BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
APPEAL NO. 29 OF 2024 (WZ)

Paramparik Machimmar Bachav Samajik Kruti Samittee …Appellant
Versus
Jawaharlal Nehru Port Authority & Ors. …Respondents

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AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO. 1

I, Mr. Shripad Kawathekar, an adult Indian inhabitant, aged: 57 years, post / designation: Deputy General Manager (Traffic), the authorized signatory of Respondent No. 1 in the captioned matter, having its administrative office at Admin Building, Sheva, Uran, Raigad – 400 707, do hereby solemnly declare and state as under:

1. I am filing the present Affidavit in Reply on behalf of the Respondent No. 1 in the present Appeal i.e. Jawaharlal Nehru Port Authority ("**JNPA**"). I am fully conversant with the facts and circumstances of the present case and am able, competent and authorized to depose the present Affidavit from my personal knowledge and office records.

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2. I vehemently deny all averments, contentions and allegations made in the Appeal Memo which are contrary to and / or inconsistent with whatever is stated herein, and nothing stated therein shall be deemed to have been admitted due to want of a specific denial or by non-traverse. I am not responding to the Appeal *in seriatim* at this juncture, and expressly reserve the right and craves leave to file a further / additional Affidavit in Reply for such purpose, if deemed necessary and expedient.

Subject matter of the present Appeal

3. By way of the present Appeal, the Appellant has sought to challenge the composite Environment Clearance ("**EC**") and Coastal Regulation Zone Clearance ("**CRZ Clearance**") dated

15th March 2024 granted by Respondent No. 2 i.e. the Ministry of Environment, Forests and Climate Change ("**MoEF&CC**") to JNPA for the widening of the existing container berth at Jawaharlal Nehru Port.

Brief background of JNPA

4. JNPA is India's premier container handling port operator, accounting for around 50% of the total containerized cargo volume across the major ports of India. Commissioned on 26th May 1989, in three decades of its operations, JNPA has transformed from a bulk-cargo terminal to become the premier container port in the country. JNPA is connected to over 200 ports in the world and is ranked 26th in the list of top 100 container ports globally. JNPA, *inter alia*, operates the Jawaharlal Nehru Port situated on the west coast of India across the Mumbai harbour in Maharashtra. As India's leading container port operator, JNPA is constantly upscaling its operations to provide eco-friendly and state-of-the-art technology, efficiency and manpower which comply with international standards. JNPA has firmly anchored itself as the major catalyst for trade and commerce in India and is committed to providing seamless services to the world that docks here.

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Relevant Facts

5. The relevant facts leading up to the filing of the present Appeal are as under:

   5.1. On 16th September 1988, an EC was granted by the Ministry of Environment for development of the Nhava Sheva Port as per the extant rules prevailing at the relevant time, i.e. prior to the Environmental Impact Assessment Notification, 1991 ("**1991 EIA Notification**") published by the Ministry of Environment.

   5.2. In pursuance thereof, a container berth with a quay length of 680 mtrs. was duly constructed and completed in 1989.

5.3. On 26th May 1989, the Nhava Sheva Port was renamed as the Jawaharlal Nehru Port Trust.

5.4. Since then, JNPA has been successfully operating the Jawaharlal Nehru Port, which is the second largest container port in India. The Jawaharlal Nehru Port operates an Environment Management System which is ISO-14001-2015 certified and also operates an Occupational Health and Safety Management System which is ISO-45001-2018 certified. In addition, monitoring of the environment parameters like ambient air, marine water and ecology are regularly done to monitor the impact of the Port's work on the environment, as per JNPA's Environmental Monitoring Plan prepared based on the guidelines of the Indian Institute of Technology, Madras and the Central Pollution Control Board ("**CPCB**"). Further, JNPA routinely ensures that even the private terminal operators of the Port also keenly follow good environmental practises in their working. In order to develop the Port in a sustainable way, the development plans are synchronized with the Coastal Zone Management Plan and Land Use Plan of the Port. Environmental parameters are routinely monitored through Indian Institute of Technology, Madras and steps are taken to ensure enforcement of all regulations. Infact, the Port has been acknowledged by most leading agencies for its efforts in environmental management practises.

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5.5. From time to time, JNPA has obtained and / or re-validated the requisite statutory permissions / sanctions / clearances for operating the Port strictly in accordance with law.

5.6. Modernizing and expanding the port's infrastructure is essential to keep pace with global standards and technological advancements in the maritime industry. This

includes enhancing transportation connectivity, and improving logistics efficiency. Additionally, JNPA was facing congestion issues at the Port due to its heavy utilization. Further, the condition of the existing container berth had deteriorated over time due to regular wear and tear. Accordingly, in or around 2022, JNPA proposed the widening of the existing container berth at the Port having a cargo handling capacity of 22.1 million tonnes per annum ("**MTPA**"), which involves:

a. Increase of existing crane rail span from 20 mtrs. to 30.50 mtrs. for 680 mtrs. berth length;
b. Increase of deck width of the berth by 15 mtrs. on the landside for smooth vehicle maneuvering and for keeping vessels' hatch covers;
c. Upgradation and strengthening of the existing 530 mtrs. berth and 150 mtrs. wharf to accommodate design vessels of size 12200 twenty-foot equivalent unit ("**TEU**") for which the facility was originally designed and commissioned;
d. Upgradation and strengthening of fenders and bollards;
e. Repairs and strengthening of existing damaged portion of the berth structures;
f. Underdeck repairs of the existing berth structures.

5.7. The proposed widening of the existing container berth at the Port would not only help alleviate congestion, but also reduce waiting time for vessels and enhance the overall operation efficiency of the Port.

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5.8. It is crucial to note that contrary to the impression sought to be given by the Appellants, the proposed works do not involve any large scale construction activity in the sea. As enumerated hereinabove, the same only entail works for widening of the existing container berth towards the landside within the Port limits. It is also crucial to note that no sea side extension and dredging is envisaged. The

area in question is part of the port operational area and is therefore, a "No fishing area". Thus, the impact on the fishing activities in the area would be almost nil. Hereto annexed and marked as **Exhibit "A"** is a copy of the map of the existing container berth at the Port superimposed with the proposed widening works.

5.9. Considering that the site of the proposed works fell within CRZ-IVA area classification under the Coastal Regulation Zone Notification dated 6th January 2011 issued by the MoEF&CC ("**CRZ 2011 Notification**"), on 7th December 2022, JNPA duly submitted it's application / proposal to the Maharashtra Coastal Zone Management Authority ("**MCZMA**") for grant of CRZ Clearance. Hereto annexed and marked as **Exhibit "B"** is a copy of the said Application dated 7th December 2022.

5.10. Accordingly, JNPA's application / proposal was considered by the MCZMA during its 163rd Meeting held on 2nd February 2023 and 3rd February 2023. After going through the relevant material / documents and the presentation made by JNPA, due deliberation and proper application of mind (as is evidenced from the detailed discussions recorded in the relevant Minutes of the Meeting), the MCZMA was pleased to recommend JNPA's application / proposal for grant of CRZ Clearance, subject to the terms and conditions contained therein. Hereto annexed and marked as **Exhibit "C"** is a copy of the relevant portions of the Minutes of the 163rd Meeting held on 2nd February 2023 and 3rd February 2023.

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5.11. On 14th February 2023, the aforesaid recommendation was communicated by the Director, Environment & MS of the MCZMA to the Director (IA-III), Coastal Zone Regulation of the MoEF&CC. Hereto annexed and marked as **Exhibit**

"D" is a copy of MCZMA's recommendation dated 14th February 2023.

5.12. During this period, on 11th February 2023, JNPA awarded the work of upgradation, operations, maintenance and transfer of container terminal berth at the Port under a Concession Agreement to the Nhava Sheva Freeport Terminal Pvt. Ltd. for a period of 30 years.

5.13. As the nature of the works proposed fell under Serial No. 7(e) – Ports, harbours, break waters, dredging; under Category 'A' of the Schedule to the Environmental Impact Assessment Notification dated 14th September 2006 published by the MoEF&CC ("**2006 EIA Notification**"), JNPA duly submitted an online proposal to the MoEF&CC, *inter alia*, seeking Terms of Reference ("**TOR**") to obtain Environment Clearance ("**EC**") in accordance with the 2006 EIA Notification and the subsequent amendments thereto.

5.14. After duly considering JNPA's application / proposal and the detailed presentation made by JNPA, the Expert Appraisal Committee for Infrastructure, CRZ and other Miscellaneous Projects ("**EAC**"), *inter alia*, recommended the grant of TOR in respect of JNPA's application proposal during it's 33rd Meeting held on 12th July 2023.

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5.15. Accordingly, on 1st September 2023, the MoEF&CC issued the TOR. Hereto annexed and marked as **Exhibit "E"** is a copy of the said TOR. The conditions imposed in the TOR issued by the EAC, which comprises experts from diversified domains with vast experience, comprehensively covers all requisite studies and surveys required to assess the vulnerability, risk and project associated socio-economic and ecological impact.

5.16. In furtherance of the TOR, JNPA has itself undertaken and / or commissioned various studies in compliance with the conditions mentioned in the said TOR, which have all been completed. A detailed chart of the various studies undertaken / commissioned by JNPA is as under:

Sr. No.	Study	Agency / Authority	Status
1.	CZMP as per CRZ 2011 Notification (As compliance of TOR Condition Nos. 1.1 and 3.4	Institute of Remote Sensing (IRS) Anna University, Chennai	Completed
2.	Traffic Management and Traffic Decongestion Plan for Widening of Existing Container Berth at Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity 22.1 MTPA)	Qmax Techno Consultant Pvt. Ltd.	Completed
3.	Impact of dredging and dumping on marine ecology and draw up a management plan through the NIO. (As compliance of TOR Condition Nos. 9 and 13).	CSIR-National Institute of Oceanography (NIO), Mumbai	Completed
4.	Hydrodynamics study on impact of dredging on flow characteristics	Central Water and Power Research Station (CWPRS)	Completed

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I crave leave to produce, refer and rely upon a separate compilation of the studies undertaken and / or commissioned by JNPA in compliance with the conditions mentioned in the TOR.

5.17. On 23rd October 2023, the Maharashtra Pollution Control Board ("**MPCB**") was pleased to issue a Consent to Establish for Expansion ("**CTE**") under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Authorization under Rule 6 and Rule 18(7) of the Hazardous & Other Wastes (Management and Transboundary Movement) Rules, 2016 for the proposed works for a period of 5 years or until the commissioning of

the unit, whichever is earlier. Hereto annexed and marked as **Exhibit "F"** is a copy of the said CTE dated 23rd October 2023.

5.18. One of the conditions of the TOR was to conduct a public hearing for ascertaining concerns of local affected persons, which was to be conducted in accordance with Appendix IV of the EIA Notification. As per clause 7(III)(iii) of the EIA Notification, the public hearing is required to be conducted by the concerned State Pollution Control Board or Union Territory Pollution Control Board within 45 days of a request being made by an applicant, at or in close proximity to the site of the project.

5.19. Accordingly, at the request of JNPA, on 1st December 2023, a public hearing was duly conducted by the MPCB at Bahuuddeshiya Sabhagruha, Sector – 2, JNPT Colony, Jawaharlal Nehru Port Authority, Taluka Uran, District Raigad, Maharashtra. The Minutes of the said public hearing held on 1st December 2023 was duly submitted to the MoEF&CC on 11th January 2024. Hereto annexed and marked as **Exhibit "G"** is a copy of the Minutes of Meeting of the said public hearing held on 1st December 2023.

5.20. Having complied with all the conditions of the TOR and additional TOR, JNPA had also duly submitted its application for grant of an EC to the MoEF&CC.

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5.21. Consequently, JNPA's proposal for grant of an EC and CRZ Clearance was duly considered by the EAC of the MoEF&CC during its 356th Meeting held on 6th February 2024 and 7th February 2024. After going through the relevant material / documents and the presentation made by JNPA, due deliberation and proper application of mind (as is evidenced from the detailed discussions recorded in

the relevant Minutes of the Meeting), the EAC of the MoEF&CC recommended the grant of a composite EC and CRZ Clearance for the proposed works, subject to the various terms and conditions contained therein. Hereto annexed and marked as **Exhibit "H"** is a copy of the relevant portions of the Minutes of the 356th Meeting of the EAC held on 6th February 2024 and 7th February 2024.

5.22. Accordingly, on 15th March 2024, the MoEF&CC was pleased to grant composite EC and CRZ Clearance, subject to the terms and conditions contained therein. Hereto and marked as **Exhibit "I"** is a copy of the composite EC and CRZ Clearance granted by the MoEF&CC dated 15th March 2024.

5.23. From a perusal of the above, it is evident that the entire procedure for grant of the composite EC and CRZ Clearance has been followed 'to the tee' and there is no procedural lacuna in the same.

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5.24. Having obtained all the requisite statutory permissions / sanctions / clearances, on 1st April 2024, JNPA duly commenced the work of widening of the existing container berth at the Port.

Reply to the Contentions raised by the Appellant

6. I shall now deal with some of the contentions raised by the Appellants:

a. False and misleading information contained in the EIA Report

6.1. In that regard, it is submitted that the Environmental Impact Assessment Report ("**EIA Report**") submitted by JNPA was prepared by Mantec Consultants Pvt. Ltd., which is a Quality Council of India, National

Accreditation Board for Education and Training accredited project consultant.

6.2. Interestingly, the Appellants have sought to place reliance on a Report dated 17th December 2007 prepared by the Assistant Commissioner of Fisheries at the instance of the District Collector, Raigad to counter / negate the contents of the EIA Report dated December 2023 prepared by the said Mantec Consultants Pvt. Ltd. Admittedly, this alleged Report is extremely old and outdated, having been prepared in the year 2007 i.e. nearly 17 years prior to the composite EC and CRZ Clearance dated 15th March 2024, and therefore, *ex facie* does not reflect the true and correct position, as on date. Thus, no reliance can be placed on the same.

6.3. In any event, it is submitted that the Appellant cannot selectively pick and choose portions of the EIA Report and draw its own conclusions so as to arrive at an adverse finding. Infact, the very passages relied upon by the Appellants use the words "potential risk" and "may", which by itself are not conclusive.

6.4. As stated hereinabove, the members of the EAC, being experts from diversified domains with vast experience, are deemed to have perused and considered all the relevant material placed before it (including the said Report of the CSIR-NIO) with proper application of mind, before deciding to recommend the grant of the composite EC and CRZ Clearance for the proposed works. It is to be noted that the Appellants are not themselves experts in the field of environment, and have not produced any scientific or technical data to negate / counter the various reports, studies and permissions granted by the Authorities, which are all experts in their respective fields.

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6.5. It is repeated and reiterated the proposed works do not involve any large scale construction activity in the sea and the same only entail works for widening of the existing container berth towards the landside within the Port limits. No sea side extension and dredging is envisaged. The area in question is part of the port operational area and is therefore, a "No fishing area". Thus, the impact on the fishing activities in the area would be almost nil.

b. Non-compliance of conditions of previous ECs granted

6.6. Although the Appellants have surreptitiously sought to raise several grievances with respect to alleged non-compliance of the conditions of ECs previously granted to JNPA, admittedly, the same do not form a part of the subject matter of the present Appeal. The same can only be agitated by the Appellants in an appropriate proceeding, and not in the present Appeal. Infact, save and except for making several bald and baseless allegations, no details and / or particulars have been stated by the Appellants with respect to the same, let alone any reliable material having been produced, to even remotely substantiate these grievances. Thus, it is submitted that these statements have been made purely in an attempt to prejudice and / or misguide this Hon'ble Court, and therefore, ought to be completely ignored.

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6.7. In any event, I say that JNPA has not violated any of the conditions of the ECs previously granted to it and utmost care is being taken to strictly comply with the same. All environmental parameters are being strictly monitored and timely reports are sent to the MoEF&CC and the MPCB in compliance of the conditions of these ECs.

c. Compensation

6.8. One of the major grievances of the Appellants appear to be alleged loss of livelihood of the local fishermen, who the Appellant claims to represent. The Appellants have premised their claim for compensation (though no specific prayer has been made in that regard) seemingly on account of the activities being conducted by JNPA at the Port generally, and not specifically in relation to the proposed widening of the existing container berth at the Port.

6.9. In that regard, it is submitted that as set out in the present Appeal itself, previously, Original Application No. 19 of 2013 had been filed before this Ld. Tribunal, *inter alia*, with respect to the issue of the impact of the activities being conducted by JNPA at the Port on the livelihood of the local fishermen.

6.10. *Vide* its Order dated 19th February 2014, this Ld. Tribunal had directed the Respondents therein (including JNPA) to pay an amount of Rupees Ninety-Five Crore as compensation to 1630 affected fishermen (including members of the Appellant), out of which, JNPA was personally directed to pay 70% of this amount.

6.11. Although JNPA had initially challenged the said Order dated 19th February 2014 passed by this Ld. Tribunal before the Hon'ble Supreme Court in Civil Appeal Nos. 4455-4456 of 2015, subsequently, the same came to be withdrawn *vide* an Order dated 14th December 2022. The said Order specifically records JNPA had handed over a Demand Draft for an amount of Rupees Sixty-Six Crore and Sixty-Three Lakh (being JNPA's 70% share of the total compensation of Rupees Ninety-Five

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Crore) to the Standing Counsel for the State of Maharashtra, who was to remit the same to the Collector, Raigad for his necessary action.

6.12. In addition, thereto, JNPA has also duly deposited an amount of Rupees Thirty-Five Lakh (being JNPA's 70% share of the total amount of Rupees Fifty Lakh payable towards mangrove plantation) to the Mangrove Cell, Government of Maharashtra.

6.13. Thus, the local fishermen (including members of the Appellant) have already received compensation with respect to the issue of the impact of the activities being conducted by JNPA at the Port on their livelihood. The Appellant and its members ought not to, under the guise of the present Appeal (which only relates to a limited challenge to the composite EC and CRZ Clearance in respect of the proposed widening of the existing container berth at the Port), once again agitate their alleged claim for compensation.

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Advantages of the works

7. Modernization and expansion of the Port's infrastructure is essential to keep pace with global standards and technological advancements in the maritime industry. This includes upgrading container terminals, enhancing transportation connectivity, and improving logistical efficiency. JNPA is currently facing congestion issues at the Port due to its heavy utilization. The proposed widening of the existing container berth at the Port will not only help alleviate congestion, but also reduce waiting time for vessels and enhance the overall operation efficiency of the Port. The same will lead to increased economic activity in the region, which, in turn, can create jobs and stimulate economic development in the surrounding area.

Mitigation Measures

8. One of the grievances raised by the Appellants for assailing the composite EC and CRZ Clearance was that the EIA Report submitted by JNPA does not provide for adequate mitigation measures to counter the environmental impact from the proposed widening of the existing container berth at the Port particularly on the livelihood of the local fishermen.

9. However, the Appellants have failed to notice that the composite EC and CRZ Clearance itself imposes several terms and conditions which not only include protection, preservation and mitigation measures, but also detailed monitoring measures, all of which are to be followed during the construction as also operational phase, including:
   a. JNPA to ensure that no creeks or rivers are blocked due to any activities at the project site and the free flow of water is maintained (Condition No. 4.1);
   b. Appropriate measures to be taken while undertaking digging activities to avoid any likely degradation of water quality. Stilt curtains to be used to contain the spread of sediment during dredging within the dredging area (Condition No. 4.2);
   c. All erosion control measures to be taken at water front facilities. Earth protection work to be carried to avoid any erosion of soil from the shoreline / boundary line from the land areas into the marine water body (Condition No. 4.11);
   d. Dredged material to be disposed off safely in the designated area (Condition No. 7.1);
   e. Shoreline not be disturbed due to dumping. Periodical study on shore line changes to be conducted and mitigation carried out, if necessary. The details to be submitted along with the six monthly monitoring reports (Condition No. 7.2);
   f. Necessary arrangements for the treatment of the effluents and solid wastes to be made and it is to be ensured that they conform to the standards laid down by the competent authorities including the Central or State Pollution Control

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Board and under the Environment (Protection) Act, 1986 (Condition No. 7.3);

g. The solid wastes to be managed and disposed as per the norms of the Solid Waste Management Rules, 2016 (Condition No. 7.4);

h. Any wastes from construction and demolition activities related thereto to be managed so as to strictly conform to the Construction and Demolition Waste Management Rules, 2016 (Condition No. 7.5);

i. A certificate from the competent authority handling municipal solid wastes to be obtained, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project (Condition No. 7.6);

j. Dredging not to be carried out during the fish breeding and spawning seasons (Condition No. 9.1);

k. Dredging, etc. to be carried out in the confined manner to reduce the impacts on marine environment (Condition No. 9.2);

l. The dredging schedule to be so planned that the turbidity developed is dispersed soon enough to prevent any stress on the fish population (Condition No. 9.3);

m. While carrying out dredging, an independent monitoring to be carried out through a Government Agency/Institute to assess the impact and necessary measures shall be taken on priority basis if any adverse impact is observed (Condition No. 9.4);

n. A detailed marine biodiversity management plan to be prepared through the NIO or any other institute of repute on marine, brackish water and fresh water ecology and biodiversity and submitted to and implemented to the satisfaction of the State Biodiversity Board and the CRZ authority. The report to be based on a study of the impact of the project activities on the intertidal biotopes, corals and coral communities, molluscs, sea grasses, sea weeds, sub-tidal habitats, fishes, other marine and aquatic micro, macro and mega flora and fauna including benthos, plankton, turtles, birds etc. as also the productivity. The data collection and

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impact assessment to be as per standards survey methods and include underwater photography (Condition No. 9.5);

o. Marine ecology to be monitored regularly also in terms of sea weeds, sea grasses, mudflats, sand dunes, fisheries, echinoderms, shrimps, turtles, corals, coastal vegetation, mangroves and other marine biodiversity components including all micro, macro and mega floral and faunal components of marine biodiversity (Condition No. 9.6);

p. JNPA to ensure that water traffic does not impact the aquatic wildlife sanctuaries that fall along the stretch of the river (Condition No. 9.7);

q. JNPA to have an environmental policy (Condition No. 11.1);

r. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel to be set up under the control of senior Executive, who will directly report to the head of the organization (Condition No. 11.2);

s. Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company to be prepared and to be duly approved by competent authority (Condition No. 11.3);

t. Self environmental audit to be conducted annually. Every three years third party environmental audit shall be carried out (Condition No. 11.4);

u. JNPA to 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 (Condition No. 12.3);

v. JNPA to 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 (Condition No. 12.4);

w. JNPA to 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 (Condition No. 12.5);

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x. The Regional Office of the MoEF&CC to monitor compliance of the stipulated conditions. The project authorities to extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports (Condition No. 12.6).

10. As per Condition No. 12.10, concealing factual data or submission of false/fabricated data may result in revocation of the composite EC and CRZ Clearance and attract action under the provisions of Environment (Protection) Act, 1986. Further, as per Condition No. 12.11, the MoEF&CC may revoke or suspend the composite EC and CRZ Clearance, if implementation of any of the above conditions is not satisfactory under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner. Thus, sufficient safeguards have been in built in the event any violations are found of the composite EC and CRZ Clearance by JNPA.

Sustainable Development

11. A balance between environmental protection and developmental activities can only be maintained by following the principles of 'sustainable development', as propounded by the Hon'ble Supreme Court of India. The principle of sustainable development is a development strategy that caters to the needs of the present, without negotiating the ability of upcoming generations to satisfy their needs and that strict observance of sustainable development would put us on a path that ensures development while protecting the environment, a path that works for all people and for all generations. All environmental related developmental activities should benefit more people while maintaining the environmental balance which could be ensured only by the strict adherence of sustainable development, without which life for coming generations will be in jeopardy. The adherence to the principles of sustainable development is a sine qua non for the maintenance of the symbiotic balance between

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the rights to environment and development. The right to development cannot be treated as a mere right to economic betterment or cannot be limited to as a misnomer to simple construction activities. The right to development encompasses much more than economic wellbeing, and includes within its definition the guarantee of fundamental rights, which are an integral part of human rights. The construction of a port is definitely an attempt to achieve the goal of wholesome development and must be treated as integral component for development and improving trade and commerce. To ensure sustainable development is also one of the goals of EP Act, which is necessary to make effective, the guarantee of the right to life under Article 21 of the Constitution.

Conclusion

12.For all the aforesaid reasons, it is respectfully submitted that the Appellants are not entitled to any reliefs of whatsoever nature as they have miserably failed to show any reason that would warrant interference of this Ld. Tribunal. The present Appeal ought to be dismissed *in limine* and with heavy costs.

Solemnly declared at Mumbai)
This 18th day of July, 2024)

For Jawaharlal Nehru Port Authority,

(Mr. Shripad Kawathekar)
Authorized Signatory, Respondent No. 1

एस. व्ही. कवठेकर / S. V. KAWATHEKAR
उप महाप्रबंधक (यातायात)
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जनेप प्राधिकरण JNPA

For Vidhii Partners,

Advocates for Respondent No. 1

THE PARTY IS KNOWN TO ME
AND IDENTIFIED BY ME

BEFORE ME

Mrs. JAGRUTI C. GAIKWAD
B.Com, LL.B.
ADVOCATE & NOTARY
RAIGAD DISTRICT
19/B, Inamdar House, State Bank Bldg. Uran

Notarial Register 18 JUL 2024
Serial No.....913.....Date.....

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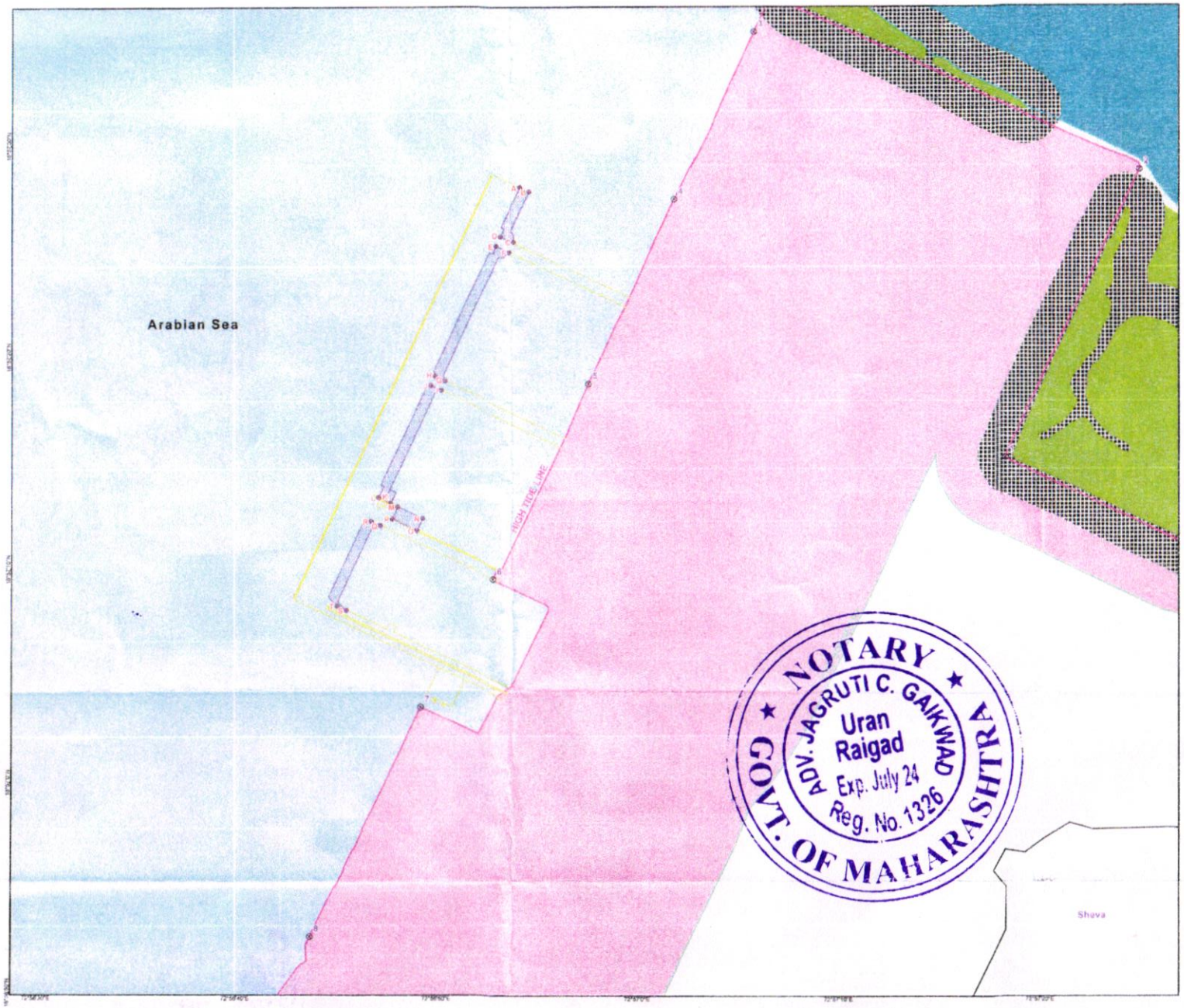
EXHIBIT 'A'

Preparation of Local Level CRZ Map for the Proposed Widening of Container Berth at Jawaharlal Nehru Port Authority, Navi Mumbai, Maharashtra State by Superimposing on Approved CZMP as per CRZ Notification 2011

N



LEGEND

Source: Approved CZMP (Map No : MH 77) As per CRZ Notification 2011

- LOW TIDE LINE (LTL)
- HIGH TIDE LINE (HTL)
- CRZ BOUNDARY (500m FOR SEA, 100m FOR BAY, 100m OR WIDTH OF THE CREEK WHICHEVER IS LESS ALONG THE TIDAL INFLUENCED WATER BODIES)
- VILLAGE BOUNDARY
- SURVEY BOUNDARY
- CRZ - IA
- CRZ - IA (50m MANGROVE BUFFER ZONE)
- CRZ - IB
- CRZ - II
- CRZ - IVA
- CRZ - IVB
- HTL REFERENCE POINT

SOURCE: CLIENT

- PROPOSED WIDENING OF CONTAINER BERTH CORNER (GPS SURVEY IDENTIFIED BY THE CLIENT)
- EXISTING DETAILS
- PROPOSED WIDENING OF CONTAINER BERTH

Note:

1. *Coastal Regulation Zone Map of the site is prepared considering Approved CZMP as per CRZ Notification 2011 of MoEF, GoI*
2. *Superimposition of Project Site on Approved CZMP is subject to scale and generalisation error*
3. *The map comes with a report wherein description of CRZ zonation of project layout details are given. This map is to be referenced and used along with the report bearing the same reference no: AU/IRS/MS/231-2022 DT. 22.11.2022*
4. *The DGPS Survey was carried out specific to the referred project site boundary only hence, validation of HTL and CRZ Boundary is limited to the clearance of the same. Institute of Remote Sensing do not carry responsibility for CRZ status of other plots or neighbourhood.*

SCALE 1:4,000

0 50 100 200 300 400 Meters

Prepared by

INSTITUTE OF REMOTE SENSING
ANNA UNIVERSITY
CHENNAI - 600 025

REF NO. AU/IRS/MS/231-2022 DT. 22.11.2022 (Nov.2022)

For

JAWAHARLAL NEHRU PORT AUTHORITY
ADMINISTRATION BUILDING, SHEVA
NAVI MUMBAI – 400 707

PREPARED BY	
VERIFIED BY	
APPROVED BY	Prof. D. Thirumalaivasan, B.E.M.Tech.,Ph.D., Director, Institute of Remote Sensing, Anna University, Chennai-600 025.

NOTARY ★ GOVT. OF MAHARASHTRA ★
ADV. JAGRUTI C. GAIKWAD
Uran
Raigad
Exp. July 24
Reg. No. 1326

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Exhibit A

EXHIBIT - (B)

Exhibit B

जवाहरलाल नेहरु पत्तन प्राधिकरण
JAWAHARLAL NEHRU PORT AUTHORITY
जनेप प्राधिकरण
JNPA
ISO 9001 : 2015
ISO 14001 : 2015
ISO 27001 : 2013
ISO 45001 : 2018
पत्तन कार्यालय : प्रशासन भवन, शेवा, नवी मुंबई - 400707. Port Office : Administration Bldg., Sheva, Navi Mumbai - 400 707.
मुख्य सतर्कता अधिकारी Chief Vigilance Officer - (022) 2724 4151 ; मुख्य प्रबंधक (प्रशासन) एवं सचिव Chief Manager (Admn.) & Secy - (022) 2724 4021 ;
मुख्य प्रबंधक (यातायात) Chief Manager (Traffic) - (022) 2724 4191; मुख्य प्रबंधक (यां.एव.वि.अ.) Chief Manager (M&EE) - (022) 2724 4181 ;
मुख्य प्रबंधक (वित्त) Chief Manager (Fin) - (022) 2724 4081; मुख्य प्रबंधक (प.यो.वि.) Chief Manager (PP&D) - (022) 2724 4156
उप-संरक्षक Dy. Conservator (022) 2724 4171; हार्बर मास्टर (022) 2724 4173.
Website : www.jnport.gov.in • E-mail : info@jnport.gov.in

JNPA/PPD/CRZ/2022/ 1159 Date: 07.12.2022

The Member Secretary,
Maharashtra Coastal Zone Management Authority
Environment & Climate Change Department,
15th Floor, New Administrative Building,
Mantralaya, Mumbai- 400 032

Sub: Widening of existing Container Berth at Jawaharlal Nehru Port Authority, Navi Mumbai- CRZ clearance reg.

