

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE BENCH,
PUNE
ORIGINAL APPLICATION NO. 46 OF 2021
(Earlier Appeal No. 9 of 2021)**

Dilip Pandurang Koli & Ors.

... Applicants

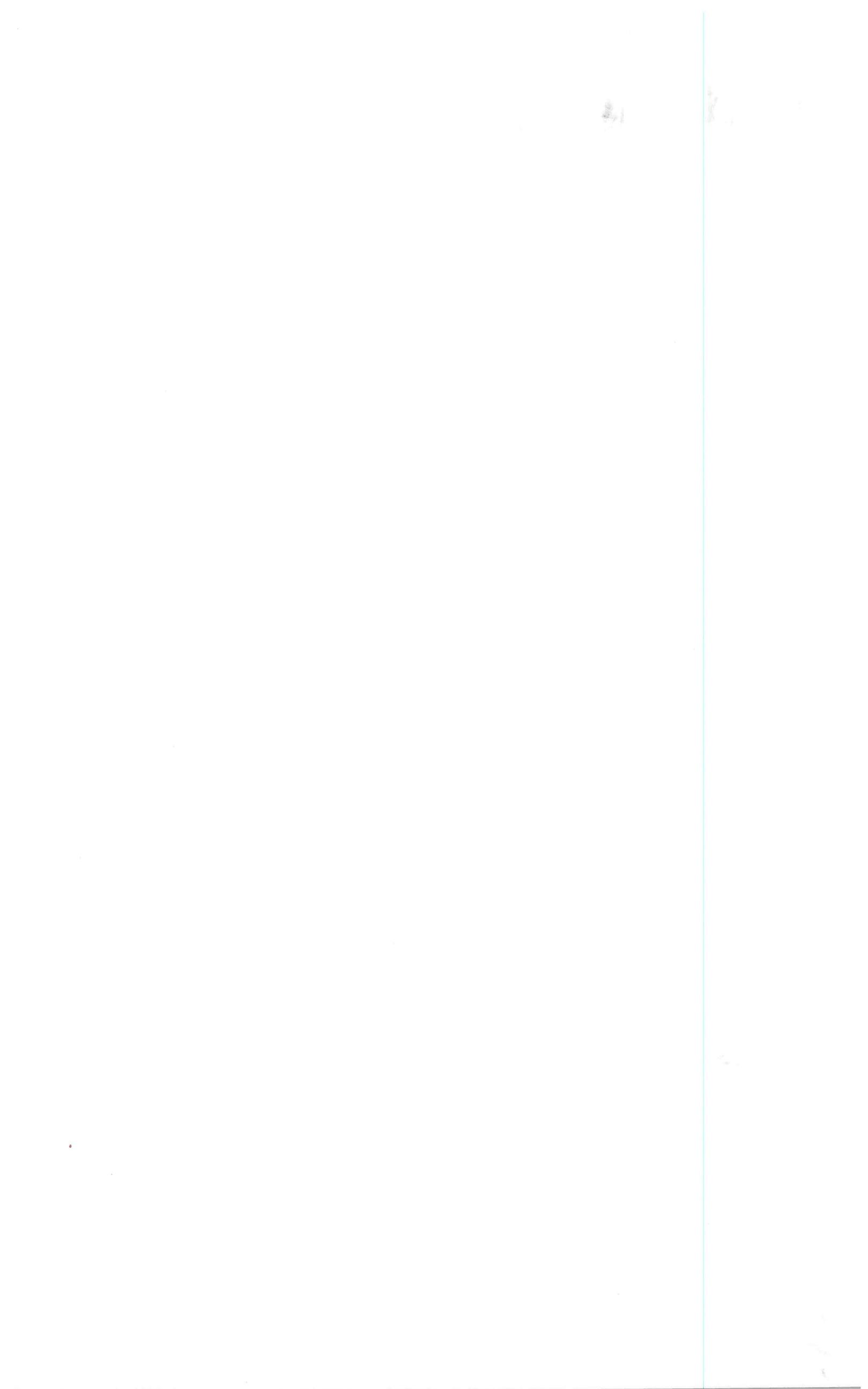
Versus

MoEFCC & Ors.

... Respondents

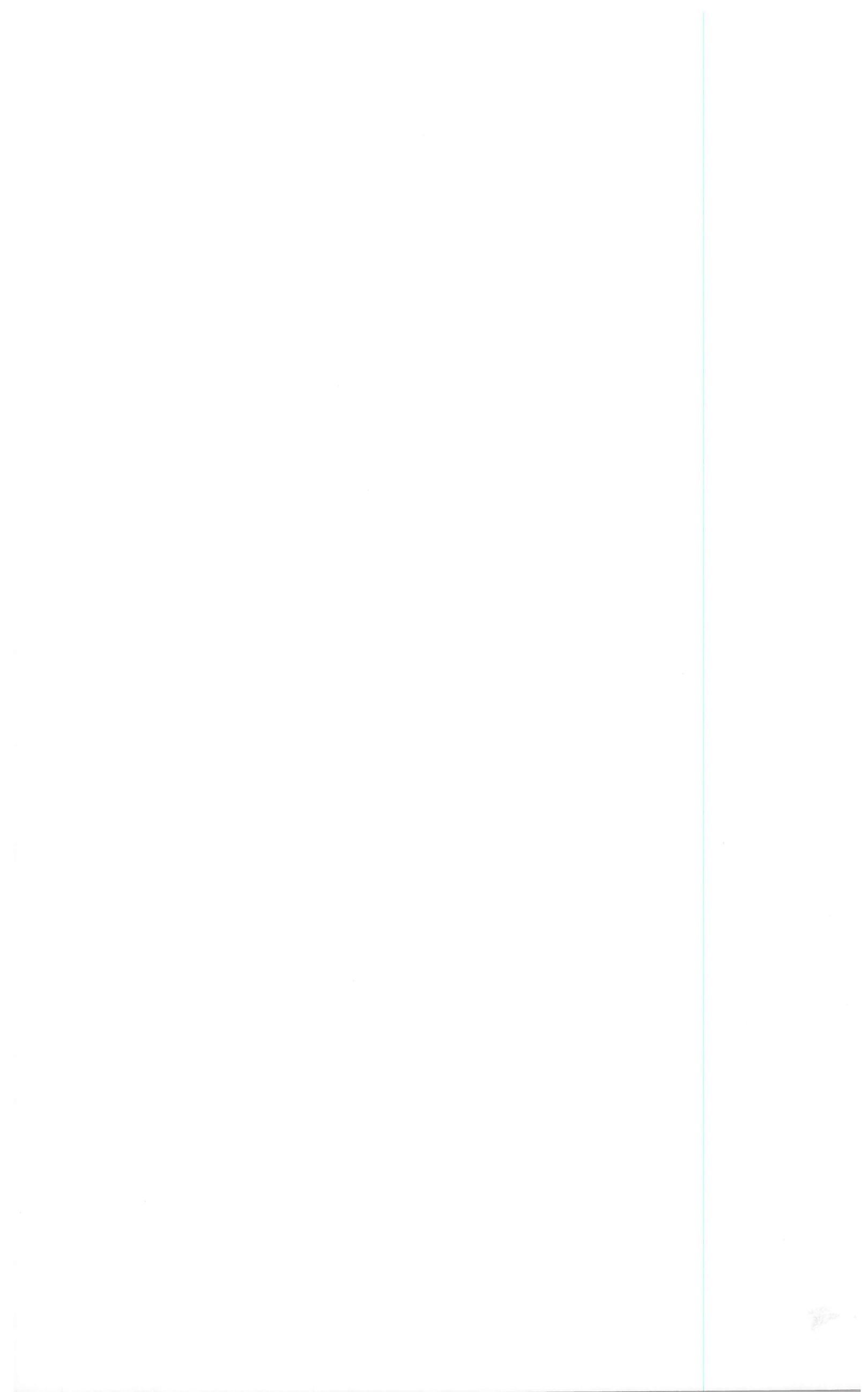
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Advocates for Respondent No.2



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AFFIDAVIT IN REPLY OF RESPONDENT NO.2

I, Vishwanath Gajanan Gharat, the Manager (PPD) and Authorized Signatory of the Respondent No.2, having my address at JNPT Navi Mumbai, do hereby solemnly affirm and state as under:-

1. I am the Manager (PPD) of the Respondent No.2 and I am well conversant with the facts of the present case and also able to depose the same from office records. I have perused the captioned Memo of Application (initially filed as an Appeal) and the annexures thereto and I am competent and authorized to file this Affidavit.
2. At the outset, I deny all averments, contentions and allegations raised in the present Application which are contrary to and/or inconsistent with that which is stated herein, save and except any facts specifically admitted herein or which are matter of record. Nothing should be deemed to have been admitted merely for want of specific traverse.
3. At the further outset, I state and submit that the present Application is not maintainable and is liable to be dismissed with compensatory

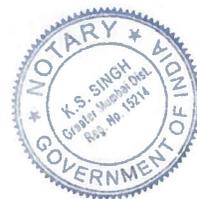


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costs, *inter alia*, for the following reasons, which are in the alternative and without prejudice to one another.

Remedy availed and dismissed as being time barred:

- 3.1. I submit that the present Application assails the Environment Clearance ("EC") dated 9th October 2019 [@Annexure A-12/pg. 126 of the Memo of Application] granted by the Respondent No.1 under the provisions of the Environment Impact Assessment ("EIA") Notification, 2006 and the Coastal Regulation Zone ("CRZ") Notification, 2011 [Refer prayer clause (a) of the Memo of Application].
- 3.2. It is submitted that any challenge to such a clearance would normally and necessarily lie before this Hon'ble Tribunal under Section 16 of the National Green Tribunal Act, 2010 ("NGT Act").
- 3.3. Section 16 of the NGT Act provides for the Appellate jurisdiction of the Hon'ble NGT and states that any person aggrieved by an order made under the provisions of certain Acts enumerated thereunder, could prefer an appeal to the Hon'ble NGT. Sub-Section (h) of Section 16 categorically provides for an appeal to the Hon'ble NGT against an order passed granting EC to an industry, operation or process. Section 16 also provides for the period within which such appeal is required to be filed.



- 3.4. Section 18 of the NGT Act provides for the manner and form in which an appeal is to be preferred to the Hon'ble NGT, further particulars of which are provided under Rule 8 of the National Green Tribunal (Practices & Procedure) Rules, 2011 ("**NGT Rules**").
- 3.5. The above enumerated statutory scheme provides a complete code for a self-contained and accessible mechanism for challenging grant of EC by any person aggrieved by such grant. As such, the same is the only manner in which the EC dated 9th October 2019 could be impugned by the Applicants.
- 3.6. In the present case, the Applicants, admittedly, *firstly*, filed a **Writ Petition No. 2094 of 2020** under Article 226 of the Constitution of India before the Hon'ble Bombay High Court, after the expiry of the statutory period for challenging the EC dated 9th October 2019 had lapsed. This is an admitted position. The Applicant had, therefore, after allowing the time period to challenge the EC dated 9th October 2019 to lapse, taken steps to challenge the same, by which stage, such EC had already attained finality.
- 3.7. Ostensibly, the Applicants, being well aware that their only remedy was time barred, speculatively filed the Petition in a desperate attempt to assail the EC dated 9th October 2019.



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The Hon'ble Bombay High Court, vide Order dated 16th February 2021 [@Annexure A-27/pg. 251 of the Memo of Application], relying on the Judgment and Order in **Maria Thelma Suresh Poojary & Ors. Versus State of Maharashtra & Ors.**, categorically held that the Petition was not maintainable as the appropriate remedy would be a Section 16 Appeal before this Hon'ble Tribunal. While the order dismissing the Petition did not preclude the Applicants from approaching this Hon'ble Tribunal, it was expressly stated that such approach, if any, should be "in accordance with law".

- 3.8. The Applicants have thereafter filed **Appeal No. 9 of 2021** before this Hon'ble Tribunal, challenging the EC dated 9th October 2019. This Hon'ble Tribunal vide Order dated 23rd June 2021 has delivered a categorical finding that the Appeal, as filed, was barred by limitation and filed much beyond the condonable period of delay. It was categorically held that the Writ Petition in the Hon'ble Bombay High Court had also been filed beyond the prescribed period to challenge the EC and that even excluding the period between filing the Writ Petition and its dismissal would not bring the Appeal within limitation. When confronted with such finding, the Applicants made an oral application for converting the Appeal, as filed, into an Original Application under Sections 14 and 15 treating the



Appeal as disposed of. Annexed hereto and marked as Annexure "R2-1" is a copy of the Order dated 23rd June 2021.

- 3.9. The present Affidavit is in reply to such converted Appeal. The primary relief sought is setting aside of the EC dated 9th October 2019 and other ancillary reliefs. It is submitted that such a relief cannot be granted by this Hon'ble Tribunal exercising jurisdiction under Section 14 and/or 15 of the NGT Act and is squarely within the realm of the Appellate Jurisdiction of this Hon'ble Tribunal under Section 16 of the NGT Act. An application seeking the relief as sought, is *ex facie* not maintainable under the provisions of Section 14 and 15 of the NGT Act.
- 3.10. I am advised to submit that this Hon'ble Tribunal has in the past, considered the interplay of it's jurisdiction under Sections 14, 15 and 16 of the NGT Act and has repeatedly held that a challenge to a permission/clearance cannot form the subject matter of an Application under Sections 14 and/or 15.
- 3.11. In the present case, none of the reliefs as can be granted by this Hon'ble Tribunal in exercise of it's jurisdiction under Section 14 and/or 15 have been claimed, there are no material averments which could form the threshold parameters to

maintain an action under Sections 14 and/or 15. The Application is nothing but a time barred Appeal in the guise of an Original Application, which is clearly not maintainable. In any event, it is settled law as repeatedly laid down by the Hon'ble Supreme Court that what cannot be done directly, cannot be permitted to be done indirectly.

3.12. As such, the present Application is a grave abuse of the process of this Hon'ble Tribunal. Entertaining the present Application would amount to rewarding the Applicants with a *carte blanche* contrary to the parent statute of this Hon'ble Tribunal.

3.13. It is submitted that the Original Application is liable to be dismissed with costs.

Conduct of the Applicants-lack of diligence:

3.14. Without prejudice to the above, I say that the present Application filed by the Applicants is an afterthought and has not been filed diligently and expeditiously.

3.15. I say that it is common ground that the EC under challenge was issued on 9th October 2019. The same was communicated to the public at large by publishing the same on the website of the Respondent No.2 (available at: http://www.jnport.gov.in/environment_push and



http://jnport.gov.in/media/2019/Oct/2019_10_25_10_32_10.pdf). The same is also available at on the website of the Respondent No. 1 at:

<http://environmentclearance.nic.in/writereaddata/Form-1A/EC/10112019175011JNPTECletter.PDF> and Public notice regarding the same was also given on 25th October 2019 in Loksatta and Krushiwal Newspapers, having wide circulation, copies of which public notices dated 25th October 2019 are annexed hereto and marked as **Annexure "R2-2(Colly)"**. The Respondent No.2 had also submitted the copy of the EC to the local body authority vide letter dated 25th October 2019, a copy of which is annexed hereto and marked as **Annexure "R2-3"**.

3.16. As such, from or around October 2019, the public at large have been aware of the grant of EC dated 9th October 2019 for the project of the Respondent No.2. Despite the same, the Applicants have assailed the EC dated 9th October 2019 only by way of the Petition dated 3rd February 2020 before the Hon'ble Bombay High Court, which is almost 4 months after the fact. The Appeal was filed on 11th March 2021 which is a month after the dismissal of the Petition and over a year and a half after the grant of EC. The Applicants have not even attempted to explain, much less justify such non vigilant and seemingly lackadaisical conduct.



3.17. It is also pertinent to note that the date of affirming the Petition in the Hon'ble Bombay High Court was beyond the period of 30 days stipulated under Section 16 of the NGT Act to challenge the grant of EC and also beyond the period of further 60 days, which period of delay could be condoned by this Hon'ble NGT on sufficient cause being shown by the person challenging the EC. Having realized that the Applicants had missed the opportunity of assailing the Impugned EC by way of an Appeal before this Hon'ble Tribunal, as an afterthought, the Petition was filed under Article 226 of the Constitution of India before the Hon'ble Bombay High Court and rightly dismissed.

3.18. It is settled law, as held by the Hon'ble Supreme Court in a catena of judgments that when a person approaches the judicial fora at his leisure and pleasure, the forum would be under obligation to scrutinize whether the *lis* at a belated stage ought to be entertained as delay would come in the way of equity. In the present case, in view of such conduct of the Applicants, this Hon'ble Tribunal ought not to entertain the present Application and the same should be dismissed with costs.

No legal injury or enforcement of legal right relating to environment:



- 3.19. I say that the present Application is replete with unfounded allegations and apprehensions on the purported effect of executing the project in question. Loose allegations of damage to the environment and adverse impact on the livelihood of fisher folk have been made in the Application, without a semblance of scientific data or expert studies being adduced by the Applicants to justify such assertions.
- 3.20. *Per contra*, the Respondent No.2 has, prior to and during the application process for clearances for the project in question, carried out detailed feasibility and environment impact studies, all of which have been placed on record before the expert authorities considering such applications. The expert statutory authorities have also applied their mind judiciously to the effect of granting the respective clearances granted by them, not just in terms of legality and permissibility but also in terms of the impact it would have when such clearances are given effect to.
- 3.21. The Applicants have failed to demonstrate that the grant of the impugned EC, in any manner, violates their legal right related to environment, nor have they been able to show that giving effect to such EC or the action of granting such EC would or has amounted to any detrimental impact on the environment or that they are victims of such detrimental

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environmental impact, which would justify exercise of jurisdiction of this Hon'ble Tribunal under Section 14 and/or 15 of the NGT Act. The Applicants failure to aver, much less demonstrate conclusively that there has been a directly attributable detrimental impact on the environment and/or that they have suffered a violation of legal right relating to environment or that they are victims entitled to restitution and/or compensation, is necessarily fatal to the maintainability of the present Application.

3.22. As such, there exists no cause of action which would justify this Hon'ble Tribunal entertaining the present Application under its original jurisdiction under Sections 14 and 15 of the NGT Act. In the premises therefore, the present Application ought to be dismissed by this Hon'ble Court.

4. Without prejudice to the above, I shall now place on record the facts and circumstances, shorn of unnecessary details, as germane to the adjudication of the present case:

Description of the project:

4.1. The Respondent No.2 is situated at Navi-Mumbai (formally known as the Nhava-Sheva Port) and is India's No.1 container port, handling more than half of the container cargo across all major ports in India. Commissioned on 26th May 1989, the Respondent No.2 occupies a prominent place among the



most modern ports in India and is ranked 28th among the top 100 container ports in the world. Since its inception, the Respondent No.2 has systematically evolved its operational efficiency and improved its capacity handling to transform itself into a port at par with global standards.

- 4.2. The project in question is the balance work of construction of 4th container terminal (and marine container terminal) at JNPT by the Respondent No.2 ("said Project"). Annexed hereto and marked as Annexure "R2-4" is a copy of the layout plan for the said Project.
- 4.3. In line with required capacity augmentation plans, the said Project was conceptualized by the Respondent No.2 to be developed in Build, Operate, Transfer ("BOT") basis.
- 4.4. M/s. CES carried out feasibility study for the same in the year 2006 followed by an updated feasibility study by M/s. Axis Bank in association with M/s. STUP Consultants in 2007-08. After ascertaining the feasibility, a global tender process was carried out in 2010 for competitive bidding. Owing to factors beyond the control of the Respondent No.2, the highest bidder could not sign the agreement for carrying out the said Project and the tender was discharged in 2012.



- 4.5. Initial EC for the said Project was granted by the Respondent No.1 on 29th July 2008 [@Annexure A-5/pg. 67 of the Memo of Application], thereafter extended on 26th February 2014 [@Annexure A-4/pg. 66 of the Memo of Application] valid upto 28th July 2018.
- 4.6. The construction of phase-I of the said Project commenced from 23rd December 2014, in furtherance of the clearances granted and after financial closure and other compliances of the Concession Agreement. The construction works under phase-I was completed and put into operation by 22nd December 2017 within the stipulated period.
- 4.7. As per the Concession Agreement for the said Project, phase-II works were to be commenced immediately upon achieving traffic of 1 MTPA or aggregate 8 years from award and to be completed by December 2022.
- 4.8. Considering that the validity of the EC was expiring on 28th July 2018, the Respondent No.2 had applied for fresh clearance under the EIA Notification, 2006. This application has culminated in the issuance of the impugned EC and CRZ Clearance dated 9th October 2019 [@Annexure A-12/pg. 126 of the Memo of Application] valid for 7 years.



4.9. The details of the balance work of the said Project are as under:

A. Civil Infrastructure:

Sr. no.	Civil Infrastructure	Completed work Phase I	Proposed activities under Phase II of Project
(i)	Berth length	1000 m and guide bund of 200 m	1000 m and guide bund of 200 m
(ii)	Capital Dredging - Maneuvering area - Berth pockets	(-)15.0 m CD (-)16.5 m CD	(-)15.0 m CD (-)16.5 m CD
(iii)	Approach Trestles	05 Nos	05 Nos
(iv)	Reclamation	110 Ha	110 Ha
(v)	Connectivity	- Up to 6 Lane Connecting road (4.8 km) up to Nhava Sheva Police Station - One Rail Container Depot for Evacuation by Rail	- Connecting road (4.8 km) up to Nhava Sheva Police Station with 12 laned. - Additional Rail Container Depot for evacuation by Rail.
(vi)	Other installations	Public Building & Gate Complex, utilities etc.	Public Building & Gate Complex, utilities etc.

B. Associated Facilities:

Sr. No.	Project Scope as per approved Environment Clearance	Phase-I	Balance Work in Phase-II
(i)	Electrification	Completed	To be completed
(ii)	Water Supply, Drainage and Sewerage facilities	Completed	To be completed
(iii)	Associated Computer and software network	Installed	To be installed
(iv)	Fire Fighting facilities	Installed	To be installed
(v)	Adequate safety arrangement at the Terminal	Completed	To be completed

Project cost/investment at **Rs.3196 Crores** (For Phase II Facility).

4.10. The said Project is covered under Category 'A' of Item 7(e) i.e. Ports, Harbours, Break Waters, etc. of the Schedule to the EIA Notification, 2006 and its subsequent amendments.

Permissions obtained/clearances received:

4.11. In accordance with the provisions of the EIA Notification, 2006, the Respondent No.2 had applied for amendment in Condition No.6 of the initial EC, which was discussed and deliberated by the Expert Appraisal Committee ("EAC") (Infra 2) in its 27th meeting held on 25th January 2018. The Respondent No.2 was directed to apply afresh for the balance works being the said Project. A copy of the relevant minutes of the meeting dated 25th January 2018 is annexed hereto and marked as **Annexure "R2-5"**.

4.12. In the meantime, the Maharashtra Pollution Control Board ("MPCB"), in its 8th Consent Appraisal Committee Meeting held on 9th February 2018 was pleased to grant First Consent to Operate for the said Project (Phase-I) on 25th September 2019 and Renewal of Consent to Operate was received from MPCB on 8th December 2020 valid till 30th September 2024, a copy of which is annexed hereto and marked as **Annexure "R2-6 (Colly.)"**. For Balance Works of Phase-II of 4th Container Terminal, Consent was granted by the MPCB on 4th September 2020, a copy of which is annexed hereto and marked as **Annexure "R2-7"**.



- 4.13. Upon application being made on 17th May 2018, the EAC (Infra 2), in its meeting held on 31st May 2018 [@Annexure A-7/pg. 84 of the Memo of Application] was pleased to accord the terms of reference for the preparation of the EIA and Environment Management Plan ("EMP") reports for the said Project. The same was communicated to the Respondent No.2 vide communication dated 13th June 2018, a copy of which is annexed hereto and marked as Annexure "R2-8".
- 4.14. Accordingly, and in compliance of the terms of reference, the Respondent No.2 had applied for grant of recommendation from CRZ point of view by the Respondent No.4.
- 4.15. The Respondent No.4 considered the application of the Respondent No.2 in its 138th meeting held on 1st March 2019 [@Annexure A-9/pg. 109 of the Memo of Application]. The details of the said Project were considered and deliberated upon by the Respondent No.4 in terms of the Coastal Zone Management Plan ("CZMP") whereby the Respondent No.4 noted that the project site was situated under CRZ-IV classification as per the CRZ Notification, 2011 and was as such, permissible, and after considering all relevant factors, the Respondent No.4 was pleased to recommend the said Project from the CRZ point of view.



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- 4.16. The CRZ recommendation granted by the Respondent No.4 to the said Project was communicated to the Respondent No.1 and the Respondent No.2 vide recommendation letter dated 12th June 2019 [@Annexure A-110/pg. 115 of the Memo of Application] wherein the conditions of recommendation were clearly stipulated.
- 4.17. Pursuant to the recommendation of the Respondent No.4, the proposal for the said Project was taken up by the EAC (Infra 2) of the Respondent No.1 in its 43rd meeting held between 20th to 22nd August 2019 [@Annexure A-11/pg. 119 of the Memo of Application]. A detailed presentation was made by the Respondent No.2 and the EAC specifically considered various aspects, more particularly the query pertaining to reclamation using stone material instead of dredged material as mentioned in Condition No. 6 of the initial EC, amendment of which condition had been granted by the EAC in its 27th meeting held on 25th January 2018. The EAC further considered the Respondent No.2's proposal pertaining to the methodology to be employed for construction, civil works, dredging, etc. as also pertaining to green cover, mitigation measures for oil spill, ameliorative measures vis-à-vis dust emission, power usage and reclamation, etc. The EAC further noted the shore line studies carried out by CWPRS vide its report no. 5649 which had concluded that there would be no



significant change in the shore line nor any adverse effect from the proposed dredging activities, etc. The EAC also appreciated the benefits in terms of capacity augmentation and employment potential, which would accrue from the implementation of the said Project. After detailed deliberation and consideration of all relevant factors including the CRZ recommendation granted by the Respondent No.4 and providing for measures to be adhered to in the implementation of the project, the EAC was pleased to recommend the said Project for grant of EC.

4.18. During the course of such deliberations and appraisal at various levels, the Respondent No.1, the EAC and the Respondent No.4 have also considered the requirement of and obtaining of other permissions as required under law including permission from the Competent Authority being the Maharashtra Jeevan Pradhikaran for water withdrawal, which was granted on 20th December 2016 bearing reference no. 3095, a copy of which is annexed hereto and marked as Annexure "R2-9".

4.19. The entire procedure as enumerated above resulted in the said Project being considered by the Respondent No.1, which after due deliberation and consideration of all material factors



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was pleased to grant EC dated 9th October 2019, which is impugned in the present Application.

- 4.20. Pursuant to the above, on 16th August 2021, the Respondent No. 2 submitted an application for amendment of the EC dated 9th October 2019 on account of the proposed change in the shape of reclamation, whilst keeping the area of reclamation the same. Annexed hereto and marked as **Annexure "R2-10"** is a copy of the Application for revised EC.
- 4.21. The proposal of the Respondent No. 2 for revised EC was considered by the EAC on 26th August 2021 when the EAC was pleased to direct the Respondent No. 2 to approach the Respondent No. 4 first. Copy of the relevant excerpt of the Minutes of the Meeting of EAC dated 26th August 2021 is annexed hereto and marked as **Annexure "R2-11"**.
- 4.22. Accordingly, the Respondent No. 2 submitted an application to the Respondent No. 4 on 2nd September 2021, a copy of which is annexed hereto and marked as **Annexure "R2-12"**.
- 4.23. On 16th September 2021, the proposal of the Respondent No. 2 for the limited modification of the EC dated 9th October 2019, has been recommended subject to certain conditions. Annexed hereto and marked as **Annexure "R2-13"** is a copy



of the Recommendation for revised EC dated 16th September 2021.

- 4.24. It is pertinent to note that one of the conditions of the MCZMA is regarding the issue of fishermen and the NOC of Commissioner of Fisheries. In this regard, I am placing on record the Minutes of the Meeting of the Commissioner of Fisheries dated 16th September 2021, copy of which is annexed hereto and marked as **Annexure "R2-14"**.
5. Without prejudice to the above, I shall now deal with the primary issues as raised by the Applicants in the present Application. I clarify that I am not dealing with the Application *in seriatim* but issue-wise and I reserve the right to file a further affidavit dealing with the Application in a paragraph-wise manner, should the circumstances so warrant. I clarify and submit that nothing should be deemed to have been admitted by the Respondent No.2 for want of specific traverse.

Re: That the impugned EC erroneously proceeds on the footing that the project site is in CRZ-IV:

6. The Applicant has contended that the project site is in CRZ-IA and thus, the entirety of the proceedings before the Respondent No.4, the EAC and the Respondent No.1, all of which culminated in the issuance of the impugned EC, erroneously proceeded on the footing that the project site was in CRZ-IV.



7. In this regard, it is submitted that the Form-1 relied upon by the Applicant and annexed at page 98 of the Memo of Application, clearly records that as per the CZMP, the said Project would be constructed in an area which was under CRZ-IV classification [refer Sr. Nos. 1.2, 1.3, 1.4 at pg. 99 of the Application Memo].
8. Further, the Form-2 submitted for grant of EC, at Sr. No.34 categorically mentions the CRZ classification of the said Project as CRZ-IV. A copy of the relevant excerpt of the Form-2 for the said Project is annexed hereto and marked as **Annexure "R2-15"**.
9. It is also pertinent to note that the final EIA report for the said Project prepared by Global Management & Engineering Consultants International dated December 2018, submitted along with the Form-2 for fresh EC (available at: <http://environmentclearance.nic.in/DownloadPfdFile.aspx?FileName=e=2pdULg1/JNV2J1eGVtWCkXxQzqtKyXKnC38b3NgDTdAVkjBzWiloYmYwvPRR2kx9uZbtPPg1gckdHX1HZ3CtQ==&FilePath=93Z ZBm8LWEXfg+HAIQix2fE2t8z/pgnoBhDIYdZCxzXKUKNIYED19hF6l1JsisB/b6J7ZR0UGxec5pPkeNg5uw==>) contains at page 57, the CRZ map of the project site superimposed on the CZMP prepared by the Institute of Remote Sensing, Anna University, which also indisputably reveals that the project site is in CRZ-IV classification. A copy of the CRZ map prepared on scale of 1:25000 for the project

site by IRS Chennai is annexed hereto and marked as Annexure "R2-16".

10. Further, the Respondent No.4 which is the custodian of the CRZ Notification, 2011 has in its 130th meeting categorically noted that the project site is located in the CRZ-IV classification as per the CZMP [*refer pg. 110 and 117 of the Application Memo*].
11. Thus, it is clear that the applications, EIA report, etc. were all premised on the footing that the project site was in CRZ-IV classification. The Respondent No.4 has ascertained the classification of the project site basis the CZMP which is the master document, akin to a regional plan, demarcating areas as per the CRZ classification which they fall under in terms of the CRZ Notification, 2011.
12. This issue has also been appraised by the Committee set up by this Hon'ble Tribunal under the Order dated 23rd June 2021 in **Appeal No. 9 of 2021**. The Committee has perused the various documents like Form I submitted by the Respondent No. 2, earlier site inspection report of the MCZMA, minutes of the 130th meeting of the MCZMA held on 1st March, 2019 and approved Coastal Zone Management Plan under CRZ Notification, 2011 and noted the contentions of the Applicant [*refer Pg. 268 of the Committee Report (internal page 3)*]. The Committee has noted that the CZMP



prepared by Authorized agency shows the site of triangular balance reclamation of the said project is situated in CRZ IV area.

13. All authorities have rightly proceeded on the basis of the CZMP which classifies the project site under CRZ-IV classification, and have thereafter, rightly found the said project to be permissible in accordance with the provisions of the CRZ Notification, 2011. In view thereof, the contentions and allegations of the Applicants are completely devoid of merit and are denied as such by the Respondent No.2.
14. Strictly without prejudice to the above, without admitting the contentions that the said project is wrongly appraised as falling in CRZ IV, I say and submit that even conceptually, the submission of the Applicants is misconceived., The said project is a permissible activity even in CRZ I, as can be seen from a plain reading of clause 3 (i) a, 3 (iv) (a) and para 4 (i) (f) of the CRZ Notification, 2011. ,

Re: That the mandatory stage of public consultation has not been carried out:

15. The Applicants have contended that as per the EIA Notification, 2006, the public consultation process for the project in question was mandatory and could not have been done away with while appraising the said Project. In this regard, it is submitted that the project has been appraised basis the TOR issued on 13th June 2018 by the Respondent No.1.



