the project was carried out by Institute of Remote Sensing (IRS), Chennai an authorized agency of MoEF&CC. The proposed activity requires water front and is a permitted activity as per paragraph 3 ii (b) of CRZ Notification, 2011. The area of the proposed LNG jetty and approach trestle of 550 m is classified as CRZ IV(A) and is permissible under paragraphs 3(ii) (b) and 4 (i) (f). The area of LNG pipeline with a length of 240 m connecting the trestle and LNG platform over a length of 240 m is also classified as CRZ-IV (A) and is permissible under paragraph 3(ii) (b), 4 (i) (d) and 4 (i) (f). The area where the trestle length of 330 m, and the LNG pipeline connecting the storage terminal on the shore to a length of 380 m, LNG storage tank, truck loading facility, LNG flare, Degasification facility, Natural Gas pipeline length of 845 m and utilities and operation buildings are classified as CRZ-III and are


**MEMBER SECRETARY,
Andhra Pradesh Coastal Zone
Management Authority (APCZMA)
Vijayawada, Andhra Pradesh.**

permissible under paragraphs 3 (ii) (b), 4 (i) (f) and paragraphs 8 of CRZ Notification, 2011. The approach trestle of length 550 m since the area falls in between LTL and 12 NM areas is classified as CRZ-IV.

6. With regard to the averments made in paragraphs 4 and 5 of the affidavit is not related to this respondent and hence there is no remark.

7. With regard to the averment made in Paragraphs 6, 8, 10, 13, and 30 of the affidavit is denied as false. It is submitted that as the enforcement of the recommendations of CRZ, the monitoring agency to monitor the compliance with the terms and conditions of the CRZ clearance is Regional offices of MoEF, as per the Office Memorandum dated: 05.08.2011 (Annexure 2).

8. With regard to the averments made in paragraphs 7, 9, 11, 12, 14 to 29, 32 of the affidavit is not related to this respondent and hence there is no remark.

9. With regard to the averment made in Paragraphs 31 and 33 of the affidavit is denied as false. It is submitted that the MoEF& CC, GoI, New Delhi while issuing the Environmental and CRZ Clearance to M/s. GMR Holding Pvt. Ltd. (presently M/s. East Coast Concessions Pvt. Ltd.) vide order dated 07.03.2019 (Annexure 3) stipulated specific condition that "dredged material shall be disposed safely in the designated areas".

10. With regard to the averments made in paragraphs 34 to 44 of the affidavit is not related to this respondent and hence there is no remark.

11. With regard to the averment made in Paragraphs 31 and 33 of the grounds is denied as false. It is submitted that the monitoring agency to monitor the


**MEMBER SECRETARY,
Andhra Pradesh Coastal Zone
Management Authority (APCZMA)
Vijayawada, Andhra Pradesh.**

compliance with the terms and conditions of the CRZ clearance is Regional offices of MoEF, as per the Office Memorandum dated: 05.08.2011.

12. It is submitted that this respondent craves leave of this Hon'ble Tribunal to raise additional counter in the course of proceedings, if required.

In the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above Original Application No.160 of the 2020 and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.

Solemnly affirmed at Vijayawada,
Andhra Pradesh on this the 24th day of
September 2021 and signed his name in
my presence


3rd RESPONDENT
Member Secretary
APCZMA

**MEMBER SECRETARY,
Andhra Pradesh Coastal Zone
Management Authority (APCZMA)
Vijayawada, Andhra Pradesh.**



VERIFICATION

I, G. Vijay Kumar, Son of Sri G. Krishnaiah, Hindu, aged about 59 years, holding the post of Member Secretary, Andhra Pradesh Coastal Zone Management Authority (APCZMA), do hereby verify that the contents of Paras of Counter Affidavit are based on record and information are true to the best of my knowledge and belief.

Hence, verified on the 24th day of September at Vijayawada.



Deponent

**MEMBER SECRETARY,
Andhra Pradesh Coastal Zone
Management Authority (APCZMA)
Vijayawada, Andhra Pradesh.**

**A. P. Coastal Zone Management Authority
Sanathnagar I. E., Paryavaran Bhavan, , Hyderabad.**

Letter No.34/APCZMA/2017.

Dated.20-03-2017.

From
Sri G. Anantharamu, IAS,
Principal Secretary To Government,
Chairman, APCZMA,
EFS&T Department,
Interim Government, Secretariat,
Velagapudi, Guntur, A.P.

To
The Secretary,
Ministry of Environment and Forests and Climate Change,
Indira Paryavaran Bhavan, Jorbagh Road,
New Delhi - 110 003.

Sir,

Sub:-M/s. GMR Enterprises Private Limited (GEPL) – Development of LNG Import facility at Kakinada Deep Water Port, Kakinada, East Godavari District with a handling capacity of 1.75 MTPA with a provision for future expansion to 3.5 MTPA – Environmental Clearance under the provisions of CRZ Notification, 2011 & EIA Notification, 2006 -Regarding.

