

Action Taken Report

**ORDER OF HON'BLE NGT, WESTERN ZONE BENCH, PUNE IN THE MATTER OF BRACKISH WATER RESEARCH CENTRE VERSUS DEENDAYAL PORT AUTHORITY &Ors. [OA NO. 59/2022(WZ)]**

**1) Major points in matter:**

- M/s.Deendayal Port Authority has started construction of a RO - RO jetty through its contractor and carried out dredging and excavation in costal area without obtaining Environment Clearence (EC), Violation of Costal Regulation Zone Notification, 2011 & 2019, Violation of the E(P) Act, 1986 and Environment Impact Assessment Notification, 2006. Violation of the Air Act – 1981, the Water Act – 1974, the Hazardous waste rules, 2016 and the Biodiversity Act – 2002.

**2) Direction:**

- Hon'ble NGT directed to submit reply affidavits within four week.

**3) Latest status of the Industry:**

- In connection to complaint through Email of Mr. MSH Sheikh, president of Brackish water research centre dated 14/12/2021, this site is inspected by the GPCB officials on dated 18/01/2022.
- Also, the complaint of Mr. MSH sheikh through Email regarding violation of CRZ is taken as agenda in District level CRZ Committee Meeting dated 21/02/2022. Minutes of meeting attached here with as Annexure – I.
- Unit has submitted, obtained Environmental and CRZ Clearance bifurcation (600 meter water front) issued to M/s. Essar Bulk Terminal Limited for expansion of port facility at Hazir, Surat, Gujarat from MoEF&CC, New Delhi. Copy of Environmental and CRZ Clearence attached herewith as Annexure – II.
- M/s. Deendayal Port Authority (PCB ID: 88242) has obtained EC to NOC (CTE) from Gujarat Pollution Control Board on dated 24/06/2022. Copy of the NOC (CTE) is attached herewith as Annexure – III.
- Unit has applied for CTO (CCA) from Gujarat Pollution Control Board vide Inward No. 261148 dated 07/07/2022, which is under process.

જિલ્લા દરિયા કાંઠા નિયમન વિસ્તાર (CRZ) સમિતિની તા. ૨૧/૦૨/૨૦૨૨ ને ૧૬:૩૦ કલાકે કલેક્ટર કચેરી ખાતેની બેઠકની મિનિટ

સૌ પ્રથમ ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડના પ્રાદેશિક અધિકારી અને જિલ્લા દરિયા કાંઠા નિયમન વિસ્તાર (CRZ) સમિતિનાં સભ્ય સચિવશ્રી દ્વારા ઉપસ્થિત તમામ સભ્યશ્રીઓ ને મિટિંગની શરૂઆતમાં આવકારી CRZ Notification 2019નું પ્રેશનટેશન આપી તમામ સભ્યોને CRZ Notification બાબતે માહિતીગાર કરવામાં આવ્યા અને ત્યારબાદ ચર્ચા કરવાના મુદ્દાઓથી અવગત કરાયા અને માનનીય કલેક્ટર અને જિલ્લા દરિયા કાંઠા નિયમન વિસ્તાર (CRZ) સમિતિનાં ચેરમેનશ્રી દ્વારા મુદ્દાઓની ચર્ચા શરૂ કરાઈ.

**મુદ્દા નં. ૧**

દીનદયાલ પોર્ટ દ્વારા રો-રો ફેરીના જેટીનું બાંધકામ મંજૂરી વગર ચાલુ કરી દીધેલ છે તે બાબતની મળેલ ફરિયાદ.

- સદર સાઈટ તા. ૧૮.૦૧.૨૦૨૨ નાં રોજ સભ્ય સચિવશ્રી જિલ્લા દરિયા કાંઠા નિયમન વિસ્તાર (CRZ) સમિતિ વતી પ્રા. ક. જી. પી. સી. બી. નાં અધિકારીશ્રીઓ દ્વારા વિઝીટ કરી રીપોર્ટ વડી કચેરી, ગાંધીનગર ખાતે મોકલાવેલ છે. સદર સાઈટ વિઝીટ દરમિયાન construction work of jetty & terminal Building ચાલુ જોવ મળેલ.
- સદર બાબતે મિટિંગમાં ઉપસ્થિત પોર્ટ ઓફિસરશ્રી, મગદલા પોર્ટ, સુરત એ જણાવેલ કે જીએમબી દ્વારા સદર જમીન દીનદયાલ પોર્ટ ને ફળવાયેલ છે અને આ આખા પ્લોટના ડેવલોપમેન્ટ માટે સંયુક્ત CRZની મંજૂરી લેવામાં આવેલ છે. સદર પોર્ટને લગતી CRZ clearance ની કોપી મીટિંગની તારીખ થી એક અઠવાડિયાની અંદર પોર્ટ ઓફિસર દ્વારા રજુ કરવામાં આવશે.
- ચેરમેન શ્રી એ જણાવેલ કે દીનદયાલ પોર્ટને મંજૂરી તથા પોર્ટનો કબજો આપેલ હોઈ સદર મંજૂરીઓ પ્રાદેશિક કચેરી ગુજરાત પ્રદુષણ નિયંત્રણ બોર્ડ, સુરત ને રજુ કરવી, અને તમામ દસ્તાવેજોની નકલ ગુજરાત કોસ્ટલ ઝોન મેનેજમેન્ટ ઓથોરિટીને જરૂરી કાર્યવાહી અર્થે મોકલી આપવી.

