

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
APPEAL NO. ____ OF 2022**

IN THE MATTER OF:

SATYANARAYAN RAO

...APPELLANT

VERSUS

UNION OF INDIA AND ORS.

...RESPONDENTS

INDEX

S.N.	PARTICULARS	PAGE NO.
1.	Synopsis and List of Dates	1 - 6
2.	Memorandum of Appeal along with Affidavit	7 - 28
3.	ANNEXURE A/1. Copy of the Environmental Clearance dated 05.05.2022 granted to M/s Vedanta Ltd.	29 - 41
4.	ANNEXURE A/2. Copy of the Terms of Reference (ToR) dated 20.12.2017.	42 - 56
5.	ANNEXURE A/3. Copy of relevant part of the Minutes of Meeting of the public hearing dated 30.09.2020	53 - 69
6.	ANNEXURE A/4. Copy of relevant extracts of the 2 nd Minutes of Meeting for Industry-I dated 22 nd -23 rd March, 2022.	70 - 111
7.	ANNEXURE A/5. Copy of the images taken by the Appellant clearly showing encroachment of forest land by dumping large scale fly ash.	112 - 114
8.	ANNEXURE A/6. Copy of the order dated 23.03.2019 by the Revenue and Disaster Management Department.	115 - 118

9.	ANNEXURE A/7. Copy of the RTI response received by the Appellant on 24.09.2019 from the Tahsil Office, Jharsuguda.	119
10.	ANNEXURE A/8. Copy of the order dated 18.04.2022 of the OPDR Case No. 01 of 2022 by the Sub-Collector for the recovery of Public Demand under the Orissa Public Demands Recovery Act, 1962.	120 - 126
11.	ANNEXURE A/9. Copy of the letter dated 25.05.2021 to the M/s Vedanta Ltd by the Jharsuguda Improvement Trust.	127
12.	I.A. No. _____ of 2022 Application for Condonation of Delay	
13.	VAKALATNAMA	

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DATE: 03.08.2022

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
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SYNOPSIS

The present Appeal is being filed under Section 16(h) of the National Green Tribunal Act, 2010 challenging the Environmental Clearance dated 05.05.2022 granted by the Ministry of Environment, Forest and Climate Change (hereinafter referred as '**MoEF&CC**') for the expansion of Aluminium Smelter Production Capacity from 16 LTPA to 18 LTPA, CPP capacity of 1215 MW to M/s. Vedanta Limited (hereinafter referred as '**the project proponent**') located at village Bhurkamunda, District Jharsuguda, Odisha. The Expert Appraisal Committee (hereinafter referred as '**EAC**') appraised the project in its 2nd meeting on 22nd – 23rd, March, 2022 and recommended the project for grant of Environmental Clearance for expansion. That the said EC is being challenged in the following grounds:

- i. The EAC in its minutes of the meeting held on 18-20th January, 2021 clearly recorded that the consultant has drafted EIA/EMP report intentionally to mislead the EAC and warned not to mislead the committee and to do such things in the future and returned the proposal. However, EAC has failed to apply its mind as it did not ask the project proponent to conduct a fresh public consultation after the new EIA report was made as what was placed before the public at the time of public hearing held on 30.09.2020 was faulty EIA report. Thus, the EAC did not consider the fact that a fresh public hearing was required to be conducted on the basis of the new EIA report

before recommending the project for grant of Environmental Clearance;

- ii. That despite specific direction from this Hon'ble Tribunal in Original Application No. 10 of 2021 (EZ) *vide* order dated 06.05.2022, the illegal disposal of fly ash in the agricultural lands continues persistently thereby damaging the crops and completely destroying the fertility of the land. It is submitted that with respect to the impact on the agriculture field the EAC accepted the response of the project proponent without verifying the facts from the ground;
- iii. That the EAC has also failed to verify the facts with respect to encroachments on the forest land by the project proponent. The expansion of the project was recommended without looking into the fact that the project proponent had been continuously encroaching upon the forest land and dumping ash on the forest land without any approval from the Central Government as required under Forest (Conservation) Act, 1980;
- iv. That the project proponent has unauthorisedly built up a township over an area of 91 acre having 9 storeyed 8 blocks Residential Apartments named as "Nagavalli" within the area which has been declared as a greenbelt within the project site;

The Appellant here submits that the project proponent has failed to comply with the several conditions of the Environmental Clearance dated 11.06.2008 even after more than 12 years of grant of clearance and also being causing pollution to the area around the project. However, the Expert Appraisal Committee condoned the non-compliance by allowing the expansion of the project. Furthermore, the EAC has failed to apply its mind with respect to encroachment and dumping of fly ash in the forest area without obtaining Forest Clearance by the project proponent. The Appellant submits that there have been instances where the project proponent has caused pollution to the water body and

agricultural land by dumping of fly ash. However, the EAC has just recorded the recommendation with respect to sampling and analysis of nearest irrigated land growing crops, vegetables and other products of human consumption.

Thus, the EAC failed to consider that the project proponent is habitually non-compliant of the Environmental Clearance conditions of 2008 and also of other environmental laws and that the allowing expansion of such project proponent will cause further pollution of the area.

The Appellant further submits that EAC has failed to apply its mind as there was inadequate appraisal by the EAC and the impugned EC has been recommended by the EAC and granted by the MoEF&CC by completely overlooking several lacunae and inadequacies in the proposal for environmental clearance. The EAC has recommended the present project without considering that there were various non-compliances by the project proponent.

That despite these glaring illegalities and irregularities, the Expert Appraisal Committee has allowed the project and failed to give any cogent reasons. The Hon'ble Supreme Court in **Hanuman Laxman Aroskar v. Union of India, 2019 (15) SCC 401** has stated that expert bodies recommending environment clearance must speak like experts and in the absence of reasons the decision will stand vitiated.

Hence, the Appellant is challenging the grant of EC by way of the present Appeal.

LIST OF DATES

11.06.2008	Earlier Environment Clearance (EC) granted to M/s Vedanta Alumina Ltd for expansion of 2.5 to 16 LTPA, Jharsuguda, Odisha.
04.04.2013	An Encroachment Case No. 158 of 2013 was filed before the Revenue and Disaster Management Department, Government of Odishaby Tehsildar Jharsuguda.
20.12.2017	The proposed project of Aluminium Smelter was issued Terms of Reference (ToR) by letter dated 20.12.2017 for preparation of the Environment Impact Assessment Report.
23.03.2019	Directions were passed by the Revenue and Disaster Management Department vide order dated 23.03.2019 to the Collector, Jharsuguda to withdraw permission granted to the project proponent for filling fly ash and evict the company from the entire forest land within a month.
24.09.2019	An amount of Rs. 36,164 towards assessment and Rs.10,00,000 towards penalty was levied under Sections 4 and 6 of the Orissa Prevention of Land Encroachment Act, 1972. However, till date the assessment and penalty imposed as mentioned has yet not been deposited by the project proponent as per the RTI response received on 24.09.2019 from the Tahsil Office, Jharsuguda.
30.09.2020	The public hearing for expansion of Aluminium Smelter Plant was held on 30.09.2020 at Government Upper Primary School, Kurebaga, Dalki in Jharsuguda district of Odisha. It is submitted that the public hearing was conducted on the basis of an EIA report which was not the same document on the basis of which the project was approved. As per notice dated 27.08.2020 the public was informed about availability of the

	EIA report at different offices, however, this EIA report was faulty one and was not the one on the basis of which Environmental Clearance was granted.
29.12.2020	Respondent No. 2, M/s Vedanta Alumina Ltd made an online application dated 29.12.2020, however, the EAC in its meeting on 18 th -20 th January, 2021 recommended to return the proposal as consultant drafted poor EIA/EMP report and intentionally tried to mislead the EAC.
18th – 20th January, 2021	The Expert Appraisal Committee in its minutes of the meeting held on 18-20 th January, 2021 clearly recorded that the consultant has drafted EIA/EMP report intentionally to mislead the EAC and warned not to mislead the committee and to do such things in the future and returned the proposal.
03.08.2021	Another online application dated 03.08.2021 was again submitted by the project proponent.
12th – 13th Aug, 2021	That the Expert Appraisal Committee once again recommended to return the proposal dated 03.08.2021 in its present form and also recommended for issuance of show cause notice to the project proponent on account of the non-compliances to the prescribed EC conditions.
03.11.2021	That the Respondent No. 2, M/s Vedanta submitted an online application dated 03.11.2021 which was submitted along with revised EIA/EMP report along with Form-2 seeking Environmental Clearance.
11th – 12th Nov, 2021	The Expert Appraisal Committee deferred the proposal and recommended that the project proponent shall explain reasons for not disclosing the details of court cases in Form 2 application during the EAC presentation.

<p>22nd – 23rd March, 2022</p>	<p>The Expert Appraisal Committee (EAC) appraised the project in its 2nd meeting on 22nd – 23rd, March, 2022 and recommended the project for grant of Environmental Clearance for expansion.</p>
<p>18.04.2022</p>	<p>An OPDR Case No. 01 of 2022 is filed against the project proponent by the Sub-Collector for the recovery of Public Demand under the Orissa Public Demands Recovery Act, 1962. The order states that the project proponent is liable to pay the amount of Rs. 17,67,680 within thirty days from the service of notice is denied. It further states that if the project proponent fails to show cause within the given thirty days, then till the amount is unpaid, the project proponent is prohibited from alienating any immovable property by gift or sale or mortgage or property. That despite repetitive orders been passed till date no money has been deposited by the project proponent and continues to encroach the forest land without any forest diversion.</p>
<p>05.05.2022</p>	<p>Environment Clearance granted to M/s Vedanta Aluminium Ltd for Expansion of Aluminium Smelter Production Capacity from 16 LTPA to 18 LTPA.</p>
<p>03.08.2022</p>	<p>Hence, the present Appeal.</p>

**BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
APPEAL NO. ____ OF 2022**

IN THE MATTER OF:

SATYANARAYAN RAO

S/o Late Kurma Rao,
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.... APPELLANT

VERSUS

1. UNION OF INDIA

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2. M/S VEDANTA LIMITED

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3. STATE OF ODISHA

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4. ODISHA STATE POLLUTION CONTROL BOARD

Through its Member Secretary,
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...RESPONDENTS

MOST RESPECTFULLY SHOWETH:

- I. The address of the counsel of the Appellant is given below for the service of notices of this Appeal.
- II. The addresses of the Respondents are given above for the service of notices of this Appeal.
- III. The present Appeal is being filed under Section 16(h) of the National Green Tribunal Act, 2010 challenging the Environmental Clearance dated 05.05.2022 granted by the Ministry of Environment, Forest and Climate Change for the expansion of Aluminium Smelter Production Capacity from 16 LTPA to 18 LTPA, CPP capacity of 1215 MW to M/s. Vedanta Limited located at village Bhurkamunda, District Jharsuguda, Odisha. The Expert Appraisal Committee appraised the project in its 2nd meeting on 22nd – 23rd, March, 2022 and recommended the project for grant of Environmental Clearance for expansion. The EAC has recommended the present project without considering that there were various non-compliances by the project proponent. The Environmental Clearance is granted without proper application of mind and verifying the facts with respect to past compliances. The EAC also failed to apply its mind with respect to the fact that the EIA report on the basis of which public hearing was conducted was of poor quality and the EAC itself observed that the report intentionally tried to mislead the EAC. The EAC and the MoEF&CC failed to take into consideration the proceeding before this Hon'ble Tribunal in O.A. No. 10 of 2021 wherein reports were submitted with respect to violation by the project proponent causing damage to the land and environment.

A copy of the Environmental Clearance dated 05.05.2022 is annexed herewith and marked as **ANNEXURE A/1**.

ARRAY OF PARTIES:

1. The Appellant is a resident of Jharsuguda district and is concerned about the environment of the area and also affected by the large scale pollution from the project. The Appellant is also a President of an organization Anchalik Paribesh Surakhya Sangha Samiti which is working on the protection and conservation of forest and environment and working with the local communities. The Appellant also participated in the public hearing of the project.
2. That the Respondent No. 1 is the Ministry of Environment Forest and Climate Change which granted the impugned environment clearance on the recommendation of the Expert Appraisal Committee. Respondent No. 2 is the project proponent M/s Vedanta Limited who is operating illegally in full non-compliance of the conditions. Respondent No. 3 is the State of Odisha where the project is situated in Jharsuguda District. Respondent No. 4 is the Odisha State Pollution Control Board which is responsible for conducting public hearing as per the EIA Notification, 2006.

FACTS IN BRIEF FOR FILING THE PRESENT APPEAL:**Brief Description of the Project:**

3. The impugned project is an Aluminium Refinery project by M/s Vedanta Limited which is located at Bhurkamunda, Jharsuguda District in Odisha. That the said project has proposed for expansion its production capacity from 16 LTPA to 18 LTPA without increasing the CPP capacity of 1215 MW. The expansion facility is proposed in the existing project area of 834.236 ha land. As per the provisions of the EIA Notification, 2006, the said project is listed at schedule no. 3 (a) Metallurgical industries under Category 'A'.
4. That the proposed project of Aluminium Smelter was issued Terms of Reference by letter dated 20.12.2017 for preparation of the EIA report.

The Terms of Reference wrongly recorded at Serial No. 13 that there is no violation under EIA Notification to the project or related activity.

A copy of the Terms of Reference dated 20.12.2017 is annexed herewith and marked as **ANNEXURE A/2**.

5. That the public hearing for expansion of Aluminium Smelter Plant was held on 30.09.2020 at Government Upper Primary School, Kurebaga, Dalki in Jharsuguda district of Odisha. It is submitted that the public hearing was conducted on the basis of an EIA report which was not the same document on the basis of which the project was approved. As per notice dated 27.08.2020 the public was informed about availability of the EIA report at different offices, however, this EIA report was faulty one and was not the one on the basis of which Environmental Clearance was granted.

A copy of relevant part of the Minutes of Meeting of the public hearing dated 30.09.2020 is annexed herewith and marked as **ANNEXURE A/3**.

6. That the proposal of Respondent No. 2 for expansion of Aluminium Smelter production capacity from 16 LTPA to 18 LTPA was considered for appraisal by Expert Appraisal Committee in its meeting on 22nd-23rd March, 2022. It is pertinent to point out that this meeting was considering the project of Respondent No. 2 against the online application dated 03.11.2021 which was submitted along with revised EIA/EMP report along with Form-2 seeking Environmental Clearance. The relevant part of the minutes is recorded here for reference:

"2.15.1 M/s. Vedanta Limited, Jharsuguda has made an online application vide proposal No. IA/OR/IND/236646/2017 dated 03/11/2021 along with copy of revised EIA/EMP report and Form-2 seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The Proposed project activity is listed at schedule No. 3(a) under

Category "A" of the schedule of the EIA Notification, 2006 and is appraised at the Central level."

It is submitted that the public hearing for the project was held on 30.09.2020 prior to submission of the application by the project proponent. The EAC has also recorded in its minutes that M/s. Vedanta Limited, the Respondent No. 2 herein made an online application dated 29.12.2020, however, the EAC in its meeting on 18th-20th January, 2021 recommended to return the proposal as consultant drafted poor EIA/EMP report and intentionally tried to mislead the EAC. The relevant part of the minutes is recorded here for reference:

*"2.15.17 M/s. Vedanta Limited, Jharsuguda had earlier made an online application vide proposal No. IA/OR/IND/185460/2007 dated 29/12/2020. The proposal was considered by the EAC in its meeting held on 18-20th January, 2021 wherein **EAC recommended to return the proposal in its present form as consultant has drafted poor EIA/EMP report and intentionally tried to mislead the EAC. The consultant was warned not to mislead the Committee and not try to do such things in future. In case of further occurrence of the same, action against the consultant would be recommended."***

It is pertinent to point out that another online application dated 03.08.2021 was again returned by the EAC in its meeting held on 12-13th August, 2021.

A copy of relevant extracts of the Minutes of Meeting dated 22nd-23rd March, 2022 is annexed herewith and marked as **ANNEXURE A/4**.

7. That it is submitted that the impugned Environmental Clearance dated 05.05.2022 suffers from serious illegalities and infirmities and is liable to be set aside by this Hon'ble Tribunal. It is submitted that the instant Environmental Clearance has been obtained by the Project Proponent by

misrepresenting data in the EIA Report and the EAC has miserably failed to appraise the project and apply the laws in force.

8. That the Expert Appraisal Committee has recommended the project without proper application of mind. The Expert Appraisal Committee has recorded several violations and non-compliance of the Environmental Clearance letter dated 11.06.2008 and also recorded about the pollution caused to the land and environment but still granted the clearance to the project.

EAC failed to consider the necessity of a fresh public hearing/consultation on the basis of the new EIA report:

9. That as recorded above in this Appeal the Respondent No. 2 M/s. Vedanta Limited made an online application dated 29.12.2020 along with the EIA/EMP report. The Expert Appraisal Committee in its minutes of the meeting held on 18-20th January, 2021 clearly recorded that the consultant has drafted EIA/EMP report intentionally to mislead the EAC and warned not to mislead the committee and to do such things in the future and returned the proposal. After that another proposal was made on 03.08.2021 and same was also rejected. Further, the proposal on the basis of which Environmental Clearance was granted was submitted on 03.11.2021 along with revised EIA/EMP report and Form-2. It is submitted that in the present case the EAC should have asked the project proponent to go before the public when the new EIA report was made as what was placed before the public at the time of public hearing held on 30.09.2020 was faulty EIA report. It is clear from the minutes of the meeting dated 22nd-23rd March, 2022 that the EAC did not consider the fact that a fresh public hearing was required to be conducted on the basis of the new EIA report before recommending the project for grant of Environmental Clearance. It is submitted that as per the provisions of the EIA Notification, 2006, submission of false and misleading information is

a ground for rejection of the proposal itself and the EAC could not directed for a revised EIA to be submitted without undergoing the process of public consultation. The relevant provision of the EIA

Notification reads as follows:

"Deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping or appraisal or decision on the application shall make the application liable for rejection, and cancellation of prior environmental clearance granted on that basis. Rejection of an application or cancellation of a prior environmental clearance already granted, on such ground, shall be decided by the regulatory authority, after giving a personal hearing to the applicant, and following the principles of natural justice. [Para 8 (vi) of the EIA Notification]"

That it is clear that submission of misleading information is a ground for rejection of the proposal itself. The use of the expression 'shall' imply that once the EAC has come to a conclusion that the Project proponent has provided misleading information, the proposal is liable for rejection. In the present case, the EAC has merely directed the Project Proponent to revise the EIA Report. The purpose of meaningful public consultation is defeated once the document before them has been rejected or found to have information which is misleading.

10. That the EAC has recorded several non-compliances by the project proponent of not only the Environmental Clearance granted earlier but also other violations with respect to dumping of fly ash and polluting the area but still recommended the project for clearance. The EAC has recorded in its meeting at para 2.15.19 as follows:

"2.15.19 The proposal cited above was considered by the EAC in its meeting held on 12-13th August, 2021. Wherein, EAC recommended to return the proposal in its present form and also recommended for issuance of show cause notice to PP on account of following non-compliances to the prescribed EC conditions.

- i. The fluoride consumption in the Smelter Plant is presently at 10.78 Kg/T Al, which is not in compliance to Charter on Corporate Responsibility for Environment Protection (CREP) guideline. Fluoride consumption shall be brought down to CREP standards of less than 10 kg/t.*
- ii. Utilization of spent pot lining waste by the cement and steel industries are yet to be implemented.*
- iii. Project proponent has only achieved green belt development in 27% of the total area as against the 33% requirement.*
- iv. Rain water harvesting has not been carried out at the site by stating that the ground water table is high in the area and establishment of rain water harvesting structures may lead to flooding in the area.*
- v. Prior permission from the State Forest Department regarding impact of the existing project has been obtained till date.*
- vi. Significant quantity of legacy ash stocks is still stored in the ash pond located at three different locations in the vicinity of the project site. No effort has been taken to quantify the legacy ash stocks and utilize the same.*
- vii. Secured Land Fill (SLF) is provided inside the smelter complex. SLF is being implemented in two phases. Phase I of 5000 m³ capacity started in 2010 was capped in Sept 2013. Phase II of SLF is now in operation. It started in May 2014 and has 5285 m³ space. No details of the material filled in SLF or the capacity available were provided. No information on plan for post expansion of SLF capacity, once the Phase II site is filled shall be furnished.*
- viii. There are three ash ponds sites in operation and PP has proposed to acquire large area for ash disposal in spite of new Fly Ash notification to utilize 100 % ash. Further, PP mentioned that they were utilizing 100 % Fly ash since 2018 and the pond ash*

shall be liquidated in next five years. In view of this, seeking additional land for ash disposal found to be not justifiable."

It is submitted that on the basis of this observation the proposal was again returned by the EAC.

11. That the project proponent made another proposal dated 03.11.2021 for expansion of the project. The EAC meeting held on 11.12.2021 again recorded the serious issues with respect to the pollution caused by the project proponent and also about concealment of vital information. Some of the observation of the committee is reproduced here for reference:

"2.15.24 ii. EAC noted that the public representation mentioned at para 2.5.8 quoted a NGT court case (O.A. 10/2021/EZ) National Green Tribunal Eastern Zone Bench, Kolkata. The case is arising out of disposal of fly ash in the nearby agricultural land by the proponent causing damaging on the agricultural land. As per the Hon'ble NGT Order dated 2/09/2021, the inspection report filed by the Odisha State Pollution Control Board shows several violations of Consent conditions. In this regard, the Hon'ble NGT directed to file an affidavit inter-alia the Environmental Compensation assessed on account of damage caused to the environment.

iii. PP did not provide the information of said court case in Form 2 application and also did not disclose during the presentation. EAC opined to seek an explanation from the PP in this regard.

v. Show Cause Notice was issued to the unit 1/09/2021 and as per the reply furnished, the unit is yet to comply with the following. Further, MoEF&CC is yet to take final view on the SCN issued to the unit.

a. Current fluoride emission is at 10.78 Kg/T Al production and sought time till December 2021 to achieve reduced level.

- b. SPL refractory stock is 85,108 MT which is being stored in covered sheds as there is no mechanism in place for disposal of SPL refractory stock.*
- c. Ash stock of 124 Lakh Metric Ton is unutilized and sought additional time for its liquidation by 31/03/2027.*
- d. Only one Roof Top Rainwater Harvesting (RTRW) has been commissioned and 6-RTRH, the construction activities are reported to be under progress.*
- e. Green belt development covering 33% of the project area will be achieved by Dec, 2021."*

It is submitted that with respect to the impact on the agriculture field the EAC accepted the response of the project proponent without verifying the facts from the ground.

Continuous Illegal dumping of fly ash on the forest land:

12. That the EAC also failed to verify the facts with respect to encroachments on the forest land by the project proponent. The expansion of the project was recommended without looking into the fact that the project proponent had been continuously encroaching upon the forest land and dumping ash on the forest land without any approval from the Central Government as required under Forest (Conservation) Act, 1980. Copy of the images taken by the Appellant clearly showing encroachment of forest land by dumping large scale fly ash is annexed herewith and marked as **ANNEXURE A/5**.

13. That the Appellant here submits that the project proponent has encroached more than 48.68 acres of forest land without any forest diversion from the MoEF&CC. That in this regard, it is pertinent to note that an Encroachment Case No. 158 of 2013 was filed before the Revenue and Disaster Management Department, Government of Odishaby Tehsildar Jharsuguda on 04.04.2013 against the project

proponent and an eviction order was passed on 03.09.2013. Despite the order, no action was taken. Though a case was initiated against the project proponent, but actual eviction had not been done as per the provisions of the Orissa Prevention of Land Encroachment Act, 1972. That the collector had granted permission for filling up ash in the land in question. Since filling up ash is a non-forest use of the forest land, it attracts the provision of Forest (Conservation) act, 1980. That *vide* order dated 23.03.2019 directions were passed to the Collector, Jharsuguda to withdraw permission granted to the project proponent for filling fly ash and evict the company from the entire forest land within a month. Furthermore, an amount of Rs. 36,164 towards assessment and Rs.10,00,000 towards penalty was levied under Sections 4 and 6 of the Orissa Prevention of Land Encroachment Act, 1972. However, till date the assessment and penalty imposed as mentioned above has yet not been deposited by the project proponent as per the RTI response received on 24.09.2019 from the Tahsil Office, Jharsuguda.

A Copy of the order dated 23.03.2019 by the Revenue and Disaster Management Department is annexed herewith and marked as

ANNEXURE A/6.

A copy of the RTI response received by the Appellant on 24.09.2019 from the Tahsil Office, Jharsuguda is annexed herewith and marked as

ANNEXURE A/7.

14. Thereafter, the Appellant submits that an OPDR Case No. 01 of 2022 is filed against the project proponent by the Sub-Collector for the recovery of Public Demand under the Orissa Public Demands Recovery Act, 1962. The order states that the project proponent is liable to pay the amount of Rs. 17,67,680 within thirty days from the service of notice is denied. It further states that if the project proponent fails to show cause within the given thirty days, then till the amount is unpaid, the project proponent is prohibited from alienating any immovable property by gift

or sale or mortgage or property. That despite repetitive orders been passed till date no money has been deposited by the project proponent and hence continues to encroach the forest land without any forest diversion.

A Copy of the order dated 18.04.2022 of the OPDR Case No. 01 of 2022 by the Sub-Collector for the recovery of Public Demand under the Orissa Public Demands Recovery Act, 1962 is annexed herewith and marked as

ANNEXURE A/8.

15. That this Hon'ble Tribunal in order and judgment dated 06.05.2022, O.A. No. 10 of 2021, Sri Ajit Kumar Dhal versus State of Odisha & Ors., has given finding with respect to encroachment on the forest land by the project proponent. The relevant part of the order is reproduced here for reference:

"14. From the documents on record and the Inspection Report which has not been disputed by the Learned Counsel for the Respondent No.9, we find that damage caused to the Kata Land (Pond) of the Applicant and damage caused to the Government village forest kisam land is admitted by the Respondent No.9."

Illegal construction in the Green Belt area:

16. That the examination report dated 27.10.2021 by the Integrated Regional Office, MoEFCC states that the project proponent has only achieved green belt development in 27% of the total area as against the 33% requirement. However, the Regional Office made the observation that the project has carried out plantation of 3,32,893 saplings and have planted over an area of 46.24 ha within the industrial complex and around the ash pond. However, the Appellant here in this regard submits that the project proponent has illegally constructed 8 blocks of S+9 stored residential apartments named "Nagavalli in the greenbelt area and that no permission has been obtained from the Jharsuguda Regional

Improvement Trust for the said construction under section 33(1) of the Orissa Town Planning & Improvement Trust Act, 1956 hence, the said construction is been treated as unauthorised.

A Copy of the letter dated 25.05.2021 to the M/s Vedanta Ltd by the Jharsuguda Improvement Trust is annexed herewith and marked as

ANNEXURE A/9.

17. That the Expert Appraisal Committee though aware about the impact on the agricultural field and water bodies because of the pollution by the project proponent but only recommended for future impact assessment of the area surrounding the project.

18. That the Appellant herein is not able to verify the statements made in the EIA reports submitted by the project proponent due to paucity of time and lack of expertise. The Appellant seeks liberty from this Hon'ble Tribunal to make submission on the EIA report and its deficiencies at the later stage of hearing.

GROUNDS

19. That the instant Appeal is being filed under the following grounds amongst others that may be taken up at the time of hearing:

- I. Because the public hearing which was held on 30.09.2020 was on the basis of faulty and misleading EIA report and the same was returned by the Expert Appraisal Committee as recorded in its meeting held on 18-20th January, 2021.
- II. Because the Environmental Clearance is recommended by EAC on the basis of EIA report prepared after conducting the public hearing on 30.09.2020 and the public was not informed about the impact of the project.
- III. Because public hearing conducted on the basis of faulty and misleading EIA report cannot be considered as a proper public hearing in the eyes of law. It is submitted that the public were not

informed about the true impact of the project and correct and proper information about the project is the basis on which public can participate in the public hearing.

IV. Because as per para 2.3 of Appendix IV of the EIA Notification, 2006, the public has to be informed about the availability of draft EIA report for inspection. The relevant part of the provision is reproduced here for reference:

"2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the Regional Office of MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over."

It is submitted that the EAC in the present case failed to consider that the EIA report on the basis of which public hearing was held was returned back along with the application submitted for obtaining Environmental Clearance.

V. Because as per para 7 (III) (vii) of the EIA Notification, 2006 the project proponent is required to address all the material environmental concerns expressed during the public hearing and make appropriate changes in the draft EIA and EMP. The relevant part of the EIA Notification is reproduced here for reference:

"7. (III) (vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant

to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation."

It is submitted that the only change in the final EIA report to be submitted before the Expert Appraisal Committee is comments received during the public hearing. However, in the present case the entire proposal along with the EIA was returned by the EAC because of the same being of poor quality and misleading. The document on the basis of which clearance was granted was never before the public and cannot be said to be the draft EIA report on which public hearing was held.

VI. Because as per para 7 (III) (IV) of the EIA Notification 2006, the EAC is required to do detailed scrutiny of the outcome of public consultation including public hearing proceedings. In the present case the outcome of the public hearing was on the basis of the faulty and misleading EIA report which was returned back by the EAC and hence at the time of public hearing held on 30.09.2020 there was no correct information about the project. Therefore, the scrutiny of the outcome of the public hearing not represent the correct views of the public.

VII. Because the project proponent failed to comply with the several conditions of the Environmental Clearance dated 11.06.2008 even after more than 12 years of grant of clearance and also being causing pollution to the area around the project. The Expert Appraisal Committee condoned the non-compliance by allowing the expansion of the project.

VIII. Because the Expert Appraisal Committee failed to apply its mind with respect to encroachment and dumping of fly ash in the forest area without obtaining Forest Clearance by the project proponent.

- IX. Because there has been instances where the project proponent has caused pollution to the water body and agricultural land by dumping of fly ash. However, the Expert Appraisal Committee just recorded the recommendation with respect to sampling and analysis of nearest irrigated land growing crops, vegetables and other products of human consumption.
- X. Because the EAC failed to consider that the project proponent is habitually non-compliant of the Environmental Clearance conditions of 2008 and also of other environmental laws. The allowing expansion of such project proponent will cause further pollution of the area.
- XI. Because the Hon'ble Supreme Court *vide* judgment dated 29.03.2019 in **Hanuman Laxman Aroskar vs. Union of India (2019) 15 SCC 401** held that EAC is not constrained within the EIA report but it has an expert decision-making capacity when required. Thus, in the present Appeal, the Appellant submits that the EAC should have applied its mind while recommending EC merely based on the EIA report:

"127. EAC is an expert body. It must speak in the manner of an expert. Its remit is to apply itself to every relevant aspect of the project bearing upon the environment. It is not bound by the analysis which is conducted in the EIA report. It is duty-bound to analyse the EIA report. Where it finds it deficient it can adopt such modalities which, in its expert decision-making capacity, are required. The reasons which are furnished by EAC constitute a live link between its processes and the outcome of its adjudicatory function. In the absence of cogent reasons, the process by its very nature, together with the outcome stands vitiated.