- Ref:-1. From the Associate Vice-President, M/s. GMR Enterprises Private Limited (GEPL), Unit No.1B, 1st Floor, Riaz Garden, Old No.12, New No.19, Kodambakkam High Road, Chennai-600034, letter CIN:U74900TN2007PTC102389, dated 12-01-2017.
2. From the Director, IA-III Division; Ministry of Environment and Forests, Government of India, New Delhi Letter No.10-30/2016-IA.III, dated 20-05-2016.

1. In the reference cited, M/s. GMR Enterprises Private Limited (GEPL) submitted a proposal for clearance to establish LNG Import facility adjacent to Berth No.7 at Kakinada Deep Water Port, Kakinada, East Godavari District with a handling capacity of 1.75 MTPA with a provision for future expansion to 3.5 MTPA under the provisions of CRZ Notification, 2011 & EIA Notification, 2006. The proposed LNG facility will be developed adjacent to Berth No.7 of Kakinada Deep Water Port (KWDP) on the back up area of 24.9 Ha (Ac.61.60 cts). The estimated cost of the proposed LNG project is Rs.950 crores.

2. The Terms of Reference for EIA studies was accorded by the MoEF&CC through letter F.No. 10-30/2016-IA.III, dated 20-05-2016 wherein, the project proponent was directed to furnish the recommendations of the APCZMA.

3. The proposed LNG facility consists of LNG storage tank, Re-gasification Unit, Tanker loading, Flare, Power generation and fire fighting utilities, Administration and Fir station, Approach Trestle and approach roads and Truck parking facilities. The proposed LNG facility will use existing Navigational facilities of KWDP. The length of approach channel is 11000 m and width of Approach Channel (AC) is 160 m. The depth of AC is 14.5 m connected to the Turning Circle with a diameter of 500 m. The length of Island Breakwater is 1050 m and provided with 18 Solar powered Channel Buoys and two Solar powered Transit lights. The estimated quantity of dredge spoils will be 2.9 million cubic meters to develop the proposed LNG jetty. The dredged depth is (-) 14.5 m CD at jetty. The soil condition at the jetty site is clayey in nature and will not be suitable for reclamation of land. The dredged spoils will be disposed at the designated location identified in the case of KWDP. The length of unloading platform will be 390 m to be mounted on piles and provided with 4 nos of Breasting Dolphins and 6 Nos of Mooring Dolphins. All mooring and breasting structures and the loading platform will be interconnected by catwalks with a width of 1m providing pedestrian access for the purpose of maintenance personnel. Four unloading arms will be provided and the designed capacity of each unloading arm will be 550 m³/hour. The imported LNG is stored in one insulated full containment tank with capacity of 15,000 cum. The facility is provided with LNG Truck unloading Station with four truck loading bays on the onshore. The facility requires 1300 KW power during construction phase and 10 MW during operation phase. The projected water requirement during construction phase is 1200 KLD and during operation phase will be 387.5 KLD. About 384 KLD is sourced from the condensate generated through air heaters of re-gasification system which is in the order of 400 KLD. The requirement of 3.5 KLD potable water will be sourced from the local suppliers. The solid waste will be 100 kg/annum and used oil will be 1.5 KL/annum which will be collected and supplied to the approved vendors. Municipal solid waste of 22.5 kg/day will be sent to Municipal Solid Waste Facility.

4. The area on the shore is classified as CRZ-III and inter-tidal zone as CRZ-I(B) as per the approved Coastal Zone Management Plan of the East Godavari District. The CRZ demarcation was carried out by Institute of Remote Sensing (IRS), Chennai an authorised agency of MoEF & CC. The proposed activity requires water front and is a permitted activity as per paragraph 3 ii (b) of CRZ Notification, 2011. The area of the proposed LNG jetty and approach trestle of 550 m is classified as CRZ IV (A) and is permissible under paragraphs 3(ii) (b) and 4 (i) (f). The area of LNG pipeline with a length of 240 m connecting the trestle and LNG platform over a length of 240 m is also classified as CRZ-IV (A) and is permissible under paragraph 3(ii) (b), 4 (i) (d) and 4 (i) (f). The area where the trestle length of 330 m, and the LNG pipeline connecting the storage terminal on the shore to a length of 380 m, LNG storage tank, truck loading facility, LNG flare, Regasification facility, Natural Gas pipeline length of 845 m and utilities and operation buildings are classified as CRZ-III and are permissible under paragraphs 3 (ii) (b), 4 (i) (f) and paragraphs 8 of CRZ Notification, 2011. The approach trestle of length 550 m since the area falls in between LTL and 12 NM area is classified as CRZ-IV.