**મુદ્દા નં. ૨**

સર્વે નં ૫૮૧ ગામ તેના પર ઝીંગા ફાર્મ CRZ વિસ્તારમાં મંજૂરી વગર બનાવેલ છે તે અંગેની તેના ગ્રામ પંચાયતની રજૂઆત અંગેની વન અને પર્યાવરણ વિભાગ મારફત મળેલ ફરિયાદ બાબત. (NGT OA : 81/2020)

- Hon. NGT ના તા: ૩૧/૦૫/૨૦૨૧ હુકમ મુજબ બનાવેલી જોઈન્ટ કમિટીની દ્વારા સદર સ્થળની DILR ને સાથે રાખી સાઈટ વિઝીટ કર્યા બાદ આગળની કાર્યવાહી હાથ ધરવી.

**મુદ્દા નં. ૩**

સુરત જિલ્લા નાં ભાઠા ગામના બ્લોક નં ૬૨૪, તા: ચોર્યાસી પર ભુલકા વિહારની ખાનગી શાળા દ્વારા CRZ વિસ્તારમાં ગેરકાયદેસર બાંધકામ બાબત.

- મીટિંગમાં વિગતોની ચર્ચા થયા બાદ સૂચન કરવામાં આવ્યું કે SUDA તથા SMC દ્વારા સદર થયેલ બાંધકામ બાબતની તથા શાળા દ્વારા લેવામાં આવેલ લોકલ સત્તામંડળની અન્ય મંજૂરીઓની ચકાસણી કરી રજુ કરવી અને જો CRZ ની અમલવારી પહેલા સદર શાળાનું બાંધકામ થયેલ હોઈ તો CRZ મંજૂરીનો પ્રશ્ન ઉપસ્થિત થતો નથી. જેની ચર્ચા આગળની મીટિંગમાં કરવામાં આવશે.

## મુદ્દા નં. ૪(A)

મોજે ડુંઢ ટી.પી. સ્કીમ નં.૩ એફ.પી. ૨૮, ૨૯ પર શિલ્પમ કોર્પોરેશનમાટે CRZ નાં અભિપ્રાય બાબત.

- સદર સાઈટ વિઝીટ તા:૧૫/૦૨/૨૦૨૨નાં રોજ સાઈટ વિઝીટ કરી રીપોર્ટ વડી કચેરી, ગાંધીનગર ખાતે મોકલવામાં આવેલ છે.સદર સાઈટ વિઝીટ દરમ્યાન મોજે.ડુંઢ ટી.પી.સ્કીમ નં.૩ એફ.પી.૨૮,૨૯,પર શિલ્પમ કોર્પોરેશન નો ખુલ્લો પ્લોટ જોવા મળેલ છે. જેમાં નદી અને પ્લોટ વચ્ચે ૧૨ મીટર પહોળો SMC નો રોડ તથા SMC નો ખુલ્લો પ્લોટ આવેલ છે. જેનું નદી કિનારે થી એક ખૂણાનું અંતર ૧૦૯ મીટર અને બીજા ખૂણા નું અંતર ૧૧૨ મીટર જણાયેલ છે.જે નું અવરેજ અંતર તાપી નદીના કિનારા થી ૧૦૦ મીટર કરતા વધારે જણાય છે.
- સદર બાબતે એકમને સ્થળનું ભારત સરકાર દ્વારા અધિકૃત કરેલ સંસ્થાઓ દ્વારા CRZ Mapping કરાવી, એકમ સ્થળ ને CRZ Map પર superimpose કરાવી રીપોર્ટ રજૂ કરવા જણાવેલ છે.