...

129. EAC, as an expert body, has to scrutinise all relevant aspects of the project or activity proposed, including its impact

ct on the environment. In taking that decision, the EIA report is an input for its analysis. The scrutiny and appraisal has to be undertaken by EAC as an expert body and its reasons must reflect that this has been done. As the minutes indicate, the non-application of mind by EAC is evident with reference to the presence of 15 ESZs in the study area. EAC notes that the project is outside the ESZ delineated by the Kasturirangan Committee. In the absence of a critical analysis, EAC failed in discharging its duties under the 2006 Notification. **The recommendations of EAC furnish a guide for MoEF CC. Indeed, the 2006 Notification stipulates that the recommendations of EAC would normally be accepted. Consequently, a failure of due process before EAC, as in the present case, must lead to the invalidation of EC."**

XII. Because this Hon'ble Tribunal in **T. Mohana Rao v. The Director MoEF 2012 SCC OnLine NGT 40** has discussed the importance of public hearing and stated the same should be emphasized and followed in a sacrosanct manner. The Appellant submits that a fresh public hearing should have been conducted for the fresh EIA report:

*"29. The third and most important issue which remains to be addressed is Public Hearing. **Importance of Public Hearing is very much wider and has to be sacrosanctly emphasised and followed:***

Public Hearing/consultation is based on the principles of participatory democracy and ensures community participation and is aimed to ensure that the affected persons have a say and their voice is heard and respected. The legislature in its wisdom has given people a right of meaningful participation in decisions affecting their lives and livelihood. In order to have a proper and effective Public Hearing the common man is to be provided access to the executive summary of EIA report and the relevant studies carried out."

33. The purpose of the above clauses is to make the public hearing a meaningful one with full participation of all interested persons who may have a point of view to state. The above clauses operationalize the de-centralised decision making in a democratic set up where the views of those who are likely to be affected by a decision are given a say and an opportunity to voice their concerns. This procedure is intended to render the decision fair and participative and not to thrust it on people, who may be unaware of the implications of the decision.

34. What is important to note that the informations about the project and particulars about the EIA report were not made available to anyone in the public till the time of the public hearing. The same was available only with the Project Proponent and the MoEF. Unless it is made available, it is not possible for any member of the affected public to have access to such informations. It is imperative for the affected persons to be fully informed of the proposal (the EIA/EMP Report) submitted by the project proponent for dealing with the environmental damage that are likely to be caused if the project is granted clearance.

In the above background, it is not possible to agree with the stand of the Project Proponent and MoEF that there is no requirement in terms of the above clauses to make available the Executive Summary of the EIA Report of the Project, to the persons likely to be affected at least 30 days in advance of the public hearing. If their participation has to be meaningful, then they must have full information of the pros and cons of the proposed project and the impact it is likely to have on the environment in the area.

XIII. Because the Hon'ble Supreme Court in **Hanuman Laxman Aroskar v. UOI 2019 SCC OnLine SC 500**, stated that public consultation should be given importance as the local communities have a distinctive knowledge of environment, hence, public

consultation should not be a mere procedural formality. That breaching it will make the entire process vulnerable, thus a fresh public hearing should have been mandated:

*"111. Public consultation involves a process of confidence building by giving an important role to those who have a plausible stake. **It also recognizes that apart from the knowledge which is provided by science and technology, local communities have an innate knowledge of the environment.** The knowledge of local communities is transmitted by aural and visual traditions through generations. **By recognizing that they are significant stakeholders, the consultation process seeks to preserve participation as an important facet of governance based on the rule of law. Participation protects the intrinsic value of inclusion.***

*...112.8 **Public consultation cannot be reduced to a mere incantation or a procedural formality which has to be completed to move on to the next stage. Underlying public consultation is the important constitutional value that decisions which affect the lives of individuals must, in a system of democratic governance, factor in their concerns which have been expressed after obtaining full knowledge of a project and its potential environmental effects.***

103 Apart from the intrinsic value of public consultation, it serves an instrumental function as well. The purpose of ascertaining the views of stakeholders, is to account for all the material concerns in the design of the proposed project or activity. For this reason, the process of public consultation involves several important stages. The Pollution Control Board is under a mandate to forward the proceedings to the regulatory authority. The project proponent must address all material environmental concerns and make appropriate

changes in the draft EIA and EMP. The project proponent may even submit a supplementary report to the draft EIA. Each of these elements is crucial to the design features of the 2006 notification. A breach will render the process vulnerable to challenge on the ground that: (i) significant environmental concerns have not been taken into account; (ii) there was an absence of a full disclosure when the EIA report was put up for consultation; and (iii) concerns which have been expressed by persons affected by the project have not been adequately dealt with or analysed."

LIMITATION

That the present Appeal is being filed challenging the Environmental Clearance dated 05.05.2022 granted by the Ministry of Environment, Forest and Climate Change for the expansion of Aluminium Smelter Production Capacity from 16 LTPA to 18 LTPA, CPP capacity of 1215 MW to M/s. Vedanta Limited located at village Bhurkamunda, District Jharsuguda, Odisha beyond 30 days as provided in National Green Tribunal Act, 2010 and separate application for condonation of delay is filed along with this Appeal explaining the sufficient cause for approaching the Hon'ble Tribunal beyond the 30 days' time.

PRAYER

In the light of the above stated facts and circumstances, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- (i) Quash the Environmental Clearance dated 05.05.2022 for the expansion of Aluminium Smelter Production Capacity from 16 LTPA to 18 LTPA, CPP capacity of 1215 MW to M/s. Vedanta Limited located at village Bhurkamunda, District Jharsuguda, Odisha.

Pass any other order deemed fit by this Hon'ble Tribunal in the interest of justice, equity and good conscience.

Satyanarayan Rao
APPELLANT

THROUGH

Ritwick Dutta

Rahul Choudhary

RITWICK DUTTA RAHUL CHOUDHARY SAURABH SHARMA
ADVOCATES

N-71, LOWER GROUND FLOOR,
GREATER KAILASH-I, NEW DELHI-110048

MOBILE NO: 9312407881

Email: litigation.life@gmail.com

Place: Kolkata/Delhi

Date: 3. 8. 2022

VERIFICATION

I, Satyanarayan Rao, S/o Late Kurma Rao, aged about 49 years, R/o Milan Market OMP Line Jharsuguda, District Jharsuguda – 768204, do hereby verify that the contents of paragraphs 1 to 18 are true to the best of my knowledge and I have not suppressed any material fact.

Satyanarayan Rao
APPELLANT



28

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH AT KOLKATA
APPEAL NO. ___ OF 2022

IN THE MATTER OF:

SATYANARAYAN RAO

VERSUS

UNION OF INDIA AND ORS.

...APPLICANT


...RESPONDENTS



AFFIDAVIT

I, Satyanarayan Rao, S/o Late Kurma Rao, aged about 49 years, R/o Milan Market
OMP Line Jharsuguda, District Jharsuguda – 768204, Odisha, do hereby solemnly affirm
and state as under:

1. I am the Appellant in the above titled Appeal and conversant with the facts and circumstances of the case and competent to swear this affidavit.
2. That the contents of the accompanying Appeal are true and correct and nothing material has been concealed therefrom.


BISHWANATH MUKHERJEE
NOTARY
Govt. of India
Regd. No. 13783

02 AUG 2022

Satyanarayan Rao
DEPONENT

VERIFICATION

Verified on this 2nd day of Aug, 2022 that the contents of the above-mentioned
Affidavit are true and correct and nothing material has been concealed therefrom.

(X. 02. 08. 2022)



Satyanarayan Rao
DEPONENT

02 AUG 2022

ENVIRONMENTAL
CLEARANCE



**Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)**

To,

The COO Metal
VEDANTA LIMITED
Vedanta Limited, Aluminium and Power, Village- Bhurkamunda, PO
Kalimandir, District Jharsuguda, Odisha,,Jharsuguda,Orissa-768202

PARIVESH
*(Pro-Active and Responsive Facilitation by Interactive,
and Virtuous Environment Single-Window Hub)*



Subject: Grant of Environmental Clearance (EC) to the proposed Project Activity under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC) in respect of project submitted to the Ministry vide proposal number IA/OR/IND/236646/2017 dated 03.Nov 2021. The particulars of the environmental clearance granted to the project are as below.

- EC Identification No.** EC22A008OR175569
- File No.** J-11011/29/2007-IA II(I)
- Project Type** Expansion
- Category** A
- Project/Activity including Schedule No.** 3(a) Metallurgical industries (ferrous & non ferrous)
- Name of Project** Proposed Expansion of Aluminium Smelter Production Capacity from 16 LTPA to 18 LTPA, CPP 1215 MW
- Name of Company/Organization** VEDANTA LIMITED
- Location of Project** Orissa
- TOR Date** 20 Dec 2017

The project details along with terms and conditions are appended herewith from page no 2 onwards.

Date: 05/05/2022
(e-signed)
Dr. R. B. Lal
Scientist E
IA - (Industrial Projects - 1 sector)

Note: A valid environmental clearance shall be one that has EC identification number & E-Sign generated from PARIVESH.Please quote identification number in all future correspondence.

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30

F. No. J-11011/29/2007-IA II(I)
Government of India
Ministry of Environment, Forest and Climate Change
(I.A. Division – Industry I sector)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj,
New Delhi – 110003

Dated: 5th May, 2022

To,

Shri. Pravin Kumar,
 COO Metal,
M/s. Vedanta Limited,
 Village Bhurkamunda, PO Kalimandir,
 District Jharsuguda, Odisha -768202
 Email: envv/jsgsc@vedanta.co.in; Tel: 6645 666634

Subject: Proposed Expansion of Aluminium Smelter Production Capacity from 16 LTPA to 18 LTPA without increasing the CPP capacity of 1215 MW by M/s. Vedanta Limited located at Village- Bhurkamunda, PO Kalimandir, District Jharsuguda, Odisha – Environment Clearance regarding.

Sir,

This refers to your proposal no. **IA/OR/IND/236646/2017** dated **03/11/2021** submitted through Parivesh Portal and subsequent ADS replies dated **02/12/2021**, **09/12/2021**, **01/03/2022** and **11/03/2022** seeking for grant of **Environment Clearance (EC)** for the project mentioned above.

2. As per the provisions of the Environment Impact Assessment (EIA) Notification, 2006, the above-mentioned project/activity is listed at schedule no. 3 (a) Metallurgical industries (Ferrous & non-ferrous) under Category “A” of the schedule of the EIA notification, 2006 and appraised at Central level.
3. Accordingly, the above-mentioned proposal has been considered by the **Reconstituted EAC (Industry-I)** in its **48th meeting held on 11-12th November, 2021, reconsidered in 49th meeting held on 16th - 17th December, 2021 and 2nd meeting of new committee held on 22nd – 23rd March, 2022**. The minutes of the meeting and all the project documents are available on **PARIVESH** portal which can be accessed at <https://parivesh.nic.in/>.
4. The details of the proposal are as per the EIA report submitted by the proponent. The salient features of the expansion proposal as presented during the above-mentioned meeting of EAC (Industry 1) are as under: -

S.No.	Particulars	Details
a.	Terms of Reference for undertaking EIA study	20/12/2017
b.	Period of baseline data collection	March, 2021 to May, 2021
c.	Date of Public Consultation	30/09/2020
d.	Action plan to address the PH issues	An amount of Rs. 7927 Lakhs have been earmarked to address the issues raised during public hearing and an amount of Rs. 7680 Lakhs have been earmarked to address the issues based on social need based

S.No.	Particulars	Details
		activities. Detail of activities proposed attached as Annexure 1.
e.	Location of the project	Village- Bhurkamunda, PO Kalimandir, District Jharsuguda, Odisha.
f.	Latitude and Longitude of the project site.	Latitude & Longitude 21°49'' 43.0''N 84° 02' 40.7'' E 21°48'' 32.2''N 84°03' 53.7'' E 21°46'' 52.5''N 84°03' 2.91'' E 21°48'' 6.51''N 84°01' 48.29''E 21°49'' 3.01''N 84°01' 30.55'' E
g.	Total land	834.236 ha [Private Land]
h.	Land acquisition details as per MoEF&CC O.M. dated 7/10/2014	The expansion facility is proposed in existing project area of 834.236 ha Total land of 834.236 ha is in possession of the M/s. Vedanta Limited. No additional land is required for proposed expansion.
i.	Existence of habitation & involvement of R&R, if any	No R&R involved.
j.	Elevation of the project site	198 m to 216 m AMSL
k.	Involvement of Forest land if any.	No
l.	Water body exists within the project site as well as study area	Project site: Name-Kharkhari Nala Study area: Water Body Distance Direction Bhedan River 0.3 Km South IB River 8Km West Hirakud Reservoir 8 Km South
m.	Existence of ESZ / ESA / national park / wildlife Sanctuary / biosphere Reserve / tiger reserve / elephant reserve etc. if any within the study area	NIL
n.	Project cost	Expansion Project - INR 1240 Crores
o.	EMP cost	INR 96.16 Crores (Capital Cost) INR 5.80 Crores (Recurring Cost)
p.	Employment opportunity	800 nos. (250-direct & 550-indirect)
q.	Water and Power requirement	Water - 3957 m ³ /day [Existing: 3933 m ³ /day and Expansion: 24 m ³ /day] Power - 3615 MW [Existing: 3215 MW and Expansion: 400 MW]

Unit configuration and capacity:

S No	Unit Name	Existing Units		Proposed Units		Total (Existing +Proposed)	
		Configuration	Production in TPA	Configuration	Production in TPA	Configuration	Production in TPA
1	Aluminium Smelter	1864 pots in 6 Potlines, 4x35TPH Green Anode Plant,	16,00,000	66 pots in 6 Potline-6, 1x60TPH Green Anode Plant,	2,00,000	1930 pots in 6 Potlines, 4x35 TPH & 1x60 TPH Green Anode	18,00,000

S No	Name	Existing Units		Proposed Units		Total (Existing +Proposed)	
		Configuration	Production in TPA	Configuration	Production in TPA	Configuration	Production in TPA
		5 units of Bake Oven, 1x90 & 1x160 RPH of Rodding Unit, 3 units of Casting		1x120 RPH Rodding Unit, 1 unit of Casting		Plant, 5 units of Bake Oven, 1x90, 1x160 & 1x120 RPH Rodding Unit, 4 units of Casting	
2	CPP	9 units of 135 MW each	1215 MW	-	-	9 units of 135 MW each	1215 MW

5. The EAC (Industry-I) in its 2nd meeting held on **22-23rd March, 2022**, based on information & clarifications provided by the project proponent and after detailed deliberations recommended the proposal for grant of Environment Clearance subject to stipulation of specific and general conditions as detailed in the paragraph given below.
6. The MoEF&CC has examined the proposal in accordance with the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and after accepting the recommendations of the Expert Appraisal Committee (Industry-1) hereby decided to grant Environment Clearance for instant proposal of **M/s. Vedanta Limited** under the provisions of EIA Notification, 2006 subject to the following specific conditions and general conditions:

A. Specific conditions

- i. The project proponent shall abide by all orders and judicial pronouncements, made from time to time in OA No. 10/2021/EZ pending before the National Green Tribunal (NGT), Eastern Zone, Kolkata.
- ii. The poly-aromatic hydrocarbons (PAH) from the carbon plant (anode bake oven) shall not exceed 2 mg/Nm³. The data on PAH shall be monitored quarterly and report shall be submitted regularly to the Ministry/Regional Office at Bhubaneswar and Odisha Pollution Control Board.
- iii. A nallah is passing through the project site, PP shall maintain the nallah in its natural form and provide the green buffer zone of 10 m on both side of the nallah.
- iv. Particulate fluoride emissions shall not be more than 0.65 mg/Nm³ and fugitive particulate fluoride emissions from pot room shall not be more than 1.85 mg/Nm³.
- v. Project proponent shall maintain the Fluoride consumption less than 10 kg/tonne of Aluminium production by April, 2022 and reduce further at 8.0 kg/t by April, 2023 as committed by PP.
- vi. Three tier Green Belt shall be developed in a time frame of one year covering 33% of total area with native species all along the periphery of the project site of adequate width and tree density shall not be less than 2500 per ha. Survival rate of green belt developed shall be monitored on periodic basis to ensure that damaged plants are replaced with new plants in the subsequent years. This shall include development of green belt of 50 width from the project site towards the Jharsuguda village located at 0.2km from the site. In addition to this, following activities shall

also be undertaken as committed by the proponent:

- Green cover on reclaimed ash ponds over an area of 40 Ha shall be developed by June 2022.
 - PP shall undertake plantation over 37.5 ha outside plant premises in consultation with DFO, Jharsuguda.
- vii. Present stock of SPL carbon (36320 T) and legacy SPL stock shall be liquidated by Sep, 2023 as committed.
- viii. Refractory SPL stock (40000 T) stored in covered shed on concrete floors shall be disposed of Dec, 2025 as committed.
- ix. PM levels shall be less than 30 mg/Nm³ for all units under expansion. In case of older units, PP shall initiate retrofitting/modification action to achieve the PM emission level of 30 mg/Nm³ by October, 2024.
- x. Wastes shall be sent to RAMKY TSDF located at Sukinda. Further, waste disposed in this SLF shall be evacuated and disposed to authorized agency for detoxification as committed by PP.
- xi. PP shall use Roof Top Rainwater Harvesting systems with a total capacity of around 10000 m³ of rainwater and re-use the water in the plant.
- xii. All the recommendations made in the Charter on Corporate Responsibility for Environment Protection (CREP) for the Aluminium sector shall be strictly implemented.
- xiii. PP shall utilize 100% ash as per Fly Ash Notification 2021 and its subsequent amendments. Further, legacy ash shall be utilized completely by 31/05/2027 as committed by PP.
- xiv. Dust Suppression measures such as water sprinkling through mobile tankers is being carried out especially during the dry season. Ash laden trucks are covered with tarpaulin to avoid spillage.
- xv. Regular monitoring of Air, Water & Soil quality shall be carried out in the Ash Pond area.
- xvi. Performance monitoring of pollution control equipment shall be taken up yearly and compliance status in this regard shall be reported to RO.
- xvii. The recommendations of the approved Site-Specific Conservation Plan / Wildlife Management Plan shall be implemented in consultation with the State Forest Department. The implementation report shall be furnished along with the six-monthly compliance report to the concerned Regional Office of the MoEF&CC.
- xviii. The area of sampling and analysis of fluoride in soil and forage should extend up to 10 kilometers radius of plant premises covering upwind and downwind directions. Further, fluoride sampling and analysis should be taken quarterly at the nearest irrigated lands growing crops, vegetables, and other products of human consumption.
- xix. The major emissions are from the pot room roof. The sampling frequency should be increased, and sampling is done at multiple locations. The laser-based advance technology shall be adopted to continuously monitor gaseous fluoride emissions from pot rooms on real time basis by March, 2023.
- xx. Wheel Washing mechanism shall be provided in entry and exit gates with complete water recirculation system

xxi. Greening and Paving shall be implemented in the plant area to arrest soil erosion and dust pollution from exposed soil surface

B. General Conditions

I. Statutory compliance:

- i. The Environment Clearance (EC) granted to the project/ activity is strictly under the provisions of the EIA Notification, 2006 and its amendments issued from time to time. It does not tantamount/ construe to approvals/ consent/ permissions etc., required to be obtained or standards/conditions to be followed under any other Acts/Rules/Subordinate legislations, etc., as may be applicable to the project.

II. Air quality monitoring and preservation

- i. The project proponent shall install 24x7 Continuous Emission Monitoring System (CEMS) at process stacks to monitor stack emission as well as 4 Nos. Continuous Ambient Air Quality Station (CAAQS) for monitoring AAQ parameters with respect to standards prescribed in Environment (Protection) Rules 1986 as amended from time to time. The CEMS and CAAQMS shall be connected to SPCB and CPCB online servers and calibrate these systems from time to time according to equipment supplier specification through labs recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- ii. The project proponent shall monitor fugitive emissions in the plant premises at least once in every quarter through labs recognized under Environment (Protection) Act, 1986.
- iii. The project proponent shall provide leakage detection and mechanized bag cleaning facilities for better maintenance of bags.
- iv. The project proponent shall ensure covered transportation and conveying of ore, coal and other raw material to prevent spillage and dust generation; Use closed bulkers for carrying fly ash;
- v. The project proponent shall provide wind shelter fence and chemical spraying on the raw material stock piles;
- vi. Ventilation system shall be designed for adequate air changes as per the prevailing norms for all tunnels, motor houses, and cement bagging plants.
- vii. Sufficient number of mobile or stationary vacuum cleaners shall be provided to clean plant roads, shop floors, roofs, regularly.
- viii. Adopt measures to recover fluoride gas from electrolytic cells and recycle the same in the process.
- ix. Practice use of low-Sulphur tars for baking anodes.
- x. Make efforts to increase the life of pot lining through better construction and operating techniques.
- xi. Design the pot roofs with louvers and roof ventilators

III. Water quality monitoring and preservation

- i. The project proponent shall install 24x7 continuous effluent monitoring system with respect to standards prescribed in Environment (Protection) Rules 1986 (G.S.R 742 (E) dated 30th August 1990 and further amended vide G.S.R 46 (E) dated 3rd February 2006(Aluminium); S.O. 3305 (E) dated 7th December 2015(Thermal Power Plants) as amended from time to time and connected to SPCB and CPCB

35
online servers and calibrate these system from time to time according to equipment supplier specification through labs recognised under Environment (Protection) Act, 1986 or NABL accredited laboratories.

ii. The project proponent shall monitor regularly ground water quality at least twice a year (pre and post monsoon) at sufficient numbers of piezometers/sampling wells in the plant and adjacent areas through labs recognised under Environment (Protection) Act, 1986 and NABL accredited laboratories.

iii. Sewage Treatment Plant shall be provided for treatment of domestic wastewater to meet the prescribed standards.

iv. Garland drains and collection pits shall be provided for each stock pile to arrest the run-off in the event of heavy rains and to check the water pollution due to surface run off

v. Water meters shall be provided at the inlet to all unit processes in the cement plant.

vi. The project proponent shall make efforts to minimize water consumption in the cement plant complex by segregation of used water, practicing cascade use and by recycling treated water.

IV. Noise monitoring and prevention

i. Noise quality shall be monitored as per the prescribed Noise Pollution (Regulation and Control) Rules, 2000 and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.

V. Energy Conservation measures

i. The project proponent shall provide waste heat recovery system (pre-heating of combustion air) at the flue gases.

ii. Provide solar power generation on roof tops of buildings, for solar light system for all common areas, street lights, parking around project area and maintain the same regularly;

iii. Provide LED lights in their offices and residential areas.

VI. Waste management

i. Used refractories shall be recycled.

ii. Oily scum and metallic sludge recovered from ETP shall be mixed, dried, and briquetted and reused.

VII. Green Belt

i. The project proponent shall prepare GHG emissions inventory for the plant and shall submit the Programme for reduction of the same including carbon sequestration including plantation.

ii. Project proponent shall submit a study report on De-carbonization program, which would essentially consist of company's carbon emissions, carbon budgeting/ balancing, carbon sequestration activities and carbon capture, use and storage and offsetting strategies. Further, the report shall also contain time bound action plan to reduce its carbon intensity of its operations and supply chains, energy transition pathway from fossil fuels to Renewable energy etc. All these activities/ assessments should be measurable and monitor able with defined time frames.

VIII. Public hearing and Human health issues

- i. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
- ii. The project proponent shall carry out heat stress analysis for the workmen who work in high temperature work zone and provide Personal Protection Equipment (PPE) as per the norms.
- iii. Occupational health surveillance of the workers shall be done on a regular basis and records maintained.

IX. Environment Management

- i. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 30/09/2020. As part of Corporate Environment Responsibility (CER) activity, company shall adopt nearby villages based on the socio-economic survey and undertake community developmental activities in consultation with the village Panchayat and the District Administration as committed.
- ii. The company shall have a well laid down environmental policy duly approve by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
- iii. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.

X. Miscellaneous

- i. The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
- ii. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- iii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- iv. The project proponent shall monitor the criteria pollutants level namely; PM₁₀, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects and display the same at a convenient location for disclosure to the public and put on the website of the company.
- v. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
- vi. The project proponent shall submit the environmental statement for each financial

37

year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.

- vii. The project proponent 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, commencing the land development work and start of production operation by the project.
- viii. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- ix. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
- x. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xi. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xii. The Ministry reserves the right to stipulate additional conditions if found necessary.
- xiii. The Company in a time bound manner shall implement these conditions.
- xiii. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
- xiv. Any appeal against this EC 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.

7. This issues with the approval of the Competent Authority.



(Dr. R. B. Lal)
Scientist 'E'/Additional Director
Tel: 011-20819346
Email-rb.lal@nic.in

Encl. as Annexure

Copy to:-

1. Secretary, Department of Environment, Government of Odisha, Secretariat, Bhubaneswar.
2. Regional Officer, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, A/3, Chandrasekharpur, Bhubaneswar – 751023.
3. Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
4. Chairman, Odisha State Pollution Control Board, Parivesh Bhawan, A/118 Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012.
5. Member Secretary, Central Ground Water Authority, A2, W3 Curzon Road Barracks, K.G. Marg, New Delhi-110001.

38

6. District Collector, Jharsuguda District, Odisha.
7. Guard File/Record File/Monitoring File.
8. MoEF&CC Website/ Parivesh Portal



(Dr. R. B. Lal)

Scientist 'E'/Additional Director

Tel: 011-20819346

Email-rb.lal@nic.in



Annexure

Action plan as per MoEF&CC O.M. dated 30/09/2020:

S No	Concerns Raised during Public Hearing	Physical Activity & Action plan for FY 2022	Tentative Budget in Rs. (Lacs)	Physical Activity & Action plan for FY 2023	Tentative Budget in Rs. (Lacs)	Total budget in Rs. lacs
1	Emission of Gas & fumes problem	Ordering for Fume Treatment Plant revamping including supply of equipment	1100	Revamping of Fume Treatment Plant (FTP 1, Smelter 1) by July 2022 and Balance 3 FTPs by March 2023.	3300	4400
2	Compensation for Crop Damage due to emission of gases	Detailed study w.r.t Crop damage is being carried out by NRRRI for 2 crop cycles Distribution of 7 Quintal high yield variety of seeds, Fertilizers (Completed) Training Program to Farmers of 12 Villages	50	2 nd Crop Cycle Study Training to Farmers on best agricultural practices for higher yield/production	-	50
3	Road dust problem due to transport of Ash	Construction and Commissioning of dedicated road for truck traffic to avoid entering Sunarimunda village and Jharsuguda town by July 2021 (Completed)	3100	Parking Plaza for 200 trucks entering and leaving the factory premises to be constructed at Brundamal with all facilities and amenities for drivers by Dec 2022	197	3297
4	Avenue Plantation & Other Afforestation	Installation of Wheel Wash System at the entry/exit of Factory premises by Dec 2022	80	-	-	80
		-	-	Plantation & Maintenance of 25,000 Saplings outside plant areas in consultation with DFO	100	100
		Total	4330		3597	7927

Action plan for need base activity

S No	Concerns Raised during Public Hearing	Physical Activity & Action plan for FY 2022	Tentative Budget in Rs. Lacs	Physical Activity & Action plan for FY 2023	Tentative Budget in Rs. Lacs	Total budget in Rs. lacs
5	Formation of Environmental committee to address issues related to environment	Committee will be formed in consultation with district administration, SPCB, Local representative & company representative	-	-	-	-
6	Contractual work to local people	196 local contracts involving 52 local contractors	-	-	-	-

40

S No	Concerns Raised during Public Hearing	Physical Activity & Action plan for FY 2022	Tentative Budget in Rs. Lacs	Physical Activity & Action plan for FY 2023	Tentative Budget in Rs. Lacs	Total budget in Rs. lacs
7	Training & skill development for Local People.	Through Project Jeevika to enhance the income of farmers fraternity, covering 5 villages namely Gudigaon, Siriapalli, Keldamal, Bhagipalli, Bhurkamunda to 750 people Skill development trainings to 150 numbers of youths through Vedanta Foundation from Banjari, Bhagipalli, Bhurkamunda, Brundamal	250	Through Project Jeevika to enhance the income of farmers fraternity, covering 5 villages namely Brundamal, Dalki, Katikela, Kumudapalli, Kurebaga to 750 people Skill development trainings to 450 numbers of youths through Vedanta Foundation from Dalki, Katikela, Kumudapalli, Sunarimunda, Gudigaon	250	500
8	Health and establishment of medical college and hospital	5,195 persons have been employed from Jharsuguda & Local affected villages More than 90% of our unskilled workforce is from Odisha Vedanta State of Art - Pathology & Diagnostic Centre at JSG benefiting >2.5 lac population providing services for BPL at free of cost & rest as per CGHS rates	-	-	-	-
9	Supply of Drinking water	COVID-19 initiatives for communities (distribution of ration, mask in large scale to community & frontline workers and Vaccine) Supporting district COVID-19 Hospital - 100 bed + ventilators + lifesaving equipment	30	COVID-19 initiatives for communities (distribution of ration, mask in large scale to community & frontline workers and Vaccine) Supporting district COVID-19 Hospital - 100 bed + ventilators + lifesaving equipment	20	50
10	Provision of streetlights surrounding villages	COVID-19 support at state level Drinking water supply through Overhead tank and pipelines in Banjari village to approx. 300 House Holds. Streetlights (including solar streetlights in 10 villages) 50 numbers in villages Orampada, Tharkimal, Bhagipalli, Bhurkamunda	450	COVID-19 support at state level Drinking water supply in Siriapalli, Kurebaga to approx. 600 Households Streetlights (including solar streetlights in 10 villages) 50 numbers in villages Brundamal, Kurebaga, Kumudapalli, Gudigaon, Siriapalli	50	500

41

S No	Concerns Raised during Public Hearing	Physical Activity & Action plan for FY 2022	Tentative Budget in Rs. Lacs	Physical Activity & Action plan for FY 2023	Tentative Budget in Rs. Lacs	Total budget in Rs. lacs
11	Road & Peripheral Development	Construction of RCC road 700 m & drainage facilities in Banjari village	100	Construction of RCC road 1300 m & drainage facility in Tharkimal village	200	300
		Cleaning/renovation of community ponds 17 numbers	43	Cleaning/renovation of community ponds 23 numbers	57	100
12	Education & Establishment of English Medium School	Construction & Renovation of Community Centers/Place of worship/ Public gathering places around 4 core villages Kurebaga, Kherual, Brundamal, Bhurkamunda	100	Construction & Renovation of Community Centers / Place of Worship / Public gathering places around 6 core villages Banjari, Buromal, Badmal, Tharkimal, Gudigaon, Katikela	160	260
		Partnering with State Govt. through "Mo School Abhiyaan" covering 4 Govt. Schools at Jharsuguda	80	-	-	80
		Renovation of 50 anganwadi for Nandghars covering 35 communities	200	Renovation of 50 anganwadi for Nandghars covering 35 communities	200	400
13	Women Empowerment	Renovation of 10 school buildings + toilets	100	Renovation of 10 school buildings + toilets	100	200
		-	-	Developing 5 mini-science centre benefiting more than 1000 children	60	60
		Strengthening of SHG & promoting income generation activities through Subhalaxmi Cooperative Society - 5K members in 35 communities	300	Strengthening of SHG & promoting income generation activities through Subhalaxmi Cooperative Society - 5K members in 35 communities	300	600
Total			4303		3377	7680

Digitally signed by Dr. R. B. Lal
Scientist E

Date: 5/5/2022 6:24:04 PM

42
Annexure A-2

F. No. J-11011/29/2007- IA-II(I)

Government of India

Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj,
New Delhi - 110003
E-mail: sharath.kr@gov.in
Tel: 011-24695319

Dated: 20th December, 2017

To

Chief Executive Officer,
M/s Vedanta Limited,
Villagae Bhurkamunda, P.O Kalimandir,
District Jharsuguda, Orissa-768202.
e-mail: asp.mishra@vedanta.co.in

Subject: Aluminum Smelter (from 16 LTPA to 18 LTPA); CPP (1215 MW) by adding 2 LTPA smelter plant at Villagae Bhurkamunda, P.O Kalimandir, District Jharsuguda, Orissa by M/s Vedanta Limited- Prescribing Terms of Reference for Expansion regarding.