16. Paragraph 6 of the Terms of Reference categorically states that the terms laid down in paragraph 5 should be considered for compliance to be considered for the grant of EC. It is also recorded that the same would be 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. Paragraph 6 also recorded that public hearing as per paragraph 7(2) of the EIA Notification was exempted for the preparation of EIA/EMP report.
17. In any event, the said project formed part of the activity contemplated in the initial EC dated 29th July 2008, during the grant of which EC, this part of the project which forms subject matter of this present Application, has also undergone public consultation and thus, the requirements of the EIA Notification, 2006 have been complied with and the Respondent No. 1 deemed it appropriate not to once again carry out the same process.
18. The finding of the Committee constituted by this Hon'ble Tribunal in its Report is also instructive; no violation has been observed/reported and such finding apropos this point is reproduced hereinbelow for ease of reference:

"As per the minutes of meetings of EAC, EC for the project 4th CT was granted by MoEF, New Delhi in year 2008. Present project involves construction of balance works of the said project. During the meeting dated 07.09.2021, JNPT representatives informed to committee that JNPT requested the EAC for exemption of the public hearing.

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Committee felt that the EAC, might have exempted the public hearing, taking into consideration that proposed project involves construction of balance work for which EC was already granted by MoEF in year 2008."

Re: That the EIA report for the said Project disregarded the impact of the project on fishing activities:

19. I say that a detailed and omnibus EIA report has been prepared dated December 2018 by Global Management & Engineering Consultants International which is available at the link stated hereinabove and submitted along with the Form-2 for grant of EC. It is submitted that paragraph 4.3 onwards till 4.4.5 categorically deals with the effect on the marine environment as a result of dredging activities with paragraph 4.4.3 and 4.4.5 at pgs. 130 to 133 of the EIA report, copies of which are annexed hereto and marked as **Annexure "R2-17 (Colly)"** particularly dealing with the impact of dredging on fishes and fisheries and the mitigative measures thereof.
20. It is also pertinent to note that the other critical aspect of local livelihood which is the protection of the existing shore line has been studied in detail by the Remote Sensing Application Division of CWPRS of the Government of India vide its technical report no. 5649 which has categorically concluded that no significant change in the shore line would be and is being caused as a result of dredging and other activities carried out by the Respondent No.2. A copy of the



conclusion in report no. 5649 prepared by CWPRS is annexed hereto and marked as Annexure "R2-18".

21. The port limits of JNPT and Mumbai Harbour are notified by Gazette Notifications dated 28th May 1982 and 26th May 1989, copies of which are annexed hereto and marked as Annexure "R2-19 (Colly.)". The project facilities are within the notified port limits of JNPT and hence, NOC from Fisheries Department is not required.
22. Without prejudice to the above, it is submitted that the Respondent No.2 has at all times in a proactive role to support the local communities by creating awareness, job opportunities, etc. Fishing is not banned in the Mumbai Harbour except in the navigational channel so as to ensure that there is no adverse restriction on fishing activities. Further pursuant to the Report filed by the Committee appointed by this Hon'ble Tribunal, the Respondent No. 2 has held a meeting with Commissioner of Fisheries on 16th September 2021, as stated above (*Minutes already annexed to the present Affidavit at Annexure R2-14*).
23. Further, the Respondent No.2 has taken various Corporate Environmental Responsibility initiatives to benefit the local community which includes construction of boat landing jetty at Nhava and Erosion protection sea walls at Gharapuri and Panje Koliwada villages, as a CER activity, designed to benefit the



villagers by providing and improving the existing transportation system as also to protect against damage caused by coastal erosion and monsoon storms. This Hon'ble Court has recognized the public importance of such CER activity and granted leave to execute the same vide judgment and order dated 14th January 2021, in **JNPT v. Union of India & Ors., (Writ Petition (St.) No. 424 of 2021)**, a copy of which is annexed hereto and marked as **Annexure "R2-20"**.

Re: That the Respondent No.2 has violated the conditions of the previous EC:

24. I dispute and deny that there is non-compliance of requisite condition of the initial EC granted to the said Project and put the Applicants to strict proof of such allegations.
25. I say and submit that vide the Respondent No.2's letter dated 4th May 2019, addressed to the Addl. Director (S) of the Respondent No.2, the point-wise compliance report of the EC as also letter dated 17th April 2008, has been submitted, along with supporting documents. Further, the latest compliance report dated June 2021 has also been submitted in July 2021 by the Respondent No. 2. Annexed hereto and marked as **Annexure "R2-21 (Colly.)"** is a copy of the letter dated 20th July 2021 enclosing compliance report of June 2021.
26. The compliance report submitted along with letter dated 4th May 2019 has been duly submitted along with the Form-2 application and



was considered by the Respondent No.1 and the EAC during the deliberation and appraisal on grant of EC. It must necessarily follow that only after finding such compliance to be satisfactory that the EAC recommended the grant of EC, which was thereafter deliberated upon and granted by the Respondent No.1. As such, all contentions and allegations of the Applicants in this regard are devoid of merit.

Miscellaneous submissions

27. It is submitted that the Applicants have failed to come with a cogent and compelling case which would justify interfering with the valid and lawful EC granted to the said Project. The benefits of the project are multifold and enumerated in the EIA report for the said Project more particularly at pgs. 182 to 190 and pg. 205 to 209, these relevant excerpts of the EIA report pertaining to the need and importance of the said Project are annexed hereto and marked as **Annexure "R2-22"**.
28. The project is of public importance and monies from the public exchequer are being spent towards the same. The threshold parameters for grant of any interim relief as prayed for must be construed strictly as per the principles laid down by the Hon'ble Supreme Court inasmuch that the balance of convenience vis a vis the public benefit must be given paramount importance and considering the public monies involved, the Applicant seeking reliefs

must provide adequate security. In the present case, the balance of convenience lies squarely in favour of the Respondent No. 2 who is implementing the said project under valid and legal permissions and having made significant financial expenditure. The Applicants have failed to demonstrate how any overarching loss would be caused to them if interim reliefs are not granted. As such, it is submitted that interim reliefs ought to be rejected in the present case.

29. The Applicants have failed to point out any overarching illegality which would justify the interference of this Hon'ble Tribunal with the implementation of a project of such great need and public importance.

30. In the premises aforesaid, it is submitted that the impugned EC is valid and legal and the Application, as filed, deserves to be dismissed by this Tribunal, for all or any of the reasons enumerated hereinabove.

Solemnly affirmed at Mumbai)

This 5 OCT 2021 day of October 2021)

Identified by me:

Swati Chakrabarti
Advocates for Respondent No.1

Shy

For, Respondent No.1



Before Me,

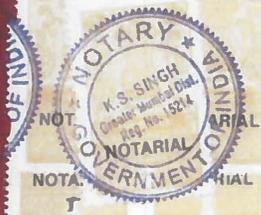
BEFORE ME

[Signature]
K. S. SINGH
NOTARY

Government of India
Greater Mumbai Dist.

5 OCT 2021

SR No. 179 P.No. 12
NOTARY Register 29 Date 05/10/2021



ANNEXURE "R2-1"

Item No. 02

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Appeal No. 09/2021 (WZ)
(I.A. No. 18/2021)

Dilip Pandurang Koli & Ors.

Appellant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 23.06.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Appellant: Ms. Meenaz Kakalia, Advocate

ORDER

1. This appeal has been preferred against Coastal Regulation Zone (CRZ) and Environmental Clearance (EC) granted to the Respondent No. 2, Jawaharlal Nehru Port Trust (JNPT), Maharashtra by the Ministry of Environment, Forest and Climate Change (MoEF&CC) for an additional container terminal in Uran Taluka in District Raigarh, Maharashtra vide order dated 09.10.2019.

2. Grievance of the Appellants is that the area is identified as ecologically sensitive area by the Maharashtra Coastal Zone Management Authority (MCZMA) and falls under the CRZ-1A in the concerned map. No construction is permitted in CRZ-1A. The authorities have erroneously considered the area to be CRZ IV, which is against record. While at the time grant of clearance for Container in

the year 2008 situation may have been different, by way of amendment in 2011, area with *mudflats* have been specifically declared to be part of CRZ 1A. Further, acknowledged violations of EC conditions mentioned in EC dated 29.07.2008 and traditional fishing activities have been overlooked. Public hearing has been wrongly dispensing with.

3. We have heard learned Counsel for the appellant and find that appeal under Section 16 of the National Green Tribunal, Act, 2010 (NGT Act, 2010) is barred by limitation. In the application for condonation of delay itself, it is mentioned that there is 95 days delay. Power of condonation under proviso to Section 16 of the NGT Act is limited to 60 days. Writ Petition No. 2094/2020, *Permanand Jaywant Koli & Ors. v. Jawaharlal Nehru Port Trust* was filed in the same matter before the Bombay High Court on 03.02.2020 which was disposed of on 16.02.2021 on the ground of alternative remedy before this Tribunal. Even exclusion of the said period does not bring the appeal within prescribed period of limitation.

4. Faced with the above, learned Counsel for the appellant prayed for converting this appeal to an original application under Sections 14 and 15 of the NGT Act. In the interest of environmental justice, we accept the prayer and treat the appeal as an original application. The office may accordingly assign OA number treating the appeal to have been disposed of.

5. In view of the contention that the area where expansion activities are to be undertaken is in CRZ-1A, where constructions are

prohibited and that violations of EC conditions have been found established during the site in investigation on 31.12.2013, as per Annexure-A13, there is a substantial question of environment relating to enforcement of CRZ Regulations. Response of the concerned statutory authorities and ascertainment of ground factual situation is required.

6. Accordingly, while issuing notice to the MoEF&CC, and JNPT, we constitute a four-member joint Committee comprising nominee of MoEF&CC, State PCB, MCZMA and District Magistrate, Raigarh to give an independent factual report in the matter within three months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. State PCB and MCZMA will be the nodal agency for coordination and compliance.

The applicant may serve a set of papers on MoEF&CC, State PCB, MCZMA and District Magistrate, Raigarh to facilitate compliance of the above order.

A copy of this order be forwarded to MoEF&CC, State PCB, MCZMA and District Magistrate, Raigarh by e-mail for compliance.

List for further consideration on 27.10.2021.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

M. Sathyanarayanan, JM

323

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

June 23, 2021
Appeal No. 09/2021 (WZ)
(I.A. No. 18/2021)
DV

ANNEXURE 'R2-2' - Mumbai 25/10/19

WWW.LOKSATTA.COM

मुंबई, शुक्रवार, २५ ऑक्टोबर २०१९ ★

रुपोर्ट ट्रस्ट
(संयुक्त विभाग)
13, ISO 48001:2018 CERTIFIED
जि बाहेरील क्षेत्रात पर्यटन व व्यावसायिक सेवा
क्षेत्रात पर्यटन केंद्रात हिटमेंटसाठी
ट्रस्ट निविदा मागवित आहेत. इच्छुक
www.nport.gov.in वर / ई-निविदा
रे पाहू शकतात. निविदा कागदपत्रे
०० वाजपेयत आनलाईन जमा करावेत.
व्यवस्थापक (का.व.ओ.सं.)

जवाहरलाल नेहरू पोर्ट ट्रस्ट
(काय निगमन आणि विकास निगम)
ISO 9001:2015, ISO 14001:2015, ISO 27001:2013, ISO 45001:2018 CERTIFIED
जाहिर सूचना
याद्वारे कळविले जात आहे की भारत सरकारच्या पर्यावरण, वन व हवामान
बदल मंत्रालयाने आपल्या पत्र क्र. एफ. नं. १०-३२/२०१८-आयए-III अन्वये
दि ९ ऑक्टोबर, २०१९ रोजी "जवाहरलाल नेहरू पोर्ट ट्रस्ट येथील ४वे कंटेनर
टर्मिनल व सागरी कंटेनर टर्मिनलच्या विल्लक रहिततेच्या प्रस्तावित कामासाठी"
पर्यावरणीय मंजूरी पत्राची प्रत प्रधान सचिव व अध्यक्ष एमसीडीएमए, पर्यावरणविभाग,
पर्यावरणीय मंजूरी आणि सद्य सचिव, एमपीसीबी, मुंबई यांच्याकडे उपलब्ध
आहे आणि <http://environmentclearance.nic.in/onlineSearch.aspx>
संकेतस्थळावर देखील घाहता येईल.
मुख्य व्यवस्थापक (बं.नि. आणि वि.वि.)

कांकण रेल्वे कॉर्पोरेशन
(भारत सरकारचा संयुक्त
विविध स्थानकांवर होस्टेलचे व
रत्नागिरी क्षेत्रातील आडवली ते विलवडे रेल्वे स्थानकावर
तापुपुते मिलंबन.
वेरवली होस्टेल स्थानकात नवीन सुप लाइन व प्लॅटफॉर्म बांध
जाईल. विद्यमान प्लॅटफॉर्मची १ मीटर सखोलता कापून वेर
जाईल. या कामादरम्यान, प्रवाश्यांना वेरवली स्थानका
कठीण होईल.
रत्नागिरी क्षेत्रातील कोलाड व माणगांव रेल्वे स्थानका
तापुपुते मिलंबन.
रोह्य-वीर विभागात (४७ किमी) टॅंक ड्रिंगिंग (बुद्धेरी
गुण्याच्या प्रगत अवस्थेत आहे. मेन लाइन, सुप लाइन
कामादरम्यान इंदोपूर (हॉस्टेल) स्थानकात प्रवाश्यांना गाडीमध
यडपुनच, प्रवाश्यांच्या सुरक्षेचा विचार करता असे ठरविण्यात
(हॉस्टेल) स्थानक दि. १ नोव्हेंबर २०१९ ते १० नोव्हेंबर
बाह्यपुकीसाठी बंद राहतील. प्रवाश्यांना होणाऱ्या गैरसोयीबा

महामंडळ, मर्यादित, मुंबई
भाषा उपक्रम)
इंटरनेशनल हाऊस, जिवन विमा महामंडळ
सौर्य मार्ग, मुंबई-४०० ०९९.
२२ ई-मेल : mfdc@rediffmail.com

सूचना
बाबत मार्केट ई-निविदा प्रणालीद्वारे ससून गोदी
व बाळू स्थितीतील थर सामुग्री व साहित्याची
प्राप्तीकडून ई-निविदा मागविण्यात येत आहे.
ई-निविदा मुख्य संकेत स्थळ
२०/२०१९
इ-मेल : mfdc@rediffmail.com
सर्व असल्यास)
न. मेट बँकिंगद्वारे सदरची रक्कम भरणा केल्यानंतर
व्यया रक्कम रु. १,००,०००/- ई-निविदा
व्यय आवश्यक आहे.
न. दुर्घटित नाकारण्याचा अधिकार महाराष्ट्र
राज्यून ठेवण्यात आला आहे.
सही/-
व्यवस्थापकीयसंचालक

नवी मुंबई महानगरपालिका परिवहन उपक्रम
अभियांत्रिकी विभाग
मुदतवाढ क्र. १
ई-निविदा सूचना क्र. नमुमपा/परि/अभि/१०/२०१९-२०
कामाचे नाव :- नमुमपा परिवहन उपक्रमाकरिता ४० सीएनजी स्टॅंडर्ड बसेस पुरवठा व जीसीसी
तत्वावर चालविण्याकरिता ऑपरेटर नेमण्याबाबत.
सदर ई-निविदा सूचनाबाबतची सविस्तर माहिती नवी मुंबई महानगरपालिकेचे संकेतस्थळ
www.nmmc.gov.in व www.nmmc.maharashtra.etenders.in यावर प्रसिद्ध करण्यात
आली आहे. संबंधित निविदाकारांनी याची नोंद घ्यावी.
सही/-
परिवहन व्यवस्थापक
नवी मुंबई महानगरपालिका परिवहन उपक्रम

मेल लिमिटेड
BPLC316817
सुमरीय फ्लव समोर, बांद्रा-कुर्ला कॉम्प्लेक्स,
१०७०६३०० फॅक्स: ०२२-२७४०६५१४
ईमेल : www.gujaratboroil.com

आयमॅट्स) नियम, २०१५ मधील नियम ४७
सूचना देण्यात येत आहे की, ३० सप्टेंबर,
२०१९ मध्ये निष्कर्ष विचारात घेण्याकरिता तसेच
गुजरात बोरोसील लिमिटेडच्या संचालक
www.boroil.com आणि कंपनीच्या
वेबसाईटवर जाऊन
गुजरात मेल लिमिटेडद्वारे
किशोर लल्लो
कंपनी सचिव आणि अनुपालन अधिकारी
एफसीएस-१, ७०९४

नगरपालिका
विभाग
१९ दिनांक : २३.१०.२०१९

कामाचे नाव
नवेळ महानगरपालिका क्षेत्रातील
भाग समिती- अ, प्रभाग क्र.
६मधील कोपरा तलावाचे
शोभीकरण करणे.
नवेळ महानगरपालिका क्षेत्रातील
भाग समिती- क, प्रभाग क्र. १३
धीळ जुई गावातील तलावाचे
शोभीकरण करणे.
तत्ची माहिती शासनच्या

कर्ज वसुली न्यायाधिकरण क्र. II
इरा मजला, एमटीएनएफ भवन, कुलाबा मार्केट, कुलाबा, मुंबई-४०० ००५
मूळ अर्ज क्र. १४९/०१८
समन्स
एव्हि. १०
विस्तारित दिनांक : २०.११.२०१९
.....अर्जदार
वेना बँक
विरुद्ध
प्रतिवादी
मोदी एटीआय एज्युकेशन पी. लि. आणि अन्य
१. ज्याअर्धी उपरोक्त नामित अर्जदारांनी सदर न्यायाधिकरणाकडे सध्याच्या आणि
आगामी व्याज, शुल्क आणि अर्जांमध्ये नमुद करण्यात आलेल्या अन्य सागण्यासाठी
अर्ज सादर केला आहे.
२. ज्याअर्धी, सामान्य सेवेद्वारे पाठविण्यात आलेले समन्सची अंमलबजावणी न
झाल्यामुळे आणि ज्याअर्धी सदर न्यायाधिकरणाद्वारे अन्य सेवेसाठी अर्ज केला आहे.
३. सदर न्यायाधिकरणाकडे २०.१२.२०१९ रोजी सकाळी ११.०० वा. नैयक्तिकपणे
किंवा पुढच्या वकिलाद्वारे आणि तुम्हाला दिलासा का देण्यात यावा यासाठी तुमची
काजू मांडण्यासाठी लेखी निवेदनाद्वारे मांडण्याचे निर्देश देण्यात येत आहेत.
४. सूचना देण्यात येत आहे की, असे जर न झाल्यास तुमच्या गैरहजेरीमध्ये अर्जांचे
सुनावणी करण्यात येईल आणि निर्णय घेण्यात येईल.
माह्या सहीद्वारे आणि सदर न्यायाधिकरणाच्या शिक्क्यासह २२ जुलै २०१९ रोजी
दिनांकित.
सही/-
निबंधक, अग्र्य/सी
डीआरटी-II, मुंबई

"फॉर्म नं. आयएनसी-२६"
(कंपन्या (विधिसंस्थापन) नियम, २०१४ च्या नियम ३० च्या अनुसार)
एका राज्यातून दुसऱ्या राज्यात कंपनीच्या नोंदणीकृत कार्यालयाच्या बदलाकरिता
वृत्तपत्रात प्रसिद्ध करावयाची जाहिरात
प्रादेशिक संचालक, पश्चिम प्रदेश, मुंबई यांच्यासमोर
कंपन्या अधिनियम, २०१३ च्या कलम १३ च्या पोट-कलम (४) आणि कंपनी (विधिसंस्थापन)
नियम, २०१४ च्या नियम ३० च्या पोट-नियम (५) च्या खंड (ए)च्या प्रकल्पात
आणि

PUBLIC NOTICE
NATIONAL CONSUMER
DISPUTES REDRESSAL
COMMISSION
Upphokta Nyay Bhawan, F Block,
General Pool Office Complex, INA,
NEW DELHI-110023
Telephone No.24608741, Fax No.
24651519, Website:<http://ncdr.nic.in>
CONSUMER COMPLAINT NO.
3530 OF 2017
VINOD DUBEY & ORS.
.....Complainant(s)
Versus
COMMANDERS' VATIKA DIVISION
THAKKAR REALTORS PVT. LTD.
.....Opp. Party(s)

To THE PURCHASERS/ALLOTTEES OF THE RESIDENTIAL FLATS IN "COMMANDERS' VATIKA" LOCATED AT SURVEY NO. 56, VILLAGE - DONE, TALUKA-AMBERNATH, DISTRICT - THANE, MUMBAI DEVELOPED BY COMMANDERS' VATIKA A DIVISION OF THAKKAR REALTORS PVT. LTD.
Whereas the above Complainants have, through Mr. G. Shabalamarun, Arunav Tewari, Advocates, 2/14A, Jangpura - A, New Delhi -110014, Mobile: 9811373874 filed the captioned Consumer Complaint before the Hon'ble National Consumer Disputes Redressal Commission, New Delhi on behalf and/or for the benefit of all the consumers who have either booked or have been allotted flats, in the project namely "COMMANDERS' VATIKA" LOCATED AT SURVEY NO. 56, VILLAGE - DONE, TALUKA-AMBERNATH, DISTRICT - THANE, MUMBAI being developed by the Opposite Party named above for redressal of their common grievances, and seeking the following relief:-
a) Grant permission under Section 12(1) (c) of the Consumer Protection Act, 1986, for filing present proceedings on behalf of the / and for the benefit of all the buyers who are having a common interest & a common grievance against the same and therefor identical relief.

दि सिव्हा
फायनान्स
अधिनियम
दि सिव्हा
आलेल्या
केल्या अन्
दिल्या आ
आली आ
तारखेपुन्
कारानुक्
करीण्या

अ.
क्र.

JAWAHARLAL NEHRU PORT TRUST**PUBLIC NOTICE**

This is to informed you that, by the letter No. F.No. 10-32/2018-IA-III of Government of India, Ministry of Environment and Forest change on dt. 9th October 2019 granted environment clearance for **“FOR THE BALANCE PROPOSED WORK OF JAWAHARLAL NEHRU PORT TRUST 4th CONTAIER TERMINAL AND MARINE CONTAINER”**

Environment approval letter copy is available with Chief Secretary and Chairman, mpcb, Mumbai and also can see on website

<http://environmentclearance.nic.in/onlineearch.aspx>

Chief Administrator (B.N. and V.V.)

मुख्यमंत्रापदावरून युतात जुपणार

मुंबई । वृत्तसंस्था ।

विधानसभा निवडणुकीच्या निकालांचे चित्र स्पष्ट झाले असून, मुख्यमंत्रीपदावरून शिवसेना-भाजपामध्ये झुंपण्याची शक्यता आहे. शिवसेना पक्षप्रमुख उद्धव ठाकरे यांनी यांनी ५०-५० फॉर्म्युलाप्रमाणे मुख्यमंत्री ठरवू असं सांगितले आहे.

मातोश्रीवर आयोजित पत्रकार परिषदेत बोलताना त्यांनी विधानसभेसाठी ठरलेल्या फॉर्म्युलावर चर्चा करून निर्णय घेऊन मग सरकार स्थापनेचा दावा करू अशी माहिती दिली.

कृपावले वृत्तपत्रातून प्रसिद्ध होणाऱ्या विविध बाकिरतींची राहणीना वाचकांनी संबंधितांशी व्यवहार करावेत. वर्तमानपत्रातून प्रसिद्ध बाकिरतींतील उलाढाले, सेवा किंवा त्यासंदर्भातील दावे यांची नांगरा पब्लिशर्स प्रा. लि. कोणतीही हमी घेत नाही. त्या मजकुराच्या अथवा दाव्याच्या पूर्तिसंदर्भातील कोणतीही जबाबदारी नांगरा पब्लिशर्स प्रा.लि.चे मुद्रक, प्रकाशक, संपादक किंवा मालक यांच्यावर राहणार नाही, याची कृपया वाचकांनी नोंद घ्यावी.

मुख्य संपादक



शुद्धिपत्रक क्र. १ (१ ला विस्तार)

रायगड भवन, सीबीडी बेलापूर, नवी मुंबई येथे ११ केव्ही इलेक्ट्रिकल सबस्टेशनचे बांधकाम

सिडको महाराष्ट्र मर्यादित हे खालील निर्देशित कामाकरिता अशा प्रकारची कामे जसे कोणत्याही प्रकारचे इमारत कार्य केलेल्या अनिर्वाय पात्रता अर्दांची पूर्तता करित असलेल्या सिडको लि. वा केंद्र सरकार वा महाराष्ट्र शासन व त्यांच्या उपक्रमाकडे योग्य त्या वर्ग व श्रेणीत नोंदणीकृत असलेल्या अनुभवी प्रस्तावित बोलीदारांकडून ई-टेंडरिंग प्रक्रियेच्या माध्यमातून ऑनलाईन नागवार दर्शने शक्यमान बोली मागवित आहेत.

कामाचे वर्णन : रायगड भवन, सीबीडी बेलापूर, नवी मुंबई येथे ११ केव्ही इलेक्ट्रिकल सबस्टेशनचे बांधकाम. २) सी.ए. क्र. : ०३/सिडको/ईई (एनएम)/२०१९-२०, ३) बोलीचे मूल्य : रु. २३,९९,०३२.८५, ४) इस्टे : रु. २४,०००/-, ५) नोंदणीकरणाचा वर्ग : वर्ग ५ व त्यावरील, ६) कार्यपूर्तता कालावधी : ०६ (सहा) महिने (पावसाळा समाविष्ट), ७) निविदा प्रक्रिया शुल्क : रु. ११८०.०० (१८% जीएसटी समाविष्ट) (ना परतावा)

बोली दस्तावेज यापूर्वीच ई-बोली क्र. ३१४५ म्हणून अपलोड करण्यात आलेले आहेत. बोलीदारांनी कृपया नोंद घ्यावी की, मुख्य बोली दस्तावेज खरेदीची तारीख दि. ०४.११.२०१९ रोजी दु. ३.०० पर्यंत विस्तारित करण्यात आली आहे. सुधारित बोली कार्यक्रम वेबसाइट cidco.maharashtra.etenders.in वर अपलोड करण्यात आलेला आहे.

अन्य सर्व अटी व शर्ती अपरिवर्तित राहतील. सदर शुद्धिपत्रक क्र. १ (१ ला विस्तार) हे बोली दस्तावेजाचा भाग असेल व ते बोली दस्तावेजासमवेत अपलोड करण्यात यावे.

अधीक्षक अभियंता
(एनएम)

CIN - U99999 MH 1970 SGC-014574
www.cidco.maharashtra.gov.in

शिकवे/कार्यक्र/१६(अ)/२०१९-२०

जवाहरलाल नेहरू पोर्ट ट्रस्ट
(कार्मिक व औद्योगिक संबंध विभाग)

ISO 9001:2015, ISO 14001:2015, ISO 27001:2013, ISO 45001:2018 CERTIFIED

"पोर्ट वसाहत, पोर्टच्या आतील आणि बाहेरील क्षेत्रात पेस्ट कंट्रोल डिटेक्टसाठी" एजन्सीच्या सहभागाकरिता

"पोर्ट वसाहत, पोर्टच्या आतील आणि बाहेरील क्षेत्रात पेस्ट कंट्रोल डिटेक्टसाठी" एजन्सीच्या सहभागाकरिता जवाहरलाल नेहरू पोर्ट ट्रस्ट निविदा मागवित आहेत. इच्छुक पुरवठादार, निविदा येपनीटीचे संकेतस्थळ www.jnport.gov.in वर / ई-निविदा लिंक <https://www.eprocure.gov.in> वर पाहू शकतात. निविदा कागदपत्रे दि. २५/१०/२०१९ ते २४/११/२०१९ पर्यंत १५.०० वागेपर्यंत ऑनलाईन जमा करावेत. व्यवस्थापक (का.व.ओ.सी.)

जवाहरलाल नेहरू पोर्ट ट्रस्ट
(सेवर नियोजन आणि विकास विभाग)

ISO 9001:2015, ISO 14001:2015, ISO 27001:2013, ISO 45001:2018 CERTIFIED

जाहिर सूचना

याद्वारे कळविले जात आहे की भारत सरकारच्या पर्यावरण, वन व हवामान बदल मंत्रालयाने आपल्या पत्र क्र. एफ. नं. १०-३२/२०१८-आयए-III अन्वये दि. ९ ऑक्टोबर, २०१९ रोजी "जवाहरलाल नेहरू पोर्ट ट्रस्ट येथील ४वे कंटेनर टर्मिनल व सागरी कंटेनर टर्मिनलच्या शिल्लक राहिलेल्या प्रस्तावित कामासाठी" पर्यावरणीय मंजूरी दिली आहे.

पर्यावरणीय मंजूरी पत्राची प्रत प्रधान सचिव व अध्यक्ष एमसीडोरएमए, पर्यावरणविभाग, मंत्रालय मुंबई आणि सदस्य सचिव, एमपीसीबी, मुंबई यांच्याकडे उपलब्ध आहे आणि <http://environmentclearance.nic.in/onlineSearch.aspx> संकेतस्थळावर देखील पाहता येईल.

मुख्य व्यवस्थापक (ब.नि. आणि वि.वि.)

ऐश्वर्य ज्वेल कलेक्शन

१ ग्रॅम सोन्याचे प्लेटिंग
दागिने-जविन डिझाईन्स

मोत्याचे दागिने- लन्मणी, चींचपेटी, बांगड्या, बाजुबंद, गॅंटीचे दागिने- मंगळसूत्र, बांगड्या, पाटल्या, हार, माळ. डायमंड-कुंदन- पोलकी-सेट- मॅचिंग बांगड्या- कानातले. सर्व नामांकित कंपन्यांची कॉस्मेटिक्स, परफ्यूम, डीओ. वाजवी भाव आणि भरपूर व्हायटीसाठी प्रसिद्ध दुकान.

१/१२ पी.एन.पी. नगर, अलिबाग.

मोबाइल : ९८६०६५८५६५

TENDER NOTICE

able Bidders under Pen Chrole Raigad District. The Details are as given below-

	Sale Opening, Sale Closing Dates & Bid Submission	Estimated Cost (Rs. in Lakhs)	Amount of EMD (Rs. in Lakhs)	Tender Cost Fee
y of 15,120	Di.24/10/2019 To Di.30/10/2019 Bid Submission Date:- 30/10/2019. upto 15:00 hrs.	Rs.10.00	Rs.0.10	Rs.1180/-

able on MSEDCL Official Website <http://etender.mahadiscom.in> & can be sbbsite from Dt.24/10/2019 To Dt.30/10/2019. Similarly Submission of Bid is up to r more details log on MSEDCL official website <http://etender.mahadiscom.in>. The itered for E-tendering Procedure. Contact Person- Executive Engineer (Adm.) Tel 875785514.

SUPERINTENDING ENGINEER (PC), PEN

Krushival - Raigad - 25/10/19

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JAWAHARLAL NEHRU PORT TRUST

PUBLIC NOTICE

This is to informed you that, by the letter No. F.No. 10-32/2018-IA-III of Government of India, Ministry of Environment and Forest change on dt. 9th October 2019 granted environment clearance for **“FOR THE BALANCE PROPOSED WORK OF JAWAHARLAL NEHRU PORT TRUST 4th CONTAIER TERMINAL AND MARINE CONTAINER”**

Environment approval letter copy is available with Chief Secretary and Chairman, mpcb, Mumbai and also can see on website

<http://environmentclearance.nic.in/onlinesearch.aspx>

Chief Administrator (B.N. and V.V.)



ज ने प न्यास
JNPT

ANNEXURE "R2-3"
जवाहरलाल नेहरू पोर्ट ट्रस्ट
JAWAHARLAL NEHRU PORT TRUST

ISO 9001 : 2008
ISO 14001 : 2004
ISO 27001 : 2013
OHSAS 18001 : 2007

पत्तन कार्यालय : प्रशासन भवन, शेवा, नवी मुंबई - 400 707. Port Office : Administration Bldg., Sheva, Nave Mumbai - 400 707.
मुख्य सतर्कता अधिकारी Chief Vigilance Officer-(022) 2724 2292; मुख्य प्रबंधक (प्रशासन) एवं सचिव Chief Manager (Admn.) & Secy-(022) 2724 2233;
मुख्य प्रबंधक (यातायात) Chief Manager (Traffic)-(022) 2724 2377; मुख्य प्रबंधक (यां. एवं वि. अ.) Chief Manager (M&EE)-(022) 2724 2218;
मुख्य प्रबंधक (वित्त) Chief Manager (Fin)-(022) 2724 2241; मुख्य प्रबंधक (प. यो. वि.) Chief Manager (PP&D)-(022) 2724 2326;
उप-संरक्षक Dy. Conservator (022) 2724 2301; हार्बर मास्टर Harbour Master - (022) 2724 4173.