## મુદ્દા નં. ૪(B)

સ્વામી શીર્ષીંગ અને હોસ્પિટાલીટી પ્રાઈવેટ લિમિટેડ, બી/૫૦ દ્વારા તાપી રીવરફ્રન્ટ નજીક તરતી હોટલ અને બોટિંગ તથા ગ્રાઉન્ડ સ્પોર્ટ શરૂ કરવા માટે મંજૂરી બાબત.

- મીટિંગમાં ડીટેલ ચર્ચા બાદ સમિતિના સભ્યો દ્વારા નિર્ણય લેવામાં આવેલ કે હોટેલ, રેસ્ટોરન્ટ અંગેની પ્રવૃત્તિ તાપી નદીમાં એટલે કે CRZ માં permissible activity નથી, બોટિંગ અને ગ્રાઉન્ડ/વોટર સ્પોર્ટ જેવી પરમીશીવલ ગુજરાત કોસ્ટલ ઝોન મેનેજમેન્ટ ઓથોરીટીમાં અરજી કરી જરૂરી મંજૂરી મેળવ્યા બાદ જ હાથ ધરવા નિર્ણય કરેલ છે.

## મુદ્દા નં. ૪(C)

એ.જી. ઓડીટ તારીખ ૩૦/૧૦/૨૦૨૧ નાં પત્ર માં દર્શાવ્યા મુજબની જગ્યાઓ પર CRZ વિસ્તારમાં કરવામાં આવેલ બાંધકામ બાબત.

- તા. ૧૫.૦૧.૨૦૨૨ નાં રોજ સભ્ય સચિવશ્રી જિલ્લા દરિયા કાંઠા નિયમન વિસ્તાર (CRZ) સમિતિ વતી પ્રા. ક. જી. પી. સી. બી. નાં અધિકારીશ્રીઓ દ્વારા સાઈટ વિઝીટ કરેલ, જે દરમિયાન વિભાગના પત્ર માં નાં સ્થળ પર એ.જે. ડાર્મ, તાપી કાંઠે, સાઈલન્ટ ઝોન નજીક, મોજે ડુમસ, સુરત પર ડાર્મ હાઉસનું બાંધકામ તાપી નદીના વહેણનાં પટમાં પુરાણ કરી થયેલ જોવા મળેલ છે.
- વિગતે ચર્ચા બાદ નિર્ણય કરવામાં આવેલ કે સદર બાંધકામ SMC ની હદ વિસ્તારમાં આવતું હોઈ કોર્પોરેશન દ્વારા સ્થળ તપાસ કરી સ્થળ પર થયેલ બાંધકામ અને બાંધકામ મંજૂરી અંગેના દસ્તાવેજો રજૂ કરવાં. અને જે બાબતે આગળની મિટિંગમાં ચર્ચા કરવામાં આવશે.

## મુદ્દા નં. ૪(D)

મોજે ખજોદ સ્થિત ડાયમંડ રીસર્ચ અને મર્કન્ટાઈલ સીટી (DREAM CITY)ની મેન-મેડ સ્ટોર્મ વોટર ડ્રેન માટે CRZ નાં અભિપ્રાય બાબત.

- હજાર રહેલ SMC નાં અધિકારી શ્રી દ્વારા રજૂઆત કરાયેલ કે સદર ખજોદ સ્થિત ડાયમંડ રીસર્ચ અને મર્કન્ટાઈલ સીટી (DREAM CITY) માટેની જગ્યા SMC દ્વારા ફાળવવા માં આવેલ છે, બે ખાડી CRZ નાં નકશામાં બતાવેલ છે તે મેન-મેડ સ્ટોર્મ વોટર ડ્રેન છે જે કોર્પોરેશન દ્વારા બનાવવામાં આવેલ છે તેમજ સદર સ્થળના જૂના ગુગલ મેપ પર નકશાઓ મીટિંગમાં બતાવેલ જે જોતા સદર ખાડીઓ દેખાઈ આવેલ નથી.
- ચેરમેન શ્રી એ જણાવેલ કે સદર મેન-મેડ સ્ટોર્મ વોટર ડ્રેન બનાવવામાં આવેલ હોય તે અંગેના દસ્તાવેજો અને થયેલ ખર્ચ નાં પુરાવાઓ અંગેની વિગતો SMC દ્વારા રજૂ કરવી.