5. As per the Environment Impact Assessment Notification, dated 14-09-2006, the proposed LNG Re-gasification activity falls under Category 'A' and requires environmental clearance from the Ministry of Environment and Forests, Government of India. The nearest boundary of Coringa Wildlife Sanctuary (CWLS) is located at distance of 1.85 km from the site. Apart from CWLS, there are no other ecologically sensitive areas in the vicinity of the proposed project site.

6. The proposal was examined by the Andhra Pradesh Coastal Zone Management Authority on 06-02-2017. The authority decided to issue No Objection Certificate (NOC) before forwarding the proposal to the MoEF&CC for clearance under the provisions of CRZ Notification, 2011.

7. It is, therefore, requested to examine the proposal under paragraph 3(ii) (b) and 4 (i) (f) of CRZ Notification, dated 06-01-2011 and clearance may please be accorded for the development of LNG Import facility with a handling capacity of 1.75 MTPA with a provision for future expansion to 3.5 MTPA by M/s. GMR Enterprises Private Limited (GEPL) at Kakinada Deep Water Port (KWDP), Kakinada, East Godavari District at an early date.

Yours faithfully,

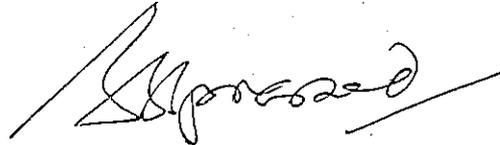
Sd/-
CHAIRMAN
APCZMA

Enclosures:

1. Form-I.
2. Environment Impact Assessment Report & Environment Management Plan.
3. Marine EIA and EMP.
4. CRZ demarcation Report by IRS, Chennai
5. Disaster Management Plan
6. Emergency Preparedness Plan
7. Oil Contingency Plan,
8. Risk Assessment,
9. Copy of the Minutes of the Meeting of APCZMA.
10. Copy of the NOC issued by APCZMA.

✓ Copy to the The Associate Vice-President, M/s. GMR Enterprises Private Limited (GEPL), Unit No.1B, 1st Floor, Riaz Garden, Old No.12, New No.29, Kodambakkam High Road, Chennai-600034.

//T.C.F.B.O//



MEMBER SECRETARY
APCZMA

F.No.J-11013/5/2011-IA.I
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhavan
CGO Complex, Lodi Road
New Delhi -110 003
Telefax: +91-1124369100

Dated: 5th August, 2011.

OFFICE MEMORANDUM

Subject: Reporting by the Regional Offices of MoEF - Instructions regarding.

Functioning of the Regional Offices of MoEF was reviewed in the Ministry during the meeting convened by the RO Head Quarter on dated 23.06.2011. Based on the discussion during the meeting, it is reiterated that the monitoring section in IA Division is the Nodal Section for Regional Offices for the issues relating to environmental clearance/EIA. Accordingly, the following instructions are issued for compliance by all the Regional Offices.

1. For matters relating to environmental/CRZ clearance and compliance of the conditions stipulated thereunder, the Regional Offices shall contact the Director (Monitoring) in IA Division. However, any emergent matter/court cases shall be referred to the concerned sectoral Director/Additional Director of the IA/CRZ division.
2. To ensure the implementation of transparency conditions stipulated in the environmental clearance (EC) letters such as putting the compliance status and monitored data on the website as also to be displayed in public domain, the concerned Officers of Regional Office shall verify the same during their field visit and report on this aspect as part of their monitoring report.
3. Regional Offices will confirm to the monitoring cell that they have informed all the relevant units located within their respective jurisdiction about the ex-post facto application of transparency conditions cited in the O.M. No.J-11013/41/2006-IA.II(I) dated 06.04.2011, which is available on the website of MoEF at www.moef.nic.in.
4. Monitoring reports and important correspondences should be sent by email to Director (Monitoring) at skag@nic.in and to DD (monitoring) at mtkaruppiah@gmail.com and a copy should be marked to Special Secretary/Advisor for the cases requiring their attention/intervention.

This is for compliance of all concerned.

This issues with the approval of Competent Authority.


(Dr. M.T. Karuppiah)
Deputy Director

To:

1. All the CCFs, with a request that these instructions shall be brought to the notice of all Scientists for compliance.

Copy for information

1. PS to SS (JMM)
2. PS to Addl. DGF (FC)
3. Advisor (NB)
4. All the Officers of IA Division
5. Dir. RO (HQ)
6. Website of MoEF
7. Guard File

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

Annexure A-11 35

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

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 cu.m 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.

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

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

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 Parisad/Municipal Corporation, Urban Local Body and the Local

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

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 IInd 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

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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: 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/MoEFCC/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.

J. Bose

Annexure A-2

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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 2nd 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, Sanath Nagar Hyderabad, Andhra Pradesh.
- 6) The Member Secretary, Andhra Pradesh Costal 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

T. C.
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