Website : www.jnport.gov.in E-mail : info@jnport.gov.in

पयोवि/प्र./चौथा कंटेनर टर्मिनल/2019/1352

25 अक्तूबर, 2019

सेवा,

जिलाधिकारी
जिला कार्यालय,
अलीबाग, जिला रायगढ़

मुख्य कार्यपालक अधिकारी,
जिला परिषद कार्यालय,
अलीबाग, जिला रायगढ़

विषय - जवाहरलाल नेहरू पत्तन न्यास - चौथे कंटेनर टर्मिनल के लिए पर्यावरण एवं तटवर्ती विनियम क्षेत्र मंजूरी के बारे में ।

संदर्भ : चौथे कंटेनर टर्मिनल चरण II के लिए दि.9 अक्तूबर, 2019 का प.मं. पत्र सं.10-32/2018-आईए-III ।

प्रिय महोदय,

उपरोक्त उद्धृत परियोजना पर पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय से प्राप्त पर्यावरणीय मंजूरी तथा सीआरजेड मंजूरी के : बी मानक शर्तें, XI विविध : के अनुपालन के रूप में, उसकी एक प्रति अपनी वेबसाइट पर प्रदर्शित करने और सूचना बोर्ड पर प्रदर्शित करने के लिए संलग्न रूप से भेजी जा रही है ।

सधन्यवाद,

भवदीय,

मुख्य प्रबन्धक (पयोवि)

प्रतिलिपि संलग्न : उपर्युक्त

प्रतिलिपि :-

1. Sarpanch, Gram Panchayat/Group Gram Panchayat Sheva Sheva
2. Panchayat Samittee Office, Uran
3. Maharashtra District Industrial Centre, Alibag, Dist. Raigad.
4. Tahsil Office, Uran, Dist Raigad.
5. Tahsil Office, Panvel, Dist. Raigad.
6. BDO, Uran.
7. MMB, Indian Mercantile Chamber, 3rd Floor, Ramjibhai Kamani Marg, Ballard Estate, Mumbai - 400 001.
8. Regional Office, Mumbai, MPCB.
9. Municipal Corporation,

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(translation copy)

JAWAHARLAL NEHRU PORT TRUST

=====

PYV/P/4th Container Terminal/2019/1372 25th October 2021

To,

Dist Collector	Chief Executive officer
Dist Office	Dist Parishad Office
Alibaug, Dist. Raigad	Alibaug, Dist. Raigad

Sub: Environment and Coastal Regulation Area
Clearance for Jawaharlal Nehru Port Trust
4th Container Terminal

Ref: 4th Container terminal Phase II dt. 9th
October 2019, letter No. 10-32-2018- IEA-
III

Dear Sir,

For displaying a copy thereof on its website and display on the notice board as compliance with B Standard Conditions XI Miscellaneous of Environmental Clearance and CRZ Clearance received from the Ministry of Environment, Forest and Climate Change on the above cited project is being sent annexed.

Kind regards

Sincerely

Chief Manager (PYV)

Copy enclosed: as above.

1. Sarpanch, Gram Panchayat/Group Gram Panchayat -

2. Panchayat Samittee Office, Uran
3. Maharashtra District Industrial Centre, Alibaug, Dist.
Raigad.
4. Tahsil Office, Uran, Dist. Raigad
5. Tahsil Office, Panvel, Dist. Raigad
6. BDO, Uran
7. MMB, Indian Mercantile Chamber, 3rd Floor,
Ramjibhai Kamani Marg, Ballard Estate, Mumbai –
400 001
8. Regional office, Mumbai, MPCB
9. Municipal Corporation

ANNEXURE "R2-5"

Minutes of the 27th Meeting of Expert Appraisal Committee (Infra-2) held on 25th January, 2018

Minutes of the 27th Meeting of Expert Appraisal Committee (Infra-2) for Projects related to All Ship Breaking Yard including Ship Breaking Unit, Airport, Common Hazardous Waste Treatment, Storage and Disposal Facilities, Ports and Harbours, Aerial Ropeways, CETPs, Common Municipal Solid Waste Management Facility, Building/Construction Projects, Townships and Area Development Projects held on 25th January, 2018 in the Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, New Delhi – 3.

Day: Thursday, 25th January, 2018

27.1 Opening Remarks of the Chairman

At the outset, Chairman welcomed the members of the Expert Appraisal Committee (Infra-2). Thereafter, agenda items were taken up for discussion. The deliberations held and decisions taken are as under.

27.2 Confirmation of the Minutes of the 26th Meeting of the EAC held on 14-15 December, 2017 at New Delhi.

The minutes of the 26th Meeting of the EAC held on 14-15 December, 2017 were confirmed.

- * ***Recommendations of the EAC relating to grant of Terms of Reference and Environmental and CRZ Clearance to the projects/activity which requires both Environmental and CRZ Clearance are subject to final outcome/legal opinion on the Order dated 22nd November, 2017 of Hon'ble NGT in the Original Application No. 424 of 2016 (Earlier O.A. No. 169 of 2015) and Original Application No. 11 of 2014 in the matter of M/s. Mehdad & Anr. Vs. Ministry of Environment, Forests & Climate Change & Ors. and Shamsunder Shridhar Dalvi & Ors. Vs. Govt. of India & Ors.***

27.3 Consideration of Proposals

27.3.1	<p>Sai City and Assortia Commercial Complex at Mustafapur, Phulwari, Patna (Bihar) by M/s Sri Anu Anand Construction Pvt Ltd - Terms of Reference</p> <p>(F.No. 21-1/2018-IA-III; IA/BR/NCP/71584/2017)</p> <p>The project proponent and the accredited Consultant M/s PARAMARSH gave a detailed presentation on the salient features of the project and informed that:</p> <p>(i) The proposal is for development of "SAI CITY" and ASSORTIA COMMERCIAL COMPLEX promoted by Sri Anu Anand Construction Pvt. Ltd. The project site is located near Danapur - Khagaul Road at Mauza Mustafapur, Thana Phulwari, Thana Nos.-36, Tauzi Nos.-5276 Phulwari, Khata No. 165, 169, 170, 175, 177, 180, 181, 182, 183, 189, 190, 191, 192, 193, 197, 204, 205, 206, 268 & 277, Plot No. 432, 438, 440, 447, 450, 451, 453, 454, 455, 460, 461, 610, 612, 613, 615, 618, 619, 624, 625, 626, 628, 629, 630, 631, 632, 633, 639 & 642, Dist. Patna, Bihar. Total Plot Area of the project is 35,468 sqm with total Built-up area of 1,75,420.772 sqm.</p> <p>(ii) Total water requirement during Operation Phase will be 402 KLD in which fresh water will be 241 KLD. Source of water will be Groundwater.</p> <p>(iii) 285 KLD sewage shall be generated which will be treated in STP of capacity 300</p>
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	open rack vaporizers	NG pipeline	
	<p>(iv) The proposal was earlier considered by the EAC in its 10th meeting held on 24-25 October, 2016 and additional ToR were issued vide letter dated 28th November, 2016. The proposal was further considered by EAC (Infra-2) in its 25th meeting held on 29-30 November, 2017, wherein the Committee sought some additional information. The Project proponent submitted the information on 27.12.2017.</p> <p><i>The Committee deliberated upon the information provided by the Project Proponent. The Committee after being satisfied with the submission of the Project Proponent recommended to amend the EC and CRZ Clearance dated 19th December, 2013 (and transferred thereafter on 3rd March, 2015) to operate the FSRU as per details given in para (iii) above for the interim period till the land based facilities get ready with following additional conditions:</i></p> <p>(i) All the recommendations and conditions specified by Maharashtra Coastal Zone Management Authority vide letter no. CRZ-2017/CR-147/TC-4 dated 03.10.2017 shall be complied with.</p> <p>(ii) Construction activity shall be carried out strictly according to the provisions of CRZ Notification, 2011. No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.</p> <p>(iii) The gaseous emissions from DG set shall be dispersed through adequate stack height as per CPCB standards. Acoustic enclosure shall be provided to the DG sets to mitigate the noise pollution.</p> <p>(iv) Automatic Detection System and Emergency shut off system shall be provided for LNG gas leak near pipeline connection from FSRU to subsea pipeline.</p> <p>(v) Thick greenbelt shall be developed in the periphery of the on land facility.</p> <p>(vi) No open discharge of sewage or oily waste shall be done in marine water. All liquid containing oil shall pass into sea only via oil separation system. The FSRU shall be equipped with centrifugal type bilge oil/ water separator that reduce oil in the discharge to 10 ppm. Sewage generated will be treated in the STP.</p> <p>(vii) All the recommendations mentioned in the rapid risk assessment report, disaster management plan and safety guidelines shall be implemented.</p>		
27.3.13	<p>4th container terminal and marine container terminal at JNPT by M/s Jawaharlal Nehru Port Trust - Reconsideration for Amendment in Environmental Clearance</p> <p>[F.No.10-81/2008-IA-III; IA/MH/MIS/10930/2007)</p> <p>The project proponent gave a detailed presentation on the salient features of the project and informed that:</p> <p>(i) The project is located within the JNP area and EC for this is already obtained through MoEF& CC vide letter No. MoEF& CC Vide letter No. 10-81/2008-IA-III dated 29th July, 2008 and was renewed Environment Clearance No. 10-81/2008-IA-III dated 25th February, 2014.</p> <p>(ii) In the specific condition No. (vi), recommended by EAC in the EC File No. 10-81/2008-IA-III, it was mentioned that the dredged material should be used in the</p>		

	<p>reclamation work but according to the IIT Mumbai report the dredged material is not suitable for reclamation. Hence the clarification on the specific condition No. (vi) is required. In addition to this Maharashtra Pollution Control Board vide letter no. BO/CAC/-Cell/TB also recommended to get clarification on specific condition No. (vi).</p> <p>(iii) According to the IIT, Mumbai report dredged material is not suitable to use in reclamation work. Hence the specific condition No. (vi) in EC needs clarification hence the amendment is required.</p> <p><i>During deliberations, the EAC noted the following:-</i></p> <p>(i) The proposal is for Amendment in Environmental and CRZ Clearance granted to the project '4th container terminal and marine container terminal at JNPT by M/s Jawaharlal Nehru Port Trust vide MOEF&CC letter F.No. 10-81/2008-IA-III dated 29th July, 2008 and 25th February, 2014.</p> <p>(ii) The project/activity is covered under category 'A' of item 7 (e) i.e. Ports, harbours, break waters, dredging' of the schedule to the EIA Notification, 2006 and its subsequent amendments, and requires appraisal at Central level.</p> <p>(iii) The proposal was earlier considered by the EAC in its 9th meeting held on 22.09.2016, wherein the Committee sought some additional information. The Project proponent submitted the information on 22.05.2017.</p> <p><i>The Committee deliberated upon the information provided by the Project Proponent. The Committee noted that the Maharashtra Coastal Zone management in its 116th meeting held on 22-23 March, 2017 recommended for deletion of the condition (vi) of EC & CRZ Clearance letter dated 29th July, 2008. The Committee after being satisfied with the submission of the Project Proponent, recommended amending the specific condition no. (vi) of EC & CRZ Clearance dated 29th July, 2008 as follows:</i></p> <p>(vi) <i>The dredged material shall be disposed of at DS-3 location approved by MoEFCC for capital dredging project of JNPT.</i></p> <p><i>The EC&CRZ is valid till 28th July, 2018. Thereafter, if any, works remaining related to the project, the project proponent will have to apply afresh.</i></p>
27.3.14	<p>Netaji Subhas Medical College and Hospital (Unit of Sitwanto Devi Mahila Kalyan Sansthan) at Mauza Amhara Bihta, District Patna (Bihar) by M/s Netaji Subhas Medical College and Hospital - Environmental Clearance</p> <p>(F.No. 21-323/2017-IA-III; IA/BR/NCP/67609/2017)</p> <p>The project proponent and the accredited Consultant M/s PARAMARSH gave a detailed presentation on the salient features of the project and informed that:</p> <p>(i) The project is located at 25°32'26.07"N, 25°32'29.71"N, 25°32'38.81"N, 25°32'41.93"N, 25°32'41.13"N Latitude and 84°51'26.79"E, 84°51'16.80"E, 84°51'23.11"E, 84°51'26.52"E, 84°51'30.79"E Longitude.</p> <p>(ii) This is new project. The total plot area is 1,03,113.90 sqm and total built-up area of 73,893 sqm. The project will comprise of Medical College, Hospital, & Hostel etc." buildings. Total 500 bed hospital shall be developed. Maximum height of the building</p>

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ANNEXURE "R2-6" COLLY

MAHARASHTRA POLLUTION CONTROL BOARD

Phone : 4010437/4020781
/4037124/4035273
Fax : 24044532/4024068 /4023516
Email : cac-cell@mpcb.gov.in
Visit At : <http://mpcb.gov.in>



Kalpataru Point, 3rd & 4th floor, Sion-Matunga
Scheme Road No. 8, Opp. Cine Planet Cinema, Near
Sion Circle, Sion (E),
Mumbai - 400 022

Consent No: Format 1.0/ BO/CAC-Cell/EIC-NM-34035/CAC -

Date- 25/09/2019

To,
M/s Jawaharlal Nehru Port Trust (JNPT),
[4th Container Terminal & Marine Chemical Terminal]
Nhava Sheva, Ulwe, Tal: Uran,
Dist Raigad (India)

1909000953

Subject: 1st Consent to operate under Red category for activity of Loading and Unloading of chemical containers for Phase-I activity at 4th terminal of JNPT.

- Ref : 1. Consent to Establish granted by the Board vide BO/RO (P&P)/CE/CC-163 dated 26.07.2007.
2. Environmental Clearance granted by MOEFCC vide no.F.No.10-81/2008-IA-III dated 29.07.2008.
3. Amendment in Environmental Clearance granted by MOEFCC vide no.F.No.10-81/2008-IA-III dated 23.05.2018 and amended on 26.02.2014.
4. Your Application for 1st consent to operate dated 25.09.2017.
5. The minutes of Consent Appraisal Committee meeting dated 09.02.2018.

Your application UAN: 0000034035 dated: 25.09.2017.

For: 1st Consent to operate under Red category for activity of Loading and Unloading of chemical containers for Phase-I activity at 4th terminal of JNPT.

Under section 26 of the Water (Prevention and control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 5 of the Hazardous Wastes (M, H & T M) 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:

1. This 1st consent to operate is granted for period up to 30.09.2019.
2. The capital investment of the project is Rs. 4719.0 Crs. (As per documents submitted by project proponent).
3. The 1st Consent to operate for Phase-I is granted for :

Sr.no.	Activities	Capacity
1	Operation of 4 th container terminal and Marine chemical containers of berth size 1000 mtrs quay length - Phase- I for handling of chemical containers.	2.4 million TEUs/ Annum.

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

Sr. No	Description	Permitted quantity of Discharge (CMD)	Standards of achieved	Disposal
1.	Trade effluent	Nil	---	NA
2.	Domestic effluent	40.0	As per Schedule -I	Reuse and remaining dispose on land for gardening / Discharged in to sewerage system provided by Local body.

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

Sr. No.	Description of stack/source	Number of stack	Standards to be achieved
1	DG Sets [2 Nos, 2000 KVA]	1.0	As per Schedule-II

6. Conditions about Non Hazardous Wastes:

Sr. no.	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Non-Biodegradable waste	500 Kg/D	----	Compost and used as manure and Sale to authorized dealer.

PP shall be ensure that solid waste is not dumped in CRZ area.

7. Conditions under Hazardous Waste (MH & TM) Rules, 2016 for treatment and disposal of hazardous waste:

Sr. No.	Type Of Waste	Category	Quantity	UOM	Treatment	Disposal
1.	5.1 used / Spent Oil	5.1	10,000.00	KL/M	---	Sale to authorized reprocessor

8. The applicant shall comply with the conditions stipulated in EC-CRZ clearance.
9. Afforestation of mangroves shall be undertaken in consultation with State Forest Department.
10. The coastal protection work shall be carried out after detailed Hydrodynamic modelling studies and it shall be ensured that no erosion or aceretion take place in other area due to shore protection works.
11. PP shall strictly comply the conditions stipulated in Environmental Clearance granted by MOEFCC vide no.F.No.10-81/2008-IA-III dated 29.07.2008 and amendments in thereof dated 23.05.2018 and amended on 26.02.2014.
12. The dragged material shall be disposed of at DS-3 location approved by MOEFCC for capital dredging project of JNPT as per the Environmental Clearance granted by MoEF vide No.F-10-81/2008-IA.III dated 23.05.2018.
13. This consent is issued in pursuance of the Order dated 05.05.2014 in the Matter of Notice of Motion (L) No. 195 of 2014 In PIL No. 87 of 2006 passed by the Hon'ble High Court , Mumbai. The Applicant shall comply with the orders passed /being passed by the Hon'ble High Court. This consent is issued subject to any order passed and may be passed by Hon'ble National Green Tribunal, Hon'ble High Court and other courts.
13. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
14. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.

For and on behalf of the
Maharashtra Pollution Control Board

(E. Ravendran, IAS)
Member Secretary

Received Consent Fee of-

Sr.No.	Amount(Rs)	DD. No.	Date	Drawn on
1.	94,38,000/-	7600676	28.09.2017	DBS Bank

Copy to:

1. Regional Officer, MPCB, Navi Mumbai – Sub-Regional Officer - MPCB, Talaja.
- They are directed to ensure the compliance of Consent conditions.
1. Chief Accounts Officer, MPCB, Mumbai.
2. CC/CAC desk - for record & website updation purposes.

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Schedule-I**Terms & conditions for compliance of Water Pollution Control:**

- 1) A.] As per your consent application, presently you have provided sewage treatment plant for treatment of domestic effluent of capacity 390 CMD of RMBR technology.

B] The Applicant shall operate the sewage treatment system to treat the sewage so as to achieve the following standards/ prescribed under EP Act, 1986 and Rules made there under from time to time, whichever is stringent.

Sr. No	Parameters	Standards prescribed by Board
1.	BOD ₃ days 27°C	100
2.	Suspended Solids	100

C] The treated domestic effluent shall be reused /recycled for secondary purpose such as toilet, air conditioning, fire frightening etc. and remaining shall be used on land for gardening/ Plantation or discharge in to the sewerage system provided by local Body.

- 2) 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 and extension or addition thereto.
- 3) 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.
- 4) The Applicant shall comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and provisions as contained in the said act.

The detailed water budget is given as below:

Sr. no.	Purpose for water consumed	Water consumption quantity (CMD)
1.	Domestic purpose	50.0
2.	Industrial Cooling, boiler feed, curing and wagon loading	----
3.	Processing whereby water gets polluted & pollutants are easily biodegradable	----
4.	Processing whereby water gets polluted & pollutants are easily biodegradable and are toxic	---
5.	Gardening	---

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

Schedule-II**Terms & conditions for compliance of Air Pollution Control:**

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

Sr. No.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoM	S %
1.	DG Sets [2 Nos, 2000 KVA]	Acoustic enclosure and stack	30.0	HSD	@.021Ltrs/Hr/KVA at full load	1

2. Applicant shall achieve following Ambient Air Quality Standards:

1	SPM	Not to exceed (Annual Average)	140	$\mu\text{g}/\text{m}^3$
		Not to exceed (24 Hours)	500	$\mu\text{g}/\text{m}^3$
2	SO ₂	Not to exceed (Annual Average)	60	$\mu\text{g}/\text{m}^3$
		Not to exceed (24 Hours)	80	$\mu\text{g}/\text{m}^3$
3	NOx	Not to exceed (Annual Average)	60	$\mu\text{g}/\text{m}^3$
		Not to exceed (24 Hours)	80	$\mu\text{g}/\text{m}^3$
4	RSPM	Not to exceed (Annual Average)	60	$\mu\text{g}/\text{m}^3$
		Not to exceed (24 Hours)	100	$\mu\text{g}/\text{m}^3$

3. 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. (Concern section shall mention specific control equipments)
4. The applicant shall operate and maintain above mentioned air pollution control system, so as to achieved consented standards:
5. 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.
6. 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).

Schedule-III**Details of Bank Guarantees**

Sr. No.	Consent	Amount of BG Imposed	Submission Period	Purpose of BG	Compliance period	Validity Dated
1	1 st Consent to operate	10.0 Lakhs	15 Days	Towards compliance consent to operate conditions.	continuous	31.01.2020.

**The above Bank Guarantee (s) shall be submitted by the applicant in favor of Regional officer at the respective Regional officer within 15 days of the date of issue of Consent.

Schedule-IV**General Conditions:**

- The above activity should not cause nuisance in surrounding area.
- Mitigation measures to contain degradation of quarries and barrow area shall be provided comprising of run of diversion and sedimentation trap in retention black topped roads.
- Sealed and paved roads with the provision of side drain, cross drain etc. shall be provided for migrating impact due to transport over roads. Measure transport should be through railway lines.
- Adequate facility for collection and disposal of solid waste generated within the port area shall be provided.

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- 5) Provisions of collection, reception, transportation, treatment and disposal of Hazardous waste generated within port area shall be provided as per the provisions of Hazardous Waste (M & H) & Transboundary Rules 2016.
- 6) Community toilets shall be provided for the Labour camp.
- 7) Sewage from the small establishments may be treated in septic tanks and disposal of soak beds.
- 8) For controlling the pollution due to port activities, provisions of portable oil skimmers, oil recovery system, chemical dispersion with spray pumps, collection of debris and sludge shall be provided.
- 9) Air pollution control measures including water spraying on dust generating sites and coal storages shall be provided. The vehicles used in the port area should comply with automobile emission standards.
- 10) Noise during construction shall be controlled by various measures such as muffles, isolating the noise sources and providing enclosures to minimize noise by proper maintenance.
- 11) Green belt shall be developed as per approved Environment Management plan.
- 12) Resettlement and rehabilitation of the project affected people shall be carried out as per the guidelines under the land acquisition Act in consultation with District Collector.
- 13) The area where liquid cargo would be handled all precautions should be taken for avoiding chemicals spillages during transfer from mother vessels. Waste from washing of tanks and equipments, oil spills etc. shall be collected suitably and treated depending on its characteristics and toxicity. Emergency holding tank shall be provided for collecting washing and spillages for proper treatment and disposal.
- 14) Detailed risk analysis of the various chemicals to be handled /transported and store at the port site shall be carried out and mitigation measures including disaster management plan shall be taken.
- 15) Details of the DG sets proposed to be provided within the port area should be furnished to the State Pollution Control Board. Adequate measures for control of noise and discharge of flue gases from DG set should be made as per Rules.
- 16) 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.
- 17) Industry should monitor effluent quality, stack emissions and ambient air quality monthly/quarterly.
- 18) 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.
- 19) 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.
- 20) 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.
- 21) The firm shall submit to this office, the 30th day of September every year , the Environmental 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.
- 22) The industry shall comply with the Hazardous Waste (M.H.&TM) Rules,2008 and submit the annual returns as per rule 5(6) & 22(2) of Hazardous Waste (M.H.&TM) Rules,2008 for the preceding year April to March in form -IV by 30th June of every year.
- 23) An inspection book shall be opened and made available to the Board's officers during their visit to the applicant.
- 24) **The applicant shall make an application for renewal of the consent at least 60 days before the date of the expiry of the consent.**
- 25) 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).
- 26) The industry shall constitute an Environmental cell with qualified staff/personnel/agency to see the day to day compliance of consent condition towards Environment Protection.

- 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) 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 siting 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 MoEF dated 17.05.2002 regarding noise limit for generator sets run with diesel
- 29) The industry should not cause any nuisance in surrounding area.
- 30) 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.
- 31) The applicant shall maintain good housekeeping.
- 32) The applicant shall bring minimum 33% of the available open land under green coverage/ plantation. The applicant shall submit a statement on available open plot area, number of trees surviving as on 31st March of the year and number of trees planted by September end, with the Environment Statement.
- 33) 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.
- 34) 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.
- 35) 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.
- 36) The industry shall submit official e-mail address and any change will be duly informed to the MPCB.
- 37) The industry shall achieve the National Ambient Air Quality standards prescribed vide Government of India, Notification dated 16.11.2009 as amended.
- 38) The applicant shall ensure that no unauthorized activity should take place within the port trust area and ensure that all necessary precautions and necessary arrangements are made for Environmental Protection.
- 39) The Consent is granted with the condition that the entire individual units, if any operating in the premises should apply separately for grant of Consent from MPC Board. The Port authority will be considered equally responsible in case of non-compliance of Environmental Norms. The port is also enjoined to take action against defaulters under IPA, 1908.

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MAHARASHTRA POLLUTION CONTROL BOARD

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/4037124/4035273
Fax : 24044532/4024068 /4023516
Email : cac-cell@mpcb.gov.in
Visit At : <http://mpcb.gov.in>



Kalpataru Point, 3rd & 4th floor, Sion-Matunga
Scheme Road No. 8, Opp. Cine Planet Cinema, Near
Sion Circle, Sion (E),
Mumbai - 400 022

Consent No: Format 1.0/ BO/CAC-Cell/EIC-NM-34035/CAC -

Date- 25/09/2019

To,
M/s Jawaharlal Nehru Port Trust (JNPT),
[4th Container Terminal & Marine Chemical Terminal]
Nhava Sheva, Ulwe, Tal: Uran,
Dist Raigad (India)

1909000963

Subject: 1st Consent to operate under Red category for activity of Loading and Unloading of chemical containers for Phase-I activity at 4th terminal of JNPT.

- Ref : 1. Consent to Establish granted by the Board vide BO/RO (P&P)/CE/CC-163 dated 26.07.2007.
2. Environmental Clearance granted by MOEFCC vide no.F.No.10-81/2008-IA-III dated 29.07.2008.
3. Amendment in Environmental Clearance granted by MOEFCC vide no.F.No.10-81/2008-IA-III dated 23.05.2018 and amended on 26.02.2014.
4. Your Application for 1st consent to operate dated 25.09.2017.
5. The minutes of Consent Appraisal Committee meeting dated 09.02.2018.

Your application UAN: 0000034035 dated: 25.09.2017.

For: 1st Consent to operate under Red category for activity of Loading and Unloading of chemical containers for Phase-I activity at 4th terminal of JNPT.

Under section 26 of the Water (Prevention and control of Pollution) Act, 1974 & under Section 21 of the Air (Prevention & Control of Pollution) Act, 1981 and Authorization under Rule 5 of the Hazardous Wastes (M, H & T M) 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:

1. This 1st consent to operate is granted for period up to 30.09.2019.
2. The capital investment of the project is Rs. 4719.0 Crs. (As per documents submitted by project proponent).
3. The 1st Consent to operate for Phase-I is granted for :

Sr.no.	Activities	Capacity
1	Operation of 4 th container terminal and Marine chemical containers of berth size 1000 mtrs quay length – Phase- I for handling of chemical containers.	2.4 million TEUs/ Annum.

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

Sr. No	Description	Permitted quantity of Discharge (CMD)	Standards of achieved	Disposal
1.	Trade effluent	Nil	---	NA
2.	Domestic effluent	40.0	As per Schedule -I	Reuse and remaining dispose on land for gardening / Discharged in to sewerage system provided by Local body.

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

Sr. No.	Description of stack/source	Number of stack	Standards to be achieved
1	DG Sets [2 Nos, 2000 KVA]	1.0	As per Schedule-II

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6. Conditions about Non Hazardous Wastes:

Sr. no.	Type Of Waste	Quantity & UoM	Treatment	Disposal
1	Non-Biodegradable waste	500 Kg/D	----	Compost and used as manure and Sale to authorized dealer.

PP shall be ensure that solid waste is not dumped in CRZ area.

7. Conditions under Hazardous Waste (MH & TM) Rules, 2016 for treatment and disposal of hazardous waste:

Sr. No.	Type Of Waste	Category	Quantity	UOM	Treatment	Disposal
1.	5.1 used / Spent Oil	5.1	10,000.00	KL/M	---	Sale to authorized reprocessor

8. The applicant shall comply with the conditions stipulated in EC-CRZ clearance.
9. Afforestation of mangroves shall be undertaken in consultation with State Forest Department.
10. The coastal protection work shall be carried out after detailed Hydrodynamic modelling studies and it shall be ensured that no erosion or aceretion take place in other area due to shore protection works.
11. PP shall strictly comply the conditions stipulated in Environmental Clearance granted by MOEFCC vide no.F.No.10-81/2008-IA-III dated 29.07.2008 and amendments in thereof dated 23.05.2018 and amended on 26.02.2014.
12. The dragged material shall be disposed of at DS-3 location approved by MOEFCC for capital dredging project of JNPT as per the Environmental Clearance granted by MoEF vide No.F-10-81/2008-IA.III dated 23.05.2018.
13. This consent is issued in pursuance of the Order dated 05.05.2014 in the Matter of Notice of Motion (L) No. 195 of 2014 In PIL No. 87 of 2006 passed by the Hon'ble High Court , Mumbai. The Applicant shall comply with the orders passed /being passed by the Hon'ble High Court. This consent is issued subject to any order passed and may be passed by Hon'ble National Green Tribunal, Hon'ble High Court and other courts.
13. The Board reserves the right to review, amend, suspend, revoke etc. this consent and the same shall be binding on the industry.
14. This consent should not be construed as exemption from obtaining necessary NOC/permission from any other Government authorities.

For and on behalf of the
Maharashtra Pollution Control Board

(E. Ravendiran, IAS)
Member Secretary

Received Consent Fee of-

Sr.No.	Amount(Rs)	DD. No.	Date	Drawn on
1.	94,38,000/-	7600676	28.09.2017	DBS Bank

Copy to:

- Regional Officer, MPCB, Navi Mumbai – Sub-Regional Officer - MPCB, Taloja.
- They are directed to ensure the compliance of Consent conditions.
- Chief Accounts Officer, MPCB, Mumbai.
- CC/CAC desk - for record & website updation purposes.

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Maharashtra Pollution Control Board
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EXH-E

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.0000082732/CR - 2012000346

Date: 08/12/2020

To,
Jawaharlal Nehru Port Trust (JNPT)
(4th Container Terminal and Marine Chemical Terminal)
JNPT, Nhava Sheva,
Tal- Uran, Dist- Raigad.

Sub: Renewal of Consent to Operate for 4th Container Terminal & Marine Chemical Terminal Phase-I activity at Jawaharlal Nehru Port Trust under Red category.

- Ref:**
1. Consent to operate granted by the Board vide No. BO/CAC-Cell/EIC-NM-34035/CAC-1909000963 dated 25.09.2019.
 2. Environmental Clearance granted by MOEFCC vide no. F.NO 10-81/2008-1A-III dated 29.07.2008.
 3. Amendment in Environmental Clearance granted by MOEFCC vide no. F.no. 10-81/2008-1A-III dated 26.02.2014.
 4. The minutes of Consent Appraisal Committee Meeting dated 04.05.2020.

Your application No.MPCB-CONSENT-0000082732 Dated 13.11.2019

For: Grant of Consent to Operate under Section 26 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 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:

1. The consent to renewal is granted for a period up to 30/09/2024
2. The capital investment of the project is Rs.6035.865 Crs. (As per C.A Certificate submitted by industry Existing CI is-Rs. 4719 Crs + Increase in C.I. Rs. 1316.86 Crs)
3. This consent to operate is issued for Operation of 4th container terminal and Marine chemical containers Phase -I of berth size 1000 mtrs quay length for handling of containers - 2.4 Million TEUs/Annum
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

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Maharashtra Pollution Control Board
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Sr No	Description	Permitted	Standards to	Disposal
2.	Domestic effluent	35	As per Schedule-I	Treated sewage for gardening and non-drinking purpose as firefighting, toilet flushing etc.

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 & S-2	DG Set [2000 KVA X 2 Nos.]	2	As per Schedule -II
2	S-3 & S-4	DG Set [250 KVA X 2 Nos.]	2	As per Schedule -II
3	S-5 & S-6	DG Set [160 KVA X 2 Nos.]	2	As per Schedule -II

6. Non-Hazardous Wastes:

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	Solid Waste	200	Kg/Day	Composting	used as a manure

7. Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for treatment and disposal of hazardous waste:

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
1	5.1 Used or spent oil	7.6	KL/M	Recycle	Sale to authorised vendors.