Sir,

This has reference to your online application vide proposal no. **IA/OR/IND/70259/2017** dated **3rd November 2017** along with the application in prescribed format (Form-I), copy of pre-feasibility report and proposed ToRs for undertaking detailed EIA study as per the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at Sl. No. 3(b) Metallurgical industries (ferrous & nonferrous) under category 'A' of the Schedule of EIA Notification, 2006 and the proposal is appraised at the Central Level.

2.0 M/s Vedanta Limited - Smelter & CPP (formerly M/s Vedanta Aluminium Limited) is promoted by Vedanta Resources (PLC) UK which is a non-ferrous metals conglomerate having mining/metal processing in India & abroad. Vedanta Jharsuguda Plant has presently capacity of 16 LTPA corresponding to GP-320 KA prebaked technology from GAMI, China.

3.0 Vedanta group now, proposed to expand Aluminium Smelter of Vedanta Limited at Jharsuguda. The Aluminium smelter plant proposed to increase the capacity by 2LTPA (2,00,000 TPA) i.e. from 16 LTPA smelter & 1215 MW CPP to 18 LTPA smelter & 1215 MW CPP.

4.0 The earlier project expansions were accorded environmental clearance as per details below:

Sl. No.	Name of Unit	Details of EC	CTE Details	CTO Validity	Remarks
I	M/s Vedanta Limited - Smelter & CPP (formerly Vedanta Aluminium Limited)				
1	Aluminium Smelter Plant (2,50,000 TPA) at Village Bhurkamunda /Brundamal District,Jharsuguda, Odi	vide J-11011/144/2006-IA.II (I) dated 07.03.2007	No. 8064/Ind-II-NOC-3633 dated 31.03.2006	31.03.2018	

43

sha										Combined CTE	
2	5x135 MW Captive Power Plant at Jharsuguda, Odisha	J-13011 / 10 / 2006-IA.II(T) dated 14.03.2007									
3	Expansion of Aluminium Smelter(2.5 LTPA to 16 LTPA) and Captive Power Plant (675 MW to 1350 MW) at Bhurkamunda/BrundamalJharsuguda, Odisha	J-11011 / 29 / 2007-IA.II (I) dated 11.06.2008	No. 7723/Ind- II-NOC-4870 dated 18.05.2009	31.03.201 8						Combined CTO	
II	Vedanta Limited-2400 MW TPP (formerly Sterlite Energy Limited)										
1	2400 MW Coal based power project at Brundamal, Jharsuguda, Odisha	J-13011 / 3 / 2007 - IA. II (T) dated 07.12.2007	No.23227/Ind- II-NOC-3249 dated 21.09.2006	31.03.201 8						Through separate EC	

5.0 The proposed unit will be located at existing complex, Village: Bhurkamunda, Tehsil and District: Jharsuguda, State: Odisha.

6.0 The existing Vedanta Aluminium smelter & CPP area is 834.236 ha (2061.41 acres), land required for the proposed smelter expansion is about 6.07 ha (15 acres) and is part of Aluminium Smelter & CPP. The expansion will be brought out in the existing premises. Acquisition of land for ash ponds will be as per previous clearances. The greenbelt / green cover in township, ash dyke and other areas is 213.26 ha (527 acres). There will not be any additional land acquisition for this expansion. The break-up of land for the entire complex is given below:

Sl. No	Plant Unit	Area (acres)	Area (ha)
1	Total smelter and other areas	1234.81	499.72
2	Captive power plant incl. main power plant, green belt and ash pond area	621.48	251.51
3	Railway sidings	48.93	19.80
4	Township existing	65.19	26.38
5	Township proposed(Vedanta's own existing land)	91.00	36.826
Total		2061.41	834.236

7.0 No National Park/Wildlife Sanctuary/Biosphere Reserve/Tiger Reserve/ Elephant Reserve etc. are reported to be located in the core and buffer zone of the project.

8.0 Total estimated project cost is Rs.1240 Crores. Proposed employment generation from proposed project will be 800 persons (direct employment and indirect employment).

9.0 The targeted production capacity of the Aluminium after expansion is 18 LTPA (1.8 million TPA). Under normal conditions, the main raw material alumina

44

and coke transportation will be done through rail except during any emergencies/break-downs. The other raw materials will be transported through rail or road. The proposed capacity for different products for new site area as below:

Name of unit	Existing Capacity	Proposed Capacity	Total Capacity
Smelter	16 LTPA	2.0 LTPA	18 LTPA
Total	16.0 LTPA	2.0 LTPA	18.0 LTPA

10.0 The electricity load of proposed expansion project 300-400 MW will be procured from existing power plants. Details of power plant capacities available with Vedanta are as given below:

Sl. No	Power Plant	Existing Capacity (MW)	Proposed Capacity (MW)	Total (MW)	Capacity
1	CPP	1215	0	1215	
3	TPP	2400	0	2400	
	Total	3615	0	3615	

11.0 Proposed raw material and fuel requirement and fuel consumption details:

Sl. No.	Description	Quantity
1	Alumina	1.93 T/Tonne of metal or 386,000 TPA additional
2	Cryolite	2 kg/T or 400 TPA
3	Calcined Petroleum Coke	0.37 T/T (gross anode consumption is around 545 kg/T) or 74000 TPA additional
4	Coal Tar Pitch	0.08 T/T or 16000 TPA additional
5	Aluminium Fluoride	20 Kg/T or 4000 TPA additional
6	Heavy Diesel Oil (HDO)	100 T/day

12.0 Water consumption for the proposed project will be 576 m³/day. Out of this, the fresh water requirement is around 20% and balance quantity will be recycled after treatment in Effluent Treatment Plant (ETP). The quantity of make-up water requirement shall be catered from our existing water allocation.

13.0 There is no court case or violation under EIA Notification to the project or related activity.

14.0 The Project proponent has made detailed presentation along with EIA Consultant M/s. Vimta Labs Limited, Hyderabad [QCI. Sr. No. 143].

15.0 The committee observed that the proposal involved additional green anode plant, Roding plant, cast house, Utilities, expansion of township (covered under entry 8(b) of schedule of EIA Notification, 2006 as amended), addition of 66 pots in smelter-II.

16.0 The proposal was considered by the Expert Appraisal Committee (Industry-I) during its 26th meeting held during 11th - 13th December, 2017 for prescribing ToRs for undertaking detailed EIA/EMP study. The PP has made detailed presentation on proposal along with EIA consultant.

45

17.0 After detailed deliberations, the Committee recommended to issue the ToR and prescribed following specific ToRs, in addition to the standard ToR enclosed at Annexure I and Sector Specific ToRs enclosed at Annexure-2.

- i. Public Hearing to be conducted by the concerned State Pollution Control Board.
- ii. The issues raised during public hearing and commitment of the project proponent on the same along with time bound action plan to implement the commitment and financial allocation thereto should be clearly provided.
- iii. The project proponent should carry out social impact assessment of the project as per the Office Memorandum No. J-11013/25/2014-IA. I dated 11.08.2014 issued by the Ministry regarding guidelines on Environment Sustainability and Enterprise Social Commitment (ESC) related issues. The social impact assessment study so carried out should form part of EIA and EMP report.
- iv. Certificate compliance of earlier EC from the Regional office of MoEFCC shall be submitted along with EIA/EMP.
- v. Management plan for solid waste shall be submitted in the EIA/EMP report
- vi. The details of the power sourcing shall be provided.
- vii. The standard ToR for Sl. No. 8(b) of schedule of EIA Notification, 2006 "Township and development projects" shall be complied.

18.0 The undersigned is directed to inform that the Ministry of Environment, Forest and Climate Change (MoEF&CC) after accepting the recommendation of the EAC (Industry-I), hereby decided to accord ToRs with specific ToRs mentioned at para 18 in addition to the standard ToR enclosed at Annexure I and Sector Specific ToRs enclosed at Annexure-2 for the above project.

✓

19.0 It is requested that the draft EIA Report may be prepared in accordance with the above mentioned specific ToRs and enclosed generic ToRs and additional ToRs and thereafter further necessary action including conduct of public consultation may be taken for obtaining Environment Clearance in accordance with the procedure prescribed under the EIA Notification, 2006 as amended.

20.0 The ToRs are valid for a period of three years from today i.e. 12.12.2017 and will expire on 12.12.2020. However, this period could be further extended by a maximum period of one year provided an application is made by the project proponent at least three months before the expiry of the validity period, together with updated Form-I, based on proper justification.

This issues with the approval of Competent Authority


(Sharath Kumar Pallerla)
Scientist 'F' / Director

Copy to:-

1. **The Secretary**, Department of Environment, Government of Orissa Secretariat, Bhubaneswar.
2. **The Chairman**, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-office complex, East Arjun Nagar, Delhi-110032.
3. **The Chairman**, Odisha State Pollution Control Board, Parivesh Bhawan, A/118 Nilakantha Nagar, Unit-VIII, Bhubaneswar-751012.

46

4. **The Additional Principal Chief Conservator of Forests(C)**, Ministry of Environment, Forest and Climate Change, Regional Office (EZ), A/3, Chandersekharpur, Bhubaneswar - 751023.
5. **The District Collector**, Jharsuguda District, Government of Odisha.
6. **Guard File/Record File/Monitoring File.**
7. **MoEF&CC website.**



(Sharath Kumar Pallerla)
Scientist 'F'/Director

ANNEXURE -I
GENERIC TERMS OF REFERENCE (ToR) IN RESPECT OF INDUSTRY SECTOR

1. Executive Summary
2. Introduction
 - i. Details of the EIA Consultant including NABET accreditation
 - ii. Information about the project proponent
 - iii. Importance and benefits of the project
3. Project Description
 - i. Cost of project and time of completion.
 - ii. Products with capacities for the proposed project.
 - iii. If expansion project, details of existing products with capacities and whether adequate land is available for expansion, reference of earlier EC if any.
 - iv. List of raw materials required and their source along with mode of transportation.
 - v. Other chemicals and materials required with quantities and storage capacities
 - vi. Details of Emission, effluents, hazardous waste generation and their management.
 - vii. Requirement of water, power, with source of supply, status of approval, water balance diagram, man-power requirement (regular and contract)
 - viii. The project proponent shall furnish the requisite documents from the competent authority in support of drawl of ground water and surface water and supply of electricity.
 - ix. Process description along with major equipment and machineries, process flow sheet (Quantitative) from raw material to products to be provided
 - x. Hazard identification and details of proposed safety systems.
 - xi. Expansion/modernization proposals:
 - a. Copy of all the Environmental Clearance(s) including Amendments thereto obtained for the project from MoEF&CC/SEIAA shall be attached as an Annexure. A certified copy of the latest Monitoring Report of the Regional Office of the Ministry of Environment, Forest and Climate Change as per circular dated 30th May, 2012 on the status of compliance of conditions stipulated in all the existing environmental clearances including Amendments shall be provided. In addition, status of compliance of Consent to Operate for the ongoing /existing operation of the project from SPCB/PCC shall be attached with the EIA-EMP report.
 - b. In case the existing project has not obtained environmental clearance, reasons for not taking EC under the provisions of the EIA Notification 1994 and/or EIA Notification 2006 shall be provided. Copies of Consent to Establish/No Objection Certificate and Consent to Operate (in case of units operating prior to EIA Notification 2006, CTE and CTO of FY 2005-2006) obtained from the SPCB shall be submitted. Further, compliance report to the conditions of consents from the SPCB shall be submitted.
4. Site Details

- i. Location of the project site covering village, Taluka/Tehsil, District and State, Justification for selecting the site, whether other sites were considered.
- ii. A toposheet of the study area of radius of 10km and site location on 1:50,000/1:25,000 scale on an A3/A2 sheet. (including all eco-sensitive areas and environmentally sensitive places)
- iii. Co-ordinates (lat-long) of all four corners of the site.
- iv. Google map-Earth downloaded of the project site.
- v. Layout maps indicating existing unit as well as proposed unit indicating storage area, plant area, greenbelt area, utilities etc. If located within an Industrial area/Estate/Complex, layout of Industrial Area indicating location of unit within the Industrial area/Estate.
- vi. Photographs of the proposed and existing (if applicable) plant site. If existing, show photographs of plantation/greenbelt, in particular.
- vii. Landuse break-up of total land of the project site (identified and acquired), government/private - agricultural, forest, wasteland, water bodies, settlements, etc. shall be included. (not required for industrial area)
- viii. A list of major industries with name and type within study area (10km radius) shall be incorporated. Land use details of the study area
- ix. Geological features and Geo-hydrological status of the study area shall be included.
- x. Details of Drainage of the project upto 5km radius of study area. If the site is within 1 km radius of any major river, peak and lean season river discharge as well as flood occurrence frequency based on peak rainfall data of the past 30 years. Details of Flood Level of the project site and maximum Flood Level of the river shall also be provided. (mega green field projects)
- xi. Status of acquisition of land. If acquisition is not complete, stage of the acquisition process and expected time of complete possession of the land.
- xii. R&R details in respect of land in line with state Government policy

5. Forest and wildlife related issues (if applicable):

- i. Permission and approval for the use of forest land (forestry clearance), if any, and recommendations of the State Forest Department. (if applicable).
- ii. Land use map based on High resolution satellite imagery (GPS) of the proposed site delineating the forestland (*in case of projects involving forest land more than 40 ha*).
- iii. Status of Application submitted for obtaining the stage I forestry clearance along with latest status shall be submitted.
- iv. The projects to be located within 10 km of the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-à-vis the project location and the recommendations or comments of the Chief Wildlife Warden-thereon.
- v. Wildlife Conservation Plan duly authenticated by the Chief Wildlife Warden of the State Government for conservation of Schedule I fauna, if any exists in the study area.
- vi. Copy of application submitted for clearance under the Wildlife (Protection) Act, 1972, to the Standing Committee of the National Board for Wildlife

6. Environmental Status

- i. Determination of atmospheric inversion level at the project site and site-specific micro-meteorological data using temperature, relative humidity, hourly wind speed and direction and rainfall.
- ii. AAQ data (except monsoon) at 8 locations for PM₁₀, PM_{2.5}, SO₂, NO_x, CO and other parameters relevant to the project shall be collected. The monitoring stations shall be based CPCB guidelines and take into account the pre-dominant wind direction, population zone and sensitive receptors including reserved forests.
- iii. Raw data of all AAQ measurement for 12 weeks of all stations as per frequency given in the NAQQM Notification of Nov. 2009 along with - min., max., average and 98% values for each of the AAQ parameters from data of all AAQ stations should be provided as an annexure to the EIA Report.
- iv. Surface water quality of nearby River (60m upstream and downstream) and other surface drains at eight locations as per CPCB/MoEF&CC guidelines.
- v. Whether the site falls near to polluted stretch of river identified by the CPCB/MoEF&CC.
- vi. Ground water monitoring at minimum at 8 locations shall be included.
- vii. Noise levels monitoring at 8 locations within the study area.
- viii. Soil Characteristic as per CPCB guidelines.
- ix. Traffic study of the area, type of vehicles, frequency of vehicles for transportation of materials, additional traffic due to proposed project, parking arrangement etc.
- x. Detailed description of flora and fauna (terrestrial and aquatic) existing in the study area shall be given with special reference to rare, endemic and endangered species. If Schedule-I fauna are found within the study area, a Wildlife Conservation Plan shall be prepared and furnished.
- xi. Socio-economic status of the study area.

BT

7. Impact Assessment and Environment Management Plan

- i. Assessment of ground level concentration of pollutants from the stack emission based on site-specific meteorological features. In case the project is located on a hilly terrain, the AQIP Modelling shall be done using inputs of the specific terrain characteristics for determining the potential impacts of the project on the AAQ. Cumulative impact of all sources of emissions (including transportation) on the AAQ of the area shall be well assessed. Details of the model used and the input data used for modelling shall also be provided. The air quality contours shall be plotted on a location map showing the location of project site, habitation nearby, sensitive receptors, if any.
- ii. Water Quality modelling - in case, if the effluent is proposed to be discharged in to the local drain, then Water Quality Modelling study should be conducted for the drain water taking into consideration the upstream and downstream quality of water of the drain.
- iii. Impact of the transport of the raw materials and end products on the surrounding environment shall be assessed and provided. In this regard, options for transport of raw materials and finished products and wastes (large quantities) by rail or rail-cum road transport or conveyer-cum-rail transport shall be examined.

- iv. A note on treatment of wastewater from different plant operations, extent recycled and reused for different purposes shall be included. Complete scheme of effluent treatment. Characteristics of untreated and treated effluent to meet the prescribed standards of discharge under E(P) Rules.
- v. Details of stack emission and action plan for control of emissions to meet standards.
- vi. Measures for fugitive emission control
- vii. Details of hazardous waste generation and their storage, utilization and disposal. Copies of MOU regarding utilization of solid and hazardous waste shall also be included. EMP shall include the concept of waste-minimization, recycle/reuse/recover techniques, Energy conservation, and natural resource conservation.
- viii. Proper utilization of fly ash shall be ensured as per Fly Ash Notification, 2009. A detailed plan of action shall be provided.
- ix. Action plan for the green belt development plan in 33 % area i.e. land with not less than 1,500 trees per ha. Giving details of species, width of plantation, planning schedule etc. shall be included. The green belt shall be around the project boundary and a scheme for greening of the roads used for the project shall also be incorporated.
- x. Action plan for rainwater harvesting measures at plant site shall be submitted to harvest rainwater from the roof tops and storm water drains to recharge the ground water and also to use for the various activities at the project site to conserve fresh water and reduce the water requirement from other sources.
- xi. Total capital cost and recurring cost/annum for environmental pollution control measures shall be included.
- xii. Action plan for post-project environmental monitoring shall be submitted.
- xiii. Onsite and Offsite Disaster (natural and Man-made) Preparedness and Emergency Management Plan including Risk Assessment and damage control. Disaster management plan should be linked with District Disaster Management Plan.

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8. Occupational health

- i. Details of existing Occupational & Safety Hazards. What are the exposure levels of above mentioned hazards and whether they are within Permissible Exposure level (PEL). If these are not within PEL, what measures the company has adopted to keep them within PEL so that health of the workers can be preserved,
- ii. Details of exposure specific health status evaluation of worker. If the workers' health is being evaluated by pre-designed format, chest x rays, Audiometry, Spirometry, Vision testing (Far & Near vision, colour vision and any other ocular defect) ECG, during pre-placement and periodical examinations give the details of the same. Details regarding last month analysed data of abovementioned parameters as per age, sex, duration of exposure and department wise.
- iii. Annual report of health status of workers with special reference to Occupational Health and Safety.
- iv. Plan and fund allocation to ensure the occupational health & safety of all contract and casual workers.

9. Corporate Environment Policy

- i. Does the company have a well laid down Environment Policy approved by its Board of Directors? If so, it may be detailed in the EIA report.

- 51
- ii. Does the Environment Policy prescribe for standard operating process / procedures to bring into focus any infringement / deviation / violation of the environmental or forest norms / conditions? If so, it may be detailed in the EIA.
 - iii. What is the hierarchical system or Administrative order of the company to deal with the environmental issues and for ensuring compliance with the environmental clearance conditions? Details of this system may be given.
 - iv. Does the company have system of reporting of non-compliances / violations of environmental norms to the Board of Directors of the company and / or shareholders or stakeholders at large? This reporting mechanism shall be detailed in the EIA report

10. Details regarding infrastructure facilities such as sanitation, fuel, restroom etc. to be provided to the labour force during construction as well as to the casual workers including truck drivers during operation phase.

11. Enterprise Social Commitment (ESC)

- i. To address the Public Hearing issues, 2.5% of the total project cost of (Rs.crores), amounting to Rs.crores, shall be earmarked by the project proponent, towards Enterprise Social Commitment (ESC). Distinct projects shall be carved out based on the local public hearing issues. Project estimate shall be prepared based on PWD schedule of rates for each distinct item and schedule for time bound action plan shall be prepared. These ESC projects as indicated by the project proponent shall be implemented along with the main project. Implementation of such program shall be ensured by constituting a Committee comprising of the project proponent, representatives of village Panchayat & District Administration. Action taken report in this regard shall be submitted to the Ministry's Regional Office. No free distribution/donations and or free camps shall be included in the above ESC budget
- 12.** Any litigation pending against the project and/or any direction/order passed by any Court of Law against the project, if so, details thereof shall also be included. Has the unit received any notice under the Section 5 of Environment (Protection) Act, 1986 or relevant Sections of Air and Water Acts? If so, details thereof and compliance/ATR to the notice(s) and present status of the case.

13. A tabular chart with index for point wise compliance of above ToRs.

14. The ToRs prescribed shall be valid for a period of three years for submission of the EIA-EMP reports along with Public Hearing Proceedings (wherever stipulated).

The following general points shall be noted:

- i. All documents shall be properly indexed, page numbered.
- ii. Period/date of data collection shall be clearly indicated.

52

- iii. Authenticated English translation of all material in Regional languages shall be provided.
- iv. The letter/application for environmental clearance shall quote the MOEF&CC file No. and also attach a copy of the letter.
- v. The copy of the letter received from the Ministry shall be also attached as an annexure to the final EIA-EMP Report.
- vi. The index of the final EIA-EMP report must indicate the specific chapter and page no. of the EIA-EMP Report
- vii. While preparing the EIA report, the instructions for the proponents and instructions for the consultants issued by MOEF&CC vide O.M. No. J-11013/41/2006-IA.II (I) dated 4th August, 2009, which are available on the website of this Ministry shall also be followed.
- viii. The consultants involved in the preparation of EIA-EMP report after accreditation with Quality Council of India (QCI)/National Accreditation Board of Education and Training (NABET) would need to include a certificate in this regard in the EIA-EMP reports prepared by them and data provided by other organization/Laboratories including their status of approvals etc. Name of the Consultant and the Accreditation details shall be posted on the EIA-EMP Report as well as on the cover of the Hard Copy of the Presentation material for EC presentation.
- ix. ToRs' prescribed by the Expert Appraisal Committee (Industry) shall be considered for preparation of EIA-EMP report for the project in addition to all the relevant information as per the 'Generic Structure of EIA' given in Appendix III and IIIA in the EIA Notification, 2006. Where the documents provided are in a language other than English, an English translation shall be provided. The draft EIA-EMP report shall be submitted to the State Pollution Control Board of the concerned State for conduct of Public Hearing. The SPCB shall conduct the Public Hearing/public consultation, district-wise, as per the provisions of EIA notification, 2006. The Public Hearing shall be chaired by an Officer not below the rank of Additional District Magistrate. The issues raised in the Public Hearing and during the consultation process and the commitments made by the project proponent on the same shall be included separately in EIA-EMP Report in a separate chapter and summarised in a tabular chart with financial budget (capital and revenue) along with time-schedule of implementation for complying with the commitments made. The final EIA report shall be submitted to the Ministry for obtaining environmental clearance.

53

ANNEXURE-2

ADDITIONAL TORS

1. Bauxite/coal linkage documents along with the status of environmental clearance of iron ore and coal mines
2. Quantum of production of coal and iron ore from coal & iron ore mines and the projects they cater to. Mode of transportation to the plant and its impact
3. For Large ISPs, a 3-D view i.e. DEM (Digital Elevation Model) for the area in 10 km radius from the proposal site. MRL details of project site and RL of nearby sources of water shall be indicated.
4. Recent land-use map based on satellite imagery. High-resolution satellite image data having 1m-5m spatial resolution like quickbird, Ikonos, IRS P-6 pan sharpened etc. for the 10 Km radius area from proposed site. The same shall be used for land used/land-cover mapping of the area.
5. PM (PM₁₀ and P_{2.5}) present in the ambient air must be analysed for source analysis - natural dust/RSPM generated from plant operations (trace elements) of PM₁₀ to be carried over.
6. All stock piles will have to be on top of a stable liner to avoid leaching of materials to ground water.
7. Plan for the implementation of the recommendations made for the steel plants in the CREP guidelines.
8. Plan for slag utilization
9. Plan for utilization of energy in off gases (coke oven, blast furnace)
10. System of coke quenching adopted with justification.
11. Trace metals Mercury, arsenic and fluoride emissions in the raw material.
12. Trace metals in waste material especially slag.
13. Trace metals in water
14. Details of proposed layout clearly demarcating various units within the plant.
15. Complete process flow diagram describing each unit, its processes and operations, along with material and energy inputs and outputs (material and energy balance).
16. Details on smelting, thermal refining, melting, slag fuming, and Waelz kiln operation
17. Details on design and manufacturing process for all the units.
18. Details on Holding and de-gassing of molten metal from primary and secondary aluminium, materials pre-treatment, and from melting and smelting of secondary aluminium
19. Details on environmentally sound technologies for recycling of hazardous materials, as per CPCB Guidelines, may be mentioned in case of handling scrap and other recycled materials.
20. Details on requirement of energy and water along with its source and authorization from the concerned department. Location of water intake and outfall points (with coordinates).

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54

21. Details on toxic metal content in the waste material and its composition and end use (particularly of slag).
22. Details on toxic content (TCLP), details on toxic metal content in the waste material and its composition and end use (particularly of slag).

ToRs for the proposed colony (Area development)

- 1) Examine the location of township with respect to the location of plant and emission sources.
- 2) Examine details of land use as per plant layout and land use around 10 km radius of the project site. Analysis should be made based on latest satellite imagery obtained from authorized government agency.
- 3) Submit a copy of the contour plan with slopes, drainage pattern of the site and surrounding area. Any obstruction of the same by the project. Check on flood plain of any river.
- 4) Submit the details of the trees to be felled for construction of proposed residential township.
- 5) The detailed greenbelt plan including the native species for mitigation of air and noise pollution shall be included in the EIA report.
- 6) Examine the details of Source of water, water requirement, use of treated waste water and prepare a water balance chart.
- 7) Rain water harvesting including roof top rainwater harvesting plan for the entire township shall be included in the EIA report. Maximize recycling of water and utilization of rain water.
- 8) Provisions for groundwater recharging shall also be included in the EIA report after detailed study made on the hydro-geological study of the plant layout area including proposed township.
- 9) Examine the solid waste generation treatment and its disposal and provision for kitchen waste digester.
- 10) Examine and submit details of use of solar energy and alternative source of energy to reduce the fossil energy consumption. Energy conservation and energy efficiency.
- 11) If, DG sets are likely to be used during construction and operational phase of the project. Emissions from DG sets must be taken into consideration while estimating the impacts on air environment.
- 12) Examine road/rail connectivity to the project site and impact on the traffic due to the proposed project. Present and future traffic and transport facilities for passenger and cargo traffic in the region shall be analyzed with measures for preventing traffic congestion and providing faster trouble-free system for the residents of the industrial township.
- 13) A detailed traffic and transportation study should be made for existing and projected.
- 14) Examine the details of transport of materials for construction which should include source and availability.
- 15) Examine separately the details for construction and operation phases both for Environmental Management Plan and Environmental Monitoring Plan with cost and parameters.

202

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- 16) Submit details of a comprehensive Disaster Management Plan including emergency evacuation during natural and man-made disaster.
- 17) Any further clarification on carrying out the above studies including anticipated impacts due to the project and mitigative measure, project proponent can refer to the model ToR available on Ministry website "<http://moef.nic.in/Manual/Townships>".