64 મુદ્દા નં. ૫

ઉજ્જરા કાંઠા વિસ્તાર ઓઘોગિક પ્રદુષણ નિવારણ સમિતિ ની મેં.એએમ & એનએસ દ્વારા CRZ નિયમોના ભંગ બાબતેની રજૂઆત અન્વયે વિભાગનો તા.૦૪/૦૧/૨૦૨૨ નો પત્ર.

- ચેરમેનશ્રી એ જાણાવેલ કે, મેં.એએમ & એનએસ માં MoEF, Regional Officer દ્વારા સાર્ટટ વિઝિટ થઈ તે રિપોર્ટ મેળવવો અને અરજદાર સાથે સાર્ટટ વિઝિટ કરવી.

મુદ્દા નં. ૬

સુવાલી તથા ડભાલીને લાગુ દરિયાકિનારાને વિકસાવવા બાબતેનો ટુરીઝમ કોર્પોરેશન ઓફ ગુજરાતનો પત્ર.

- સદર ડેવલોપમેન્ટ માટે જે જગ્યા ફાળવવામાં આવે તે જગ્યા પર કરવામાં આવી શકેલ ડેવલોપમેન્ટ અને પ્રવૃત્તિ માટે જરૂરી મંજૂરી ગુજરાત કોસ્ટલ મેનેજમેન્ટ એક્ટ ઓથોરીટીમાં અરજી કરી મેળવી લેવા જાણાવવામાં આવે છે.



ડૉ.જે.ડી.ઓઝા

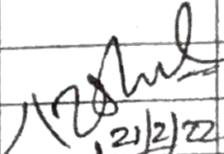
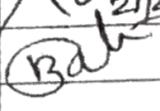
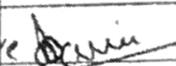
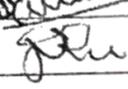
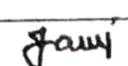
પ્રાદેશિક અધિકારી અને સભ્ય સચિવશ્રી,  
જિલ્લા કક્ષાની CRZ સમિતિ



ડૉ.આયુષ.ઓઝા (આઈ.એએસ)

જિલ્લા કલેક્ટર અને અધ્યક્ષ  
જિલ્લા કક્ષાની CRZ સમિતિ

Members remain present in meeting of District Level CRZ Committee dated 21.02.2022

Sr. No.	Name	Designation	Sign	Mo.
1	Ashesh R. Shah	Nodal officer		9978711888
	Gujarat Maritime Board		21/2/22	
2.	B. R. Patel	Asst. Director Fisheries		9320095161
3.	Pradip R. Navik	Representative		9913557777
4	D. D. Muthy	Representative Mauilom (SMC)		97243 45467
5.	Manish Datar	T.D.O. S.M.C.		97243 45463
6	K. L. Bhoja	T. P. SURAT		9839305329

Other officials remain present in meeting on 21/02/2022.

Name	Designation/Department.	Sign	No.
① <u>3rd Officer</u>	<u>DFLR Surat</u>		99247-63964
②			
③			
④			
⑤			

**ANNEXURE-II**

**F. No. 11-46/2011-IA.III**  
Government of India  
Ministry of Environment, Forest and Climate Change  
(IA-III Section)

Indira Paryavaran Bhawan  
Jor Bagh Road, Aliganj,  
New Delhi – 110003  
**E-mail: ad.raju@nic.in**  
**Tel: 011-24695296**

Dated: 4<sup>th</sup> April, 2022

To

**Sh. Suresh Patil**  
Chief Engineer  
M/s DEENDAYAL PORT TRUST  
A. O. Building, P.O.Box no. 50, Gandhidham- Kutch  
Gujarat- 370 201.

**Subject: Bifurcation (600 mt waterfront out of total 4800 mt) of Environmental and CRZ Clearance issued to M/s ESSAR Bulk Terminal Limited for expansion of Port facility at Hazira, Surat, Gujarat- Transfer of Environmental and CRZ Clearance - Reg.**

Sir,

This has reference to your letter No. 'EG/WK/4751 (Part RO-Pax), dated 14<sup>th</sup> August, 2021 regarding the transfer of Environmental and CRZ Clearance from M/s ESSAR Bulk Terminal Limited (EBTL) to M/s Deendayal Port Trust (DPT) for the project mentioned above.

2.0 It has been noted that the project mentioned above was accorded environmental and CRZ clearance by the Ministry *vide* letter of even number dated 06<sup>th</sup> May, 2014 to the ESSAR Bulk Terminal Limited for the "Expansion of Port facility" at Hazira, Surat, Gujarat. Ministry has examined your application regarding transfer of EC and CRZ clearance and noted that Gujarat Maritime Board (GMB), Govt. of Gujarat has allotted the above said water front along with backup land to DPT for development of 600 m waterfront and 24 ha backup area at Hazira port for RoRO/RoPax facility.