Sir,

Jawaharlal Nehru Port Authority is in the process of widening of existing Container Berth at JNPA, Navi Mumbai. The port was developed by Government of India to decongest the Mumbai Port and was commissioned on 26th May, 1989. The traffic at these JNPA terminals is being handled with cargo handling equipment like, Rail Mounted Quay Cranes (RMQCs), Rubber Tyred Gantry Cranes (RTGCs), Rail Mounted Gantry Cranes (RMGCs), Reach Stackers, Tractor Trailer, Fork Lifts etc. which are also having power backup facility.

Jawaharlal Nehru Port Authority now proposed widening of container berths which involves:

1. Increase of crane Rail span from 20 m to 30.50 m for 680 m berth length.
2. Increase of deck width of the berth by 15 m on land side for smooth vehicle maneuvering & for keeping vessels hatch covers.
3. Up-gradation and strengthening of existing 530 m berth and 150 m wharf to accommodate design vessels of size 12200 TEU for which the facility was originally designed & commissioned.
4. Up-gradation of Fenders and Bollards as may be necessary.
5. Repairs and strengthening of existing damaged portion of the berth structures as may be necessary.
6. Underdeck repairs of the existing structure wherever necessary.

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The project for widening of Container Berth at Jawaharlal Nehru Port Authority at Sheva, Navi Mumbai superimposed in 1:4000 Scale CRZ map. Since this proposed widening part falls within the CRZ category- CRZ IV- A (The water area and the sea

9-12-22
आवक क्रमांक (सं.प्र.)
पर्यावरण व हवामानबदल विभाग
मंत्रालय, मुंबई ४०० ०३२

07.12

bed area between the Low Tide Line up to twelve nautical miles on the seaward side shall constitute CRZ-IV A), CRZ mapping and study is carried out for through Institute of Remote Sensing, Anna University Chennai. In this regard, we are hereby submitting the following documents to seek CRZ clearance for widening of container berth at JNPA:

1. FORM-I as Annexure I
2. Rapid EIA Report incorporating Risk Assessment- Annexure II.
3. Disaster Management Report.
4. CRZ maps indicating HTL & LTL in 1:4000 scale demarcated by Institute of Remote Sensing, Anna University Chennai as Annexure-III.
5. CRZ Report by Institute of Remote Sensing, Anna University Chennai.
6. Original DD of Rs. 5,00,000/-

Since the project is of National importance, we request you to kindly process the application for obtaining CRZ clearance at the earliest.

Thanking you,

Yours Faithfully,

Dr. G. Vaidyanathan
Chief Manager (PP&D)

Enclosure: as above.

डॉ. जी. वैदयनाथन /Dr. G. VAIDYANATHAN
मुख्य प्रबंधक (पयोवि)
जनेप प्राधिकरण JNPA CHIEF MANAGER (PP&D)
ण.ने.प. प्राधिकरण, शेवा, नवी मुंबई-400 0707.
J.N.P.A. Sheva, Navi Mumbai-400 707.

NOTARY ADV. JAGRUTI C. GAIKWAD Uran Raigad Exp. July 24 Reg. No. 1326 GOVT. OF MAHARASHTRA

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For Vidhi Partners
Advocates

EXHIBIT 'C'

Exhibit C

Minutes of 163rd meeting of the Maharashtra Coastal Zone Management Authority held on 2nd and 3rd February, 2023

Table Item No.4: **Proposal for widening of existing container berth at Jawaharlal Nehru Port Authority, District Raigad by JNPT**

INTRODUCTION:

The JNPT officials presented the proposal before the Authority. The JNPT has proposed widening of existing container berth at Jawaharlal Nehru Port Authority by JNPT. Jawaharlal Nehru Port Authority is in the process of widening of existing Container Berth at JNPT, Navi Mumbai. The project is located between NSICT container berth and exiting shallow water berth of JNPT.

Jawaharlal Nehru Port Authority now process widening of container berths which involves:

- Increase of crane Rail span from 20 m to 30.50 m for 680 m berth length.
- Increase of deck width of the berth by 15 m on land side for smooth vehicle maneuvering & for keeping vessels hatch covers.
- Up-gradation and strengthening of existing 530 m berth and 150m wharf to accommodate design vessels of size 12200 TEU for which the facility was originally designed & commissioned.
- Up-gradation of Fenders and Bollards as may be necessary.
- Repairs and strengthening of existing damaged portion of the berth structures as may be necessary.
- Underdeck repairs of the existing structure wherever necessary.

DELIBERATIONS:

The Authority asked the JNPT officials about the Environment / CRZ clearance obtained for existing container berth at JNPT. The Officials of JNPT informed that activity of existing berth was part of the Environment Clearance was obtained for the JNPT port was obtained in 1989 (i.e. prior to CRZ Notification, 1991).

The PP presented that the JNPT has proposed widening of existing container berth.

The Authority noted that the project for widening of Container Berth at Jawaharlal Nehru Port Authority at Sheva, Navi Mumbai superimposed in 1:4000 Scale CRZ map prepared by IRS, Chennai. Proposed widening part falls within the CRZ category- CRZ IV-A area.

JNPT has submitted the EIA/ EMP report prepared by Mantec Consultants Pvt Ltd) Nabet accredited consultant). The report states that there is no removal of mangrove involved in the project. Due to continuous ship movement, fisheries are not well developed in the area. Hence no significant impacts on fisheries are anticipated.

Member Secretary

NOTARY ADV. JAGRUTI C. GAIKWAD Uran Raigad Exp. July 24 Reg. No. 1326 GOVT. OF MAHARASHTRA

Chairman

Minutes of 163rd meeting of the Maharashtra Coastal Zone Management Authority held on 2nd and 3rd February, 2023

DECISION:

In the light of above, the Authority after deliberation decided to recommend the proposal to MoEF&CC, New Delhi under CRZ Notification, 2011 subject to following conditions

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Construction constructions should be carried with with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.
3. Natural course of creek/river water should not be hampered due to proposed activities.
4. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.
5. The construction debris and dredged material should not be disposed off in the creek water to avoid any adverse impact on marine water quality.
6. PP to ensure that best industrial practices should be followed for fire safety measures and for conservation of coastal environment
7. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site.
8. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.
9. All other required permission from different statutory authorities should be obtained

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For Vidhii Partners
Advocates

Member Secretary

Chairman

EXHIBIT 'D'

Exhibit D

MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel. No.: 2202 9388
E-mail : dir1.mev-mh@nic.in
Website: https://mczma.gov.in/

No. CRZ 2022/CR 312/TC 4
Office of the -
Maharashtra Coastal Zone Management Authority,
Environment & Climate Change Department,
15th Floor, New Administrative Building,
Mantralaya, Mumbai- 400 032
Date: 14th February, 2023

To,
Director (IA-III),
Coastal Zone Regulation,
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran bhavan, Jor Bagh Road,
New Delhi - 110 003.

Subject: Proposal for widening of existing container berth at Jawaharlal Nehru Port Authority, District Raigad by JNPT

The Maharashtra Coastal Zone Management Authority in its 163rd meeting held on 2nd & 3rd February, 2022 deliberated the subject proposal for widening of existing container berth at Jawaharlal Nehru Port Authority, District Raigad.

2. The Authority noted that proposal is for widening of existing container berth at Jawaharlal Nehru Port Authority by JNPT. Jawaharlal Nehru Port Authority is in the process of widening of existing Container Berth at JNPT, Navi Mumbai. The project is located between NSICT container berth and exiting shallow water berth of JNPT. Jawaharlal Nehru Port Authority now process widening of container berths which involves:

- Increase of crane Rail span from 20 m to 30.50 m for 680 m berth length.
- Increase of deck width of the berth by 15 m on land side for smooth vehicle maneuvering & for keeping vessels hatch covers.
- Up-gradation and strengthening of existing 530 m berth and 150m wharf to accommodate design vessels of size 12200 TEU for which the facility was originally designed & commissioned.
- Up-gradation of Fenders and Bollards as may be necessary.
- Repairs and strengthening of existing damaged portion of the berth structures as may be necessary.
- Underdeck repairs of the existing structure wherever necessary.

3. The Authority asked the JNPT officials about the Environment / CRZ clearance obtained for existing container berth at JNPT. The Officials of JNPT informed that activity of existing berth was part of the Environment Clearance was obtained for the JNPT port was obtained in 1989 (i.e. prior to CRZ Notification, 1991). The PP presented that the JNPT has proposed widening of existing container berth.

4. The Authority noted that the project for widening of Container Berth at Jawaharlal Nehru Port Authority at Sheva, Navi Mumbai superimposed in 1:4000 Scale CRZ map prepared by IRS, Chennai. Proposed widening part falls within the CRZ category- CRZ IV-A area. JNPT has submitted the EIA/ EMP report prepared by Mantec Consultants Pvt Ltd) Nabet accredited consultant). The report states that there is no removal of mangrove involved in the project. Due to continuous ship movement, fisheries are not well developed in the area. Hence no significant impacts on fisheries are anticipated.

5. In the light of above, the Authority after deliberation decided to recommend the proposal to MoEF&CC, New Delhi under CRZ Notification, 2011 subject to following conditions:

NOTARY ADV. JAGRUTI C. GAIKWAD Uran Raigad Exp. July 24 Reg. No. 1326 GOVT. OF MAHARASHTRA

Specific Conditions:

i. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.

ii. Construction constructions should be carried with minimum interference with tidal water flow, so that free flow of tidal water is not obstructed.

iii. Natural course of creek/river water should not be hampered due to proposed activities.

iv. During construction phase, the project implementing agency should proactively implement all possible appropriate environmental measures to achieve minimum disturbance to coastal ecosystem.

v. The construction debris and dredged material should not be disposed off in the creek water to avoid any adverse impact on marine water quality.

vi. PP to ensure that best industrial practices should be followed for fire safety measures and for conservation of coastal environment

vii. Debris generated during the construction activity should not be dumped in CRZ area. It should be ensured that debris is processed in a scientific manner at a designated site.

viii. The Project proponent should be effectively implement the mitigation measure and Environment Management Plan during construction and operation phase of the project.

ix. All other required permission from different statutory authorities should be obtained.

General Conditions:

a) Construction Phase:

i. Any hazardous waste generated during construction phase should be disposed of as per applicable rules and norms with necessary approvals of the Maharashtra Pollution Control Board.

ii. All the topsoil excavated during construction activities should be stored for use in horticulture / landscape development within the project site.

iii. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.

iv. The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environments (Protection) Rules prescribed for air and noise emission standards.

v. PP to strictly adhere to all the conditions mentioned in Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975 as amended during the validity of Environment Clearance.

vi. Vehicles hired for transportation of Raw material shall strictly comply the emission norms prescribed by Ministry of Road Transport & Highways Department. The vehicle shall be adequately covered to avoid spillage/leakages.

vii. Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/MPCB.

viii. Diesel power generating sets proposed as source of backup power for elevators and common area illumination during construction phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use low sulphur diesel is preferred. The location of the DG sets may be decided with in consultation with Maharashtra Pollution Control Board.

ix. Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings by a separate environment cell /designated person.

ADV. GAUTAM S. MAKNAD Reg. No. 1026 GOVT. OF MAHARASHTRA

b) Operation phase:

i. A separate environment management cell with qualified staff shall be set up for implementation of the stipulated environmental safeguards.

ii. Separate funds shall be allocated for implementation of environmental protection measures/EMP along with item-wise breaks-up. These cost shall be included as part of the project cost. The funds earmarked for the environment protection measures shall not be diverted for other purposes.

C) General MCZMA Conditions:

i. In case of any change in project profile, the project would require fresh appraisal by the MCZMA.

ii. The MCZMA reserves the right to revoke this recommendation, if the conditions stipulated are not complied with to the satisfaction of the MCZMA.

iii. The MCZMA or any other competent authority, concerned planning authority may stipulate any additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.

iv. The clearance accorded to the project under CRZ notification shall be valid for a period of seven years from the date of issue of such clearance: Provided that the construction activities shall commence within a period of five years from the date of the issue of clearance and the construction be completed and the operations be commenced within seven years from the date of issue of such clearance.

v. The recommendation from CRZ point of view is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this recommendation does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.

vi. PP has to strictly abide by the conditions stipulated by the MCZMA.

vii. If applicable Consent for Establishment" shall be obtained from Maharashtra Pollution Control Board under Air and Water Act and a copy shall be submitted to the Environment department before start of any construction work at the site.

viii. Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it was found that construction of the project has been started without obtaining MCZMA clearance.

ix. No further Expansion or modifications, other than mentioned in the CRZ Notification, 2011 / 2019 and its amendments, shall be carried out without prior approval of the MCZMA. In case of deviations or alterations in the project proposal from those submitted to MCZMA for clearance, a fresh reference shall be made to the MCZMA as applicable to assess the adequacy of conditions imposed and to add additional environmental protection measures required, if any.

x. This MCZMA clearance is issued subject to obtaining NOC from Forestry & Wild life angle including clearance from the standing committee of the National Board for Wild life as if applicable & this MCZMA clearance does not necessarily implies that Forestry & Wild life clearance granted to the project which will be considered separately on merit.

xi. PP to submit an indemnity bond to the MCZMA for any future litigation.

xii. MCZMA reserves the right to cancel / revoke CRZ permission in case of any violation of CRZ Notification, 2011 /2019 issued by the MoEF&CC, New Delhi amended from time to time without prejudice to any liability on MCZMA.

xiii. The MCZMA clearance is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will

NOTARY ADV. JAGRUTI C. GAIKWAD Uran Raigad Exp. July 24 Reg. No. 1326 GOVT. OF MAHARASHTRA

be binding on the project proponent in the case filed against him, if any or action initiated under EP Act.

xiv. This MCZMA Clearance is issued purely from an environment point of view without prejudice to any court cases and all other applicable permissions / NoCs shall be obtained before starting proposed work at site.

xv. In case of submission of false document and non-compliance of stipulated conditions, MCZMA will revoke or suspend the MCZMA Clearance without any intimation and initiate appropriate legal action under Environment Protection Act, 1986.

xvi. The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (protection) Act, 1986 and rules there under, hazardous Wastes (Management and Handling) Rules, 1989 and its amendments, the public liability Insurance Act, 1991 and its amendments.

xvii. Any appeal against this MCZMA clearance shall lie with the National Green Tribunal (Western Zone Beach, Pune) New Administrative building, 1st floor, D wind, Opposite Council Hall, Pune, if prepared, within 30 days as prescribed under section 16 of the National Green Tribunal Act, 2010.

11. Agenda item & minutes of the meeting is available on the website of MCZMA i.e. http://mczma.gov.in.

(Abhay Pimparkar)
Director, Environment & MS, MCZMA

Copy for information to:

1. **PS (Environment) & Chairperson, (MCZMA),** Environment & CC Department, Room No. 217 (Annex), Mantralaya, Mumbai - 32.
2. **Member Secretary, Maharashtra Pollution Control Board,** Kalpataru Point, 3rd and 4th floor, Road No. 8, Sion Cir, opp. PVR Theater, Mumbai - 400022
3. **District Collector, Mumbai Subarbun,** New Administrative Building, Near Chetna College, Bandra (E), Mumbai - 51
4. **M/s Jawaharlal Nehru Port Trust (JNPT),** Admin Building, Sheva Uran, Navi Mumbai, Dist. Raigad - 400707 - You are requested to apply online on Parivesh Portal of MoEF&CC, New Delhi along with this CRZ recommendation letter.
5. **Select File (TC 4)**

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For Vidhii Partners
Advocates

NOTARY ADV. JAGRUTI C. GAIKWAD Uran Raigad Exp. July 24 Reg. No. 1326 GOVT. OF MAHARASHTRA

EXHIBIT 'E'

Exhibit E

सत्यमेव जयते

File No: File no: 10/48/2023-IA.III
Government of India
Ministry of Environment, Forest and Climate Change
IA Division
***

Dated **01/09/2023**

To,

Shri Sunilkumar Vishnu Madhbhavi
JAWAHARLAL NEHRU PORT TRUST
Jawaharlal Nehru Port Trust Admin Building Sheva Uran Navi Mumbai Navi Mumbai, RAIGAD, MAHARASHTRA, , 400707
cmppd.jnpt@gmail.com

Subject: Grant of Terms of Reference under the provision of the EIA Notification 2006-regarding.

Sir/Madam,

This is in reference to your application for Grant of Terms of Reference under the provision of the EIA Notification 2006-regarding in respect of project Widening of Existing Container Berth At Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity= 22.1 MTPA) submitted to Ministry vide proposal number IA/MH/INFRA1/426533/2023 dated 21/08/2023.

2. The particulars of the proposal are as below :

(i) ToR Identification No.	TO23A3501MH5915492E
(ii) File No.	File no: 10/48/2023-IA.III
(iii) Clearance Type	Fresh ToR
(iv) Category	A
(v) Project/Activity Included Schedule No.	7(e) Ports, harbors, breakwaters, dredging
(vi) Sector	INFRA-1
(vii) Name of Project	Widening of Existing Container Berth At Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity= 22.1 MTPA)
(viii) Name of Company/Organization	JAWAHARLAL NEHRU PORT TRUST
(ix) Location of Project (District, State)	RAIGAD, MAHARASHTRA
(x) Issuing Authority	MoEF&CC
(xii) Applicability of General Conditions	no
(xiii) Applicability of Specific Conditions	no

NOTARY ADV. JAGRUTI C. GAIKWAD Uran Raigad Exp. July 24 Reg. No. 1326 GOVT. OF MAHARASHTRA

1. Widening of Existing Container Berth at Jawaharlal Nehru Port Authority, Navi Mumbai, Maharashtra

(Cargo Handling Capacity= 22.1 MTPA) by M/s Jawaharlal Nehru Port Authority.

2. The following will be Concessionaire scope of work the details are as following:
3. Increase of crane Rail span from 20 m to 30.50 m for 680 m berth length.
4. Increase of deck width of the berth by 15m on land side for smooth vehicle manoeuvring & for keeping vessels hatch covers.
5. Up-gradation and strengthening of existing 530m berth and 150m wharf to accommodate design vessels of size 12200 TEU for which the facility was originally designed & commissioned.
6. Up gradation of Fenders and Bollards may be necessary.
7. Repairs and strengthening of existing damaged portion of the berth structures as may be necessary.
8. Under-deck repairs of the existing structure wherever necessary.
9. The proposed project falls under Schedule 7(e), Ports, horbours, Category "A" of EIA Notification 2006. Total estimated civil cost of the project is about Rs. 87216 Lakh.
10. Land use/ Land cover of project site in tabular form:

1. Terrain and topographical features: The district has three physiographic divisions i.e. (i) Coastal zone in west covers about 20% percent of the district (ii) Central zone covers about 1/3rdof the district, consisting of fertile land in low lying area (iii) Hilly zone in the eastern part highly uneven in altitude and covered with forest. This hill range is characterized by ruggedness and uneven topography, with crestline of peaks and saddles forming the eastern horizon. Ulhas, Panvel and Patalganga are the three main rivers in northern part. Kundalika River is the main river in central part whereas in the southern part Savitri River is the main river.
2. Details of water bodies, impact on drainage: There will be no adverse impact on drainage system due to widening of existing berth terminals at JNPA.
3. Water requirement: water will be required for Existing – 50 KLD and for Expansion-30 KLD. During operation Phase Existing – 50 KLD and for Expansion-30 KLD. Water supply from JNPA's existing own source. No ground water extraction is there.
4. Diversion of forest land: The project does not involve any diversion of forest land.
5. The project is not located within 10 km of Protected Areas (PA) including National Parks, Sanctuaries and Tiger Reserves, Eco-Sensitive Zone (ESZ) or Eco-Sensitive Area (ESA) notified by the MoEF&CC:
6. Details of CRZ: The project falls under CRZ-IVA, MCZMA recommendations is required.
7. No shoreline changes No additional changes to the existing Channel, breakwaters no dredging required, marginal land reclamation.
8. Land acquisition and R&R issues involved: No R&R issues involved in the instant proposal.
9. Employment potential: during construction phase th project will generate 370 employments and during operational phase the project will generate employment of 375.
10. Benefits of the project: The execution of the project brings overall improvement in the locality, neighborhood and the State by bringing industry, roads, employment and hence improving living standard and economic growth.
11. Details of Court cases: No court case is involved in the proposed project.

NOTARY JAGRUTI C. GAIKWAD Uran Raigad Exp. 01/04/24 Reg. No 132 GOVT OF MAHARASHTRA

12. The EAC based on the information submitted and clarifications provided by the project proponent and detailed discussions held on all the issues during its 333rd meeting during 11th-12th July, 2023 recommended the proposal for grant of Terms of Reference(TOR) with stipulated specific conditions along with other Standard ToR Conditions.

13. The Ministry of Environment, Forest and Climate Change has considered the proposal based on the recommendations of the Expert Appraisal Committee (Infrastructure, CRZ and other Miscellaneous projects) and hereby decided to grant Terms of Reference for the 'Widening of Existing Container Berth at Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity-22.1 MTPA) by M/s Jawaharlal Nehru Port Trust' and for preparation of EIA/EMP report with public consultations under the EIA Notification, 2006 as amended and CRZ Notification 2011, subject to strict compliance of the following specific conditions, in addition to all standard ToR conditions applicable for such projects.

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

S. No.	Land use/Land cover	Area (ha)	%	Remarks, if any
1.	Non Forest Land	54	-	-

Copy To

1. The Member Secretary, Maharashtra Pollution Control Board, Kalpataru Point, 3rd and 4th floor, Opp. PVR Cinema,Sion Circle, Mumbai-400 022.
2. Parivesh Portal.
3. Guard File.

NOTARY ADV. JAGRUTI C. GAIKWAD Uran Raigad Exp. July 24 Reg. No. 1326 GOVT. OF MAHARASHTRA

Annexure 1

Specific Terms of Reference for (Ports, harbors, breakwaters, dredging)

1. Specific Conditions

S. No	Terms of Reference
1.1	1. PP shall submit the latest Certified EC compliance report by the concern IRO of the Ministry. 2. Importance and benefits of the project. 3. Submit a copy of layout superimposed on the HTL/LTL map demarcated by an authorized agency on 1:4000 scale. 4. Recommendation of the Maharashtra CZMA shall be obtained and submitted. 5. Submit superimposing of latest CZMP as per CRZ (2011) on the CRZ map. 6. Submit a complete set of documents required as per para 4.2 (i) of CRZ Notification, 2011. 7. Hydrodynamics study on impact of dredging on flow characteristics shall be carried out. 8. Study the impact of dredging and dumping on marine ecology and draw up a management plan through the NIO or any other institute specializing in marine ecology.

S. No	Terms of Reference
	9. Requirement of water, power, with source of supply, status of approval, water balance diagram, man-power requirement (regular and contract). 10. A certificate from the local body supplying water, specifying the total annual water availability with the local authority, the quantity of water already committed the quantity of water allotted to the project under consideration and the balance water available. This should be specified separately for ground water and surface water sources, ensuring that there is no impact on other users. 11. A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project. 12. A certificate from the competent authority handling municipal solid wastes, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project. 13. An assessment of the cumulative impact of all development and increased inhabitation being carried out or proposed to be carried out by the project or other agencies in the core area, shall be made for traffic densities and parking capabilities in a 05 kms radius from the site. A detailed traffic management and a traffic decongestion plan drawn up through an organization of repute and specializing in Transport Planning shall be submitted with the EIA. 14. Disaster Management Plan for the project shall be prepared and submitted. 15. Details and status of court case pending against the project, if any. 16. Public hearing to be conducted and issues raised and commitments made by the project proponent on the same should be included in EIA/EMP Report in the form of tabular chart with financial budget for complying with the commitments made. 17. A tabular chart with index for point-wise compliance of above ToRs. The specific ToRs as recommended above are 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. 18. As per the Ministry's Office Memorandum F. No. 22-65/2017-IA.III dated 30th September, 2020, the project proponent, based on the commitments made during the public hearing, shall include all the activities required to be taken to fulfill these commitments in the Environment Management Plan along with cost estimates of these activities, in addition to the activities proposed as per recommendations of EIA Studies and the same shall be submitted to the ministry as part of the EIA Report. The EMP shall be implemented at the project cost or any other funding source available with the project proponent. 19. In pursuance of Ministry's OM No stated above the project proponent shall add one annexure in the EIA Report indicating all the commitments made by the PP to the public during public hearing and submit it to the Ministry and the EAC.

Standard Terms of Reference for (Ports, harbors, breakwaters, dredging)

1 Project details

S. No	Terms of Reference
1.1	Reasons for selecting the site with details of alternate sites examined/rejected/selected on merit with

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S. No	Terms of Reference
	comparative statement and reason/basis for selection.
1.2	The examination should justify site suitabilityin terms of environmental angle, resources sustainability associated with selected site as compared to rejected sites.
1.3	The anlysis should include parameters considered along with weightage criteria for short-listing selected site.
1.4	Submit the status of shore line change at the project site
1.5	A detailed draft EIA/EMP report should be prepared in accordance with the above additional TOR and should be submitted to the Ministry in accordance with the Notification.
1.6	The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
1.7	Any further clarification on carrying out the above studies including anticipated impacts due to theproject and mitigative measure, project proponent can refer to the model ToR available on Ministry.

2 Land use,Land Acquisition and R&R

S. No	Terms of Reference
2.1	Details of the land use break-up for the proposed project. Details of land use around 10 km radiusof the project site.
2.2	Submit details regarding R&R involved in the project

3 ESZ, CRZ, International Boundary and Acts

S. No	Terms of Reference
3.1	Examine and submit detail of land use around 10 km radius of the project site and map of the project area and 10 km area from boundary of the proposed/existing project area, delineating project areas notified under the wild life (Protection) Act, 1972/critically polluted areas as identifiedby the CPCB from time to time/notified eco-sensitive areas/interstate boundaries and international boundaries.
3.2	Erosion and accretion study at the mouth of the creek which is adjacent to the proposed site be carried out and submitted
3.3	Detailed modelling studies to understand whether the selected site can withstand severe cyclones and develop design in accordance to due safety measures.
3.4	Submit superimposing of latest CZMP as per CRZ Notification (2011) on the CRZ map. And also submit a copy of layout superimposed on the HTL/LTL map demarcated by an authorized agency on 1:4000 scales.

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S. No	Terms of Reference
3.5	Submit a complete set of documents required as per para 4.2 (i) of CRZ Notification, 2011.
3.6	Hydrodynamics study on impact of dredging on flow characteristics shall be carried out.
3.7	A detailed study on the impact of proposed activity on marine ecology and marine biodiversity with specific focus on the corals, mangroves and Mud flats in the proximity of the site should be conducted and required mitigation plan be submitted.
3.8	A management plan for the area under which mangroves are or likely to be removed and compensatory mangrove plantation plan be submitted.

4 Remote Sensing & GIS

S. No	Terms of Reference
4.1	Analysis should be made based on latest satellite imagery for land use with raw images.

5 Forest and Wildlife

S. No	Terms of Reference
5.1	Submit the present land use and permission required for any conversion such as forest, agriculture etc.
5.2	land acquisition status, rehabilitation of communities/ villages and present status of acquiring Forest and Agricultural activities.
5.3	Submit details of the trees to be cut including their species and whether it also involves any protected or endangered species.
5.4	Measures taken to reduce the number of the trees to be removed should be explained in detail.
5.5	Submit the details of compensatory plantation.
5.6	Explore the possibilities of relocating the existing trees.
5.7	Examine the details of afforestation measures indicating land and financial outlay.
5.8	Landscape plan, green belts and open spaces may be described. A thick green belt should be planned all around the nearest settlement to mitigate noise and vibrations.
5.9	The identification of species/ plants should be made based on the botanical studies.

6 Water Environment/Quality Analysis/ Hydrology and Water Bodies

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S. No	Terms of Reference
6.1	Examine the details of water requirement, impact on competitive user, treatment details, use oftreated waste water. Prepare a water balance chart.
6.2	Examine and submit the water bodies including the seasonal ones within the corridor of impactsalong with their status, volumetric capacity, quality likely impacts on them due to the project.
6.3	Submit the details of fishing activity and likely impacts on the fishing activity due to the project.
6.4	Specific study on effects of construction activity and pile driving on marine life

7 Waste Management, Drainage and STPs

S. No	Terms of Reference
7.1	Submit a copy of the contour plan with slopes, drainage pattern of the site and surrounding area
7.2	Examine details of Solid waste generation treatment and its disposal.
7.3	Details of oil spill contingency plan.
7.4	Details of the layout plan including details of channel, breakwaters, dredging, disposal and reclamation.

8 Terrain and Topography

S. No	Terms of Reference
8.1	Submit the details of terrain, level with respect to MSL, filling required, source of filling materials and transportation details etc.
8.2	Submit a copy of layout superimposed on the HTL/LTL map demarcated by an authorized agencyon 1:4000 scale along with the recommendation of the SCZMA.
8.3	Details of bathymetry study.
8.4	Details of ship tranquillity study.
8.5	The ecologically fragile area including CRZ 1A area etc. shall be demarcated and superimposed on the layout plan and submitted.

9 Road/Transport Connectivity and Traffic measures

S. No	Terms of Reference
9.1	Examine road/rail connectivity to the project site and impact on the existing traffic network due tothe proposed project/activities

S. No	Terms of Reference
9.2	A detailed traffic and transportation study should be made for existing and projected passenger and cargo traffic.
9.3	Details of handling of each cargo, storage, transport along with spillage control, dust preventivemeasures.
9.4	In case of coal, mineral cargo, details of storage and closed conveyance , dust suppressionand prevention filters.
9.5	An assessment of the cumulative impact of all development and increased inhabitation being carried out or proposed to be carried out by the project or other agencies in the core area, shall be made for traffic densities and parking capabilities in a 05 kms radius from the site. A detailed traffic management and a traffic decongestion plan drawn up through an organization of repute and specializing in Transport Planning shall be submitted with the EIA.

10 Rain Water Harvesting

S. No	Terms of Reference
10.1	Details of rainwater harvesting and utilization of rain water.

11 Baseline data

S. No	Terms of Reference
11.1	Examine baseline environmental quality along with projected incremental load due to the proposedproject/activities.

12 Air Environment

S. No	Terms of Reference
12.1	The air quality monitoring should be carried out according to the notification issued on 16th November, 2009.

13 Environment Management/ Monitoring, Mitigative Measures and RiskAssessment details

S. No	Terms of Reference
13.1	Examine separately the details for construction and operation phases both for EnvironmentalManagement Plan and Environmental Monitoring Plan with cost and parameters.
13.2	Submit details of a comprehensive Risk Assessment and Disaster Management Plan includingemergency evacuation during natural and man-made disasters.
13.3	Details of desalination plant and the study for outfall and intake

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14 Court/ Litigation records

S. No	Terms of Reference
14.1	Details of litigation pending against the project, if any, with direction /order passed by any Court ofLaw against the Project should be given.

15 Environment Responsibility

S. No	Terms of Reference
15.1	As per the Ministry's Office Memorandum F. No. 22-65/2017-IA.III dated 30th September, 2020, the project proponent, based on the commitments made during the public hearing, specific studies shall include all the activities required to be taken to fulfill these commitments in the Environment Management Plan along with cost estimates of these activities, in addition to the activities proposed as per recommendations of EIA Studies and the same shall be submitted to the ministry as part of the EIA Report. The EMP shall be implemented at the project cost or any other funding source available with the project proponent.

Additional Terms of Reference

1. A detailed draft EIA/EMP report shall be prepared in terms of the above additional TOR and should be submitted to the State Pollution Control Board for Public Hearing. Public Hearing to be conducted for the project in accordance with the provisions of Environmental Impact Assessment Notification, 2006 and the issues raised by the public should be addressed in the Environmental Management Plan. The Public Hearing shall be conducted based on the TOR letter issued by the Ministry and not on the basis of Minutes of the Meeting available on the website.
2. The project proponent shall submit the detailed final EIA/EMP report prepared as per TOR to the Ministry for considering the proposal for environmental clearance before expiry of validity of TOR.
3. The consultants involved in preparation of EIA/EMP report after accreditation with Quality Council of India/National Accreditation Board of Education and Training (QCI/NABET) would need to include a certificate in this regard in the EIA/EMP reports prepared by them and data provided by other Organization(s)/Laboratories including their status of approvals etc. vide notification of the MoEF dated 19th July, 2013.
4. The prescribed TOR would be valid for a period of four years for submission of the EIA/EMP Reports.