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Executive Summary

Executive summary of the report in about 8-10 pages incorporating the following:

- i. Project name and location (Village, Dist, State, Industrial Estate (if applicable))
- ii. Products and capacities. If expansion proposal, then existing products with capacities and reference to earlier EC.
- iii. Requirement of land, raw material, water, power, fuel, with source of supply (Quantitative)
- iv. Process description in brief, specifically indicating the gaseous emission, liquid effluent and solid and hazardous wastes. Materials balance shall be presented.
- v. Measures for mitigating the impact on the environment and mode of discharge or disposal.
- vi. Capital cost of the project, estimated time of completion
- vii. Site selected for the project - Nature of land - Agricultural (single/double crop), barren, Govt/private land, status of its acquisition, nearby (in 2-3 km.) water body, population, with in 10km other industries, forest, eco-sensitive zones, accessibility, (note - in case of industrial estate this information may not be necessary)
- viii. Baseline environmental data - air quality, surface and ground water quality, soil characteristic, flora and fauna, socio-economic condition of the nearby population
- ix. Identification of hazards in handling, processing and storage of hazardous material and safety system provided to mitigate the risk.
- x. Likely impact of the project on air, water, land, flora-fauna and nearby population
- xi. Emergency preparedness plan in case of natural or in plant emergencies
- xii. Issues raised during public hearing (if applicable) and response given
- xiii. CSR plan with proposed expenditure.
- xiv. Occupational Health Measures
- xv. Post project monitoring plan



STATE POLLUTION CONTROL BOARD, ODISHA

[DEPARTMENT OF FOREST & ENVIRONMENT, GOVERNMENT OF ODISHA]
Paribesh Bhawan, A/118, Nilakantha Nagar, Unit - VIII
Bhubaneswar - 751 012, INDIA

No. 11002 /

IND-II-PH-818

Date: 06-11-2020

By Speed Post

To

The Secretary,
Ministry of Environment, Forest and Climate Change,
Govt. of India, Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi

Sub: Proceedings of Public hearing of M/s Vedanta Limited for expansion of **Aluminium Smelter (capacity from 16 LTPA to 18 LTPA), CPP capacity of 1215 MW by adding 2 LTPA Smelter plant at village Bhurkamunda, PO: Kalimandir road in the district of Jharsuguda - Regarding.**

Sir,

In inviting a reference to the above, this is to inform the following :

- 1) M/s. Vedanta Ltd. had applied for public hearing for obtaining Environmental Clearance for expansion of Aluminium Smelter (capacity from 16 LTPA to 18 LTPA), CPP capacity of 1215 MW by adding 2 LTPA Smelter plant at village Bhurkamunda, PO: Kalimandir road in the district of Jharsuguda.
- 2) The public hearing for the proposal was scheduled to be held at Govt. Upper Primary School, Kurebaga, Jharsuguda on 30.9.2020 at 11.00 AM.
- 3) The Board had issued public notices on 27.8.2020 for conducting public hearing of the above proposal on the above scheduled date & time. The public notices were published in the Newspapers "The Samaj" (in Odia Language) and "The Times of India" (in English) on 28.8.2020.
- 4) The Hon'ble High Court of Odisha, Cuttack passed order on 29.9.2020 in the matter of writ petition (c) No. 24789/2020 of Subrat Bhoi vrs. State of Odisha & Others that the public hearing pursuant to advertisement dated 27.8.2020 issued by the State Pollution Control Board, Odisha scheduled to be held on 30.9.2020 shall not be held till next date.
- 5) M/s. Vedanta Ltd had approached the Hon'ble High Court of Odisha, Cuttack to review the matter and the Hon'ble High Court partially modified the aforesaid order on 30.9.2020 that the public hearing pursuant to advertisement dated 27.8.2020 issued by the State Pollution Control Board, Odisha may continue, but no final decision shall be taken till the next date. The Hon'ble Court also passed order that the petitioner, if so advised may participate in the public hearing.
- 6) The public hearing of the above project was conducted on 30.9.2020 at 4.30 PM after receiving the Hon'ble Court order at about 4.20 PM. During the course of public hearing, the guidelines of MoEF&CC, Govt. of India communicated vide Office Memorandum F. No. 22-25/2020-IA.III dated 14.9.2020 regarding COVID-19 pandemic restrictions and also the guidelines for COVID-19 of Govt. of Odisha had been duly followed.

- 58
- 7) The Hon'ble High Court of Odisha finally disposed off the writ petition on 9.10.2020 asking the petitioner Sri Subrat Bhoi and another to make a representation before the Collector, Jharsuguda within a period of three days on their allegation that there was no effective public hearing and the Collector, Jharsuguda was directed to pass necessary order considering the representation and consulting the stakeholders.
 - 8) The petitioners filed their representations on 11.10.2020 wherein prayer for further public hearing was made basing on the same on the ground that an interim order had been passed vide I.A. No. 11105/202 dated 29.9.2020 that the public hearing would not be held till the next date when the Hon'ble High Court would take up the matter and this was widely circulated in the media leading to low participation.
 - 9) In pursuance to the direction of the Hon'ble High Court dated 9.10.2020, all stakeholders i.e. Regional Officer, SPC Board, Jharsuguda, Petitioners and M/s. Vedanta Ltd were asked to appear on 15.10.2020 before the Collector, Jharsuguda.
 - 10) The Collector, Jharsuguda disposed off the petition of petitioners with a remark that the public hearing conducted on 30.9.2020 with regard to proposed expansion of Aluminium Smelter plant at Bhurkamunda is considered smooth and complete.
 - 11) A copy of the proceedings of Public hearing alongwith the following documents are enclosed for kind information and necessary action at your end.
 - a) Video CD of public hearing.
 - b) Statement of issues raised by public hearing meeting and comments of applicant prepared in local language and in English.
 - c) Copies of the newspaper advertisement.
 - d) List of persons who participated in the public hearing.
 - e) Views and suggestions from the public received by the Board during the public hearing.
 - f) 153 (one hundred and fifty three) nos. of representations were received during the public hearing meeting.
 - g) Copy of order of Hon'ble High Court, Odisha dated 29.9.2020.
 - h) Copy of order of Hon'ble High Court, Odisha dated 30.9.2020.
 - i) Copy of order of the Hon'ble High Court, Odisha dated 9.10.2020.
 - j) Copy of order of the Collector, Jharsuguda in compliance to the order of the Hon'ble High Court passed in WP(C) No. 24789/2020 dtd. 9.10.2020

Encl: As above

Yours faithfully,



MEMBER SECRETARY

P.T.O...

59

Memo No 11003 /dt. 30-11-2020

Copy along with copy of the proceedings of public hearing forwarded to the Additional Chief Secretary, Forest & Env. Department, Govt. of Odisha for information and necessary action.

Encl: As above



MEMBER SECRETARY

Memo No 11004 /dt. 03-1-2020

Copy along with copy of the proceedings of public hearing forwarded to the Additional Director, Eastern Regional Office, MoFF&CC Govt. of India, A-3, Chandrasekharpur, Bhubaneswar for information and necessary action.

Encl : As above



MEMBER SECRETARY

Memo No 11005 /dt. 03-11-2020

Copy along with copy of proceedings of public hearing forwarded to Dr. A.S.P. Mishra, Head- Environment, M/s Vedanta Limited, Village: Bhurkamunda, Po: Kalimandir, Jharsuguda - 768202 for information and necessary action.

Encl: As above



MEMBER SECRETARY

60

Proceedings of the public hearing held at Govt. Upper Primary School, Kurebaga, Dalki, in Jharsuguda district of Odisha on 30.09.2020 at 4.30 PM for the proposed expansion of Aluminium Smelter Plant (capacity 16 LTPA to 18 LTPA), CPP 1215 MW of M/s. Vedanta Limited by adding 2 LTPA Smelter Plant at village Bhurkamunda, P.O:Kalimandir Road, Jharsuguda, Odisha

The public hearing of M/s. Vedanta Limited for environmental clearance of the proposed expansion of Aluminium Smelter Plant (capacity 16 LTPA to 18 LTPA), CPP 1215 MW was scheduled to be held at Govt. Upper Primary School, Kurebaga, Jharsuguda on 30.09.2020 at 11.00 AM. The State Pollution Control Board, Odisha, Bhubaneswar had advertised a public notice dated 27.08.2020 regarding the details of Public Hearing in respect of the above project and specify in the Date, Time & Venue of public hearing in accordance with the EIA Notification S.O.1533(E) dated 14.09.2006 in Odia daily - The Samaj and in English daily- The Times of India on 28.08.2020. Hon'ble High Court Of Odisha, Cuttack ordered on 29.09.2020 in the matter of Writ petition (c) No. 24789/2020 of Subrat Bhoi versus State of Odisha & Others that the public hearing pursuant to advertisement dated 27.08.2020 issued by the State Pollution Control Board, Odisha, scheduled to be held on 30.09.2020 at 11.00 A.M. at Government U.P. School, Dalki, Kurebaga in the district of Jharsuguda shall not be held till next date. Copy of the court order is annexed as **annexure-I**.

In the mean time, M/s. Vedanta Limited approached Hon'ble High Court of Odisha, Cuttack to review the matter and the Hon'ble Court partially modified the aforesaid order on 30.09.2020 that the public hearing pursuant to advertisement dated 27.08.2020 issued by the State Pollution Control Board, Odisha may continue, but no final decision shall be taken till the next date. Petitioner, if so advised may participate in the public hearing. Copy of Court order is annexed as **annexure-II**. After receiving the court order at about 4.20 PM the aforesaid public hearing was conducted at 4.30 PM on 30.09.2020. During the course of public hearing the instructions of Govt. of India communicated vide Office Memorandum F. No.22-25/2020-IA.III dtd.14.09.2020 of Ministry of Environment, Forest and Climate Change of Govt. of India regarding Covid-19 Pandemic Restrictions and also the guidelines for Covid-19 of Govt. of Odisha has been duly followed. Shri Pradeep Kumar Sahoo, Additional District Magistrate, Jharsuguda supervised and presided over the Public Hearing Process, assisted by Shri Hemendra Nath Nayak, Regional Officer, State Pollution Control Board (SPCB), Jharsuguda. The attendance sheet of the Panel members present in the public hearing and the public deliberated in the meeting are annexed as **Annexure III and IV** respectively. In response to the Covid -19 pandemic restrictions & precautions, sitting arrangement at meeting place with social distancing was made up to 100 and seven numbers of waiting sheds near the venue had been made to accommodate more numbers of public with maintaining social distancing.

At the outset, Shri H. N. Nayak, Regional Officer of State Pollution Control Board, Jharsuguda welcomed the panel member and the public present in the meeting. He briefly described the objective and the procedure followed for conducting

Hemendra Nath Nayak
Dt. 1. 10. 2020
Regional Officer

Pradeep Kumar Sahoo

State Pollution Control Board

JHARSUGUDA

61

the public hearing as per the EIA Notification No. S.O. 1533(E) of Dt. 14th September 2006 of the Ministry of Environment, Forest & Climate Change, Govt. of India. He requested Additional District Magistrate, Jharsuguda to preside over the meeting.

Additional District Magistrate, Jharsuguda, welcomed the assembled public again for the Public Hearing. He briefly explained about the both aforesaid orders of Hon'ble High Court, Odisha for conducting the public hearing and read out the direction of the court orders. He requested the public to maintain peace & come forward one by one to put their views/ opinion for the proposed project expansion. He invited the public to present their views about the proposed project on environmental consideration only. He also described the details of Covid-19 Pandemic Restrictions & guidelines and told that the public who were in the different waiting sheds may wait & can place their views after the persons already present in the meeting place. He clarified that meeting will continue till the last person intended to deliver his/her views completed his deliberation. He asked the Project Proponent to make a brief presentation before the public gathered in the meeting about the various aspects of the proposed expansion of project.

On behalf of the Project Proponent, Shri G.G. Pal, Chief Operating Officer of Vedanta Limited gave a brief description about the proposed project. He presented the brief in Odia language. He stated that Vedanta Limited has been operating 16 LTPA Aluminium Smelter & 3615 MW Power Plants at Jharsuguda location. He expressed the details of the proposed expansion which are as follows.

- Expansion of Aluminium smelter capacity from 16 LTPA to 18 LTPA by adding 66 pots and auxiliary plant (Green anode plant, rodding, cast house and utilities) inside the present Smelter Plant
- Expansion of township adjacent to the existing township.

Apart from the previous investment there will be around Rs.2100 Cr. investment through this expansion.

The salient features of this expansion as submitted by him are as follows:-

- The proposed expansion facility is within the existing premises and there is no land requirement.
- The water requirement for the proposed expansion will be met from the existing water allocation from Hirakud reservoir.
- Power required for the expansion facility will be sourced from the existing power plants, state grid or group captive model.

Hemendra Nath Nayak

Dt 01.10.2020

Regional Office

State Pollution Control Board

Pradeep Kumar Saha

- The direct and indirect employment for the proposed expansion will be around 1000. Further, it will benefit 4000 to 5000 people through various other engagements.
- We are presently paying around Rs. 2738 Cr. as revenue to Govt. exchequer and we will pay around Rs. 3178 Cr. after this expansion.
- The plant has adequate pollution control measures as per Central Govt and state government guidelines and will continue to treat the gases and maintain the air quality within stipulated limit after this expansion also.

They will maintain zero discharge and recycle water 100% inside our plant. State of the art Reverse Osmosis (RO) system is adopted for effluent treatment which will be further continued.

As Vedanta limited believes in inclusive growth and giving back to society. They subscribe to Sustainable development. Vedanta limited has been always with Jharsuguda people will continue to impact through its CSR activities.

- Vedanta participates in various CSR activities in the areas like infrastructure development, education, medical facilities, sanitation, community development and awareness program, vocational training in and around the project site.
- Vedanta Limited has a well-defined CSR policy to carryout social development and welfare activities in the surrounding villages and urban areas.
 - Reaching out to 72 villages
 - 80,000 people in CSR coverage.
 - > 6400 children nurtured with educational support.
 - Empowering >4000 women of 331 SHGs through SHG & Cooperative movement
 - Ensuring economic prosperity among 250 families through land & water management
 - Promoted 1726 self-reliant women entrepreneur
 - Doorstep health services to 32,000 people per year at villages
 - > 570 Key infrastructural projects at community.
 - More than 1.48 Lakh sapling planted with community in PPP mode.
 - Supported district COVID-19 hospital providing 110 beds including 10 ICU beds, ventilators, corona kits, hand sanitizer etc.
 - As a flagship program 50 brown field Nandghars will be developed for Jharsuguda district.

Then Additional District Magistrate, Jharsuguda invited the public to present their views about the proposed expansion of project on environmental considerations only. Then the public deliberated on various issues one by one. During the Public Hearing, all have been given an opportunity to express their views freely on the proposed project. Around 221 persons had attended the public hearing meeting where as 62 persons had delivered their views whose list is annexed as Annexure-V. The statement of the public participated in the deliberation is annexed as Annexure-VI. About 153 numbers of written representations were received which are annexed as Annexure-VII. The video recording of the entire proceeding of the public hearing are enclosed herewith and will be forwarded to the Ministry of Environment, Forest & Climate

Hemendra Nath Nayak
Dt. 10.2.2020

Regional Officer

State Pollution Control Board

Prof. K. K. Saha

63

Change, Govt. of India, New Delhi as such along with the written statements of the public & proceeding of the meeting. After the deliberations were made by the public, Regional Officer, State Pollution Control Board, Odisha, Jharsuguda invited the project proponent to offer views on issues raised by the public. The summary of the views and opinions of the public and the commitments made by the Project Proponent are annexed in Oriya language & English language as **Annexure-VIII & IX** respectively.

Finally the meeting ended with vote of thanks to the chair, public and other participants.

Hemendra Nath Nayak

Dt. 01.10.2020

Sri Hemendra Nath Nayak

Regional Officer, SPCB

Jharsuguda

State Pollution Control Board

JHARSUGUDA

Pradeep Kumar Sahoo

Sri Pradeep Kumar Sahoo

Additional District Magistrate

Jharsuguda

THE STATEMENT OF THE PUBLIC PARTICIPATED IN THE DELIBERATION DURING THE PUBLIC HEARING AT GOVT. UPPER PRIMARY SCHOOL, KUREBAGA, JHARSUGUDA AT 4.30 PM. ON 30.09.2020.

The views expressed by various speakers present in the meeting are as follows:

1. **Smt. Santoshini Naik, Kurebaga Village:**
She said that she welcomed the expansion of Vedanta Ltd. and local employment should be given in the expansion.
2. **Smt. Arati Seth, Kurebaga Village:**
She stated that she supported the expansion of Vedanta Ltd and raised a question to Vedanta ltd. that it will established near the kurebaga village and no inconvenience should be done to them.
3. **Smt. Nisha Naik, Kurebaga Village:**
She said that she supported the expansion of Vedanta Ltd and local employment should be given in the expansion as per the eligibility of the local people.
4. **Smt. Minati Naik, Kurebaga Village:**
She thanked the district administration for conducting a large meeting during covid -19 time. She has no objection in the expansion of Vedanta Ltd. but raised the issues that Vedanta Ltd. has to address the various problems of the affected people. She also stated that land loser will lose the land which has not be finished after cultivation generation after generation, so Vedanta Ltd. has to take care. The gas emitted by Vedanta ltd. has damaged cultivation. Hence, She requested Vedanta ltd to provide compensation & job generation wise to land losers.
5. **Smt. Kumuduni Naik, Kurebaga Village:**
She said that she supported the expansion of Vedanta Ltd. from 16 LTPA to 18LTPA and development in this area was happened due to Vedanta ltd. and they hope that it will be so in the future. Further she urged that Vedanta should address the unemployment issue of this locality & Vedanta Ltd. has to focus on the protection of the environment.
6. **Smt. Mounabati Bag, Katikela GP:**
She thanked the authority of Vedanta for supporting various women empowerment programme (Subha Laxmi SHG). She welcomed the project expansion & local employment was to be given in the expansion as per the eligibility of the local people.
7. **Sri. Dillip Pandey, Dalki GP:**
He welcomed all & supported the expansion of Vedanta Ltd and raised the issues like local employment, water supply & street light facility.
8. **Smt. Sangita Naik, Kurebaga Village:**
She said that she supported the expansion of Vedanta Ltd and local employment was to be given in the expansion as per the eligibility of the local people.
9. **Smt. Usharani Naik, Kurebaga Village:**
She stated that she supported the expansion of Vedanta Ltd and local employment was to be given in the expansion to the local people.
10. **Smt. Alladini Dila, Samiti Member, Dalki GP:**
She welcomed all & supported the expansion of Vedanta Ltd and opined that the authority of Vedanta should take care all the affected people (both land looser & other poor people).

11. **Smt. Sabita Mirig, Banjari Village:**

She said that she supported the expansion of Vedanta Ltd and due to Vedanta Ltd. overall development has been possible in nearby all villages. Further she urged to provide permanent employment for local people.

12. **Smt. Saila Ranbida, Kurebaga Village:**

She appealed to provide employment for poor local people

13. **Smt. Kunti Kharsel, Kurebaga Village:**

She said that the authority of Vedanta supported various women empowerment programme (Subha Laxmi SHG). Further she said local employment was to be given in the expansion for the local youth.

14. **Smt. Suchitra Sohela, Kurebaga Village:**

She said local employment was to be given in the expansion for the local people.

15. **Smt. Anita Sahoo, Sarpanch, Katikela GP:**

She welcomed all & supported the expansion of Vedanta Ltd and said that they will be benefitted by the expansion. Again she thanked authority of Vedanta for development like education, health and transport facilities. She urged to provide employment for local people & peripheral development through CSR activities.

16. **Sri Pratap Nanda, Ex-Councillor, Jharsuguda Municipality:**

He fully supported the expansion of Vedanta Ltd and requested Vedanta Ltd to cooperate in the development of Jharsuguda.

17. **Sri Benugopal Panigrahi, Ex-Councillor, Jharsuguda Municipality:**

He said that they have been displaced & affected by Vedanta Ltd. He opined that Vedanta Ltd is the financial backbone of Jharsuguda & with the expansion of Vedanta, Jharsuguda will develop. He proposed to form a committee with local leader & Govt. Officials to address various environmental issues & other issues like local employment through mutual discussion. Lastly he supported the expansion of the project.

18. **Sri Sailendra Mohanty, Kalimandir:**

He supported the expansion of Vedanta Ltd. and said that local employment has to be given. They should develop along with Vedanta Expansion and requested to address pollution issue and periphery development in the villages like Kurebaga, Dalki & Banzari etc.

19. **Sri Raghmani Patel, H.Kantapali, Ex-President of Jharsuguda Advocate Association:**

He said that development of Jharsuguda had happened due to establishment of Vedanta Ltd. Good or bad is two sides of everything. Vedanta Ltd. has contributed to CSR fund & street light facilities at Jharsuguda and development of roads in Laikera, Kolabira & other places of Jharsuguda have been done from CSR fund. Local employment shall be given as per the eligibility of local after training by Vedanta. At last, he supported the expansion of Vedanta.

20. **Sri Rabi Singh, Ward no.-7, Jharsuguda Municipality :**

He agreed with views of the previous speaker and stressed upon the issues like environment protection & local employment per the eligibility of local etc.

21. **Smt. Mamta Dhurua, Katikela Village:**

She said that their development like health, employment road transport etc. has been possible due to establishment of Vedanta Ltd. Further she supported the expansion of Vedanta Ltd and urged to provide employment for local youth.

22. **Smt. Labanga Patel, Kurebaga Village:**
She said that she supported the expansion of Vedanta Ltd and she urged to provide employment for local people.
23. **Smt. Surama Naik, Kurebaga Village:**
She stated that she supported the expansion of Vedanta Ltd and she urged to provide employment for local people.
24. **Smt. Anifa Sandha, Sarpanch, Badmal GP:**
She said that she supported the expansion of Vedanta Ltd and she requested the authorities of Vedanta Ltd to focus in the development of nearby villages through CSR activities.
25. **Smt. Laxmi badi, Zila Parishad Member, Jharsuguda:**
She stated that she supported the expansion of Vedanta Ltd and she urged to provide employment for local people.
26. **Sri. Digamber Bhoi, Block Chairmen, Jharsuguda:**
He welcomed all & supported the expansion project. Further he apprehended that due to this expansion project overall development of the locality like education, health, road transport, drinking water & employment will be possible through CSR activities.
27. **Sri. Pramod Kumar Tripathy, Badmal Village:**
He said that he supported the expansion of Vedanta Ltd and she requested the authorities of Vedanta Ltd to focus in the development of Brundamal village.
28. **Sri. Rabindra Rohidas, Brundamal Village:**
He said that eight -ten villages around the Vedanta has developed. He demanded that jobs have to be provided to the local contractors along with employment to local youth. He was happy with development of Vedanta.
29. **Sri Ganesh Bhainsa, Ex. PS Member, Banjari Village :**
He said that he welcomed Vedanta ltd. from the beginning. He raised questions to Vedanta Authority that Vedanta has avoided local people for employment and local contractors for jobs. Vedanta had pretended that local contractors do not have proper profile for 4 crore jobs etc and giving employment to outside state people. He requested to address the issues relating to local contractors along with employment to local youth.
30. **Sri Suresh Jaipuria, Brundamal Village :**
He said that Vedanta has done development of the area but there were small big issues along with establishment of the factory. He hoped that if it will be expanded, it can solve the issues. At last, he supported the expansion of Vedanta.
31. **Sri Pramod Rohidas, Brundamal Village:**
He thanked Vedanta for providing health facilities in villages and always stands with convenience & inconvenience of the villages. Further he said that they always co-operate with Vedanta and supported the Vedanta Expansion.
32. **Sri Nrupalal Nayak, Kurebaga Village :**
He said that Vedanta had been taking land in different phases since 1997 and they are facing different problems & losing their peace of mind for money. He demanded that Vedanta Ltd should provide employment to next generations, old age allowance & bonus for farmers. House, land etc. had become dusty and paddy cultivation & vegetable cultivation had got damaged due to the gas emitted by M/s. Vedanta ltd. Further he stated that he did not agree with the views of previous speakers regarding development and asked to go & see the status of Bhagipali, Burkhamunda villagers. Next generation will question them that why they had taken money & given birth to

them. He also raised a question regarding local employment status and demanded bond agreement for local employment. He requested Vedanta to provide boundary related to nallah, Vedanta taken his land but Vedanta could not hear him. He raised the various issues relating to contractual employment & occupational disease.

33. **Sri. Hiralal Bag, Sarpanch, Sripura GP :**
He stressed upon avenue plantation from Badmal village and massive plantation is a solution for protection of environment against pollution.
34. **Smt. Kishori Naik, Kurebaga Village:**
She told that they were in good & also in bad condition due to Vedanta and most people were in bad condition. During initial survey, there were issues relating to land procurement. She again raised various issues relating to local employment, contractual employment, dust & fume & land issues etc. Lastly, she commented that they will die, but will not give land to Vedanta ltd. and did not know about the machine to be installed in the expansion. She apprehended that several issues will arise due to this expansion.
35. **Sri Sundar Pradhan, Katikela Village :**
He said that economical development was happened in their village like every house had vehicle and welcomed the Vedanta expansion.
36. **Sri Dillip Majhi, Katikela Village :**
He stated that living standard has been improved due to establishment of the Vedanta. He fully supported the proposed expansion of Vedanta and hope that Vedanta authority should focus local employment, income, road transport and education etc.
37. **Smt. Sarojini Patel, Purunabasti, Jharsuguda :**
She told that this is not the time for public hearing due to this pandemic Covid-19. So she opposed to the meeting and said that it should take place after two months.
38. **Smt. Parbati Rohidas, Burkhamunda Village :**
She said that they have given land to Vedanta and their children were employed in Vedanta. Vedanta should expand and their children will earn livelihood.
39. **Sri Umashankar Dhiria, Burkhamunda Village:**
He welcomed the capacity expansion of Vedanta and told that there is remarkable difference in development before & after establishment of Vedanta. Local employment was given and peripheral development has happened through CSR fund. He hope that it will better in the expansion of Vedanta.
40. **Sri Manas Roy, Sarbahal, Jharsuguda :**
Direct & indirect benefit has been possible due to Vedanta like from house rent to pan shop etc. If expansion will be done, then people will get more benefit.
41. **Sri Bharat Rout, Buromal, Jharsuguda:**
He supported the expansion of Vedanta and raised the various issues of local employment. Further he told that in actual case, employment has not been given to local people. Being a B.TECH degree holder, he had not been employed till date. Vedanta has not given employment to the people from local institutions like L.N. College, Women's College & ITI Institution; rather Vedanta has taken people from Sundargarh & G.M University, Sambalpur.
42. **Sri Uttam Sunani, Siriapali Village :**
He welcomed and fully supported the expansion of Vedanta. He also told that economic development has been possible due to establishment of industry. Further he demanded employment & contracts for land losers in priority basis.

43. **Smt. Satyabati Padhan, Katikela Village:**

She told that they were earning livelihood from Vedanta and Vedanta has been giving employment as per eligibility. So, she supported the expansion of Vedanta.

44. **Smt. Padmini Seth, Katikela Village:**

She said that they are in good condition due to Vedanta Company and welcome the expansion.

45. **Smt. Jayakanti Bhoi, Katikela :**

She stated that they have given land to Vedanta and no regret for that, but Vedanta should look after their happiness.

46. **Sri Trinath Gual, Advocate, Jharsuguda :**

He told that Vedanta should obey the environment laws and stop deforestation. He requested environment department to look after the issue. He said that people have been suffering from various diseases of liver & kidney etc. So he demanded Vedanta to establish medical college for treatment of poor people going outside. He also raised various issues relating to local employment, contracts to local people and stop employment of outside people etc.

47. **Sri Sarojini Sunani, Kurebaga village:**

She said that no employment was given by Vedanta as promised to the land looser. Employment should be also given to all the displaced people even though they have no recorded land. Job should be given to the uneducated people too. Further she demanded allowance to the poor & land less people.

48. **Sri Rabin Pandey, Debadihni Village :**

He said that they were happy with the Vedanta expansion and hope that employment will be given to educated mass.

49. **Smt. Shantilata Sahu, Katikela Village:**

She welcomed the expansion of Vedanta

50. **Sri Alok Chandra Tripathy, Advocate, Jharsuguda:**

He supported the expansion of Vedanta and demanded local employment.

51. **Sri Asish Tripathy, Kurebaga :**

He stated that educated students of locality are remaining unemployed and being neglected. He welcomed expansion of Vedanta and demanded local employment as per educational qualifications like ITI, B.Tech , Diploma etc. .

52. **Sri Dileswar Nayak, Kurebaga:**

He welcomed expansion of Vedanta and stressed upon education, training, skill development and placement of local youth. Further he demanded overall development of local villages and compensation for crop loss due to gas emitted by Vedanta.

53. **Sri Hemsagar Pradhan, Patrapali Village :**

He told that development was going on only in Jharsuguda town & municipality area by Vedanta Ltd. As Vedanta has to be expanded, so he demanded that development of villages around 10 km radius with street light, road transport, water supply facility along with a medical college.

54. **Sri Mithun Padhan, Katikela:**

He supported the expansion of Vedanta and hope for local employment in the expansion.

55. **Sri Rabindra Padhan, Katikela :**

He raised various issues relating to road dust problem faced by Cycle & bike riders during transportation ash from Katikela ash pond.

56. **Sri Surendra Mirig, Banjari :**

He said that they have been welcoming Vedanta and welcomed Vedanta. He demanded that Vedanta should provide education, employment & protect environment. Local employment should be given as per education qualification & eligibility and for protection of environment, ten numbers of trees shall be planted for one tree.

57. **Sri Birendra Behera, Banjari :**

He welcomed the expansion of Vedanta and hope for local employment in the expansion.

58. **Sri Lokanath Rohidas, Banjari :**

He said that they have been welcoming Vedanta and welcomed Vedanta. He fully supported the expansion of Vedanta and hope for development of the locality along with Vedanta ltd.

59. **Sri Jogeswar Rohidas, Banjari:**

He demanded education for local children, English medium school for better education and local employment.

60. **Sri Ramakant Ghugar, Siriapali:**

He said that they always co-operate with Vedanta and requested Vedanta to give local employment to the land looser of Tharkimal and Siriapali area as per their qualification.

61. **Sri Chandra Sekhar Singh, Siriapali:**

He supported the expansion of Vedanta and requested for local employment, periphery development of village.

62. **Sri Srikanta Mohanty, Purunabasti, Jharsuguda:**

He said that local students as well as students from other places got employment due to commencement of M/s. Vedanta Ltd. Hence, Vedanta should expansion and supported the expansion of Vedanta.

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd - 23rd March, 2022

**Ministry of Environment, Forest and Climate Change
Impact Assessment Division
(Industry-1 Sector)**

**Date of zero draft MoM sent to Chairman: 31/03/2022
Approval by Chairman: 05/04/2022
Uploading on PARIVESH: 05/04/2022**

Summary record of the Second (2nd) meeting of Expert Appraisal Committee (EAC) held on 22nd-23rd March, 2022 for environment appraisal of Industry-1 sector projects constituted under the provisions of Environment Impact Assessment (EIA) Notification, 2006.