3.0 The Principal Secretary, Ports & Transport Department, Government of Gujarat, vide a letter No. GMB-ENV-3(41-E)/3639 dated 20(21)/07/2020 addressed to the Secretary, MoEF&CC, GoI, has stated that the entire water front for 4800 m has been accorded EC/CRZ Clearance to M/s EBTL, Surat, out of which 600 m waterfront with 24 Ha Land adjoining to existing developed waterfront is now proposed to be developed by Deendayal Port Trust (DPT) under the direction of the Ministry of Shipping.

4.0 No Objection Certificate/Affidavit dated 15.06.2021 from transferee i.e., M/s Deendayal Port Trust (DPT) in a non-judicial stamp paper for bifurcation and transfer of environmental and CRZ clearance letter dated 06<sup>th</sup> May, 2014 has been received. In addition, the undertaking mentioning that M/s Deendayal Port Trust shall comply with all the conditions mentioned in the Environment Clearance has been received.

5.0 No Objection Certificate/Affidavit dated 14.02.2022 from transferor i.e., M/s ESSAR Bulk Terminal Limited (EBTL) in a non-judicial stamp paper has been received for Bi-furcation and transfer of its environmental and CRZ clearance letter dated 06th May, 2014 for the "Development of 600 m water front & 24 Ha back up area by M/s DPT".

6.0 In view of the above, it has been decided by the Ministry to accord Bi-furcation in the Environment and CRZ Clearance accorded to M/s ESSAR Bulk Terminal Limited (EBTL) vide letter of even number dated 06<sup>th</sup> May, 2014 in the name of M/s Deendayal Port Trust for "Development of 600 m water front & 24 Ha back up area by M/s Deendayal Port Trust".

7.0 You are requested to obtain 'Consent to Establish' and 'Consent to Operate' from the State Pollution Control Board concerned in the name of M/s Deendayal Port Trust.

8.0 M/s Deendayal Port Trust shall comply with all the specific and general conditions stipulated in the environmental and CRZ clearance of even no. dated 06<sup>th</sup> May, 2014. All other conditions stipulated in the environmental and CRZ clearance letter shall remain the same.

9.0 In case, there is a change in the scope of the project, fresh environmental and CRZ clearance shall be obtained.

This issues with the approval of the Competent Authority.

  
(Amardeep Raju)  
Scientist-E

**Copy to:**

1. The Principal Secretary, Department of Forests & Environment and Chairman, GCZMA, Govt. of Gujarat, Sachivalaya, Gandhinagar.
2. The Regional Officer, Ministry of Env., Forest and Climate Change, Integrated Regional Office, Gandhi Nagar, A wing- 407 & 409, Aranya Bhawan, Near CH-3 Circle, Sector-10 A, Gandhi Nagar-382010.
3. The Chairman, Central Pollution Control Board Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi - 110 032.
4. The Member Secretary, Gujarat Pollution Control Board, Sector 10-A, Gandhi Nagar - 382043.
5. The Chief executive Officer, M/s ESSAR Bulk Terminal Limited (EBTL), 27 km, Surat-Hazira Road, Hazira - 394 270, Gujarat.
6. Monitoring Cell, MoEF&CC, Indira Paryavaran Bhavan, New Delhi.
7. Guard File/ Record File/ Notice Board.

  
(Amardeep Raju)  
Scientist-E

**F.No.11-46/2011-IA.III**  
**Government of India**  
**Ministry of Environment & Forests**  
**(IA.III Section)**

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

**Dated: 6<sup>th</sup> May, 2014**

**To**  
**The Chief Executive Officer,**  
**M/s Essar Bulk Terminal Ltd.,**  
**27 km, Surat – Hazira Road,**  
**Hazira – 394 270, Gujarat**

**Contact Person Details:**  
**Capt. S. Das,**  
**Tel. No. 0261 668 (extn:2246),**  
**Fax: 0261-6685544**  
**Email: Subhas.das@essar.com**

**Subject: Environmental and CRZ Clearance for expansion of Port facility at Hazira, Surat, Gujarat by M/s Essar Bulk Terminal Ltd. - Reg.**

\*\*\*

This has reference to your letter no. EBTL/ENV/CRZ/MoEF/JP/10-12 dated 30.10.2012 and subsequent letters dated 14.05.2013, 05.08.2013 and 12.11.2013 seeking prior Environmental and CRZ Clearance for the above project under the EIA Notification – 2006 and Coastal Regulation Zone (CRZ) Notification, 2011. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification – 2006 and Coastal Regulation Zone Notification, 2011 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, recommendation of State Coastal Zone Management Authority, EIA, EMP and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meetings held on 10<sup>th</sup> - 12<sup>th</sup> June, 2013, 28<sup>th</sup> -30<sup>th</sup> October, 2013 and 20<sup>th</sup> – 23<sup>rd</sup> November, 2013.