- 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 The applicant shall comply with the conditions of the Environmental Clearance granted by MOEFCC vide no. F.NO 10-81/2008-IA-III dated 29.07.2008 and Amendment in Environmental Clearance granted by MOEFCC vide no. F.no. 10-81/2008-IA-III dated 26.02.2014.
- 11 The applicant shall comply with the conditions stipulated in EC-CRZ clearance.
- 12 Afforestation of mangroves shall be undertaken in consultation with State Forest Department.
- 13 The Coastal protection work shall be carried out after detailed Hydrodynamic modelling studies and it shall be ensured that no erosion or accretion take place in other area due to shore protection works.
- 14 The dragged material shall be disposed of at DS-3 location approved by MOEFCC for capital dredging project of JNPT as per the Environmental Clearance granted by MoEF vide No.F-10-81/2008-IA.III dated 23.05.2018.
- 15 The applicant shall prepare Environment Mangement Plan for the Port and submit the copy within a month.
- 16 This consent is issued in pursuance of the order dated 05.05.2014 in the Matter of Notice of Motion (L) No. 195 of 2014 in PIL No. 87 of 2006 passed by the Hon'ble High Court, Mumbai. The Applicant shall comply with the order passed/being passed by the Hon'ble High Court. This consent is issued subject to any order passed and may be passed by Hon'ble National Green Tribunal, Hon'ble High Court and other courts.

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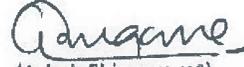
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Maharashtra Pollution Control Board
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17 The applicant shall make an application for renewal of consent 60 days prior to date of expiry of the consent. (Operate/Renewal)

For and on behalf of the
Maharashtra Pollution Control Board.


(Ashok Shingare IAS),
Member Secretary

Received Consent fee of -

Sr.No	Amount(Rs.)	Transaction/DR.No.	Date	Transaction Type
1	12071730.00	5457540	27/11/2019	NEFT
2	48286920.00	MPCB-DR-1482	03/09/2020	RTGS
3	2633720.00	MPCB-DR-2839	30/11/2020	NEFT

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





Maharashtra Pollution Control Board
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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 390 CMD for the treatment of 35 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	
1	BOD	Not to exceed	100 mg/l
2	Suspended Solid	Not to exceed	100 mg/l

- C) The treated sewage shall be recycled / Reuse for secondary purposes to the maximum extent and remaining shall be discharged on land for gardening within premise after confirming above standards. In no case, sewage shall find its way into sea / 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	41.00
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.

(Signature)

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Maharashtra Pollution Control Board
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SCHEDULE-II

Terms & conditions for compliance of Air Pollution Control:

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

Stack No.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoM	S%	SO ₂ (kg/day)
S-1	DG Set [2000 KVA]	Acoustic enclosers and stack	9	HSD	420 Kg/Hr	1.00	201.60
S-2	DG Set [2000 KVA]	Acoustic enclosers and stack	9	HSD	420 Kg/Hr	1.00	201.60
S-3	DG Set [250 KVA]	Acoustic enclosers and stack	8.5	HSD	52.5 Kg/Hr	1.00	25.20
S-4	DG Set [250 KVA]	Acoustic enclosers and stack	8.5	HSD	52.5 Kg/Hr	1.00	25.20
S-5	DG Set [160 KVA]	Acoustic enclosers and stack	4.5	HSD	33.6 Kg/Hr	1.00	16.12
S-6	DG Set [160 KVA]	Acoustic enclosers and stack	4.5	HSD	33.6 Kg/Hr	1.00	16.12

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 operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

Parameters	Standards
------------	-----------

4. 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.
5. 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).
6. The port authority 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.

Signature



Maharashtra Pollution Control Board
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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	Renewal consent to operate	Rs. 10 Lakhs	15 Days	Towards compliances of Environmental Clearance Conditions and consent conditions	Continious	31.01.2025

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
NA						

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

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Maharashtra Pollution Control Board
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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 siting 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.

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Maharashtra Pollution Control Board
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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.
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.

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Maharashtra Pollution Control Board
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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.

Signature

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Maharashtra Pollution Control Board
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ANNEXURE "R2-7"

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)

Date: 04/09/2020

No:- Format1.0/CAC/UAN No.0000082611/CE - 2009000231

To,
 Jawaharlal Nehru Port Trust (JNPT)
 Sheva, Navi Mumbai
 Tal: Uran, Dist: Raigad.

Sub: Consent to Establish for balance work of 4th Container Terminal and Marine Container Terminal at Jawaharlal Nehru Port Trust, Navi Mumbai for in RED category.

- Ref:**
1. Consent to Establish granted by the Board vide no. BO/RO(P&P)CE/CC-163 dated 26.10.2007.
 2. Consent to operate granted by the Board vide no. BO/CAC-Cell/EIC-NM-34035/CAC-1909000963 dated 25.09.2019.
 3. Environment and CRZ Clearance granted by MOEF & CC by letter no. F.No. 10-32/2018-IA-III dated 09.10.2019.
 4. The minutes of the meeting of consent appraisal committee meeting dated 15.05.2020.

Your application No.MPCB-CONSENT-0000082611 Dated 11.11.2019

For: grant of Consent to Establish 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 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:

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.3196 Crs. (As per C.A Certificate submitted by industry Existing CI is-Rs. 4719 Crs)
3. This consent to establish is granted for balance work of 4th container terminal and marine container terminal of length 1000 meters and guide bund of 200 meters at JNPT.
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

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Maharashtra Pollution Control Board
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Sr No	Description	Permitted	Standards to	Disposal
2.	Domestic effluent	10.5	As per Schedule-I	Treated sewage used for gardening and non drinking purpose as fire fighting, toilet flushing etc.

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 and 10	DG Set [200 KVA]	10	As per Schedule -II

6. Non-Hazardous Wastes:

Sr No	Type of Waste	Quantity	UoM	Treatment	Disposal
1	Solid Waste	200	Kg/Day	Composting	as manure

7. Conditions under Hazardous & Other Wastes (M & T M) Rules 2016 for treatment and disposal of hazardous waste:

Sr No	Category No./ Type	Quantity	UoM	Treatment	Disposal
1	5.1 Used or spent oil	50	Ltr/M	Recycle	Sale to authorised reprocessor

- 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 The applicant shall comply with the conditions of the Environmental Clearance granted by the MOEF,CC,GOI, vide letter No. F.No. 10-32/2018-IA-III dated 09.10.2019.
- 11 PP shall follow all the MARPOL (The International Convention for Prevention of Marine Pollution for Ships) requirements and the Port Operator will be responsible for the same.
- 12 The applicant shall obtain Consent to Operate from Maharashtra Pollution Control Board before actual commencement of the Unit/Activity. (Establish)

For and on behalf of the
Maharashtra Pollution Control Board.

(E. Ravendiran IAS),
Member/Secretary

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Maharashtra Pollution Control Board
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Received Consent fee of -

<i>Sr.No</i>	<i>Amount(Rs.)</i>	<i>Transaction/DR.No.</i>	<i>Date</i>	<i>Transaction Type</i>
1	6392000.00	5457294	27/11/2019	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



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Maharashtra Pollution Control Board
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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 390 CMD for the treatment of 10.5 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	
1	BOD (3 Days 27 0c)	Not to exceed	100 mg/l
2	Suspended solids	Not to exceed	100 mg/l

- C) The treated sewage shall be recycled for secondary purposes to the maximum extent and remaining shall be discharged on land for gardening within premise after confirming above standards. In no case, sewage shall find its way for gardening / outside factory premises.
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	15.00
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.



Maharashtra Pollution Control Board
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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.	Stack Attached To	APC System	Height in Mtrs.	Type of Fuel	Quantity & UoM	S%	SO ₂ (kg/day)
S-1	DG Set [200 KVA]	Acoustic enclosers and stack	4.5 mtrs	HSD	100 Lit/Day	1.00	2.00
S-2	DG Set [200 KVA]	Acoustic enclosers and stack	4.5 mtrs	HSD	100 Lit/Day	1.00	2.00
S-3	DG Set [200 KVA]	Acoustic enclosers and stack	4.5 mtrs	HSD	100 Lit/Day	1.00	2.00
S-4	DG Set [200 KVA]	Acoustic enclosers and stack	4.5 mtrs	HSD	100 Lit/Day	1.00	2.00
S-5	DG Set [200 KVA]	Acoustic enclosers and stack	4.5 mtrs	HSD	100 Lit/Day	1.00	2.00
S-6	DG Set [200 KVA]	Acoustic enclosers and stack	4.5 mtrs	HSD	100 Lit/Day	1.00	2.00
S-7	DG Set [200 KVA]	Acoustic enclosers and stack	4.5 mtrs	HSD	100 Lit/Day	1.00	2.00
S-8	DG Set [200 KVA]	Acoustic enclosers and stack	4.5 mtrs	HSD	100 Lit/Day	1.00	2.00
S-9	DG Set [200 KVA]	Acoustic enclosers and stack	4.5 mtrs	HSD	100 Lit/Day	1.00	2.00
S-10	DG Set [200 KVA]	Acoustic enclosers and stack	4.5 mtrs	HSD	100 Lit/Day	1.00	2.00

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 operate and maintain above mentioned air pollution control system, so as to achieve the level of pollutants to the following standards:

Parameters	Standards	
Total Particulate Matter	Not to exceed	150 mg/ Nm ³

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4. 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.
5. 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).

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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	Consent to Establish	Rs. 5 Lakhs	15 Days	Towards compliances of Environmental Clearance and consent condions.	Continuous	31.03.2025

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
NA						

BG Return details

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

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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 siting 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.



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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.

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ANNEXURE "R2-8" EXH-F

F.No.10-32/2018-IA-III
Government of India
Ministry of Environment, Forest and Climate Change
(IA.III Section)

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

Date: 13th June, 2018

To,
M/s Jawaharlal Nehru Port Trust
Jawaharlal Nehru Port Trust Administration Building,
Sheva, Uran, Navi Mumbai - 400 707 (Maharashtra)
Email: cmppd.jnpt@gmail.com

Subject: Environmental Clearance for balance work of 4th Container Terminal & Marine Container Terminal at JNPT by M/s Jawaharlal Nehru Port Trust - Terms of Reference - reg.

Sir,

This has reference to your proposal No. IA/MH/MIS/75011/2018 dated 17th May, 2018, submitted to this Ministry for seeking Terms of Reference (ToR) in terms of the provisions of the Environment Impact Assessment (EIA) Notification, 2006 under the Environment (Protection) Act, 1986.

2. The proposal for grant of Terms of Reference (ToR) to the project 'Environmental Clearance for balance work of 4th Container Terminal & Marine Container Terminal' at JNPT by M/s Jawaharlal Nehru Port Trust was considered by the Expert Appraisal Committee (Intra-2) in its 31st meeting held on 29-30 May, 2018.

3. The details of the project, as per the documents submitted by the project proponent, and also as informed during the above said meeting are as under:-

- (i) In line with the capacity augmentation plans the fourth container terminal was conceptualized by JNPT to be developed on Build Operate Transfer (BOT) basis. M/s CES carried out the feasibility study for the same in 2006 which was updated by M/s Axis Bank in association with M/s STUP Consultants in 2007 - 08 followed by global tender process in 2010. The project was awarded to M/s Port of Singapore Authority (PSA) in 2011 after a competitive bidding process.
- (ii) Owing to extraneous factors M/s PSA could not sign the agreement even after repeated extensions (amounting to more than a year) provided by JNPT for the same and the tender was discharged in 2012.
- (iii) JNPT has been granted Environmental Clearance for 4th Container Terminal and Marine Container Terminal vide letter No. 10-81/2008-IA-III by the Ministry of Environment, Forest & Climate Change on 26.02.2014, which is valid till 26.07.2018.
- (iv) The construction of Phase-I of Fourth Container Terminal project commenced from 23rd December, 2014 after financial closure and other compliances of the Concession Agreement. The construction works under Phase-I was completed and the entire facility is put to operation by 22nd December 2017.

within the stipulated time period of 3 years for commencement of Phase-I operations. As per the Concession Agreement, Phase-II works shall be commenced immediately after achieving the traffic of 2.4 MTPA and complete the balance work by December 2022.

- (v) The validity of the Environment Clearance for the project is expiring by 28th July, 2018. As such the JNPT has applied for the fresh ToR for fresh EC for the balance works of the Fourth Container Terminal and Marine Chemical Terminal project at JNPT.
- (vi) The details of balance works of 4th Container Terminal & Marine Container Terminal at JNPT is as under:

A. Civil Infrastructure:

Sr. No.	Project Scope as preapproved Environment Clearance	Phase-I	New TOR for Balance Work In Phase-II
(i)	Berth: Berth length of 2000m x 61m	1000 m x 61 m Completed	1000 m x 61 m
(ii)	Dredging: In Maneuvering area (-) 13.1 m CD and Berth pockets (-) 16.5 m CD	Approx. 110 HA. Area dredged including berth sockets Completed 10 Million Cu M	Approx. 100 Ha. Dredging up to 16.5m below CD 9 Million Cu. M.
(iii)	Approach Bridges : Approach Bridges Adequate Nos.	05 Nos. Completed	05 Nos. Completed
(iv)	Reclamation: Reclamation are about (200 Ha.) for development of storage yard, internal roads, railway, railway container depot, parking area, office and other operational building, container terminal gate complex etc.	110 Ha. Completed	90 Ha
(v)	Road and Rail Connectivity :		
	Up to 12 lane connecting road (4.8 km) up to NhavaSheva Police Station	12 lane access road filling completed and 6 lane in	Additional 6 lane road to be completed
	Rail Container Depot for evacuation by Rail	One rail yard with 4 loop lines - Completed	Rail yard with additional 2 loop lines

B. Equipment:

Sr. No.	Project Scope as per approved Environment Clearance	Phase-I	New TOR for Balance Work In Phase-II
(i)	Rail Mounted Quay Cranes (RMQC) at least 24 Nos.	9 Installed (balance arriving)	12 Nos.
(ii)	Rubber Tyred Gantry Cranes	18 Installed	36 Nos.

	(RTGC) at least 72 Nos.	(balance arriving)	
(iii)	Rail Mounted Gantry Cranes (RMGC) at least 08 Nos	4 Installed	04 Nos.
(iv)	Tractor Trailers at least 240 Nos.	85 T.T. Provided (balance arriving)	120 Nos

C. Associated Facilities:

Sr. No.	Project Scope as preapproved Environment Clearance	Completed in Phase-I	New TOR for Balance Work in Phase-II
(i)	Electrification	Completed	To be Completed
(ii)	Water Supply, Drainage and Sewerage facilities	Completed	To be Completed
(iii)	Associated Computer and software network	Installed	To be Installed
(iv)	Fire Fighting facilities	Installed	To be Installed
(v)	Adequate Safety arrangement at the Terminal	Completed	To be Completed

vii. Project cost/investment is Rs. 7915.3 Crores.

4. The project/activity is covered under category 'A' of item 7 (e) i.e. 'Ports, harbours, break waters, dredging' of the schedule to the EIA Notification, 2006 and its subsequent amendments, and requires appraisal at Central level.

5. The EAC, in its 31st meeting held on 29-30 May, 2018, after detailed deliberations, recommended the project for grant of ToR as specified by the Ministry as Standard ToR in April, 2015 for the said project/activity and the following ToR in addition to Standard ToR for preparation of EIA-EMP report. As per the recommendation of the EAC, the Ministry of Environment, Forest and Climate Change hereby accords ToR to the project 'Environmental Clearance for balance work of 4th Container Terminal & Marine Container Terminal' at JNPT by M/s Jawaharlal Nehru Port Trust for preparation of the Environmental Impact Assessment (EIA) Report and Environmental Management Plan (EMP) with the following specific and general conditions in addition to Standard ToR provided at **Annexure -1:**

- (i) Importance and benefits of the project.
- (ii) Submit a copy of layout superimposed on the HTL/LTL map demarcated by an authorized agency on 1:4000 scale.
- (iii) Recommendation of the SCZMA.
- (iv) Submit a complete set of documents required as per para 4.2 (i) of CRZ Notification, 2011.
- (v) Certified Compliance Report issued by the MoEF&CC, Regional Office or concerned Regional Office of Central Pollution Control Board or the Member Secretary of the respective State Pollution Control Board for the conditions stipulated in the earlier environmental clearance issued for the project along

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with an action taken report on issues which have been stated to be partially complied or non/complied.

- (vi) The project proponents shall satisfactorily address to all the complaints/suggestions that have been received against the project till the date of submission of proposals for Appraisal.
- (vii) The EIA would provide an item wise compliance of the proposals to the ECBC norms.
- (viii) 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.
- (ix) 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.
- (x) A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project.
- (xi) 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.
- (xii) The Air Quality Index shall be calculated for base level air quality.
- (xiii) The EIA would study the impact of dewatering and draw up an action plan for disposal of the excess water.
- (xiv) The EIA would study the impact of Demolition and conformance to the Construction and Demolition Rules under the E.P. Act 1986.
- (xv) The E.I.A. would include a chapter on how the project conforms to the C.R.Z. management plan being drawn up by the State Government in compliance to NGT orders.
- (xvi) Various Dock and shipbuilding facilities with capacities for existing and proposed project.
- (xvii) Study the impact of dredging on the shore line.
- (xviii) A detailed impact analysis of rock dredging.
- (xix) 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.
- (xx) A detailed analysis of the physico-chemical and biotic components in the highly turbid waters round the project site (as exhibited in the Google map shown during the presentation), compare it with the physico-chemical and biotic components in the adjacent clearer (blue) waters both in terms of baseline and impact assessment and draw up a management plan.
- (xxi) Details of Emission, effluents, solid waste and hazardous waste generation and their management in the existing and proposed facilities.

- (xxii) The existing project should avail of and submit consent to operate from the State Pollution Control Board.
- (xxiii) Requirement of water, power, with source of supply, status of approval, water balance diagram, man-power requirement (regular and contract).
- (xxiv) Wastewater Management Plan.
- (xxv) Details of Environmental Monitoring Plan
- (xxvi) To prepare a detailed biodiversity impact assessment report and management plan through the NIOS or any other institute of repute on marine, brackish water and fresh water ecology and biodiversity. The report shall study the impact on the rivers, estuary and the sea and include the intertidal biotopes, corals and ocrea communities, molluscs, sea grasses, sea weeds, subtidal 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 standard survey methods.
- (xxvii) 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. The Plan to be implemented to the satisfaction of the State Urban Development and Transport Departments shall also include the consent of all the concerned implementing agencies.
- (xxviii) Disaster Management Plan for the above terminal.
- (xxix) Layout plan of existing and proposed Greenbelt.
- (xxx) Status of court case pending against the project.
- (xxxi) Plan for Corporate Environment Responsibility (CER) as specified under Ministry's Office Memorandum vide F.No. 22-65/2017-IA.III dated 1st May 2018 shall be prepared and submitted along with EIA Report
- (xxxii) A tabular chart with index for point wise compliance of above ToRs.

General Guidelines

- (i) The EIA document shall be printed on both sides, as far as possible.
- (ii) All documents should be properly indexed, page numbered
- (iii) Period/date of data collection should be clearly indicated.
- (iv) Authenticated English translation of all material provided in Regional languages.
- (v) The letter/application for EC should quote the MoEF&CC File No. and also attach a copy of the letter prescribing the ToR.
- (vi) The copy of the letter received from the Ministry on the ToR prescribed for the project should be attached as an annexure to the final EIA-EMP Report.

- (vi) The final EIA-EMP report submitted to the Ministry must incorporate the issues mentioned in ToR. The index of the final EIA-EMP report, must indicate the specific chapter and page no. of the EIA-EMP Report where the specific ToR prescribed by the Ministry. Questionnaire related to the project (posted on MoEF&CC website) with all sections duly filled in shall also be submitted at the time of applying for EC.
- (viii) Grant of ToR does not mean grant of EC.
- (ix) The status of accreditation of the EIA consultant with NABET/QCI shall be specifically mentioned. The consultant shall certify that his accreditation is for the sector for which this EIA is prepared.
- (x) On the front page of EIA/EMP reports, the name of the consultant/consultancy firm along with their complete details including their accreditation, if any shall be indicated. The consultant while submitting the EIA/EMP report shall give an undertaking to the effect that the prescribed ToRs (ToR proposed by the project proponent and additional ToR given by the MoEF&CC) have been complied with and the data submitted is factually correct (Refer MoEF&CC Office memorandum dated 4th August, 2009).
- (xi) While submitting the EIA/EMP reports, the name of the experts associated with/involved in the preparation of these reports and the laboratories through which the samples have been got analysed should be stated in the report. It shall clearly be indicated whether these laboratories are approved under the Environment (Protection) Act, 1986 and the rules made there under (Please refer MoEF&CC Office Memorandum dated 4th August, 2009). The project leader of the EIA study shall also be mentioned.
- (xii) All the ToR points as presented before the Expert Appraisal Committee (EAC) shall be covered.

6. The above ToR should be considered for the project 'Environmental Clearance for balance work of 4th Container Terminal & Marine Container Terminal' at JNPT by M/s Jawahar Lal Nehru Port Trust, 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. The Committee exempted Public hearing as per para 7(ii) of the EIA Notification, 2006 for preparation of EIA/EMP Report.

7. The project proponent shall submit the detailed final EIA/EMP prepared as per ToRs to the Ministry for considering the proposal for environmental clearance within 3 years as per the MoEF&CC O.M. No.J-11013/41/2006-IA-II(I) (P) dated 08.10.2014.

8. 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&CC dated 19.07.2013.

9. The prescribed ToR would be valid for a period of three years for submission of the EIA/EMP Reports.

10. This ToR is subject to the final outcome of the final outcome/legal opinion on the Order dated 22nd November, 2017 of Hon'ble NGT in the Original Application No. 424 of 2016 (Earlier O.A. No. 169 of 2015) and Original Application No. 11 of 2014 in the matter of M/s. Mehdad & Anr V/s Ministry of Environment, Forests & Climate Change & Ors and Shamsunder Shridhar Dalvi & Ors. V/s Govt. of India & Ors.

11. This issues with the approval of Competent Authority.


(Kushal Vashist)
Director

Copy to:

The Member Secretary, Maharashtra Pollution Control Board, Kalpataru Point, 3rd and 4th Floor, Opp. Cine Planet, Sion Circle, Mumbai - 400 022 (Maharashtra).

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Annexure - I

7(e): STANDARD TERMS OF REFERENCE FOR CONDUCTING ENVIRONMENT IMPACT ASSESSMENT STUDY FOR PORTS, HARBOURS AND INFORMATION TO BE INCLUDED IN EIA/EMP REPORT

- i. Reasons for selecting the site with details of alternate sites examined/rejected/selected on merit with comparative statement and reason/basis for selection. The examination should justify site suitability in terms of environmental angle, resources sustainability associated with selected site as compared to rejected sites. The analysis should include parameters considered along with weightage criteria for short-listing selected site.
- ii. Details of the land use break-up for the proposed project. Details of land use around 10 km radius of the project site. 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 identified by the CPCB from time to time/notified eco-sensitive areas/interstate boundaries and international boundaries. Analysis should be made based on latest satellite imagery for land use with raw images.
- iii. Submit the present land use and permission required for any conversion such as forest, agriculture etc. land acquisition status, rehabilitation of communities/villages and present status of such activities.
- iv. Examine and submit the water bodies including the seasonal ones within the corridor of impacts along with their status, volumetric capacity, quality likely impacts on them due to the project.
- v. Submit a copy of the contour plan with slopes, drainage pattern of the site and surrounding area.
- vi. Submit the details of terrain, level with respect to MSI, filling required, source of filling materials and transportation details etc.
- vii. Examine road/rail connectivity to the project site and impact on the existing traffic network due to the proposed project/activities. A detailed traffic and transportation study should be made for existing and projected passenger and cargo traffic.
- viii. Submit details regarding R&R involved in the project.
- ix. Submit a copy of layout superimposed on the H/TL/LTL map demarcated by an authorized agency on 1:4000 scale along with the recommendation of the SCZMA.
- x. Submit the status of shore line change at the project site
- xi. Details of the layout plan including details of channel, breakwaters, dredging, disposal and reclamation.
- xii. Details of handling of each cargo, storage, transport along with spillage control, dust preventive measures. In case of coal, mineral cargo, details of storage and closed conveyance, dust suppression and prevention filters.
- xiii. Submit the details of fishing activity and likely impacts on the fishing activity due to the project. Specific study on effects of construction activity and pile driving on marine life.
- xiv. Details of oil spill contingency plan.



- xv. Details of bathymetry study.
- xvi. Details of ship tranquillity study.
- xvii. Examine the details of water requirement, impact on competitive user, treatment details, use of treated waste water. Prepare a water balance chart.
- xviii. Details of rainwater harvesting and utilization of rain water.
- xix. Examine details of Solid waste generation treatment and its disposal.
- xx. Details of desalination plant and the study for outfall and intake.
- xxi. Examine baseline environmental quality along with projected incremental load due to the proposed project/activities.
- xxii. The air quality monitoring should be carried out according to the notification issued on 16th November, 2009.
- xxiii. Examine separately the details for construction and operation phases both for Environmental Management Plan and Environmental Monitoring Plan with cost and parameters.
- xxiv. Submit details of a comprehensive Risk Assessment and Disaster Management Plan including emergency evacuation during natural and man-made disasters
- xxv. Submit details of the trees to be cut including their species and whether it also involves any protected or endangered species. Measures taken to reduce the number of the trees to be removed should be explained in detail. Submit the details of compensatory plantation. Explore the possibilities of relocating the existing trees.
- xxvi. Examine the details of afforestation measures indicating land and financial outlay. 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. The identification of species/ plants should be made based on the botanical studies.
- xxvii. The Public Hearing should be conducted for the project in accordance with 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 should be conducted based on the ToR letter issued by the Ministry and not on the basis of Minutes of the Meeting available on the web-site.
- xxviii. 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.
- xxix. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
- xxx. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.
- xxxi. Any further clarification on carrying out the above studies including anticipated impacts due to the project and mitigative measure, project proponent can refer to the model ToR available on Ministry website "[http://moef.nic.in/Manual/Port and harbour](http://moef.nic.in/Manual/Port%20and%20harbour)".



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ANNEXURE "R2-9" EXH-G

महाराष्ट्र जीवन प्राधिकरण

अधीक्षक अभियंता यांचे कार्यालय
महाराष्ट्र जीवन प्राधिकरण मंडळ,
माथेरान रोड, भूखंड क्र.१, सेक्टर नं.१,
नवीन पनवेल -४१०२०६



थेट : ०२२२७४९०२२०
दुरध्वनी क्रमांक : ०२२२७४६२१०९
फॅक्स क्रमांक : ०२२२७४९०१२३

Email ID : se.panvel@mjp.gov.in

जा.क्र.अअ/मजीप्रामं/नप/तांशा.३/ 3095 /सन २०१६, दिनांक : ११/११/२०१६



प्रति
मा.अध्यक्ष,
जवाहरलाल नेहरू पोर्ट ट्रस्ट,
प्रशासकीय इमारत, जुना शेवा,
ता.उरण.

191216

D.J. Chetani
cm-ppp

विषय : वाढीव न्हावा-शेवा पाणी पुरवठा योजना टप्पा-३, ता. पनवेल, जि.रायगड
जवाहरलाल नेहरू बंदराकरीता १११८/९६५ मि.मी. व्यासाच्या जलवाहिन्यांचा प्रस्तावित
मार्गक्रम राष्ट्रीय महामार्ग क्र. ४ ब ला समांतर स्थलांतरित केल्यानंतर होणाऱ्या वाढीव
खर्चास मान्यता प्रदान करणेबाबत...

- संदर्भ :**
- १) म.जी.प्रा.च्या मा.संचालक मंडळाच्या दिनांक ६.१०.२०१५ च्या १३४ व्या सभेमधील कार्यक्रम बाब ७
 - २) मा.मुख्य अभियंता, म.जी.प्रा.ठाणे यांची तांत्रिक मंजूरी दि.३.१२.२०१५.
 - ३) मा.चेअरमन, जवाहरलाल नेहरू पोर्ट ट्रस्ट व मा.सदस्य सचिव, म.जी.प्रा.मुंबई यांचे दरम्यान दि.१८.३.२०१६ रोजी झालेला करारनामा
 - ४) मा. मुख्य अभियंता, म.जी.प्रा.ठाणे यांचा दि.७.११.२०१६ रोजीचा पाहणी दौरा.
 - ५) मा. अध्यक्ष जवाहरलाल नेहरू बंदर व्यवस्थापन यांचे दालनात झालेली दि. २४.११.२०१६ रोजीची बैठक.
 - ६) मा. सदस्य सचिव, म.जी.प्रा., मुंबई यांचा दि. २५.११.२०१६ रोजीचा पाहणी दौरा.
 - ७) कार्य.अभियंता(ज.व्य.), म.जी.प्रा.विभाग, पनवेल यांचे पत्र क्र. तांशा-२/३१५६, दि.१४.१२.२०१६
 - ८) सार्वजनिक बांधकाम विभाग शासन निर्णय क्र. टी.आर.एस.२०१६/प्र.क्र.२८८/रस्ते-१/मंत्रालय, मुंबई दि. २३.६.२०१६

महोदय,

महाराष्ट्र जीवन प्राधिकरणाच्या संचालक मंडळाच्या दिनांक ६ ऑक्टोबर २०१५ च्या १३४ व्या सभेमध्ये न्हावा शेवा पाणी पुरवठा योजनेची क्षमता वाढविण्याच्या अनुषंगाने कार्यक्रम बाब क्र.७ अन्वये चर्चा झाली असून एकूण रु.२१४.७० कोटी किंमतीची योजना भांडवली अंशदान स्वरूपात राबविण्याचे ठरविण्यात आले. या योजनेतील जवाहरलाल नेहरू पोर्ट ट्रस्टचा हिस्सा रु.४३.६२ कोटी व या व्यतिरिक्त जवाहरलाल नेहरू पोर्ट ट्रस्ट संस्थेस पाणी पुरवठा करणारी जलवाहिनी बदलण्याचे सुमारे रु.४५.०० कोटी रक्कम प्राप्त करून घेण्याचे ठरविण्यात आले.

यानुषंगाने पाणी पुरवठा करणारी जलवाहिनी बदलण्यासाठी सुमारे रु.४४.८२ कोटी किंमती प्रस्तावास संदर्भीय पत्र क्र.२ अन्वये मा.मुख्य अभियंता, म.जी.प्रा.ठाणे यांचेकडून तांत्रिक मंजूरी प्रदान करण्यात आली असून जवाहरलाल नेहरु पोर्ट ट्रस्ट व संदर्भ क्र.१ प्रमाणे झालेल्या करारनाम्यांतर्गत न्हावा शेवा पाणी पुरवठा योजनेकरिता भांडवली हिस्सा रु.४३.६२ कोटी व सध्या जवाहरलाल नेहरु पोर्ट ट्रस्ट संस्थेस पाणी पुरवठा करणारी जलवाहिनी बदलण्यास लागणारे रु.४४.८२ कोटी महाराष्ट्र जीवन प्राधिकरणाकडे भरण्याचे मान्य केले आहे व यातील रु.४४.८२ कोटी रक्कम म.जी.प्रा.कडे भरणे केलेली आहे.

उपरोक्त योजने अंतर्गत वाय पॉईंट, भिंगारी ते गव्हाणफाट्या पर्यंत १३२० मि.मी. व्यासाच्या जुन्या जलवाहिन्या बदलून त्याच ठिकाणी Right of Way मध्ये किंवा अस्तित्वातील जलवाहिन्यास समांतर, नवीन १११८ व ९६५ मि.मी. व्यासाच्या मृदू पोलादी जलवाहिन्यांचा मार्गक्रम निश्चित करण्यात आला होता. सदर मार्गक्रमिकेच्या अनुषंगाने विविध खात्याकडे परवानग्यांचे प्रस्ताव सादर करणेत आले आहेत. मंजूर योजनेनुसार निविदा कार्यवाही करण्यात आली असून मे. अनूकूल इंडस्ट्रीज प्रा.लि., मुंबई यांचा न्युनतम देकार असलेली निविदा स्विकृत करण्यात आली असून कार्यादेश देणे अंतिम टप्प्यात आहे.