NOTARY ADV. JAGRUTI C. GAIKWAD Uran Raigad Exp. July 24 Reg. No. 1326 GOVT. OF MAHARASHTRA

Annexure 2

TRUE COPY
DS
For Vidhii Partners
Advocates

Signature Not Verified
Digitally Signed by : Dr Amardeep Raju
Member Secretary, MoEFCC (EC)
Date: 01/09/2023

EXHIBIT 'F'

Exhibit F

MAHARASHTRA POLLUTION CONTROL BOARD

Tel: 24010706/24010437
Fax: 24023516
Website: http://mpcb.gov.in
Email: cac-cell@mpcb.gov.in

Kalpataru Point, 2nd and 4th floor, Opp. Cine Planet Cinema, Near Sion Circle, Sion (E), Mumbai-400022

RED/L.S.I (R46)
No:- Format1.0/CAC/UAN No.MPCB-CONSENT-0000175946/CE/2310001655

Date: 23/10/2023

To,
M/s. Jawaharlal Nehru Port Authority-
Nhava Sheva Freeport Terminal Pvt. Ltd.
At Sheva, Tal. Uran, Dist. Raigad.

LiFE Lifestyle for Environment
लोकसेवा हक्क कायदा Right to Public Service Act
Your Service is Our Duty

Sub: Consent to Establish for Expansion for widening of existing container berth Under Red Category.

Ref:
1. Board's existing consent to operate vide No. Format1.0/CAC/UAN No.MPCB-CONSENT-0000097172/CR/2103001085 dated 19.03.2021 valid up to 30.09.2025
2. Proposal submitted by MCZMA under CRZ Notification, 2011 to MOEFCC vide No. CRZ2022/CR312/TC4 dtd.14.02.2023
3. Minutes of CAC meeting held on 26.09.2023

Your application No.MPCB-CONSENT-0000175946 Dated 10.07.2023

For: Grant of Consent to Establish for Expansion under Section 25 of the Water (Prevention & Control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 6 and Rule 18(7) of the Hazardous & Other Wastes (Management & Transboundary Movement) Rules 2016 is considered and the consent is hereby granted subject to the following terms and conditions and as detailed in the schedule I, II, III & IV annexed to this order:

NOTARY ADV. SAGRUTI C. GAIKWAD Uran Raigad Reg. No. 1521 GOVT. OF MAHARASHTRA

1. **The consent to establish is granted for a period up to commissioning of the unit or up to 5 year whichever is earlier.**
2. **The capital investment of the project is Rs.196.82 Crs. (As per undertaking submitted by pp Existing CI is of Rs. 3640.5 Crs + Proposed Expansion in C.I. by Rs. 196.82 Crs = Total C.I. will be Rs. 3837.32 Crs)**
3. **Consent is valid for handling of:**

Sr No	Product	Maximum Quantity	UOM
Products			
Widening of existing container berth by 15.0 Mtrs towards land side for smooth vehicles maneuvering for keeping hatch covers.			

4. **Conditions under Water (P&CP), 1974 Act for discharge of effluent:**

Sr No	Description	Permitted (in CMD)	Standards to	Disposal Path
1.	Trade effluent	0	As per Schedule-I	Not Applicable

Sr No	Description	Permitted	Standards to	Disposal
2.	Domestic effluent	50.0	As per Schedule-I	On land for gardening

5. **Conditions under Air (P& CP) Act, 1981 for air emissions:**

Sr No.	Stack No.	Description of stack / source	Number of Stack	Standards to be achieved
1	S-1 to S-2	DG Set (1500 KVA & 1000 KVA	2	As per Schedule -II

6. **Non-Hazardous Wastes:**

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	Metal Scrap	5.0	MT/A		Sale to authorized party

7. **Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for Collection, Segregation, Storage, Transportation, Treatment and Disposal of hazardous waste:**

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
1	5.1 Used or spent oil	0.5	MT/M	Reprocessing	Sale to authorised party

(The Applicant shall ensure disposal of all recycle-reprocessing of hazardous waste to the actual user having permission under Rule 9 of Hazardous & Other Waste (M & T M) Rules, 2016.)

8. The Board reserves the right to review, amend, suspend, revoke this consent and the same shall be binding on the industry.
9. This consent should not be construed as exemption from obtaining necessary NOC/ permission from any other Government authorities.
10. PP shall obtain environmental clearance and CRZ Clearance.
11. This consent is issued pursuant to the decision of the 12th Consent Appraisal Committee Meeting held on 26.09.2023.
12. PP shall strictly comply with the recommendations of the Maharashtra Coastal Zone Management Authority.
13. PP shall not take any effective steps towards implementation of the expansion of the project before obtaining Environmental Clearance and CRZ Clearance.
14. The applicant shall obtain Consent to Operate from Maharashtra Pollution Control Board before actual commencement of the Unit/Activity.

NOTARY ADV. ATUL C. GAIKWAD Uran Raigad Exp. July 2 Reg. No. 1326 GOVT. OF MAHARASHTRA

531c5c44 406cae00 fe03b5a6 c1d6e450 2f57adb4 a749d802 d82616c7 9d1a342f

Signed by: Dr.Avinash Dhakne
Member Secretary
For and on behalf of,
Maharashtra Pollution Control Board
ms@mpcb.gov.in
2023-10-23 21:23:11 IST

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	393640.00	MPCB-DR-20167	14/07/2023	RTGS

Copy to:

1. Regional Officer, MPCB, Navi Mumbai and Sub-Regional Officer, MPCB, Taloja
- They are directed to ensure the compliance of the consent conditions.
2. Chief Accounts Officer, MPCB,Sion, Mumbai
3. CAC Cell - for record & updation purposes.

NOTARY
ADV. JAGRUTI C. GAIKWAD
Uran
Raigad
Exp. July 24
Reg. No. 1326
GOVT. OF MAHARASHTRA

SCHEDULE-I

Terms & conditions for compliance of Water Pollution Control:

1. A] Generation - As per your application the treated effluent generation is Nil.
   B] Treatment - NA
   C] Disposal - NA

2. A] As per your application, you have provided Sewage Treatment Plant of designed capacity 60 CMD for the treatment of 50.0 CMD of sewage.

   B] The Applicant shall operate the sewage treatment system to treat the sewage so as to achieve the following standards.

Sr.No	Parameters	Standards (mg/l)	
1	Total Suspended solids	Not to exceed	50
2	BOD (3 days 27°C)	Not to exceed	30
3	COD	Not to exceed	100

   C] The treated effluent shall be 60% recycled for secondary purposes such as toilet flushing,air conditioning,cooling tower make up,firefighting etc. and remaining shall be utilized on land for gardening and connected to the sewage system provided by Local body/disposed into creek.

3. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification there of & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.

4. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.

5. The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and as amended, by installing water meters and other provisions as contained in the said act:

Sr. No.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Industrial Cooling, spraying in mine pits or boiler feed	0.00
2.	Domestic purpose	80.00
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	0.00
4.	Processing whereby water gets polluted & pollutants are not easily biodegradable and are toxic	0.00
5.	Gardening	0

6. The Applicant shall provide Specific Water Pollution control system as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance/ CREP guidelines.

SCHEDULE-II

Terms & conditions for compliance of Air Pollution Control:

1. As per your application, you have proposed to provide the Air pollution control (APC) system and also to erect following stack (s) to observe the following fuel pattern:

Stack No.	Source	APC System provided/proposed	Stack Height(in mtr)	Type of Fuel	Sulphur Content(in %)	Pollutant	Standard
S-1	DG Set 1000 KVA	Acoustic Enclosure Stack	10.00	HSD 41.315 Kg/Hr	1	SO2	19.83 Kg/Day
S-2	DG 1500 KVA	Acoustic Enclosure Stack	30.00	HSD 66.104 Kg/Hr	1	SO2	31.72 Kg/Day

2. The Applicant shall provide Specific Air Pollution control equipments as per the conditions of EP Act, 1986 and rule made there under from time to time/ Environmental Clearance / CREP guidelines.
3. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
4. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).

NOTARY Adv. JAGRUTI GAIKWAD Uran Raigad Exp. Jun/24 Reg. No. 1326 GOVT. OF MAHARASHTRA

SCHEDULE-III

Details of Bank Guarantees:

Sr. No.	Consent (C2E/ C2O /C2R)	Amt of BG Imposed	Submission Period	Purpose of BG	Compliance Period	Validity Date
1	C to E	Rs. 25 Lakhs	15 Days	Towards compliance of consent to establish and EC & CRZ Clearance	COU OR 5 years, whichever is earlier	COU+6 months

The above Bank Guarantee(s) shall be submitted by the applicant in favour of Regional Officer at the respective Regional Office within 15 days from the date of issue of Consent.

BG Forfeiture History

Srno.	Consent (C2E/C2O/C2R)	Amount of BG imposed	Submission Period	Purpose of BG	Amount of BG Forfeiture	Reason of BG Forfeiture
1	NA	NA	NA	NA	NA	NA

BG Return details

Srno.	Consent (C2E/C2O/C2R)	BG imposed	Purpose of BG	Amount of BG Returned
1	NA	NA	NA	NA

SCHEDULE-IV
General Conditions:

1. The Energy source for lighting purpose shall preferably be LED based
2. The PP shall harvest rainwater from roof tops of the buildings and storm water drains to recharge the ground water and utilize the same for different industrial applications within the plant
3. Conditions for D.G. Set
   a) Noise from the D.G. Set should be controlled by providing an acoustic enclosure or by treating the room acoustically.
   b) Industry should provide acoustic enclosure for control of noise. The acoustic enclosure/ acoustic treatment of the room should be designed for minimum 25 dB (A) insertion loss or for meeting the ambient noise standards, whichever is on higher side. A suitable exhaust muffler with insertion loss of 25 dB (A) shall also be provided. The measurement of insertion loss will be done at different points at 0.5 meters from acoustic enclosure/room and then average.
   c) Industry should make efforts to bring down noise level due to DG set, outside industrial premises, within ambient noise requirements by proper sitting and control measures.
   d) Installation of DG Set must be strictly in compliance with recommendations of DG Set manufacturer.
   e) A proper routine and preventive maintenance procedure for DG set should be set and followed in consultation with the DG manufacturer which would help to prevent noise levels of DG set from deteriorating with use.
   f) D.G. Set shall be operated only in case of power failure.
   g) The applicant should not cause any nuisance in the surrounding area due to operation of D.G. Set.
   h) The applicant shall comply with the notification of MoEFCC, India on Environment (Protection) second Amendment Rules vide GSR 371(E) dated 17.05.2002 and its amendments regarding noise limit for generator sets run with diesel.
4. The applicant shall maintain good housekeeping.
5. The non-hazardous solid waste arising in the factory premises, sweepings, etc. be disposed of scientifically so as not to cause any nuisance / pollution. The applicant shall take necessary permissions from civic authorities for disposal of solid waste.
6. The applicant shall not change or alter the quantity, quality, the rate of discharge, temperature or the mode of the effluent/emissions or hazardous wastes or control equipments provided for without previous written permission of the Board. The industry will not carry out any activity, for which this consent has not been granted/without prior consent of the Board.
7. The industry shall ensure that fugitive emissions from the activity are controlled so as to maintain clean and safe environment in and around the factory premises.
8. The industry shall submit quarterly statement in respect of industries obligation towards consent and pollution control compliance's duly supported with documentary evidences (format can downloaded from MPCB official site).
9. The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
10. The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification No. B-29016/20/90/PCI-L dated. 18.11.2009 as amended.

11. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions. The Applicant shall obtain prior consent of the Board to take steps to establish the unit or establish any treatment and disposal system or an extension or addition thereto.
12. The industry shall ensure replacement of pollution control system or its parts after expiry of its expected life as defined by manufacturer so as to ensure the compliance of standards and safety of the operation thereof.
13. The PP shall provide personal protection equipment as per norms of Factory Act
14. Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.
15. Whenever due to any accident or other unforeseen act or even, such emissions occur or is apprehended to occur in excess of standards laid down, such information shall be forthwith Reported to Board, concerned Police Station, office of Directorate of Health Services, Department of Explosives, Inspectorate of Factories and Local Body. In case of failure of pollution control equipments, the production process connected to it shall be stopped.
16. The applicant shall provide an alternate electric power source sufficient to operate all pollution control facilities installed to maintain compliance with the terms and conditions of the consent. In the absence, the applicant shall stop, reduce or otherwise, control production to abide by terms and conditions of this consent.
17. The industry shall recycle/reprocess/reuse/recover Hazardous Waste as per the provision contain in the Hazardous and Other Wastes (M & TM) Rules 2016, which can be recycled /processed /reused /recovered and only waste which has to be incinerated shall go to incineration and waste which can be used for land filling and cannot be recycled/reprocessed etc. should go for that purpose, in order to reduce load on incineration and landfill site/environment.
18. An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
19. Industry shall strictly comply with the Water (P&CP) Act, 1974, Air (P&CP) Act, 1981 and Environmental Protection Act, 1986 and industry specific standard under EP Rules 1986 which are available on MPCB website (www.mpcb.gov.in).
20. Separate drainage system shall be provided for collection of trade and sewage effluents. Terminal manholes shall be provided at the end of the collection system with arrangement for measuring the flow. No effluent shall be admitted in the pipes/sewers downstream of the terminal manholes. No effluent shall find its way other than in designed and provided collection system.
21. Neither storm water nor discharge from other premises shall be allowed to mix with the effluents from the factory.
22. The industry should not cause any nuisance in surrounding area.
23. The industry shall take adequate measures for control of noise levels from its own sources within the premises so as to maintain ambient air quality standard in respect of noise to less than 75 dB (A) during day time and 70 dB (A) during night time. Day time is reckoned in between 6 a.m. and 10 p.m. and night time is reckoned between 10 p.m. and 6 a.m.

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24. The industry shall create the Environmental Cell by appointing an Environmental Engineer, Chemist and Agriculture expert for looking after day to day activities related to Environment and irrigation field where treated effluent is used for irrigation.
25. The applicant shall provide ports in the chimney/(s) and facilities such as ladder, platform etc. for monitoring the air emissions and the same shall be open for inspection to/and for use of the Board's Staff. The chimney(s) vents attached to various sources of emission shall be designated by numbers such as S-1, S-2, etc. and these shall be painted/ displayed to facilitate identification.
26. The industry should comply with the Hazardous and Other Wastes (M & TM) Rules, 2016 and submit the Annual Returns as per Rule 6(5) & 20(2) of Hazardous and Other Wastes (M & TM) Rules, 2016 for the preceding year April to March in Form-IV by 30th June of every year.
27. The applicant shall install a separate meter showing the consumption of energy for operation of domestic and industrial effluent treatment plants and air pollution control system. A register showing consumption of chemicals used for treatment shall be maintained.
28. The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a yearly statement by 30th September every year on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end.
29. The Board reserves its rights to review plans, specifications or other data relating to plant setup for the treatment of waterworks for the purification thereof & the system for the disposal of sewage or trade effluent or in connection with the grant of any consent conditions.
30. The firm shall submit to this office, the 30th day of September every year, the Environment Statement Report for the financial year ending 31st March in the prescribed FORM-V as per the provisions of Rule 14 of the Environment (Protection) (second Amendment) Rules, 1992.
31. The Applicant shall obtain necessary prior permission for providing additional control equipment with necessary specifications and operation thereof or alteration or replacement/alteration well before its life come to an end or erection of new pollution control equipment.
32. The Board reserves its rights to vary all or any of the condition in the consent, if due to any technological improvement or otherwise such variation (including the change of any control equipment, other in whole or in part is necessary).
33. The applicant shall provide facility for collection of environmental samples and samples of trade and sewage effluents, air emissions and hazardous waste to the Board staff at the terminal or designated points and shall pay to the Board for the services rendered in this behalf.

This certificate is digitally & electronically signed.

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TRUE COPY
DS
For Vidhii Partners
Advocates

EXHIBIT 'G'

Exhibit G

<u>प्रकल्प प्रवर्तक मे. जवाहरलाल नेहरु बंदर प्राधिकरण, यांच्या जवाहरलाल नेहरू पोर्ट, शेवा, तालुका-उरण, जिल्हा-रायगड,येथे विद्यमान कंटेनर बर्थचे रुंदीकरण (कार्गो हाताळणी क्षमता = २२.१ एम.टी.पी.ए.)</u>

अ) ६८० मीटर बर्थ लांबीसाठी क्रेन रेल स्पॅन २०.० मीटर ते ३०.५० मीटरपर्यंत वाढविणे,

ब) धक्क्याच्या डेकची रुंदी जमिनीच्या बाजूला १५.० मीटरने वाढविणे,

क) विद्यमान ५३०.० मीटर बर्थ आणि १५०.० मीटर घाटाचे सुधारणा व मजबुतीकरण,

<u>प्रकल्प उभारणी प्रस्तावाबाबत पर्यावरणविषयक जाहिर जनसुनावणी बाबतचा इतिवृतांत -</u>

प्रकल्प प्रवर्तक मे.जवाहरलाल नेहरु बंदर प्राधिकरण, शेवा, तालुका-उरण, जिल्हा-रायगड, महाराष्ट्र यांच्या प्रस्तावित –

अ) ६८० मीटर बर्थ लांबीसाठी क्रेन रेल स्पॅन २०.० मीटर ते ३०.५० मीटरपर्यंत वाढविणे,

ब) धक्क्याच्या डेकची रुंदी जमिनीच्या बाजूला १५.० मीटरने वाढविणे,

क) विद्यमान ५३०.० मीटर बर्थ आणि १५०.० मीटर घाटाचे सुधारणा व मजबुतीकरण,

प्रकल्प संदर्भात पर्यावरणविषयक जाहिर जनसुनावणी शुक्रवार दिनांक ०१ डिसेंबर २०२३ रोजी दुपारी १२.०० वाजता बहुउद्देशिय सभागृह, सेक्टर-२, जे.एन.पी.टी. कॉलनी, जवाहरलाल नेहरु बंदर प्राधिकरण, तालुका-उरण, जिल्हा-रायगड येथे आयोजित करण्यात आलेली होती.

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उप-प्रादेशिक अधिकारी, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, नवी मुंबई तथा आयोजक, यांनी समितीचे अध्यक्ष संदेश शिर्के, अपर जिल्हादंडाधिकारी,रायगड तथा अध्यक्ष, श्री. सतिश पडवळ, प्रादेशिक अधिकारी, म.प्र.नि. मंडळ, नवी मुंबई तथा सदस्य पर्यावरण विषयक जाहिर जनसुनावणी समिती व शासकीय अधिकारी व पर्यावरणविषयक जाहिर जनसुनावणीस सर्व उपस्थितांचे स्वागत केले. मा.अध्यक्षांच्या परवानगीने पर्यावरणविषयक जनसुनावणी प्रक्रिया सुरु केली.

आयोजक पर्यावरणविषयक जाहीर जनसुनावणी समिती यांनी नमूद केले की भारत सरकारच्या पर्यावरण, वने व हवामान बदल मंत्रालय, नवी दिल्ली यांच्या दिनांक १४ सप्टेंबर २००६ व सुधारित दिनांक १ डिसेंबर २००९ च्या अधिसूचनेनुसार (शेड्यूल) यादीतील विशिष्ट प्रकल्पांना पर्यावरणविषयक अनुमती घेणे बंधनकारक असून त्यासाठी आगाऊ पर्यावरण विषयक जाहीर लोकसुनावणी आयोजीत करणे बंधनकारक करण्यात आलेले आहे. मे. जवाहरलाल नेहरु बंदर प्राधिकरण, न्हावा शेवा, तालुका-उरण, जिल्हा-रायगड, महाराष्ट्र यांच्या प्रस्तावित -

अ) ६८० मीटर बर्थ लांबीसाठी क्रेन रेल स्पॅन २०.० मीटर ते ३०.५० मीटरपर्यंत वाढविणे,

ब) धक्क्याच्या डेकची रुंदी जमिनीच्या बाजूला १५.० मीटरने वाढविणे,

क) विद्यमान ५३०.० मीटर बर्थ आणि १५०.० मीटर घाटाचे सुधारणा व मजबुतीकरण,

प्रकल्प उभारणी प्रस्तावाबाबत पर्यावरण विषयक जाहीर जनसुनावणी आयोजित करण्यासाठी म.प्र.नि. मंडळाकडे प्राप्त झाला.

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सदरहू प्रकल्प पर्यावरण अधिसूचना, २००६ आणि सुधारित अधिसूचना ०१-१२-२००९ नुसार संवर्ग " ए " – कार्गो हाताळणी क्षमता > ५.० एमटी/वर्षे शेड्युल ७(ई) – पोर्ट्स, हार्बर्स, ब्रेक वॉटर्स, ड्रेजिंग मध्ये मोडत असल्याने सदरहू प्रकल्पास पर्यावरण, वने व हवामान बदल मंत्रालय, भारत सरकार, नवी दिल्ली यांची "पर्यावरण अनुमती" प्राप्त करणे व त्यासाठी आगाऊ पर्यावरण विषयक जाहिर जनसुनावणी घेणे बंधनकारक आहे.

आयोजक यांनी नमूद केले की पर्यावरण विषयक जाहिर लोकसुनावणीचा मूळ उद्देश प्रकल्प परिसरातील सामान्य जनतेस प्रकल्पाविषयी व प्रकल्पामुळे होणारे परिणाम व त्याबाबत सामान्य जनतेच्या भावना जाणून घेणे, प्रकल्पात बंधनकारक असणा-या प्रदूषण नियंत्रण संयत्रणेची माहिती सामान्य जनतेस देणे व त्यांनी दिलेल्या सूचनेचा विचार करणे आहे.

प्रकल्प प्रवर्तकांनी तज्ज्ञ मुल्यांकन समिती (EAC), पर्यावरण, वने व हवामान बदल मंत्रालय, भारत सरकार, नवी दिल्ली यांची प्राथमिक मान्यता (ToR) प्रदान करण्यासाठी व पर्यावरण आघात मुल्यांकन अहवाल तयार करण्यासाठी ऑनलाईन अर्ज सादर केला व त्या अर्जास तज्ज्ञ मुल्यांकन समिती (EAC), पर्यावरण, वने व हवामान बदल मंत्रालय, भारत सरकार, नवी दिल्ली यांनी ऑनलाईन मंजूरी दिनांक ०१-०९-२०२३ रोजी प्रदान केली.

जिल्हाधिकारी, रायगड,अलिबाग यांनी पर्यावरणविषयक जनसुनावणी शुक्रवार दिनांक ०१ डिसेंबर, २०२३ रोजी दुपारी १२. ०० वाजता घेण्यास मान्यता दिल्यानंतर सदस्य सचिव, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, मुंबई यांनी भारत सरकारच्या पर्यावरण, वने व हवामान बदल मंत्रालयाच्या अधिसुचना दिनांक १४-०९-२००६ व सुधारित अधिसुचना दिनांक ०१-१२-२००९ अनुसार दिनांक १०/११/२०२३ अन्वये खालीलप्रमाणे पर्यावरण विषयक जाहिर जनसुनावणी समिती गठित केली:-

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मा. जिल्हादंडाधिकारी, रायगड,अलिबाग किंवा त्यांचे प्रतिनिधी (अपर जिल्हादंडाधिकारी यांच्यापेक्षा कमी दर्जाचा नसावा)	.....	अध्यक्ष
महाराष्ट्र प्रदूषण नियंत्रण मंडळ,मुंबई यांचे प्रतिनिधी प्रादेशिक अधिकारी – नवी मुंबई महाराष्ट्र प्रदूषण नियंत्रण मंडळ, रायगड भवन, ७ वा मजला,सेक्टर-११, सी.बी.डी. बेलापूर, नवी मुंबई	.....	सदस्य
उप-प्रादेशिक अधिकारी, तळोजा महाराष्ट्र प्रदूषण नियंत्रण मंडळ, रायगड भवन, ७ वा मजला,सेक्टर-११, सी.बी.डी. बेलापूर, नवी मुंबई	.....	आयोजक

सदरहू अधिसूचनेनुसार उप प्रादेशिक कार्यालय, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, तळोजा यांनी जनसुनावणी दिवसाच्या ३० दिवस आधी स्थानिक दैनिक "सकाळ" आणि "कृषिवल" या दैनिकांमध्ये मराठीत व राष्ट्रीय वृत्तपत्र "इंडियन एक्सप्रेस" यात इंग्रजीत जनसुनावणीबाबत जाहिर सूचना दिनांक २९-१०-२०२३ रोजी प्रकाशित केलेली होती.

त्याचप्रमाणे सदरहू प्रकल्पाबाबतचा सर्व दस्तावेज जनतेच्या माहितीकरीता खालील अधिसूचित कार्यालयात उपलब्ध करण्यात आलेले होते –

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१) जिल्हाधिकारी कार्यालय, रायगड, अलिबाग,

२) प्रादेशिक कार्यालय, पर्यावरण, वने व वातावरणीय बदल, मंत्रालय, पश्चीम विभाग, तळ मजला, पूर्व बाजू, नवीन सचिवालय इमारत,सिव्हील लाईन्स, नागपूर.

३) महाव्यवस्थापक, जिल्हा उद्योग केंद्र,रायगड, अलिबाग.

४) मुख्य कार्यकारी अधिकारी, जिल्हा परिषद कार्यालय, रायगड, अलिबाग,

५) उपविभागीय अधिकारी, पनवेल, जिल्हा-रायगड.

६) तहसीलदार, तहसील कार्यालय-उरण, तालुका- उरण, जिल्हा-रायगड,

७) गट विकास अधिकारी, पंचायत समिती- उरण, तालुका-उरण, जिल्हा- रायगड,

८) मुख्याधिकारी, नगर परिषद, उरण, तालुका-उरण,जिल्हा-रायगड,

९) ग्रामपंचायत कार्यालय – सोनारी, जसखार, डोंगरी, फुंडे, शेवा, हनुमान कोळीवाडा, पांजे,

१०) ग्रुप ग्रामपंचायत, घारापुरी, करल, न्हावा.

११) पर्यावरण व वातावरणीय बदल विभाग, महाराष्ट्र शासन, नवीन प्रशासकीय इमारत, १५ वा मजला, मादाम कामा मार्ग, मंत्रालय, मुंबई – ४०० ०३२.

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१२) सहसंचालक (जल प्रदूषण नियंत्रण) - मुख्यालय, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, कल्पतरू पॉईंट, ३रा मजला, सायन माटुंगा स्कीम रोड नं. ८, सायन (पूर्व), मुंबई - ४०० ०२२

१३) प्रादेशिक अधिकारी, प्रादेशिक कार्यालय, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, रायगड भवन, ७वा मजला, सेक्टर ११, सीबीडी बेलापूर, नवी मुंबई – ४०० ६१४

१४) उप प्रादेशिक अधिकारी-तळोजा, उप प्रादेशिक कार्यालय, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, रायगड भवन, ७वा मजला, सेक्टर ११, सीबीडी बेलापूर, नवी मुंबई – ४०० ६१४

१५) संकेतस्थळ, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, मुंबई.

उपरोक्त प्रकल्पाविषयी उप प्रादेशिक अधिकारी, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, तळोजा या कार्यालयास ३२ सूचना/आक्षेप प्राप्त झालेले आहेत. (प्रत सोबत).

आयोजक यांनी उपस्थित असलेल्या सर्वांना त्यांचे काही आक्षेप, हरकती, सूचना असल्यास ती संधि देण्यात आलेली असून ते लेखी वा तोंडी स्वरुपात ती देऊ शकतात असे सांगितले.

आयोजक यांनी प्रतिपादन केले की ही समिती फक्त लोकांचे मत, सूचना, आक्षेप, नोंदविण्यासाठी असून प्रकल्प संमत करणे, नाकारणे किंवा शिफारस करण्याचा अधिकार या समितीस नाही. आपण जनसुनावणीत उपस्थित केलेल्या सर्व लेखी किंवा तोंडी सूचना/आक्षेप यांची इतिवृतात नोंद घेण्यात येईल. त्याचप्रमाणे सदरहू बैठकीची व्हिडिओ रेकॉर्डींग जशीच्या तशी चित्रफित, बैठकीत उपस्थित करण्यात आलेल्या सूचना, आक्षेप यांची नोंद

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घेऊन इतिवृत्त म. प्र. नि. मंडळाच्यावतीने पर्यावरण, वने व हवामान बदल मंत्रालय, भारत सरकार, नवी दिल्ली यांच्याकडे सादर केला जाणार आहे.

मा. अध्यक्षांच्या परवानगीने प्रकल्प पर्यावरण सल्लागार यांनी प्रकल्पाविषयी व पर्यावरण व्यवस्थापन योजनेविषयी सादरीकरण केले. या प्रकल्पासाठी प्रस्तावित खर्च रुपये १९६.८२ कोटी असून, प्रकल्पात पर्यावरण व्यवस्थापनासाठी रुपये ६.३ लाख प्रकल्प कार्यान्वित टप्प्यात खर्च करण्यात येणार आहे. सदरहू प्रकल्पासाठी बांधकाम टप्प्यात सुमारे ३६० कंत्राटी मनुष्यबळाची तर १० नियमित मनुष्यबळाची रोजगाराची संधी उपलब्ध होईल. प्रकल्प कार्यान्वित झाल्यानंतर १५ नियमित मनुष्यबळाची तर ३६० कंत्राटी मनुष्यबळाची गरज भासेल. त्यात प्रकल्प बाधित आणि स्थानिकांना प्राधान्य देण्यात येईल. त्याचप्रमाणे सदरहू प्रकल्पामुळे परिसरातील अप्रत्यक्ष व्यवसायात प्रचंड प्रमाणात वाढ होणार आहे. प्रकल्प सल्लागाराने प्रस्तावित प्रकल्पाचे स्थान, प्रकल्पाचा उददेश, प्रकल्पातील सुरक्षितता व सामाजिक व आर्थिक प्रगती इत्यादी बाबतची माहिती दिली.

सादरीकरणानंतर प्रतिनिधी, आयोजक, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांनी उपस्थितांना प्रस्तावित प्रकल्पाविषयी काही पर्यावरणविषयक आक्षेप, सूचना असल्यास त्या नोंदविण्याचे आवाहन केले.

उपस्थित नागरिकांनी विचारलेले प्रश्न व त्यास प्रकल्प प्रवर्तक / प्रकल्प सल्लागार / पर्यावरणविषयक जाहिर लोकसुनावणी समिती यांना दिलेली उत्तरे याबाबतची माहिती पुढीलप्रमाणे आहे-

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१) श्री. भूषण पाटील, कामगार नेता, बोकडवीरा, प्रकल्पग्रस्त प्रतिनिधीः-

पूर्वी या ठिकाणी कन्टेनर टर्मिनल होते, ते न्हावा शेवा बंदर नावाने होते. जवाहरलाल नेहरु पोर्ट (बंदर) प्राधिकरण (जेएनपीए) यांनी विद्यमान टर्मिनल न्हावा शेवा फ्री पोर्ट टर्मिनल प्रायव्हेट लिमिटेड यांना पुरस्कृत केलेले असून जेएनपीए यांनी ६८० मीटर बर्थ लांबीसाठी क्रेन रेल स्पॅन २०.० मीटर ते ३०.५० मीटरपर्यंत वाढविणे, धक्क्याच्या डेकची रुंदी १५.० मीटरने वाढविणे आणि विद्यमान ५३०.० मीटर बर्थ आणि १५०.० मीटर घाटाचे सुधारणा व मजबूतीकरण प्रस्तावित असून त्यासाठी ही जनसुनावणी आहे.

विकासाला आमचा विरोध नाही, अशी माहिती त्यांनी दिली तर कुठल्याही प्रकल्पाचे सामाजिक-आर्थिक परिणाम काय होतील हे अभ्यासावे, जाणून घ्यावे लागतात. आमचे उरण शहर हे Most Polluted City in the World – म्हणजे जगातील सर्वात जास्त प्रदूषित शहर आहे. तसेच उरण शहर हे Most Accident Prone Zone म्हणजे सर्वात अपघात प्रवण क्षेत्र झालेले आहे. सर्वात जास्त अपघात हे उरण शहरात होत आहेत. काही दिवसांनी वर्षात कंटेनर हाताळण्याची क्षमता ही एक कोटी म्हणजे दहा मिलियन टन होईल. तर याचा पर्यावरणावर, मानवी जीवनावर काय परिणाम होईल आणि जे.एन.पी.ए. कडून काय अपेक्षा आहेत याची नोंद घेण्यात यावी.

पहिला परिणाम म्हणजे येथे अनेक जीवीतहानी होते. आम्ही माहिती अधिकार, २००५ नुसार माहिती घेतली असता २०२०, २०२१ व २०२२, २०२३ सालात दोनशेहून जास्त लोकांचा फक्त अपघाताने मृत्यू झालेला आहे. येथे मोठ्या प्रमाणात दुचाकी वाहनांचे अपघात होत असून त्याची जबाबदारी हे कोणीही घेत नाही. या कंटेनर वाहतुकीमुळे अनेकांची जीवितहानी होत आहे. तर कुटुंबातील कर्ता माणूस गेल्यानंतर त्या कुटुंबाचे पुनर्वसन कोणी

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करावे हा प्रश्न येथे महत्वाचा आहे.येथे जे प्रदूषण होते – येथील Air Quality Index सर्वात जास्त वाईट आहे. त्यामुळे येथे श्वास घेणे हे कठीण होत आहे. कंटेनरमुळे होणाऱ्या अपघाताची जबाबदारी प्रशासनाने घेणे गरजेचे आहे.