2. It is inter-alia, noted that the proposal involves expansion of the existing port facility of the Essar Bulk Terminals Limited (EBTL) on the Tapi estuary at Hazira. EBTL constructed a Deep Water Berth, a 6.2 km long and 8 m deep Navigational Channel with two Turning Circle of radius of 600 sqm to meet the increasing demand of Essar Steel which is being expanded and other Essar establishments. The Environmental Clearance (EC) for these developments was granted by the MoEF in September, 2007. Subsequently, in December 2007, the MoEF granted EC for reclamation of 350 ha to accommodate back-up facilities by utilizing dredged material. Although the EC was granted for 350 ha reclamation, Essar could reclaim only 186 ha. Since, there is a mangrove patch to the south of the area already reclaimed,

1  


it is proposed to reclaim the area (164 ha) to the south of the mangrove patch. In addition, it is proposed to expand the Port Terminal further by developing additional facilities such as (i) Reclamation of another 170 ha for storing fuel for ships, petroleum products and bulk chemicals such as glycols, paraffin, butanol etc (ii) Extending channel from 6.2 to 17.6 km, deepening from 8 to 16 m and broadening from 180-230m to 300-350m the Navigational Channel, (iii). Use of the dredged material for reclamation of 334 ha of the intertidal area. (iv) Utilization of the water front for Container and Break Bulk Berth (1100 m) for loading containerized and unit cargo; General Cargo Berth (700 m) for import of heavy machinery and evacuation of heavy fabricated cargo; Liquid Cargo Berth (500m) for petroleum products and chemicals ; Bulk Berth (700 m) for handling increased cargo throughput; Berths for offshore support vessels (500 m) for support to oil and gas prospecting operations; Dry Dock and Berth for Ship Repairs (700 m); Trestle Berth (600 m) connecting the reclamation already completed and the proposed to ensure free flow of seawater in the mangrove area. All berths will be provided with required topside equipment. Gantry Cranes will be fitted with enclosed hopper, covered discharge hood and water sprinkling system to reduce dust generation. EBTL has an Oil Pollution Contingency Plan (OPCP) and Tier -I facilities which will be modified to include the proposed expansion. EBTL has a Waste Management Plan that will be extended to the proposed expansion. Ships will not be allowed to dispose their garbage, solid and oily wastes while at berth and, if required, facilities for pickup of these wastes will be provided. The collected waste will be disposed as per the norms of the GPCB. It will be ensured that the deep-sea ships visiting the berths have on board sewage treatment facility. The Port expansion will be on the reclamation area hence, there are no R&R issues. The total preliminary costing of the Port Expansion. The cost of the project is estimated at Rs. 7050 Crores.

3. The above project was examined by the EAC in its 104<sup>th</sup> EAC meeting held on 17<sup>th</sup> – 19<sup>th</sup> August, 2011 and finalized ToR including conduct of Public Hearing. Public hearing was conducted on 12.07.2012 at Hazira. The major issues are employment, flood control etc.

4. The Gujarat Coastal Zone Management Authority has recommended the project vide letter No.ENV-10-2011-877-E dated 01.06.2013. Project Proponent presented details of compliance of conditions of environmental clearance and Committee noted that the Project Proponent complied with the all conditions. As per the shore line change study done by NCSCM, site falls in stable Coast.