तथापी दरम्यानच्या कालावधीत शासन निर्णय क्र. टी.आर.एस.२०१६/प्र.क्र.२८८/रस्ते-१/मंत्रालय, मुंबई दि. २३.६.२०१६ नुसार उरण-पनवेल राज्यमार्ग हा सार्वजनिक बांधकाम विभागाकडून सिडकोकडे विकसित करणेसाठी हस्तांतरित करण्यात आला आहे. याच महामार्गास समांतर अस्तित्वातील जलवाहिन्या आहेत. सदर मार्गाचे सध्याच्या ९ मी. रुंदीच्या रस्त्याचे साधारणतः ४५ मीटर पर्यंत रुंदीकरण करण्यात येणार असल्याचे दि.१७.९.२०१६ रोजी सिडकोचे कार्यकारी अभियंता सोबत संयुक्त पाहणीच्या वेळी तसेच दि. ७.११.२०१६ रोजी मा. मुख्य अभियंता, सिडको यांचे दालनात मा. मुख्य अभियंता, म.जी.प्रा. यांचे समवेत झालेल्या चर्चेत सांगण्यात आले. प्रस्तावित नव्या जलवाहिन्या या रुंदीकरणात येत असल्याने प्रस्तावित जलवाहिन्यास कॉक्रीट इनकेसिंगसह रस्त्याच्या खाली ३ ते ३.५ मी खोलीवर जलवाहिन्या टाकाव्या लागणार आहेत. त्यामुळे कॉक्रीट व खोदाई व अनुषंगिक बाबींवर वाढीव खर्च करावा लागणार आहे. तसेच या विविध खात्याकडे रेल्वे, सिडकोकडे ४००० प्रति स्केवर मीटर दराने परवानगीसाठी वाढीव खर्च करावा लागणार आहे. व अशा प्रकारे पाईप लाईन टाकण्यास एकूण रु.५७.०१ कोटी खर्च अपेक्षित असून मूळ किंमतीवर रु.१२.१९ कोटी अधिकचा खर्च लागणार आहे. उपरोक्त जलवाहिन्यास पर्यायी तुलनेने तांत्रिक व आर्थिकदृष्ट्या कमी खर्चाचा मार्गक्रम राष्ट्रीय महामार्ग क्र.-४ब ला समांतर प्रस्तावित करण्यात येत असून तसा परवानगीचा प्रस्ताव राष्ट्रीय महामार्ग प्राधिकरण यांचेकडे सादर करण्यात आला आहे.

राष्ट्रीय महामार्ग क्र.-४ब ला चे रुंदीकरण सद्यःस्थितीत प्रगतीपथावर असून त्यांचे कामपूर्ण होणे पुर्वीच जलवाहिन्या टाकणे आवश्यक आहे. सदर राष्ट्रीय महामार्ग क्र. ४ ब रुंदीकरणाचे जवाहरलाल नेहरु बंदराकरीता असल्याने व जलवाहिन्यांच्या कामास जवाहरलाल नेहरु पोर्ट ट्रस्ट यांचे अर्थसहाय्य

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असल्याने परवानगी ताबडतोब मिळणार असल्याचे व याबाबत मुख्य अभियंता, म.जी.प्रा.ठाणे यांनी राष्ट्रीय महामार्ग प्राधिकरणाचे प्रकल्प संचालक यांचेशी दि. ७.११.२०१६ रोजी प्रत्यक्ष भेटून चर्चा करून तसा प्रस्तावही सादर केला असून लवकरच परवानगी मिळणार असल्याचे स्पष्ट करण्यात आले. माझी दिनांक २४.११.२०१६ ला आपले दालनात चर्चा झाली असून आपण वाढीव खर्चाला तत्वतः मान्यता दिली आहे. यानुषंगाने राष्ट्रीय महामार्ग क्र.४ब ला समांतर पाईप लाईन टाकण्याचे अंदाजपत्रक तयार करण्यात आले असून या प्रस्तावाची अंदाजित किंमत रु.५५.०९ कोटी इतकी आहे व यामुळे रु.१०.२९ कोटी वाढ होणार असून याची किंमत मुळ प्रस्तावित मार्गक्रमणाच्या किंमतीपेक्षा कमी आहे.

यास्तव आपणास विनंती करण्यात येत आहे की, कृपया सुधारित प्रस्तावास व यान्वये होणाऱ्या वाढीव किंमतीस मान्यता द्यावी.

सोबत :- सहापत्र

(देवेंद्र लांडगे)
अधीक्षक अभियंता,
म.जी.प्रा.मंडळ, पनवेल.

- प्रत : मा.सदस्य सचिव, महाराष्ट्र जीवन प्राधिकरण, मुंबई यांना माहितीसाठी सविनय सादर.
प्रत : मा.मुख्य अभियंता, महाराष्ट्र जीवन प्राधिकरण, ठाणे यांना माहितीसाठी सविनय सादर.
प्रत : मुख्य प्रबंधक, जवाहरलाल नेहरू पोर्ट ट्रस्ट, जुना शेवा, ता.उरण यांना माहितीसाठी सादर.
प्रत : कार्यकारी अभियंता(ज.व्य.), म.जी.प्रा.विभाग, पनवेल यांना माहितीसाठी.

दंगर/-TB2-2016

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(Translation Copy)

MAHARASHTRA LIFE AUTHORITY

Office of the Superintendent Engineer,
Maharashtra Life Authority Board
Matheran Road, Plot No.1, Sector No.1
Navin Panvel 410206

O.N.AA/MJPM/NP/TS.3/3015/ Year2016

Dt. 14.12.2016

To,

Chairman

Jawaharlal Nehru Port Trust

Administrative Building, Old Sheva

Tal. Uran

Sub: Additional Nhava-Sheva Water Supply Scheme
Level-3, Tal Panvel, Dist. Raigad, for Jawaharlal
Nehru Port 1118/965 mm waterline proposed
route program National Highway No.4 B shifted,
after than for additional expenses to give
approval.

- Ref: 1) Board of Director M.L.A, program matter 7
of meeting 134, dt. 6.10.2015
2) Resp. Chief Engineer. M.L.A, Thane
Technical approval dt. 3.12.2015

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- 3) Agreement dt. 18.3.2016 in between Resp. Chairman, Jawaharlal Nehru Port Trust and Resp. Member Secretary, M.L.A Mumbai
- 4) Resp. Chief Engineer, M.L.A, Thane inspection dt. 7.11.2016
- 5) Resp. Chairman, Jawaharlal Nehru Port, Management cabin meeting dt. 24.11.2016
- 6) Resp. Member Secretary, M.L.A, Mumbai inspection dt. 25.11.2016
- 7) Exe. Engineer (J.V.) M.L.A Department, Panvel letter No. TS-2/3156, dt. 14.12.2016
- 8) Public Work Department, Government Decision No. T.R.S. 2016/P.N.288/Road-1/ Mantralaya, Mumbai, dt. 23.6.2016.

Sir,

Maharashtra Life Authority, Board of Director meeting 134, dt. 6th October 2015 make discussion about to increase capacity of Nhava Sheva Water Supply Scheme by the point No.7 and decided to run total Rs. 214.70 Crore scheme as a capital contribution. The share of Jawaharlal Nehru Port Trust in this scheme is Rs. 43.62 Crore and instead of that Rs. 45.00 Crore for replacement of water supply to Jawaharlal Nehru Port Trust.

In this connection about Rs. 44.82 Crore for replacement of water supply aqueduct according to letter

No.2 provided Technical approval from Resp. Chief Engineer, M.L.A Thane. Under the agreement as per Jawaharlal Nehru Port Trust and Reference No.1 the proposed share for Nhava Sheva Water Supply Scheme is Rs. 43.62 Crore and at present Maharashtra Life Authority agreed to pay Rs. 44.82 Crore for change water supply water tube of Jawaharlal Nehru Port Trust and in that Rs. 44.82 Crore amount paid to M.L.A.

Under the above scheme Y Point, Bhingari to Gavhanfata 1320 mm old water tube to be change and on that place right of way or present water tube similarly to change new 1118 and 965 mm soft poladi water tube to be definite. In the connection of above road submit proposal to various department for permission. As per approved scheme made tender action and accept lower tender of M/s. Anukul Industries Pvt. Ltd., Mumbai and will place work order.

However, in the meantime, as per Government Decision No. T.R.S.2016/P.N.288/Road-1/Mantralaya, Mumbai, dt. 23.6.2016 Uran Panvel State Highway has been transferred from Public Work Department to CIDCO for development. There are existing waterways parallel to this highway. The current 9 m. width of the road will be widened up to 45 meters on 17.9.2016 during a joint inspection with CIDCO'S Executive Engineer. On 7.11.2016 in the room of Chief

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Engineer, CIDCO, Hon. Chief Engineer, M.L.A. It was stated in the discussion held with him. As the proposed new aqueducts are coming under this widening, the proposed aqueducts will have to be laid at a depth of 3 to 3.5 m below the road with concrete inking. Therefore, will have to be incurred on concrete and excavation and ancillary matters. Also these various departments will have to incur additional expenses for permission from Railways, CIDCO at the rate of 4000 per square meter. The total cost of laying the pipeline is expected to be Rs. 57.01 Crore and will cost Rs. 12.19 Crore more than the original cost. The alternative to the above aqueduct is a relatively low cost technical and economic route. A proposal for permission has been submitted to the National Highway Authority.

The Widening of National Highway No. 4B is in progress at present and it is necessary to lay waterways before its completion. Above National Highway No. 4B widening for Jawaharlal Nehru Port Trust and financial assistance from Jawaharlal Nehru Port Trust for Naval work, will receive permission immediately and in this regard Chief Engineer, M.L.A Thane with the project director of National Highway Authority. The proposal was also submitted after a face to face meeting on 7.11.2016 and it was clarified that permission would be granted soon. I had a discussion in your hall on dt. 24.12.2016 and you have approved the

increased expenditure in principle. Accordingly, a budget has been prepared for laying the pipeline parallel to National Highway No.4 B and the estimated cost of the proposal is Rs. 55.09 Crore and it will increase by Rs. 10.29 Crore, its original amount is more than proposed amount.

Therefore you are kindly requested to approve the revised proposal and the incremental cost involved.

Encl: letter

(Devendra Landge)
Superintendent Engineer
M.L.A Board, Panvel

- Copy: Resp. Member Secretary, Maharashtra Life Authority, Mumbai for information
- Copy: Resp. Chief Engineer, Maharashtra Life Authority, Thane for information
- Copy: Resp. Manager, Jawaharlal Nehru Port Trust, Old Sheva, Tal Uran for information
- Copy: Executive Engineer (J.V.) M.L.A Department, Panvel for information

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ANNEXURE "R2-10"

Form-2

APPLICATION FOR PRIOR ENVIRONMENTAL CLEARANCE

S. No.	Item	Details				
1.	<p>Whether it is a violation case and application is being submitted under Notification No. S.O.804(E) dated 14.03.2017 ?</p> <p>Details of Project:</p> <p>(a) Name of the project(s)</p> <p>(b) Name of the Company / Organisation</p> <p>(c) Registered Address</p> <p>(d) Legal Status of the Company</p> <p>(e) Joint Venture</p>	<p>No</p> <p>Fresh Environmental Clearance for balance work of 4th container terminal and marine container terminal JAWAHARLAL NEHRU PORT TRUST Jawaharlal Nehru Port Trust Admin Building Sheva Uran Navi Mumbai, Navi Mumbai, Raigad, Maharashtra-400707 Central Government No</p>				
2.	<p>Address for the correspondence:</p> <p>(a) Name of the Applicant</p> <p>(b) Designation (Owner/ Partner/ CEO)</p> <p>(c) Address</p> <p>(d) Pin code</p> <p>(e) E-mail</p> <p>(f) STD Code.</p> <p>(g) Fax No.</p> <p>(h) Copy of documents in support of the competence/authority of the person making this application to make application on behalf of the User Agency .</p>	<p>Shri Sunilkumar Vishnu Madhbhavi CMPPD NIL 400707 cmppd.jnpt@gmail.com 22(f) Telephone No. 0222724178</p> <p>Annexure-Uploaded Copy of documents in support of the competence/authority</p> <p>27245146</p>				
3.	<p>Category of the Project/Activity as per Schedule of EIA Notification, 2006:</p> <p>(a) Project/Activity</p> <p>(b) Category</p> <p>(c) Proposal Number</p> <p>(d) Master Proposal Number (Single Window)</p> <p>(e) EAC concerned (for category A Projects only)</p> <p>(f) Project Type</p>	<p>7(e) Ports, Harbours A IA/MH/MIS/75011/2018 SW/105571/2019 INFRA-2 Fresh EC</p>				
4.	<p>Location of the Project:</p> <p>(a) Plot/Survey/Khasra No.</p> <p>(b) Pincode</p> <p>(c) Bounded Latitudes (North)</p> <p>(d) Bounded Longitudes (East)</p> <p>(e) Survey of India Topo Sheet No.</p> <p>(f) Uploaded Topo Sheet File</p> <p>(g) Maximum Elevation Above Means Sea Level (AMSL)</p> <p>(h) Uploaded (kml) File</p> <p>(i) Distance of Nearest HFL from the project boundary within the study area</p> <p>(j) Seismic Zone</p>	<p>NA 400707 FROM 18 To 19 FROM 72 To 73 E43H1 Copy of Topo Sheet File 5 Copy of Kml File  0 3</p>				
5.	<p>(a) Number of States in which Project will be Executed</p> <p>(b) Main State of the project</p>	<p>1 Maharashtra</p>				
Details of State(s) of the project						
S. No.	State Name	District Name	Tehsil Name	Village Name		
(1.)	Madhya Pradesh	Damoh	Damoh	badyau		
(2.)	Maharashtra	Raigad	Uran			
6.	<p>Details of Terms of Reference (ToR):</p> <p>(a) Whether TOR is mandatory for submitting application</p> <p>(b) MoEF&CC / SEIAA File Number</p> <p>(c) Date of Apply of TOR</p> <p>(d) Date of Issue of TOR / Standard ToR</p> <p>(e) Previous TOR Letter</p>	<p>Yes NIL NIL NIL NIL</p>				
7.	<p>Details of Public Consultation:</p> <p>(a) Whether the Project Exempted from Public Hearing?</p> <p>(b) Reason</p> <p>(c) Supporting Document</p>	<p>Yes Public Hearing exempted under clause 7(ii) of EIA Copy of Supporting Document</p>				
8.	Details of Project Configuration/Product:					
8.1. Project Configuration						
S. No.	Plant/Equipment/Facility	Configuration	Remarks			
(1.)	Rail Mounted Gantry Cranes	04 Nos.	For Phase I & II			
(2.)	Rubber Tyres Gantry Cranes	36 Nos.	For Phase I & II			
(3.)	Tractor Trailers	120 Nos.	For Phase I & II			
(4.)	Rail Mounted Quay Cranes	12 Nos.	For Phase I & II			
8.2. Product						
S.	Product/Activity	Quantity	Unit	Other Unit	Mode of Transport /	Other Mode of

	(a)Acquired Land(Ha)	0
	(b)Land yet to be acquired(Ha)	0
	(c)Status of Land acquisition if not acquired	0
27.	Rehabilitation and Resettlement (R&R): (a)No. of Villages (b)No. of Households (c)No. of PDFs (Project Displaced Families) (d)No. of PAFs (Project Affected Families) (e)Funds Allocated for R&R(In INR) (In Lacs) (f)Status of R&R	0 0 0 0 0 In-Progress
28.	Details of Presence of Schedule-I Species: (a)Whether there is Presence of Schedule-I Species ? (b)Whether conservation plan for Schedule-I Species has been prepared ? (c)Whether conservation plan for Schedule-I Species has been approved by competent authority ?	No No No
29.	Details of Presence of Water Bodies in Core Area: (a)Whether there is Presence of Water Bodies in Core Area ? (b)Whether there is Diversion Required ? (c)Whether permission has been obtained from competent authority ?	No No No
30.	Details of Presence of Water Bodies in Buffer Area: (a)Whether there is Presence of Water Bodies in Buffer Area ? (i)Details of Water Bodies in Buffer Area (ii)Direction of Water Bodies in Buffer Area (iii)Distance of Water Bodies in Buffer Area	Yes Nhava Creek South 2
31.	Manpower Requirement: (a)Permanent Employment-During Construction (b)Permanent Employment-During Operation (c)Temporary Employment- During Construction (d)Temporary Employment- During Operation (e)No. of working days (f)Total Manpower	50 20 100 30 365 200
32.	Green Belt in Ha: (a)Total Area of Green Belt (b)Percentage of Total Project Area (c)No. of Plants to be Planted (d)Funds Allocated for Plantation (e)Uploaded Green Belt plan	10 9.09 1000 4500000 Copy of Green Belt plan
33.	Project Benefits	
S. No.	Type of Project Benefits	Details of Project Benefits
		NIL

34. CRZ Specific Details

S. No.	Item	Details
1.	Project Details: (a)CRZ Classification (b)Location Type (c)Details of Mangroves Land Involved, if Any (d)Area of Mangroves Land (hectare) (e)EIA (Terrestrial) Studies (i)Summary Details of EIA (Terrestrial) Studies (ii)Uploaded Recommendation made in EIAs (iii)Period of Study from (EIA Terrestrial) (iv)Period of Study To (EIA Terrestrial) (f)EIA (Marine) Studies (i)Summary Details of EIA (Marine) Studies (ii)Uploaded Recommendation made in EIAs (iii)Period of Study from (EIA Marine) (iv)Period of Study to (EIA Marine) (g)Disaster Management Plan/National Oil Spill Disaster Contingency Plan	IV Non-Eroding Coast 0 0 Carried Out The EIA was carried out from January 2018 to Octob Copy of Recommendation made in EIAs 01 Jan 2018 31 Oct 2018 Carried Out The EIA was carried out from January 2018 to Octob Copy of Recommendation made in EIAs 01 Jan 2018 31 Oct 2018 Yes
2.	Description of the Project Under Consideration: (a)Type of Project (i)Agency Name for Preparing CRZ Maps (ii)Exploration or Development (iii)Depth of Sea Bed (iv)No. of Rigs/Platform (v)Details of Group Gathering Stations	Offshore Structures Institute of Remote Sensing, Anna University, Chen Development
3.	Distance of Project (in meters) from Itl/htl to be stated : (a)Clause of CRZ Notification Under which the Project is a Permissible/Regulated Activity (b)Whether CRZ Map Indicating HTL,LTL Demarcation in	IV Yes

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	<p>1:4000 Scale Prepared?</p> <p>(i)Distance of Project (in meters) from HTL to be Stated</p> <p>(ii)Uploaded Maps(Shape File)</p> <p>(iii)Distance of Project(in meters) from LTL to be Stated</p> <p>(iv)Uploaded Maps(Shape File)</p> <p>(c)Whether Project Layout Superimposed on CRZ Map 1:4000 Scale ?</p> <p>(d)Whether CRZ Map 1:25000 Covering 7 km Radius Around Project Site Prepared ?</p> <p>(e)Whether CRZ Map Indicating CRZ-I,II,III and IV Including Other Notified ESAs Prepared</p> <p>(f)NOC from State Pollution Control Boards Obtained</p> <p>(i)Copy of NOC</p> <p>(g)Details of Rain Water Harvesting System</p>	<p>1</p> <p>Copy of Maps</p> <p>1</p> <p>Copy of Maps</p> <p>No</p> <p>No</p> <p>No</p> <p>Yes</p> <p>Copy of NOC</p>
4.	<p>Recommendation of State Coastal Zone Management Authority:</p> <p>(a)Copy of CZMA</p> <p>(b)State the Conditions Imposed</p> <p>(c)Social and Environmental Issues and Mitigations Measures Suggested Including but not Limited to R&R, Water, Air, Hazardous Wastes, Ecological aspects, etc. (Brief Details to be Provided)</p>	<p>Copy of CZMA</p> <p>--</p> <p>Included in chapter 5</p>

35. Sector Specific Details For INFRA-2

S. No.	Item	Details	
1.	<p>Details of Building Construction:</p> <p>(a)Maximum Height of the Building (Meters)</p> <p>(b)Total No. of Flats to be Build</p> <p>(c)No. of Buildings</p> <p>(d)Total plot area (sqm)</p> <p>(e)Total built up area (sqm)</p>	<p>26</p> <p>0</p> <p>5</p> <p>1165000</p> <p>71000</p>	
2.	<p>Foreshore Facilities and/or Marine Disposal:</p> <p>(a)Whether Project Involves Foreshore Activities and/or marine Disposal?</p> <p>(b)Upload Shoreline Study</p> <p>(c)Type of Cargo</p> <p>(d)Quantity of Cargo</p> <p>(e)Control Measures of Cargo</p> <p>(f)Dust Control Measures</p> <p>(g)Quantum</p> <p>(h)Quantity of Dredging (Cubic meter per day)</p> <p>(i)Type of Dredging</p> <p>(j)Disposal of Dredge Material</p> <p>(k)Details of Outfall Diffusers</p> <p>(l)No. of Dilution Expected</p> <p>(m)Distance at which the Outlet will Reach Ambient Parameters</p> <p>(n)Details of Monitoring at Outfall</p> <p>(o)Copy of NoC from PCB in case of Marine Disposal</p>	<p>Yes</p> <p>Copy of Shoreline study</p> <p>Container</p> <p>2.4</p> <p>NA</p> <p>Water Sprinkling</p> <p>...</p> <p>100000</p> <p>Capital</p> <p>At DS3 location</p> <p>...</p> <p>...</p> <p>..</p> <p>...</p> <p>...</p> <p>Copy of NoC</p>	
3.	<p>Rain Water Harvesting:</p> <p>(a)No. of Storage</p> <p>(b)Capacity</p> <p>(c)No. of Recharge Pits</p> <p>(d)Capacity</p>	<p>0</p> <p>0</p> <p>0</p> <p>0</p>	
4.	<p>Parking:</p> <p>(a)Details of 4 Wheeler/ 2 Wheeler Parking</p>	<p>100</p>	
5.	<p>Energy Saving Measures:</p> <p>(a)Source/Mode</p> <p>(b)Percentage</p> <p>(c)Quantity</p>	<p>NA</p> <p>...</p> <p>...</p>	
6.	<p>Other details:</p> <p>(a)Details of impact on Water Bodies and Drainage patters of catchment area</p> <p>(b)Details of Traffic Density Impact Assessment and Modelling Study</p> <p>(c)In case Underground Tunnel Project below the Forest Land - Subsidence Impact Study report</p>	<p>NA</p> <p>Copy of Details of Traffic Density Impact Assessment and Modelling Study</p> <p>Copy of Underground Tunnel Project below the Forest Land - Subsidence Impact Study report</p>	
7.	Type of Industries to be established with Industrial Estate as per their category A/B		
S. No.	Type of Industry	No. of Units	Category A/B
NIL			
8.	Length of the alignment	N/A	
9.	Details Bridges/ROB/Interchanges,Flyovers,Vehicle Underpass and Pedestrian Underpass		
Details Not Applicable			
S. No.	Item	Details	
36.	Details of Court Cases:		

ANNEXURE "R2-11"

Minutes of the 271st meeting of Expert Appraisal Committee held on 26th - 27th August, 2021 through Video Conferencing 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 Complexes7(c); Ports, harbours, breakwaters, dredging7(e) and National Highways7(f)

The 271st Meeting of Expert Appraisal Committee (EAC) of Infra-1 (IA-III) was held through Video Conferencing at the Ministry of Environment, Forest & Climate Change (MoEF&CC), Indira Paryavaran Bhavan, New Delhi on **26th August, 2021** under the Chairmanship of Dr. Deepak Arun Apte. A list of participants is annexed as **Annexure-A**.

1. OPENING REMARKS OF THE CHAIRMAN

At the outset, Dr. Deepak Arun Apte, 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 under taken by the Ministry under Infra-1 Division.

2. CONFIRMATION OF THE MINUTES OF THE LAST MEETING

The Committee confirmed the Minutes of 269th EAC meeting held on 10th August, 2021.

3. AGENDA WISE CONSIDERATION OF PROPOSALS:

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

Agenda No.3.1

Construction of 2/4 lanning road with paved shoulder and NH configuration from Gopalpur-Satpada in the state of Odisha under Bharatmala Pariyojana by M/s National Highways Authority of India - Terms of Reference [Proposal No. IA/OR/NCP/224593/2021 and File No. 10/36/2021-IA.III]

"The EAC noted that the Project Proponent and the consultant have given in the application and enclosures are true to the best of their knowledge and belief and no information has been suppressed in the 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."

3.1.1. The project proponent M/s National Highways Authority of India made a presentation along with the consultant M/s Chaitanya Projects Consultancy Pvt. Ltd. through Video Conferencing and provided the following information-

3.1.2. The proposed project is of the highway 516-A starts from its junction with NH-516 near Gopalpur Port (19°18'43 "N 84°57'20"E) in Ganjam district and terminates at its junction with NH-316 near Satpada (19°40'56"N 85°27'48"E) in Puri District, Odisha. The length of the proposed alignment is approx.72.00 km. The proposed Right of Way (RoW)

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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 become part of EMP and shall be implemented.

Agenda No. 3.4

**Amendment in Environmental and CRZ Clearance for balance work of 4th container terminal and marine container terminal by M/s Jawaharlal Nehru Port Trust, Navi Mumbai, Maharashtra
[Proposal No. IA/MH/NCP/224762/2021 and File No. 10-32/2018-IA.III]**

The EAC noted that the Project Proponent and the consultant have given in the application and enclosures are true to the best of their knowledge and belief and no information has been suppressed in the 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."

The EAC noted that the proponent has not submitted the necessary recommendations from SCZMA. The EAC, thus **deferred** the proposal and directed PP to submit recommendation from SCZMA for further consideration of the project.

Agenda No. 3.5

**Development of 6 lane Access Controlled Greenfield Highway of Shamli – Ambala Sec. from Km Ch. 0+000 to Km Ch. 120+970 (Total length: 120.970 km) in the States of Uttar Pradesh and Haryana under Bharatmala Pariyojana Phase II (Lot-9/Package-1) by M/s National Highways Authority of India - Terms of Reference
[Proposal No. IA/HR/NCP/221492/2021 and File No. 10/33/2021-IA.III]**

"The EAC noted that the Project Proponent/consultant has given under taking 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 the 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"

3.5.1 The project proponent along with EIA consultant M/s Ambiental Global Private Limited, GZB made a presentation before EAC in its 271st meeting on 26th – 27th August, 2021 through Video Conferencing and provided the following information-

3.5.2 The proposed project is for development of 6-Lane Access Controlled Greenfield Highway of Shamli– Ambala Section from Km Ch. 0+000 to Km Ch. 120+970 in the States of Uttar Pradesh and Haryana under Bharatmala Pariyojana Phase II (Lot-9/Package-1)". The proposed highway starts (Start Location: 29° 32'57.51" N 77°26'33.68"E) from Village Gogwan Jalalpur near Thanabhawan in district Shamli of Uttar Pradesh State and terminates (End Location: 30°24'48.27" N, 76° 47'1.26"E) on Ambala-Chandigarh

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ANNEXURE "R2-12"



जवाहरलाल नेहरू पोर्ट ट्रस्ट
JAWAHARLAL NEHRU PORT TRUST

ISO 9001 : 2015
ISO 14001 : 2015
ISO 27001 : 2013
OHSA 45001 : 2018

पतन कार्यालय : प्रशासन भवन, शेवा, नवी मुंबई - 400 707; Port Office : Administration Bldg Sheva, Navi Mumbai - 400 707;
मुख्य नगरपालिका अधिकारी Chief Vigilance Officer-(022) 2724 2202; मुख्य प्रबंधक (प्रशासन) एवं सचिव Chief Manager (Admin) & Secy (022) 2724 2233;
मुख्य प्रबंधक (वातावरण) Chief Manager (Traffic)-(022) 2724 2377; मुख्य प्रबंधक (सं. एवं. वि. अ.) Chief Manager (M&EE)-(022) 2724 2218;
मुख्य प्रबंधक (वित्त) Chief Manager (Fin)-(022) 2724 2241; मुख्य प्रबंधक (ग. पो. वि.) Chief Manager (PP&D)-(022) 2724 2326;
उप-संरक्षक Dy. Conservator (022) 2724 2301; हार्बर मास्टर Harbour Master - (022) 2724 4173.
Website : www.jnport.gov.in E-mail : info@jnport.gov.in

JNPT/PPD/4CT/EC/2021/16

Date: 01.09.2021

The Member Secretary,
Maharashtra Coastal Zone Management Authority,
Environment Department,
15th Floor, New Administrative Building,
Madam Cama Road, Mumbai - 400 020

Subject : Amendment in Environmental/CRZ Clearance for balance work of 4th container terminal and marine container terminal by M/s Jawaharlal Nehru Port Trust, Navi Mumbai, Maharashtra. (Change in layout-reclamation shape).

Reference : Environmental Clearance no. F.No.10-32/2018-IA-III dated 9th October, 2019.

Sir,

With reference to above subject matter we hereby wish to inform you that, the Environmental Clearance has been granted by the EAC (Infra-2) in its 27th meeting of Expert Appraisal Committee (Infra-2) held on 25th January 2018, along with condition to apply afresh for extension of validity of the Environmental Clearance. Accordingly JNPT has applied and obtained Terms of Reference for Fresh Environmental Clearance for balance work Construction of 4th container terminal and marine container terminal on 13.06.2018.

As directed in ToR JNPT has prepared Environmental Impact Assessment Report and applied for fresh recommendations from Maharashtra Coastal Zone Management Authority. The project was recommended to MoEF&CC by the MCZMA in its 130th meeting held on 01.03.2019. Subsequently, the EAC recommended the Environmental Clearance for balance work of 4th Container terminal and Environmental Clearance issued by MoEF&CC vide its letter dated 09/10/2019.

Now, the layout has been revised for Phase II facilities of 4th Container terminal for operational point of view to increase the efficiency of the terminal. In the revised layout, the shape of reclamation of Phase II facilities has been modified taking into consideration operational efficiency. Now it is proposed for amendment in Environmental Clearance dated 09/10/2019 due to revised layout. As you are aware that we have already obtained the Environmental Clearance for the project by conducting public hearing for the same. Now we are slightly changing the reclamation shape from triangular shape to cylindrical shape only for operational efficiency. It's a slight modification in the reclamation area only and rest of the project profile remain the same.

As the subject project is considered under the "PRAGATI Programme" monitored by the PMO, GoI and needs to be executed at the earliest. This office its application no. IA/MH/NCP/224762/2021 and file no. 10-32/2018-IA.III made application to MoEF&CC for amendment in Environmental Clearance on 16/08/2021 & it was discussed before EAC of MOEF&CC on 26th August 2021 and recommended to get it approved from MCZMA first. We are therefore applying herewith for obtaining amendment in Environmental & CRZ Clearance for above said project due to revised layout.

We request you to kindly include our project in forthcoming meeting MCZMA and recommend project to MoEF&CC for further process.

Thanking You

आयकर अधिकारी (नं. शा.)
पर्यावरण व वातावरणमय बदल विभाग
मंत्रालय, मुंबई ४०० ०३०

Yours faithfully,

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

Encl:- 1/1

मुंबई कार्यालय : 1107, राहेजा सेंटर, 214, प्री प्रेस जर्नल मार्ग, नरिमन पॉइंट, मुंबई - 400 021. दूरभाष : 91-22-6616 5600 फॅक्स : 91-22-6743 1116.
MUMBAI OFFICE : 1107, RAHEJA CENTRE, 214, FPJ MARG, NARIMAN POINT, MUMBAI - 400 021. TEL : 91-22-6616 5600 FAX : 91-22-6743116
हमेशा हिन्दी में संचार करके देश का गौरव बढ़ाएँ।

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ANNEXURE "R2-13"

GOVERNMENT OF MAHARASHTRA

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

No. CRZ 2021/ CR 145 /TC 4
Office of the -
Environment & CC Department, 15th floor,
New Administrative Building, Mantralaya,
Mumbai- 400 032.
Date: 16th September, 2021

To,
Director,
Coastal Regulation Zone,
Ministry of Environment, Forest and Climate Change, New Delhi,
Indira Paryavaran Bhavan, Jor Baug Road, New Delhi

- Subject:** Amendment in CRZ and Environment Clearance for project of balance work of 4th Container Terminal and Marine Container Terminal (Phase II) at JNPT, Navi Mumbai, District Raigad by JNPT.
- Ref:** 1) Application dated 2nd September, 2021 by the JNPT
2) MoEF&CC, New Delhi letter dated 15th September, 2021 in the subject matter.

The project of 4th Container Terminal and Marine Container Terminal (4th Terminal) is planned to carry out in 2 phases with capacity of 2.4 million TEU in each phase. Phase I involves berth of 1 km length with 90 Ha of reclamation for stack yard. Phase I is completed in December, 2017. Phase II involves construction of berth of 1 km length with 110 Ha of reclamation for stack yard. The project i.e. 4th Terminal earlier received the Environment clearance (EC) dated 28th July, 2008 under CRZ Notification, 1991 and EIA Notification, 2006, by MoEF, New Delhi for 200 Ha reclamation. The validity of the said EC was upto year 2018. Further, JNPT submitted an application for grant of CRZ and EC for balance work of 4th Terminal (Phase II) and TOR was granted on 29th -30th May, 2018 by EAC, New Delhi. As per condition of TOR, the JNPT submitted application to MCZMA seeking CRZ recommendation, which was deliberated in 130th meeting of the MCZMA and accordingly, the proposal was recommended to MoEF&CC, New Delhi from CRZ point of view on 12th June, 2019. Accordingly, the MoEF&CC, New Delhi granted CRZ and EC on 09th October, 2019.