दुसरी गोष्ट प्रदूषणामुळे येथील पाणथळ क्षेत्र (wet land) नष्ट होणार आहे. येथे पूर्वी विविध पक्षी यायचे. ते येणार नाहीत, त्यामुळे अप्रत्यक्षपणे त्याचा मानवी जीवनावर परिणाम होणार आहे.

येथे महत्वाचा प्रश्न येतो म्हणजे पुनर्वसनाचा प्रश्न. तर हे जे कंटेनर टर्मिनल न्हावा शेवा फ्री पोर्ट टर्मिनल प्रायव्हेट लिमिटेडला हस्तांतरित करण्यात आले, त्यात आमचे ६०० कामगार हे नियमित संवर्गात (Permanent Cadre) कार्यरत होते. तेथे ९०० कोटींची गुंतवणूक आहे. जर एक कोटी प्रत्येक व्यक्तीस रोजगार धरला, तर येथील प्रकल्पग्रस्त, स्थानिक नऊशे लोकांना नियमित संवर्गात (Permanent Cadre) रोजगार मिळाला पाहिजे. काही दिवसांपूर्वी जे.एन.पी.ए. ने अर्ज मागविले, तर १,२०० स्थानिक व प्रकल्पग्रस्तांचे अर्ज आलेले आहेत, यादी जे.एन.पी.ए.ने तयार केलेली आहे. हा प्रकल्प दोन टप्प्यात विकसित होणार आहे. तर किती प्रकल्पग्रस्त स्थानिक नियमित सेवेत, कंत्राटी सेवेत कामाला घेतले? उरण तालुक्यात एवढे प्रकल्प येऊन प्रकल्पग्रस्त स्थानिकांना, येथील मूळ स्थानिकांना रोजगार देण्यात आलेला नाही. तरी पूर्वी जशा नियमित सेवेत रोजगार मिळायचा, तशा मिळाल्या पाहिजेत. दोन गावे विस्तापित केली नविन शेवा आणि हनुमान कोळीवाडा ही दोन गावे विस्तापित केली. त्यांना नोक-या देण्यात आल्या नाहीत. हनुमान कोळावाड्याचे अजूनही कायदेशीर पुनर्वसन झालेले नाही. ते म्हणतात, अजूनही ते संक्रमण शिबिरात आहेत. ते दोन्ही गावे व इतर प्रकल्पग्रस्त गावांना नुकसान भरपाई देण्यात आली पाहिजे. रोजगाराची निर्मिती झाली पाहिजे. आमचा विकासाला विरोध नाही, पण स्थानिकांना रोजगार मिळालाच पाहिजे.

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प्रकल्पामुळे होणा-या प्रदूषण नियंत्रणासाठी प्रभावी उपाययोजना करणे आवश्यक आहे. तसेच जे कंत्राटी स्वरुपाचे जे रोजगार आहेत, ते स्थानिकांना आणि प्रकल्पबाधितांनाच मिळाले पाहिजेत.

तरी आमच्या या मागण्यांचा पर्यावरणविषयक जाहिर जनसुनावणी समितीने विचार करावा ही नम्र विनंती.

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बाधित गाव असूनही गव्हाण गावाचे नांव ग्रामपंचायतीच्या यादीत नाही. तरी ही मुद्दा लक्षात घ्यावा. गव्हाण गाव हे कोळी समाजाचे गाव आहे. महाराष्ट्र प्रदूषण नियंत्रण मंडळाने जनसुनावणी सूचना पेपरात प्रकाशित केली. त्यातही गव्हाण ग्रामपंचायतीचे नावाचा उल्लेख नाही. तरी याबाबत खुलासा करण्यात यावा, नंतरच मी माझ्या सूचना उपस्थित करेन.कारण गव्हाण गावातील १,०३५ लोकांनी जे.एन.पी.ए. कडून नुकसान भरपाई घेतलेली आहे. तर गव्हाण गावाला का डावलले याचा खुलासा करण्यात यावा. कारण आमच्या नकळत तुम्ही काहीही निर्णय घ्याल.

प्रकल्प प्रवर्तक यांनी सांगितले की जनसुनावणी दिवसाच्या तीस दिवस अगोदर महाराष्ट्र प्रदूषण नियंत्रण मंडळाने एक स्थानिक वृत्तपत्रात मराठीत व एक राष्ट्रीय वृत्तपत्रात इंग्रजीत जनतेच्या माहितीसाठी जाहिर सूचना प्रकाशित करण्यात आलेली होती. त्यामुळे आम्ही असे समजतो की ती स्थानिक लोकांपर्यंत पोचली. आपण आलात याबद्दल आपले स्वागत. तरी आपण प्रस्तावित प्रकल्पाविषयी काही पर्यावरणीय सूचना, आक्षेप असल्यास त्या आपण नोंदवू शकतात.

१९७८ साली जेएनपीटीची सुरवात झाली. त्यावेळी गव्हाण गावाचा प्रकल्पग्रस्त म्हणून उल्लेख नव्हता. गव्हाण गाव हे प्रकल्पग्रस्त आहे. तर आम्ही प्रकल्पग्रस्त म्हणून दाखला देण्याची मागणी केली असता ज्यांची

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जमिन गेली, त्यांनाच प्रकल्पग्रस्त दाखला देणार असे सांगितले. तर असे का ? ज्याची झाडे गेली, तो प्रकल्पग्रस्त का नाही ? त्याला नोकरी देणार नाही का ? जेव्हा आम्ही जे.एन.पी.ए. ला नोकरी मागतो, त्यावेळी प्रकल्पग्रस्त दाखला आहे का याबाबत विचारणा होते. तर आम्ही दाखला कोणाला मागायचा ? मी चाळीस वर्षांचा झालो, मला नोकरी मिळणार नाही, पण आमच्या पुढच्या पिढीने काय करायचे? मच्छिमारांनी दाखला कोणाला मागायचा? आमच्या गावातील १,०३५ मूळ कोळी आहेत, त्यांना दाखला का दिला जात नाही? तर त्याबाबत स्पष्टीकरण त्वरित देण्यात यावेत. जर जमिन गेली, तोच प्रकल्पग्रस्त असेल, तर मच्छिमारांचीही मासेमारी प्रकल्पामुळे गेली, तर ते प्रकल्पग्रस्त का नाहीत? तर आम्हांला प्रकल्पग्रस्त कोण घोषित करणार याची माहिती देण्यात यावी.

पुढील मुद्दा आमची गव्हाण गावची खाडी जाणार आहे.तर तेथे होड्यांना जायला-यायला किती चॅनेल्स सोडणार आहेत ? आमच्या ब-याच होड्या बुडालेल्या आहेत. त्याचप्रमाणे तेथील गाळसुध्दा प्रकल्पाने – जे.एन.पी.ए. ने काढलेला नाही. गाळ काढल्याशिवाय माशांचे गर्भाधान (fertilization) होत नाही. त्यासाठी आम्हांला कोकण आयुक्तांपर्यंत लेखी तक्रारी करायला लागल्या आहेत. तेथील खडकावर आमच्या होड्या आदळतात. आजपर्यंत आमच्या या मागण्यांवर विचारच झालेला नाही. आमच्या गव्हाण खाडीतील गाळ काढला जात नाही. ज्याप्रमाणे कंळबोली खाडीचे झाले, तेथील त्यामुळे पाण्याला वास येतो, त्यामुळे तेथील खेकडे लोक खात नाहीत. तसेच येथे होणार.

तरी गव्हाणच्या रहिवाशांना प्रकल्पग्रस्त दाखला मिळावा, गव्हाणच्या लोकांना नोकरीत प्राधान्य मिळावे, कुठल्या पध्दतीने प्रकल्पग्रस्त दाखला मिळणार, तसेच प्रकल्प प्रवर्तकांना आमच्याकडून एफिडेव्हीट लिहून घेतले, ते आम्हांला मिळावे. जे.एन.पी.ए. कडून पैसे मिळाले.

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हनुमानकोळी वाडयातील घरांना वाळवी लागली आहे. तेही आमचे बांधव आहेत. तर त्यांचे पुनर्वसन कधी करणार ?

तसेच बैठकीच्या इतिवृताची प्रत ही सर्व ग्रामपंचायत कार्यालयात उपलब्ध करुन देण्यात यावी.

३) श्री. परमानंद कोळी, सरपंच, ग्रामपंचायत हनुमान कोळीवाडा -

माझा प्रश्न प्रकल्प प्रवर्तकांना – जे.एन.पी.ए. ला आहे – आधि पुनर्वसन का आधि प्रकल्प. त्यांनी पर्यावरणविषयक जाहिर जनसुनावणी समितीस याबाबत उत्तर देण्याची सूचना केली.

अध्यक्ष, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांनी सांगितले की आता जो प्रकल्प आहे ज्याबाबत पर्यावरणविषयक जाहिर जनसुनावणी आहे, त्याठिकाणीच करत आहोत. त्यासाठी कोणीही विस्थापित होणार नाही. त्यावेळी श्री. परमानंद कोळी यांनी आक्षेप नोंदविला की जे.एन.पी.ए. च्या दुस-या टप्प्यासाठी शेवागावठाण विस्थापित केले. १९८५ ला ते शिवापूर गावठाण विस्थापीत करण्यात आले. आता त्याठिकाणी प्रकल्प होत नाही. नंतर अनेक नवीन प्रकल्प आले. ३८ वर्षे आम्ही पुनर्वसनासाठी झगडत आहोत. आपण पुनर्वसनाचे काम करतच नाही. एवढे प्रकल्प आले, स्थानिकांना, प्रकल्पग्रस्तांना नोक-या देत नाहीत. मा. जिल्हाधिकारी-अलिबाग,रायगड यांनी २९ तारखेला काल सांगितले होते की जनसुनावणी पुढे ढकलण्यात येईल. मात्र आज येथे जनसुनावणी चालू आहे, म्हणजे स्थानिकांना अंधारात ठेवून सगळे करणार आहेत .

त्यावेळी मा. अध्यक्ष, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांनी सांगितले की जनसुनावणीच्या तीस दिवस अगोदर स्थानिक वृत्तपत्रात मराठीत व एक राष्ट्रीय वृतपत्रात इंग्रजीत जनतेच्या माहितीसाठी जाहिर सूचना प्रकाशित करण्यात आलेली होती. त्याचप्रमाणे प्रकल्प बाधित गावांतील ग्रामपंचायत कार्यालयात प्रस्तावित प्रकल्पाविषयीचे

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पर्यावरणविषयक दस्तावेज मराठीत व इंग्रजीत उपलब्ध करण्यात आलेले होते. सदरहू जनसुनावणी ही पर्यावणविषयक जनसुनावणी आहे. पुनर्वसनाचा विषय ही सपूर्णपणे वेगळा आहे. पुनर्वसनाची बैठक ही नंतर लावण्यात येणार आहे. त्यावेळी श्री.परमानंद कोळी यांनी आक्षेप नोंदविला की गेले ३८ वर्षे आम्ही झगडत आहोत.

श्री. कोळी यांनी प्रस्तावित प्रकल्पाची संयुक्त स्थळ पाहणी केली का याबाबत विचारणा केली. त्यांनी आरोप केला की संयुक्त पाहणी केलेलीच नाही. मच्छिमारांसोबत शासनाने, महाराष्ट्र प्रदूषण नियंत्रण मंडळाने प्रस्तावित प्रकल्पाची संयुक्त स्थळ पाहणी करणे आवश्यक होते. स्थानिकांना, मच्छिमारांना अंधारात ठेऊन शासन प्रकल्पाच्या बाजूने काम करत आहे. तरी प्रथम संयुक्त स्थळ पाहणी करण्यात यावी, त्यानंतर पुढील कार्यवाही करण्यात यावी.

मा. अध्यक्ष, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांनी श्री. कोळी यांनी उपस्थित केलेल्या सूचनांची नोंद करण्याची सूचना केली.

४) श्री. लखपती आसाराम पाटील, सरपंच, पानजे गाव ग्रामपंचायत, तालुका-पनवेल, जिल्हा-रायगडः-

जे.एन.पी.ए. ने पीएमसीसी म्हणून एक बंदर विकसित केलेले आहे. त्याच्या बाजूलाच माझे गांव आहे. जे.एन.पी.ए. ने आमच्या गावाला नोटीस दिलेली आहे की आम्ही मच्छीमारी करु नये. आमचे गांव त्या मच्छिमारीवरच जगते. आमच्या गावातील लोकांना नोक-यासुध्दा अजूनपर्यंत देण्यात आलेल्या नाहीत. कुठल्याच प्रकल्पात आमच्या गावाच्या युवक युवतींना समाविष्ट करण्यात आलेले नाही. मच्छी नष्ट होऊ लागलेली आहे, तर आम्ही आमची उपजिविका कशी करायची? आमच्यावर उपासमारीची पाळी आलेली आहे. याबाबत स्पष्टीकरण देण्यात यावे.

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५) श्री. दशरथ सीताराम मगर, राहणार-वाशी गाव, नवी मुंबई, तालुका-ठाणे, जिल्हा-ठाणे:-

मी अर्ज केलेला आहे. पर्यावरणविषयक जाहिर जनसुनावणीच्या जाहिर सूचनेनुसार या प्रकल्पामुळे जो पर्यावरणीय आघात/परिणाम होणार आहे तो रायगड जिल्हा, ठाणे जिल्हा आणि मुंबई जिल्हा यावर होणार आहे. ही प्रकल्पजवळ तीन जिल्हे, अनेक तालुके, अनेक गावे आहेत. अनेक औद्योगिक वसाहती आहेत.मच्छिमारीवर उदरनिर्वाह करणारा मोठा समाज या क्षेत्रात राहतो, त्यामुळे जल, जंगल, जमिनीचा तो मालक आहे. मग ती खाडीतील असो वा जंगलातील असो. मग प्रस्तावित प्रकल्पाला पर्यावरणविषयक ना हरकत प्रमाणपत्र प्रदान करणे, भूमी अधिग्रहण कायदा त्याचप्रमाणे वनहक्क कायदा, २००६ नुसार ही गावे मूळ जनजाती आहेत. त्यांच्या उदरनिर्वाहचा हक्क हा जल, जमिन, जंगल आहे.त्यामुळे ही जनसुनावणी आयोजित करण्याअगोदर वरिल कायद्यांनुसार जिल्हाधिकारी कार्यालयामार्फत प्रस्तावित प्रकल्पामुळे जो सामाजिक आघात होणार आहे, याचा अभ्यास होणे गरजेचे आहे. तरी वरिल कायद्यांनुसार जिल्हाधिकारी यांनी बाधित गावातील ग्रामसभा बोलावून ग्रामसभेत पर्यावरण आघात मुल्यांकन अहवालाची माहिती देणे अपेक्षित आहे. तसेच प्रस्तावित प्रकल्पामुळे सर्व नैसर्गिक घटकांवर म्हणजे समुद्रातील पाण्यावर, माशांवर, गाळावर त्याचप्रमाणे परिसरातील वनस्पतीवर, मनुष्यप्राण्यांवा, पशूपक्ष्यांवर जो परिणाम होईल हा अहवाल महाराष्ट्र प्रदूषण नियंत्रण मंडळाने गावाच्या वेशीवर लावायला पाहिजे होता असे सांगितले. तसेच जर प्रकल्प बाधित क्षेत्रात नगरपरिषद व महानगरपालिक येत असेल, तर त्यांच्या बैठकीत वरिलप्रमाणे पूर्तता होणे गरेजेचे होते.

तरी माझा आक्षेप आहे ही येथे विविध कायद्यांच्या निर्देशांची पूर्तता करण्यात आलेली नाही. तसेच परिसरातील महानगरपालिका, नगर पालिका त्यांचे प्रक्रिया न केलेले सांडपाणी हे समुद्रात सोडतात. त्यांना येथे बोलाविणे

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आवश्यक होते. तरी आमचा आक्षेप आहे की प्रथम पर्यावरण आघात मुल्यांकन अहवाल हा स्थानिकांना उपलब्ध करुन देणे आवश्यक होते.

जिल्हाधिकारी यांच्याकडे जिल्ह्याचे पालकत्व असते. तर मा. जिल्हाधिकारी यांना विनंती आहे की प्रथम ही पर्यावरणविषयक जाहिर जनसुनावणी ही रद्द करण्यात यावी. महाराष्ट्र प्रदूषण नियंत्रण मंडळाने बैठकीच्या तीस दिवस अगोदर जाहिर सूचना प्रकाशित केली. तीस दिवस हे कार्यालयीन कामकाजाचे असणे आवश्यक आहे, कारण दिवाळीची पाच दिवस सुट्टी व इतर सुट्ट्या धरल्या तर कमी दिवस जनतेस मिळतात. तरी पर्यावरणविषयक जाहिर जनसुनावणी दिवसाच्या कामकाजाच्या साठ दिवस अगोदर वृत्तपत्रात जाहिर सूचना देणे आवश्यक होते. येथे काही षडयंत्र आहे असा आम्हांला वाटते.

आमचा विकासाला विरोध नाही, मात्र वृतपत्रात जनतेस सूचना व पर्यावरणविषयक जाहिर जनसुनावणी याबाबत जी मुदत आहे, त्याबाबत जनजागृती होणे गरजेचे आहे. त्या ईआयए अहवालाबाबत ग्रामसभा आयोजित करणे आवश्यक होते. तरी ही जनसुनावणी ही अपूर्ण आहे याची नोंद घेण्यात यावी. त्याचप्रमाणे गावागावात जनजागृती केली नाही, म्हणून ही जनसुनावणी अपूर्ण आहे असे सांगितले.

तसेच या प्रकल्पामुळे पाण्यातील ऑक्सीजन किती कमी होईल, त्यामूळे मासे किती मरतील, हवेची गुणवत्ता, त्याचा लोकांवर, पीकांवर, वनस्पतीवर होणारा परिणाम, नंतर पुढे याबाबत नियोजन हे प्रकल्प प्रवर्तक जे.एन.पी.ए. व महाराष्ट्र प्रदूषण नियंत्रण मंडळाने स्थानिकांना अवगत करुन देणे आवश्यक होते. कारण येथे तज्ज्ञ हे म.प्र.नि.मंडळ आहे. याबाबत जागृती करण्यात आलेली नाही, म्हणून ही जनसुनावणी अपूर्ण आहे. तरी माझी या जनसुनावणीस हरकत आहे. तसेच जे मच्छिमार बाधित होतील, त्यांची संख्या व त्यांना किती मोबदला मिळेल याची माहिती जनसुनावणी बैठकीत

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सांगणे आवश्यक आहे. जो गाळ साचेल, तो किती व त्याची विल्हेवाट कशी लावण्यात येईल याविषयी माहिती स्थानिकांना माहिती देणे आवश्यक आहे.

यावेळी काही उपस्थितांनी संबंधित व्यक्तीस त्वरित उत्तर देण्याची व इतरांना बोलण्याची संधि देण्याची सूचना केली.

आयोजक, पर्यावरणविषयक जाहिर जनसुनावणी यांनी संबंधित उपस्थितांना त्यांच्या सूचना, आक्षेप थोडक्यात मांडण्याच्या सूचना केली.

श्री. दशरथ मगर यांनी आक्षेप नोंदविला; की मी सर्वांसाठी बोलत आहे. मी स्वतः मच्छिमार असून मासेमारी केलेली आहे. किती नुकसान होते व त्यावर शासन कशी दिशाभूल करते हे मी स्वतः अनुभलेले आहे असे सांगितले.

६) श्री. संदीप पाटील, राहणार-मुकुटबन, जिल्हा-रायगडः-

महाराष्ट्राला ७२० कि.मी. चा सुंदर समुद्रकिनारा लाभलेला आहे. त्यातील काही भाग जेएनपीटीचे १,२,३,४ पोर्ट विकसित करण्यात आलेले आहेत. परंतु हे पोर्ट विकसित करताना पारंपारिक पध्दतीने व त्यावर उदरनिर्वाह करणारा, ज्याचे आयुष्य या किना-यावर आहे, तो मच्छिमार समाज मोठ्या प्रमाणावर बाधित झालेला आहे. जमिनीवर ७/१२ चा उतारा असतो, मात्र मच्छिमारी क्षेत्रावर ७/१२ चा उतारा नसतो. जसे शेतकरी आपल्या शेतावर धान्य पिकवितो, तसे मच्छिमारांचे नाही. शेतक-यांचे नुकसान झाल्यास त्याला शासनाकडून नुकसानभरपाई मिळते, मच्छिमारांना त्याप्रकारे नुकसानभरपाई मिळत नाही. येथे प्रामुख्याने सांगायचे म्हणजे हनुमानकोळीवाडा, दहीपाडा, गव्हाण येथीस मच्छिमारांची भयाण परिस्थिती त्यांच्या प्रतिनिधीने मांडलेली आहे. येथे हजारोच्या संख्येने पारंपारिक पद्धतीने मच्छिमारी करणारे लोक होते. समुद्रापासून ज्या खाड्या झाल्या, त्या खाड्यासुध्दा बुजविल्या जात आहेत. त्यामुळे त्याचा गंभीर परिणाम तेथे राहणा-या मच्छिमारांवर झालेला आहे.

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आमचा विकासाला विरोध नाही. पण विकासाच्या नावावर पारंपारिक पध्तीने मच्छिमारी करणारा समाज भकास होऊ नये असे सांगितले.

तरी या जनसुनावणीत आमची एकच मागणी आहे की जे पारंपारिक पध्दतीने मच्छिमारी करत आहेत, त्यांचा विचार करुन त्यांचे योग्य प्रकारे पुनर्वसन होणे आवश्यक आहे.

आता पर्यावरणाचा विचार केल्यास जी पारंपारिक मच्छी आहे, ती विरळ होत आहे. पूर्वी ६४ प्रकारचे मासे मिळत तसेच हा किनारा पारंपारिक मच्छिमारांसाठी सुरक्षित झाला पाहिजे आणि पारंपारिक मच्छिमारांसाठी कायमस्वरुपी योजना तयार करुन त्यांचे पुनर्वसन व्हावे ही विनंती.

७) श्री. कमलाकर पाटील, राहणार-शेवाशेवा, तालुका-पनवेल, जिल्हा-रायगड:-

जे.एन.पी.ए.साठी संपूर्ण विस्थापित झालेल्या शेवागावाचा आहे. माझा प्रश्न हा जे.एन.पी.ए. आणि शासकीय अधिका-यांनाही आहे. आमचा शेवाशेवा ही १००% बाधित आहे की नाही याचे उत्तर मला द्यावे. त्यावेळी प्रकल्प प्रवर्तक यांनी उत्तर दिले की शेवाशेवा हे विस्थापित आहे.

त्यावेळी कमलाकर पाटील यांनी सांगितले की आमच्या कोळी समाजाची मोठी फसवणूक झालेली आहे. आम्हांला शेवागावासाठी ३३.६४ हेक्टर जमिन दिलेली होती. आमची फसवणूक झाली की आमचा गाव हा दहा हेक्टरमध्ये वसविला असून उर्वरित जमिन २३ हेक्टर ही जे.एन.पी.ए. च्या ताब्यात आहे. ती जमिन आम्हांला परत कधि मिळेल आणि आमचे पुनर्वसन कधि होईल याचे उत्तर देण्यात यावे.

प्रकल्प प्रवर्तक यांनी सांगितले की मूळात जमिन अधिग्रहण हे सिडकोने केलेले आहे. तर हा प्रश्न सिडकोला विचारणे योग्य होईल. जर सिडकोने

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जमिन दिली, तर पुढील कार्यवाहीबाबत जे.एन.पी.ए. प्रशासन हे निश्चित विचार करेल.

त्यावेळी श्री कमलाकर पाटील यांनी सांगितले की आमचे गाव जे.एन.पी.ए.साठी विस्थापित झाले, पैस जे.एन.पी.ए. ने दिले, तर जे.एन.पी.ए. ने सिडकोला विचारणे योग्य होईल. तर पहिल्या प्रश्नाचे उत्तरसुध्दा आम्हांला मिळाले पाहिजे. याबाबत दोन्ही प्रशासनाकडून म्हणजे सिडको व जे.एन.पी.ए. कडून आम्हांला मिळायला पाहिजे.

दुसरा प्रश्न आमचा शेवाशेवा हा १००% मच्छिमारांचा व आयात-निर्यात करणारा होता. तसेच इतर गावांना नुकसानभरपाई मिळाली, तर शेवागावाला का नुकसानभरपाई मिळाली नाही? आमच्याकडून फॉर्म भरुन घ्यावे असे तुम्हांला का वाटले नाही? तसेच नोकरभरतीतसुध्दा आम्हांला प्राधान्य देण्यात येत नाही. तसेच आम्ही जमिन ही जेएनपीएच्या प्रकल्पासाठी दिलेली होती. खाजगी प्रकल्पासाठी दिलेली नव्हती. जेएनपीए आणि जिल्हा प्रशासन हे आमची पुन्हा फसवणूक करत आहे, कारण जेएनपीएचा एक खाजगी प्रकल्पासाठी ती जमिन वापरण्यात येणार आहे. तसेच एकही प्रकल्पग्रस्ताला नोकरी देण्यात आलेली नाही, तर परराज्यातील लोकांची भरती केलेली आहे. सर्व शेवाशेवा हा १००% बाधित झालेला असून प्रकल्पात आमच्या शेवागावाची ३५% जमिन गेलेली आहे. आम्ही १००% विस्थापित झालेलो असून आम्हांला प्रकल्पात रोजगाराची संधिसुध्दा नाकारण्यात आलेली आहे.

तरी या प्रस्तावित प्रकल्पास आमची संपूर्ण विरोध असून जर प्रकल्प चालू होऊन देणारच नाही. प्रकल्प चालू करण्याचा प्रयत्न केल्यास आम्ही त्याविरुध्द आंदोलन करु. आम्हांला न्याय का देत नाही, याचे उत्तर देण्यात यावे.

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८) श्री. प्रदीप म्हात्रे, राहणार-जसखार गाव,तालुका-, जिल्हा-रायगडः-

मी प्रथमच सांगतो की या प्रकल्पास आमचा विरोध आहे. जसखार गाव हे प्रकल्पाजवळचे सर्वात जवळचे गाव आहे. आमच्या गावाच्या सुरक्षिततेबाबत प्रकल्प प्रवर्तक हे पूर्णपणे निष्क्रिय आहे. गेले तीन वर्षे जसकार गाव हे पावसाळयात पाण्यात जाते. प्रत्येक घरात पाणी जाते, त्यामुळे घरांचे, वस्तूंचे नुकसान होत आहे. याबाबत कोणीच लक्ष देत नाही. जे.एन.पी.ए. प्रशासन गेले तीन वर्षे फक्त आश्वासन देते की नाला रुंदीकरण करण्यात येईल, रस्ता बांधून देण्यात येईल. मात्र आमची फसवणूक होत आहे.

पुढील प्रश्न जे.एन.पी.ए. ने जसखार गावाच्या हद्दीत एक कचरा प्रकल्प कार्यान्वित केलेला आहे. त्याची क्षमता किती आहे हे मला माहित नाही, पण त्या प्रकल्पात कचरा ही पूर्णपणे उरणचा येत आहे. तो कचरा त्यांच्याकडून हाताळला जात नाही. रोज रात्री जे.एन.पी.ए. कच-याला आग लावतात, आणि त्याचा त्रास हा आमच्या गावाला होतो. त्यामुळे आमच्या गावातील १००-२०० लोक हे खोकल्याने आजारी आहेत असे सांगितले.

९) सौ. प्रणयी किशोर म्हात्रे, उपसरपंच, जसखार गाव,तालुका-पनवेल,जिल्हा-रायगडः-

जसा प्रदीप म्हात्रे यांनी घन कचरा व्यवस्थापनाचा विषय मांडला, तेव्हा जे.एन.पी.ए. सांगते की एवढा मोठा प्रकल्प येणार असून आम्ही आजूबाजूच्या गावांची जबाबदारी घेणार आहोत. तर पहिला प्रश्न जे.एन.पी.ए.ला आहे की खरच जे.एन.पी.ए. जबाबदारी घेते का. तर आमचा अनुभव आहे की जे.एन.पी.ए. प्रकल्प पुर्ण झाल्यानंतर काहीही करत नाही. आता जे.एन.पी.ए. कच-याला आग लावतात, तर त्यामुळे गावातील वृध्दांना खूपच त्रास होतो. गावातील लोकांचे श्वसनाचे आजार वाढलेले आहेत. जे.एन.पी.ए. आम्ही वारंवार पत्रव्यवहार, व्हिडिओ पाठवत असतो. त्यांनी

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तक्रार केल्यास ते आग लावत असल्याचे नाकारतात व भंगारवाल्याचे नांव घेतात. तर आताच त्यांना कचरा हाताळणी करता येत नाही, तर प्रकल्प विस्तारिकरण झाल्यानंतर कचरा हाताळणी कशी करणार? गेले अनेक वर्षे आमच्या गावातील प्रलंबित प्रश्न सुटत नाहीत, तर आम्ही तरी त्यांच्या नविन प्रकल्पास संमती देणार नाही.

१०) सरपंच, घारापुरी ग्रामपंचायत, तालुका उरण - जिल्हा रायगडः-

आज चारही बाजूंनी वेढलेले आमचे घारापुरी गाव आहे. तुम्ही समुद्रात ब्लास्टींग करतात. गावात एलफन्टा लेणी आहे. ती जर कोसळली, तर आम्ही काय करायचे? आम्हाला बोटीचा मार्ग आहे. मात्र गावाला जायला रस्ता नाही. जे.एन.पी.ए.च्या ब्लास्टींगमुळे आमच्या गावाच्या घरांना भेगा पडलेल्या आहेत. न्हावा-शेवाच्या लोकांना पैसे मिळणार आहेत, मात्र आम्ही हाकेच्या अंतरावर असूनही आम्हाला काहीही मिळालेले नाही. घारापुरीच्या मुले-मुली शिकलेलीअसूनही एवढ्या प्रक्ल्पांमध्ये आमच्या गावातील कोणाचीही भरती केलेली नाही. आमच्या गावात मच्छिमारांची संख्या भरपूर आहे, मासेमारीसुध्दा भरपूर आहे, पण आपण मासेमारीस बंदी घातलेली आहे.

तरी आम्हांला न्याय देण्यात यावा.

११) महिला व्यक्ती, हनुमानकोळीवाडा, मुळ गाव शिवाकोळीवाडाः-

एक तर आमचे पुनर्वसन चुकीचे झालेले आहे. या नव्या कंपन्या येतात, ते भराव आमच्या मासेमारीच्या भागातच टाकतात. तर मग आम्ही मासेमारी कुठे करायची ? आम्हांला नोक-या देत नाही, तर आम्ही करायचे काय, आमच्या पोटापाण्याचा प्रश्न आहे असे सांगितले. तसेच काल दिनांक २९-११-२०२३ ला जिल्हाधिकारी यांच्याबरोबर बैठक झाली, तर जिल्हाधिकारी यांनी सांगितले की ही जनसुनावणी होणार नाही. तर जिल्हाधिकारी,रायगड, अलिबाग यांचे आदेश धुडकावून सुनावणी कशी चालू

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करण्यात आली. त्या बैठकीस उपस्थित अपर जिल्हाधिकारी आणि तहसीलदार होते, तरी ही जनसुनावणी कशी चालू आहे? आमच्या गावाचा या प्रकल्पास पूर्ण विरोध आहे, आणि जोपर्यंत सर्व गावांचे पुनर्वसन होत नाही, तोपर्यंत आम्ही नविन प्रकल्प होऊच देणार नाही असे सांगितले.

१२) श्री. हनुमंत अध्यक्ष, मच्छिमार सोसायटी:-

ज्या प्रकल्पासाठी ही जनसुनावणी आयोजित करण्यात आली, तर त्या प्रकल्पस्थळाची पाहणी केली आहे का? त्याचे उत्तर देण्यात यावे.

सदस्य, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांनी सांगितले की सद्या प्रकल्प कार्यरत असून जेथे प्रकल्प होणार आहे, त्याची स्थळ पाहणी करण्यात आलेली आहे.

सदस्य, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांनी स्पष्टीकरण दिले की प्रकल्प कार्यान्वित असून नविन प्रकल्पाची जागा पाहिलेली आहे.

त्यावेळी श्री किशोर म्हात्रे यांनी सांगितले; की तेथील जे मच्छिमार आहेत, त्यांना किती टक्के नोक-या देण्यात येतील?

अध्यक्ष, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांनी सांगितले की रोजगाराबाबत जे.एन.पी.ए. प्रशासन उत्तर देतील.