The second meeting of the Expert Appraisal Committee (EAC) for Industry-I Sector as per the provisions of the EIA Notification, 2006 for Environmental Appraisal of Industry-I Sector Projects was held during **22nd-23rd March, 2022** in the Ministry of Environment, Forest and Climate Change (MoEF&CC) through **video conferencing** in view of the ongoing Corona Virus Disease (Covid-19) pandemic. The list of EAC attendees is as follows:

S No	Name	Position	22/03/2022	23/03/2022
1.	Shri. Rajive Kumar	Chairman	Present	Present
2.	Dr. S. Ranganathan	Member	Present	Present
3.	Dr. Ranjit Prasad	Member	Present	Present
4.	Dr. E V R Raju	Member	Present	Present
5.	Dr. S. K. Singh	Member	Present	Present
6.	Dr. Jai Krishna Pandey	Member	Present	Present
7.	Dr. Dipankar Shome	Member	Present	Present
8.	Dr. Tejaswini Ananthkumar	Member	Present	Present
9.	Dr. Hemant Sahasrabudde	Member	Present	Present
10.	Dr. B. N. Mohapatra, DG, National Council for Cement and Building Materials (NCCBM)	Member	Absent	Absent
11.	Representative of CPCB	Member	Absent	Absent
12.	Dr. S. Raghavan, Scientist 'D' National Institute of Occupational Health (NIOH)	Member	Absent	Absent
13.	Representative of IMD	Member	Absent	Absent
Officials from MoEF&CC				
14.	Shri. Sundar Ramanathan	Member Secretary	Present	Present
15.	Dr. Sandeepan B.S.	Scientist 'B'	Present	Present

After welcoming the Committee Members, discussion on each of the agenda items was taken up. The minutes of 1st meeting held during 5-6th March, 2022 were confirmed by the EAC as already uploaded on PARIVESH.

relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.

- iii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- iv. The project proponent shall monitor the criteria pollutants level namely; PM₁₀, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects and display the same at a convenient location for disclosure to the public and put on the website of the company.
- v. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environment clearance portal.
- vi. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- vii. The project proponent 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, commencing the land development work and start of production operation by the project.
- viii. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- ix. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
- x. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xi. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xii. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- xiii. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
- xiv. Any appeal against this EC 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.

2.15 Proposed Expansion of Aluminium Smelter Production Capacity from 16 LTPA to 18 LTPA without increasing the CPP capacity of 1215 MW by **M/s. Vedanta Limited** located at Village- Bhurkamunda, PO Kalimandir, **District Jharsuguda, Odisha** - [Online Proposal No. IA/OR/IND/236646/2017, File No. IA-J-11011/29/2007-IAII(I)] – **Reconsideration for Environment Clearance based on ADS reply – regarding.**

2.15.1 M/s. Vedanta Limited, Jharsuguda has made an online application vide proposal No. IA/OR/IND/236646/2017 dated 03/11/2021 along with copy of revised EIA/EMP report and Form-2 seeking Environment Clearance (EC) under the provisions of the EIA

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

Notification, 2006 for the project mentioned above. The Proposed project activity is listed at schedule no. 3(a) under Category “A” of the schedule of the EIA Notification, 2006 and is appraised at the Central level.

Detail submitted by Project proponent

The detail of the ToR is furnished as below:

Date of application	Consideration	Details	Date of accord	Validity of ToR
03/11/2017	The proposal was considered by EAC (Industry – I) during its 26 th meeting held during 11-13 th Dec 2017.	Terms of Reference (ToR) granted.	20/12/2017	19/12/2022*

*The validity of ToR is extended from 19/12/2021 to 19/12/2022 as per the provision of the MoEF&CC Notification dated 18/01/2021.

2.15.3

The proposed expansion project of M/s Vedanta limited is located in Bhurkamunda Village, Jharsuguda Tehsil, Jharsuguda District, Odisha State is for setting up of additional 2 LTPA smelter plant for enhancement of production capacity of Aluminium Smelter from 16 LTPA to 18 LTPA.

2.15.4

Environmental site settings:

SNo	Particulars	Detail	Remarks
i.	Total land	834.236 ha [Private Land: 834.236 ha]	Land use: Industrial
ii.	Land acquisition details as per MoEF&CC O.M. dated 7/10/2014	The expansion facility is proposed in existing project area of 834.236 ha Total land of 834.236 ha is in possession of the M/s. Vedanta Limited. No additional land is required for proposed expansion.	-
iii.	Existence of Habitation & Involvement of R&R, if any.	Project site: NIL Study Area: Habitatation Distance Direction Jharsuguda 0.2 km NW	No R&R applicable
iv.	Latitude and Longitude of the Project site	Latitude Longitude 21°49' 43.0''N 84° 02' 40.7'' E 21°48' 32.2''N 84°03' 53.7'' E 21°46' 52.5''N 84°03' 2.91'' E 21°48' 6.51''N 84°01' 48.29''E 21°49' 3.01''N 84°01' 30.55'' E	Topo sheet No. - F44R13, F44R14 & F45M1, F45M2
v.	Elevation of the Project site	198 m to 216 m AMSL	-
vi.	Involvement of Forest land if any.	No	-

73

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

SNo	Particulars	Detail	Remarks												
vii.	Water body exists within the project site as well as study area	<p>Project site: Name-Kharkhari Nala</p> <p>Study area:</p> <table border="1"> <thead> <tr> <th>Water Body</th> <th>Distance</th> <th>Direction</th> </tr> </thead> <tbody> <tr> <td>Bhedan River</td> <td>0.3 Km</td> <td>South</td> </tr> <tr> <td>IB River</td> <td>8Km</td> <td>West</td> </tr> <tr> <td>Hirakud Reservoir</td> <td>8 Km</td> <td>South</td> </tr> </tbody> </table>	Water Body	Distance	Direction	Bhedan River	0.3 Km	South	IB River	8Km	West	Hirakud Reservoir	8 Km	South	At confluence of Kharkhari Nala with Bhedan river HFL of Kharkhari Nala is 192.5m AMSL.
Water Body	Distance	Direction													
Bhedan River	0.3 Km	South													
IB River	8Km	West													
Hirakud Reservoir	8 Km	South													
viii.	Existence of ESZ/ ESA/national park /wildlife sanctuary /biosphere reserve/ tiger reserve/ elephant reserve etc. if any within the study area	NIL	No existence of Eco-sensitive zone within study area												

2.5.26 The existing project was accorded environmental clearance vide letter no. J-11011/29/2007-IA II(I) dated 11th June 2008 for 16 LTPA of Aluminium Smelter and CPP of 1350 MW. Consent to Operate for the existing unit was accorded by Odisha State pollution Control Board vide letter No. 5324 dated 27.03.2021. The validity of CTO is up to 31.03.2022.

2.5.27 Implementation status of the existing EC:

S No	Facilities	Units	As per EC dated 11/06/2008	Implementation	Production as per CTO
1	Aluminium Smelter	16 LTPA	J-11011/29/2007-IA II (I), dated 11 th June 2008.	Implemented	16 LTPA
2	Captive Power Plant	9 x 135 MW	J-11011/29/2007-IA II (I), dated 11 th June 2008.	9 x 135 MW implemented	1215 MW

2.15.5 The unit configuration and capacity of existing and proposed project is given as below:

S No	S Name	Existing Units		Proposed Units		Total (Existing +Proposed)	
		Configuration	Production in TPA	Configuration	Production in TPA	Configuration	Production in TPA
1	Aluminium Smelter	1864 pots in 6 Potlines, 4x35TPH Green Anode Plant, 5 units of Bake Oven,	16,00,000 TPA	66 pots in Potline-6, 1x60TPH Green Anode Plant, 1x120 Rodding Unit,	2,00,000	1930 pots in 6 Potlines, 4x35 TPH & 1x60 TPH Green Anode Plant,	18,00,000 TPA

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

S No	S Name	Existing Units		Proposed Units		Total (Existing +Proposed)	
		Configuration	Production in TPA	Configuration	Production in TPA	Configuration	Production in TPA
		1x90 & 1x160 RPH of Rodding Unit, 3 units of Casting		1 unit of Casting		5 units of Bake Oven, 1x90, 1x160 & 1x120 RPH Rodding Unit, 4 units of Casting	
2	CPP	9 units of 135 MW each	1215 MW	-	-	9 units of 135 MW each	1215 MW

2.15.6

The details of the raw material requirement after proposed expansion along with its source and mode of transportation is given below:

S No	Raw Material	Quantity required per annum in TPA		Source	Distance from site (Km)	Mode of Transportation
		Existing	Expansion Total			
1	Alumina	30,88,000	3,86,000	Captive, domestic & import	500	Road, Rail
2	Calcined petroleum coke	5,93,600	74,000	Domestic & import	564	Rail
3	Cryolite	3,200	400	Domestic & import	564	Rail
4	Aluminium fluoride	32,000	4,000	Domestic & import	564	Road
5	Coal tar pitch	1,28,000	16,000	Domestic	60	Road
6	HFO	84,263 KLPA	5,060 KLPA	89323 KLPA Domestic	350	Road

2.15.7

The existing water consumption for smelter & CPP complex is 3,933 m³/hr and the additional water requirement for proposed expansion is 24 m³/hr (576 m³/day). The total water consumption after expansion will be 3957 m³/hr which is within the drawl permission 40.9 cusecs (4,169.35 m³/hr) from Hirakud reservoir. The renewal of agreement between M/s. Vedanta Limited and Govt. of Odisha for obtaining water from Hirakud Reservoir made on 26/08/2020 and validity of agreement is up to 21/04/2023.

2.15.8

The power requirement for 2 LTPA Aluminium Smelter is estimated to be 400M. total power requirement after proposed project will be 3615 MW which will be obtained from the 1215 MW from Captive power plant and 2400 MW TPP.

2.15.9

Baseline Environmental Studies

Period	March, 2021 to May, 2021
AAQ Parameters at 8 Locations	PM _{2.5} = 27.0 to 42 µg/m ³ PM ₁₀ = 50.2 to 76.3 µg/m ³ SO ₂ = 10.9 to 27.2 µg/m ³

Period	March, 2021 to May, 2021																				
	NOx = 12.9 to 32 µg/m ³ CO = 251.6 to 430.4 µg/m ³																				
AAQ Modelling (Incremental GLC)	PM ₁₀ = 0.85 µg/m ³ PM _{2.5} = 0.51 µg/m ³ SO ₂ = 8.0 µg/m ³ NOx = 6.88 µg/m ³ Fluorides = 0.007 µg/m ³ B(a)P = 0.00008 µg/m ³																				
Ground water quality at 8 Locations	PH = 6.73 to 7.43 Total Hardness = 58 to 92 mg/l Chloride = 18 to 41 mg/l Fluoride = 0.12 to 0.31 mg/l Heavy metals are within the limits.																				
Surface water quality at 8 Locations	PH = 6.74 to 7.36 DO = 6.8 to 7.4 mg/l BOD = 1.0 to 1.6 mg/l COD = 4 to 12 mg/l																				
Noise levels	49.7 to 67.9 dB(A) for the day time 40.1 to 60.2 dB(A) for the Night time.																				
Traffic Assessment study findings	<ul style="list-style-type: none"> Traffic study has been conducted at Bhurakamunda to Jharsuguda Road which is ~1.5 km from the plant site. Existing PCU is 156 PCU/hr and existing level of service (LOS) is: <table border="1"> <thead> <tr> <th>Road</th> <th>V (Volume in PCU/hr.)</th> <th>C (Capacity in PCU/hr.)</th> <th>Existing V/C Ratio</th> <th>LOS</th> </tr> </thead> <tbody> <tr> <td>Bhurakamunda to Jharsuguda Road</td> <td>156</td> <td>833</td> <td>0.187</td> <td>A</td> </tr> </tbody> </table> <ul style="list-style-type: none"> PCU load after proposed expansion project will be 165 PCU/hr (156 Existing + 9 Additional) and level of service (LOS) will be: <table border="1"> <thead> <tr> <th>Road</th> <th>V (Volume in PCU/hr.)</th> <th>C (Capacity in PCU/hr.)</th> <th>Proposed V/C Ratio</th> <th>LOS</th> </tr> </thead> <tbody> <tr> <td>Bhurakamunda to Jharsuguda Road</td> <td>165</td> <td>833</td> <td>0.198</td> <td>A</td> </tr> </tbody> </table> <p>*Note: Capacity as per IRC-73:1980 Guideline for capacity for non-urban highways.</p> <p>Conclusion: the level of service will remain same as “A” after including additional traffic due to proposed expansion project.</p>	Road	V (Volume in PCU/hr.)	C (Capacity in PCU/hr.)	Existing V/C Ratio	LOS	Bhurakamunda to Jharsuguda Road	156	833	0.187	A	Road	V (Volume in PCU/hr.)	C (Capacity in PCU/hr.)	Proposed V/C Ratio	LOS	Bhurakamunda to Jharsuguda Road	165	833	0.198	A
Road	V (Volume in PCU/hr.)	C (Capacity in PCU/hr.)	Existing V/C Ratio	LOS																	
Bhurakamunda to Jharsuguda Road	156	833	0.187	A																	
Road	V (Volume in PCU/hr.)	C (Capacity in PCU/hr.)	Proposed V/C Ratio	LOS																	
Bhurakamunda to Jharsuguda Road	165	833	0.198	A																	

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

Period	March, 2021 to May, 2021
Flora & Fauna	Schedule I fauna, such as Monitor lizard, Indian Peafowl, & Indian Python are commonly found in the forest. Elephant, Sloth Bear are occasionally reported in the buffer zone of the project site. Site specific Wildlife Conservation Plan has been prepared and duly approved by PCCF (wildlife) & Chief Wildlife Warden, Odisha, vide letter no-4488/7 WL-FD & WLC-32/2021, dated 30/04/2021 with a financial forecast of Rs. 610.894 lakh for its implementation over a period of 10 years.

2.15.10

The details of solid and hazardous waste for the expanded plant generation along with its mode of treatment/disposal is furnished as below:

S No	Type of Waste	Source	Quantity generated (TPA)	Mode of Treatment /Disposal
1	Spent pot lining	Pot room	45,000 T	Disposed to authorized re-processors
2	Used oil/Spent oil	During Maintenance activity	562 KL	Disposed to Authorized recyclers
3	ETP sludge	ETP	585 T	Disposed to CHWTSDF
4	Anode butt	Carbon Plant	3,37,500 T	Internally recycled & disposed to Authorized Re-processors
5	Aluminium Dross	Cast house	39,375 T	Internal processing/recycling and disposed to authorized re-processors
6	Waste containing Oil	Maintenance activity	33.75 MT	Disposal through HW incinerator
7	Tar Containing wastes	Bake Oven	225 MT	Internal Recycling
8	Flue gas dust	Carbon Plant	129.375 MT	Internal Recycling/ Disposed to CHWTSDF
9	Housekeeping waste	Potline, Carbon Plant	2250 MT	Disposal in SLF/CHWTSDF/Internal Recycling
10	Rejected Filter bags (FTP)	Potline & Bake Oven	39,375	Incineration in HW incinerator/ Pots
11	Rejected ALF ₃ bags	Pot line	39,375	Incineration in HW incinerator/ Pots
12	Asbestos waste	(Ladle cleaning and other units)	6.75 MT	Disposal in SLF/CHWTSDF
13	Coke dust	Bake Oven	2025 MT	Internal Recycling
14	Spent resin	Rectifier & DM plant	51.75 KL	Disposal in SLF/CHWTSDF

S No	Type of Waste	Source	Quantity generated (TPA)	Mode of Treatment /Disposal
15	Green anode ridge waste	Green Anode Plant (GAP)	67.5 MT	Internal Disposal SLF/CHWTSDF in Recycling/ in
16	Green anode cooling decantation tank sludge	Green Anode Plant	6.75 MT	Disposal SLF/CHWTSDF in
17	Shot blasting dust	Rodding plant	6750 T	Disposed to SLF/CHWTSDF
18	Drain cleaning sludge	Carbon & pot room	281.25 MT	Disposed to CHWTSDF
19	Ladle cleaning residue	Ladle cleaning Shop	27,000 MT	Internal Recycling

2.15.11

Public Consultation:

Details of advertisement given	28/08/2020: Odia daily 'The Samaj' and English daily 'The Times of India'
Date of public consultation	30/09/2020
Venue	Government Upper Primary School, Kurebaga, Dalki in Jharsuguda district.
Presiding Officer	Shri Pradeep Kumar Sahoo, Additional District Magistrate, Jharsuguda
Major issues raised	<ul style="list-style-type: none"> • Emission of gas & fumes problem • Compensation for crop damage due to emission of gases • Road dust problem due to transport of ash • Employment for local affected people • Training and skill development programme for local youth • Employment for unskilled & illiterate local people • Contractual work to local people • Supply of drinking water • Provision of streetlight in the surrounding villages • Women empowerment

Action Plan as per MoEF&CC O. M. dated 30/09/2020:

S No	Concerns Raised during Public Hearing	Physical Activity & Action plan for FY 2022	Tentative Budget in Rs. (Lacs)	Physical Activity & Action plan for FY 2023	Tentative Budget in Rs. (Lacs)	Total budget in Rs. lacs
1	Emission of Gas & fumes problem	Ordering for Fume Treatment revamping including supply of equipment	1100	Revamping of Fume Treatment Plant (FTP 1, Smelter 1) by July 2022 and Balance 3 FTPs by March 2023.	3300	4400

78

78

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

S No	Concerns Raised during Public Hearing	Physical Activity & Action plan for FY 2022	Tentative Budget in Rs. (Lacs)	Physical Activity & Action plan for FY 2023	Tentative Budget in Rs. (Lacs)	Total budget in Rs. lacs
2	Compensation for Crop Damage due to emission of gases	Detailed study w.r.t Crop damage is being carried out by NRRI for 2 crop cycles Distribution of 7 Quintal high yield variety of seeds, Fertilizers (Completed) Training Program to Farmers of 12 Villages	50	2 nd Crop Cycle Study Training to Farmers on best agricultural practices for higher yield/production	-	50
3	Road dust problem due to transport of Ash	Construction and Commissioning of dedicated road for truck traffic to avoid entering Sunarimunda village and Jharsuguda town by July 2021 (Completed) Installation of Wheel Wash System at the entry/exit of Factory premises by Dec 2022	3100	Parking Plaza for 200 trucks entering and leaving the factory premises to be constructed at Brundamal with all facilities and amenities for drivers by Dec 2022	197	3297
4	Avenue Plantation & Other Afforestation	-	80	-	-	80
				Plantation & Maintenance of 25,000 Saplings outside plant areas in consultation with DFO	100	100
	Total		4330		3597	7927

Action plan for need base activity

S No	Concerns Raised during Public Hearing	Physical Activity & Action plan for FY 2022	Tentative Budget in Rs. Lacs	Physical Activity & Action plan for FY 2023	Tentative Budget in Rs. Lacs	Total budget in Rs. lacs
5	Formation of Environmental committee to address issues related to environment	Committee will be formed in consultation with district administration, SPCB, Local representative & company representative	-	-	-	-
6	Contractual work to local people	196 local contracts involving 52 local contractors	-	-	-	-

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd - 23rd March, 2022

S No	Concerns Raised during Public Hearing	Physical Activity & Action plan for FY 2022	Tentative Budget in Rs. Lacs	Physical Activity & Action plan for FY 2023	Tentative Budget in Rs. Lacs	Total budget in Rs. lacs
7	Training & skill development for Local People.	Through Project Jeevika to enhance the income of farmers fraternity, covering 5 villages namely Gudiagaon, Siriapalli, Keldamal, Bhagipalli, Bhurkamunda to 750 people Skill development trainings to 150 numbers of youths through Vedanta Foundation from Banjari, Bhagipalli, Bhurkamunda, Brundamal 5,195 persons have been employed from Jharsuguda & Local affected villages More than 90% of our unskilled workforce is from Odisha	250 45 - -	Through Project Jeevika to enhance the income of farmers fraternity, covering 5 villages namely Brundamal, Dalki, Katikela, Kumudapalli, Kurebaga to 750 people Skill development trainings to 450 numbers of youths through Vedanta Foundation from Dalki, Katikela, Kumudapalli, Sunarimunda, Gudigaon	250 135 - -	500 180 - -
8	Health and establishment of medical college and hospital	Vedanta State of Art - Pathology & Diagnostic Centre at JSG benefiting >2.5 lac population providing services for BPL at free of cost & rest as per CGHS rates COVID-19 initiatives for communities (distribution of ration, mask in large scale to community & frontline workers and Vaccine) Supporting district COVID-19 Hospital - 100 bed + ventilators lifesaving equipment	2000 30 250	Vedanta State of Art Pathology & Diagnostic Centre at Laikera benefiting >2.5 lac population providing services for BPL at free of cost & rest as per CGHS rates COVID-19 initiatives for communities (distribution of ration, mask in large scale to community & frontline workers and Vaccine) Supporting district COVID-19 Hospital - 100 bed + ventilators + lifesaving equipment	2000 20 50	4000 50 300
		COVID-19 support at state level	450	COVID-19 support at state level	50	500

80

80

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd - 23rd March, 2022

S No	Concerns Raised during Public Hearing	Physical Activity & Action plan for FY 2022	Tentative Budget in Rs. Lacs	Physical Activity & Action plan for FY 2023	Tentative Budget in Rs. Lacs	Total budget in Rs. lacs
9	Supply of Drinking water	Drinking water supply through Overhead tank and pipelines in Banjari village to approx. 300 House Holds.	30	Drinking water supply in Siriapalli, Kurebaga to approx. 600 Households	70	100
10	Provision of streetlights in surrounding villages	Streetlights (including solar streetlights in 10 villages) 50 numbers in villages Orampada, Banjari, Tharkimal, Bhagipalli, Bhurkamunda	25	Streetlights (including solar streetlights in 10 villages) 50 numbers in villages Brundamal, Kurebaga, Kumudapalli, Gudigaon, Siriapalli	25	50
11	Road & Peripheral Development	Construction of RCC road 700 m & drainage facilities in Banjari village	100	Construction of RCC road 1300 m & drainage facility in Tharkimal village	200	300
		Cleaning/renovation of community ponds 17 numbers	43	Cleaning/renovation of community ponds 23 numbers	57	100
12	Education & Establishment of English Medium School	Construction & Renovation of Community Centers/Place of worship/Public gathering places around 4 core villages Kurebaga, Kherual, Brundamal, Bhurkamunda	100	Construction & Renovation of Community Centers / Place of Worship / Public gathering places around 6 core villages Banjari, Buromal, Badimal, Tharkimal, Gudigaon, Katikela	160	260
		Partnering with State Govt. through "Mo School Abhiyaan" covering 4 Govt. Schools at Jharsuguda	80	-	-	80
		Renovation of 50 anganwadi for Nandghars covering 35 communities	200	Renovation of 50 anganwadi for Nandghars covering 35 communities	200	400
		Renovation of 10 school buildings + toilets	100	Renovation of 10 school buildings + toilets	100	200
			-	Developing 5 mini-science centre benefiting more than 1000 children	60	60

81

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

S No	Concerns Raised during Public Hearing	Physical Activity & Action plan for FY 2022	Tentative Budget in Rs. Lacs	Physical Activity & Action plan for FY 2023	Tentative Budget in Rs. Lacs	Total budget in Rs. lacs
13	Women Empowerment	Strengthening of SHG & promoting income generation activities through Subhalaxmi Cooperative Society - 5K members in 35 communities	300	Strengthening of SHG & promoting income generation activities through Subhalaxmi Cooperative Society - 5K members in 35 communities	300	600
Total			4303		3377	7680

2.15.12 The capital cost for the expansion project is Rs. 1240 Crores and the capital cost for environmental protection measures is proposed as Rs.96.16 Crores. The annual recurring cost towards the environmental protection measures is proposed as Rs.5.80 Crores. The employment generation from the proposed expansion is 800 (250-direct & 550-indirect). The details of cost for environmental protection measures are as follows:

S No	Description of Item	Existing (Rs. In Crores)	
		Capital Cost	Recurring Cost
i.	Air Pollution Control/Noise	33.65	3.20
ii.	Water Pollution Control	55.50	2.60
iii.	Noise Management	0.90	-
iv.	Wildlife Conservation Plan Implementation	6.11	-
	Total	96.16	5.80
v.	Addressal to public consultation concerns	156.07	

2.15.13 Green belt has been developed in 275.29 ha which is 33% of the total project area. Local and native species have been planted with a density of 2500 trees per hectare. Total no. of 7,28,235 trees/saplings have been planted in 275.29 hectares within the industrial complex and ash pond area.

2.15.14 Name of the EIA consultant: M/s. Global Tech Enviro Experts Pvt. Limited [Sl. No. 102, List of ACOs with their Certificate No: NABET/EIA/2023/IA0066valid till 06/11/2023; Rev. 19, February 14, 2022].

2.15.15 Summary of violation under EIA, 2006/court case/show cause/direction if any, related to the project under consideration is given as below:

Writ Petition:

One Writ Petition was filed by Subrata Bhoi & others before the Hon'ble Orissa High Court on 24/09/2020 praying for deferring the public hearing scheduled on 30/09/2020 for the purpose of expansion of aluminium smelter from 16 LTPA to 18 LTPA. However, The Hon'ble High Court of Odisha disposed of the case by asking the petitioners to make a representation before the Collector, Jharsuguda. The Collector, after considering the said representation, passed an order dated 18/10/2020 in this matter holding, inter-alia, that 'the hearing conducted on 30/09/2020 about the proposed expansion of Aluminium Smelter at Bhurkamunda is considered smooth and complete.

The petitioners directly challenged the order dated 09/10/2020 passed by Single Judge before the SC, which vide order dated 26/07/2021 dismissed the SLP with liberty to approach High Court filing appeal before division bench. Thereafter, the petitioners filed Writ Appeal No. 711 of 2021 against the order dated 09/10/2020. The matter got listed on 15/12/2021 wherein the Court directed notice to be issued and passed and interim order stating that: “*if no environment clearance has been granted as of today, it shall not be granted till next date.*” However, the Hon’ble High Court on 10/01/2022 heard the matter and disposed of the petition.

Parallely, one Writ Petition was filed by P Ram Mohan Rao (WP 24790 of 2020) before the Orissa High Court with a prayer to defer the public hearing for the proposal for expansion of Smelter of Vedanta scheduled for 30/09/2020. The Hon’ble High Court heard the matter on 10/01/2022 and has disposed of the same. The Hon’ble High Court has also held that there is no legal impediment for the competent authority to proceed in accordance with law.

Another Writ Petition was filed by Ajay Kumar Patel (WP 25087 of 2020) before the Orissa High Court with a prayer to defer the public hearing for the proposal for expansion of Smelter of Vedanta scheduled for 30/09/2020. The Hon’ble High Court heard the matter for the first time on 20/01/2022 and has dismissed the matter.

- **NGT Case:**

A petition was filed by Mr. Ajit Kumar Dhal, resident of Jharsuguda before the National Green Tribunal (NGT), Eastern Zone, Kolkata vide OA No. 10/2021/EZ on 28.01.2021 relating to the accidental spillage of fly ash on the petitioner’s private plot at Junanimunda, Jharsuguda. The ash has been spilled during the monsoon because of the breach of one of the side slopes of permitted low lying area for reclamation. The entire spilled ash has been removed from the affected area and the said area has been reclaimed to its original condition at the cost of the company. Further, an amount of Rs. 5 Lakhs has been paid to the petitioner. A joint committee comprising of District Administration & Odisha State Pollution Control Board have submitted their report and the matter is awaiting procedural disposal from NGT and is listed for hearing on 08th April 2022.

- **Show Cause Notice**

Under Section “5” of Environment (Protection) Act, 1986, a Show cause notice has been issued for non-compliance of stipulated Environmental Conditions vide F. No. J-11011/29/2007-IA.II(I) dated 01/09/2021 for which reply has been submitted vide letter No. VL/MOEF/006/2021-027 dated 29/09/2021 and additional action taken report submitted vide VL/MOEF/006/2021-031 on 23/10/2021.

Certified compliance report from Regional Office

The Status of compliance of earlier EC was obtained from Regional Office of MoEF&CC, Bhubaneswar vide letter no.101-405/EPE/1620dated 24/12/2020 after site visit carried out on 22/12/2020. Action Taken Report was submitted by Vedanta Limited to MOEF&CC, Regional Office on 05/01/2021. Based on the action taken report submitted, the Regional Office issued examination report vide Letter No. 101-405/EPE/91 dated 18/01/2021. The Integrated Regional Office, MoEF&CC, Bhubaneswar issued another examination of reply vide Letter No. 101-405/EPE/1335 dated 27/10/2021 on the basis of ATR report submitted by PP on 23/10/2021 against show cause notice issued Ministry letter dated 01/09/2021.

2.15.16

The details of the observations made by RO in the report dated 27/10/2021 along with its re-assessment/ present status is given as below:

Sl. No.	Non-compliances details	Observation of RO (abridged)	Condition no.		Re-assessment by RO
			EC date	Specific	
1	The fluoride consumption in the Smelter Plant is presently at 10.78 Kg/T Al, which is not in compliance to Charter on Corporate Responsibility for Environment Protection (CREP) Fluoride consumption shall be brought down to CREP standards of less than 10 kg/T.	The Project authorities have initiated action for reduction in the fluoride consumption by increasing the proportion of low sodium alumina. By this, it is contemplated by the project that the fluoride consumption would come down to 9.78 Kg/T from the present value of 10.78 Kg/T Al by Dec 2021. Further, as per action plan with implementation schedule, the project is to achieve a gradual decrease in the fluoride consumption over the next two years and finally achieve 8.88 Kg/T of Al by end of April 2023	11/06/2008	Specific condition vi & xvii	The condition has been complied with
2	Utilization of spent pot lining waste by the cement and steel industries are yet to be implemented.	As reported by the project authorities that SPL generated is being sent to an agency M/s Green Energy Resources, which is authorized for handling and recycling Hazardous Wastes for detoxification of SPL. This is in accordance with the SOP issued by CPCB. After detoxification, the agency in turn would send the material to various industries including cement and steel industries for its utilization. From the action plan, it is noted that the project has contemplated the utilization of SPL and the project is to achieve complete utilization of all the stock of SPL by end of Sept 2023.	11/06/2008	Specific condition ix	The condition has been complied with
3	Project proponent has only achieved green belt development in 27% of the total area as against the 33% requirement.	The project has carried out plantation of 3,32,893 saplings, which have been procured from the nurseries of OFDC, Jharsuguda and have planted over an area of 46.24 Ha within the industrial complex and around the ash pond. The density of plantation within the industrial complex is also undertaken. All this has been undertaken to achieve green belt of more than 27%.	11/06/2008	Specific condition xiii	The condition has been complied with

84

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

Sl. No.	Non-compliances details	Observation of RO (abridged)	Condition no.		Re-assessment by RO
			EC date	Specific	
4	Rainwater harvesting has not been carried out at the site by stating that the ground water table is high in the area and establishment of rainwater harvesting structures may lead to flooding in the area.	From the report, it is noted that developing rainwater harvesting recharge structures especially by the industries which fall under red category for which Aluminium smelter is one of them, is not recommended as per CGWA guidelines issued in Sept 2020. However, as a measure of water conservation and re-use the project authorities have developed facilities for roof top rainwater harvesting system which are seven in number within the complex with a total capacity of harvesting 10000 cubic meter water. One of the facilities have been commissioned, the rest 6 numbers of rainwater harvesting are to be completed by Nov 2021, so as to facilitate rainwater harvesting from next monsoon season.	11/06/2008	Specific condition xv	The condition has been complied with
5	Prior permission from the State Forest Department regarding impact of the existing project has been obtained till date.	It is noted that the project authorities have submitted the site-specific wildlife conservation plan to PCCF wildlife and Chief Wildlife Warden which has been approved by the authority on 30.04.2021 with a financial outlay of Rs. 610.894 lakhs to be spent for implementation by Forest department (Both Jharsuguda and Sambalpur Forest division) for this plan. Out of this amount, Rs. 530.904 Lakhs has already been deposited with DFO, Jharsuguda on 17.05.2021 towards the implementation of the Wildlife Conservation Plan for a period of 10 years. It is also stated that the mitigation measures for balance amount of Rs.79.99 lakhs will be executed by M/s Vedanta Ltd directly by March 2022.	11/06/2008	Specific condition xix	The condition has been complied with
5	Significant quantity of legacy ash stocks is still stored in the ash pond located at three different locations in the vicinity	From the report submitted, it is noted that the project authorities have been utilizing 115% Fly Ash utilization from the year 2017-18 onwards. It is	--	--	The condition has been complied with.