2. Now, the JNPT has submitted revised application for amendment in the said CRZ and EC on 16th August, 2021, on account of proposed change in layout of reclamation. The said application was discussed in EAC, New Delhi on 26.8.2021 and recommended to seek recommendations of MCZMA first. Accordingly, JNPT submitted an application to MCZMA on 02nd September, 2021.

3. The Environment and Climate Change Department, GoM noted that at present, the tenure of MCZMA has expired on 05th July, 2021 and as per amendment dated 3rd May, 2017 in CRZ Notification, 2011 at para 4.2 which states as follows:

"In case the CZMAs are not in operation due to their reconstitution or any other reasons, then it shall be responsibility of the Department of Environment in the State Government or Union territory Administrations, who are the custodian of the Coastal Zone Management Plans of respective States or Union Territories to provide comments and recommend the proposals in terms of the provisions of the said notification to the Ministry of Environment, Forest and Climate Change"

Accordingly, a meeting under chairmanship of Principal Secretary (Environment and Climate Change), through Videoconferencing on 16th September, 2021 to deliberate the said proposal.

4. The JNPT officials presented that the 4th Terminal (Phase II) will be developed in the Port Water limits of JNPT including reclamation, berths dredging, and utilities. The layout has been revised for Phase II facilities of 4th Terminal for operational point of view to increase the efficiency of the Terminal. The dredging footprint will also be optimized to have less annual siltation and safe navigation. The Ship simulation study has been carried out for the same through M/s ARI for safe navigation taking into consideration existing facilities in and around the Fourth Container Terminal. The modification in layout in the form change in shape of reclamation is based on the operational point of view for better efficiency in the movement of tractor trailers to reduce the turnaround time of the vessel, as compared to the layout submitted to MoEF for obtaining EC.

As submitted by the JNPT, details of the 2 phases of project:

Sr No.	Project scope as per approved EC	Phase I	Phase II
1	Berth: Berth length of 2000 m x 61 m	1000 m x 61 m completed	1000 m x 61 m
2	Dredging: In Manoeuvring area (-) 13.1 m CD and in Berth pockets (-) 16.5 m CD	Approx. 110 Ha. area dredged including berth pockets Completed 10 Million Cu. M.	Approx. 100 Ha. dredging up to 16.5 m below CD 9 Million Cu. M.
3	Approach Bridges	05 Nos. completed	05 Nos in Phase II
4	Reclamation: Reclamation area about (200 Ha) for development of storage yard, internal roads, railway, railway	90 Ha completed	110 Ha

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	container depot, parking area, office and other operating building, container terminal gate complex etc.		
5	Road and Rail connectivity		
	Upto 12 lane connecting road (4.8 km) upto Nhava Sheva Police Station	12 lane access road filling completed and 6 lane in operation	Additional 6 lane road in Phase II
	Rail Container Depot for evacuation by Rail	One rail yard with 4 loop lanes-completed	Rail yard with additional 2 loop lines

5. Comparative statement of earlier EC versus proposed amendment:

Sr No.	Civil Infrastructure	Balance Work (As per earlier EC)	Amendment Required
1	Berth Length	1000 m and guide bund of 200 m	No Change
2	Dredging Volume	15 million cum	15 million cum (Likely to reduce due to optimization)
	Maneuvering area	(-) 15.0 m CD	No Change
	Berth Pockets	(-) 16.4 m CD	
3	Approach Trestles	5 Nos.	No Change
4	Reclamation	110 Ha	110 Ha area is same. Shape is slightly modified.
5	Connectivity	Connecting road (4.8 km) up to Nhava Sheva Police Station with 12 lane Additional Rail Container Depot for evacuation by Rail	No Change
6	Other Installations	Public Buildings and Gate Complex, Utilities etc.	No Change

6. The Department noted that as per the CZMP approved under CRZ Notification, 2011 by MoEF&CC, New Delhi, site of balance work of 4th CT project is situated in CRZ IV area. The JNPT has submitted the CRZ survey report and CRZ map in 1:4000 scale prepared by IRS, Chennai (MoEF authorized agency). As per the said CRZ map, the site for proposed revised layout of 4th Terminal (Phase II) at JNPT, Navi Mumbai falls in CRZ IV A and CRZ IV B area

as per existing approved CZMP under CRZ Notification, 2011. Details of the CRZ areas in the proposed project site as per report of IRS, Chennai:

S. No.	Description	CRZ classification	Area in Sqm	Total area in Sqm
1	Proposed Approach Trestle	CRZ IV A	1,82,808.01	1,87,978.50
		CRZ IV B	5,170.49	
2	Proposed Dredging Area phase 2	CRZ IV A	4,77,857.82	4,77,857.82
3	Proposed Phase – 2 yard	CRZ IV A	2,60,998.58	9,92,152.19
		CRZ IV B	7,31,153.61	
4	Proposed Wharf	CRZ IV A	1,26,522.92	1,26,522.92

7. The Department further noted that the JNPT has submitted the EIA report for the project stating the impact of the project and its mitigation measures. JNPT has also submitted the report of the Central Water Power Research Station, Pune (CWPRS) with respect to hydrocyanic studies and impact of revised shape of reclamation on flow conditions of surrounding regions.

8. As per EIA report, in the project area, there is no disturbance / cutting/ transplanted of any marine vegetation including mangroves. During the meeting, the JNPT officials assured that all the recommendation of the EIA report regarding mitigation measures and environment Management Plans would be complied with. The Department noted that approved CZMP, 2011 has identified ecologically sensitive areas as CRZ IA area (biologically active mudflats and mangroves) situated backside of the proposed balance work of 4th Terminal in the creek area. The said ESA areas are habitat for marine life and fisheries and are vital for sustaining fisheries in the area. JNPT to ensure that tidal influx should not be hampered in the said ESA areas.

9. The Department discussed the report of the CWPRS and noted that earlier shape of reclamation was triangular in continuation with phase I reclamation. Taking into consideration hydrodynamic flow around the project area and operational purposes of the project, the CWPRS has suggested the revised shape of reclamation in the form of stepped up rectangular shape. The CWPRS report states that the flow conditions observed on the model to assess the impact of modified shape of reclamation indicates that, there is considerable reduction in the size of the eddy on the leeward side of reclamation and eddy happens to remain only for half an hour with practically no change in flow field (current strength) at various waterfront facilities at Karanja / Mora Pier compared to that with existing condition. The report further states that the shape of reclamation suggested by CWPRS may not lead to adverse effect on morphology of Uran area as well as on operability of waterfront facilities in the nearby region as the eddy on leeward side of reclamation is small in size and prevails for half an hour during flood tide only especially during spring tide. The CWPRS report concludes that there is insignificant variation in current / wave conditions due to change in shape of reclamation on nearby waterfront facilities. Thus, revised

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stepped up rectangular shape of reclamation is considered as a suitable layer of reclamation for the development of 4th Terminal (Phase II) at JNPT from tidal / wave hydrodynamic conditions.

10. The Department discussed the issue of disposal of dredged material. The EIA report mentions that, dredged material cannot be used for any other purpose as the material is not suitable for reclamation or any other construction. IIT Mumbai has done a study and also suggested that the dredged material cannot be used in reclamation. Hence, it is proposed to disposed off the dredged material at the pre-designated site DS-3, as identified by CWPRS.

11. The Department further noted Hon'ble NGT order dated 27th February, 2015 passed in Appeal no 9/2013 (Ramdas Koli V/s Secretary, MoEF & ors). Further, it was also noted that recently, as per directions of Hon'ble NGT, Principal Bench, New Delhi, a committee comprising representatives of MoEF&CC, New Delhi, District Collector, Raigad, MCZMA, MPCB was constituted in the matter of appeal no. 9/2021 (I.A No. 18/2021) challenging the CRZ and EC dated 9th October, 2019 granted by MoEF&CC for the 4th Terminal (Phase II) project and other issues of fisherfolks.

12. The Department noted that Committee in its report has taken cognizance of revised layout of reclamation. Accordingly, Committee has prescribed certain suggestions, which was also deliberated during the meetings under the Chairmanship of Hon'ble Chief Secretary, GoM, wherein commissioner Fisheries was also present. In view of report of the committee and above said deliberations, the Department observed the followings:

- a. Committee constituted by Hon'ble NGT noted that the balance work of 4th Terminal will likely impact the traditional fishing in the area. Intertidal fishing is the main livelihood of the local fisherfolks, JNPT need to look into consideration that traditional fishing practices of local fisherfolks should not be hampered due to project. Committee further suggested that JNPT to ensure that EIA report should add a detail chapter on impact of revised reclamation on traditional fishing practices of local fisherfolks and mitigation measures for the same. It was further noted by the Committee that JNPT to ensure that fishing practices of the local fisherfolks should not be hampered during construction and operation of the project.

The Department noted that the JNPT vide letter dated 16th Sep, 2021 submitted additional details.

- b. Committee also suggested that for revised application, NoC from the Commissioner, Fisheries be obtained by JNPT with a view to safeguard the local traditional fishing and livelihood of fisherfolks. The Department discussed the issue with the JNPT and during the presentation, the JNPT informed that office of Commissioner, Fisheries has already been approached in the matter.

13. The Department further discussed that there is earlier CRZ & EC dated 9th October, 2019 for the balance work of 4th Terminal (Phase II) by MoEF&CC, New Delhi. And now, JNPT is seeking the amendment in the said EC, due to change in shape of reclamation. Area of reclamation remains same i.e. 110 Ha. The Department noted that port, jetty activities are permissible under provisions of the CRZ Notification, 2011 and hence, the proposal could be recommended to MoEF&CC, New Delhi within the framework of CRZ Notification, 2011.

14. In the light of above, after deliberations, the Environment and Climate Change Department, GoM decided to recommend the amendment proposal from CRZ point of view to MoEF&CC, New Delhi subject to compliance of following conditions:

Specific Conditions:

- 1) JNPT to ensure that the proposed balance work of 4th Terminal (Phase II) is as per provisions of the CRZ Notification, 2011 (amendment from time to time)
- 2) JNPT to ensure that ecologically sensitive areas like mangroves & biologically active mudflats) are situated behind the 4th Terminal, as identified in approved CZMP, 2011 should not be disturbed and free flow of tidal influx is ensured in the region.
- 3) As recommended by committee constituted by Hon'ble NGT, JNPT should ensure that fishing practices of the local fisherfolks and livelihood of local fisherfolks shall not be hampered due to proposed project.
- 4) JNPT should obtain NoC from the Commissioner, Fisheries with a view to safeguard the local traditional fishing and livelihood of fisherfolks
- 5) JNPT should carry out Hydrodynamic modelling studies post construction of project to comprehend the tidal flow pattern in and around the project area, with an objective that tidal water should reach in creek wherein mudflats & mangroves area present, as identified in approved CZMP, 2011.
- 6) JNPT to ensure that dredged material should not be dumped in the sea/ creek near JNPT and should strictly disposed at site of DS-3 as per recommendations of the CWPRS.
- 7) JNPT should implement Environment Management plan for the project effectively and efficiently during construction and operational phase of the project to ensure that coastal environment is protected. It is also suggested to have a third-party monitoring/Audit of all such management initiatives by Govt agency during and after completion of project from time to time.
- 8) Debris generated during the project activity should not be dumped in CRZ area. It should be processed scientifically at a designated place.
- 9) PP to ensure that best industrial practices should be followed for fire safety measures and for conservation of coastal environment
- 10) All other conditions of the earlier EC dated 9th October, 2019 granted by the MoEF&CC, New Delhi should be complied with by the JNPT.
- 11) All other necessary permissions from different competent authorities shall be taken before commencement of the proposed activities.

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General Conditions:

- 1) The Department reserves the right to revoke this recommendation, if the conditions stipulated are not complied with to the satisfaction of the MCZMA or Environment Department.
 - 2) The Department 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.
 - 3) The clearance accorded to the projects under this 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.
 - 4) 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
15. Copy of the minutes of the proposal is attached herewith.


(Narendra Toke) 16/9/2024
Director (Environment & CC), GoM

Copy for information to:

1. **Principal Secretary**, Environment & CC Dept, Room No. 217, Annex Building, Mantralaya, Mumbai - 32
2. **Chairman, Jawaharlal Nehru Port Trust**, Navi Mumbai, District: Raigad.
3. **Director, Regional Office (WCZ)**, Ministry of Environment, Forest and Climate Change, Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur-440001
4. **Member Secretary**, Maharashtra Pollution Control Board, 3rd & 4th floor, Kalpataru Point, Sion Circle, Sion (E), Mumbai.
5. **District Collector**, Raigad, Tal: Alibaug, District: Raigad.
6. **Select File- TC 4**

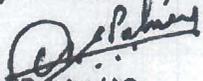
ANNEXURE "R2-14"

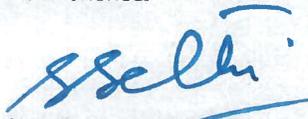
Minutes of the meeting held between the Chairman JNPT and the Commissioner (Fisheries) on
16th Sept, 2021

1. The following officials were participated in the meeting.

Govt of Maharashtra	JNPT
1. Shri Atul Patane (IAS), Commissioner, Fisheries, 2. Shri. Rajendra Jadhav, Dy Commissioner	1 Shri Sanjay Sethi, IAS, Chairman 2. Shri Unmesh Sharad Wagh, IRS, Dy Chairman 3. Shri G., Valdyanathan, Chief Manager (PPD) 4. Shri V.G. Gharat, Manager (PPD) 5. Shri Ramanand Jadhav, Manager (Environment)

2. At the outset, the Chairman JNPT informed that this meeting has been called pursuant to the meeting of the Chief Secretary, GoM held on 10.09.2021 regarding the follow-up action on the NGT report in the matter of Mr. Dilip Pandurang Koli & others. In the meeting, it was suggested that issues related to fishermen shall be discussed between Commissioner Fisheries and Chairman, JNPT.
3. The Chairman JNPT explained the background of the case and informed that in accordance with the NGT order of 27th April, 2015 in the matter of Shri Ramdas Koli and others, JNPT has already deposited an amount of Rs. 66.63 crores. The matter was further challenged in the Supreme Court. Amount of compensation and the affected fishermen have been worked based on the report of the District Collector, Raigad.
4. To resolve the long pending issue, the Commissioner, Fisheries suggested that appeal of JNPT in this matter can be withdrawn so that the beneficiary fishermen can get their dues and further the amount determined of Rs. 50 lakhs and restoration cost as per JNPT share as per the NGT Order to be given to Collector Raigad for activities of mangroves plantation, ensuring free passage of tidal current etc. in consultation with MCZMA. The Commissioner Fisheries also informed that even after distribution of this amount to the fishermen, if any further grievance of the affected fishermen, the same shall be examined by an expert committee as per prevalent policy and informed to JNPT for resolution. Chairman informed that JNPT remains committed to the betterment of the fishermen community and the suggestions made by the Commissioner fisheries are acceptable.
5. After discussion, Commissioner Fisheries informed that on compliance with the above suggestions, there is no separate NOC required from the Commissioner Fisheries.
6. The meeting ended with vote of thanks to the Chair.


Shri. Atul Patane IAS
Commissioner, Fisheries, GoM


Shri. Sanjay Sethi, IAS
Chairman JNPT

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ANNEXURE "R2-15"

	(a)Acquired Land(Ha)	0
	(b)Land yet to be acquired(Ha)	0
	(c)Status of Land acquisition if not acquired	0
27.	Rehabilitation and Resettlement (R&R):	
	(a)No. of Villages	0
	(b)No. of Households	0
	(c)No. of PDFs (Project Displaced Families)	0
	(d)No. of PAFs (Project Affected Families)	0
	(e)Funds Allocated for R&R(In INR) (In Lacs)	0
	(f)Status of R&R	In-Progress
28.	Details of Presence of Schedule-I Species:	
	(a)Whether there is Presence of Schedule-I Species ?	No
	(b)Whether conservation plan for Schedule-I Species has been prepared ?	No
	(c)Whether conservation plan for Schedule-I Species has been approved by competent authority ?	No
29.	Details of Presence of Water Bodies in Core Area:	
	(a)Whether there is Presence of Water Bodies in Core Area ?	No
	(b)Whether there is Diversion Required ?	No
	(c)Whether permission has been obtained from competent authority ?	No
30.	Details of Presence of Water Bodies in Buffer Area:	
	(a)Whether there is Presence of Water Bodies in Buffer Area ?	Yes
	(I)Details of Water Bodies in Buffer Area	Nhava Creek
	(ii)Direction of Water Bodies in Buffer Area	South
	(III)Distance of Water Bodies in Buffer Area	2
31.	Manpower Requirement:	
	(a)Permanent Employment-During Construction	50
	(b)Permanent Employment-During Operation	20
	(c)Temporary Employment- During Construction	100
	(d)Temporary Employment- During Operation	30
	(e)No. of working days	365
	(f)Total Manpower	200
32.	Green Belt in Ha:	
	(a)Total Area of Green Belt	10
	(b)Percentage of Total Project Area	9.09
	(c)No. of Plants to be Planted	1000
	(d)Funds Allocated for Plantation	4500000
	(e)Uploaded Green Belt plan	Copy of Green Belt Plan
33.	Project Benefits	
S. No.	Type of Project Benefits	Details of Project Benefits
NIL		

34. CRZ Specific Details

S. No.	Item	Details
1.	Project Details:	
	(a)CRZ Classification	IV
	(b)Location Type	Non-Eroding Coast
	(c)Details of Mangroves Land Involved, if Any	0
	(d)Area of Mangroves Land (hectare)	0
	(e)EIA (Terrestrial) Studies	Carried Out
	(i)Summary Details of EIA (Terrestrial) Studies	The EIA was carried out from January 2018 to Octob
	(ii)Uploaded Recommendation made in EIAs	Copy of Recommendation made in EIAs
	(iii)Period of Study from (EIA Terrestrial)	01 Jan 2018
	(iv)Period of Study To (EIA Terrestrial)	31 Oct 2018
	(f)EIA (Marine) Studies	Carried Out
	(i)Summary Details of EIA (Marine) Studies	The EIA was carried out from January 2018 to Octob
	(ii)Uploaded Recommendation made in EIAs	Copy of Recommendation made in EIAs
	(iii)Period of Study from (EIA Marine)	01 Jan 2018
	(iv)Period of Study to (EIA Marine)	31 Oct 2018
	(g)Disaster Management Plan/National Oil Spill Disaster Contingency Plan	Yes
2.	Description of the Project Under Consideration:	
	(a)Type of Project	Offshore Structures
	(i)Agency Name for Preparing CRZ Maps	Institute of Remote Sensing, Anna University, Chen
	(ii)Exploration or Development	Development
	(iii)Depth of Sea Bed	...
	(iv)No. of Rigs/Platform	...
	(v)Details of Group Gathering Stations	...
3.	Distance of Project (In meters) from lti/htl to be stated :	
	(a)Clause of CRZ Notification Under which the Project is a Permissible/Regulated Activity	IV
	(b)Whether CRZ Map Indicating HTL,LTL Demarcation in	Yes

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	1:4000 Scale Prepared? (i)Distance of Project (In meters) from HTL to be Stated (ii)Uploaded Maps(Shape File) (iii)Distance of Project(In meters) from LTL to be Stated (iv)Uploaded Maps(Shape File) (c)Whether Project Layout Superimposed on CRZ Map 1:4000 Scale ? (d)Whether CRZ Map 1:25000 Covering 7 km Radius Around Project Site Prepared ? (e)Whether CRZ Map Indicating CRZ-I,II,III and IV Including Other Notified ESAs Prepared (f)NOC from State Pollution Control Boards Obtained (i)Copy of NOC (g)Details of Rain Water Harvesting System	1 Copy of Maps 1 Copy of Maps No No No Yes Copy of NOC
4.	Recommendation of State Coastal Zone Management Authority: (a)Copy of CZMA (b)State the Conditions Imposed (c)Social and Environmental Issues and Mitigations Measures Suggested Including but not Limited to R&R, Water, Air, Hazardous Wastes, Ecological aspects, etc. (Brief Details to be Provided)	Copy of CZMA -- included in chapter 5

35. Sector Specific Details For INFRA-2

S. No.	Item	Details	
1.	Details of Building Construction: (a)Maximum Height of the Building (Meters) (b)Total No. of Flats to be Build (c)No. of Buildings (d)Total plot area (sqm) (e)Total built up area (sqm)	26 0 5 1165000 71000	
2.	Foreshore Facilities and/or Marine Disposal: (a)Whether Project Involves Foreshore Activities and/or marine Disposal? (b)Upload Shoreline Study (c)Type of Cargo (d)Quantity of Cargo (e)Control Measures of Cargo (f)Dust Control Measures (g)Quantum (h)Quantity of Dredging (Cubic meter per day) (i)Type of Dredging (j)Disposal of Dredge Material (k)Details of Outfall Diffusers (l)No. of Dilution Expected (m)Distance at which the Outlet will Reach Ambient Parameters (n)Details of Monitoring at Outfall (o)Copy of NoC from PCB in case of Marine Disposal	Yes Copy of Shoreline study Container 2.4 NA Water Sprinkling ... 100000 Capital At DS3 location Copy of NoC	
3.	Rain Water Harvesting: (a)No. of Storage (b)Capacity (c)No. of Recharge Pits (d)Capacity	0 0 0 0	
4.	Parking: (a)Details of 4 Wheeler/ 2 Wheeler Parking	100	
5.	Energy Saving Measures: (a)Source/Mode (b)Percentage (c)Quantity	NA	
6.	Other details: (a)Details of Impact on Water Bodies and Drainage patters of catchment area (b)Details of Traffic Density Impact Assessment and Modelling Study (c)In case Underground Tunnel Project below the Forest Land - Subsidence Impact Study report	NA Copy of Details of Traffic Density Impact Assessment and Modelling Study Copy of Underground Tunnel Project below the Forest Land - Subsidence Impact Study report	
7.	Type of Industries to be established with Industrial Estate as per their category A/B		
S. No.	Type of Industry	No. of Units	Category A/B
NIL			
8.	Length of the alignment	N/A	
9.	Details Bridges/ROB/Interchanges,Flyovers,Vehicle Underpass and Pedestrian Underpass Details Not Applicable		
S. No.	Item	Details	
36.	Details of Court Cases:		

**ANNEXURE "R2-17" COLLY
EXH-J
ENVIRONMENTAL IMPACT ASSESSMENT REPORT
FOR
FRESH ENVIRONMENTAL CLEARANCE FOR BALANCE
WORK OF CONSTRUCTION OF 4TH CONTAINER
TERMINAL AND MARINE CONTAINER TERMINAL
AT JAWAHARLAL NEHRU PORT TRUST**



**PROPOSED BY
JAWAHARLAL NEHRU PORT TRUST**

**PREPARED BY
GLOBAL MANAGEMENT AND ENGINEERING CONSULTANTS
INTERNATIONAL
SAHARAN TOWER, 308, OFFICERS CAMPUS EXTENSION
SIRSI ROAD, KHATIPURA, JAIPUR -302012, RAJASTHAN**

DECEMBER 2018

- The background turbidity levels are usually high. The organisms in these environments have adapted themselves to tolerate exposure to high suspended sediment concentration for a longer time. Therefore are less prone to damage by dredging activities that would increase the suspended solid content in the water column.
- The cutter Suction Dredger (CSD) is recommended as being most suitable for carrying out the dredging work. This is due to the fact that this type of dredger offers the least increase in turbidity, in comparison to other types, such as bucket or clamshell dredger. The Hopper suction Dredger also results in higher turbidity, but in any case is unsuitable for dredging where consolidated clays are encountered.

4.4.3. Impact on Flora and fauna

The port and harbour area does not have commercial fishing stations. Hence the proposed project has no impact on this resource. There is no fish breeding ground or ecologically sensitive area in the proposed reclamation area. The area is coming under intertidal zone and it will be flooded during spring tide only and for the remaining period it will be mud flats. The shifting substratum and anaerobic conditions in fine sediments collected from these mud flats do not conceive bottom dwellers, neither epifauna nor infauna. The organic content of the sediments was also very less to prove any benthic community. The intertidal area is not ecologically sensitive. Aquatic life exists in this area during flood tide and it moves to main water body with ebb tide. Reclamation of the area will not effect the fisheries potential of the port area. Hence reclamation may not have impact on ecological resources of the marine area. During reclamation, dredging and piling operations, turbidity of the water will increase. It should be noted that fish in harbour area are tolerant to variable concentrations of suspended solids. Moreover, adult fish are simply likely to move away when they detect sufficiently high suspended solids (turbidity) and are unlikely to be significantly impacted. Larvae and post-juvenile fish are more likely to be impacted as they may not be able to detect and avoid adverse conditions. But these impacts are for short periods only. Turbidity will decrease gradually at sources as well as at adjacent areas due to natural recouping capacity of the water. However, transport of sediment plume from dredging area can be prevented by using silt curtain cage during dredging.

Development of container terminal may not contribute any pollutants during operational phase as all activities are dry operational activities. Moreover, JNPT's existing marine pollution control measures can be extended to this project to maintain a 'zero' discharge zone

in the harbour area. Spillage of liquid chemical may not occur as all chemicals will be unloaded from vessels by pumping under pressure. Disaster Management Cell will be strengthened to combat any accidents.

On the basis of the above, it can be predicted that the overall impact due to terminals development may be insignificant on ecological resources

The flora shall be covered with the sediments that will be suspended and dispersed due to dredging. The fish and other nektonic organisms shall move away from the area to avoid the change in the environment. The benthos includes the organisms that live on or in the sediment at the bottom of a sea. The benthic community is complex and is composed of a wide range of plants, animals and bacteria from all levels of the food chain. It can be differentiated by their habitat: infauna is animals and bacteria of any size that live in bottom sediments, such as worms and clams. They form their own community structures within bottom sediments, connected to the water by tubes and tunnels. Epifauna are animals that live either attached to a hard surface (for example, on rocks or pilings) or move on the surface of bottom sediments. Epifauna include oysters, mussels, barnacles, snails, starfish, sponges and many other marine invertebrates.

The construction work phase would increase temporarily the water turbidity. This could affect marine flora (Phytoplankton specially) because of a decrease in the possible received light. However, this impact would be transient so the habitat loss caused is expected to be negligible, owing to the fact that marine invertebrates have greater capability to regenerate and colonies.

The Benthic organism found in the Study area includes the commonly occurring local species that does not fall under the category of endangered species. These benthic organisms are always attached only on the surface of the Sea-bed. Moreover proper Mitigative measures shall be taken such as soft-scraping of the upper soft layer of sea-bottom and relocation to another site, which is conducive for its reproduction.

There may be temporary decrease or change in the faunal species in the estuary. Study done by Bemvuti et.al. reveal that thee stuarine fauna have high resilience. This efficient mechanism of estuarine organisms helps them for rapid decolonization after disturbances caused by substrate dredging.

Thus minimum impact is envisaged on the local benthic species at the project site due no change in substratum available to benthic fauna. No new or alien species are expected to be introduced during or after the project construction.

4.4.4. Impact on Mangroves

If this material in re-suspension contains toxins and the material gets transported to mangrove areas/near by shore there may be an impact on the marine biology. Therefore, in order to ascertain the likely transport of the material in re-suspension, dispersion studies were conducted for dredging operations in the channel. The studies on dispersion of re-suspended sediment due to dredging operations indicate that the sediment in the re-suspension is not likely to get dispersed in to tidal flats/harbour area. Therefore, the dredging operations do not affect the mangroves near Sewri or Dharamtar/Rewas.



Figure 17 - Mangrove areas near JNPT

4.4.5. Impacts on Fisheries

The impact on fisheries may be either due to physical impacts of suspended solids or due to changes caused in the food chain. As the fishes are capable of free movement in water they avoid areas with very high turbidity levels. The fishes return to the area, once turbidity reduces after the cessation of dredging and dumping activities. Many researchers have concluded that extremely turbid water that is formed briefly during dredging operation can be

determined to fish, but the impacts are not very alarming. The area to be dredged is a part of Mumbai and Jawaharlal Nehru Port, which has significant ship movement. Due to continuous ship movement, fisheries are not well developed in the area. Hence no significant impacts on fisheries are anticipated. Likewise, at the disposal sites, at present large scale fishing is not observed. The existing fish fauna would avoid the area during dumping operations, due to high turbidity and are expected to return only after the cessation of dumping/disposal activities. This phenomenon has been observed at many sites and the same scenario is expected at the proposed site as well. Thus no significant impact on fish fauna is anticipated.

4.4.6. Impacts due to transportation and disposal of excavated material

In the project the excavated material will be transported through the barges and will be disposed off at designated site (DS3).

Wildlife

The port area has no wild life resources. The nearby Elephanta hill has rich breeding and feeding sites for coastal birds. The wild life resources of the Elephanta hills are not affected due to the existing container terminals. Every action has been taken to preserve the natural resources of Elephanta hill. The proposed project will not have any impact on this hill resource. There are no coastal birds seen in the proposed area for reclamation. Moreover, the project area is located outside the protected boundary of Elephanta caves and adequate safeguard will be taken by JNPT to protect wildlife resources at Elephanta. Hence, project may not have any adverse impact on wildlife resources at Elephanta.

4.5. DISPERSION OF MATERIAL DUE TO RECLAMATION ACTIVITY AND DREDGING OPERATIONS

During reclamation and dredging operations, the bed material gets disturbed and this process brings the bed material into suspension. Due to this resuspension, the sediment concentrations in the vicinity of the dredger temporarily increase and the tidal currents transport this suspended sediment. If this material in resuspension contains toxins and the material gets transported to mangrove areas (FIG. 4.2) /near by shore there may be an impact on the marine biology. Therefore, in order to ascertain the likely transport of the material in resuspension,

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~~ANNEXURE~~ ANNEXURE "R2-18"

GOVERNMENT OF INDIA
CENTRAL WATER AND POWER RESEARCH STATION
KHADAKWASLA, PUNE – 411 024



REMOTE SENSING APPLICATION DIVISION

TECHNICAL REPORT No. 5649
November 2018

SHORELINE CHANGES ALONG THE COAST LINE OF MUMBAI AND SEDIMENT
MOVEMENT PATTERN DUE TO DUMPING OF DREDGE MATERIAL AT SITE DS3
MUMBAI USING REMOTE SENSING TECHNIQUES FOR M/s JNPT

- And in fig. 30, superimposition of water lines from the data sets of 2016 (+1.49 m), 2014 (+1.39 m) and 2012 (+1.77 m) have been compared. It has been displayed over satellite image of 2016.
- In fig. 31, it has been shown only the water lines from the data sets of 2016 (+1.49 m), 2014 (+1.39 m) and 2012 (+1.77 m) that have been superimposed for comparison.

In the low tide level condition also it has been noticed that no significant change in shoreline has been occurred during the period from 2010 to 2017.

8. CONCLUDING REMARKS

Different sets of satellite imageries for both high and low tidal level conditions have been analyzed in this study for the shoreline changes along the coast line of Mumbai due to dumping of dredge material at site DS3 Mumbai using Remote Sensing Techniques. The selection of site DS3 for disposing the dredged material resulted from deepening and widening of the main navigational channel was recommended by CWPRS after conducting scientific studies (CWPRS TR No.4711 of March 2010). The particular site DS3 was chosen in such a way that the material dumped should not enter again into the navigational channel nor should reach near the water front facilities. The dumped material get dispersed during monsoon season. From the following figures of analysis of the satellite imageries for both high and low tide levels, it may be concluded that no significant change in the shoreline around Mumbai coast has been occurred.

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ANNEAURE "R2-197"

* 6(a)

REGISTERED No. D. (D.N.)—72

सं. 159] नई दिल्ली, शुक्रवार, मई 28, 1982/ज्येष्ठ 7, 1904

(212)



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 159]
No. 159]

नई दिल्ली, शुक्रवार, मई 28, 1982/ज्येष्ठ 7, 1904
NEW DELHI, FRIDAY, MAY 28, 1982/JYALSTHA 7, 1904

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

संविधान और परिवहन विभाग
(पत्तन पंजा)
संविधानाए
नई दिल्ली, 28 मई, 1982

सां.कां.निं. 427(अ):—केन्द्रीय सरकार, भारतीय पत्तन अधिनियम, 1908 (1908 का 15) की धारा 3 के खण्ड (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, न्हावा-शेवा पत्तन को सुरत प्रभावी रूप में महापत्तन के रूप में घोषित करती है।

[सं.पी०डब्ल्यू/पीजीएल-12/82-(i)]

MINISTRY OF SHIPPING AND TRANSPORT
(Ports Wing)
NOTIFICATIONS.