प्रकल्प प्रवर्तकांचे अधिकारी यांनी सांगतिले की बैठकीत उपस्थित करण्यात आलेल्या सूचना, आक्षेप यांची नोंद घेण्यात येत असून त्याबाबत जे.एन.पी.ए. च्या व्यवस्थापनाशी चर्चा करण्यात येईल व पुर्नवसनासंदर्भात भारत सरकार यांच्या मार्फत पुढील कार्यवाही सुरु आहे.

श्री हनुमंत व इतर उपस्थितांनी याबाबत आक्षेप नोंदवित सांगतिले की मागच्या जनसुनावणीस हेच उत्तर देण्यात आले व स्थानिकांना प्रकल्पात रोजगाराची संधि देत नाहीत. जरी काल २९-११-२०२३ रोजी जिल्हाधिकारी,रायगड,अलिबाग यांनी जनसुनावणी होणार नाही असे

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सांगितले असूनही जनसुनावणी ही येथे चालू आहे. म्हणजे जनतेला अंधारात ठेऊनच सगळ काही चालले आहे असे सांगितले.

त्यावेळी एका उपस्थितांनी अध्यक्ष यांना प्रश्न विचारला की कालच्या बैठकीत आपणही होता व आपण उपस्थित राहणार नाही असे सांगितले होते. त्यावेळी मा. अध्यक्ष, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांनी जिल्हाधिकारी यांच्या आदेशाने मी बैठकीस हजर असल्याचे सांगितले.

काही उपस्थितांनी प्रश्न केला की २९-११-२०२३ ला आमच्यासमोर जिल्हाधिकारी,रायगड,अलिबाग यांनी जनसुनावणी घ्यायची नाही असे सांगितले होते. म्हणजे आमची फसवणूक करत आहात. ३८ वर्षे शासन स्थानिकांची फसवणूक करत आहे. तरी ही जनसुनावणी रद्द करण्यात यावी. मा. अध्यक्ष यांनी सांगितले की आपले म्हणणे ऐकण्यासाठीच ही जनसुनावणी आहे.

काही पुरुष आणि महिला उपस्थितांनी एकत्रितपणे मागणी केली की जोपर्यंत संपूर्ण पुनर्वसन होत नाही, तोपर्यंत परवानगी द्यायची नाही. बरेच उपस्थित ही जनसुनावणी बेकायदेशीर असून ती रद्द करण्यात यावी याची मागणी करत होते.

श्री. परमानंद कोळी, सरपंच, ग्रामपंचायत हनुमान कोळीवाडा यांनी प्रथम पुनर्वसन नंतरच प्रकल्प अशी मागणी परत केली व बैठक रद्द करण्याची सूचना केली. बरेच उपस्थित एकत्रितपणे ओरडून आपला मुद्दा मांडत होते.

काही उपस्थित ओरडून सांगत होते की अशा कितीतरी सुनावण्या व बैठका गेले ३८ वर्षे चालू आहेत, पण आमचे पुनर्वसन झालेले नाही.

काही उपस्थित परत ओरडून सांगू लागले की आपण जिल्हादंडाधिकारी आहात, आणि आपणच फसवणूक करत असाल, तर जनतेने कोणावर विश्वास ठेवायचा. ही बाब आम्ही शासनाच्या निदर्शनास आणून देणार आहोत.

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काही महिला एकत्रितपणे आमचा विरोध आहे असे ओरडून सांगत होत्या. नंतर बहुसंख्य उपस्थित आमचा विरोध आहे, आमचा विरोध आहे असे ओरडत होते. तर काहीजण प्रशासन व कंपनी यांचे काही ठरले असेल असे म्हणत होते. त्यांनी अध्यक्ष यांना जनसुनावणी रद्द करण्याची परत मागणी केली.

काहींनी आता आम्ही चॅनेलवर जाऊन याची माहिती देणार असल्याचे सांगितले. त्यांनी परत विनंती करत जनसुनावणी ही रद्द करण्याची मागणी केली. त्यावेळेस हनुमानकोळी वाड्यातील बरेच कोळीबांधव निषेध करत सभागृहाबाहेर गेले.

१३) त्यावेळी माजी उपसरपंच डोंगरी

माझी पत्नी डोंगरीगावच्या सरपंच होत्या, आता माझा मुलगा उपसरपंच आहे. त्यांनी सांगितले का पानजे आणि डोंगरीगाव येथील आमच्या जमिनी या भारत सरकारने, महाराष्ट्र शासनाने प्रकल्पासाठी घेतलेल्या आहेत. मात्र येथे प्रकल्पाचे अधिकारी एवढे खोटे बोलतात की त्यांना खोटे बोलण्याचाच पगार मिळतो असे वाटते. मी ३२ वर्षे राजकारणात आहे २-३ विषय आहे. आम्हांला प्रकल्पाकडून कुठलाही कर मिळत नाही. म्हणून नागरी सुविधा आम्हा देऊ शकत नाही. जे.एन.पी.ए.च्या कंपाऊंड भिंतीसाठी पानजे.डोंगर आणि हुंडा या गावातील आमच्या पिण्याच्या पाण्याच्या लाईन्स तोडल्या आहेत. बी.पी.सी.एल.ला याबाबत पत्र लिहिले,ते दखल घेत नाहीत. प्रकल्पात स्थानिकांना रोजगारात प्राधान्य देण्यात येत नाही. स्थानिकांना रोजगारात स्थान नाही. तरी याबाबत प्रशासनाने दखल घ्यावी, अन्यथा आमचा प्रकल्पास विरोध आहे.

१४) श्री हर्षल ठाकूर, जसखार –

गेले पाच वर्षे आमच्या जसखारगावात पावसाचे व भरतीचे पाणी साठत आहे. तर गावात २५०-३०० घरे आहेत की त्यांना ४-५ वेळा त्यांच्या

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घरात पाणी जाते, त्यामुळे त्यांचे भरपूर नुकसान होत आहे. याबाबत सर्व जिल्हाप्रशासनास आम्ही कळविलेले आहे. जे.एन.पी.ए. ला सुध्दा पाठपुरावा करण्यात येतो. आमच्या गावापासून ५० फुटांवरुन जेएनपीएचा रस्ता जात आहे. तेथे कांदळवनात भराव टाकून रस्ता केलेला आहे. आमच्या गावातील घराच्या ५० फुटांवरुन रस्ता गेलेला आहे. जसकर गावातील घरांना तडे गेलेले आहेत. तेथील मंदिरे, घरे ही पडण्याच्या मार्गावर आहेत. जे.एन.पी.ए. ला वारंवार सांगूनही त्यांनी खोटा अहवाल शासनास कळवून रस्ता तयार केलेला आहे. आमच्या गावातील प्रत्येक घराचे आम्ही सर्वेक्षण केलेले असून प्रत्येक घराला तडे गेलेले आहेत. तरी सध्या रस्ता जेथून गेला, तेथून तो मागे घेण्यात यावा. तसेच एवढ्या वर्षे जे नुकसान झाले, त्याची नुकसानभरपाई प्रकल्पाने द्यावी. नंतरच प्रकल्पास मान्यता देण्यात येईल.

त्यावेळी प्रकल्प प्रवर्तकाचे कार्यकारी संचालक यांनी उत्तर देण्यास सुरवात केली, त्यावेळी अध्यक्ष यांनी सूचना केली की उपस्थितांनी ज्या सूचना, आक्षेप नोंदविले त्यांची नोंद घ्यायचा आहे, तरी आपण उत्तर देऊ नये.

त्यावेळेस सौ. प्रणयी किशोर म्हात्रे, उपसरपंच, जसकार गाव,तालुका-पनवेल,जिल्हा-रायगड यांनी परत आक्षेप नोंदविला की जेएनपीए प्रकल्प पूर्ण झाल्यानंतर कोणतीच जबाबदारी घेत नाही.

१५) श्री राजेश म्हात्रे, उपसरपंच न्हावे, तालुका-पनवेल, जिल्हा-रायगडः-

प्रकल्पाच्या सी.एस.आर. निधीतून न्हावे गावाला काहीही मिळालेले नाही. दुसरी गोष्ट आता येथे सर्व गावातील लोकप्रतिनिधींनी आपली व्यथा मांडली की नोकर भरतीत, येतील स्थानिकांना रोजगाराची संधि देण्यात येत नाही. तर नोकर भरतीत स्थानिक आणि प्रकल्पग्रस्त यांना प्राधान्य देण्यात आले पाहिजे.

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समुद्राचा गाळ वाढला याकडे कोणाचेही लक्ष नाही. त्यामुळे मच्छिमारी व इतर बाबतीत अडथळे निर्माण होतात. तरी प्रश्न सोडविण्यात यावे.

काही उपस्थितांनी अध्यक्ष यांना गावाच्या वतीने निवेदन आणलेले आहे, ते स्विकारण्याची विनंती केली व त्यांना स्टेजवर जाऊन लेखी निवेदन सादर केले.

त्यानंतर प्रकल्पधारकाच्या वतीने श्री. विश्वनाथ घरत उपव्यवस्थापक जे.एन.पी.ए. यांनी पुर्नवसनाच्या बाबतीत सुरु असलेल्या प्रगतीचा अहवाल सादर केला. यावर शासन स्तरावर योग्य ती कार्यवाही सुरु आहे. प्रकल्पग्रस्तांच्या नोकरीसंदर्भात प्रशासनाशी चर्चा करुन योग्य तो मार्ग काढला जाईल असे सुचित केले.

आयोजक, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांनी सांगितले की जनसुनावणीत ब-याच स्थानिकांनी आपले विचार, सूचना, आक्षेप नोंदविलेले आहेत. अजूनही कोणालाही सूचना, आक्षेप नोंदिवण्याचे असल्यास ते लेखी स्वरुपात सादर करु शकतात. ही जनसुनावणी प्रस्तावित विस्तारिकरण प्रकल्पामुळे होणा-या संभाव्य पर्यावरणीय आघातांसाठी आहे. आयोजक, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांनी सांगितले की उपस्थितांनी उपस्थित केलेल्या सूचना, आक्षेप यांची नोंद घेण्यात आलेली असून त्याचा बैठकीच्या इतिवृतात समावेश करण्यात येईल व बैठकीचे इतिवृत्त सुधारित पर्यावरण आघात मुल्यांकन अहवाल, प्राप्त झालेल्या लेखी सूचना, आक्षेप यांसह मा. अध्यक्ष, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांच्या मान्यतेने मुख्यालय, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, मुंबई यांच्यातर्फे पर्यावरण, वने व हवामान बदल मंत्रालय, भारत सरकार, नवी दिल्ली यांना सादर करण्यात येईल. तेथील तज्ज्ञ समिती याबाबत पुढील योग्य तो निर्णय घेईल.

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आयोजक, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांनी सर्व उपस्थितांचे आभार मानले व मा. अध्यक्ष, पर्यावरणविषयक जाहिर जनसुनावणी समिती यांच्या वतीने जनसुनावणी संपन्न झाल्याचे घोषित केले. **मा. अध्यक्षांचे आभार मानून जनसनावणी संस्थगित करण्यात आली.**

(सतिश पडवळ)
सदस्य, पर्यावरणविषयक
जाहिर जनसुनावणी समिती
तथा
प्रादेशिक अधिकारी,
महाराष्ट्र प्रदूषण नियंत्रण मंडळ, नवी मुंबई

(संदेश शिर्के)
अध्यक्ष, पर्यावरणविषयक जाहिर जनसुनावणी
समिती
तथा
अपर जिल्हादंडाधिकारी, रायगड, जिल्हा-
रायगड

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Draft for Approval

MINUTES OF THE ENVIRONMENT PUBLIC HEARING FOR PROPOSED PROJECT OF WINDING OF EXISTING CONTAINER BERTH AT JAWAHARLAL NEHRU PORT (CARGO HANDLING CAPACITY 22.1 MTPA) –

A) INCREASE OF CRANE RAIL SPAN FROM 20.0 METER TO 30.50 METER FOR BERTH LENGTH OF 680.0 METER;
B) INCREASE OF DECK WIDTH OF THE BERTH BY 15 METER ON LAND SIDE;
C) UPGRADATION AND STRENGTHENING OF EXISTING 530 METER BERTH AND 150 METER WHARF

AT VILLAGE – NHAVA SHEVA, TALUKA – URAN, DISTRICT – RAIGAD , MAHARASHTRA BY PROJECT PROPONENT M/S JAWAHARLAL NEHRU PORT AUTHORITY (JNPA), URAN, MAHARASHTRA

The Environment Public Hearing in respect of proposed project of -

a) Increase of crane rail span from 20.0 meter to 30.50 meter for berth length of 680.0 meter;
b) Increase of deck width of the berth by 15 meter on land side;
c) Upgradation and strengthening of existing 530 meter berth and 150 meter wharf.

At Village – Nhava Sheva, Taluka – Uran, District – Raigad, Maharashtra by Project Proponent M/s Jawaharlal Nehru Port Authority (JNPA), Maharashtra was conducted on Friday, the 01st December, 2023 at the site of the said industry on 12.00 noon at Bahuuddeshiya Sabhagraha, Sector -02, J.N.P.T. Colony, Jawaharlal Nehru Port Authority, Taluka -Uran, District -Raigad.

Representative, Sub Regional Officer, Maharashtra Pollution Control Board, Taloja and Convener of the Environment Public Hearing Committee welcomed Shri. Sandesh Shirke, Additional District Magistrate, Raigad and Chairman of the Environment Public Hearing Committee; Shri Satish Padwal, Regional Officer, Maharashtra Pollution Control Board, Navi Mumbai and Member of the Environment Public Hearing Committee, Environmentalists, NGOs, Journalists, Representative of media channels and Company Officials and local people/participants who were present and with permission of Chairman, Environment Public Hearing Committee started the proceedings.

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Representative of Convener, Environment Public Hearing Committee informed that as per the Environment Impact Assessment (EIA) Notification of Ministry of Environment, Forest & Climate Change, Govt. of India, (i.e. MoEF & CC, GoI) dated 14th September, 2006 as amended on 1st December, 2009, it is mandatory to conduct prior public consultation to certain projects which are covered in the schedule of the said Notification.

He informed that Maharashtra Pollution Control Board was in receipt of application from Project Proponent M/s Jawaharlal Nehru Port Authority (JNPA), Navi Mumbai, Maharashtra to conduct Environmental Public Hearing for their proposed project of -

a) Increase of crane rail span from 20.0 meter to 30.50 meter for 680 meters berth length.
b) Increase of deck width of the berth by 15 meter on land side;
c) Up gradation and strengthening of existing 530 meter berth and 150 meter wharf.

At Village – Sheva, Taluka – Uran, District – Raigad, Maharashtra.

Representative of Convener further informed as per EIA Notification, 2006 the category of proposed project falls under Category A – as Cargo Handling Capacity is >5.0 MTPA – Schedule – 7 (E)- Ports, Harbours, Break Waters, Dredging, which requires to obtain prior Environmental Clearance from the Ministry of Environment, Forest & Climate Change, Govt. of India, New Delhi for which prior environmental consultation is mandatory.

Representative of Convener informed that the aim of conducting prior public consultation is to make aware, local people who can be participant in the hearing and they should know the developmental activities and Environment Management Plan of the unit.

Project Proponent had submitted online prescribed application along with pre-feasibility report to obtain ToR to Environment Appraisal Committee, Ministry of Environment, Forest & Climate Chage, Govt. of India, New Delhi and it has been considered and given online approval on 01-09-2023.

After sanction from District Collector, Raigad to conduct the Physical Environment Public Hearing on Friday, the 01st December, 2023 at 12.00 noon, and as per the Notification dated 14-09-2006 issued by Ministry of Environment, Forest & Climate Change, Govt. of India, (MoEF & CC, GoI), New Delhi and subsequent amendment on 01-12-2019, Member Secretary, Maharashtra Pollution Control Board,

Mumbai has constituted Environment Public Hearing Committee vide Board's Office Order No. E- 80 of 2023 under letter no. BO/JD (WPC)/PH/B- 231110 FTS- 0097 dated 10/11/2023 as under:-

1)	District Magistrate-Raigad or his representative not below the rank of an Additional District Magistrate	**Chairman**
2)	Representative of Maharashtra Pollution Control Board, Mumbai - Regional Officer – Navi Mumbai, Maharashtra Pollution Control Board, Pune	**Member**
3)	Sub Regional Officer, Maharashtra Pollution Control Board, Taloja	**Convener**

As per said Notification, 30 days' advance public notice was published by Sub Regional Officer, Maharashtra Pollution Control Board, Taloja in the Local Newspaper in Daily Sakal and Krushival for Marathi and in National Newspaper Indian Express for English on 29th October, 2023. The public were appealed to send their suggestions, views, doubts or objections regarding the proposed unit.

Also copy of EIA report and executive summery were made available in Marathi and in English at various notified Government offices as under:-

1) District Collector Office, Raigad, Alibag.
2) Ministry of Environment, Forest & Climate Change, Zonal Office, Western-Central Zone, New Secretariat Building, Ground Floor, East Wing, Civil Line, Nagpur-440 001;
3) General Manager, District Industries Center, Raigad, Alibag,
4) Chief Executive Officer, Zilla Parishad Office, Raigad, Alibag,
5) Sub Divisional Officer, Panvel, District – Raigad;,
6) Tahsildar, Tahsil Office, Uran, Taluka – Uran, District – Raigad;
7) Block Development Officer, Panchayat Samiti – Uran, Taluka – Uran, District – Raigad;
8) Chief Officer, Nagar Parishad, Uran, Taluka – Uran, District – Raigad;

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9) Gram Panchayat Office – Sonari, Jaskhar, Dongari, Funde, Sheva, Hanuman Koliwada, Panje
10) Group Gram Panchayat, Gharapuri, Karan, Nhava;
11) Director, Environment & Climate Change Department, Maharashtra Government, New Administrative Building, 15th Floor, Mantralaya, Madam Kama Road, Mumbai – 400 032;
12) Joint Director (WPC), Maharashtra Pollution Control Board, Kalpataru Point, 1st,2nd,3rd, 4th Floor, Sion-Matunga Scheme Road No.8, Opp. Cine Planet Cinema, Near Sion Circle, Sion (East), Mumbai – 400 022;
13) Regional Officer, Regional Office, Maharashtra Pollution Control Board, Raigad Bhavan, 7th Floor, Sector 11, CBD Belapur, Navi Mumbai – 400 614;
14) Sub Regional Officer, Sub Regional Office, Maharashtra Pollution Control Board, Raigad Bhavan, 7th Floor, Sector 11, CBD Belapur, Navi Mumbai – 400 614;
15) Website, Maharashtra Pollution Control Board, Mumbai;

Representative of Convener informed that 32 suggestions / objections have been received by Sub Regional Office, MPCB, Taloja regarding the proposed project.

Representative of Convener informed that an opportunity is given to all participants to raise any doubts, suggestions or objections regarding the proposed project in environmental angle, which can be submitted by orally or in writing also.

Representative of Convener asserted that this Committee is only for recording public opinion, views, suggestions, objections regarding the proposed project in environmental angle only and the Committee has no right to approve, reject or recommend the project. The suggestions/objections raised by the participants in the public hearing will be noted and it will be included in the minutes of the meeting. Similarly, the revised Environmental Assessment Report of the Project Proponent and minutes of the meeting after approval of Chairperson will be submitted through MPCB Head Office to the Environment, Forest & Climate Change, Government of India, New Delhi after taking note of the video recording of the said meeting, suggestions and objections recorded in the meeting. An Expert Committee there takes further decision.

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regarding the same. He requested Chairman of the Environment Public Hearing Committee to inform Project Proponent to start the presentation.

With the permission of the Chairman, the Environmental Consultant of the project made a presentation on the entire Environmental Management Plan (EMP) for the proposed project. It is informed that the proposed cost for the proposed project is Rupees 196.82 crores. 6.3 lakh rupees will be spent for environmental management in the project during the implementation phase of the project.

For the said project, during the construction phase, around 360 contractual manpower and 10 regular manpower employment opportunities will be available. After the implementation of the project, 15 regular manpower and 360 contractual manpower will be required. Preference will be given to project affected and local people. Similarly, due to the said project, there will be a huge increase in the indirect business in the area.

After the Presentation, Representative of Convener, Environment Public Hearing Committee appealed all participants to raise their suggestions, objections in respect of proposed project in environmental angle only. While asking questions, full name and residential address should be informed.

Views, questions, suggestions/objections raised during the Environmental Public Hearing and the answers/promises given by the Project Proponent/ Project Environment Consultant / Environmental Public Hearing Committee :-

1) **Shri Bhushan Patil, Leader of Workers, Representative of Project Affected Persons :-**

Earlier there was a container terminal, it was called Nhava Sheva Port. Jawaharlal Nehru Port Authority (JNPA) has awarded the existing terminal to Nhava Sheva Free Port Terminal Private Limited to increase crane rail span from 20.0 m to 30.50 m for 680 m berth length, shock deck width 15.0 Meters extension and improvement and strengthening of existing 530.0 meter berth and 150.0 meter wharf is proposed for which public hearing is now conducted.

So one has to study and know what is the socio-economic effects of any project will be. Our city of Uran is the Most Polluted City in the World. Also, Uran city has become Most Accident Prone Zone. Most of the accidents are happening in Uran city. After few days, the container handling capacity will be one crore i.e. ten million per annum.

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So what effect it will have on environment, human life and what is expected from JNPA should be noted.

The first effect is that there are many casualties. When we obtained information under Right To Information (RTI), 2005, more than two hundred people died in the year 2020, 2021 and 2022, 2023 only due to accidents. A large number of two-wheeler accidents take place here and no one takes responsibility for it.

Many lives are being lost due to this container transport. So, the important question here is who should rehabilitate the family after the breadwinner of the family leaves. The pollution that occurs here – the Air Quality Index here is the highest. So it is getting difficult to breathe here. By watching the containers, journalists brothers says- containers are Uran's death. Here, responsibility for the accident should be fixed.

Another thing is that the wetlands here will be destroyed due to pollution. Various birds used to come here. They will not come, so indirectly it will affect human life.

Here comes the important question - i.e. the question of rehabilitation. So, in this container terminal which was transferred to Nhava Shewa Free Port Terminal Private Limited, 600 of our workers were working in permanent cadre. There is an investment of 900 crores. If Rupee One Crore is ear-marked for every person, then nine hundred local people affected by the project should get employment in permanent cadre.

A few days ago, JNPA has called applications for the jobs, while applications from 1,200 local and Project Affected People (PAPs) have been received, the list has been prepared by JNPA. This project will be developed in two phases. So, how many PAPs and local people will be employed in regular and contractual service?

Though there are so many projects in Uran Taluka, job opportunities have not been given to the PAPs and local people, the original local people here. However they should get employment as they used to get regular service earlier. Two villages were displaced. Two villages viz - Navin Sheva and Hanuman Koliwada were displaced. They were not given job opportunities.

Hanuman Koliwada village is still not legally rehabilitated. They say they are still in the transit camp. Both those villages and other project affected villages should be rehabilitated and should be given compensation also. Employment/job

opportunities should be created. We are not against development, but the local people must get employment.

Effective measures must be taken to control the pollution caused by the project. Also, the jobs which are available in contractual cadres should be given exclusively to local people and PAPs.

However, it is our humble request that these demands should be considered by the Environmental Public Hearing Committee.

2) Shri. Manoj Koli, Residence – Gavhan village, Taluka – Panvel, District – Raigad :-

Despite being an affected village, the name of Gavhan village is not in the list of project affected gram panchayats. However, this point should be noted. Gavhan village is a village of Koli community. Maharashtra Pollution Control Board published a public hearing a notice in vernacular language (here Marathi) and one in national newspaper for English. There is no mention of the name of Gavhan Gram Panchayat. However, this should be clarified, then only I will raise my suggestions.

Because 1,035 people of Gavhan village have received compensation from JNPA. So, it should be informed why Gavhan village was neglected, because you will take any decision without our knowledge.

Project Proponent said that thirty days prior to the public hearing day, Maharashtra Pollution Control Board had published a public notice in a vernacular l newspaper (here in Marathi) and in a national newspaper in English for the information of the public. So. we assume that it reached to the local people.

We welcome your arrival. However, if you have any environmental suggestions or objections regarding the proposed project, you can raise them.

JNPT was started in 1978. There was no mention of Gavhan village at that time. Gavhan village is "Project Affected Village". So when we demanded to give a certificate as "Project Affected Persons (PAPs)", we said that only those whose land was acquired will be given "project affected certificate." So why this is?

Why person is not considered as PAP, whose trees are acquired? Won't you give him a job? When we apply for jobs in JNPA, a question is asked whether there is a project affected certificate. Hence, whom should we ask for a certificate?

I turn forty, I won't have a job, but what will our next generation do? Whom should fishermen contact for a PAP certificate? There are 1,035 natives fishermen in

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our village, why are they not given project affected certificates? So, the explanation should be given immediately.

If the land is acquired for the project, he is the victim of the project, then if the fishing of the fishermen is lost due to the project, then why are they are not considered as Project Affected Persons? So, we should be informed about who will declare us as PAP.

The next point is our Gavhan village creek will be affected. So how many channels are going to be kept for boats to go there? Many of our boats have sunk. Similarly, the silt there has also not been removed by the Project Proponent – JNPA. Fertilization of fish does not take place without removal of sediment. We have to write complaints to the Konkan Commissioner.

Our boats hit the rocks there. Till date, our demands have not been considered. The silt in our Gavhan Creek is not removed. Just like Kalamboli Creek, the water there smells because of not removing the silt. People do not eat the crabs there. Hence, here also it will happen.

Hence, the residents of Gavhan should get the "project affected certificate", the people of Gavhan should get priority in the jobs and by which method the project affected persons will be granted certificate, it should be informed. Also the affidavit which is taken from residents of Gavhan should be returned back to us. Project Proponent should be compensation to us.

The houses of Hanuman Koliwada have been infested with termites. They are also our brothers. When they will be rehabilitated? Copy of minutes of this meeting should be made available at each project affected grampanchayats.

3) <u>Shri. Paramanand Deo Koli, Sarpanch, Grampanchayat Hanuman Koliwada:-</u>

My question to the Project Proponent – JNPA is Whether Rehabilitation first or Project first? He requested Environmental Public Hearing Committee to give an answer in this regard.

Chairman, Environmental Public Hearing Committee informed that Project Proponent proposes to develop project in existing project only. Hence, here nobody will be affected. And this is Environment Public Hearing for the proposed project.

At that time Shri. Parmanand Koli objected that Sheva and Koliwada Gavthan was totally acquired for the second phase of JNPA. In 1985 it was acquired. Now there

is no project. Later many new projects have been started here. Since last 38 years, we are fighting for rehabilitation.

Project Proponent do not implement rehabilitation work. So many projects have come up here, they are not giving jobs to the local people and to the PAPs. Hon. Collector-Raigad, Alibag had informed that on yesterday i.e. 29th November, 2023 that the public hearing would be postponed. But today the public hearing is going on here, which means that everything is going to be done by keeping the local people in the dark.

At that time, Chairman, Environmental Public Hearing Committee inform that as per EIA Notification, 2006, thirty days prior to the public hearing, public notice was published by MPCB in a local newspaper in Marathi and in a national newspaper in English for the information of the public. Similarly, environmental documents about the proposed project were made available in Marathi and English at Gram Panchayat Offices in project affected villages.

The said public hearing is an Environmental Public Hearing for the proposed project. Rehabilitation is a completely different subject. A rehabilitation meeting will be arranged soon. Shri Koli objected that we are fighting for rehabilitation since last 38 years.

Shri Koli inquired whether joint site inspection of the proposed project was carried? He alleged that there was no joint inspection. A joint site inspection of the proposed project was required to be carried by the District Administration, other related government departments, Maharashtra Pollution Control Board along with the fishermen.

He alleged that the government is working in favor of the project keeping the local people, fishermen in the dark. However, joint site inspection should be done first, then further action should be taken.

Chairman, Environment Public Hearing Committee directed to record the suggestions raised by Shri Koli.

4) <u>Shri. Lakhapati Asharam Patil, Sarpanch Panje Villge Grampanchayat, Taluka-Panvel,District-Raigad</u>

JNPA has developed a port as new terminal of BMCTPL. My village is next to it. JNPA has given a notice to our village that we should not carry fishing activities. Our village lives on the fishing. Even the people of our village have not been given jobs yet in the project.

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Young boys and girls of our village has not been included in any project. If the fish is going extinct, how can we live? We have to remain starve. This should be explained.

5) Shri. Dasharath Sitaram Magar, Residence – Vashi village, Navi Mumbai, Taluka – Thane, , District – Thane :-

I have already submitted my application. According to the Environmental Public Hearing Notice, the environmental impact of this project will be on Raigad District, Thane District and Mumbai District. There are three districts, many talukas, many villages near this project. There are many industrial estates. A large community living in this area lives on fishing. Hence, they owns the water, forest, land. Be it in the creek or in the forest.

Then providing Environmental No Objection Certificate to the proposed project, these villages are indigenous tribes as per Land Acquisition Act as well as Forest Rights Act, 2006. Their livelihood rights are on water, land, forest. Therefore, before conducting this public hearing, it is necessary to study the social impact that is going to be caused by the proposed project through the Collector's office according to the above laws.

However, according to the above laws, the Collector is expected to call the Gram Sabha of the affected villages and inform about the Environmental Impact Assessment (EIA) report in the gram sabha.

Also, Maharashtra Pollution Control Board should have pasted the EIA report at the entrance of each village informing about the effects of the proposed project on all the natural elements i.e. sea water, fish, silt as well as on the surrounding vegetation, human beings and birds.

Further Municipal Councils and Municipal Corporations which falls in the affected area of the project, it is necessary to them to fulfill the guidelines by keeping the EIA report in their General Body Metings to approve it.

Hence, my objection is that the directives of various laws have not been followed by the Project Proponent. Further the Municipal Corporation and Municipal Councils discharges its untreated sewage into the sea. It was necessary to call them in this meeting.

However, we object that the first Environmental Impact Assessment report should have made available to the local people.

District Collector has the guardianship of the district. Hence, Hon'ble Collector is requested to cancel this environmental public hearing first.

Maharashtra Pollution Control Board has published a notice thirty days before the meeting. Thirty days should be official working days. Because if the five days of Diwali holiday and other holidays are calculated/considered, people get fewer days. Hence, it was necessary to give prior sixty working days public notice in the newspaper prior to the of public hearing on environment. We think there is some conspiracy here.

We are not against the development, but it is necessary to create public awareness about the deadline for public notices and environmental public hearings in the circular. A Gramsabha was required to be held regarding the EIA report. Hence, it should be noted that process of this public hearing is incomplete.

Similarly, public awareness has not been done in villages, so process of this public hearing is incomplete.

Also, Project Proponent i.e. JNPA and the Maharashtra Pollution Control Board should inform the local people about how much oxygen in the water will decrease due to this project, how much fish will die due to it, air quality, its effect on people, crops, plants, and then planning ahead. Because expert agency here is MPCB.

Awareness has not been created about this, so the process of this public hearing is incomplete. So, I object to this public hearing. Also, information about the number of fishermen who will be affected and how much they will be compensated must be told in the public hearing meeting. It is necessary to inform the local people about the amount of sludge that will accumulate and how it will be disposed of.

At this time, some of the participants suggested the concerned person to talk briefly and give others the opportunity to speak.

Convener, Environment Public Hearing informed concerned participant to present their suggestions and objections in brief.

Shri Dashrath Magar objected that I am speaking for all. He said I myself a fisherman and have carried fishing activities. I myself have experienced how much damage is done and how the government misguides it.

6) <u>Shri. Sandip Patil, Residence – Mukutban, District – Raigad :-</u>

Maharashtra has a very beautiful sea shore of 720 km. It has a beautiful beaches. JNPA has developed Ports 1, 2, 3, 4. But the development of this port has greatly affected the traditional fishing techniques and livelihood of the fishing

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community, whose life is on this coast. Land has 7/12 certificate, but fishing area/ground does not have 7/12 certificate. Just as a farmer grows grain on his farm, a fisherman does not.

Farmers get compensation from the government in case of loss of crops due to drought or flood, but fishermen do not.

The main thing to say here that there is tragic situation of the fishing communities at Hanuman Koliwada, Belpada village, Gavhan village, which has been presented by their representatives. There were thousands of traditional fishermen here. The creeks which have formed from the sea are also being buried in the name of development. So, it has a serious effect on the livelihood of fishing communities living there.

We are not against development. But traditional fishing communities should not be destroyed in the name of development. However, our only demand in this public hearing is that those who are doing traditional fishing should be considered and properly rehabilitated.

Now considering the environment, now traditional fish is getting rare. Earlier 64 types of fish were available. It is also requested that the coast should be made safe for traditional fishermen and a permanent plan should be made for the rehabilitation of traditional fishermen.

7) <u>Shri. Kamalakar Patil, Residence – Sheva, District – Raigad :-</u>

The entire Seva village is affected and displaced for JNPA. No my question to JNPA and government officials as well. Let me answer whether our Sheva is 100% affected or not. At that time, Project Proponent replied that Sheva is totally affected and displaced.