85

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

Sl. No.	Non-compliances details	Observation of RO (abridged)	Condition no.		Re-assessment by RO
			EC date	Specific	
	of the project site. No effort has been taken to quantify the legacy ash stocks and utilize the same.	also noted that there are 3 no. of Ash Ponds currently operational at Katikela, Kurebaga and Siriapalli catering to both CPP 1215 MW and TPP 2400 MW. It is also submitted by the project authorities that the ash being sent for utilization is stored/disposed to Ash Ponds by sending it through High Concentration Slurry Disposal (HCSD) system. Around 127.45 Lakh MT of Legacy Ash is stored in the Ash ponds for which the utilization is targeted to be completed within next 5 years. The project authorities have submitted a 5-year action plan for the fly ash being generated presently and also stored as legacy ash which is to be completed by the year 2026.			
7	SLF is provided inside the smelter complex. SLF is being implemented in two phases. Phase I of 5000 m3 capacity started in 2010 was capped in Sept 2013. Phase II of SLF is now in operation. It started in May 2014 and has 5285 m3 space. No details of the material filled in SLF or the capacity available were provided. No information on plan for post expansion of SLF capacity once the Phase II site is filled shall be furnished.	In the action taken report, the project authorities have submitted that no further expansion of SLF is required as all the wastes are being sent to RAMKY TSDF located at Sukinda. It is also submitted that the disposed in this SLF is proposed to be evacuated and disposed to authorized agency for detoxification.	--	--	The condition has been complied with
8	There are three ash ponds sites in operation and PP has proposed to acquire large area for ash disposal in spite of new Fly Ash notification to utilize 100 % ash. Further, PP mentioned that they were utilizing 100 % Fly ash since 2018 and the pond ash	It is submitted by the project authorities that a proposal for acquiring additional land for ash pond to be located at Gudigaon village has been approved by MoEF&CC in 2018 Amendment to EC for 2400 MW TPP (not for the aluminium smelter). The land has already been acquired by the project. It is submitted by	--	--	The condition has been complied with.

Sl. No.	Non-compliances details	Observation of RO (abridged)	Condition no.		Re-assessment by RO
			EC date	Specific	
	shall be liquidated in next five years: In view of this, seeking additional land for ash disposal found to be not justifiable.	them the ash pond has not yet been developed at this location and there is no plan to develop in future.			

- 2.15.17 M/s. Vedanta Limited, Jharsuguda had earlier made an online application vide proposal No. IA/OR/IND/185460/2007 dated 29/12/2020. The proposal was considered by the EAC in its meeting held on 18-20th January, 2021 wherein EAC recommended to return the proposal in its present form as consultant has drafted poor EIA/EMP report and intentionally tried to mislead the EAC. The consultant was warned not to mislead the Committee and not try to do such things in future. In case of further occurrence of the same, action against the consultant would be recommended.
- 2.15.18 M/s. Vedanta Limited, Jharsuguda has again made an online application vide proposal No. IA/OR/IND/222980/2017 dated 03/08/2021 along with copy of revised EIA/EMP report and Form-2 seeking Environment Clearance (EC) for the proposed expansion of Smelter Plant Capacity from 16 to 18 LTPA, 1215 MW CPP at Bhurkamunda village, District – Jharsuguda, Odisha under the provisions of the EIA Notification, 2006 for the project mentioned above.
- 2.15.19 The proposal cited above was considered by the EAC in its meeting held on 12-13th August, 2021. Wherein, EAC recommended to return the proposal in its present form and also recommended for issuance of show cause notice to PP on account of following non-compliances to the prescribed EC conditions.
- i. The fluoride consumption in the Smelter Plant is presently at 10.78 Kg/T Al, which is not in compliance to Charter on Corporate Responsibility for Environment Protection (CREP) guideline. Fluoride consumption shall be brought down to CREP standards of less than 10 kg/t.
 - ii. Utilization of spent pot lining waste by the cement and steel industries are yet to be implemented.
 - iii. Project proponent has only achieved green belt development in 27% of the total area as against the 33% requirement.
 - iv. Rain water harvesting has not been carried out at the site by stating that the ground water table is high in the area and establishment of rain water harvesting structures may lead to flooding in the area.
 - v. Prior permission from the State Forest Department regarding impact of the existing project has been obtained till date.
 - vi. Significant quantity of legacy ash stocks is still stored in the ash pond located at three different locations in the vicinity of the project site. No effort has been taken to quantify the legacy ash stocks and utilize the same.
 - vii. Secured Land Fill (SLF) is provided inside the smelter complex. SLF is being implemented in two phases. Phase I of 5000 m³ capacity started in 2010 was capped in Sept 2013. Phase II of SLF is now in operation. It started in May 2014 and has 5285 m³ space. No details of the material filled in SLF or the capacity available were provided. No information on plan for post expansion of SLF capacity, once

viii. the Phase II site is filled shall be furnished. There are three ash ponds sites in operation and PP has proposed to acquire large area for ash disposal in spite of new Fly Ash notification to utilize 100 % ash. Further, PP mentioned that they were utilizing 100 % Fly ash since 2018 and the pond ash shall be liquidated in next five years. In view of this, seeking additional land for ash disposal found to be not justifiable.

2.15.20 Accordingly, Show Cause Notice was issued to proponent on 01/09/2021. PP submitted the response to the SCN on 29/09/2021. Further, additional submissions were made on 23/10/2021. EAC has been requested by the Ministry to examine the SCN reply also while appraising the expansion proposal.

2.15.21 M/s Vedanta Limited, Jharsuguda made a revised online application vide proposal no. IA/OR/IND/236646/2017 dated 03/11/2021 along with copy of revised EIA/EMP report and Form-2 seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above.

2.15.22 The revised proposal was considered by the EAC in its meeting held on 11-12th November, 2021. The observations and recommendations of EAC are as follows.

2.15.23 The Ministry as well as the EAC members wherein receipt of a public representation on 12/11/2021 alleging that the unit is disposing of the fly ash in the nearby agricultural fields and causing pollution. In this regard, a case bearing no. 10/2021 is pending before the Hon'ble NGT, Eastern Zone.

Observations of the Committee held during 11-12th November, 2021

2.15.24 The Committee observed the following:

- i. BOD in Surface Water quality has been indicated as 0.8 to 1.6 mg/l, the method used for analysis the BOD shall be furnished.
- ii. EAC noted that the public representation mentioned at para 2.5.8 quoted a NGT court case (O.A. 10/2021/EZ) National Green Tribunal Eastern Zone Bench, Kolkata. The case is arising out of disposal of fly ash in the nearby agricultural land by the proponent causing damaging on the agricultural land. As per the Hon'ble NGT Order dated 2/09/2021, the inspection report filed by the Odisha State Pollution Control Board shows several violations of Consent conditions. In this regard, the Hon'ble NGT directed to file an affidavit inter-alia the Environmental Compensation assessed on account of damage caused to the environment.
- iii. PP did not provide the information of said court case in Form 2 application and also did not disclosed during the presentation. EAC opined to seek an explanation from the PP in this regard.
- iv. Project proponent has undertaken a study on the impact of the project on nearby agricultural fields.
- v. Show Cause Notice was issued to the unit 1/09/2021 and as per the reply furnished, the unit is yet to comply with the following. Further, MoEF&CC is yet to take final view on the SCN issued to the unit.
 - a. Current fluoride emission is at 10.78 Kg/T Al production and sought time till December 2021 to achieve reduced level.
 - b. SPL refractory stock is 85,108 MT which is being stored in covered sheds as there is no mechanism is in place for disposal of SPL refractory stock.

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

- c. Ash stock of 124 Lakh Metric Ton is unutilized and sought additional time for its liquidation by 31/03/2027.
- d. Only one Roof Top Rainwater Harvesting (RTRW) has been commissioned and 6-RTRH, the construction activities are reported to be under progress.
- e. Green belt development covering 33% of the project area will be achieved by Dec, 2021.

Recommendations of the Committee held during 11-12th November, 2021

2.15.25 In view of the foregoing and after detailed deliberation, the committee recommended to defer the proposal and sought the following additional information.

- i. Ministry may forward the public representation to the project proponent. PP shall submit the point wise reply to the said public representation received on 12/11/2021 along with the requisite supporting documents. The details of environmental compensation made if any, shall also be submitted.
- ii. Project proponent shall explain the reasons for not disclosing the court case details in Form 2 application (or) during the EAC presentation.
- iii. PP shall submit the recommendation of interim report on impact of project on the crop by the plant and action plan to mitigate the impact on crop damage shall be submitted.
- iv. PP shall submit the action plan for the liquidation 85000 MT SPL refractory waste inter-alia standard operating procedure for disposal of the same.
- v. BOD in Surface Water quality samples have been reported as 0.8 to 1.6 mg/l, the method used for analysis the BOD parameter shall be furnished.

2.15.26 In addition to the afore mentioned ADS, information has also been sought on environment impacts occurred due to the non-compliances reported at para no. 2.15.21 above along with the remedial measures undertaken by the proponent on account of the said environment impacts.

2.15.27 The proponent submitted the ADS reply through PARIVESH on 02/12/2021 and 9/12/2021. Detail of ADS and point wise reply is given as below:

Reply of ADS given by project proponent submitted on 02/12/2021:

S No	Details/ Information sought	Response by PP
1	PP shall submit the point wise reply to the public representation received on 12/11/2021 along with the requisite supporting documents. The details of environmental compensation made if any, shall also be submitted.	The point wise response to the Public Representation is as mentioned below. It is to note that no such environmental compensation has been made in this regard.
	S No Public representation point	Response by PP
i	At the outset, when Global Warming and Climate change is a big challenge for all nations and our Hon'ble Prime Minister has given his deliberation in Glasgow before a week regarding such, that time in India, our Experts and Statutory bodies are trying to promote the Corporate Houses by closing the eyes to all concerns for social impacts for their vested interest.	No Comments
	The Experts Analysis Committee (EAC) formed by the Ministry of Environment Forest and Climate	M/s Vedanta Limited, Jharsuguda is going for an expansion of its Aluminium smelter plant

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

S No	Details/ Information sought	Response by PP
	<p>Change to regulate the Environmental Clearance to the Large-Scale Industries is going to be held on dated 12/11/2021, and it is the last meeting of the existing EAC members, being their tenure is turned out on dated 15/11/2021, so the Committee is going to sanction the Environmental Clearance to some Industries by not considering the logical and fundamental principles also. Let us take the example of M/s Vedanta Aluminium Limited, Jharsuguda, Odisha, who have applied for the expansion of 3million to 6million of their production, and in the agenda of EAC for dated 12/11/2021, it was not listed, but abruptly it was added in their list, while following matters are going to be taken on connivance in the EAC.</p>	<p>production capacity from 16 to 18 LTPA; and not from 3 million to 6 million.</p>
	<p>The same proposal was listed in the EAC meeting on last August and rejected because of noncompliance of the Company as well as pending cases in National Green Tribunal (NGT) for the mismanagement of the fly-ash of the Company, while those issues have neither complied nor the NGT has given clean chit to Vedanta, besides the Statutory bodies have given a report that the Company has given a commitment to comply all norms, is it a basis that, on a commitment of Corporate House, the norms to waived?</p>	<p>It is pertinent to note that the Company has formulated time bound action plans for compliance of these points raised by the Hon'ble EAC and has also submitted. Action Taken Report vide Letter No. VL/MoEF/006/2021 -031 dated 23/10/2021 to the MoEF&CC. In pursuance to the same, the Integrated Regional Office, Bhubaneswar of the MoEF&CC has also examined all actions undertaken and has noted about significant progresses made by the Company vide its letter File No. 101 -405/EPE/1335 dated 27/10/2021. It is based on the above compliances that MoEF&CC has listed our proposal and considered our case for grant of EC in EAC meeting held on 12th November, 2021.</p>
	<p>The Public Hearing of the Company for such expansion has not been conducted in line with law, while the Public Hearing matter was pending in Hon'ble Odisha High Court and stay order was passed by Court for not to conduct Public Hearing, and interestingly, the day when Hon'ble Court has vacated the Stay Order, within one hour the Public Hearing was conducted and allowed to expand the Project is totally a "Sat-up" of official procedure.</p>	<p>It is humbly submitted that the Member Secretary, State Pollution Control Board, Odisha had published an advertisement on 27/08/2020 for conducting a public hearing on 30/09/2020 with respect to the proposed expansion of the aluminium smelter of the Company. The same was challenged before the Hon'ble High Court of Odisha vide WP (C) (PIL) No. 24669 of 2020 which was dismissed by a division bench vide Order dated 28/09/2020. Thereafter, another WP (C) No. 24789 of 2020 was filed seeking a stay on the public hearing and a stay order was granted by a single judge bench on 29/09/2020. However, on 30/09/2020, the stay was vacated and thus, the public hearing was conducted. It is pertinent to note that the Hon'ble High Court of Odisha vide its final Order in WP (C) 24789 of 2020 dated 09/10/2020 dismissed the petition and directed the District Collector, Jharsuguda to consider the representations of the Petitioner and</p>

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd - 23rd March, 2022

S No	Details/ Information sought	Response by PP
		<p>pass necessary orders thereon in consultation with the stakeholders if another public hearing is to be conducted.</p> <p>In compliance of the same, the District Magistrate & Collector, Jharsuguda vide Order No. 17053/G&M dated 18/10/2020 passed an order stating that the public hearing conducted on 30/09/2020 with respect to the proposed expansion was conducted smooth and complete. It is also pertinent to note that the Hon^{ble} Supreme Court has also dismissed the Special Leave. Petition challenging the order of the Hon^{ble} High Court of Odisha dated 09/10/2020 vide its Order dated 26/07/2021.</p> <p>In the light of abovementioned facts and circumstances, it is humbly submitted that an effective public hearing was conducted for the proposed expansion of the aluminium smelter of the Company on 30/09/2020 which is in accordance with the law and with the MoEF&CC guidelines as well as the orders of the courts.</p>
	<p>If the peripheral agricultural lands have been damaged due to the fly ash decomposition of the existing 3 million tonnes production plant and case no. 10/2021/EZ is still pending in National Green Tribunal on the same matter, then can the members of EAC, imagine, what will be the consequences if the plant to be expanded up to 6 million tonnes?</p>	<p>At the outset, it is humbly submitted that the Company has applied for expansion of its aluminium smelter from 16 LTPA to 18 LTPA and not from 3 million tonnes to 6 million tonnes as mentioned in the public representation. Further, the Company has been achieving an average of 115% Fly Ash utilization in various avenues such as Cement manufacturing, Quarry filling, Road and Infrastructure Projects, Low lying area reclamation etc with due permission and complying to applicable rules and regulations. With respect to the referred case no. 10/2021/EZ, it is to note that a petition was filed by Mr. Ajit Kumar Dhal, resident of Jharsuguda before NGT, Eastern Zone, Kolkata vide OA no. 10/2021/EZ relating to accidental spillage of fly ash on the petitioner's private plot at Junanimunda, Jharsuguda. The ash has been spilled during monsoon because of breach of one of the side slopes of permitted low-lying area. The entire spilled ash has been removed from the affected area and the said area has been reclaimed to its original condition at the cost of the company. There has been no damage on the peripheral agricultural lands due to fly ash spillage and the expansion capacity as mentioned in the representation is not factual.</p>
2	<p>Project proponent shall explain the reasons for not disclosing the court case details in Form 2 application (or) during the EAC presentation.</p>	<p>The case pertains to accidental run off of Ash to a private land admeasuring 4.71 Acres and part of adjacent government land from our permitted low lying filling area during heavy monsoon. One portion of low-lying area duly filled with ash got breached due to heavy rains to a private land. The low-lying area filling is being done with due permission and in compliance with applicable</p>

91

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

S No	Details/ Information sought	Response by PP
3	PP shall submit the action plan for the liquidation 85000 MT SPL refractory waste inter-alia standard operating procedure for disposal of the same.	<p>rules and regulations. We have immediately removed the ash and cleaned the said affected area completely at our own cost. The area has been brought back to its original condition. As all remedial works/measures in this regard have been accomplished to the satisfaction of owners I petitioners at our own costs with due payments towards compensation to the owners of the affected land. Since the matter has been resolved/closed amicably and only procedural disposal from the Hon'ble NGT is awaited, hence the said case was inadvertently missed out in the Form 2. It is pertinent to note that there has been no stay in the matter and has no impact whatsoever on the expansion project.</p> <p>At present, A legacy stock of 85108 MT stored on concrete platform in covered sheds within plant premises.</p> <p>There is no Standard Operating Procedure (SOP) developed and approved by Central Pollution Control Board (CPCB) for disposal of SPL refractory Odisha State Pollution Control Board (OSPCB) has granted Consent to Establish (CTE) to M/s Tekno Processors LLP, for processing of Spent Pot Refractory Lining of Aluminium Smelter for production of Refractory Mortar & Ramming Mass having a capacity of 39266 MT subject to approval of technology and trial run by CPCB, Delhi.</p> <p>Once the SOP is developed and approved by CPCB which is expected by next 1 year, PP will be liquidating the entire stock along with the current generation of 1500 MT per month within next 3 years i.e., by Dec, 2025. However, PP is maintaining all safeguards for its proper storage to prevent any contamination by storing the same on concrete floors and under covered sheds having garland drains all around connected to ETP.</p>
4	PP shall submit the recommendation of interim report on impact of project on the crop by the plant and action plan to mitigate the impact on crop damage shall be submitted.	<p>In view of the concerns raised during the public hearing PP is carrying out a study on the impacts of Primary and Secondary pollutants on soil and crops around our factory premises through ICAR - National Rice Research Institute (NNRI), Cuttack, Odisha.</p> <p>An interim preliminary half yearly report for the period from April - September 2021 on the study being conducted has been received.</p> <p>During the last EAC meeting held on 12/11/2021, it was suggested to expedite the study by adopting latest modelling techniques instead of doing it through the conventional method.</p> <p>Accordingly, PP has immediately approached NNRI about the same and an expert team is expected at PP's Jharsuguda site shortly for providing immediate recommendations for implementation based on the analysis results of collected samples for soil, water, air, forage and</p>

S No	Details/ Information sought	Response by PP
5	BOD in Surface Water quality samples have been reported as 0.8 to 1.6 mg/l, the method used for analysis the BOD parameter shall be furnished	plants; thereby improving agricultural productivity as assured positively for earliest resolution of the issue. BOD of surface water was done using conventional titration method and found to be below detection limit. Therefore, a portable BOD meter (Model: HQ40 D) having a range to show BOD levels as low as 0.5 mg/l was used to measure BOD. Hence, the BOD value from the portable BOD meter was reported accordingly.

Reply of ADS given by project proponent submitted on 09/12/2021:

ADS Point: Submit additional information regarding environmental impact arisen out of non-compliances such as fluoride consumption, disposal of spent pot lining wastes, legacy ash stocks, rain water harvesting, green belt development, and recommendations of state forest department and respective remedial measures undertaken by the proponent.

Reply by PP:

A. For Fluoride Consumption:

There is no impact observed on the environment as we have taken requisite precautionary and remedial measures from time to time. Regular monitoring of air, water and soil quality is being carried out and the report is being submitted to OSPCB, CPCB and MoEF&CC periodically.

Broadly, the actions taken to keep the impacts on environment, on account of fluoride emissions in check are noted here below:

- Fume treatment Plants with dry scrubbers have been installed in Pot rooms and Bake Ovens for fluoride absorption and alumina enrichment.
- Real Time monitoring of Fluoride emissions is being done through CEMS. The fluoride emissions from the Fume treatment Plant stacks are being maintained well within the stipulated norms i.e., less than 0.65 mg/Nm³ and reports confirming the same are being submitted to OSPCB monthly and to the Regional Office of the Ministry every six months.
- Surface as well as the groundwater quality is well within the standard limit as evident from the analysis reports and is monitored on a regular basis within plant premises and surrounding areas. The fluoride content from the courtyard is collected through drains and treated through ETP having adequate capacity and being controlled through RO technology. Zero Effluent discharge is being adhered to. As per data collected from 2014 to October, 2021 of, maximum fluoride in surface water is 0.52 mg/l out of 7 locations and 0.53 mg/l in ground water out of 11 locations.
- The Forage fluoride reported in the surrounding areas during the last 5 years is less than 20 ppm against a limit of 40 PPM (average of 12 consecutive months) which indicates that the forage is not impacted by the fluoride emissions and are well within the notified limits for forage fluoride.
- Fluoride goes into the environment through stack and fugitive emissions and the balance fluoride is accumulated in the form of Spent Pot Lining (SPL) and bath material which gets recycled from time to time.
- Further, the periodic medical test results (Urine Fluoride report) of the people working in the plant (Pot rooms) indicates that there is no adverse effect due to fluoride on the health of the people. All the samples tested for urine fluoride are within

limit of ACGIH Pre shift value of 2mg/L and post shift value of 3 mg/l.

B. Disposal of Spent-Pot Lining wastes:

- The average SPL generation is around 37800 MT per annum. At present, there is a stock of around 33000 MT SPL Carbon and 87000 MT SPL refractory stored within our plant premises.
- SPL is currently stored in 4 no of covered sheds each of 40000 MT capacity. The SPL is being stored over a concrete platform within covered sheds where rainwater cannot enter at all. Thus, there is no chance of the stored SPL getting exposed to air or water and thus does not contribute to air or water pollution. However, as abundant precaution, these storage sheds have been provided with garland drains, which in turn are connected to the ETP. The ETP outlet is being monitored on regular basis and the results are well within the limits and treated effluent is being utilized within the plant.
- Around 5000 MT of SPL Carbon is also stored temporarily in the SLF (Phase II – 5285 m³) under covered condition to prevent any leachate generation and the same will be evacuated and disposed to authorized agency for detoxification as per submitted plan. Leachate collection pit is in place for collection of leachates from SLF if any. Phase SLF having capacity of 5000 m³ is already capped post obtaining approval from OSPCB.
- The groundwater quality around the SLF area is being monitored on regular basis and there is no contamination as evident for the reports being submitted to OSPCB and MoEF&CC.
- SPL Carbon is being currently sent to authorize re-processors with a plan to liquidate the entire legacy stock by September, 2023 as per action plan submitted to EAC on 12th November, 2021. SPL Refractory portion is currently getting stored in accordance with permission granted by OSPCB since there are no approved SOPs for its treatment and utilization. As informed earlier, work is under progress for SOP development with CPCB and developing vendor partner for disposal. As committed earlier, we expect the SOP to be developed within one year and are committed to dispose off the entire stock by December 2025. Storage of refractory portion of SPL is also being ensured with all precautions as for carbon portion and thus ensuring no impacts on the environment.

C. Legacy ash stocks:

- The annual fly ash generation is approximately around 9 - 9.5 MT/ Annum. PP is achieving an average of 115% fly ash utilization over the past 4 years where in PP has utilized about 39 Lakh MT of Legacy ash and for this year also, PP is on track to achieve more than 100% ash utilization as per fly ash notification 2009 and its subsequent amendments.
- PP has been utilizing ash in various avenues such as Cement manufacturing, Quarry filling, Road and Infrastructure Projects, Low lying area reclamation etc. with due approvals and complying to applicable rules and regulations.
- There are 3 no. of Ash Ponds currently operational at Katikela, Kurebaga and Siriapalli catering to both CPP 1215 MW and TPP 2400 MW. Around 127.45 Lakh MT of Legacy Ash is stored in the Ash ponds for which the utilization is targeted to be completed within next 5 years as committed by us in the last EAC meeting on 12th November.

- The ash ponds have been properly designed and constructed having HDPE liners at the bottom to prevent seepage of water into groundwater. Free board is also maintained so as to prevent overflow of ash to the surrounding areas. The embankments are designed and maintained so as to avoid breaching under the most meteorological conditions.
- PP has adopted High Concentration Slurry Disposal System (HCSD) to dispose ash to the ash ponds which is an environment friendly technique for ash disposal. The quantum of surplus water is minimal resulting in very less surplus water available for seepage or even pumping back.
- Dust Suppression measures such as water sprinkling through mobile tankers is being carried out specially during the dry season. Ash laden trucks are covered with tarpaulin to avoid spillage.
- Regular monitoring of Air, Water & Soil quality is being carried out in the Ash Pond area. From the above, it can be seen that there is no adverse impact on the environment due to ash disposal in the ash dykes.

D. Rainwater harvesting

- As per CGWB Ground Water Yearbook 2019- 2020 (Sept 2020) South-Eastern Region, Bhubaneswar, the ground water level in Jharsuguda region varies from 2.80 m to 8.50 m below ground level. The Post monsoon levels rise to 2 mbgl.
- The groundwater levels within the smelter complex as measured during the baseline monitoring in the pre monsoon season were found to be 2.53 — 3.18 mbgl.
- As per CGWA guidelines, Sep 2020, the industries falling under hazardous category should not implement any recharge measures within the plant premises. Therefore, we have installed and commissioned 7 no. of Roof Top Rainwater Harvesting systems with a total capacity of harvesting around 10000 m³ of rainwater and re-use the water in the plant which is around 0.01% of the water being drawn from the Hirakud reservoir.
- Further, during monsoon, the rainwater/surface run off collected in the plant premises is collected through storm water drains to the storm water reservoirs which act as a settling pit. The water collected during the 1% showers is treated through ETP for reuse and surplus treated water is discharged.
- In addition, PP has also augmented the capacity of 18 no's of community ponds in the surrounding villages by restoring & cleaning of the same and raising of embankment. Thus, there was no adverse impact on the environment on account of delayed compliance of this condition.

E. Green belt development:

- PP had covered around 27% of the total area with plantation as green cover till March 2021. Green cover helps in arresting of particulate matter. Although overall green cover area was little less than the stipulated norm of 33%, but no such major impact was observed in the ambient air quality.
- During the last 3 months, PP has carried out plantation of 3,55,556 saplings. This includes 116538 no. of saplings planted on 46.24 ha area (balance 6%) thereby achieving 33% green cover. Around 1,00,000 saplings planted in Katikela Ash Pond area. Further, PP has increased the plantation density to about 2500 trees/hectare.
- As a remedial measure, PP is going to increase the green cover area beyond 33% by developing green cover on reclaimed ash ponds over an area of 40 Ha by Aug 2023,

95

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd - 23rd March, 2022

plantation on additional land (37.5 Ha) outside plant premises in consultation with DFO, Jharsuguda by July 2024.

F. Recommendations of State Forest Department and respective remedial measures undertaken:

- The Principal Chief Conservator of Forests, (Wildlife) and Chief Wildlife Warden, Odisha has approved the site-specific wildlife conservation plan on 30/04/2021 with a financial forecast of Rs. 610.894 lakhs to be spent for implementation by the Forest Department (Both Jharsuguda and Sambalpur Forest Division) for this plan.
- Accordingly, as per the demand raised by the Divisional Forest Officer, Jharsuguda, an amount of Rs. 530.904 lakhs have been deposited on 17/05/2021 towards implementation of the abovementioned plan over a period of 10 years. The plan is under implementation by Forest Department. The mitigation measures for the balance amount of Rs. 79.99 Lakhs will be executed by Vedanta Ltd directly by March, 2022.
- All our raw materials and finished goods are being transported through dedicated roads and railway tracks without disturbing nearby forests and/or wildlife.
- PP is regularly interacting with the forest department and no negative feedback have been reported by them w.r.t impact on the nearby forests.

2.15.28 The said ADS replies as well as the reply submitted with respect to the Show Cause Notice dated 1/09/2021 was placed before the 49th REAC (Industry- 1 Sector) meeting held on 16-17th December, 2021 for taking appropriate view on the expansion proposal and the show cause notice.

2.15.29 During the course of meeting, EAC came across an Order dated 15/12/2021 of Hon'ble High Court of Odisha in Writ Appeal No. 711 of 2021 (SubratBhoi Vs State of Odisha) pertaining to the public hearing held for the instant expansion proposal wherein Hon'ble Court "directed that if no environment clearance has been granted as of today, it shall not be granted till next date listed on 10th January, 2022". Further, the Committee inferred that the said case was registered in the Hon'ble High Court on 7/09/2021 and no information has been furnished by the project proponent either in Form 2 application submitted vide proposal no. IA/OR/IND/236646/2017 dated 03/11/2021 or during the EAC meeting held on 11-12th November, 2021 and response to the ADS replies submitted on 2/12/2021 & 9/12/2021. The EAC took a serious view on the approach of the project proponent regarding repeated suppression of the court cases' information which are essential for due-diligence by the EAC for taking appropriate view on the expansion proposal as well as the show cause notice issued by the Ministry on 1/09/2021.

2.15.30 In this regard, project proponent claimed during the meeting that they became aware of the existence of court case bearing Writ Appeal No. 711 of 2021 only on 15/12/2021. Hence, the case details could not be made available.

Observations of the Committee held on 16-17th December, 2021

The Committee noted the following:

- i. As per the Order dated 15/12/2021 of Hon'ble High Court of Odisha in Writ Appeal No. 711 of 2021 (Subrat Bhoi Vs State of Odisha) pertaining to the public hearing held for the instant expansion proposal wherein Hon'ble Court "**directed that if no**

environment clearance has been granted as of today, it shall not be granted till next date. List on 10th January, 2022”.