New Delhi, the 28th May, 1982

G.S.R. 427(F).—In exercise of the powers conferred by clause (8) of section 3 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby declares that the port of Nhava-Sheva shall be a major port with immediate effect.

[No. PW/PGL-12/82(i)]

सां.कां.निं. 428(अ):—केन्द्रीय सरकार, महापत्तन व्यास अधिनियम, 1963 (1963 का 38) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों

का प्रयोग करते हुए, उक्त अधिनियम के उपबंधों को सुरत प्रभावी रूप में न्हावा-शेवा महापत्तन को लागू करती है।

[सं. पी०डब्ल्यू/पीजीएल-12/82-(ii)]

G.S.R. 428(E).—In exercise of the powers conferred by sub-section (3) of section 1 of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby applies the provisions of the said Act to the major port of Nhava-Sheva with immediate effect.

[No. PW/PGL-12/82(ii)]

सां.कां.निं. 429(अ):—केन्द्रीय सरकार, भारतीय पत्तन अधिनियम, 1908 (1908 का 15) की धारा 5 की उपधारा (2) और महापत्तन व्यास अधिनियम, 1963 (1963 का 38) की धारा 2 की उपधारा (अ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषित करती है कि न्हावा-शेवा पत्तन की सीमाएं निम्नलिखित होंगी :-

परिचय में:

दक्षिण 18°-55'-25" उत्तर देशांतर 72°-54'-15" पूर्व तक सिन्धु से एनीकोटा द्वीप के तट के साथ-साथ अक्षांश 18°-57'-5" उत्तर, देशांतर 72°-56'-8" पूर्व तक कोची बंदरगाह और फिर अक्षांश 18°-56'-45" उत्तर, देशांतर 72°-54'-50" पूर्व सिन्धु तक और उत्तरांचल अक्षांश 18°-56'-25" उत्तर, देशांतर 72°-54'-45" पूर्व सिन्धु और उसके पश्चात् 18°-55'-47" उत्तर देशांतर 72°-53'-30" पूर्व (पश्चिमी उपतल बोया) सिन्धु तक और फिर अक्षांश 18°-54'-40" उत्तर देशांतर 72°-55'-23" पूर्व

(1)

विन्दु तक और फिर अक्षांश 18°-58'-23" उत्तर देशांतर 72°-56'-80" पूर्व की ओर गई रेखा ।

दक्षिण में :

अक्षांश 18°-55'-13" उत्तर देशांतर 72°-55'-50" पूर्व बिन्दु से अक्षांश 18°-53'-54" उत्तर देशांतर 72°-56'-30" पूर्व तक दक्षिण पूर्वी दिशा में खींची गई रेखा ।

पूर्व में :

करंजा द्वीप के उत्तरी तट पर उसके उत्तरी तट के साथ साथ लगभग अक्षांश 18°-53'-54" उत्तर देशांतर 72°-53'-54" उत्तर देशांतर 72°-56'-30" पूर्व बिन्दु से पनवेत उरान मार्ग पर पुल पर लगभग अक्षांश 18°-55'-42" उत्तर देशांतर 73°-0'-30" पूर्व स्थिति पर तत्पश्चात् खाड़ी के पार पुल के साथ साथ खाड़ी के उत्तरी किनारे के तट तक और फिर न्हावा के तट पर लगभग, अक्षांश 18°-58'-42" उत्तर देशांतर 73°-1'-12" पूर्व कि स्थिति तक मुख्य भूमि के दक्षिणी पश्चिमी और उत्तरी तट ।

उत्तर में :

पनवेत और थाना खाड़ियों के पार अक्षांश 18°-58'-42" उत्तर देशांतर 73°-1'-12" पूर्व बिन्दु से अक्षांश 18°-0'-50" उत्तर, देशांतर 72°-58'-17" पूर्व तक और फिर अक्षांश 18°-58'-25" उत्तर देशांतर 72°-56'-18" पूर्व बिन्दु तक खींची गई रेखा ।

टिप्पण :—शब्द "तट" से भारतीय पत्तन अधिनियम, 1908 की धारा 4 की उपधारा (4) में यथापरिभाषित उच्चतम स्वार चिह्न अभिप्रेत है, अर्थात् जहाँ तक वर्ष के किसी भी मौसम में सामान्य वृद्ध-ज्वार पहुँच जाता है ।

[सं० पी० डब्ल्यू/पी सीएस/12/82-(iii)]

G.S.R. 429(E).—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Ports Act, 1908 (15 of 1908) and sub-section (a) of section 2 of the Major Port Trusis Act, 1963 (38 of 1963), the Central Government hereby declares that the limits of the Nhava-Shyva port shall be as follows —

TO THE WEST :

A line drawn from a point in Lat. 18°-58'-25" N Long. 72°-56'-18" E along the shore of Elephanta Islands to a point in Lat. 18°-57'-5" N; Long. 72°-56'-8" E and thence a line drawn to a point in Lat. 18°-56'-45" N Long. 72°-54'-50" E and thence to a point in Lat. 18°-56'-25" N, Long. 72°-54'-40" E and thence to a point in Lat. 18°-55'-47" N, Long. 72°-53'-30" E (West Urban Buoy) and thence to a point in Lat. 18°-54'-40" N, Long. 72°-55'-23" E and thence to a point in Lat. 18°-55'-23" N, Long. 72°-55'-50" East.

TO THE SOUTH :

A line drawn South Easterly from a point in Lat. 18°-55'-23" N, Long. 72°-55'-30" E to a point in Lat. 18°-53'-54" N, Long. 72°-56'-30" E.

TO THE EAST :

From a point approximately Lat. 18°-53'-54" N, Long. 72°-56'-30" E, on the north shore of Karanja Island, along the northern shore of Karanja Island to the bridge on Panvel Uran Road at a position approximately Lt. 18°-55'-42" N, Long. 73°-0'-30" E, thence a line along the bridge across the creek to the shore on the north bank of the creek and thence the southern, western and northern shore of the mainland to a position approximately Lat. 18°-58'-42" N, Long. 73°-1'-12" E, on the north shore of Nhava.

TO THE NORTH :

A line drawn across Panvel and Thana, Creeks from a point in Lat. 18°-58'-42" N, Long. 73°-1'-12" E, to a point in Lat. 18°-0'-50" N, Long. 72°-58'-17" E and thence to a point in Lat. 18°-58'-25" N, Long. 72°-56'-18" E.

NOTE : The word "shore" is intended to mean the high water mark as defined in sub-section (4) of section 4 of the Indian Ports Act, 1908, i.e. the highest point reached by ordinary spring tides at any season of the year.

[No. PW/PGL-12/82(iii)]

सं०का०नि० 430(अ).—केन्द्रीय सरकार, भारतीय पत्तन अधिनियम, 1908 (1908 का 15) की धारा 5 की उपधारा (2) और महापत्तन व्याप्त अधिनियम, 1963 (1963 का 38) की धारा 2 की उपधारा (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत मौसम विज्ञान विभाग (परिवहन विभाग) की अधिसूचना संख्या सा०का०नि० 1481 तारीख 28 अक्टूबर, 1972 को अधिभरत करते हुए घोषित, करता है, कि मुम्बई पत्तन की सीमाएँ निम्नलिखित होंगी :—

उत्तर में :

द्वाम्बे शाय के निकट और दक्षिण पश्चिमी सीमा स्तम्भ से द्वाम्बे द्वीप से पीर-पाव तक, फिर द्वाम्बे द्वीप के तट से जलिक शाय के सर्वोच्च संख्या 42 में स्थित सीमा स्तम्भ तक और फिर माहुल खाड़ी के पार बावन्दी खाड़ी के दक्षिणी किनारे पर स्थित सीमा स्तम्भ तक ।

पश्चिम में :

बावन्दी खाड़ी के दक्षिणी किनारे पर स्थित सीमा स्तम्भ से मुम्बई द्वीप के पूर्वी तट से कोलाबा के दक्षिणी चरम बिन्दु तक, फिर बैंक रोड से मालाबार प्वाइंट तक, फिर दाम्बे प्लोटिंग साइट तक लगभग अक्षांश 18°-50' उत्तर, देशांतर 72°-44' पूर्व की स्थिति तक खींची गयी रेखा और कुन्दरी (केन्द्री) द्वीप से पश्चिमी बिन्दु पर सीमा स्तम्भ तक जाती हुई और फिर द्वीप के पश्चिमी तट पर, उसके दक्षिणी बिन्दु पर सीमा स्तम्भ तक ।

दक्षिण में :

कुन्दरी (केन्द्री) के दक्षिणी बिन्दु पर सीमा स्तम्भ से उन्वारी के दक्षिणी बिन्दु से होकर नवगांव (नेवेदार नवगांव) शाय के दक्षिण में मुख्य भूमि पर सीमा स्तम्भ तक खींची गयी रेखा

पूर्व में :

नेवगांव (नवेदार) नवगांव के दक्षिण में स्थित सीमा स्तम्भ मुख्य भूमि से पश्चिमी और उत्तरी तट से पुल गेट बीकन के उत्तर पूर्व में सीमा स्तम्भ तक, फिर दाम्बे खाड़ी के पार करंजा द्वीप के दक्षिणी ओर पर सीमा स्तम्भ तक फिर करंजा द्वीप के पश्चिमी तट से द्वीप के उत्तरतम बिन्दु पर स्थित सीमा स्तम्भ तक, फिर करंजा द्वीप के उत्तरी बिन्दु पर स्थित सीमा स्तम्भ से साथ साथ 1200 मीटर तक द्वीप द्वीप के उत्तर पश्चिमी बिन्दु पर सीमा स्तम्भ तक करंजा द्वीप के उत्तर तट पर उरान पर कुन्दरी के पार उरान अक्षांश 18°-53'-54" उत्तर देशांतर 72°-56'-30" पूर्व, की स्थिति तक अक्षांश 18°-55'-23" उत्तर देशांतर 72°-55'-30" पूर्व के बिन्दु तक और फिर अक्षांश 18°-54'-40" उत्तर, देशांतर 72°-55'-23" पूर्व के बिन्दु तक, और फिर अक्षांश 18°-55'-47" उत्तर देशांतर 72°-53'-30" पूर्व (पश्चिमी उरान बोया) तक, और फिर अक्षांश 18°-56'-25" उत्तर देशांतर 72°-54'-40" पूर्व पर बहुत तक और फिर अक्षांश 18°-56'-45" उत्तर देशांतर 72°-54'-50" पूर्व बिन्दु तक, फिर 18°-57'-57" उत्तर देशांतर 72°-56'-8" पूर्व बिन्दु तक, फिर एलीफेंटा द्वीप के दक्षिणी और पूर्वी तटों के साथ साथ अक्षांश 18°-58'-25" उत्तर देशांतर 72°-56'-18" पूर्व तक, फिर अक्षांश 19°-0'-50" उत्तर, देशांतर 72°-58'-17" पूर्व बिन्दु तक और फिर थाना खाड़ी के पार द्वाम्बे शाय के निकट और दक्षिण पश्चिम में सीमा स्तम्भ तक रेखा ।

पत्तन सीमाओं के अन्तर्गत ग्रिड विक्टोरिया और हाउस डाक तथा उन जगहों के किसी विस्तारण के भीतर प्राधिकृत जल के नाले जाने वाले और भूमि है ।

टिप्पण—शब्द "तट" से भारतीय पत्तन अधिनियम, 1908 की धारा 4 की उपधारा (4) में यथापरिभाषित उच्चतम जल चिह्न अभिप्रेत है अर्थात् जहाँ तक वर्ष के किसी भी मौसम में सामान्य वृद्ध ज्वार चिह्न पहुँच जाता है ।

[पी०/डब्ल्यू/पी०सी०एस०-12/82(iv)]

सहायक सचिव, संयुक्त दक्षिण

405

भाग II—खंड 3(i)]

भारत का संवत्सर : शकाब्द

G.S.R. 430(E).—In exercise of the powers conferred by sub-section (2) of section 5 of the Indian Ports Act, 1908 (15 of 1908) and sub-section (q) of section 2 of the Major Port Trusts Act, 1963 (38 of 1963), and in supersession of the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) No. G.S.R. 1481 dated the 28th October, 1972, the Central Government hereby declares that the limits of the port of Bombay shall be as follows :—

TO THE NORTH :

From the boundary pillar south-west of and near to the village of Trombay the shore of Trombay Islands to Pir Pau, thence the shore of Trombay Islands to the boundary pillar situated in Survey No. 42 of Anik Village, and thence a line across the Mahul Creek to the boundary pillar situated on the south bank of Chandni Creek.

TO THE WEST

The eastern shore of the Islands of Bombay from the boundary pillar situated on the south bank of the Chandni Creek to the Southern extremity of Colaba point, thence the shore of Back Bay to Malbar Point, thence a line drawn to the Bombay Floating Light at a position approximately Lat. 18°-50' North, Long. 72°-44' East, and continued to the boundary pillar on the west point of Kundari (Kennery) Island, and thence the western shore of the Island to the boundary pillar on the South point thereof.

TO THE SOUTH

A line drawn from the boundary pillar on the south point of Kundari (Kennery) through the South point of Undari to the boundary pillar on the mainland south of the village of Navagam (Navedar Navgaon).

TO THE EAST

From the boundary pillar situated south of Navagam (Navedar Navgaon) the western and northern shore of the mainland to the boundary pillar north east of the Thull Knot Beaton, then a line across the Dharamtar Creek to the boundary pillar on the south-end of the Island of Karanja thence the western shore of the Island of Karanja to the boundary pillar situated at the northern-most point of the Island thence 1,200 metre along a line from the boundary pillar situated at the northern point of the Karanja Island to the boundary pillar on the north-west point of Hog Island, thence a line across the Uran Mud Flats to a position approx. Lat. 18°-53'-54" N, Long. 72°-36'-30" E, on the north shore of Karanja Island thence to a point in Lat. 18°-55'-23" N Long. 72°-55'-50" E thence to a point in Lat. 18°-54'-40" N, Long. 72°-55'-23" E and thence to a point 18°-55'-47" N Long. 72°-53'-30" E (West Uran Buoy) and thence to a point in Lat. 18°-56'-25" N, Long. 72°-54'-40" E and thence to a point 18°-56'-45" N, Long. 72°-54'-50" E and thence to a point 18°-57'-5" N Long. 72°-56'-8" E thence along the Southern and Eastern shores of elephants island to a point 18°-58'-25" N, Long. 72°-56'-18" E thence to a point 19°-0'-50" N, Long. 72°-58'-17" E and thence across Thana Creek to the boundary pillar south-west of and near to Trombay village.

Ports limits include all water and land usually covered by water within the Prince's Victoria and Indira Docks and any extension of the docks.

NOTE :—The word "shore" is intended to mean the high water mark as defined in sub-section (4) of section 4 of the Indian Ports Act, 1908, i.e. the highest point reached by ordinary spring tides at any season of the year.

(PW/PGL-12/82(iv))
YASHWANT SINHA, Jt. Secy.



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (1)
PART II—Section 3—Sub-section (1)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

नं० 271]
No. 271]

नई दिल्ली, शुक्रवार, मई 26, 1989/ज्येष्ठ 5, 1911
NEW DELHI, FRIDAY, MAY 26, 1989/JYAISTHA 5, 1911

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a
separate compilation

सत-भूतल परिवहन मंत्रालय
(पत्तन पक्ष)
अधिसूचनाएं
नई दिल्ली, 26 मई, 1989

MINISTRY OF SURFACE TRANSPORT
(Ports Wing)
NOTIFICATIONS
New Delhi, the 26th May, 1989

सा. का. नि. 567 (ख) :—नालोन पटन अधिनियम, 1908
(1908 का 13) की धारा 33 की उपधारा (2) और (3) द्वारा
प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रिय सरकार एनडूद्वारा उक्त
अधिसूचना की धारा अनुसूची के भाग I में मई, 1989 के 26वें
दिन से निम्नलिखित संशोधन करती है, अर्थात् :—

G.S.R. 567(E).—In exercise of the powers con-
ferred by sub-sections (2) and (3) of section 33 of
the Indian Ports Act, 1908 (15 of 1908), the Central
Government hereby makes the following amendments
in Part I of the First Schedule to the said Act with
effect from the 26th day of May, 1989, namely :—

उक्त भाग I के कॉलम (1) में "नवावा शेवा पत्तन"
शब्दों के स्थान पर "जवाहरलाल नेहरू पत्तन" शब्द प्रतिस्थापित
किए जाएंगे।

In the said Part I, in column (1), for the words
"Nhava-Sheva Port" the words "Jawaharlal
Nehru Port" shall be substituted.

[कायम नं. पी. धर. 11011-6/89-पी. जी.]

[File No. PR-11011-889-PG]

12057:1/89

(1)

का. नि. 568 (घ) :—महाराष्ट्र न्याय अधिनियम, 1963 का 38) को धारा 1 और उपधारा (3), धारा 4, धारा 126 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार द्वारा अधिनियम नं. 128 (घ) दिनांक 28 मई, 1982 का. नि. सं. 437 (घ) दिनांक 31 मई, 1982, का. नि. सं. 13 (घ) और 14 (घ) तथा दिनांक 6 जनवरी, 1988 के 26वें दिन के निम्नलिखित संशोधन करती,

उक्त अधिनियमों में "श्रीवा शेवा का महाराष्ट्र" और "श्रीवा शेवा पोर्ट" शब्दों के स्थान पर "जवाहरलाल नेहरू पोर्ट" शब्दों का प्रयोग किया जाएगा।

[फाइल नं. पी. आर. 11011-8/89- पी. जी.]

R. 568(E).—In exercise of the powers conferred by sub-section (3) of section 1, section 4, section 28 and section 126 of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby makes the following amendments in the notifications of the Government of India in the Ministry of Shipping and Transport, or, as the case may be, the Ministry of Surface Transport Nos. G.S.R. 428(E) dated the 28th May, 1982, G.S.R. 437(E) dated the 31st May, 1982, G.S.R. No. 253(E) dated the 23rd October, 1982 and G.S.R. Nos. 12(E), 13(E) and 14(E) all dated the 6th January, 1988 with effect from the 26th day of May, 1989, namely :—

In the said notifications, for the words "major port of Nhava-Sheva" and "Nhava-Sheva Port", the words "Jawaharlal Nehru Port" shall be substituted.

[File No. PR-11011-8/89-PG]

का. नि. 569 (घ) :—महाराष्ट्र पोर्ट अधिनियम, 1908 (1908 का 15) का धारा 46 और 47 के साथ धारा 33 के धारा (8), धारा 5 का उपधारा (2), धारा 33 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार द्वारा अधिनियम नं. 128 (घ) दिनांक 28 मई, 1982 का. नि. सं. 437 (घ) और का. नि. सं. 13 (घ) तथा दिनांक 6 जनवरी, 1988 के 26वें दिन के निम्नलिखित संशोधन करती है, यथाः—

उक्त अधिनियमों में शब्द "श्रीवा शेवा का पोर्ट" और "श्रीवा शेवा पोर्ट" शब्दों के स्थान पर "जवाहरलाल नेहरू पोर्ट" शब्दों का प्रयोग किया जाएगा।

[फाइल नं. पी. आर. 11011-8/89- पी. जी.]
पी. आर. चवण, ज. सेक्य.

G.S.R. 569(E).—In exercise of the powers conferred by clause (8) of section 3, sub-section (2) of section 5, sub-section (1) of section 33 read with sections 46 and 47 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby makes the following amendments in the notifications of the Government of India in the Ministry of Shipping and Transport, or as the case may be, the Ministry of Surface Transport Nos. G.S.R. 427(E), and G.S.R. 429(E), both dated the 28th May, 1982, G.S.R. No. 546(E) dated the 26th August 1982 and G.S.R. No. 98(E) dated the 9th February, 1989 with effect from the 26th day of May, 1989 namely :—

In the said notifications for the words "port of Nhava-Sheva" and "Nhava-Sheva Port", wherever they occur, the words "Jawaharlal Nehru Port" shall be substituted.

[File No. PR-11011-8/89-PG]
B. R. CHAVAN, Jt. Secy.

ANNEXURE "R2-20"

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST.) NO.424 OF 2021

Jawaharlal Nehru Port Trust

..Petitioner

versus

1. Union of India
2. Maharashtra Coastal Zone Management Authority
3. State of Maharashtra
4. Chief Conservator of Forest (Mangrove Cell)
5. Additional Principal Chief Conservator of Forests

..Respondents

.....

Mr.Saket Mone with Mr.Subit Chakrabarti, Mr.Vishesh Kalra and Mr.Abhishek Salian, Mr.Shantam Mandhayan i/b. Vidhii Partners, for the Petitioners.

Smt.R.A.Salunkhe, AGP for the State

Mr.D.PSingh with Mr.Tanay Mandot, for Respondent no.1.

Mr.Jaya Bagwe i/b. Sharmila Deshmukh, for Respondent no.2-MCZMA.

.....

CORAM :- DIPANKAR DATTA, CJ &
G. S. KULKARNI, J.

DATE :- JANUARY 14, 2021.

PC :

1. Rule returnable forthwith. Respondents waive service. By consent of the parties, heard finally.

2. The petitioner is the Jawaharlal Nehru Port Trust (for short 'JNPT') which intends to carry out the work of the project being proposed boat landing jetty at Nhava, and seawalls of Gharapuri and

Panje Villages, in accordance with the permissions granted to it. Such work is stated to be of public utility, sustainable development and is in consonance with Corporate Environment responsibility of the petitioner aimed at benefiting the citizens and not premised on private or commercial gain.

3. The JNPT accordingly, obtained No Objection of Grampanchayats of Gharapuri, Panje and Nhava and moved an application under Form-I to respondent no.2-Maharashtra Coastal Zone Management Authority (for short 'MCZMA') seeking its approval as the proposed work fell under the Coastal Zone Regulations. The MCZMA in its 145th meeting held on 7 July 2020 considered the JNPT's proposal and recommended the same from the CRZ point of view to the State Environment Impact Assessment Authority (for short 'SEIAA'), subject to compliance of certain conditions. One of the conditions being of a prior permission of this Court to be obtained for the reason of the project being within 50 meters of the mangroves buffer zone. On 28 December 2020 the SEIAA has granted CRZ clearance for the said project.

4. The JNPT has contended that the JNPT shall abide by all conditions as may be imposed in the approvals that may be granted by the different authorities before commencing the work. It is the case of the JNPT that the proposed work does not require cutting of mangroves, however, as the works fall under buffer zone of mangroves, permissions were required to be obtained from the MCZMA and the other authorities. To support this contention JNPT has annexed copies of the site inspection reports dated 7 January 2022 and 6 March 2020 at 'Exhibit F' and "Exhibit G" respectively to the petition.

5. At page 20 ground (G) of the petition, the JNPT has stated that the said project is permissible under the provisions of CRZ Notification dated 6 January 2011 as also held by the expert statutory bodies namely the MCZMA-respondent no.2 and the SEIAA-respondent no.3. JNPT has obtained all necessary clearances and permissions in accordance with law for the said project and the only impediment in executing the project is the condition imposed by the clearances to obtain leave of this Court in terms of the orders passed by this Court in the decision of the co-ordinate Bench of this Court in Public Interest Litigation no.87 of 2006 “**The Bombay Environmental Action Group (BEAG) & Anr. Vs. State of Maharashtra**”, dated 17 September 2018 (“the **BEAG’s** case”).

6. Mr.Mone, learned Advocate for the petitioner has taken us through the averments as made in the petition and the documents as placed on record. Mr.Mone has also drawn our attention to the order dated 17 September 2018 in **BEAG’s** case wherein although orders are issued prohibiting cutting of mangroves, however a window has been kept open for removal of mangroves, as per directions contained in paragraph 83 (viii) of the judgment, if the Court finds it necessary for public good or in public interest. In any event the mangroves are not being removed for the project in question in the present case.

7. On the above conspectus, the JNPT has prayed for the following substantive relief:-

“(a) This Hon’ble Court be pleased to issue a Writ of Mandamus or any other appropriate writ or order or direction in the nature of mandamus under Article 226 of the Constitution of India, thereby directing the

Respondent Authorities to permit the Petitioner to execute the proposed boat landing jetty at Nhava, and Seawalls at Gharapuri and Panje Villages, in view of the public importance of the project, by granting leave as contemplated in paragraph 83(viii) of the Judgment and Order dated 17th September 2018 in PIL No.87 of 2006;

8. Ms.Salunkhe, learned AGP would submit that the State Government would not dispute what is contended by the JNPT. She would, however, submit that the JNPT should abide by all the terms and conditions which would be imposed by the authorities in undertaking the project.

9. Mr.Mone for the JNPT in responding to Ms.Salunkhe's submission, makes a statement that the JNPT would strictly adhere to all the conditions as imposed by different authorities which would grant approval to the project.

10. Having heard learned Counsel for the parties and having perused the record, it is quite clear to us that *per se* there is no destruction of the mangroves by the JNPT in implementation of the project work. The mangroves however situated in the vicinity of 50 meters of the proposed work to be undertaken, the JNPT has approached this Court praying for the above relief. Also the MCZMA has found it appropriate that the JNPT approaches this Court and seeks permission considering the orders passed by this Court in BEAG's case.

11. It is also not in dispute that the work in question is a public work necessary for the operations of the JNPT which is one of the

important container ports in the country. The project in question is also one of the public importance being installation of boat landing jetty as described in the petition. The JNPT with the technical expertise available at its disposal has planned the project which is being implemented. We are sure that in undertaking such project the JNPT would take utmost care of the environment and would take all precautions in not damaging mangroves and keep the ecological balance on other environmental aspects.

12. In the above circumstances, we are inclined to permit the JNPT to undertake this project as per the permissions/approvals it may obtain for this project from the concerned statutory authorities. We accordingly allow the petition, in terms of the following order:-

ORDER

- I. We accordingly allow the petition in terms of prayer clause (a) (supra).
- II. The JNPT shall undertake the work in question in compliance of all the terms and conditions which may be imposed by the MCZMA and SEIAA and/or any other appropriate authority as required by law.
- III. Rule is made absolute in the above terms. No costs.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)

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ANNEXURE "R2-21"
जवाहरलाल नेहरू पोर्ट ट्रस्ट
JAWAHARLAL NEHRU PORT TRUST

ISO 14001 : 2015
ISO 27001 : 2013
OHSAS 45001 : 2018

पत्तन कार्यालय : प्रशासन भवन, शेवा, नवी मुंबई - 400 707; Port Office : Administration Bldg Sheva, Navi Mumbai - 400 707;
मुख्य सतर्कता अधिकारी Chief Vigilance Officer-(022) 2724 2292; मुख्य प्रबंधक (प्रशासन) एवं सचिव Chief Manager (Admin) & Secy (022) 2724 2233;
मुख्य प्रबंधक (यातायात) Chief Manager (Traffic)-(022) 2724 2377; मुख्य प्रबंधक (यां.एवं.वि.अ.) Chief Manager (M&EE)-(022) 2724 2218;
मुख्य प्रबंधक (वित्त) Chief Manager (Fin)-(022) 2724 2241; मुख्य प्रबंधक (प. यो. वि.) Chief Manager (PP&D)-(022) 2724 2326;
उप-संरक्षक Dy. Conservator (022) 2724 2301; हार्बर मास्टर Harbour Master - (022) 2724 4173.
Website : www.jnport.gov.in E-mail : info@jnport.gov.in

पीपीडी/एम-आई/चौथा सीटी/2021/ 572

20 जुलाई 2021

अतिरिक्त निदेशक,

पर्यावरण वन और जलवायु परिवर्तन मंत्रालय,

भारत सरकार, क्षेत्रीय कार्यालय,

पश्चिमी केन्द्र ऑफिस, निचली मंजिल पूर्व स्कंध,

नया सचिवालय भवन, सिविल लाईन्स,

नागपूर 440 001

विषय: चौथे कंटेनर टर्मिनल और समुद्री कंटेनर टर्मिनल, जवाहरलाल नेहरू पोर्ट ट्रस्ट में का शेष कार्य पर्यावरण मंजूरी के संबंध में।

संदर्भ: 1. पर्यावरण तथा वन मंत्रालय का पत्र संख्या फा.सं.10-32/2018-आईए-III दिनांक 9 अक्टूबर 2019.

2. जेएनपीटी का पत्र दिनांक 20 फरवरी, 2020, 21 जुलाई, 2020 और 18 जनवरी 2021।

महोदय,

यह उपर्युक्त परियोजना के लिए अनुपालन रिपोर्ट के संबंध में इस कार्यालय के उपर्युक्त संदर्भित पत्रों के क्रम में है। आपको सूचित किया जाता है कि चौथे कंटेनर टर्मिनल परियोजना (चरण I) परियोजना 22 दिसंबर 2017 में पूरी हुई थी। चौथे कंटेनर टर्मिनल का शेष कार्य शीघ्र ही शुरू होने की संभावना है।

उपर्युक्त परियोजना के लिए दिनांक 30 जून 2021 तक की अनुपालन रिपोर्ट संलग्न है।

भवदीय,

जी वैद्यनाथन

(जी वैद्यनाथन)

मुख्य प्रबंधक (पयोवि)

संलग्न:- उपर्युक्त

1. निदेशक, पर्यावरण तथा वन मंत्रालय, आईए-III प्रभाग, पर्यावरण भवन, सीजीओ कॉम्प्लेक्स, लोधीरोड नई दिल्ली - 110 003.
2. अपर निदेशक, पर्यावरण तथा वन मंत्रालय, आईए-III प्रभाग, पर्यावरण भवन, सीजीओ कॉम्प्लेक्स, लोधी रोड नई दिल्ली- 110 003.
3. प्रादेशिक अधिकारी, महाराष्ट्र प्रदूषण नियंत्रण मंडळ, रायगड भवन, 6 मंजिल, सेक्टर 11, सीबीडी बेलापूर, नई मुंबई.

(Translation copy)

JAWAHARLAL NEHRU PORT TRUST

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PPD/M-I/Forth City/2021/572

20th July 2021

Additional Director

Ministry of Environment, Forest and climate change,

Government of India, Regional Office,

Western Center Zone, Ground Floor East section

New Secretariat building, Civil Lines,

Nagpur 440 001

Sub: 4th Container terminal and marine container terminal in Jawahar Nehru Post Trust, the remaining work in relation to environmental clearance.

- Ref: 1. Ministry of Environment and Forest
letter No. 10-2/2018-IA-III, dt 9th
October 2019
2. JNPT Letter dt. 20th February 2020,
21st July 2020 and 18th January 2011

Sir,

This is in continuation of the above of this office regarding compliance report for above referred project. You are informed that the 4th Container Terminal Project (Phase

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1) Project completed on 22nd December 2017. The balance work of 4th Container Terminal is likely to start soon.

The compliance report for the above project upto 30th June 2021 is enclosed.

Yours

(G Vaidyanathan)
Chief Manager (PUV)

Encl: as above

1. Director, Ministry of Environment and Forest, IA-III Ward, Environment Building, CGO Complex, Lodhi Road, New Delhi -110 003
2. Upper Director, Ministry of Environment and Forest, IA-III Ward, Environment Building, CGO Complex, Lodhi Road, New Delhi -110 003
3. Regional officer, Maharashtra Pollution Control Board, Raigad Bhavan, 6th Floor, Sector-11, CBD Belapur, Navi Mumbai.

Compliance Report on Environmental Clearance - June 2021

Sub: **“Balance Work of 4th Container Terminal and Marine Container Terminal at Jawaharlal Nehru Port Trust” Environmental clearance – regarding.**

Ref: F.No.10-32/2018-IA-III dated 9th October 2019

S N	Conditions stipulated	Compliance
A.	Specific Conditions:	
(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.	The Port is developing the project in accordance with the Coastal Regulation Zone Notification, 2011 and CRZ clearances and as per approved Coastal Zone Management Plan.
(ii)	All the recommendations and conditions specified by the Maharashtra State Coastal Zone Management Authority (MCZMA) who has recommended the project vide letter No. CRZ-2018/CR-358/TC-4 dated 12.06.2019 shall be complied with.	Yes, Noted.
(iii)	All the conditions specified by the MoEFCC, Regional Office, Nagpur vide letter No. FC-II/MH-06/2015-NGP/5751 dated 23.06.2016 accorded diversion of 19.50 ha of mangrove forest shall be complied with.	Diversion and replantation of vegetation through forest department in Phase-I area was completed. The JNPT obtained approval from the MOEF&CC. The Government of Maharashtra, Revenue and Forest Department vide its letter dated 07/07/2016 issued Government Order No. FLD/1315/CR-109/F-10 for diversion of 19.5 ha of mangrove vegetation. Thereafter, RFO (Forest Division -Uran) vide its letter dated 27 th July, 2016 permitted for construction of container yard.
(iv)	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 Consent to Establish (MPCB-CONSENT-0000082611) is received from MPCB Up to Commissioning of the unit or 5 years period which is earlier on 04/09/2020.
(v)	The project proponent shall comply with the air pollution mitigation measures as submitted.	Yes, Noted.
(vi)	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.	It is ensured by concessionaire that no creeks or rivers are blocked due to any activities at the project site and free flow of water is maintained.