At that time, Shri Kamlakar Patil said that our Koli community has been cheated. We were given 33.64 hectares of land for Sheva. We were cheated that our village is built in 10 hectares and remaining land of 23 hectares is in the possession of JNPA. An answer should be given that when we will get that land back and we will be rehabilitated.

Project Proponent- said that the land acquisition was originally done by CIDCO. So it would be appropriate to ask this question to CIDCO. If CIDCO hands over the land, the JNPA administration will definitely consider the further course of action.

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At that time Mr. Kamlakar Patil said that our village was displaced for JNPA, the money was given by JNPA, then it would be right for JNPA to ask CIDCO. So, we should also get the answer to the first question. In this regard, we should get from both administrations i.e. CIDCO and JNPA.

Second Question, Our Sheva was 100% fishing community village and import-exporter. Also, if other villages got compensation, why didn't Sheva get compensation? Why didn't you want to fill the form from us? Also we are not given priority in recruitment.We had given the land for the project of JNPA. It was not given for a private project. JNPA and District Administration are cheating us again, because the land is going to be used for a private project of JNPA. Also, not a single project victim has been given a job, instead people from other States have been recruited.

Sheva is 100% affected and 35% of our Sheva land has been lost in the project. We are 100% displaced and we have also been denied employment contract in the project.

However, we are completely against this proposed project and if the efforts are made to start the project, we will protest against any attempt to start the project. An answer should be given as to why we are not given justice

8) <u>Shri. Pradip Mhatre, Residence-Jaskhar, District- Raigad:-</u>

I am saying for the first time that we are against this project. Jaskhar village is the nearest village to the project. Project Proponent is completely inactive regarding the safety of our village. For the last three years, Jaskhar village has been flooded during monsoons. Every house gets water, houses and domestic articles are getting damaged. No one pays attention to this.

JNPA administration for the last three years only promises that the canal will be widened, the road will be constructed. But we are being cheated.

Next Question JNPA has installed a garbage project in Jaskhar village limits. I don't know what its capacity is, but in that project, the waste is completely coming from the Uran. It is not handled by them. Every night, JNPA sets fire to garbage, and our village suffers because of it. 100-200 people in our village are sick with this cough.

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9) Mrs. Pranayi Kishor Mhatre, Dy.Sarpanch, Jaskhar village, Taluka – Panvel, District – Raigad :-

As Pradeep Mhatre raised the issue of solid waste management, JNPA says that such a big project is coming and we are going to take responsibility of the surrounding villages. So the first question is to JNPA whether JNPA really takes responsibility. So our experience is that JNPA does nothing after project completion.

Now the JNPA sets the garbage on fire, causing great distress to the elderly people of our village. No. People have increased, who suffer respiratory diseases. We are frequently sending letters, videos to JNPA. If they complain, they deny setting the fire and take the name of the garbage cleaning person. So if they can't handle the waste now, how will they handle the waste after the project is expanded? If the pending issues of our village are not resolved for the past several years, we will not give consent to their new project.

10) Sarpanch, Gharapuri Grampanchayat, District -

Today our Gharapuri village is surrounded on all sides. You are blasting in the sea. The village has Elephanta Cave. If it collapses, what do we do? We have a boat route. But there is no road to the village. Due to JNPA blasting, the houses of our village have developed cracks.

People of Nhava-Sheva are going to get money, but we have not received anything even though we are within calling distance. Although the boys and girls of Gharapuri are educated, no one from our village has been recruited in such projects.

There are many fishermen in our village, there is also plenty of fishing, but you have banned fishing.

Hence, we should be given justice.

11) Female Person from Hanuman Koliwada, Native Village – Sheva Koliwada

For one, our rehabilitation has gone wrong. These new companies come in, they dump right into our fishing grounds. So where we should go for fishing? If they do not give us jobs, what will we do, our livelihood is affected and hence our survival has become a problem.

Yesterday on 29-11-2023, there was a meeting with Hon. District Collector and he said that this public hearing will not be held. So how the hearing was started by defying the Order of District Collector, Raigad, Alibag, though Additional Collector and

Tahsildar were present in that meeting, how is this public hearing going on? Our village is totally opposing this project and until all villages are rehabilitated, we will not allow any new project.

12) Shri. Hanuman, President,Fishermen Society:-

Whether the project site has been inspected for which this environment public hearing is conducted. Give the answer.

Member, Environmental Public Hearing Committee answered that the project is currently operational and the site where the project is to be carried out has been inspected. At that time, some of the attendees raised objections.

At that time, Shri Kishore Mhatre said that what percentage of jobs will be given to the fishermen there?

Chairman, Environment Public Hearing Committee said that the JNPA administration will give answer regarding job opportunities.

Officials of the Project Proponent said that the suggestions and objections raised in the meeting are being recorded and will be discussed with the management of JNPA.

Shri Hanumant and others present objected to this and said that the same answer was given in the last public hearing and they are not giving job opportunities to the local people in the project. Although, yesterday on 29-11-2023 Hon. District Collector, Raigad, Alibag said that there will be no public hearing, public hearing is going on here. That is, everything is going on keeping the public in the dark.

At that time, one of the participants asked a question to Chairman, Environment Public Hearing Committee that he was also present in yesterday's meeting and had said that he would not be present.

At that time, Chairman of the Environment Public Hearing Committee said that I am attending the meeting on the Order of the Collector and after coming, I sent an SMS to him that I am here in the meeting. Chairman, Environment Public Hearing Committee said that the said public hearing is an environmental public hearing and we have come to record the thoughts, suggestions or objections about the proposed project.

Some participants questioned that on 29-11-2023 Collector, Raigad, Alibag had told us that they do not want to hold public hearing. You are cheating us. Government has been cheating the locals for 38 years. However, this public hearing should be cancelled. The President said that this is a public hearing to hear your views.

Some of the men and women present together demanded that permission should not be granted until complete rehabilitation was achieved. Many of the participants were calling for the public hearing to be illegal and to call it off.

A woman was saying that our life is boring. They say that there will be no public hearing in the collector's office, but a public hearing is held here. Some said that here we have a conflict with the government.

Shri Parmanand Koli, Sarmpach, Gram Panchayat Hanuman Koliwada reiterated the demand of the project only after the first rehabilitation and suggested to cancel the meeting. Many participants were shouting in union to make their point.

Some of the participants were shouting that many such hearings and meetings have been going on for the last 38 years, but we have not been rehabilitated.

Some of those present shouted back that you are the District Magistrate, and if you are the one who is cheating, then who should the people believe. We will bring this matter to the attention of the government.

Some women were shouting together that they are against the project. Later, the majority of those present were chanting "We are opposing, we are opposing." Some were saying that the administration and the company must have decided something. He again demanded Chairman to cancel the public hearing..

Some said that now we will go to the channel and inform about it. He again requested to cancel the public hearing.

At that time, many fishing community members/Kolibandhus of Hanumankoli villlage walked out of the hall in protest.

13) Ex. Sarpanch, Dongari -

My wife was Sarpanch of Dongrigaon, now my son is the Deputy Sarpanch. He said why our lands at Panje and Dongri have been taken by the Government of India, Government of Maharashtra for the project. But here the project officials lie so much that we feel they are getting paid to lie.

I have been in politics for 32 years. There are 2-3 subjects. We do not get any tax from the project. So the civic facilities cannot be given to people. Our drinking water lines in villages Panje. Dongar have been cut for JNPA compound wall. Wrote a letter to BPCL regarding this, they are not taking any notice. Local people are not given priority in employment in the project. Natives have no place in employment. However, the administration should take notice of this, otherwise we are against the project.

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14) Shri. Harshal Thakur, Jaskhargaon –

For the last five years, rain and tide water has been accumulating in our Daskhar village. So there are 250-300 houses in the village that get water 4-5 times in their houses, so they are suffering a lot. We have informed all District Administration about this. JNPA is also followed up.

JNPA road is passing 50 feet from our village. There, a road has been made cutting the mangroves and by filling the materials. The road has passed 50 feet from the house in our village, hence houses in Daskar village are cracked. The temples and houses there are on the verge of collapse.

Despite repeatedly telling the JNPA, they have given a false report to the government and constructed the road. We have surveyed every house in our village and every house is cracked. However, at present the road should be withdrawn from where it passed. Also, the project should give compensation for the loss that has been incurred for so many years. Only then will the project be approved.

At that time Executive Director of the Project Proponent started to answer, at that time Chairman, Environment Public Hearing Committee suggested that the suggestions and objections raised by the participants should be recorded, but you should not answer.

At that time Mrs. Pranayi Kishore Mhatre, Dy. Sarpanch, Jassar Village, Taluka-Panvel, District-Raigad objected back that JNPA does not take any responsibility after the completion of the project.

15) Shri. Rajesh Mhatre, Dy. Sarpanch, Nhave, Taluka – Panvel, District – Raigad

Nhava village has not received anything from the CSR fund of the project.

Another thing is that now the people's representatives of all the villages have expressed their grief that in the recruitment of workers, the locals are not being given employment contracts. Locals and project victims should be given priority in recruitment.

No one is paying attention to the removal of the silt. This creates obstacles in fishing and other matters. However, the question should be resolved.

Some of the participants brought a statement on behalf of the village to Chairman, Environment Public Hearing Committee, requested him to accept it and went on stage to present a written statement to him.

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Mr. Vishvnath Gharat, DGM, J.N.P.A answered the questions raised by the persons which are present in the hearing. He reported that, issue of rehabilitation and land will be sorted out. Regarding employment they will discuss issue with higher authority and resolved the problem raised by villagers.

Chairman, Environmental Public Hearing Committee said that many local people have registered their thoughts, suggestions and objections in the public hearing. If anyone still wants to register suggestions, objections, they can submit them in written form. This public hearing is for the potential environmental impacts of the proposed expansion project.

Convener, Environment Public Hearing Committee informed that the suggestions, objections as raised by the participants have been noted and it will be included in the minutes of meeting and minutes of meeting alongwih Revised EIA, written suggestions and objections after approval of Chairman, Envionment Public Hearing Committee will be submitted through Head Office, Maharashtra Pollution Control Board to Environment, Forest & Climate Change, Govt. of India, New Delhi. An Expert Committee there will be take further decision.

Convener said many participants have raised suggestions and objections in respect of rehabilitation, job opportunities to local and PAPs. They have been noted and will be included in the minutes of the meeting.

Convener, Environment Public Hearing Committee thanked all and on behalf of Chairman, Environment Public Hearing Committee declared that the meeting is concluded.

Meeting ended extending thanks to the Chair. Enclosed 32 written suggestions, objections as received.

(Satish Padwal)
Member,
Environment Public Hearing Committee
And
Regional Officer,
Maharashtra Pollution
Control Board,
Navi Mumbai

(Sandesh Shirke)
Chairman,
Environment Public Hearing Committee
And
Additional District Magistrate, Raigad,
District – Raigad

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DS
For Vidhii Partners
Advocates

EXHIBIT 'H'

Exhibit H

सत्यमेव जयते

Government of India
Ministry of Environment, Forest and Climate Change
IA Division
(INFRA-1)
***

Minutes of 356thmeeting of Expert Appraisal Committee to be held on 06th-07th February, 2024 for Projects related to Infrastructure Development, All Ship breaking yards including ship breaking units 7(b); Industrial Estate/Parks/Complexes/Areas, Export Processing Zo meeting INFRA-1 held from 06/02/2024 to 07/02/2024

Date: 14/02/2024

MoM ID: EC/MOM/EAC/687764/2/2024

Agenda ID: EC/AGENDA/EAC/687764/2/2024

Meeting Venue: Narmada Conference hall, Ground floor, Jal wing, Indira Paryawaran Bhawan, MInistry of Environment Forest Climate Change, Jorbhag, New Delhi

Meeting Mode: Physical

Date & Time:

07/02/2024	10:30 AM	05:30 PM
06/02/2024	10:30 AM	05:30 PM

1. Opening remarks

At the outset, Shri. Manmohan Singh Negi, Chairman, EAC welcomed the Members of the EAC and requested Shri Amardeep Raju, the Member Secretary of the EAC to initiate the proceedings of the meeting with a brief account of the activities undertaken by the Ministry under Infra-1 Division.

2. Confirmation of the minutes of previous meeting

The Committee confirmed the Minutes of 353rd EAC meeting held on 10th and 12th January, 2024.

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3. Details of proposals considered by the committee

Day 1 -06/02/2024

3.1. Agenda Item No 1:

3.1.1. Details of the proposal

Widening of Existing Container Berth At Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity= 22.1 MTPA) by **JAWAHARLAL NEHRU PORT AUTHORITY** located at **RAIGAD,MAHARASHTRA**	
Proposal For	Fresh EC

Proposal No	File No	Submission Date	Activity (Schedule Item)
IA/MH/INFRA1/458254/2024	File no: 10/48/2023-IA.III	16/01/2024	Ports, harbors, breakwaters, dredging (7(e))

3.1.2. Project Salient Features

S.no	Landuse/Land cover	Area(ha)	Percentage (%)	Remarks, if any
1	Non Forest Land	54	-	-

3.1.19. Details of Court cases: The proposed project does not involve any court cases.

3.1.3. Deliberations by the committee in previous meetings

N/A

3.1.4. Deliberations by the EAC in current meetings

3.1.5. Recommendation of EAC

Recommended

3.1.6. Details of Environment Conditions

3.1.6.1. Specific

Specific Conditions	
1.	

3.1.6.2. Standard

7(e)	**Ports, harbors, breakwaters, dredging**
Air quality monitoring and preservation	
1.	The Vessels shall comply the emission norms prescribed from time to time.
1.	A detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of the roads within a 05 kms radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habitation being carried out or proposed to be carried out by the project or other agencies in this 05 Kms radius of the site in different scenarios of space and time and the traffic management plan shall be duly validated and certified by the State Urban Development department and the P.W.D./ competent authority for road augmentation and shall also have their consent to the implementation of components of the plan which involve the participation of these departments.
1.	Diesel power generating sets proposed as source of backup power should be of enclosed type and conform to

Minutes of the 356th meeting of Expert Appraisal Committee held on 06th-07thFebruary, 2024 at Narmada Conference Hall, Ground Floor, Jal Wing, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bhag Road, New Delhi for the projects related to Infrastructure Development, all Ship breaking yards including ship breaking units 7(b); Industrial Estate/Parks/Complexes/Areas, Export Processing Zones, Special Economic Zones, Biotech Parks, Leather Complexes 7(c); Ports, Harbors, Breakwaters, Dredging 7(e) and National Highways 7(f).

The 356th Meeting of Expert Appraisal Committee (EAC) of Infra-1(IA-III) held at Narmada Conference Hall in the Ministry of Environment, Forest & Climate Change (MoEF&CC), Indira Paryavaran Bhavan, New Delhi during 06th-07thFebruary, 2024 under the Chairmanship of Shri. Manmohan Singh Negi. A list of participants is annexed as **Annexure-A.**

1. OPENING REMARKS OF THE CHAIRMAN.

At the outset, Shri. Manmohan Singh Negi, Chairman, EAC welcomed the Members of the EAC and requested Shri Amardeep Raju, the Member Secretary of the EAC to initiate the proceedings of the meeting with a brief account of the activities undertaken by the Ministry under Infra-1 Division.

2. CONFIRMATION OF THE MINUTES OF THE LAST MEETING.

The Committee confirmed the Minutes of 353rd EAC meeting held on 10th and 12th January, 2024.

3. AGENDA WISE CONSIDERATION OF PROPOSALS

Agenda wise details of proposals discussed and decided in the meeting are as following:

Agenda Sr. No.3.1

Subject: Widening of Existing Container Berth at Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity of 22.1 MTPA). The project site is located at Village Nhava, Navi Mumbai, District Raigad, and State Maharashtra by M/s Jawaharlalnehru Port Authority-Environmental and CRZ clearance regarding.

Proposal No: IA/MH/INFRA1/458254/2024; File no: 10/48/2023-IA.III.

"The EAC noted that the Project Proponent and the consultant have given undertaking that the data and information given in the application and enclosures are true to the best of their knowledge and belief and no information has been suppressed in EIA/EMP report. If any part of data/information submitted is found to be false/misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent."

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3.1.1. The project proponent along with the EIA consultant M/s Mantec Consultants Pvt. Ltd. Noida made a presentation in the Ministry and provided the following information before the Committee:-

3.1.2. Environmental clearance for the then called Nhava Sheva Port was accorded by Ministry of Environment & Forest vide Office Memorandum no. J-11013/21/88-1A dated 16th Sept 1988 for entire development of Nhava Sheva Port. JNP Container Berth with a quay length of 680 m was constructed in 1989, subsequently the port was renamed as Jawaharlal Nehru Port Trust (JNPT) on 26th May 1989. The Environmental Clearance for Port was issued as per the extant rules prevailing then i.e. 1988 prior to the EIA notification 1994. The JNPT has a valid Consent for Operations (CFO) issued by Maharashtra State Pollution Control Board (MSPCB) vide consent No. Format 1.0/CAC/ UAN/No.0000097172/CR-2103001085 dated 19th March 2021.The consent for operation of JNPA Container Terminal berth having length of 680 m is valid up to 30.09.2025.

3.1.3. The instant proposal is for 'widening of existing container berth at Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity of 22.1 MTPA). The project site is located at Village– Nhava, Navi Mumbai, District– Raigad, and State-Maharashtra by M/s Jawaharlal Nehru Port Authority'. The expansion proposal will have the following facilities:

i. Increase of crane Rail span from 20 m to 30.50 m for 680 m berth length.
ii. Increase of deck width of the berth by 15 m on land side for smooth vehicle maneuvering & for keeping vessels hatch covers.
iii. Up-gradation and strengthening of existing 530m berth and 150 m wharf to accommodate design vessels of size 12200 TEU for which the facility was originally designed & commissioned.
iv. Up-gradation of Fenders and Bollards.
v. Repairs and strengthening of existing damaged portion of the berth structures.
vi. Underdeck repairs of the existing structure.
vii. The proposal is for Widening of Existing Container Berth at Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity= 22.1 MTPA).

3.1.4. The proposed project falls under 7(e)-Ports, harbours, break waters, dredging Category-A, as per EIA notification 2006. The total cost of the existing project is Rs.675.34 crores, proposed project cost is Rs.196.82 crores and the total cost of the project is Rs. 872.16 crores.

3.1.5. Public Hearing: The public hearing was conducted on 01st December, 2023 at project site, Bahuuddeshiya Sabhagruha, Sec.-02, J.N.P.T colony, Jawaharlal Nehru Port Authority, Tal-Uran and Dist. Raigarh. Maharshtra.

3.1.6. Landuse land cover: Land use/ Land cover of project site is as following:

S.no	Landuse/Land cover	Area(ha)	Percentage (%)	Remarks, if any
1	Non Forest Land	54	-	-

3.1.7. Terrain and topographical features: The district has three physiographic divisions i.e. (i) Coastal zone in west covers about 20% percent of the district (ii) Central zone covers about 1/3rdof the district, consisting of fertile land in low lying area (iii) Hilly zone in the eastern part highly uneven in altitude and covered with forest. This hill range is characterized by ruggedness and uneven topography, with crestline of peaks and saddles forming the eastern horizon. Ulhas, Panvel and Patalganga are the three main rivers in northern part. Kundalika River is the main river in central part whereas in the southern part Savitri River is the main river.

3.1.8. Details of water bodies, impact on drainage: the instant proposal is for widening of Existing Container Berth. There will be no adverse impact on drainage system due to widening of existing berth terminals at JNPA.

3.1.9. Water requirements: Total water requirement for existing would be 50 KLD and 30 KLD for expansion phase which will be sourced from M/s Maharashtra Jeevan Pradhikaran / City and Industrial Development Corporation of Maharashtra Limited (CIDCO) through JNPA and no ground water is envisaged.

3.1.10. Diversion of Forest Land: The project does not involve any diversion of forest land. The project is not located within 10 km of Protected Areas (PA) including National Parks, Sanctuaries and Tiger Reserves etc and Eco-Sensitive Zone (ESZ) or Eco-Sensitive Area (ESA) notified by the MoEF&CC.

3.1.11. Waste Management: 10 MT/Day Solid Waste Management Facility commissioned in the month of February 2021 as per SWM rule 2016 for port users, Port Township and certain villages within port estate. All ships bound for JNPA are registering in Swachh Sager Portal and Port Reception Facility are being provided as requested. Reception facilities for MARPOL annex - 1, 2, 5 & 6 are provided to vessels calling JNPA.STP details: The treated sewage water of STP is being used for the gardening purpose of JNPA township and about 1 MLD treated water is being used which reduced the burden on use of drinking water. The port has further planned to increase use of recycled water for tank farm area.

3.1.12. Details of tree cutting and Green belt development: the proposed project does not involve any trees cutting.

3.1.13. Energy conservation measures with estimated saving: 4.10 MWp. 38% of avg. power requirement is from renewable energy. Upcoming solar plants of 1.5MWp storage type.

3.1.14. CRZ Details: The entire project alignment falls under CRZ IV(A) Area as Per CRZ Notification 2011. Maharashtra Coastal Zone Management Authority vide letter no.CRZ2022/CR 312/TC4 dated 14th February, 2023 recommended the proposal.

3.1.15. Details of Shoreline changes: The instant proposal will not having any additional changes to the existing Channel, shoreline changes, breakwaters, dredging and land reclamation.

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3.1.16. Land acquisition and R&R issues involved: The project for widening of existing container berth at Jawaharlal Nehru Port Authority at Sheva, Navi Mumbai. No R&R issues involved in the instant proposal.

3.1.17. Employment potential: During construction Phase the proposed project will get 10 persons job opportunity permanently and will get 360 persons will get contractual employment. During operational stage total 15 persons will get permanent job opportunity and 360 persons will get contractual employment.

3.1.18. Benefits of the project: Modernizing and expanding the port's infrastructure is essential to keep pace with global standards and technological advancements in the maritime industry. This includes upgrading container terminals, enhancing transportation connectivity, and improving logistics efficiency. JNPA is facing congestion issues due to its high utilization. Expanding the port can help alleviate congestion, reduce waiting times for vessels, and enhance the overall operational efficiency of the port. The expansion of JNPA will lead to increased economic activity in the region, which, in turn, can create jobs and stimulate economic development in the surrounding areas.

3.1.19. Details of Court cases: The proposed project does not involve any court cases.

3.1.20. The EAC, taking into account the submission made by the project proponent has a detailed deliberation in its 356th meeting on 06th and 07th February, 2024 **recommended** the proposal for grant of Environmental and CRZ Clearance with the specific conditions, as mentioned below, in addition to all standard conditions applicable for such projects.

i. Construction activity shall be carried out strictly according to the provisions of the CRZ Notification, 2011. No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.

ii. All the recommendations and conditions specified by the Maharashtra Coastal Zone Management Authority vide letter no.CRZ2022/CR 312/TC4 dated 14th February, 2023 shall be implemented.

iii. The Project Proponent shall ensure that no creeks or rivers are blocked due to any activities at the project site and free flow of water is maintained.

iv. Necessary approvals to be taken during implementation and commissioning from statutory bodies concerned.

v. Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.

vi. No underwater blasting is permitted.

vii. Necessary approvals be taken during implementation and commissioning from

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statutory bodies concerned.

viii. Continuous monitoring of the ecological characteristics of the habitat during and after the construction, to assess the changes in the water quality, coastal hydrology, bottom contamination and diversity & abundance of marine organisms. The report of the monitoring report shall be submit to the concern IRO, MoEF&CC along with six monthly report.

ix. All the commitments made to the public during public hearing/public consultation meeting shall be satisfactorily implemented and adequate budget provision shall be made accordingly.

x. All the commitments made as part of EMP with the budget provisions shall be implemented.

xi. The project proponent shall install system carryout to Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM10 and PM2.5 in reference to PM emission, and SO2 and NOx in reference to SO2 and NOx emissions) within and outside the port area at least at four locations (one within and three outside the port area at an angle of 120°each), covering upwind and downwind directions.

xii. Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable sources, so as to comply prescribed fugitive emission standards.

xiii. The project proponent shall submit monthly summary report of continuous stack emission and air quality monitoring and results of manual stack monitoring and manual monitoring of air quality /fugitive emissions to Regional Office of MoEF&CC, Zonal office of CPCB and Regional Office of SPCB along with sixmonthly monitoring report.

xiv. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high level of particulate matter such as around loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard.

xv. Risk assessment for spill scenarios and Disaster Management Plan as prepared shall be in place in the environment Management cell with all SOP's for various scenarios.

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

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xvii. Oil spillage prevention and mitigation scheme shall be prepared. In case of oil spillage/contamination, action plan shall be prepared to clean the site by adopting proven technology. The recyclable waste (oily sludge) and spent oil shall be disposed of to the authorized recyclers.

xviii. All the recommendations mentioned in the risk assessment report, disaster management plan and safety guidelines shall be implemented.

xix. As per the Ministry's Office Memorandum F. No. 22-65/2017-IA.III dated 30th September, 2020, the project proponent shall abide by all the commitments made by them to address the concerns raised during the public consultation. The project proponent shall initiate the activities proposed by them, based on the commitment made in the public hearing, and incorporate in the Environmental Management Plan and submit to the Ministry. All other activities including pollution control, environmental protection and conservation, R&R, wildlife and forest conservation/protection measures including the NPV, Compensatory Aforestation etc, either proposed by the project proponent based on the social impact assessment and R&R action plan carried out during the preparation of EIA report or prescribed by EAC, shall also be implemented and become part of EMP.

Agenda Sr. No.3.2

Subject: Development of Greenfield Port at Vadhavan, District Palghar, Maharashtra by M/s Jawaharlal Nehru Port Authority (JNPA)-Environmental and CRZ clearance reg.

Proposal No: IA/MH/INFRA1/460537/2024 ; File No :10-52/2020-IA.III.

"The EAC noted that the Project Proponent and the consultant have given undertaking that the data and information given in the application and enclosures are true to the best of their knowledge and belief and no information has been suppressed in EIA/EMP report. If any part of data/information submitted is found to be false/misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent."

3.2.1. The project proponent along with the EIA consultant M/s Enkay Enviro Services Private Limited made a presentation in the Ministry and placed the following information before the Committee:-

3.2.2. Jawaharlal Nehru Port Authority (JNPA) has proposed 'Development of Greenfield Port at Vadhavan, District Palghar, Maharashtra by M/s Jawaharlal Nehru Port Authority (JNPA)'. The total area of the project is 17,471 ha out of which 16,900 ha has been declared as Port Limit and 571 ha outside Port Limit for the Road and Rail Connectivity. The proposed port is located near Dahanu, abutting northern boundary of Palghar district of Maharashtra at co-ordinates Latitude $19^{0}55.8$'N and Longitude 72°39.6'E. A natural water depth of around 20.0 m below Chart Datum (CD) is available at 10 km from Vadhavan point

and 15 m contour is available at a distance of 6 km which will allow safe voyage and mooring for the new generation vessels up to 24,000 TEU's. The cargo handling capacity of the port would be 298 Million Metric Tonne per Annum (MTPA). The site is about 150 km north of Mumbai and about 150 km west of Nashik and about 180 km south of Surat respectively.

3.2.3. The Port Limit have three components namely (i) Waterfront area 15,363.5 Ha, (ii) Reclamation and land filling of 1,448.0 ha for inter tidal zone with 200Mcum, (iii) Berth area 63.5 Ha. The requirement of land for rail and road is 571 Hectares will be met through the acquisition of land as per the applicable rules and regulations. In addition to the above an area of 1,000 ha. Government land is available for port-enabled services and port related infrastructure.

3.2.4. As a part of Vadhavan Port the following Infrastructure are proposed:

The basic infrastructure of the port necessitating upfront investment such as breakwater, rail and road linkages, power, water lines and common infrastructure and services will be developed by the port/ SPV whereas all cargo handling infrastructure will be developed and operated by Concessionaires.

I. Inside Port

i. Breakwater of total length 10.14 km.
ii. Dredging 6.98 Million cum in Phase-1 and 21.5 Million cum in Phase-2.
iii. Annual maintenance dredging of about 6.5 Million with its disposal at designated dumping ground in the sea or coastal area.
iv. Port craft/ Tug berth of 200 m.
v. Total Reclamation area inside the port 1448 ha. with 1162 ha. in Phase-1.
vi. Road inside the port 32 km
vii. DFC rail yard 227.5 ha.
viii. Buildings with area of 23,500 sq.mts

II. Outside Port

i. Land acquisition 571 ha. (For road and rail connectivity)
ii. External road connectivity of 33.4 km, 120m wide corridor with alternatives routes
iii. Rail linkage area length 12 km 60 m wide corridor with alternative routes
iv. Water pipeline from Surya river which is about 22 km from port site
v. Power line from PGCIL line/Tarapur Boisar power station 20 km from port.

III. Terminal Operators – Concessionaires

i. Container terminals including storage yard, equipment, terminal pavements, drainage, utilities networks etc., with total berth length of 9000 m (4 terminals in Phase-1 and 5 terminals in Phase 2 each of 1000 m length) capable of handling vessels of 24,000 TEU and above with 24,000 TEU design container vessels.
ii. Multipurpose berths of 1000 m (4 berths each of 250 m) including equipment, storage yard/ shed

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iii. 1 Ro Ro berth of 250 m including storage and onshore facilities Four (4 Nos) Liquid cargo terminals including pipelines and tank farms.

iv. Vadhavan is 12 km away from Vangaon Railway Station along Mumbai-Surat Western Rail Link and will be linked to DFCC line at New Palghar Station. The port location is 33.4 km away from NH 48 and 22 km away from Vadodara Expressway from Port. All roads will be merging with the road connecting port to the NH-48 and Mumbai Vadodara expressway.

IV. **The final master plan layout incorporates the following:**

i. 9 container terminals each with a straight 1,000 m long marginal quay. 7 terminals have the container storage yard located directly behind the quay apron whilst for two of the terminals the container yard is located about 1 km behind the quay.

ii. A total of four multi-purpose berths each 250 m long at the southern end of the reclamation

iii. Four liquid bulk berths located on the leeside of the breakwater

iv. A Ro-Ro berth at the south-west end of the offshore reclamation with adjacent vehicle parking

v. Small craft (pilot boats and tugs) and coastguard berths at the southern end of the reclamation.

vi. Additional berths for small craft may also be provided at the northern end of the reclamation.

vii. Rail terminal located along the eastern side of the offshore reclamation

viii. Onshore reclamation for liquid bulks storage (Except LPG and LNG and other petroleum products) and administrative facilities.

ix. Water depth in the channel is around 17 to 18 m depth below CD. +2.0 m tidal advantage has been considered as the MSL is about +2.8 m w.r.t CD.

x. The diameter of the sheltered turning circle with tug assistance is 700 m. The main emphasis while developing the port layout is given to balance the cost of dredging and reclamation land area developed.

xi. It is estimated that approximately 200 million cum of reclamation material would be required for the proposed port development and the material will be brought from the borrow pit located at off shore Daman coast at around 50 km into sea from the proposed Vadhvan port. The marine sand will be dredged using Trailing Suction Hopper Dredger (TSHD) and the sand will be transported and dumped at the reclamation location. The Ministry of Mines vide its GR dated 21st Dec. 2023 has issued order for reservation of the site for dredging.

xii. The dredged volume of 7.01 M cum comprising of soil and rock is required to be dredged in Phase 1 and 21.5 Million Cum in Phase-2 and is to be disposed at designated dumping ground (VDS -1 & VDS-2) or for reclamation purpose as per its suitability.

xiii. The proposed port at Vadhavan aims to provide long-term commitment, strong policy push, innovation, and alignment of interests and business philosophies along

with serious investment in technologies, systems, and manpower in order to achieve the objective set out in developing the vision of the port by JNPA. These sustainable solutions will range from analysis of climate change risk and resiliency at the planning stage for; (i) Renewable energy, (ii) Alternative energy sources, (iii) Cold Ironing / Shore power supply, (iv) Efficient port operations, (v) Other green initiatives thereby achieving reduction in carbon footprints and energy costs during the operations phase.

xiv. The required electrical system for the project will comprise incoming electrical supply at 80 MVA level. 220/33 kV substations containing transformers, switchboards, control equipment, etc. to supply the electrical power to various parts of the site at the required voltage levels of 11kV or 6.6 kV & 0.415 kV as well as requisite control and Monitoring systems.

xv. Two locations of the nearest 220 kV source from PGCIL line/ Tarapur Power Boisar and Dahanu have been identified to be provided by MSETCL. The PGCIL line/Tarapur Boisar power station is located 20 km away from Vadhavan site by overhead 220 KVA HT Line to Vadhavan port site.

xvi. Water requirement is around 6.8 MLD (million litres per day) and for the master plan phase, the anticipated demand is at 13.3 MLD. Out of this, the potable water demand for port usage is 1.8 MLD in Phase 1 and 2.8 MLD in master plan phase, with the balance being the demand for raw water and supply to port township to be met by Surya River about 22 km away from the proposed Vadhavan Port

3.2.5. The proposed project falls under 7(e)-Ports, harbours, break waters, dredging and 7(f) Highways as Category-A, as per EIA Notification 2006. The total cost of the project is Rs.76,220 Crores.