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



**6. SPECIFIC CONDITIONS:**

- (i) "Consent for Establishment" shall be obtained from Gujarat Pollution Control Board under Air and Water Act and a copy shall be submitted to the Ministry before start of any construction work at the site.
- (ii) Project Proponent shall appoint a consultant to look after and advice on the transportation of dangerous chemicals. Sensors for early detection of leakage of propylene and butadiene shall be provided at berths along with water sprinklers.
- (iii) Project Proponent shall ensure proper flushing/free flow of tidal water to the mangroves.
- (iv) Project Proponent shall submit once in 12 months the latest satellite imagery to MoEF to ensure that mangroves are remains fully intact. Any shrinkage in mangrove area noticed either in the satellite imaginary or during site visit, shall be taken as violation.
- (v) The Project Proponent shall get third party inspection carried out once in a year preferably by NEERI to ensure compliance of all the Environmental Clearance (EC) conditions.
- (vi) There shall be no encroachment of project activities in the mangrove area. The various referral distances/latitudes/longitudes as indicated in the enclosed map (Annexure-II) shall be maintained for the conservation of this mangrove area within the port limit.
- (vii) Stock yard on northern side (Hazira Village side) shall be provided with bund and wind screen of atleast 15 mt height with well designed water spray fogging arrangement along with three rows of trees in canopy formation.
- (viii) The height of coal stack yard shall be at least 2 feet below the height of wind curtain.
- (ix) Green belt shall be provided all along stack yard and in the premises.
- (x) The existing coal conveyor from berth to stock yard shall be closed with cover since the present water spray appears to be inadequate.
- (xi) The transportation in the proposed facility shall be in closed conveyor only.



- (xii) Natural drainage system shall be maintained so that there is free flow to the existing mangroves. Mangrove plantation in 500 ha of land in consultation with GEC/Forests Department, Government of Gujarat.
- (xiii) There shall be no disposal of wastes in to the coastal areas.
- (xiv) Hazardous chemicals except the permissible Petroleum products shall not be stored within CRZ area. All the construction, storage shall be as per the CRZ Notification, 2011.
- (xv) All the conditions/recommendations stipulated by Gujarat Coastal Zone Management Authority (GCZMA) No.ENV-10-2011-877-E dated 01.06.2013 shall be complied with.
- (xvi) Oil spill Contingency plan shall be put in place.
- (xvii) Hydrocarbon monitors with provision for alarms set at specific concentrations shall be installed at strategic locations on the berth and around storage tanks as per ISGOTT and OISD.
- (xviii) On site Emergency Management plan shall be put in place.
- (xix) All the recommendation of the EMP, Risk Assessment and DMP shall be complied with letter and spirit. All the mitigation measures submitted in the EIA report shall be prepared in a matrix format and the compliance for each mitigation plan shall be submitted to MoEF along with half yearly compliance report to MoEF-RO.
- (xx) The port shall ensure that the ship under operation follows the MARPOL convention regarding discharge or spillage of any toxic, hazardous or polluting material like ballast water, oily water or sludge, sewage, garbage etc. The emission of NOx and SOx shall remain within the permissible limits.
- (xxi) The hazardous wastes generated shall be collected and disposed as per rules, disposable wastes shall be sent to authorized TSDF. MoU in this regard shall be submitted to the Ro, MoEF along with the six monthly monitoring report.
- (xxii) The dredging materials shall be utilised for reclamation and excess shall be disposed at the site identified by CWPRS.
- (xxiii) A study to determine the reasons for increase in cancer patient in the vicinity shall be carried out.
- (xxiv) A separate Environment Monitoring Cell shall be set up especially for this plant and details shall be submitted to the Ministry prior to the commencement of operation.



- (xxv) Controlled cutter suction dredging shall be used along with the enclosure to contain the turbidity.
- (xxvi) The responses/commitments made during public hearing shall be complied with letter and spirit.
- (xxvii) CSR activities shall cover the villages within 10 km radius. CSR for fishermen shall be carried out as committed.
- (xxviii) There shall be no ground water drawal within CRZ area.
- (xxix) Sewage shall be treated and the Treatment Facility shall be provided in accordance with the Coastal Regulation Zone Notification, 2011. The disposal of treated water shall confirm the regulation of State Pollution Control Board.
- (xxx) Solid Waste Management shall be as per Municipal Solid (Management and Handling) Rules, 2000.
- (xxxi) The project shall be executed in such a manner that there shall not be any disturbance to the fishing activity.
- (xxxii) It shall be ensured that there is no displacement of people, houses or fishing activity as a result of the project.
- (xxxiii) No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.
- (xxxiv) The project proponent shall set up separate environmental management cell for effective implementation of the stipulated environmental safeguards under the supervision of a Senior Executive.
- (xxxv) The funds earmarked for environment management plan shall be included in the budget and this shall not be diverted for any other purposes.

**7. GENERAL CONDITIONS:**

- (i) Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality.
- (ii) Full support shall be extended to the officers of this Ministry/ Regional Office at Bhopal by the project proponent during inspection of the project for monitoring purposes by furnishing full details and action plan including action taken reports in respect of mitigation measures and other environmental protection activities.