- ii. The aforesaid case was registered in the Hon’ble High Court on 7/09/2021 and no information has been furnished by the proponent neither in the EC application nor during the EAC meeting held on 11-12th November, 2021 and response to the ADS replies dated 2/12/2021 & 9/12/2021.
- iii. Project proponent is repeatedly suppressing the information regarding court cases relevant to the proposal under consideration which are essential for due-diligence by the EAC for taking appropriate view on the expansion proposal as well as the show cause notice issued by the Ministry on 1/09/2021. Thus, the project proponent is repeatedly trying to mislead the EAC as well as the Ministry with a malafide intention to obtain expansion EC by deliberately suppressing the vital information essential for due-diligence of the project. Further, it appears that there may be more number of court cases pending before different Hon’ble Courts pertaining to the project under consideration.

Recommendations of the Committee held on 16-17th December, 2021

2.15.32 In view of the foregoing and after deliberations, the Committee recommended to defer the consideration of the proposal and reply to the show cause notice dated 1/09/2021 till the outcome of the Writ Appeal No. 711 of 2021, pending before the Hon’ble High Court of Odisha at Cuttack or as directed by the Hon’ble High Court of Odisha from time to time. Further, the project proponent shall submit explanation regarding the suppression of the information regarding the status of court case at Odisha High Court (Writ Appeal No. 711 of 2021) and all other court cases relevant to the proposal under consideration. An affidavit containing details of all the court cases pending before different Hon’ble Courts pertaining to the project under consideration should also be submitted. All these submissions by the PP shall be considered along with their response to SCN dated 1/09/2021.

2.15.33 In this regard, additional information has been sought from the proponent and the same was submitted by the proponent on 01/03/2022 and 11/03/2022 through PARIVESH. The submissions made by the proponent are summarized as below:

A. Status of compliance to the issues raised in Show Cause Notice dated 01/09/2021.

In respect to show cause notice point wise response given by PP is as below:

SCN point No 1: Current fluoride emission is at 10.78 Kg/T of Al production and sought time till December 2021 to achieve reduced level.

Response of PP: The fluoride consumption in the Smelter Plant is presently at 10.00 Kg/T of Aluminium as reported last in the month of Jan 2022. The fluoride consumption for the last 4 months is as mentioned below:

S No	Month/Year	Specific Consumption (kg/T of Al)
1	September 2021	11.26
2	October 2021	0.92
3	November 2021	10.36
4	December 2021	9.94

5	January 2022	10.00
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Further, PP will continue to work on the action plan to reduce fluoride consumption further given as below:

Table: The action plan with updated status for bringing it down to less than 10 Kg/T Al as per CREP guideline

S No	Key Area	Focus	Control Measures	Methodology	Target Date	Investment (Crores)	Impact (Kg/T)	Fluoride consumption (Kg/T)	Status/Remarks
1	Input Control		Procurement of low sodium content alumina	Increasing the proportion of low sodium alumina.	Dec'21	70.0	1.0	9.78	Continuous, Al present, Fluoride Consumption is in the range of 10 Kg/T of Al (Jan'22)
2A	Emission Control		Fume Treatment Plant (FTP 1) Revamping in smelter 1	Improved re-circulation in feeder	Jul'22	11.0	0.1	9.68	Contract placed. Supply material is expected at site by March 2022. Balance site work is in progress
2B	Emission Control		Fume Treatment Plant Revamping in Smelter (Balance FTPs)	Improved re-circulation in feeder	March'23	33.0	0.3	9.38	--
3	Performance improvement		Smart Pot Implementation through GE	Advanced Analytics by Pot Digital Twin	March'23	25.0	0.1	9.28	Work in progress
4	Thermal Balance Optimization		Development of Indigenous Pot Controller	Tweaking the pot controller logic to get better AIF3 feed control and thermal balance	April'23	24.0	0.4	8.88	Pot Controller has been developed. It has been implemented on few pots

SCN point No 2: SPL refractory stock is 85,108 MT which is being stored in covered sheds as there is no mechanism in place for disposal of SPL refractory stock.

Response of PP: PP has disposed a total of 30060 MT SPL Carbon in the current financial year 2021-22. The current stock of SPL Carbon is about 26911 MT and SPL refractory is around 92053 MT. While SPL carbon is being disposed to OSPCB authorized agency which in turn is sending the detoxified material for further utilization in various industries including Cement and Steel industries, SPL refractory stock is being stored in covered sheds for disposal once approved SOP and disposal mechanism is in place. PP has been disposing SPL Carbon at an average rate of 3500 MT/month as committed to EAC during our earlier meeting and is evident from the table below:

S No	Month/Year	SPL Carbon Disposal (MT)
1	September 2021	4054

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

S No	Month/Year	SPL Carbon Disposal (MT)
2	October 2021	4564
3	November 2021	3595
4	December 2021	4737
5	January 2022	4174

Further, PP has also been granted authorization for disposal of SPL (Carbon & Refractory) to cement plants for co-processing as per CPCB approved guidelines. Additionally, Consent to Establish has been granted to M/s. Tekno Processors LLP for processing of SPL refractory lining of Aluminium smelter for production of refractory mortar & ramming mass for a capacity of processing around 40000 MT SPL refractory per annum. PP has committed to liquidate the entire stock including current generation of SPL Carbon by September, 2023 and SPL refractory by December, 2025.

SCN point No 3: Ash stock of 124 Lakh Metric Ton is unutilized and sought additional time for its liquidation by 31/03/2027.

Response of PP: The current stock of Ash is around 112.5 Lakh Metric Ton which will be utilized as per our earlier submitted action plan. However, we are in advanced stages for exploring ash utilization in mine void filling and are committed to utilize the entire legacy stock by end of FY 2026 as committed to EAC during last meeting and as per the recent fly ash notification & guideline dated 31st December, 2021.

S No	Month/Year	Ash Generation (T)	Ash Utilization (T)	Ash Utilization (%)
1	September 2021	742406	706180	95
2	October 2021	629089	851876	135
3	November 2021	530685	945233	178
4	December 2021	570464	911732	160
5	January 2022	625368	802376	128

SCN point No 4: Green belt development covering 33% of the project area will be achieved by Dec 2021.

Response of PP: PP has done a plantation of 363968 nos. of saplings by end of December, 2021 thereby covering the entire smelter complex with 33% green cover in an area of 275 ha and having a total plantation of 728235 and survival rate of more than 93%. Further, PP requested the forest department to supply us with 1,60,000 saplings this year for plantation during the monsoon.

SCN point No 5: Only one roof top rainwater harvesting (RTRW) has been commissioned and 6 RTRH, the construction activities are reported to be under progress.

Response of PP: PP has successfully completed the installation and commissioning of total 7 nos. of roof top rainwater harvesting facilities in November, 2021 with a capacity of harvesting more than 11000 m³/annum. Also, PP conducting surface run off management study to harvest more surface run off water to be collected in ponds.

B. Information sought on environment impacts occurred due to non-compliances as reported at para 2.15.4 above along with the remedial measures undertaken by the

project proponent on account of the said environment impacts.

PP has submitted the detailed information on environment impacts occurred due to non-compliances along with the remedial measures undertaken vide our earlier letter no. VL/MOEF/006/2021-039 dated 8/12/2021 as mentioned at para 2.15.12 above. Further, in this regard an independent study was also carried out by IIT Kanpur on the environmental impacts arising out of the non-compliances. The findings of the said study are summarized as below:

Sl. No.	Environmental Indicator	Levels		Statistically Significant Trend	Remarks
		Reported	Standards/ international practices		
1	Fluoride Consumption	10.74kg/T (2021)	-	No Trend	Data show 14% decrease
2	SPL generation	16.60kg/t (2020)	22kg/t ^(a)	No Trend	Generation:36320 ton Sold: 11212t (2020-21) Including Legacy SPL
3	Fluoride uptake by forage(measured)	19 ppm	40 ppm	No trend at 5 locations and increasing trend at five locations	Reported Fluoride levels in the grass near other Aluminium smelter 16-70 ppm ^(c)
4	Fluoride in ground water	0.31-0.53 mg/L	1.5 mg/L ^(d)	No Trend	Complies with drinking water standards
5	Fluoride in surface water	0.16-0.49 mg/L	1.5 mg/L ^(d)	No Trend	Complies with drinking water standards
6	Fly Ash Utilization	100% from last 3 years	-	-	Complies with the fly ash notification. Legacy fly ash utilization is under progress.
7	Soil fluoride and deposition	65 to 100 mg/kg	90-190 mg/kg ^(c)	Not done	Limited data for trend analysis
8	Fume Control: dry scrubbing and bag filters	99.7-99.8%	-	-	Exceptionally high control efficiency
9	Fluoride emissions	0.46 kg/t	0.52 kg/t ^(a) 0.65 kg/t ^(b)	Not done	Emissions are below the world average
10	Fluoride Balance	Fresh Fluoride: 11.47 kg/t	-	-	Pathways for fluoride distribution and losses fully established.
11	Fluoride uptake by vegetations	6.69 ppm	-	-	Based on the modelling, vegetation concentration is not likely to exceed 40 ppm 9MOEFCC Standard) even during critical periods of the years after expansion.

Final recommendations of study report by IIT Kanpur

- a. Detoxify the stored SPL and utilize (value recovery or other means) in a time-bound manner.
- b. Enhance the utilization of legacy fly ash in a time-bound manner in line with the new notification 31st December, 2021.
- c. The area of sampling and analysis of fluoride in soil and forage should extend up to 10 kilometers radius of plant premises covering upwind and downwind directions. Further fluoride sampling and analysis should be taken quarterly at the

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

nearest irrigated lands growing crops, vegetables, and other products of human consumption.

d. The major emissions are from the pot room roof. The sampling frequency should be increased, and sampling is done at multiple locations.

e. The Vedanta Limited, Jharsuguda should continuously explore advanced technologies, operations, and quality of raw material to further reduce the fresh fluoride intake (less than 10 kg/t of Al) and emissions.

C. The project proponent shall submit explanation regarding the suppression of the information regarding the status of court case at Odisha High Court (Writ Appeal No. 711 of 2021) and all other court cases relevant to the proposal under consideration. An affidavit containing details of all the court cases pending before different Hon'ble Courts pertaining to the project under consideration should also be submitted:

PP submit that there has been always a bonafide disclosure by PP that there has been no willful suppression of information. PP would like to bring in kind attention that while the above-mentioned case had been registered on 07/09/2021, no notice had been issued nor the copy of the Writ Appeal was served on us by the Appellant in the ensuring period.

Therefore, PP was not aware of the filing of the case in the Hon'ble Orissa High Court at Cuttack. PP came to know about the said case only on 15/12/2021 when the case was listed for the very first time. It is further submitted that the copy of the Writ Appeal was served to us only on 15/12/2021 as per the directions of the Hon'ble High Court.

The Writ Appeal No. 711 of 2021 along with WP (C) No. 24790 of 2020 was heard on 10/01/2022 by the Hon'ble bench of Justice Jaswant Singh and Justice MS Sahoo whereby the Hon'ble High Court has disposed off both the Writ Appeals. Furthermore, the Hon'ble High Court has also held that there is no legal impediment for competent authority to proceed in accordance with law. A copy of the Hon'ble Orissa High Court orders dated 10/01/2022 and 20/01/2022 along with the affidavit containing details of all the court cases pending before different Hon'ble Courts pertaining to the project under consideration has been submitted in response to ADS

2.15.34 The Ministry and EAC was in receipt of the public representation dated 23/03/2022. Point wise reply and affidavits has been submitted by PP given as below:

S. No.	Representation points	Reply of Company
1.	That, M/S Vedanta Aluminium Limited coming under Jharsuguda district state of Odisha has illegally capture more than 2500 acers forest land with the support of IDCO government of Odisha inside plant without forest diversion of MOEF (Forest land capture copy enclosed) and manage two times production from beginning to till date without the approval of MOEF a gap of 13 year's this excess production matter came to the knowledge of public then the company try to maintain the process of environment clearance from MOEF, Vedanta completely violate the norms and conditions of MOEF.	We have acquired 2061 acres for the Aluminium Smelter and 1215 Captive Power Plant and have not encroached on any forest land. It is humbly submitted that there is no forest land inside the Smelter and CPP Complex as has been alleged by the Complainant. Further, the Company is producing aluminium within the permitted capacity as per the Consent to Operate (CTO) granted by the State Pollution Control Board, Odisha which is in accordance with the Environment Clearance (EC) granted by MoEF&CC, New Delhi on 11.06.2008. It is also submitted that we are compliant to the norms and conditions

101

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

S. No.	Representation points	Reply of Company
2.	<p>That, Jharsuguda district state of Odisha where the M/S Vedanta Aluminium LIMITED situated the complete district under the grip of pandemic corona time the public of the locality facing terrible condition due to lack of proper treatment but the said company manage foul game with conduct a public hearing on dt.30/09/2020 only to obtain the extension environment clearance certificate from MoEF&CC in back door.</p> <p>That, being a responsible registered environmental organization, we demand for a high level inquiry about physical verification of false and fabricated afforestation report which was submitted by the company in MOEF and complete proceedings of expansion public hearing High court case conspiracy W.A no.711 of 2021 and its related supreme court S.L.P(c) No.5140/2021 of the plant and conspiracy of all expansion related issues from beginning to till date.</p>	<p>as stipulated by the MoEF&CC and other statutory authorities from time to time.</p> <p>Subsequently, the Company was granted CTO to operate the Plant. Accordingly, it is for the last 13 years that the Company is operating and producing aluminium within the permitted capacities.</p> <p>With reference to allegations levelled on conducting the public hearing, it is submitted that the public hearing has been conducted as per the applicable provisions and statutory process of all regulatory agencies.</p> <p>The basic issue of conduct of public hearing was before the Orissa High Court in WP (C) No. 24789 of 2020 (Subrat Bhoi v State of Odisha &Ors.), wherein the Hon'ble High Court referred the matter to Collector, Jharsuguda vide order dated 09.10.2020.</p> <p>In compliance with the order of the Hon'ble Orissa High Court, the Collector has passed an order dated 18.10.2020 holding that the public hearing conducted on 30.09.2020 for the proposed expansion of the Company is smooth and complete.</p> <p>The order of the Hon'ble High Court was challenged before the Hon'ble Supreme Court in SLP (C) No. 5140 of 2021. The matter was heard on 26.07.2021 and the Hon'ble Supreme Court dismissed the SLP with the liberty to approach High Court by filing an appeal before division bench of Orissa High Court.</p> <p>Thereafter, the petitioners filed Writ Appeal No. 711 of 2021 against the order dated 09.10.2020. The Hon'ble High Court on 10.01.2022 heard the matter and has disposed of the petition.</p> <p>It is pertinent to note that WP (C) No. 24669 of 2020 (Anchalik Paribesh Surakhya Sangh v State of Odisha &Ors.) represented by the Complainant Himself Sri Satyanarayan Raow was filed praying for the deferment of the public hearing to be conducted on 30.09.2020 claiming that the same was being done during the pandemic and effective public hearing could not take place. The Division Bench of the Hon'ble High Court comprising of the Chief Justice, after detailed hearing on the merits, dismissed the petition with the following observation: <i>"9. In view of the above, we do not see any</i></p>

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

S. No.	Representation points	Reply of Company
3.	<p>That, being a responsible registered environmental organization, we demand for a high level inquiry about physical verification of false and fabricated afforestation report which was submitted by the company in MOEF and cross check the complete proceedings of expansion public hearing High court conspiracy W.A. No.711 of 2021 and its related supreme court S.L.P (C) No.5140/2021 of the plant.</p>	<p><i>reason to accept the stands taken by the petitioner and to interfere in the matter. The writ petition lacks merit and is accordingly dismissed."</i></p> <p>Parallely, 2 similar petitions viz. WP (C) No. 24790 of 2020 (P Ram Mohan Rao v Union of India &Ors.) and WP (C) No. 25087 of 2020 (Ajay Kumar Patel v State of Odisha &Ors.) were filed before the Orissa High Court for deferment of the public hearing scheduled on 30.09.2020. The Hon'ble High Court heard WP (C) No. 25087 of 2020 on 20.01.2022 and has dismissed the matter.</p> <p>The Hon'ble High Court heard WP (C) No. 24790 of 2020 on 10.01.2022 and has disposed of the same with the following direction:</p> <p><i>"6. Thus, it is clear that there is no legal impediment for the competent authority, to proceed in accordance with law."</i></p>
4.	<p>That, there are two smelter and power plant in our JHARSUGUDA district namely M/S Vedanta Aluminium & power Limited, At:-Bhurkamunda dist.-Jharsuguda purely private owned company and a state government owned PSU company Odisha Power Generation Corporation Limited, Ib Thermal Power Station , Banharpali district - Jharsuguda. But sorry to say the state government owned PSU company OPGC Banharpali Jharsuguda pay all dues, royalty, revenue cess, labour cess and water cess (payment copy</p>	<p>We would like to apprise the Hon'ble EAC and MoEF&CC that we have done afforestation/plantation to the extent of 3,63,968 number of saplings during the year 2021-22 thereby achieving 33% green cover.</p> <p>With reference to the proceedings of public hearing for the proposed expansion of the Company, the Collector, Jharsuguda vide order dated 18.10.2020 has concluded that the public hearing conducted for the proposed expansion has been smooth and complete. The Hon'ble Supreme Court has dismissed the SLP (C) No. 5140 of 2021 vide order dated 26.07.2021.</p> <p>Thereafter, the petitioners filed Writ Appeal No. 711 of 2021 against the order dated 09.10.2020. The Hon'ble High Court heard the matter on 10.01.2022 and accordingly, disposed of the case maintaining that the public hearing is in order.</p> <p>It is humbly submitted that the Company is in full compliance of the BOCW and Cess Act and we have paid 6.84 Crores payable for the construction of the project and the Company has communicated the same to the District Labour Officer, Jharsuguda vide letter dated 29.01.2021.</p> <p>Apart from above, the Company is regularly making payments including royalty, tax, cess, etc. to the authorities.</p>

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

S. No.	Representation points	Reply of Company
	<p>enclosed for reference) in other hand the private owned M/S Vedanta Aluminium LIMITED refuse to pay the dues/ royalty/ tax/cess inspite of repeated request by the revenue authority and play round foul game in the name of court case. OPGC Banharpali Jharsuguda pay all projects cost's 1% labour CESS dues but Vedanta Aluminium limited suppress the labour cess and royalty issue with the blessings and support of state government and file a case in High court of Odisha in W.P(C) No.15924 of 2009 the said case is dismissed on dt.4/09/2010(High court dismissed copy enclosed for your reference),once again the company challenge the High court order in supreme court of India in SLP (CIVIL) No.27411 this is also dismissed on dt.18/10/2016(SLP dismissed copy enclosed) but the execution authority office of the labour commissioner JHARSUGUDA government of Odisha remain silent instead of collection of labour cess.</p>	
5.	<p>That, an order of High court in WP(C) No.2660 of 2015 and order copy of revenue and disaster management department no.9542/23 March 2019 Forwarded to RDC, collector, DFO, sub collector, Tahasildar JHARSUGUDA for necessary action, according to this letter District office: Jharsuguda (Revenue section) order no 3054/dt.4/05/2019 withdraw the forest land permission around 48.68 decl plot no.188 under khata no.108 Bhurkamunda under Jharsuguda Tehsil but sorry to say the all official process is till date only in ice-box</p>	<p>At the outset, it is humbly submitted that the Plot No. 188 under Khata No. 108 in Mouza Bhurkamunda, is falling outside the premises of the plant of the Company. Additionally, it is submitted that the Sub-Collector, Jharsuguda has passed an order dated 06.09.2017 in EA Case No. 03 of 2014 and has held that there is no physical encroachment by the Company on Plot 188 and other plots of Khata No. 108 of Mouza Bhurkamunda.</p> <p>It is to note that the order of the Sub-Collector is a judicial order and the same has never been interfered with by way of an appeal in any forum.</p>
6.	<p>That, the pollution condition of the Jharsuguda district is alarming situation due to overburden industrialization, the environment of the district unable to afford the load of extra expansion of existing plants or any other new industry, already our Jharsuguda district recorded as a most polluted city in India and latest forest growth of Jharsuguda is only 14% instead of actual 35% according to the population ratio. The side effects of illegal waste and coal fly Ash of Vedanta reflected in all restricted/prohibited zone like Gochar land, Agricultural land, forest land and destroy the nearby water bodies like IB, Bheden, Mahanadi, Banjari nalla, kharkharinalla, Hatia nalla alongwith upstream branches of historical Hirakud reservoir with coal fly Ash which guidelines reclamation of lowland fixed by CPCB and SPCB everywhere in entire district ash ashash and causes of different disease. Now the historic</p>	<p>It is humbly submitted that we have been handling and disposing of wastes including fly ash as per the statutory guidelines and after obtaining necessary permission from SPCB, Odisha. The statements in the representation have been made to mislead the forum and defame the Company.</p> <p>The Company has been established with the due approval and is operating with all the requisite clearances. It is submitted that the Company is committed to the best Environment Management Systems including Air, Water and Solid Waste Management. The Environment Management, Energy Conservation and Sustainability practices of the Company have been recognized by the Government and also by the various trade bodies / associations. We have also laid down procedures and standard operating practices</p>

104

MoM of 2nd meeting of the EAC for Industry-I sector held on 22nd – 23rd March, 2022

S. No.	Representation points	Reply of Company
	<p>Hirakud reservoir in danger condition due illegal coal fly Ash disposal</p>	<p>regarding Air, Water and Waste Management and have been certified with Integrated Management Systems (IMS) comprising of ISO 9001, ISO 14001 and ISO45001.</p> <p>It is also submitted that the Company embarked on its sustainability journey more than a decade ago and as a part of overall design and framework, we recognize Environment, Social and Governance (ESG) as an important pillar that guides our business decisions. We aim not only to be ESG compliant but aspire to become an Industry leader in having sustainable operations and governance.</p>
7.	<p>That, the Vedanta Aluminium LIMITED failed to maintain the guidelines of MoEF&CC which was fixed in first public hearing held on 2008 and maintain everything with the illegal support of state government and local political mafias in gun point.</p>	<p>The Company has submitted the compliance status of all the conditions of the EC granted on 11.06.2008 to the Hon'ble EAC during the appraisal of the proposed expansion of the Aluminium Smelter from 16 LTPA to 18 LTPA.</p>
8.	<p>That, the Vedanta Aluminium limited not maintain the proper guidelines of Ash management and overlooked entire norms and conditions of MoEF&CC from beginning. The company killed more than 2500 acre high density natural forest in kurebaga, katikela, Sibrampur, kumuda Pali siriapali, Kali bahal,parmanpur, sodamal, junanimunda and a NGT case no.10/2021 also pending in eastern region National Green Tribunal Kolkata in this case also the company manage everything with the blessings and blind support of JHARSUGUDA district administration (copy enclosed) and purchase the applicant with money.</p>	<p>The Company has a robust ash management system with a competent team comprising of environment and technical professionals for sustainable disposal of ash generated from its Thermal Power Plants.</p> <p>In furtherance, we have ensured more than 100% utilization of fly ash generated in the past 4 years and are committed to utilize the entire legacy ash stock by end of FY 2026 as committed to the Hon'ble EAC in line the recent fly ash notification & guidelines dated 31st Dec 2021 issued by the MoEF&CC.</p> <p>With respect to OA 10 of 2021 (Ajit Dhal v State of Odisha), it is submitted that the Company has already removed the spilled ash from the affected land and reclaimed it to the original status. The area has been inspected by the Joint Committee comprising of the District Collector, Jharsuguda and Regional Officer, Jharsuguda of the State Pollution Control Board, Odisha which has submitted an affidavit before the Hon'ble NGT stating that all ash has been removed by the Company at its own cost and all the recommendations of the Joint Committee have been complied with by the Company. Apart from above, the Joint Committee has also advised that a study may be carried out to verify the geotechnical strength of earthen embankment by National Accreditation Board for Testing and Calibration Laboratories (NABL) certified Laboratories or Institute of National Repute like NITs/IITs by Vedanta at its own cost for</p>

105

S. No.	Representation points	Reply of Company
		which we have already initiated the study through IIT Bhubaneshwar.

2.15.35 During the meeting, project proponent submitted written submission on the following points:
M/s. Vedanta Limited has confirmed in the form of affidavit dated 22/03/2022 about court case related to project cited above and correctness of data/ information submitted in reply of public representation dated 23/03/2022 as mentioned at para 2.15.22 above.

Observations of the Committee

2.15.36 The Committee noted the following:

- i. The Committee noted that the EIA/EMP report is in compliance of the ToR issued for the project, reflecting the present environmental concerns and the projected scenario for all the environmental components. The Committee also found the baseline data and incremental GLC due to the proposed project within NAAQ standards.
- ii. The EAC also deliberated on the certified compliance report of RO and action taken report submitted by PP, written submissions, public hearing issues as well as action plan to address the issues raised during public hearing and found it satisfactory.
- iii. The EAC found that the response submitted by PP on additional detail sought by EAC in earlier meeting was satisfactory.
- iv. Affidavits and a point wise reply to the public representations submitted by PP were satisfactory.
- v. The Committee also deliberated upon the reply submitted by the proponent against the show cause notice 01/09/2021. The committee satisfied with the SCN replies.
- vi. The committee noted that there are schedule 1 species present in study area for which PP has obtained approved conservation plan dated 30/04/2021 with a budget of Rs. 610.894 lakh for its implementation over a period of 10 years.
- vii. The Committee noted that M/s. Vedanta Limited engaged to IIT, Kanpur as the competent agency for carried out the impact study of Fluoride, SPL, Legacy Ash and Fluoride Mass Balance at Vedanta limited, Jharsuguda. After completion of study IIT, Kanpur made recommendation as given below:
 - a. Detoxify the stored SPL and utilize (value recovery or other means) in a time-bound manner.
 - b. Enhance the utilization of legacy fly ash in a time-bound manner in line with the new notification 31st December, 2021.
 - c. The area of sampling and analysis of fluoride in soil and forage should extend up to 10 kilometers radius of plant premises covering upwind and downwind directions. Further fluoride sampling and analysis should be taken quarterly at the nearest irrigated lands growing crops, vegetables, and other products of human consumption.
 - d. The major emissions are from the pot room roof. The sampling frequency should be increased, and sampling is done at multiple locations.
 - e. The Vedanta Limited, Jharsuguda should continuously explore advanced technologies, operations, and quality of raw material to further reduce the fresh fluoride intake (less than 10 kg/t of Al) and emissions.

Recommendations of the Committee

2.15.37 In view of the foregoing and after detailed deliberations, the committee recommended the instant proposal for grant of Environment Clearance under the provisions of EIA Notification, 2006 subject to the stipulation of following specific conditions and general conditions as per the Ministry's Office Memorandum No. 22-34/2018-III dated 9/8/2018 pertaining to Aluminum smelter based on project specific requirements. Further, the EAC also recommended that SCN issued to project proponent on 01/09/2021 may be withdrawn.

A. Specific conditions

- i. The project proponent shall abide by all orders and judicial pronouncements, made from time to time in OA No. 10/2021/EZ pending before the National Green Tribunal (NGT), Eastern Zone, Kolkata.
- ii. The poly-aromatic hydrocarbons (PAH) from the carbon plant (anode bake oven) shall not exceed 2 mg/Nm³. The data on PAH shall be monitored quarterly and report shall be submitted regularly to the Ministry/Regional Office at Bhubaneswar and Odisha Pollution Control Board.
- iii. A nallah is passing through the project site, PP shall maintain the nallah in its natural form and provide the green buffer zone of 10 m on both side of the nallah.
- iv. Particulate fluoride emissions shall not be more than 0.65 mg/Nm³ and fugitive particulate fluoride emissions from pot room shall not be more than 1.85 mg/Nm³.
- v. Project proponent shall maintain the Fluoride consumption less than 10 kg/tonne of Aluminium production by April, 2022 and reduce further at 8.0 kg/t by April, 2023 as committed by PP.
- vi. Three tier Green Belt shall be developed in a time frame of one year covering 33% of total area with native species all along the periphery of the project site of adequate width and tree density shall not be less than 2500 per ha. Survival rate of green belt developed shall be monitored on periodic basis to ensure that damaged plants are replaced with new plants in the subsequent years. This shall include development of green belt of 50 width from the project site towards the Jharsuguda village located at 0.2km from the site. In addition to this, following activities shall also be undertaken as committed by the proponent:
 - Green cover on reclaimed ash ponds over an area of 40 Ha shall be developed by June 2022.
 - PP shall undertake plantation over 37.5 ha outside plant premises in consultation with DFO, Jharsuguda.
- vii. Present stock of SPL carbon (36320 T) and legacy SPL stock shall be liquidated by Sep, 2023 as committed.
- viii. Refractory SPL stock (40000 T) stored in covered shed on concrete floors shall be disposed of Dec, 2025 as committed.
- ix. PM levels shall be less than 30 mg/Nm³ for all units under expansion. In case of older units, PP shall initiate retrofitting/modification action to achieve the PM emission level of 30 mg/Nm³ by October, 2024.
- x. Wastes shall be sent to RAMKY TSDF located at Sukinda. Further, waste disposed in this SLF shall be evacuated and disposed to authorized agency for detoxification as committed by PP.
- xi. PP shall use Roof Top Rainwater Harvesting systems with a total capacity of around 10000 m³ of rainwater and re-use the water in the plant.

- xii. All the recommendations made in the Charter on Corporate Responsibility for Environment Protection (CREP) for the Aluminium sector shall be strictly implemented.
- xiii. PP shall utilize 100% ash as per Fly Ash Notification 2021 and its subsequent amendments. Further, legacy ash shall be utilized completely by 31/05/2027 as committed by PP.
- xiv. Dust Suppression measures such as water sprinkling through mobile tankers is being carried out especially during the dry season. Ash laden trucks are covered with tarpaulin to avoid spillage.
- xv. Regular monitoring of Air, Water & Soil quality shall be carried out in the Ash Pond area.
- xvi. Performance monitoring of pollution control equipment shall be taken up yearly and compliance status in this regard shall be reported to RO.
- xvii. The recommendations of the approved Site-Specific Conservation Plan / Wildlife Management Plan shall be implemented in consultation with the State Forest Department. The implementation report shall be furnished along with the six-monthly compliance report to the concerned Regional Office of the MoEF&CC.
- xviii. The area of sampling and analysis of fluoride in soil and forage should extend up to 10 kilometers radius of plant premises covering upwind and downwind directions. Further, fluoride sampling and analysis should be taken quarterly at the nearest irrigated lands growing crops, vegetables, and other products of human consumption.
- xix. The major emissions are from the pot room roof. The sampling frequency should be increased, and sampling is done at multiple locations. The laser-based advance technology shall be adopted to continuously monitor gaseous fluoride emissions from pot rooms on real time basis by March, 2023.
- xx. Wheel Washing mechanism shall be provided in entry and exit gates with complete water recirculation system
- xxi. Greening and Paving shall be implemented in the plant area to arrest soil erosion and dust pollution from exposed soil surface

B. General Conditions

I. Statutory compliance:

- i. The Environment Clearance (EC) granted to the project/ activity is strictly under the provisions of the EIA Notification, 2006 and its amendments issued from time to time. It does not tantamount/ construe to approvals/ consent/ permissions etc., required to be obtained or standards/conditions to be followed under any other Acts/Rules/Subordinate legislations, etc., as may be applicable to the project.