3.2.6. Terms of Reference (ToR): ToR proposal was considered by the Expert Appraisal Committee (EAC) in its 241st meeting held on 25th -26th August 2020. Ministry granted the ToR vide No. 10-52/2020-IA.III Dated 7th October 2020. Amendment in ToR proposal was considered by the EAC in its 318th meeting held on 12th-13th January, 2023, 321st meeting held on 28thFebruary-1st March, 2023 based on the reply submitted to the queries raised by the EAC, the proposal was again placed in the 324th EAC meeting held on 19th-21st April, 2023. Amendment in ToR was granted vide letter even no dated 2nd June, 2023.

3.2.7. Public Hearing: The Public Hearing was conducted on 19/01/2024 at the District Sports Complex Ground, Tembhode, Palghar, Maharashtra and on 22/12/2023 at Conference Hall Collector and District Magistrate Office, Bhitwadi Road, Municipal Market, Dholar, Moti Daman, Daman Dadra and Nagar Haveli and Daman and Diu.

3.2.8. Regarding the issues raised in the public hearing related to fisheries and related activities, JNPA mentioned that they will prepare a Fisher-folks Compensation Policy (FCP) for VPPL project in consultation with all stake holders and fishermen community. Further JNPA also proposed the construction of fishing harbor and development of Sea Food Park in association with State Government for export- oriented value addition of marine resources

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with the aim of employment to the marginalized. Furthermore, JNPA also proposed to develop the Skill development centers for fisheries and container operation related logistic courses. Regarding shoreline changes, Mathematical Modelling studies for shoreline changes has been carried out by CWPRS as well as Hydrodynamic and siltation studies are carried out by CWPRS for port development. There is no high eroding zone in the vicinity of Vadhavan port location and declared as stable cost. Regarding coastal erosion and mining activities, mining is proposed 5-60 km off coast Daman. IIT Madras has carried out the sediment dispersion study which indicates that there will not be any dispersion of sediment towards coastal areas by the dredging operation. There will be temporary increase in turbidity of sea water which will be minimized after short duration of construction phase, which is localised. Moreover, the borrow pit area size is 15x5km and dredging will be done for 2-3m depth and it is likely to be filled by natural oceanic processes within few years. Regarding sound pollution undersea and the impact of the fisheries National Institute for Oceanography (NIO) has studied the sound pollution aspects and provided management plan. JNPA will follow all the mitigative measures suggested by the Central Marine Fisheries Research Institute (CMFRI) and NIO. Regarding impact on the Coral, NIO in their study concluded that no corals are found in the port limit area. JNPA will follow mitigative measures suggested in the NIO report. Regarding tree cutting, NHAI will develop the road all the rules and regulations related to improvement, development, widening etc will be followed by NHAI and their agencies. The compensational plantation and Geo tagging will be done as per requirement of approving Authorities for tree plantation and tree relocation.

3.2.9. Land use/Land cover of project site: The project envisages reclamation of 1448 Ha and Acquisition of 571 Ha, reclamation of 1448 ha in inter-tidal zone proposed near the shore in levels ranging from +4.2m CD to -2m CD and -6 m CD to -15 m CD offshore and acquisition of 571 ha land for road and rail linkages is proposed.

3.2.10. Terrain and topographical features: Topography of the intertidal zone is rocky and highly undulated. Casuarina plantations are observed along the shoreline. The bed levels in inter tidal zone are sloping west. The slope varies from 1:350 to as gentle as 1:2000 in some section. Most of the rock at Vadhavan point and offshore comprises rock of basaltic composition. The basaltic rock is dark grey, black and hard, tough and compact. The rock is susceptible to superficial weathering. Most part of the hard rock under the sea is weathered and degree of weathering varies from exposed rock to subsurface rock with subsurface rock more weathered than the exposed one.

3.2.11. Details of water bodies, impact on drainage: Port project is located inside the sea on reclaimed land. Changes in water bodies or the land surface affecting drainage or run-off have not been envisaged in this project. It is proposed to lay the RCC trench drain parallel to the proposed internal road. All the drains will be via trenches and buried pipelines, which will be discharged out into the sea through various outfall points. These drains are connected through various cross drains bringing the water from the different areas of the terminals covering the port operational buildings. A drainage system will be provided below the stacking area, with buried perforated drain lines. An impervious layer will be placed in the

ground below these transverse drain lines. The storm water runoff from the yard area and adjacent roads will be collected, via trenches and buried pipelines and will be connected to storm water drain. The wastewater collected from the workshop will be treated in an oil skimmer before disposing off to the storm water drain.

3.2.12. Water requirements: The requirement for Drinking purpose is 105KL/day (2630 peak manpowerX40 lit/day). Drinking water requirements will be met from State water supply Board i.e Maharashtra Jeevan Pradhikaran (MJP). Water required for Construction Peak time is 4MLD Maharashtra Jeevan Pradhikaran (MJP) will be provided. During Operation phase: For the master plan phase, the anticipated demand is at 13.3 MLD. The water source identified for the port operations is Surya River about 22 km away from the proposed Vadhavan Port. Maharashtra Jeevan Pradhikaran (Government of Maharashtra) will be facilitating the required water supply to Vadhavan Port. No ground water extraction is envisaged.

3.2.13. Diversion of forest land: The diversion of forest land is required in case of road and rail connectivity pass through the Forest Land for which about 86.82cha of forest land needs to be diverted. However, as per OM no. J-11015/200/2008-IA.II(M) dated 19.03.2013, PP has presented 5 alternative alignments and justified that it is technically feasible to execute the project along an alternate alignment in which diversion of forest land is not required. The road will be developed by MoRTH/NHAI as per the Gati Shakti initiative of the Government as a Green Fiend Highway and land acquisition will be as per NHAI Act for Highways and user fee will be collected by NHAI. Accordingly road and rail connectivity is being proposed through alternate alignment not passing through forest land.

3.2.14. The proposed project is not located within 10 km of Protected Areas (PA), National Parks, Sanctuaries and Tiger Reserves etc. However, Dahanu Taluka in Palghar District of Maharashtra is declared as ecologically fragile area in 1991. DTEPA is the Monitoring Authority and DTEPA has granted permission to establish a major port at Dahanu Taluka in the off-coast of Vadhavan on 31st July 2023.

3.2.15. Biodiversity Study for the proposed borrow pit region in Arabian sea with reference to development of Vadhavan Port was carried out by the Zoological Survey of India and it was observed that since the proposal is for making temporary borrow pit in Arabian sea for dredging/ sand mining for the development of the port, the environmental impact would to be temporary in nature and would get naturally be restored and marine creatures will adopt to the location as soon as the dredging and mining activities are completed. There is no significant nesting / breeding grounds for any endemic or threatened marine species including turtles, dolphins, pelagic or shorebird and fishes etc. reported and or observed in the proposed project areas. Nevertheless, there may be stray movement of turtles and dolphins as are they are reported in the eastern Arabian sea. As these animals are highly mobile, translocation of the habitat may be a feasible solution, if encountered during dredging and sand mining operations and they can be relocated to safe and suitable places. Also, although the proposed site falls under the migratory route of the birds, since there is no land mass for roosting/ resting of birds and to transit during their flying close to the proposed borrow pit, the impact

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on migratory birds seems to be very unlikely due to the proposed dredging and sand mining. All the suggested mitigation measures shall be followed rigorously in order to safeguard the marine life as well as their feeding, breeding and migratory path and future survival.

3.2.16. Impacts on Biodiversity due to the proposed port development was carried out by the CSIR – National Institute of Oceanography. The present marine biodiversity study revealed that at Shankodhar point few species of flora and fauna are abundant in the exposed rock patch. In total, 12 species of fauna and one species of crustose coralline algae were recorded during the survey. Though only 12 species of fauna and one species of flora was recorded, the number of organisms within the given area were abundant supporting the fact that Shankodhar point is biologically rich. The rocky outcrops at Shankodhar point serves as a habitat for variety of organisms including the barnacles, molluscs, hydroids, and corals. Presence of molluscs egg capsule mass over the rocks indicates that this site could be the breeding ground for those organisms. In addition, there are numerous tide pools and tide channels which provide additional niches for more marine organisms. Majority of rocks were smothered with a thin tube like structures which are found to be inhabited by Tanai dacean crustacean. In addition to this, a school of three dolphins were sighted in the subtidal area of the Shankodhar point indicating the presence of cetaceans in the vicinity of Shankodhar point. As proposed by the PP Master plan was devised to preserve the existing Shankodhar Point and provides for unimpeded access to it.

3.2.17. Waste Management: The solid waste generation will be basically from 2 sources – cargo handling and the garbage/ human waste. It is estimated to be 2000kg/day of Municipal waste generation from port operations, which shall be disposed off as per the Municipal Solid Waste Management Rules 2016 and the amendments thereof. The cargo envisaged at the port is primarily container cargo. The garbage and human waste generation will be minimal and is proposed to be disposed off using the normal measures. Hazardous wastes, if any generated during construction phase shall be sent or sold to an authorised actual user or shall be disposed of in an authorised disposal facility in conformity with the environmental norms in this regard. Hazardous and other wastes during operation phase shall be transported from port to an authorised actual user or to an authorized disposal facility in accordance with the provisions of Hazardous and Other Wastes (Management and Trans boundary Movement) Rules, 2016 & amendments. **STP details:** During construction phase mobile toilets/ STP will be provided for construction workers and site office/ premises staff. The waste shall be collected regularly by authorized vendor. The treated water will be reused in garden premises. Under no circumstances, treated or untreated water will be discharged into marine water. Sewage generated during operation separate STP of 5000 KLD shall be provided. The system will be designed as per design criteria stipulated in the "Manual for Sewerage & Treatment" published by the CPHEEO (Central Public Health and Environment Engineering Organization), Ministry of Urban Development, Govt. of India, IS-SP/35 (S&T)-1987 and National and International practices on the subject. The treated water properties shall meet the CPCB norms and the requirements of re-use.

3.2.18. Details of tree cutting and Green belt development: 10179 trees are envisaged to be

cut. Tree cutting shall be done as per the guidelines of Government of Maharashtra. Due permission shall be obtained before cutting of trees. The green belt area will be developed within port area as well as along the road and rail connectivity. Green belt of 2 meter width will be developed along the entire alignment of the Rail & Road. About 16467 no of indigenous plant will be planted and their regular monitoring shall be carried out by the project proponent to ensure their survival. Additional greenbelt will be developed in the township area outside port limit.

3.2.19. The details of CRZ area: A layout superimposed on HTL/LTL map has been prepared by Institute of Remote Sensing, Anna University, Chennai, based on CRZ Notification 2019. The proposed details viz Approach Trestle, Breakwater, Navigational Area, Offshore Reclamation Area, sheltered Area within Vadhavan Port Limits lies in CRZ-IVA and the reclamation area near shore within Vadhavan Port Limits lies in CRZ-IB,CRZ-III(200m to 500m from HTL), CRZ-III(No Development Zone), CRZ-IVA, and outside CRZ areas as per CRZ notification, 2019.

3.2.20. The remaining area where there is no development proposed within Vadhavan Port Limits lies in CRZ-IA, CRZ-IA (50m Mangrove Buffer Zone), CRZ-IB, CRZ-III (No Development Zone), and CRZ-IVA areas as per approved CRZ notification, 2019.

3.2.21. The proposed road and rail alignment for the port connectivity out side the port limit lies in CRZ IB, CRZ-III(200m to 500m from HTL), CRZ-III(No Development Zone) and outside CRZ areas as per CRZ notification, 2019. The details are as following:

S.no	Description	Project details	CRZ Classification	Area in Acres	Total Area in Acres
1	Area for Proposed Development within Vadhavan Port Limits	Approach Trestle	CRZ-IVA	45.26	8763.2
		Breakwater	CRZ-IVA	444.36	
		Navigational Area	CRZ-IVA	3004.28	
		Offshore Reclamation Area	CRZ-IVA	3388.87	
		Reclamation area near shore	CRZ-IB	131.67	
			CRZ-III(200M to 500M from HTL)	12.14	
			CRZ-III(NDZ)	22.86	
			CRZ-IVA	417.8	
			Outside CRZ	49.56	
		Sheltered Area	CRZ-IVA	1246.41	

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2	Remaining area within Vadhavan port limits	Nil	CRZ-IA(50m Mangrove Buffer)	126.48	33214.37
			CRZ-IA	98.25	
			CRZ-IB	426.28	
			CRZ-III-NDZ	19.71	
			CRZ-IVA	32543.64	
Grand Total				41977.57	41977.57
S.no	Description	Project Details	CRZ Classification	Length in Meters	Total Length in meters
3	Proposed road alignment for the port connectivity	Proposed road	CRZ-IB	277.29	34033.32
			CRZ-III (200m to 500m from HTL)	257.89	
			CRZ-III-NDZ	491.77	
			Outside CRZ	33006.36	
4	Proposed rail alignment for the port connectivity	Proposed Railway Line	CRZ-IB	217.26	21735.45
			CRZ-III (200m to 500m from HTL)	355.71	
			CRZ-III-NDZ	514.39	
			Outside CRZ	20648.1	
Grand Total				55768.77	55768.77

3.2.22. Maharashtra Coastal Zone Management Authority recommended the proposal vide letter no.IA/MH/CRZ/439228/2023 dated 06th February, 2024.

3.2.23. Shoreline Changes, hydrodynamic and siltation studies: Mathematical Modelling studies for Shoreline Changes as well as Hydrodynamic and Siltation studies are carried out by CWPRS for Port development. The studies carried out reveal that maximum velocities at harbour entrance, stoppage distance and turning circle are similar to that for Master Plan Layout. The total quantum of likely siltation in the dredged areas will be about 6.45 million cum per annum. The current strengths at the berths are well below the permissible limits of PIANC guidelines.

3.2.24. To assess the impact of proposed port development at Vadhavan on flooding in Dahanu creek & nearby control area under cyclonic conditions, Central Water and Power Research Station carried out Mathematical Model Studies using local model to assess the flooding in Dahanu creek & control area due to cyclonic storm events with the storm tides (Maximum rise in water level + estimated tidal level) as boundary conditions along with

runoff discharges at various locations with two scenarios Scenario-1 & Scenario-2 each for 1 in 25 yrs, 1 in 50 yrs & 1 in 100yrs return periods. The model studies reveal that for all combinations/cases there is practically no variation (less than 15 cm) in extent of flooding / water levels within control area (10 km radius from headland at Vadhavan) due to proposed development of port at Vadhavan (about 6 km offshore of headland at Vadhavan) as compared to the extent of flooding observed for the existing condition (without port).

3.2.25. The dredged volume of 7.1 M cum comprising of soil and rock is required to be dredged. The rocks might be encountered while dredging the rock strength shall vary from 6 to 51 Mpa with an average of 19MPa. Based on the mathematical model studies on siltation, the average rate of siltation in the dredged areas will be about 6.45 million cum. The siltation rates are not uniform as it may vary based on the prevailing hydrodynamic conditions. The dredged material in channel and harbour basin would be disposed at the designated dumping site offshore. The location of the disposal site is in deep water (beyond 25m contour). The disposal site is spread over an area of about 20 sq.km and the depth of dumping will be restricted to only 0.5m. The reclamation quantity of dragged material expected from the project is 200 Million cum. The quantity of reclamation is much greater than the dredging quantity which in turn is dependent on the suitability of dredged material for reclamation, JNPA has identified a borrow pit offshore Daman coast at around 50 km into sea from the proposed Vadhavan port for obtaining sand for creating reclaimed land at the proposed port. The marine sand will be dredged using Trailing Suction Hopper Dredger(TSHD) and the sand will be transported and dumped at the reclamation location.

3.2.26. The existing studies carried out in regard to hydrodynamics, morphology, and shoreline change analysis for the proposed Greenfield port at Vadhavan in Maharashtra were analysed for the impact of the port on the adjacent coast by the National Centre for Coastal Research (NCCR) & Indian National Centre for Ocean Information Services (INCOIS). The study indicated that the presence of offshore breakwater has less impact on the coastline compared to shore connected breakwater. However, 0.15 Mm3 of the 6.45 Mm3 of maintenance dredging can be used for beach nourishment towards the immediate North of the port. The shoreline morphology and maintenance dredging are to be monitored periodically.

3.2.27. Further, Dept. of Ocean Engineering IIT Madras, carried out simulation studies to assess the impact of sediment plume transport from the marine borrow pit towards the coastal region of Vadhavan port. Sensitivity study has been carried out for 10%, 20% and 30% sediment loss. As the marine borrow pit location is approximately 50km to 60km far away from the coastal region with high tidal range and associated strong currents, the concentration of the sediment plume gets weakened immediately during the dredging activity. The model simulation shows that the turbid plume does not reach the shore. Based on the above scenarios, it can be observed that, the plume trajectory of the dredged sediment does not move towards the coast, and they appear not to cause any impact on the shore

3.2.28. Ministry of Earth Sciences vide letter No. D.O.F.No.MoES/Misc/14/2015-PCII dated 25th May 2023 recommended to conduct the comprehensive EIA studies and suggested to draw the mitigation measures for protection of marine ecosystem pre and post dredging.

Ministry of Ports, Shipping and Waterways (MoPSW) has requested for reservation of the offshore area for the purpose of central Govt. under section 8 of the OAMDR Act, 2002 for grant of composite licence in favour of JawaharLal Nehru Port Authority(JNPA) for mining sand from offshore for reclamation purpose for the proposed development of Greenfield Port at Vadhavan at District Palghar, Maharashtra. Ministry of Mines has reserved the proposed area vide notification dated 21.12.2023.

3.2.29. Handling of each cargo, storage, transport along with spillage control, dust preventive measures: Cargos are potential sources of dust and would contribute to fugitive dust emissions. The impacts due to emissions could be substantially managed by containment and reduction of emissions. The reduction in the emissions is achieved by continuous spraying of water so that the surface remains moist and the dust gets suppressed. In materials where the water spray would change the characteristics of the material by making it muddy and slushy, foam facility, both water sprays and foam suppressants and the other associated equipment's such as hoppers, belt conveyors, stackers cum declaimers along with integrated dust suppression systems will be used.

3.2.30. Details of fishing activity in the vicinity: Vadhavan village and other nearby villages are known as Fishery villages. Major occupation of the villagers is fishing which is likely to be impacted by the construction activity of the port. Construction of Vadhavan port will likely to create impact on fisheries in that region. After examination of fishing activity in the Vadhavan area, it is understood that Vadhavan shoreline have good fish catch and lobster culture practices. JNPA (earlier known as JNPT) appointed Central Marine Fisheries Research Institute (CMFRI) to study the possible impact on Coastal fisheries and to suggest alternatives for fishing activities. Total number of villages within 10 kms radius of proposed Vadhavan port site is 25 and 16 villages are affected because rail and road connectivity pass through these villages, namely, Agar, Narpad, Dahanu, Dhakti-Dahanu, Gungwada, Tarapore, Varor, Dandepada, Chinchani, Ghivali, Kambode, Tadiyale, Dhumket, Abram, Asangaon and Matgaon falling within 10 kms radius of the proposed Vadhavan Port site. Total fishermen population residing in the identified 16 fishing villages is nearly 20,809 with 5,333 households. Considering the customary rights to fishing of traditional fishermen and livelihood issues due to loss of fishing area by the proposed port, it is suggested that the affected fishers be supported for sustainable alternative livelihoods and practical non-utility of their fishery assets and investments. In this regard possible alternative livelihood options have been suggested in CMFRI report and as a first step, ICAR-CMFRI has already given training on open sea cage culture (farming) to 20 young fishers from the affected villages. PP shall ensure that such training is impacted free of cost to other fisherman also.

3.2.31. Energy conservation measures with estimated saving: Roof top Solar panels and open space will be utilized for energy generation for renewable energy sources. Encouraging third parties (Vessel operator's / Terminal operator's) to take power from clean energy sources by providing incentives and integrating clauses in Lease and Concession agreement. Terminal operators to purchase power through Open Access and from renewable sources so as to achieve the target of minimum 60% of energy from renewable sources. Alternative energy

sources such as Electric Rubber-Tired Gantry (RTGs), Intra-Terminal Vehicles (ITV), Usage of E-buses and E- cars within the port for port operational personnel shall be used. Provision of necessary EV charging infrastructure shall be made, Electric Quay Cranes, All equipment including Auxiliary equipment shall be operating on either electric or non-conventional clean fuel.

3.2.32. PP has submitted that the total project cost is INR 76,220 Crores in which PP has proposed the following budget provisions for component wise the details are as following:

Budget for Environmental Management Plan- Port Area		
Construction Phase:	Capital cost: 302 Lakhs	O & M Cost per Annum: 197.35 Lakhs
Operation Phase	Capital cost: 443 Lakhs	O & M Cost per Annum: 404.5 Lakhs
Budget for Environmental Management Plan -Rail-Road phase		
Operation phase	Capital cost: 222.12 Lakhs	O & M Cost per Annum: 73.17 Lakhs
Budget for Environmental Management Plan -Residential Area		
Operational Phase	Capital cost: 212 Lakhs	O & M Cost per Annum: 55 Lakhs
Offshore monitoring cost	500 lakhs	

3.2.33. Land acquisition and R&R issues involved: Vadhavan Port is being developed in offshore area without affecting the coastline. An area of 571 Ha for rail and road connectivity to the port will be required and the same is proposed to be acquired for the project through acquisition of land as per the applicable rules and regulations. In addition to the above, an area of 1,000 ha. land for Port enabled services and port related infrastructure and other allied services of port i.e., Solar power, corridor for power and water pipelines, public amenities, housing of employees and emergency personnel etc. will be required & the same will be acquired as per rules. The resettlement and rehabilitation (R&R) benefits shall be extended to all the Project Affected Families (PAF) whether belonging to below poverty line (BPL) or non-BPL.

3.2.34. Apart from the above, the JNPA will prepare a Fisher-folks Compensation Policy (FCP) for VPPL project in consultation with all stake holders and fishermen community and a Fisher-folks Compensation Committee (FCC) will be set up by JNPA/VPPL with Dy Chairman, JNPA as the Chairman, and members from Fishing Community, Department of Fisheries, Revenue, MMB, Police, Fisheries Scientist and JNPA/ VPPL officers as its members. The Committee will conduct meetings for formulating the policy. In addition, a Stakeholder's meeting will also be conducted by the Dept. of Fisheries. Further JNPA also proposed to construct the Construction of fishing harbor and Development of Sea Food Park in the association of State Government for export- oriented value addition of marine resources with the aim of employment to the marginalized. Further it is also proposed to develop the Skill development centers for fisheries and container operation related logistic courses.

3.2.35. Employment potential: 1000 nos direct employment and indirect employment of 6000

nos. Post project completion, it is estimated that more than 1.0 Lakh of in-direct job opportunities will open up.

3.2.36. Details of Court cases:

i. Civil Appeal No(S). 5718-5719/2021 in the Hon'ble Supreme Court. Jawaharlal Nehru Port Authority Appellant(S) Versus National Fishworkers Forum & Ors. Respondent(S). Tentatively case may be listed on 08-02-2023. Category: 1503-Appeal Against Orders of Statutory Bodies: Tribunals.

ii. Writ Petition no.(L) no.17261 of 2023 National Fishworkers Forum & Ors Vs Ministry of Environment forest and Climate Change was file filed before the Hon'ble High Court of Bombay.

3.2.37. Benefits of the project: The development is envisaged to play a significant role in strengthening connectivity along the Maharashtra coastline. The port is likely to generate large scale employment during construction phase of port. Direct and indirect employment would be generated for people working on the project for construction of civil infrastructure, installation of mechanical and other utilities infrastructure. The material handling equipment for container terminal are likely to be imported. However, all other equipment and machineries would be procured locally. These would add to growth in the local economy. Indirect impacts occur through the supply chain in the activities of businesses that supply goods and services to support operations, leading to more economic output and jobs.

The operation of port will lead to large-scale direct and indirect employment. Vadhavan port would have similar market focus of JNPA. This would be handling containers and other clean cargo. Hence, the direct employment generation of Vadhavan port would be similar to JNPA. JNPA had an employee base of around 1,500 personals in the financial year 2020 for handling close to 10 million tonnes cargo directly by port and balance 56 million tonnes by PPP operators of JNPA. It is estimated that around 8% to 10% of the officers were involved in monitoring and facilitating PPP operators. Rest all of 90% to 92% of the workforce was involved in cargo handling operations to achieve a traffic throughput of 10 million tonnes. This excludes the subcontractors hired by JNPA for operating its terminal. Vadhavan port with around 400 million tonnes of Trade volume at its peak would handle around 40 times JNPA current terminal traffic.

3.2.38. Observations *made by EAC*

i. *There may be stray movement of turtles and dolphins reported in the eastern Arabian sea and suitable mitigation measures will be taken for its protection.*

ii. *As per the MOEFCC Memorandum dated 1st May, 2018 JNPA has proposed an amount of Rs. 190 Crores under Corporate Environment Responsibility (CER). The committee suggested the same shall extend as additionalities to the proposed EMP(Environment Management Plan budget at 3.52).*

iii. *Maharashtra Coastal Zone Management Authority recommended the proposal vide letter no.IA/MH/CRZ/439228/2023 dated 06th February, 2024.*

iv. *Dahanu Taluka in Palghar District of Maharashtra is declared as ecologically fragile area in 1991. DTEPA is the Monitoring Authority and DTEPA has granted permission to establish a major port at Dahanu Taluka in the off-coast of Vadhavan on 31st July 2023.*

v. *The committee found that as prescribed by the ToRs, PP has carried out the following studies:*

S. No	Studies Carried out as Per approved ToR for EC&CRZ from EAC MoEF&CC	Name of Agency
1	Hydrodynamics study on impact of dredging on flow characteristics	Central Water and Power Research Station (CWPRS), Pune
2	Flooding and related impact on creek and control area during the cyclonic storm should be studied.	
3	Study the impact of dredging and dumping on marine ecology	CSIR - National Institute of Oceanography (NIO), Goa
4	To prepare a detailed biodiversity impact assessment report and management plan	
5	Impact of undersea noise on cetaceans needs to be studied	
6	The concentrations of Petroleum Hydrocarbons in seawater at low tide and high tide conditions	
7	Assessment of the cumulative impact of all development and increased inhabitation	Indian Institute of Technology, Bombay
8	Traffic forecast and congestion studies at roads connecting arterial roads	
9	Wind data & Wave data as required by CWPRS for model study	Indian National Centre for Ocean Information Services (INCOIS), Hyderabad
10	Topography survey, Borehole survey for the alignment of rail and road connectivity for additional 20 mtrs strip including realignment if any & Land Acquisition proposal.	M/s. Composite Combine, Thane, Maharashtra
11	Impact study of proposed Vadhavan Port on Coastal Fisheries.	ICAR-Central Marine Fisheries Research Institute, Kochi
12	NOC from Dahanu Taluka Environment Protection Authority (DTEPA)	Dahanu Taluka Environment Protection Authority (DTEPA), Mumbai
13	Rainfall data for last 50 years	India Meteorological Department, Pune
14	Procurement of Toposheet	Survey of India,

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		Hyderabad
15	Drone survey for the catchment area of Dahanu Creek	M/s. Vefes Engineering Pvt. Ltd, Mumbai
16	Demarcation of HTL and LTL	Institute of Remote Sensing (IRS), Chennai
17	Collection of Culverts Bridges and obstruction in Dahanu Creek	M/s. Vefes Engineering Pvt. Ltd, Mumbai
18	Carrying out bathymetry survey for Dahanu Creek	Maharashtra Maritime Board (MMB), Mumbai
19	Biodiversity study of sea sand area at Daman by Zoological Survey of India.	Zoological Survey of India (ZSI), Kolkata
20	Socio-economic studies fisherman community both in Dahanu and Daman.	ICAR-Central Marine Fisheries Research Institute, Kochi
21	Mining Ministry allocation of mining of sea sand at Daman & Comments from the CRZ division in this regard.	Ministry of Environment, Forest and Climate Change, New Delhi
22	Zoological Survey of India on offshore marine mammals movement and fish aggregation sites	Zoological Survey of India (ZSI), Kolkata
23	Impact of breakwaters and transport carriageway on the erosion/accretion by NCCR	National Centre for Coastal Research (NCCR) & Indian National Centre for Ocean Information Services (INCOIS), Hyderabad
24	Traffic assessment on NH-8/Vadodara Expressway	Royal Haskoning DHV, Mumbai
25	Mathematical model studies to assess the impact of finalised layout of proposed port at Vadhavan on Tarapur Atomic Power Station for JNPA	Central Water and Power Research Station (CWPRS), Pune

3.2.39. The EAC, taking into account the submission made by the project proponent has a detailed deliberation in its 356th meeting on 06th and 07th February, 2024 **recommended** the proposal for Environmental and CRZ Clearance with the specific conditions, as mentioned below, in addition to all standard conditions applicable for such projects:

i. The proponent shall obtain Forest Clearance for diversion of forest land as per Forest (Conservation) Act, 1980 for the proposed road alignment if the proposed alignment is to pass through the forest area. Proponent shall submit an undertaking that work on non-forestry land may only be executed upto such point (to be selected by the user agency) on either side of forest land if it is explicitly certified by the user agency that in case approval under the Forest (Conservation) Act, 1980, for diversion of forest land is declined, it is technically feasible to execute the project along an alternate

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alignment without involving diversion of forest land. Details of all such stretches along with alternate alignment identified to bypass the forest land should be explicitly provided in the proposal seeking approval under the Forest (Conservation) Act, 1980 and the EIA Notification, 2006. Commencement of work in non-forest land will not confer any right to NHAI for granting approval under the Forest (Conservation) Act, 1980.

ii. No Petroleum Oil (POL) Jetty shall be established in the port area.

iii. No liquid petroleum product storage and handling shall be carried out in the port facility.

iv. Safety standards both during construction stage and operational stages should be of highest standards incorporating latest safety measures.

v. Transportation of containers will strictly be through new green fields roads and not through existing high density highways and sufficient provision should be made for smooth flow at intersections and turnings.

vi. Time-bound Livelihood Opportunities Plan (LOP) based on the socio economic studies shall to be prepared and submitted along with the implementation plan with the 6 monthly compliance report, as the impact on communities is not uniform. The LOP need to adequately factor in these impacts. Core principles of engagement need to be developed which can be applied consistently, depending upon impact and ensure engagement done directly with communities (represented by legitimate intermediaries).

vii. PP to ensure that contractors/labours working on Project/Construction sites are provided with working/living conditions and social infrastructure as per applicable standards in this regard.

viii. In second year of operational phase of the project, baseline data on the status of faunal communities be collected and compared for assessing the environment and for ensuring that environmental plans are corrected/managed sustainably to restore the pristine ecosystem though proper conservatory measures.

ix. Temporary halting of dredging / sand mining activities shall be practised to the extent possible especially during fish breeding period which is active breeding and spawning period for many marine organisms.

x. Activities shall be avoided during night hours at probable areas which will pave the way for the movement of turtles, dolphins and other nocturnal fauna which may be using this shallow area for their feeding and breeding.

xi. PP to develop/ follow existing mechanism/methodology for waste collection credits and waste recycling credits (Plastic Credits) by measuring, verifying and validating the reduction of plastic usage collection, recycle or dispose plastic in an

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environmentally friendly manner over and above the existing BAU (Business As Usual) scenario.

xii. As per the MOEFCC Memorandum dated 1st May 2018 JNPA, has proposed an amount of Rs. 190 Crores under Corporate Environment Responsibility (CER). However, the committee suggested the same shall extended as EMP (Environment Management Plan) as per the Ministry's Office Memorandum F. No. 22-65/2017-IA.III dated 30th September 2020, wherein the project proponent shall abide by all the commitments made by them to address the concerns raised during the public consultation. The project proponent shall initiate the activities proposed by them, based on the commitment made in the public hearing, and incorporate during the Environmental Management Plan and submit to the Ministry. All other activities including pollution control, environmental protection and conservation, R&R, wildlife and forest conservation/protection measures including the NPV, Compensatory Afforestation etc, either proposed by the project proponent based on the social impact assessment and R&R action plan carried out during the preparation of EIA report or prescribed by EAC, shall also be implemented and become part of EMP.

xiii. All the recommendations mentioned in the Biodiversity study for the proposed Borrow pit region in Arabian sea conducted by ZSI and Marine Biodiversity at Shankodhar Point, Dahanu Taluk, Maharashtra conducted by CSIR – National Institute of Oceanography shall be implemented. The compliance to the recommendations shall be submitted along with 6 monthly compliance report to the regional office of MoEFCC. The borrow pit area shall be monitored by a specialized agency during and after construction of port for 3 years.

xiv. Although the proposed borrow pit site falls under the migratory route of the birds, since there is no land mass for roosting/ resting of birds and to transit during their flying close to the proposed borrow pit, during such period proper mitigation measures shall be implemented in consultation with the national reputed institutions like ZSI.