- (iii) A six-Monthly monitoring report shall need to be submitted by the project proponents to the Regional Office of this Ministry at Bhopal regarding the implementation of the stipulated conditions.
- (iv) Ministry of Environment & Forests or any other competent authority may stipulate any additional conditions or modify the existing ones, if necessary in the interest of environment and the same shall be complied with.
- (v) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.
- (vi) In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the Ministry of Environment and Forests.
- (vii) The project proponents shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of land development work.
- (viii) A copy of the clearance letter shall be marked to concerned Panchayat/local NGO, if any, from whom any suggestion/representation has been made received while processing the proposal.
- (ix) Gujarat Pollution Control Board shall display a copy of the clearance letter at the Regional Office, District Industries Center and Collector's Office/Tehsildar's office for 30 days.

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

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

10. The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental and CRZ Clearance and copies of clearance letters are available with the Gujarat Pollution Control Board and may also be seen on the website of the Ministry

of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional office of this Ministry at Bhopal.

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

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

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

14. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parishad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the company by the proponent.

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

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

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

  
**(Lalit Kapur)**  
**Director (IA-III)**

Copy to:

1. The Principal Secretary, Department of Forests & Environment and Chairman, GCZMA, Govt. of Gujarat, Sachivalaya, Gandhinagar, Gujarat.

2. The Director, Forests & Environment Department, Govt. of Gujarat, Block No.14, 8<sup>th</sup> Floor, Sachivalaya, Gandhinagar – 382 010.
3. The Chairman, CPCB, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 32.
4. The Chairman, Gujarat State Pollution Control Board, Paryavaran Bhawan, Sector 10 A, Gandhinagar-382 010.
5. The Chief Conservator of Forests, Ministry of Environment and Forests, Regional Office, Western Region, Kendriya Paryavaran Bhavan, Link Road No. 3, Ravishankar Nagar, Bhopal-462016 (M.P.)
6. Guard File.
7. Monitoring Cell, MoEF.

**(Lalit Kapur)**  
**Director (IA-III)**



## GUJARAT POLLUTION CONTROL BOARD

PARYAVARAN BHAVAN

Sector-10-A, Gandhinagar 382010

Phone : (079) 23222425

(079) 23222152

Fax : (079) 23232156

Website : www.gpcb.gov.in

### Application For CTE after EC

CTE-55353

File No : GPCB/ (PCB ID. - 88242)

To,

M/s. Deendayal Port Authority.

, Essar Bulk Terminal Ltd, Adani Hazira Port Rd, Hazira Gam, Suvali, Hazira, Gujarat  
394270,

City : Hazira ,

Dist : Surat ,

Taluka : Chorasi

Sub: Consent to Establish (After obtaining Environment Clearance) under Section 25 of Water Act 1974 and Section 21 of Air Act 1981.

Ref: (1) Your online application No. 257450 dated 12/05/2022

(1) Environment Clearance issued by Central Authority vide their letter no. F.No.11-46/2011-IA.III Dated 04/04/2022

Sir,

Without prejudice to the powers of this Board under the Water (Prevention and Control of Pollution) Act-1974, the Air Act-1981 and the Environment (Protection) Act-1986 and without reducing your responsibilities under the said Acts in any way, this is to inform you that this Board grants **Consent to Establish (After obtaining Environment Clearance) under Section 25 of Water Act 1974 and Section 21 of Air Act 1981** for manufacturing of products as mentioned into the Environment Clearance (EC) granted vide letter under reference no (2) above.

#### **Consent To Establish Is Granted Subject To The Following Conditions: -**

- 1) The validity period of this CTE shall be Seven Years from the issue of this order.
- 2) Applicant shall strictly comply with all conditions stipulated by competent authority in the order of Environment Clearance issued vide letter under reference No. : 2 above.
- 3) The applicant shall however , not without the prior concern of the Board. Bring into use any new or altered outlet for the discharge of effluent or gaseous emission or sewage waste from the proposed industrial plant. The applicant is required to make applications to this Board for this purpose in the prescribed forms under the provisions of the water Act - 1974, the Air - 1981 and the Environment (Protection) Act - 1986.



For and on behalf of  
Gujarat Pollution Control Board

J.D.OZA  
ROH Head - Surat

- This order is issued to Essar Bulk Terminal Ltd, Adani Hazira Port Rd, Hazira Gam, Suvali, Hazira, Gujarat 394270, City : Hazira, Dist : Surat, Taluka : Chorasi (88242) for CTE amendment after obtaining EC.