II. Air quality monitoring and preservation

- i. The project proponent shall install 24x7 Continuous Emission Monitoring System (CEMS) at process stacks to monitor stack emission as well as 4 Nos. Continuous Ambient Air Quality Station (CAAQS) for monitoring AAQ parameters with respect to standards prescribed in Environment (Protection) Rules 1986 as amended from time to time. The CEMS and CAAQMS shall be connected to SPCB and CPCB online servers and calibrate these systems from time to time according to equipment supplier specification through labs recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.

- ii. The project proponent shall monitor fugitive emissions in the plant premises at least once in every quarter through labs recognized under Environment (Protection) Act, 1986.
- iii. The project proponent shall provide leakage detection and mechanized bag cleaning facilities for better maintenance of bags.
- iv. The project proponent shall ensure covered transportation and conveying of ore, coal and other raw material to prevent spillage and dust generation; Use closed bulkers for carrying fly ash;
- v. The project proponent shall provide wind shelter fence and chemical spraying on the raw material stock piles;
- vi. Ventilation system shall be designed for adequate air changes as per the prevailing norms for all tunnels, motor houses, and cement bagging plants.
- vii. Sufficient number of mobile or stationary vacuum cleaners shall be provided to clean plant roads, shop floors, roofs, regularly.
- viii. Adopt measures to recover fluoride gas from electrolytic cells and recycle the same in the process.
- ix. Practice use of low-Sulphur tars for baking anodes.
- x. Make efforts to increase the life of pot lining through better construction and operating techniques.
- xi. Design the pot roofs with louvers and roof ventilators

III. Water quality monitoring and preservation

- i. The project proponent shall install 24x7 continuous effluent monitoring system with respect to standards prescribed in Environment (Protection) Rules 1986 (G.S.R 742 (E) dated 30th August 1990 and further amended vide G.S.R 46 (E) dated 3rd February 2006(Aluminium); S.O. 3305 (E) dated 7th December 2015(Thermal Power Plants) as amended from time to time and connected to SPCB and CPCB online servers and calibrate these system from time to time according to equipment supplier specification through labs recognised under Environment (Protection) Act, 1986 or NABL accredited laboratories.
- ii. The project proponent shall monitor regularly ground water quality at least twice a year (pre and post monsoon) at sufficient numbers of piezometers/sampling wells in the plant and adjacent areas through labs recognised under Environment (Protection) Act, 1986 and NABL accredited laboratories.
- iii. Sewage Treatment Plant shall be provided for treatment of domestic wastewater to meet the prescribed standards.
- iv. Garland drains and collection pits shall be provided for each stock pile to arrest the runoff in the event of heavy rains and to check the water pollution due to surface run off.
- v. Water meters shall be provided at the inlet to all unit processes in the cement plant.
- vi. The project proponent shall make efforts to minimize water consumption in the cement plant complex by segregation of used water, practicing cascade use and by recycling treated water.

IV. Noise monitoring and prevention

- i. Noise quality shall be monitored as per the prescribed Noise Pollution (Regulation and Control) Rules, 2000 and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.

V. Energy Conservation measures

- i. The project proponent shall provide waste heat recovery system (pre-heating of combustion air) at the flue gases.
- ii. Provide solar power generation on roof tops of buildings, for solar light system for all common areas, street lights, parking around project area and maintain the same regularly;
- iii. Provide LED lights in their offices and residential areas.

VI. Waste management

- i. Used refractories shall be recycled.
- ii. Oily scum and metallic sludge recovered from ETP shall be mixed, dried, and briquetted and reused.

VII. Green Belt

- i. The project proponent shall prepare GHG emissions inventory for the plant and shall submit the Programme for reduction of the same including carbon sequestration including plantation.
- ii. Project proponent shall submit a study report on De-carbonization program, which would essentially consist of company's carbon emissions, carbon budgeting/balancing, carbon sequestration activities and carbon capture, use and storage and offsetting strategies. Further, the report shall also contain time bound action plan to reduce its carbon intensity of its operations and supply chains, energy transition pathway from fossil fuels to Renewable energy etc. All these activities/ assessments should be measurable and monitor able with defined time frames.

VIII. Public hearing and Human health issues

- i. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
- ii. The project proponent shall carry out heat stress analysis for the workmen who work in high temperature work zone and provide Personal Protection Equipment (PPE) as per the norms.
- iii. Occupational health surveillance of the workers shall be done on a regular basis and records maintained.

IX. Environment Management

- i. The project proponent shall comply with the provisions contained in this Ministry's OM vide F.No. 22-65/2017-IA.III dated 30/09/2020. As part of Corporate Environment Responsibility (CER) activity, company shall adopt nearby villages based on the socio-economic survey and undertake community developmental activities in consultation with the village Panchayat and the District Administration as committed.
- ii. The company shall have a well laid down environmental policy duly approve by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/deviation/violation of the environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and /

10

- or shareholders / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.
- iii. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.

X. Miscellaneous

- i. The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently.
- ii. The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
- iii. The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
- iv. The project proponent shall monitor the criteria pollutants level namely; PM10, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the projects and display the same at a convenient location for disclosure to the public and put on the website of the company.
- v. The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the ministry of Environment, Forest and Climate Change at environmental clearance portal.
- vi. The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- vii. The project proponent 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, commencing the land development work and start of production operation by the project.
- viii. The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- ix. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
- x. Concealing factual data or submission of false/fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- xi. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- xii. The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.

- xiii. The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
- xiv. Any appeal against this EC 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.

2.16 Establishment of Iron ore beneficiation (8,00,000 TPA), Pellet Plant (6,00,000 TPA), DRI Kilns (6,60,000 TPA), Induction Furnace with matching LRF & CCM (Billets/ Ingots/ Hot Billets) (2,97,000 TPA), Rolling Mill (TMT Bars/ Structural Steel) (3,63,000 TPA), Ferro Alloy Unit 2 x 9 MVA (FeSi-14000 TPA/ FeMn-50400 TPA/ SiMn-28800 TPA/ FeCr-30000 TPA), WHRB based Power Plant – 50 MW (4 x 12.5 MW), FBC based Power Plant - 24 MW(2 x 6 MW & 1 x 12 MW) & Brick Manufacturing unit (58,000 Bricks/Day) & Briquetting Plant (200 Kg/Hr.) by **M/s. Karnikripa Power Private Limited** located at Khairjhatti&Koajhar Village, **Mahasamund Tehsil & District, Chhattisgarh.** [Online Proposal No. IA/CG/IND/208264/2021; File No. IA-J-11011/154/2021-IA-II(I) – **Environment Clearance – regarding.**

2.16.1 M/s. Karnikripa Power Private Limited has made an online application *vide* proposal no. IA/CG/IND/208264/2021 dated 05/03/2022 along with copy of EIA/EMP Report, Form - 2 and seeking Environment Clearance (EC) under the provisions of the EIA Notification, 2006 for the project mentioned above. The proposed project activity is listed at schedule no. 3(a) Metallurgical Industries (ferrous & non-ferrous), 2(b) Mineral Beneficiation and 1(d) Thermal Power Plants under Category “A” of the schedule of the EIA Notification, 2006 and appraised at Central Level.

Details submitted by Project proponent

The details of the ToR are furnished as below:

2.16.2

Date of application	Consideration	Details	Date of accord	Validity of ToR
08/04/2021	35 th EAC held on 30 th April 2021	TOR issued	17/05/2021	16/05/2025

2.16.3 The project of M/s. Karnikripa Power Private Limited located in Khairjhatti & Koajhar Village, Mahasamund Tehsil & District, Chhattisgarh State is for Establishment of Iron ore beneficiation (8,00,000 TPA), Pellet Plant (6,00,000 TPA), DRI Kilns (6,60,000 TPA), Induction Furnace with matching LRF & CCM (Billets/ Ingots/ Hot Billets) (2,97,000 TPA), Rolling Mill (TMT Bars/ Structural Steel) (3,63,000 TPA), Ferro Alloy Unit 2x9 MVA (FeSi-14000 TPA/FeMn-50400 TPA/ SiMn-28800 TPA/ FeCr-30000 TPA), WHRB based Power Plant – 50 MW (4x12.5 MW), FBC based Power Plant - 24 MW(2x6 MW & 1x12 MW) & Brick Manufacturing unit (58,000 Bricks/Day) & Briquetting Plant (200 Kg/hr).

2.16.4

Environmental Site Settings:

SNo	Particulars	Details	Remarks
i.	Total land	50.57 ha (124.95 Acres)	Land Use: Agriculture
ii.	Land acquisition	Agreement have been entered with	--

Annexupe A-S

112



REDMI NOTE 8
AI QUAD CAMERA

113



REDMI
CAMERA

114



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P. D. WILSON
A. J. WILSON

5/c 500
29.3.19

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

ORDER

RDM-LEGAL-CASEHC-0002-2019 / 95412 R&DM dated 23 MAR 2019

Perused the orders contained in WP (C) No.2660 of 2015, wherein Hon'ble High Court vide their order No 03 dated 11.03.2015 have directed the Opposite Party No. 9 i.e Principal Secretary to Government, Revenue and DM Department to dispose of the grievance petition in accordance with law within a period of two months from the date of production of a certified copy of the said order.

2. Gone through the grievance petition dated 15.09.2014 filed by one Jagannath Bhoi and others of village Bhurkamunda under Jharsuguda district, which is shown as Annexure 7 of the writ petition. Also gone through the concerned file bearing No. GE-JHS-0005/2013 (Part), wherein Collector Jharsuguda was requested vide letter No.27958 dated 20. 09.2014 to cause an enquiry into the matter and furnish a detailed report along with his views to this department within 10 days from the date of receipt of the said letter. No report has been received from Collector till date. On receipt of the Contempt notice, ADM, Jharsuguda was asked to present the details on 15.03.2019. Collector, harsuguda was asked vide this department letter No.8872 dated 15.03.2019 to furnish a factual report and he has furnished the same vide letter No. 2235 dated 16.03.2019.

3. Also gone through the report of Collector, Jharsuguda. He has reported that on receipt of the letter from this Department, a joint

10/01/19
10-08-19

[Handwritten signature]

enquiry was conducted by Tahasildar Jharsuguda, ACF, Jharsuguda and Revenue Supervisor, Jharsuguda on 27.04.2015, which revealed that out of Ac.246.74 dec of Govt land in "Gramya Jungle" kisan, Ac.48.68 dec pertaining to Plot No.188 under khata No.108 (Rakhit) of mouza Bhurkamunda had been filled with ash, making a heap of ash of about 25 mtirs by Vedanta Aluminium Ltd. The Company had taken up earth capping on the said plot and plantation work thereon. Collector Jharsuguda vide letter No.5949 dated 21.07.2011 had permitted Vedanta Aluminium Ltd to fill up the low lying areas of plot No.188 with fly ash subject to condition that all provisions of the extraordinary Gazette Notification of GOI bearing SO No-280-4 (e) dated 3.11.2009. Collector has also reported that prior to this permission, encroachment cases were booked against Vedanta Aluminium Company by Tahasildar Jharsuguda on 04.04.2013 and eviction order was passed on 0.3.09.2013. But no action has been taken.

4. After careful consideration of the prayer of the petitioner and the report of Collector, Jharsuguda and documents furnished, it is found that a patch of Ac.48.68 dec was utilized by M/s Vedanta Aluminium Ltd for dumping of fly ash, not Ac. 246.74 dec as alleged. Though a case was instituted against the Company, actual eviction had not been done as per the provisions of the OPLE Act, 1972. On the other hand, Collector has granted permission for filling up the ash in the land in question which is Jungle in kisan. Apparently, this permission has been given without any jurisdiction. Besides, filling up ash is a non-forest use of the forest land, which attracts the provisions of the Forest (Conservation) Act, 1980. Due cognizance of this legal position has not been taken by the

Handwritten signature and date: 04.09.2013

Collector. Instead, the permission granted by him has created confusion and affected the eviction process initiated under the OPLE Act. The concerned ACF has neglected in his duty. He must have initiated action under the provisions of the FC Act, 1980 also.

5. In view of the above, following directions are issued;
- i. Collector, Jharsuguda is directed to withdraw permission granted to Vedanta Aluminium Ltd vide his letter No. 5949 dated 21.07.2011 for filling up fly ash over plot No.188 of mouza Bhurkamunda with immediate effect and evict the company from the entire forest land within a month.
 - ii. Government dues like penalty, assessment and fine will be collected from the Company, as per the provisions of the OPLE Act, 1972.
 - iii. RDC(ND) Sambalpur will constitute a committee, consisting of concerned government officials, experts and three local eminent persons to assess the damage, if any, caused by the dumping of ash and the damages so assessed be recovered from the company. This exercise must be completed within six months.

The grievance petition is disposed off accordingly.

Memo No. 9543 /R&DM Dated 23 MAR 2019
 Principal Secretary to Government

Copy forwarded to RDC(ND), Sambalpur/ Collector, Jharsuguda/ DFO, Jharsuguda/ Sub-Collector, Jharsuguda/ Tahasildar, Jharsuguda for information and necessary action.


 Additional Secretary to Government

Memo No. 9544/R&DM

Dated 23 MAR 2019

Copy forwarded to ACS to Government, Forest and Env Department for information.

[Signature]
23/3/19

Additional Secretary to Government

Memo No. 9545/R&DM

Dated 23 MAR 2019

Copy forwarded to Sri Jagannath Bhoi, of village Bhurkamunda, P.S/ Dist-Jharsuguda for information.

[Signature]
23/3/19

Additional Secretary to Government

Memo No. 9546/R&DM

Dated 23 MAR 2019

Copy forwarded to O/O Advocate General, Odisha, High Court with reference to order No.03 dated 11.03.2015 in WP(C) No.2660/2015 and Cont No. 6089/2016 for information and necessary action.

[Signature]
23/3/19

Additional Secretary to Government

[Signature]
Public
Dist-Jharsuguda

TAHASIL OFFICE: JHARSUGUDA

No. 4243 / Date 24-9-19

Item.

10
Addl. Tahasildar-Cum-PIO
Tahasil Office, Jharsuguda

Sri Satyanarayan Rao
S/O - Late Kurma Rao
At - Milan Market, OMP Line
Dist - Jharsuguda

Sub: Transfer of RTI application of Satyanarayan Rao, dt. 10.09.2019 u/s 6 (3) of RTI Act, 2005.

Ref: District office letter No. 6619, dt. 13.09.2019.

Sir,
With reference to the Subject cited, I am to supply herewith the information sought for under RTI Act, 2005.

A. Regarding Order of the National Green Tribunal, New Delhi in connection with M/S Vedanta Ltd. on collapse of ash pond and action thereof may be available in the District Office, which may be obtained.

B. As per the direction of authority an encroachment Case No. 158/2013 was initiated against M/S Vedanta Alumina Ltd., wherein an amount of Rs. 36,164.00 (Rupees thirty six thousands one hundred sixty four only) towards Assessment and Rs. 10,00,000.00 (Rupees ten lakhs only) towards penalty have been levied u/s 4 & 6 of OPLE Act, 1972 and accordingly demand has been communicated.

C. The details of land schedule of forest land involved in the Encroachment Case against Vedanta Ltd. is as follows:

Land Schedule
Mouza: Bhurkamunda

Khata No.	Plot No.	Area in Ac.	Kisam
108	188	48.68	Gramya Jungle

The assessment and penalty imposed as mentioned above has not yet deposited by the M/S Vedanta Ltd.


Regarding cancellation of permission may be available with the District Office.

D. This is related to the Regional Officer, Pollution Control Board, Jharsuguda

E. The petitioner is intimated to follow up the Rule-4 of OGLS Rules, 1983 regarding the change of Gochar land in Municipality i.e. urban area.

This is for your information.

Yours Faithfully


Addl. Tahasildar-Cum-PIO
Tahasil Office, Jharsuguda

Memo No. /Dt.

Copy to PIO, Collectorate, Jharsuguda for kind information and necessary action with reference to his letter No. 6619, dt. 13.09.2019.

Addl. Tahasildar-Cum-PIO
Tahasil Office, Jharsuguda

Certified copy of entire order sheet, Notice, Tahasildar report of O.P.R. Case No-01/2022

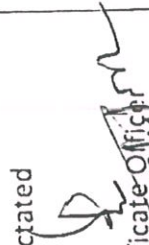
ORDER SHEET

SEE PARAGRAPH 207(I) OF THE ODISHA RECORD MANUAL-1964

Order Sheet Date..... To.....

Tahasil..... P.S..... Village.....

District..... Sub-Division..... No. 01/2022

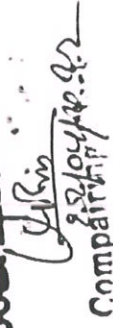
Serial No. & Date of Order	Order & Signature of Officer	No. of action taken on order with date
18-04-2022	<p>Received requisition from Tahasildar, Jharsuguda for realization of Rs. 17,67,680/- vide Letter No. 1180 dated 25-03-2022 from CEO, Vedanta, Bhurkamunda, Jharsuguda towards Encroachment of Govt. land. Examined the requisition found to be in order subject to rectification of following defects as mentioned below:</p> <ol style="list-style-type: none"> 1. 2. 3. <p>Directed requiring officer to rectify the defects by dt. _____ failing which the case will be dropped u/s 52(2) of O.P.D.R. Act 1962 and struck off from my register without further reference to him.</p> <p>I am satisfied that recovery is not barred by limitation. Certificate is signed. Issue Notice u/s 6 of O.P. D. R. Act 1962 to Cdr and requisition in form No. AA through Tahasildar, Jharsuguda for service and return by <u>17-05-2022</u></p> <p>Issue notice to Chr. For rectification. Put up on <u>17-05-2022</u></p> <p style="text-align: right;">Dictated  Certificate Officer Jharsuguda</p>	



~~COPIED BY ME~~


Copyist Clerk

COPIED BY ME


Copyist Clerk

121

1

PR No. 01
18-04-22

FORM No.3

(Appendix to Schedule II of the Orissa Public Demand Recovery Act, 1962)

NOTICE TO CERTIFICATE DEBTOR

(See Section 6 of the Orissa Public Demand Recovery Act, 1964)

To

CEO, Vedanta Limited, Jharsuguda

You are hereby informed that a Certificate against you for Rs. 17,67,680/- due from you on account of Encroachment Case no. 158/2013 has this day been filed in my Office U/s 3 & 5 of the Orissa Public Demand Recovery Act, 1962. If you deny your liability to pay the said sum of Rs. 17, 67,680/- you may, within thirty days from the service of this notice, file in my office a petition denying liability in whole or in part, on one or more of the ground specified below.

- a) The Certificate dues have been fully or partly paid.
- b) The person on whom such notice has been served is not the person named as Certificate Debtor in the Certificate.
- c) A Certificate debtor in respect of dues other than those in relation to which the liability under any law for the time being in force is not open a question in a Civil Court, may also deny his liability on any other ground.

If within the said thirty days, you fail to file such a petition or if you fail to Show-Cause or do not show sufficient cause, why such Certificate should not be executed, it will be executed, under the provisions of the said Act, unless you pay Rs. 17,67,680/- (Rupees Seventeen Lakh Sixty Seven Thousand Six Hundred Eighty) only on account of the demand and Rs.20.00 on account of cost of realization in to my office. Until the said amount is so paid you are hereby prohibited from alienating your immovable property or any part of it, by sale, gift, mortgage or otherwise. If you, in the meantime conceal, remove or dispose of any part of your movable property, the certificate will be executed immediately.

A copy of the Certificate above mentioned is hereto annexed.
You may remit the amount by money order, quoting the number and year of the Certificate.

Dated this ____ day of ____ 20.



[Handwritten Signature]

Certificate Officer
Jharsuguda

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[Handwritten Signature]
Copyist Clerk

COMPARED BY ME

[Handwritten Signature]
Comparing Clerk

122

PR No. 01
18-04-22

FORM No.1

CERTIFICATE OF PUBLIC DEMAND

(See section 3 & 5)

Filed in the Office of the Certificate Officer of (Name of District) Jharsuguda

No. of Certificate	Name & Address of Certificate Holder	Name & Address of Certificate Debtor	Name & Address of sureties	Amount of public demand (including interest if any, and section (a) if any for which this certificate is signed and period for which such demand is due.	Further particular of the Public demand for which this Certificate is signed.
1	Tahasildar, Jharsuguda	3 CEO, Vedanta Limited Bhurkamunda, Jharsuguda	4 Vedanta Limited Bhurkamunda Jharsuguda	5 I. Assessment till end of 2019-20= Rs.14,09,184/- II. Interest for 2020-21 & 2021-22 =Rs. 3,58,496/- TOTAL-Rs. 17,67,680/-	6 Encroachment case No. 158/2013



I hereby certify that the above mentioned sum of Rs. 17,67,680/- is due to the Tahasildar, Jharsuguda from the above, named CEO, Vedanta Limited, Jharsuguda.

I further certify that the above mentioned sum of Rs. 17,67,680/- is recoverable and its recovery by suit is not barred by law.

Dated this _____ day of _____

[Signature]
Certificate Officer
Jharsuguda

COMPARED BY ME

[Signature]
Copyist Clerk

COMPARED BY ME

[Signature]
Comparing Clerk

123

252¹³
06/04/22

OFFICE OF THE TAHASILDAR, JHARSUGUDA

No. 1180 Dtd. 26.03.2022

To

The Sub-Collector,
Jharsuguda

Sub: Submission of requisition for OPDR case against Enc case No. 158/2013.

S. S. S. S.
Sir,

With reference to the subject cited above, I am to say that one encroachment case has been instituted against M/S Vedanta Limited for unauthorized occupation of Govt. Land vide encroachment case No. 158/2013. In this connection repeated demand notice has been issued and served for deposit of assessment, penalty etc. under OPLE Act & Rule. However, M/S Vedanta Limited failed to deposit the demand. Further, as per Govt. Notification No. 42117/ R 05.08.1999 of the Revenue & Excise Department Govt. Of Odisha, the Sub-Collector of the Sub-Division of the respective district is the 'Certificate Officer' all requisition for recovery of public Demand under the O.P.D.R. Act, 1962 for exceed 10 lakhs (Rupees Ten Lakh) only but less than 25 Lakhs (Rupees Twenty Five Lakh) only.

bc opdr

Therefore, I am to submit herewith the requisition in Form 1 under section 3 & 5 of OPDR Act 1962 for favour of your kind information and necessary action.



Yours faithfully

S. S. S. S.
Tahasildar, Jharsuguda

COPIED BY ME

S. S. S. S.
Copyist Clerk

COMPARED BY ME

S. S. S. S.
Copyist Clerk

124
4

FORM-2
REQUISITION FOR CERTIFICATE
[See Section 4]

To

The Certificate Officer of the District of Jharsuguda

Name of the certificate-debtor	Address of certificate-debtor	Name of surety	Address of surety	Amount of public demand for which this requisition this requisition is made	Nature of the public demand for which this requisition is made
1	2	3	4	5	6
CEO, Vedanta Limited, Jharsuguda	Bhurkamunda, Jharsuguda	Vedanta Limited	Bhurkamunda, Jharsuguda	(i)Assessment till end of 2019-20: Rs 14,09,184.00 (ii) Interest for 2020-21 & 2021-22 : Rs 3,58,496.00 Total Rs 17,67,680.00	Encroachment Case No. 158/2013

I request you to recover the above-mentioned sum of the Rs 17,67,680.00 (Rupees Seventeen Lakh Sixty Seven Thousand Six Hundred Eighty) only which I am satisfied after enquiry, is due from the said company in respect of encroachment case No. 158/2013. Verified by me on the 25th day of March 2022.



COPIED BY ME
[Signature]
Copyist Clerk

COMPIRED BY ME
[Signature]
Comparing Clerk

[Signature]
Tahsildar
9/3/2022
Jharsuguda

Certified copy enclosures
 ଆଦେଶ ନମ୍ବର 158/13
ORDER SHEET
 [ଓଡ଼ିଶା ଅଭିଲେଖ ପ୍ରକରଣ ପୁସ୍ତକ, 1964 ର ପାଠା 207 (1) ଦ୍ୱାରା]
 ଓ. ନମ୍ବର 20
 ଓଡ଼ିଶା ଜହାରସୁଗୁଡା, ଥାନା ଜହାରସୁଗୁଡା, ଗ୍ରାମ
 ଜିଲ୍ଲା ଜହାରସୁଗୁଡା, ରେଭେନ୍ସା ଜହାରସୁଗୁଡା ସଂଖ୍ୟା 158/13
 ଲେଖକ ଶ୍ରୀ ଶ୍ରୀ ରାମଚନ୍ଦ୍ର ନାଥ

ENCROACHMENT

ଆଦେଶର କ୍ରମିକ ସଂଖ୍ୟା ଓ ତାରିଖ	ଅଧିକାରୀଙ୍କର ଆଦେଶ ଓ ସ୍ୱାକ୍ଷର	ଆଦେଶ ପ୍ରକାର
1	2	3

W.H.B
 Seen the report of R.I. Jharsuguda
 Circle in form 'G' showing that Sri/Smt. ^{Company}
Beodanta Aluonina Lathi
 Sto., W/o, D/o. Acquisition Officer
Village Bharkarpur, Badkhal
 in the District of Jharsuguda has unauthorisedly encroached /
 occupied the following schedule of Govt. land for
Ash Pond purpose.

LAND SCHEDULE

Name of the Mouza..... Bharkarpur

M.S. Khata No.	Plot No.	Area	Kisam.	Full Plot Area
----------------	----------	------	--------	----------------

108	180	15.11	୩୩୩୩	
	188	48.68		
	520	16.48	୩୩୩୩	
	522	0.72		
	524	0.82		
	525	12.15		
	512	14.32		



Issue notice u/s-9 of the O.P.L.E. Act, 1972 to show cause on dt. 22.3.13 as to why action as provided U/S 4, 6, 7 & 8 of the said act shall not be taken against him/her for such unauthorised occupation of Govt. land

Dictated.

Xerox Copy
 4y no

[Signature]
 Tahasildar, Jharsuguda

ଅନୁସୂଚୀ LIII - ଖଣ୍ଡମ ସଂ. 321

[ଓଡ଼ିଶା ଅଭିଲେଖ ପ୍ରକରଣ ପୁସ୍ତକ, 1964 ର ପାଠା 207 (1) ଦ୍ରଷ୍ଟବ୍ୟ]
(CONTINUATION OF ORDER SHEET)

*Certified copy prepared
and submitted to
Chief Magistrate*

ଆଦେଶ ପ୍ରମିତ ସଂଖ୍ୟା ଓ ତାରିଖ	ଅଧିକାରୀଙ୍କର ଆଦେଶ ଓ ସ୍ୱାକ୍ଷର	ଆଦେଶ ପ୍ରକାର କାର୍ଯ୍ୟାଳୟ ବିଷୟ ଓ ତାରିଖ
	2	3
23.04.2013	<p>The case is taken up today. Form no 'Ka' & 'Ga' have duly been served. The Head Human resource of M/S Vedanta Aluminium Ltd., Bhurkamunda filed a petition stating that they have got permission from District Administration for filling fly ash over the plot no-188. They prayed for dropping the encroachment proceeding. Ask R.I concern to furnish a detailed report in this regard.</p> <p style="text-align: center;">Case to 15.05.2013.</p> <p style="text-align: right;">Dictated</p>	
15.05.2013	<p style="text-align: center;">Tahasildar Jharsuguda</p> <p>The case is taken up today. One Manoj Ku Behera on behalf of M/S Vedanta Aluminium Ltd., Bhurkamunda appeared before me. Heard him. He prayed to drop the case on the plea that they have got permission from District Administration for filling Ash over the case land. R.I has not yet submitted his report. Remind him.</p> <p style="text-align: center;">Put up after report is received from R.I.</p> <p style="text-align: right;">Dictated</p> <p style="text-align: center;">Tahasildar Jharsuguda</p>	
03.09.2013	<p>The case is taken up today. R.I has submitted his report. Perused the report of R.I. It appears from the enquiry report that there is ash pond with 40 to 50 feet height constructed by M/S Vedanta Aluminium Ltd. over the case plot. Besides the permission was given to M/S Vedanta Aluminium Ltd. was to fill up fly ash over plot no.188 under Khata no.108 of Bhurkamunda not to construct ash pond. Hence issue notice u/s 6(1) of the O.P.L.E Act, 1972 in form no 'kha' to vacate the land within 30 days from the date of receipt of this notice else they will be evicted from the case land as per law.</p> <p style="text-align: right;">Dictated</p> <p style="text-align: center;">Tahasildar Jharsuguda</p>	



Xerox Copy Prepared
By me

Annexure - A-9

JHARSUGUDA REGIONAL IMPROVEMENT TRUST, JHARSUGUDA

No. 2893/JRIT.,

To

Mr. C. N. Singh, C.E.O.

M/S Vedanta Limited, Jharsuguda

Vill:-Bhurkamunda

Po:-Kalmoudir

Dist:-Jharsuguda(Odisha)-768202.

Dt. 25-5-2021

Sub:- Unsatisfactory reply to this Office letter No.1909/JRIT., dtd.10.03.2021.

Ref:- Your reply letter No. NIL dtd.22.03.2021.

Sir,

With reference to the subject cited above, I am to say that :

- 1) You have not submitted any proof of receipt of your application for grant of permission for 8 Blocks of S+9 stored Residential Apartment.
- 2) In your reply you have admitted that you have not obtained the required approval from JRIT., Jharsuguda under section 33(1) of the OTP & IT Act, 1956 for construction of said Buildings in question. Hence said construction is treated as "UNAUTHORISED".

However you are required to apply afresh within 30 days from the date of receipt of this letter for further action failing which action as deemed proper shall be initiated against you.

Yours faithfully,



Secretary,

JRIT., Jharsuguda.