xv. ZSI report emphasized a rich biodiversity in the inter-tidal region; the committee suggested that a state-of-art research Institute/laboratory shall be developed and maintained by the PP in the proposed project area in consultation with expert scientists to monitor the ecosystem with greater emphasis on breeding grounds for fishes and shellfishes, their health and population status.

xvi. Mitigation measures should be followed rigorously in order to safeguard the marine life as well as their feeding, breeding and migratory path and future survival.

xvii. Continuous monitoring of the ecological characteristics of the habitat before, during and after the port construction shall be conducted by specialized agency. Further, continuous monitoring of activities related to dredging and land reclamation to assess the changes in the water quality, coastal hydrology, bottom contamination and

diversity & abundance of marine organisms shall also be conducted. The suspended sediment concentration at borrow pit, reclamation areas both in offshore and nearshore area shall be monitored using automated system to ensure no adverse effects on adjoing areas. PP shall hire the services of specialized agencies of the aforesaid and such other monitoring tasks or for conducting required studies as mandated by EAC.

xviii. Deployment of artificial reefs as a measure of compensation for the loss of fishing grounds, if any, due to dredging and land reclamation shall be made.

xix. Measures recommended in the EIA and other studies carried out for the project to (i) prevent water pollution; (ii) limit disturbance of sediment, and (iii) limit the movement of barge/vessel movements shall be included in the mitigation plan.

xx. Underwater noise shall be minimized by using bubble curtains which can reduce the noise emission up to 95% and ensure that marine mammals reliant on sound wave communications are not distressed.

xxi. Establish 'no wash zone' based on the local hydrodynamics between the port and Shankodhar point to prevent the introduction of marine pests due to washing/cleaning of ship hulls and release of ship waste.

xxii. All vessels coming to the port shall be checked for the presence/absence of invasive species on the hull as per MARPOL convention and applicable laws.

xxiii. Master plan shall preserve the existing Shankodhar Point and provides for unimpeded access to it for the local population.

xxiv. No mangrove shall be cut or affected due to port construction.

xxv. The marine fisheries management cell shall be established by the project proponent as part of environmental management plan near by the site in consultation with and under the supervision of CMFRI and marine fisheries management activities shall be taken up by the cell for the local communities as part of EMP with separate budget.

xxvi. The Wildlife Management & Conservation Plan for Schedule-I species like Indian Swiftlet Aerodramus unicolor, Gull-billed tern Gelochelidon nilotica etc shall be prepared in consultation with the state forest department and the recommend and State Biodiversity Board/National Biodiversity Authority and the recommendations if any shall be incorporated in the report, and all commitments made in the biodiversity Management & Conservation Plan shall be implemented in letter and spirit. The status of implementation of Wildlife Management & Conservation Plan shall be submitted to the Regional Office of the Ministry along with 6 monthly compliance report.

xxvii. Risk assessment and disaster management plan should be prepared and placed at the site for implementation exclusively along with emergency preparedness plan. Since

the port is an offshore port, state of the art disaster management plan incorporating both on-site and offsite disaster management plan shall be prepared by the of the pp with the help of specialized agency and necessary security drill shall be conducted as per the provisions of National Disaster Management Act. All necessary equipment's and skilled manpower shall be provided for this purpose by the PP.

xxviii. Emergency response system for oil spillage and oil spill contingency plan, any other hazardous material spillages shall be in place at the site level. The mock drill in this regard shall be conducted regularly and the same shall be documented and made available during inspections of local pollution control board, port authorities and MoEF&CC.

xxix. All vessels movement offshore and inside the harbour should be through automoated vessel management system and controlled at port monitoring station.

xxx. Tide gauge and wave gauge shall be installed permanently at the port premises for long-term monitoring for assessing impact of sea level rise and extreme events like cyclones.

xxxi. Conservation plan for the marine mammals shall be prepared and implemented in consultation with the forest department which includes recovery of the species conservation and management, protection of corals other rare and endangered species etc with specific budget provisions and the annual report for the same shall be submitted along with the certified compliance report. The annual status report shall be prepared in consultation with the reputed institute like ZSI/WII/NIO etc.

xxxii. Pollution control and abetment plan for Ballast waters, marine corrosion, tugging, etc shall be placed in the site as a part of environmental management system. The same should be exclusively spell in the corporate environment policy which should be disclosed at the site.

xxxiii. Adequate mitigation measures should be taken to protect Shankodar area, from phenomenal changes in coastline due to port activity. The mitigation measures shall be recommended duly by the NIOT during construction and operation period.

xxxiv. Construction activity shall be carried out strictly according to the provisions of the CRZ Notification, 2019. No construction works other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.

xxxv. All the recommendations and conditions specified by the Maharashtra Coastal Zone Management Authority vide letter No. IA/MH/CRZ/439228/2023 dated 06th February, 2024 shall be implemented in letter and spirit.

xxxvi. Consent to Establish/Operate for the project shall be obtained from the State Pollution Control Board as required under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.The project

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proponent shall comply with the air pollution mitigation measures as submitted.

xxxvii. The Project proponent shall ensure that no creeks or rivers are blocked due to any activities at the project site and free flow of water is maintained.

xxxviii. PP shall take all necessary statutory/regulatory approvals and clearances before the implementation and commissioning of the project from the concerned authority/statutory body.

xxxix. The risk assessment and management plan being drawn up with regards to the environmental impacts of natural disasters, oil spills and other waste, dredging and dumping on marine ecology shall scrupulously implemented. It shall be ensured that the marine ecology in the area of influence shall not affect. The monitoring and compliance status of the marine ecology management plan shall be submitted along with the six monthly EC compliance reports.

xl. Detailed comprehensive Disaster Management Plan considering earthquake, flooding, cyclone, Tsunami, landslides, fire etc including emergency evacuation for natural and man-made disasters shall be in placed before the start of the construction of the port. A comprehensive cyber risk assessment and a cyber crisis management plan shall also be prepared. All the recommendations mentioned in the risk assessment report, disaster management plan and safety guidelines shall be implemented.

xli. Shoreline should not be disturbed due to dumping. Periodical study on shore line changes and coastal geomorphology shall be conducted through NIO/NIOT/NCCR and mitigation measures like living shoreline and beach nourishment carried out in line with conservation plan. The details shall be submitted along with the six monthly monitoring report to the regional office of MoEFCC.

xlii. As recommended by NCCR 0.15 Mm3 of the 6.45 Mm3 of maintenance dredging shall be used for beach nourishment towards the immediate North of the port. Pre and post beach nourishment study shall be conducted and a report this regard shall be submitted with 6 monthly compliance report.

xliii. PP will establish an independent Monitoring Committees to oversee the (i) implementation of the specific and general conditions of the EC-CRZ clearance, (ii) the Environmental Management Plan including those arising out of CER (iii) implementation of recommendations of various studies carried out by appointed institutions/organizations for the project including dredge spoil management (iv) any other issues deemed necessary by the PP including grievance redressal of local community. The committee must meet quarterly during the construction phase of the project and at least twice a year during the operational phase of the project to monitor the implementation of various environmental safeguards and also look into the implementation of R&R measures. The committees will review of the progress of work for the above components and advise further on its implementation. Minutes of

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the meetings, site visit reports by the committee and recommendations of the same shall be uploaded on the website of the JNPA. The tenure of the committee will be till the completion of the final phase of the project. However, the tenure of every individual expert in the Committee shall not exceed three years, and accordingly, Committees should be reconstituted every three years. Sufficient budget allocation shall be provided by the PP to meet the expenses for providing logistics and manpower support for the functioning of the committee. The committee shall have the following members:

i. Member Secretary, Maharashtra Pollution Control Board (MPPCB) shall be the chairman of the Committee.
ii. Representative of MPPCB shall be the Member Secretary.
iii. Directors of Zoological Survey of India (ZSI)
iv. Representative of PP
v. Representative of the Collector, Palghar District.
vi. Representative, CSIR - National Institute of Oceanography (NIO)
vii. Representative, ICAR-Central Marine Fisheries Research Institute
viii. Representative, National Centre for Coastal Research (NCCR).
ix. Representative of IRO, Nagpur

The Committee can co-opt expert members as and when required for technical support.

Agenda Sr. No.3.3

Subject: Development of Harohalli 4th Phase Industrial Area in an area of 142.59 Ha at Cheeluru and Rampura Villages, Kanakapura Taluk, Ramanagara District, Karnataka by Karnataka Industrial Areas Development Board-EC regarding.

Proposal No: IA/KA/INFRA1/448728/2023; File No: 10/30/2022-IA.III.

3.3.1 The above mentioned proposal was earlier considered by 345th meeting of Expert Appraisal Committee held on 09th-10th November, 2023 and the proposal was **deferred** the proposal for the want of requisite information/documents. At this instance, the aforementioned proposal was placed before the EAC during its 356th meeting of Expert Appraisal Committee held on 06th-07th February, 2024.

3.3.2 The Member secretary informed to the committee that Ministry issued a Standard Operating Procedure (SOP) dated 7th July, 2021 for identification and handling of violation cases under ETA Notification 2006 in compliance to order of the Hon'ble National Green Tribunal in Appeal No. 34/2020 (WZ) titled Tanaji B. Gambhire Vs Chief Secretary, Government of Maharashtra.

3.3.3 However, the Hon'ble Supreme Court in W.P.(C) No. 1394/2023 titled Vanashakti vs. Union of India, has stayed the operation of both the Office Memoranda dated 7th July 2021 and dated 28th January 2022 issued by this Ministry.

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For Vidhii Partners
Advocates

EXHIBIT 'I'

Exhibit I

सत्यमेव जयते

File No: File no: 10/48/2023-IA.III

Government of India

Ministry of Environment, Forest and Climate Change

IA Division

***

Date **15/03/2024**

To,

JAWAHARLAL NEHRU PORT TRUST
Jawaharlal Nehru Port Trust Admin Building Sheva Uran Navi Mumbai-400707
cmppd.jnpt@gmail.com

Subject: **Widening of Existing Container Berth at Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity of 22.1 MTPA). The project site is located at Village Nhava, Navi Mumbai, District Raigad, and State Maharashtra by M/s Jawaharlalnehru Port Authority-Environmental and CRZ clearance-regarding.**

Sir/Madam,

This is in reference to your application submitted to MoEF&CC vide proposal number IA/MH/INFRA1/458254/2024 dated 16/01/2024 for grant of prior Environmental Clearance (EC) to the proposed project under the provision of the EIA Notification 2006 and as amended thereof.

2. The particulars of the proposal are as below :

(i) EC Identification No.	EC24A3501MH5578747N
(ii) File No.	File no: 10/48/2023-IA.III
(iii) Clearance Type	Fresh EC
(iv) Category	A
(v) Project/Activity Included Schedule No.	7(e) Ports, harbors, breakwaters, dredging
(vi) Sector	INFRA-1
(vii) Name of Project	Widening of Existing Container Berth At Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity= 22.1 MTPA)
(viii) Name of Company/Organization	JAWAHARLAL NEHRU PORT TRUST
(ix) Location of Project (District, State)	RAIGAD, MAHARASHTRA
(x) Issuing Authority	MoEF&CC
(xi) Applicability of General Conditions as per EIA Notification, 2006	No

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3. The above mentioned proposal was considered in the 356th EAC meeting held on 06th-07th February, 2024. The project proponent along with the EIA consultant M/s Mantec Consultants Pvt. Ltd. Noida made a presentation in the

Ministry and provided the following information before the Committee.

4. Initially Environmental clearance was accorded in the name of Nhava Sheva Port by Ministry of Environment & Forest vide Office Memorandum no. J-11013/21/88-1A dated 16th Sept 1988 for entire development of Nhava Sheva Port. JNP Container Berth with a quay length of 680 m was constructed in 1989, subsequently the port was renamed as Jawaharlal Nehru Port Trust (JNPT) on 26th May 1989. The Environmental Clearance for Port was issued as per the extant rules prevailing then i.e. 1988 prior to the EIA notification 1994. The JNPT has a valid Consent for Operations (CFO) issued by Maharashtra State Pollution Control Board (MSPCB), vide consent No. Format 1.0/CAC/ UAN/No.0000097172/CR-2103001085 dated 19th March 2021.The consent for operation of JNPA Container Terminal berth having length of 680 m is valid up to 30.09.2025. Further PP submitted the vide letter no. PPD/VPPL/MoEF&CC/2023 dated 04.09.2023 inter-alia stating that vide gazette of India (S.O.4504 (E) dated 29th October, 2021 the provisions of the Major Port Authorities Act, 2021 have come into force. Subsequently, the Central Government in pursuance of Major Port Authorities Act.2021 constituted the Board of Jawaharlal Nehru Port Authority with effect from January 2022 vide Gazette Notification G.S.R No.59(E) dated 31st January, 2022. As per Gazette Notification of Government of Maharashtra dated 12th July, 2022, 'Jawaharlal Nehru Port Trust' is changed to 'Jawaharlal Nehru Port Authority'.

5. The instant proposal is for 'widening of existing container berth at Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity of 22.1 MTPA). The project site is located at Village-Nhava, Navi Mumbai, District-Raigad, and State-Maharashtra by M/s Jawaharlal Nehru Port Authority'. The expansion proposal will have the following facilities:

(i) Increase of crane Rail span from 20 m to 30.50 m for 680 m berth length.
(ii) Increase of deck width of the berth by 15 m on land side for smooth vehicle maneuvering & for keeping vessels hatch covers.
(iii) Up-gradation and strengthening of existing 530m berth and 150 m wharf to accommodate design vessels of size 12200 TEU for which the facility was originally designed & commissioned.
(iv) Up-gradation of Fenders and Bollards.
(v) Repairs and strengthening of existing damaged portion of the berth structures.
(vi) Underdeck repairs of the existing structure.
(vii) The proposal is for Widening of Existing Container Berth at Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity= 22.1 MTPA).

6. The proposed project falls under 7(e)-Ports, harbours, break waters, dredging Category-A, as per EIA notification 2006. The total cost of the existing project is Rs.675.34 crores, proposed project cost is Rs.196.82 crores and the total cost of the project is Rs. 872.16 crores. The ToR for the proposal was granted by the Ministry on 01/09/2023.

7. Public Hearing: The public hearing was conducted on 01st December, 2023 at project site, Babu Jagjeeshiya Sabhagruha, Sec.-02, J.N.P.T colony, Jawaharlal Nehru Port Authority, Tal-Uran and Dist. Raigarh, Maharshtra.

8. Landuse land cover: Land use/ Land cover of project site is as following:

S.no	Landuse/Land cover	Area(ha)	Percentage (%)	Remarks, if any
1	Non Forest Land	54	-	-

9. Terrain and topographical features: The district has three physiographic divisions i.e. (i) Coastal zone in west covers about 20% percent of the district (ii) Central zone covers about 1/3rdof the district, consisting of fertile land in low lying area (iii) Hilly zone in the eastern part highly uneven in altitude and covered with forest. This hill range is characterized by ruggedness and uneven topography, with crestline of peaks and saddles forming the eastern horizon. Ulhas, Panvel and Patalganga are the three main rivers in northern part. Kundalika River is the main river in central part whereas in the southern part Savitri River is the main river.

10. Details of water bodies, impact on drainage: the instant proposal is for widening of Existing Container Berth. There will be no adverse impact on drainage system due to widening of existing berth terminals at JNPA.

11. Water requirements: Total water requirement for existing would be 50 KLD and 30 KLD for expansion phase which will be sourced from M/s Maharashtra Jeevan Pradhikaran / City and Industrial Development Corporation of Maharashtra

Limited (CIDCO) through JNPA and no ground water is envisaged.

12. Diversion of Forest Land: The project does not involve any diversion of forest land. The project is not located within 10 km of Protected Areas (PA) including National Parks, Sanctuaries and Tiger Reserves etc and Eco-Sensitive Zone (ESZ) or Eco-Sensitive Area (ESA) notified by the MoEF&CC.

13. Waste Management: 10 MT/Day Solid Waste Management Facility commissioned in the month of February 2021 as per SWM rule 2016 for port users, Port Township and certain villages within port estate. All ships bound for JNPA are registering in Swachh Sager Portal and Port Reception Facility are being provided as requested. Reception facilities for MARPOL annex - 1, 2, 5 & 6 are provided to vessels calling JNPA.STP details: The treated sewage water of STP is being used for the gardening purpose of JNPA township and about 1 MLD treated water is being used which reduced the burden on use of drinking water. The port has further planned to increase use of recycled water for tank farm area.

14. Details of tree cutting: The proposed project does not involve any trees cutting.

15. Energy conservation measures with estimated saving: 4.10 MWp. 38% of avg. power requirement is from renewable energy. Upcoming solar plants of 1.5MWp storage type is proposed.

16. CRZ Details: The entire project alignment falls under CRZ IV(A) Area as Per CRZ Notification 2011. Maharashtra Coastal Zone Management Authority vide letter no.CRZ2022/CR 312/TC4 dated 14th February, 2023 recommended the proposal.

17. Details of Shoreline changes: The instant proposal will not having any additional changes to the existing Channel, shoreline changes, breakwaters, dredging and land reclamation.

18. Land acquisition and R&R issues involved: The project for widening of existing container berth at Jawaharlal Nehru Port Authority at Sheva, Navi Mumbai. No R&R issues involved in the instant proposal.

19. Employment potential: During construction Phase the proposed project will get 10 persons job opportunity permanently and will get 360 persons will get contractual employment. During operational stage total 15 persons will get permanent job opportunity and 360 persons will get contractual employment.

20. Benefits of the project: Modernizing and expanding the port's infrastructure is essential to keep pace with global standards and technological advancements in the maritime industry. This includes upgrading container terminals, enhancing transportation connectivity, and improving logistics efficiency. JNPA is facing congestion issues due to its high utilization. Expanding the port can help alleviate congestion, reduce waiting times for vessels, and enhance the overall operational efficiency of the port. The expansion of JNPA will lead to increased economic activity in the region, which, in turn, can create jobs and stimulate economic development in the surrounding areas.

21. Details of Court cases: The proposed project does not involve any court cases.

22. The EAC, taking into account the submission made by the project proponent had a detailed deliberation in its 356th meeting on 06th-07th February, 2024 recommended the proposal for grant of Environmental and CRZ Clearance subject to all specific and standard conditions applicable for such projects.

23. The Ministry of Environment, Forest and Climate Change has considered the proposal based on the recommendations of the Expert Appraisal Committee(Infrastructure, CRZ and other miscellaneous projects) and hereby decided to grant of environmental and CRZ Clearance for 'Widening of Existing Container Berth at Jawaharlal Nehru Port, Navi Mumbai, Maharashtra (Cargo Handling Capacity of 22.1 MTPA). The project site is located at Village Nhava, Navi Mumbai, District Raigad, and State Maharashtra by M/s Jawaharlalnehru Port Authority' under the EIA notification, 2006 as amended and CRZ Notification, 2011 subject to strict compliance of the following specific conditions, in addition to all standard conditions applicable for such projects.

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

Copy To

1. Principal Secretary Environment & Climate Change Department, Government of Maharashtra, Mantralaya, Mumbai – 32.
2. The Deputy Director General of Forests (C) Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur- 440001.
3. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 32.
4. The Member Secretary, Maharashtra Pollution Control Board, Kalpatru Point, Sion Circle, Sion (East), Mumbai-400 022, Maharashtra.
5. Monitoring Cell, MoEF&CC, Indira Paryavaran Bhavan, New Delhi
6. Parivesh Portal.
7. Guard File/Monitoring File/Website/Record File.

Annexure 1

Specific EC Conditions for (Ports, Harbors, Breakwaters, Dredging)

1. Specific Conditions

S. No	EC Conditions
1.1	i Construction activity shall be carried out strictly according to the provisions of the CRZ Notification, 2011. No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area. ii. All the recommendations and conditions specified by the Maharashtra Coastal Zone Management Authority vide letter no.CRZ2022/CR 312/TC4 dated 14th February, 2023 shall be implemented. iii. The Project Proponent shall ensure that no creeks or rivers are blocked due to any activities at the project site and free flow of water is maintained. iv. Necessary approvals to be taken during implementation and commissioning from statutory bodies concerned. v. Construction spoils, including bituminous material and other hazardous materials must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water. vi. No underwater blasting is permitted. vii. Necessary approvals be taken during implementation and commissioning from statutory bodies concerned. viii. Continuous monitoring of the ecological characteristics of the habitat during and after the construction, to assess the changes in the water quality, coastal hydrology, bottom contamination and diversity & abundance of marine organisms. The report of the monitoring report shall be submit to the concern IRO, MoEF&CC along with six monthly report. ix. All the commitments made to the public during public hearing/public consultation meeting shall be satisfactorily implemented and adequate budget provision shall be made accordingly. x. All the commitments made as part of EMP with the budget provisions shall be implemented. xi. The project proponent shall install system carryout to Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM10 and PM2.5 in reference to PM emission, and SO2 and NOx in reference to SO2 and NOx emissions) within and outside the port area at least at four locations (one within and three outside the port area at an angle of 120°each), covering upwind and downwind directions. xii. Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable sources, so as to comply prescribed fugitive emission standards. xiii. The project proponent shall submit monthly summary report of continuous stack emission and

S. No	EC Conditions
	air quality monitoring and results of manual stack monitoring and manual monitoring of air quality /fugitive emissions to Regional Office of MoEF&CC, Zonal office of CPCB and Regional Office of SPCB along with sixmonthly monitoring report. xiv. Effective safeguard measures, such as regular water sprinkling shall be carried out in critical areas prone to air pollution and having high level of particulate matter such as around loading and unloading point and all transfer points. Extensive water sprinkling shall be carried out on haul roads. It should be ensured that the Ambient Air Quality parameters conform to the norms prescribed by the Central Pollution Control Board in this regard. xv. Risk assessment for spill scenarios and Disaster Management Plan as prepared shall be in place in the environment Management cell with all SOP's for various scenarios. xvi. Spillage of fuel/engine oil and lubricants from the construction site are a source of organic pollution which impacts marine life, particularly benthos. This shall be prevented by suitable precautions and also by providing necessary mechanisms to trap the spillage. xvii. Oil spillage prevention and mitigation scheme shall be prepared. In case of oil spillage/contamination, action plan shall be prepared to clean the site by adopting proven technology. The recyclable waste (oily sludge) and spent oil shall be disposed of to the authorized recyclers. xviii. All the recommendations mentioned in the risk assessment report, disaster management plan and safety guidelines shall be implemented. xix. As per the Ministry's Office Memorandum F. No. 22-65/2017-IA.III dated 30th September, 2020, the project proponent shall abide by all the commitments made by them to address the concerns raised during the public consultation. The project proponent shall initiate the activities proposed by them, based on the commitment made in the public hearing, and incorporate in the Environmental Management Plan and submit to the Ministry. All other activities including pollution control, environmental protection and conservation, R&R, wildlife and forest conservation/protection measures including the NPV, Compensatory Aforestation etc, either proposed by the project proponent based on the social impact assessment and R&R action plan carried out during the preparation of EIA report or prescribed by EAC, shall also be implemented and become part of EMP.

Standard EC Conditions for (Ports, harbors, breakwaters, dredging)

1. Statutory Compliance

S. No	EC Conditions
1.1	Construction activity shall be carried out strictly according to the provisions of CRZ Notification, 2011 and the State Coastal Zone Management Plan as drawn up by the State Government. No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.
1.2	A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project should be obtained.
1.3	All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Coast Guard, Civil Aviation Department shall be obtained, as applicable by project proponents from the respective competent authorities.

2. Specific Conditions

S. No	EC Conditions
2.1	
2.2	i Construction activity shall be carried out strictly according to the provisions of the CRZ Notification, 2011. No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.

3. Air Quality Monitoring And Preservation

S. No	EC Conditions
3.1	The project proponent shall install system to carryout Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM10 and PM2.5 in reference to PM emission, and SO2 and NOx in reference to SO2 and NOx emissions) within and outside the project area at least at four locations, covering upwind and downwind directions.
3.2	Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable sources, so as to comply prescribed emission standards.
3.3	Shrouding shall be carried out in the work site enclosing the dock/proposed facility area. This will act as dust curtain as well achieving zero dust discharge from the site. These curtain or shroud will be immensely effective in restricting disturbance from wind in affecting the dry dock operations, preventing waste dispersion, improving working conditions through provision of shade for the workers.
3.4	Dust collectors shall be deployed in all areas where blasting (surface cleaning) and painting operations are to be carried out, supplemented by stacks for effective dispersion.
3.5	The Vessels shall comply the emission norms prescribed from time to time.
3.6	Diesel power generating sets proposed as source of backup power should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Use of low sulphur diesel. The location of the DG sets may be decided with in consultation with State Pollution Control Board.
3.7	A detailed traffic management and traffic decongestion plan shall be drawn up to ensure that the current level of service of the roads within a 05 kms radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habitation being carried out or proposed to be carried out by the project or other agencies in this 05 Kms radius of the site in different scenarios of space and time and the traffic management plan shall be duly validated and certified by the State Urban Development department and the P.W.D./ competent authority for road augmentation and shall also have their consent to the implementation of components of the plan which involve the participation of these departments.

4. Water Quality Monitoring And Preservation

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S. No	EC Conditions
4.1	The Project proponent shall ensure that no creeks or rivers are blocked due to any activities at the project site and free flow of water is maintained.
4.2	Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality. Silt curtains shall be used to contain the spreading of suspended sediment during dredging within the dredging area.
4.3	No ships docking at the proposed project site will discharge its on-board waste water untreated in to the estuary/ channel. All such wastewater load will be diverted to the proposed Effluent Treatment Plant of the project site.
4.4	Measures should be taken to contain, control and recover the accidental spills of fuel and cargo handle.
4.5	The project proponents will draw up and implement a plan for the management of temperature differences between intake waters and discharge waters.
4.6	Spillage of fuel / engine oil and lubricants from the construction site are a source of organic pollution which impacts marine life. This shall be prevented by suitable precautions and also by providing necessary mechanisms to trap the spillage.
4.7	Total fresh water use shall not exceed the proposed requirement as provided in the project details. Prior permission from competent authority shall be obtained for use of fresh water.
4.8	Sewage Treatment Plant shall be provided to treat the wastewater generated from the project. Treated water shall be reused for horticulture, flushing, backwash, HVAC purposes and dust suppression.
4.9	A certificate from the competent authority for discharging treated effluent/ untreated effluents into the Public sewer/ disposal/drainage systems along with the final disposal point should be obtained.
4.10	No diversion of the natural course of the river shall be made without prior permission from the Ministry of Water resources.
4.11	All the erosion control measures shall be taken at water front facilities. Earth protection work shall be carried out to avoid erosion of soil from the shoreline/boundary line from the land area into the marine water body.

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5. Noise Monitoring And Prevention

S. No	EC Conditions
5.1	Noise level survey shall be carried as per the prescribed guidelines and report in this regard shall be submitted to Regional Officer of the Ministry as a part of six-monthly compliance report.
5.2	Noise from vehicles, power machinery and equipment on-site should not exceed the prescribed limit. Equipment should be regularly serviced. Attention should also be given to muffler maintenance and enclosure of noisy equipments.

S. No	EC Conditions
5.3	Acoustic enclosures for DG sets, noise barriers for ground-run bays, ear plugs for operating personnel shall be implemented as mitigation measures for noise impact due to ground sources.
5.4	The ambient noise levels should conform to the standards prescribed under E(P)A Rules, 1986 viz. 75 dB(A) during day time and 70 dB(A) during night time.

6. Energy Conservation Measures

S. No	EC Conditions
6.1	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;
6.2	Provide LED lights in offices and project areas.

7. Waste Management

S. No	EC Conditions
7.1	Dredged material shall be disposed safely in the designated areas.
7.2	Shoreline should not be disturbed due to dumping. Periodical study on shore line changes shall be conducted and mitigation carried out, if necessary. The details shall be submitted along with the six monthly monitoring reports.
7.3	Necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that they conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986.
7.4	The solid wastes shall be managed and disposed as per the norms of the Solid Waste Management Rules, 2016.
7.5	Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Waste Management Rules, 2016.
7.6	A certificate from the competent authority handling municipal solid wastes should be obtained, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project.
7.7	Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/ rules of the regulatory authority to avoid mercury contamination.
7.8	Oil spill contingency plan shall be prepared and part of DMP to tackle emergencies. The equipment and recovery of oil from a spill would be assessed. Guidelines given in MARPOL and Shipping Acts for oil spill management would be followed. Mechanism for integration of terminals oil contingency plan with the overall area contingency plan under the co-ordination of Coast should be covered.

8. Green Belt

S. No	EC Conditions
8.1	Green belt shall be developed in area as provided in project details with a native tree species in accordance with CPCB guidelines.
8.2	Top soil shall be separately stored and used in the development of green belt.

9. Marine Ecology

S. No	EC Conditions
9.1	Dredging shall not be carried out during the fish breeding and spawning seasons.
9.2	Dredging, etc shall be carried out in the confined manner to reduce the impacts on marine environment.
9.3	The dredging schedule shall be so planned that the turbidity developed is dispersed soon enough to prevent any stress on the fish population.
9.4	While carrying out dredging, an independent monitoring shall be carried out through a Government Agency/Institute to assess the impact and necessary measures shall be taken on priority basis if any adverse impact is observed.
9.5	A detailed marine biodiversity management plan shall be prepared through the NIO or any other institute of repute on marine, brackish water and fresh water ecology and biodiversity and submitted to and implemented to the satisfaction of the State Biodiversity Board and the CRZ authority. The report shall be based on a study of the impact of the project activities on the intertidal biotopes, corals and coral communities, molluscs, sea grasses, sea weeds, sub-tidal habitats, fishes, other marine and aquatic micro, macro and mega flora and fauna including benthos, plankton, turtles, birds etc. as also the productivity. The data collection and impact assessment shall be as per standards survey methods and include underwater photography.
9.6	Marine ecology shall be monitored regularly also in terms of sea weeds, sea grasses, mudflats, sand dunes, fisheries, echinoderms, shrimps, turtles, corals, coastal vegetation, mangroves and other marine biodiversity components including all micro, macro and mega floral and faunal components of marine biodiversity.
9.7	The project proponent shall ensure that water traffic does not impact the aquatic wildlife/sanctuaries that fall along the stretch of the river.

10. Public Hearing And Human Health Issues

S. No	EC Conditions
10.1	The work space shall be maintained as per international standards for occupational health and safety with provision of fresh air respirators, blowers, and fans to prevent any accumulation and inhalation of undesirable levels of pollutants including VOCs.

S. No	EC Conditions
10.2	Workers shall be strictly enforced to wear personal protective equipments like dust mask, ear muffs or ear plugs, whenever and wherever necessary/ required. Special visco-elastic gloves will be used by labour exposed to hazards from vibration.
10.3	In case of repair of any old vessels, excessive care shall be taken while handling Asbestos & Freon gas. Besides, fully enclosed covering should be provided for the temporary storage of asbestos materials at site before disposal to CTSDF.
10.4	Safety training shall be given to all workers specific to their work area and every worker and employee will be engaged in fire hazard awareness training and mock drills which will be conducted regularly. All standard safety and occupational hazard measures shall be implemented and monitored by the concerned officials to prevent the occurrence of untoward incidents/ accidents.
10.5	Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
10.6	Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
10.7	Occupational health surveillance of the workers shall be done on a regular basis.

11. Environment Responsibility

S. No	EC Conditions
11.1	The company shall have a well laid down environmental policy duly approved 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.
11.2	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 report to the head of the organization.
11.3	Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/Regional Office along with the Six Monthly Compliance Report.
11.4	Self environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.

12. Miscellaneous

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S. No	EC Conditions
12.1	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.
12.2	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.
12.3	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.
12.4	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.
12.5	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.
12.6	The criteria pollutant levels namely; PM2.5, PM10, SO2, NOx (ambient levels) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
12.7	The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
12.8	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.
12.9	No further expansion or modifications in the project shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).
12.10	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.
12.11	The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.
12.12	The Ministry reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
12.13	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

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S. No	EC Conditions
	furnishing the requisite data / information/monitoring reports.
12.14	The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts and any other Court of Law relating to the subject matter.
12.15	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.

NOTARY ADV. JAGRUTI C. GAIKWAD Uran Raigad Exp. July 24 Reg. No. 1326 GOVT. OF MAHARASHTRA

TRUE COPY
DS
For Vidhii Partners
Advocates

Signature Not Verified
Digitally Signed by : Dr Amardeep Raju
Member Secretary, MoEFCC (EC)
Date: 15/03/2024

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

APPEAL NO. 29 OF 2024 (WZ)

Paramparik Machimmar Bachav Samajik Kruti Samittee ...Appellant

Versus

Jawaharlal Nehru Port Authority & Ors. ...Respondent

AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO. 1

Dated this ___ day of July, 2024

Mr. Saket Mone,

Ms. Anchita Nair,

Mr. Devansh Shah

c/o. Vidhii Partners,

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MAHLF/377/2022