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(vii)	Dredging shall not be carried out during the fish breeding season.	Noted.
(viii)	Dredging, etc shall be carried out in the confined manner to reduce the impacts on marine environment including turbidity and turbidly should be monitored during the dredging.	It is ensured by concessionaire that Dredging, etc. shall be carried out in the confined manner to reduce the impacts on marine environment including turbidity and turbidly should be monitored during the dredging.
(ix)	No underwater blasting is permitted.	Noted.
(x)	Dredged material shall be disposed safely in the designated areas and also to be utilized for beach nourishment. With the enhanced quantities, the impact of dumping on the coastal environment should be studied and necessary measures shall be taken on priority basis if any adverse impact is observed.	It is ensured that dredged material will be disposed safely in the designated dumping site.
(xi)	Shoreline should not be disturbed due to dumping. Periodical study on shore line changes shall be conducted and mitigation carried out, if necessary. The details shall be submitted along with the six monthly monitoring report.	Shoreline studies as indicated in EC is carried out through CWPRS and the studies are completed. The study shows that no significant change in the shoreline around Mumbai coast has been occurred (Report no 5649).
(xii)	While carrying out dredging, an independent monitoring shall be carried out by Government Agency/Institute to check the impact and necessary measures shall be taken on priority basis if any adverse impact is observed.	The concessionaire is appointing NIO for monitoring of dredging as well as Environmental Monitoring. A copy of NIO proposal was submitted with June 2020 compliance report.
(xiii)	The fresh water requirement of 15 KLD will be supplied by Maharashtra Jeevan Pradhikaran (MJP) from their Nava Sheva Water Supply Scheme.	Yes, Noted.
(xiv)	Waste water generation will be 12 KLD for which STP shall be provided.	Yes, Noted.
(xv)	Marine ecological studies and its mitigation measures for protection of phytoplankton, zooplanktons, macrobenthos, diatoms, dinoflaggileds, blue green algae, copepods, tintinids, decapods, arrow worm and larvae etc. prepared by National Institute of Oceanography (NIO) as given in the EIA-EMP Report shall be complied with in letter and spirit.	Proposal received from NIO, Mumbai and the same is submitted to Maharashtra state Biodiversity Board on 16 th April 2020 and 27 th August 2020 for approval.
(xvi)	A copy of the Marine and riparian biodiversity management plan duly validated by the State Biodiversity Board shall be obtained and implement in letter and spirit.	Proposal was received from NIO, Mumbai and the same is submitted to Maharashtra state Biodiversity Board on 16 th April 2020 and 27 th August 2020 for approval.

(xvii)	A continuous monitoring programme covering all the seasons on various aspects of the coastal environs need to be undertaken by a competent organization available in the State or by entrusting to the National Institutes/renowned Universities/accredited Consultant with rich experiences in marine science aspects. The monitoring should cover various physico-chemical parameters coupled with biological indices such as microbes, plankton, benthos and fishes on a periodic basis during construction and operation phase of the project. Any deviations in the parameters shall be given adequate care with suitable measures to conserve the marine environment and its resources.	The NIO is being appointed by the concessionaire for monitoring coastal environs.
(xviii)	Continuous online monitoring of air and water covering the total project area shall be carried out and the compliance report of the same shall be submitted along with the 6 monthly compliance reports to the regional office of MoEF&CC.	The construction work of balance of 4 th Container Terminal is likely to commence shortly by concessionaire. Air, Noise and water pollution parameters shall be monitored during the construction stage and we will submit the compliance report along with environmental monitoring report to the regional office of MoEF&CC.
(xix)	Effective and efficient pollution control measures like covered conveyors/stacks (coal, iron ore and other bulk cargo) with fogging/back filters and water sprinkling commencing from ship unloading to stacking to evacuation shall be undertaken. Coal and iron ore stack yards shall be bounded by thick two tier green belt with proper drains and wind barriers wherever necessary.	This project is being constructed to handle only containerized cargo. However, effective and efficient pollution control measures will be ensured by concessionaire.
(xx)	Sediment concentration should be monitored fortnightly at source and disposal location of dredging while dredging.	Noted. IIT/NIO/MOEF&CC approved agency will be appointed by concessionaire for Environmental Monitoring during the project construction of balance of 4 th Container Terminal.
(xxi)	Marine ecology shall be monitored regularly also in terms of sea weeds, sea grasses, mudflats, sand dunes, fisheries, echinoderms, shrimps, turtles, corals, coastal vegetation, mangroves and other marine biodiversity components as part of the management plan. Marine ecology shall be monitored regularly also in terms of all micro, macro and mega floral and faunal components of marine biodiversity.	Yes, Noted. IIT/NIO/MOEF&CC approved agency will be appointed by concessionaire for Environmental Monitoring during the project construction of balance of 4 th Container Terminal.
(xxii)	Spillage of fuel / engine oil and lubricants from the construction site are a source of organic	The memorandum of understanding between Mumbai Port Trust, Jawaharlal

	<p>pollution which impacts marine life, particularly benthos. This shall be prevented by suitable precautions and also by providing necessary mechanisms to trap the spillage.</p>	<p>Nehru Port Trust, Bharat Petroleum Corporation Limited & other participating oil companies on the implementation of the National Oil Spill Disaster Contingency Plan (NOS-DCP) within Mumbai Harbour was signed on 18th February 2011. As per the MOU, MbPT shall set up OSR Tier - 1 facility at MbPT. The process of Tendering for setting up OSR Tier - 1 facility is done by MbPT.</p> <p>List of Oil Spill Response equipment to be maintained as per the MoU has been finalized in consultation with Indian Coast Guard and the participating Agencies. One vessel, which will be stationed in common area of MbPT/JNPT, with some of the above equipment, and one work boat for attending to use of the equipment, as per the MOU.</p> <p>Also, the Port is having Oil Spill, Risk Analysis and Contingency Plan for JNPT wherein the Phase I facilities of 4th Container Terminal have been included and phase II will also be included.</p>
(xxiii)	<p>Necessary arrangements for the treatment of the effluents and solid wastes/ facilitation of reception facilities under MARPOL 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. The provisions of Solid Waste Management Rules, 2016, E-Waste Management Rules, 2016, and Plastic Waste Management Rules, 2016 shall be complied with.</p>	<p>The port gives reception facility to the ships to collect and dispose of garbage/solid waste.</p> <p>A Multi- Purpose Utility Launch (MPUL) was hired to combat minor oil spill, collecting floating debris and is equipped with pollution control equipments like boom and skimmer.</p>
(xxiv)	<p>Compliance to Energy Conservation Building (ECBC-2017) shall be ensured for all the building complexes. Solar/wind or other renewable energy shall be installed to meet energy demand of 1% equivalent.</p>	<p>It is ensured that concessionaire will comply to Conservation Building (ECBC-2017) shall be ensured for all the building complexes. Solar/wind or other renewable energy shall meet energy demand of 1% equivalent.</p>
(xxv)	<p>All the recommendations mentioned in the rapid risk assessment report, disaster management plan and safety guidelines shall be implemented.</p>	<p>It is ensured by concessionaire to implement recommendation of the risk assessment/ DMP and safety godliness.</p>
(xxvi)	<p>Measures should be taken to contain, control and recover the accidental spills of fuel and cargo handle.</p>	<p>The Port is having Oil Spill Risk Analysis and Contingency Plan to take care Oil Spillage and other emergencies. JNPT is having</p>

		Emergency Action Plan, JNPT's local oil spill contingency Plan, Mumbai-JNPT Harbour OSR contingency plan.
(xxvii)	Necessary arrangement for general safety and occupational health of people should be done in letter and spirit.	It is ensured that necessary arrangement for general safety and occupational health of people should be done in letter and spirit by concessionaire.
(xxviii)	All the mitigation measures submitted in the EIA report shall be prepared in a matrix format and the compliance for each mitigation plan shall be submitted to the RO, MoEF&CC along with half yearly compliance report.	Noted and it is ensured by concessionaire through appointed agency.
(xxix)	The company shall draw up and implement corporate social Responsibility plan as per the Company's Act of 2013.	It is ensured that concessionaire shall draw up and implement Corporate Social Responsibility plan as per the Company's Act of 2013.
(xxx)	As per the Ministry's Office Memorandum F. No. 22-65/2017-IA.III dated 1 st May, 2018, project proponent has proposed an amount of Rs. 7.99 Crores (0.25% of the project cost) under Corporate Environment Responsibility (CER) Plan for the activities such as Education and skill development, Health, Drinking Water Supply, Sanitation, Roads, Cross Drains, Electrification including Solar Power, Solid Waste Management Facility, Rain Water Harvesting, Avenue Plantation and Plantation in Community Area etc. The activities proposed under CER shall be restricted to the affected area around the project. The entire activities proposed under the CER shall be treated as project and shall be monitored. The monitoring report shall be submitted to the regional office as a part of half yearly compliance report, and to the District Collector. It should be posted on the website of the project proponent.	Noted. CER proposal is submitted to Collector Raigad for approval on 3 rd March 2020, approval is awaited.
B.	Standard conditions:	
I.	Statutory Compliance :	
i.	The project proponent shall prepare a Site-Specific Conservation Plan & Wildlife Management Plan and approved by the chief Wildlife Warden. The recommendation of the approved Site-Specific Conservation Plan / Wildlife Management Plan shall be implemented in consultation with the State Forest Department. The implementation report shall be furnished along with the six-monthly compliance report (increase of the presence of schedule-I species in the study area.	The site is free from mangrove vegetation and water/ Land area is within JNPT notified area. The site specific conservation plan shall be prepared by the concessionaire.

ii.	Construction activity shall be carried out strictly according to the provisions of CRZ Notification, 2011 and the State 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.	The Port is developing the project in accordance with the Coastal Regulation Zone Notification, 2011 and CRZ clearances and as approved Coastal Zone Management Plan.
iii.	The project proponent shall obtain the necessary permission from the Central Ground Water Authority, in case of drawl of ground water / from the competent authority concerned in case of drawl of surface water required for the project.	It is ensured that no ground water shall be tapped by the concessionaire.
iv.	All excavation related dewatering shall be duly authorized by the CGWA. A NOC from the CGWA shall be obtained for all dewatering and ground water abstraction.	Noted.
v.	A certificate of adequacy of available power from the agency supplying power to the project along with load allowed for the project should be obtained.	Noted.
vi.	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.	It is ensured by the concessionaire to obtain all other statutory clearance as applicable from the concerned authority.
II.	Air quality monitoring and preservation:	
i.	The project proponent shall install system to carryout Ambient Air Quality monitoring for common/criterion parameters relevant to the main pollutants released (e.g. PM ₁₀ and PM _{2.5} in reference to PM emission, and SO ₂ and NO _x in reference to SO ₂ and NO _x emission) within and outside the project area at least at four locations (one within and three outside the plant area at an angle of 120° each), covering upwind and downwind directions.	Yes, Noted, IIT/NIO/MOEF&CC approved agency will be appointed for Environmental Monitoring during project period by concessionaire.
ii.	Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable source, so as to comply prescribed emission standards.	It is ensured that concessionaire shall appropriate Air Pollution Control (APC) system for dust control during construction.
iii.	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	It is ensured that concessionaire shall provide facility to act as dust curtain as well achieving zero dust discharge from the site.

	operations, preventing waste dispersion, improving working conditions through provision of shade for the workers.	
iv.	Dust collector shall be deployed in all areas where blasting (surface cleaning) and painting operations are to be carried out, supplemented by stacks for effective dispersion.	Noted as above.
v.	The Vessels shall comply the emission norms prescribed from time to time.	As per the Prevention of air pollution from Ships - Air quality monitoring and exhaust gas cleaning facilities (MARPOL Annex VI). All ships IAPP (International Air Pollution Prevention) Certification are being checked by MMD officials.
vi.	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.	It is ensured that concessionaire 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.
vii.	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 25 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 of 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 department.	Yes, Noted. It is ensured that traffic congestion will not occur on the port roads due to movement/parking of the tractor trailers. a). Road Connectivity : JN Port is connected to Mumbai / Navi Mumbai and the main hinterland by National Highway (NH-4B) and State Highway (SH-54), which further connects with NH-8 (Mumbai - Ahmedabad), NH-3 (Mumbai-Agra), NH-4 (Mumbai-Bangalore) and NH-17 (Mumbai-Panjeem) and Express Way Under Port Connectivity, NHAI had formed SPV between JNPT, CIDCO and NHAI for widening of existing 4 lane NH-4B, SH-54 to 6/8 lanes with service roads on both the sides on EPC mode for which now the works in all four packages are on verge of completion. b). Rail Connectivity : The Port is connected to main rail network by double track railway line from Port to Panvel, which further connects to main hinterland. Dedicated Freight Corridor Corporation of India Ltd (DFCC), a Government of India Enterprises has taken up the work of construction of dedicated railway tracks for

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		<p>exclusive cargo traffic movement from JN Port to New Delhi. The corridor is designed for carrying double stack containers on rail rakes. The Work between JNPT to Vaitarna section is in progress.</p> <p>As the work of DFCC is in progress, the Port has connected BMCTPL through the existing Central Railway connectivity.</p>
III.	Water quality monitoring and preservation:	
i.	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.	It is ensured by concessionaire that no creeks or rivers are blocked due to any activities at the project site and free flow of water is maintained.
ii.	Appropriate measure 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.	It is ensured by concessionaire that Appropriate measure 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.
iii.	No ships docking at the proposed project site will discharge its on-board waste water untreated in to the estuary / channel. All such waste water load will be diverted to the proposed Effluent Treatment Plant of the project site.	It is ensured that no ships docking at the proposed project site will discharge its on-board waste water untreated in to the estuary / channel.
iv.	Measure should be taken to contain, control and recover the accidental spills of fuel and cargo handle.	The Port is having Oil Spill Risk Analysis and Contingency Plan to take care Oil Spillage and other emergencies. JNPT is having Emergency Action Plan, JNPT's local oil spill contingency Plan, Mumbai-JNPT Harbour OSR contingency plan.
v.	the project proponent will draw up and implement a plan for the management of temperature differences between intake waters and discharge waters.	Noted.
vi.	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 mechanism to trap the spillage.	Noted. The memorandum of understanding between Mumbai Port Trust, Jawaharlal Nehru Port Trust, Bharat Petroleum Corporation Limited & other participating oil companies on the implementation of the National Oil Spill Disaster Contingency Plan (NOS-DCP) within Mumbai Harbour was signed on 18 th February 2011. As per the MOU, MbPT shall set up OSR Tier - 1 facility at MbPT. The process of Tendering for setting up OSR Tier - 1 facility is done by MbPT.

		List of Oil Spill Response equipment to be maintained as per the MOU has been finalized in consultation with Indian Coast Guard and the participating Agencies. One vessel, which will be stationed in common area of MbPT/JNPT, with some of the above equipment, and one work boat for attending to use of the equipment, as per the MOU. Also the Port is having Oil Spill, Risk Analysis and Contingency Plan for JNPT wherein the Phase I facilities of 4 th Container Terminal have been included.
vii.	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.	Yes, Noted.
viii.	Sewage Treatment Plant shall be provided to treat the wastewater generated from the project. Threatened water shall be reused for horticulture, flushing, backwash, HVAC purpose and dust suppression.	It is ensured that Sewage Treatment Plant of requisite capacity shall be constructed and operationalized by concessionaire.
ix.	A certificate from the competent authority for discharging treated effluent / untreated effluents into the Public sewer / disposal/drainage system along with the final disposal point should be obtained.	It is ensured by concessionaire to plan drainage and disposal system.
x.	No diversion of the natural course of the river shall be made without prior permission from the Ministry of Water resources.	It is ensured that no diversion of the natural course of the river shall be made without prior permission from the Ministry of Water resources by concessionaire.
xi.	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.	It is ensured that all the erosion control measures shall be taken by concessionaire.
IV.	Noise monitoring and prevention:	
i.	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 per of six-monthly compliance report.	The 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 per of six-monthly compliance report.
ii.	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 equipment.	It is ensured that concessionaire shall serve Equipment/vehicles regularly so as to avoid exceed of noise from prescribed limit.

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iii.	Acoustic enclosures for DG sets, noise barriers for ground run bays, ear plugs for operating personal shall be implemented as mitigation measures for noise impact due to ground sources.	Yes, Noted.
iv.	The ambient noise levels should conform to the standards prescribed under E(P)A Rules , 1986 viz. 75dB (A) during day time and 70 dB (A) during night time.	Yes, Noted.
V.	Energy Conservation measures :	
i.	Provide solar power generation on roof tops building, for solar light system for all common areas, street lights, parking around project area and maintain the same regularly;	JNPT has installed Solar Panels of 822 KW on the rooftops of the public buildings of JNPT at a total cost of Rs.4.47 crores, which is generating electrical power of about 80,000 to 90,000 units per month.
ii.	Provide LED lights in their offices and residential areas.	<ul style="list-style-type: none"> • Public Building 40 W to 20 W balance 1525 LED lamp replacement work for inside port area, administration building is completed through Electronics Corporation of India Limited (ECIL). • Inside port area 108 nos., 1000 Watt HPSV lights fittings replaced with 72 nos. 300 Watt LED fittings on 6 high mast. • Procurement of 400 nos. 380 watts LED fittings for replacement of similar HPSV fitting is in process and likely to be completed by August 2021. • Multipurpose hall conventional lights with LED lamp replacement work is completed through M/s. EECL. Tennis Court and Badminton Court LED lamp replacement work 100% completed in December 2019. • 68 Watts /hrs capacity 550 Nos. ceiling fans replaced with 28 Watts/hrs capacity BLDC fans, resulting saving energy of 96,000 KWH per year. • Procurement of 800 BLDC fans is in progress and expected to be completed by August 2021 • Total 3,979 nos. LEDs lamps replaced in the port Estate, from this 7,12,058 kwh energy saving per annum. • Conventional 40 Watt tube light is replaced with 20 Watt LED tube light fixture at JNPT Township public buildings - 3245 Nos Changed resulted Total energy savings per year 511672 KWH • 80 Watt HPSV to 30 Watt LED: Height of pole 3 M- 442 replaced. Total energy saving per year 116158 KWH.

		<ul style="list-style-type: none"> • 150 Watt HPSV to 90 Watt LED: Height of pole 7-9 M-126 replaced. Total energy saving per year 39600 KWH. • Inside & Outside port area: 150 Watt HPSV and 250 Watts HPSV to 120 Watt LED: Height of pole 9 M- 166 Nos. replaced. Total energy saving 44628 KWH. • Installation of LED floodlights in place of HPIT lamps.- 205 Nos replaced.
VI.	Waste Management:	
i.	Dredged material shall be disposed safely in the designated areas.	The dredged material will be dumped at DS-3. The dumping area DS-3 at 18° 55' (±30') North and 72° 42' (±30') East is situated along (-)17.0 m sea bed contour and it is about 40 Km away from Northern most JNPT limit.
ii.	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 submitting along with the six monthly monitoring report.	Shoreline studies as indicated in EC is carried out through CWPRS at estimated cost of Rs.15,16,860/- including terms of payment and purchase satellite imageries from NRSC at the cost of Rs.2,00,560/- and the studies are completed. The study shows that no significant change in shoreline around Mumbai coast has been occurred. (R- 5649)
iii.	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.	It is ensured that concessionaire shall construct STP and operate STP of requisite capacity and solid waste management plant at site.
iv.	The solid wastes shall be managed and disposed as per the norms of the Solid Waste Management Rules, 2016.	It will be ensured that the solid waste is not dumped in the CRZ areas. Port Comprehensive SWM Facility is operational from Feb 2021. The facility is operated and maintained by contractor for a period of 60 months excluding implementation period.
v.	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.	It is ensured by the concessionaire that waste from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Waste Management Rules, 2016.
vi.	A certificate from the competent authority handling municipal solid wastes should be obtained, indicating the existing civic capacities of the handling and their adequacy to cater to the M.S.W. generated from project.	Yes, Noted. Port Comprehensive SWM Facility is operational from Feb 2021. The facility is operated and maintained by contractor for a period of 60 months excluding implementation period.
vii.	Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the	Noted and it will be ensured by concessionaire.

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	prevailing guidelines/rules of the regulatory authority to avoid mercury contamination.	
viii.	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.	<p>The memorandum of understanding between Mumbai Port Trust, Jawaharlal Nehru Port Trust, Bharat Petroleum Corporation Limited & other participating oil companies on the implementation of the National Oil Spill Disaster Contingency Plan (NOS-DCP) within Mumbai Harbour was signed on 18th February 2011. As per the MOU, MbPT shall set up OSR Tier - 1 facility at MbPT. The process of Tendering for setting up OSR Tier - 1 facility is done by MbPT.</p> <p>List of Oil Spill Response equipment to be maintained as per the MOU has been finalized in consultation with Indian Coast Guard and the participating Agencies. One vessel, which will be stationed in common area of MbPT/JNPT, with some of the above equipment, and one work boat for attending to use of the equipment, as per the MOU.</p> <p>Also the Port is having Oil Spill, Risk Analysis and Contingency Plan for JNPT wherein the Phase I facilities of 4th Container Terminal have been included.</p>
VII.	Green Belt:	
i.	Green belt shall be developed in area as provided in project details with a native tree species in accordance with CPCB guidelines. The greenbelt shall inter alia cover the entire periphery of the plant.	The total land available with JNPT is around 3402 hectares out of this, 1147 hectares area (34%) of the port is under green cover.
ii.	Top soil shall be separately stored and used in the development of green belt.	Noted and it will be ensured by concessionaire
VIII.	Marine Ecology:	
i.	Dredging shall not be carried out during the fish breeding and spawning seasons.	Noted.
ii.	Dredging, etc shall be carried out in the confined manner to reduce the impact on marine environment.	It is ensured by concessionaire that dredging, etc. shall be carried out in the confined manner by concessionaire to reduce the impact on marine environment.
iii.	The dredging schedule shall be so planned that the turbidity developed is dispersed soon enough to prevent any stress on the fish population.	It is ensured that the dredging schedule shall be so planned that the turbidity developed is dispersed soon enough to prevent any stress on the fish population.
iv.	While carrying out dredging, an independent monitoring shall be carried out through a	The concessionaire is appointing NIO for monitoring of dredging as well as Environmental Monitoring.

	Government Agency/Institute to assess the impact is observed.	
v.	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 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.	Yes, Noted. IIT/NIO/MOEF&CC approved agency will be appointed for Environmental Monitoring during project period.
vi.	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.	IIT/NIO/MOEFCC approved agency will be appointed for Environmental Monitoring during project period by concessionaire.
vii.	The project proponent shall ensure that water traffic does not impact the aquatic wildlife sanctuaries that fall along the stretch of the river.	It is ensured by concessionaire that water traffic does not impact the aquatic wildlife sanctuaries that fall along the stretch of the river.
IX.	Public hearing and Human health issues:	
i.	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.	It is ensured that concessionaire will maintain work space as per international standards for occupational health and safety with relevant standard.
ii.	Workers shall be strictly enforced to wear personal protective equipment's 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.	It is ensured that concessionaire shall be strictly enforced to wear personal protective equipment's like dust mask, ear muffs or ear plugs, whenever and wherever necessary / required.
iii.	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	Noted.

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	asbestos materials at site before disposal to CTSDF.	
iv.	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.	It is ensured that concessionaire shall give Safety training 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.
v.	Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.	<p>The memorandum of understanding between Mumbai Port Trust, Jawaharlal Nehru Port Trust, Bharat Petroleum Corporation Limited & other participating oil companies on the implementation of the National Oil Spill Disaster Contingency Plan (NOS-DCP) within Mumbai Harbour was signed on 18th February 2011. As per the MOU, MbPT shall set up OSR Tier - 1 facility at MbPT. The process of Tendering for setting up OSR Tier - 1 facility is done by MbPT.</p> <p>List of Oil Spill Response equipment to be maintained as per the MOU has been finalized in consultation with Indian Coast Guard and the participating Agencies. One vessel, which will be stationed in common area of MbPT/JNPT, with some of the above equipment, and one work boat for attending to use of the equipment, as per the MOU.</p> <p>Also the Port is having Oil Spill, Risk Analysis and Contingency Plan for JNPT wherein the Phase I facilities of 4th Container Terminal have been included.</p>
vi.	Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel 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.	Noted. The construction of labour camps shall be established outside Coastal Regulation Zone areas and will be provided with adequate cooking and sanitation facilities by concessionaire.
vii.	Occupational health surveillance of the workers shall be done on a regular basis.	It is ensured that Occupational health surveillance of the workers shall be done by concessionaire on a regular basis.
X.	Corporate Environment Responsibility:	

i.	<p>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 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 holder. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.</p>	<p>JNPT is for ISO -14001-2015 and ISO -45001-2018 Certified up to 29th June 2022. It will ensured that concessionaire will setup similar mechanism.</p> <p>As part of Environmental Management and Monitoring Plan ambient air, marine water, marine ecology, drinking water, sewage quality, noise level is monitored through IIT Madras.</p>
ii.	<p>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.</p>	<p>The port has already set up a separate Environment Cell with suitably qualified staff. JNPT has recruited Manager Environment (who is having Ph.D. in Environmental Science) on contract basis. Also, the port is planning to engage Chief Manager (Environment) on contract basis.</p> <p>At present, monitoring is being done for environmental parameters based on CPCB standards through outsourced agency ie Indian Institute of Technology, Madras. M/s IIT, Madras has set up environmental monitoring Laboratory at port township.</p> <p>The port installed Continuous Air Quality Monitoring Station at POC, mobile air monitoring Vehicle through IIT Madras.</p>
iii.	<p>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 plant shall be reported to the Ministry/ Regional Office along with the Six Monthly Compliance Report.</p>	<p>A separate account for environmental measures is being maintained and the expenditure is Rs. 10 Crs on environmental measures during last year.</p> <p>As per the green port initiative, JN Port is monitoring environmental plan through IIT Madras. JNPCT has acquired new electrically operated RTGCs (15 Nos.). With the induction of these E-RTGCs, there will be reduction in the consumption of high speed diesel as the conventional RTGCs consuming around 15-20 liters of diesel per hour. 822 KW roof top solar panels installed at Port Buildings, New Multi Utility launch was hired to combat minor oil spill collecting storing debris and is equipped with minor pollution controlled equipment. Shore power supply is</p>

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		provided to tugs. Port has set up 4 MLD STP at Port Township.
iv.	Self-environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.	JNPT is for ISO -14001-2015 and ISO -45001-2018 Certified up to 29 th June 2022. As part of Environmental Management and Monitoring Plan ambient air, marine water, marine ecology, drinking water, sewage quality, noise level is monitored through IIT Madras.
XI.	Miscellaneous:	
i.	The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguard 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 addition this shall also be displayed in the project proponents website permanently.	Press Advertisement had been given on 25 th October 2019 in Loksatta & Krushiwal. A copy of same was shared with letter 13 th Jan 2020.
ii.	The copies of the environmental clearance shall be submitted by the project proponents to the Heads of local bodies. Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.	Principal Secretary and Chairman MCZMA, Environment Department, Mantralaya Mumbai and Member Secretary, MPCB, Mumbai,, Regional office, District Industries Centre and Collector's Office/ Tahasildar's Office, Grampachayat, Nagar Palika Municipal Corporations has already displayed a copy of the clearance letter at the for 30 days after receipt of Environment Clearance from 25 th October 2019. A copy of Environmental Clearance letter was available with the and may be also be seen on the website at Environmental Clearance and support documents are available at http://environmentclearance.nic.in/auth/ECGeneral Report.aspx?pid=14170 & http://www.jnport.gov.in/environment_pus_h
iii.	The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.	A copy of Environmental Clearance letter was available with the and may be also be seen on the website at Environmental Clearance and support documents are available at http://environmentclearance.nic.in/auth/ECGeneral Report.aspx?pid=14170 & http://www.jnport.gov.in/environment_pus_h

iv.	The project proponent shall submit six-monthly report 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.	Six monthly reports are being regularly sent to Regional Office of MOEF&CC, Nagpur.
v.	The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescriber under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.	Form-V is being submitted to Maharashtra Pollution Control Board for the financial year ending from time to time.
vi.	The criteria pollutant levels namely; PM _{2.5} , PM ₁₀ , SO ₂ , NO _x (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.	At present, monitoring is being done for environmental parameters based on CPCB standards through outsourced agency ie Indian Institute of Technology, Madras. M/s IIT, Madras has set up environmental monitoring Laboratory at port township. The port installed Continuous Air Quality Monitoring Station at POC, mobile air monitoring Vehicle through IIT Madras.
vii.	The project proponent shall inform the Regional Officer as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.	Noted.
viii.	The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.	Noted.
ix.	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.	Noted.
x.	No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).	Noted.
xi.	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.	Noted.
xii.	The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.	Noted.

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xiii.	The Ministry reserves the right to stipulate additional conditions if fund necessary. The Company in a time bound manner shall implement these conditions.	Noted.
xiv.	The Regional Officer of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the office (s) of the Regional Officer by furnishing the requisite data/ information/ monitoring reports.	Noted.
xv.	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.	Noted.
xvi.	Any appeal against this EC shall lie with the National Green Tribunal, it preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.	Noted.

EXH-O Colly

ENVIRONMENTAL IMPACT ASSESSMENT REPORT

FOR

FRESH ENVIRONMENTAL CLEARANCE FOR BALANCE

WORK OF CONSTRUCTION OF 4TH CONTAINER

TERMINAL AND MARINE CONTAINER TERMINAL

AT JAWAHARLAL NEHRU PORT TRUST



PROPOSED BY

JAWAHARLAL NEHRU PORT TRUST

PREPARED BY

GLOBAL MANAGEMENT AND ENGINEERING CONSULTANTS

INTERNATIONAL

SAHARAN TOWER, 308, OFFICERS CAMPUS EXTENSION

SIRSI ROAD, KHATIPURA, JAIPUR -302012, RAJASTHAN

DECEMBER 2018

The delivery of Import containers under the head Direct Port Delivery (DPD) has increased from 38.79% in April 2018 to 51.75% in March 2019.

Port has decided to develop fourth container terminal and a Marine Chemical Terminal, on BOT basis.

7.3. PROJECT DESCRIPTION

Construction of a Marine chemical Terminal for handling A, B, C class liquid cargo in JN Port was planned during the year 1994-1995. Tata Consulting Engineers, Mumbai had conducted a Rapid Environmental Impact Assessment study also for the proposed Marine Chemical Terminal and reclamation of 200Ha land from sea in March, 1995. Based on the report, JNPT had obtained environmental clearance from MoEF&CC, New Delhi for the proposed projects vide letter No.PD/26018/4/98-PDZ (CRZ) dated 10/11/1998. However, the project could not be implemented in five years. So, JNPT was asked to conduct the Environmental Assessment Study again based on the current existing environmental setting. Rapid Environmental Impact Assessment of the proposed project include,

1. Construction of 1000m quay length for the new container terminal in phase-I and an additional construction of 1000m quay length container berth in Phase-II
2. Construction of piled approach bridges to container berths and trestle chemical berth,
3. Reclamation of 200 hectares of land behind container berth for back-up facilities,
4. Construction of two marine chemical berths each of 600m quay length, with chemical handling and storage facilities,
5. Dredging at new berths and approach channel leading to berths with Disposal of dredged spoil at designated dumping site of DS-3
6. Other infrastructures like handling equipments and buildings, gate complex etc.

A questionnaire for environmental appraisal of Ports and Harbour projects, as recommended by MoEF&CC, has been completed/filled for this purpose.

7.4. PROJECT BENEFITS

Standardization

Standard transport product that can be handled anywhere in the world through specialized modes (ships, trucks, barges and wagons) and equipment. Each container has a unique identification number and a size type code. The estimated capacity of container handling is 4.8 M TEUs.

Flexibility

Can be used to carry a wide variety of goods such as commodities (coal, wheat), manufactured goods, cars, refrigerated (perishable) goods. There are adapted containers for dry cargo, liquids (oil and chemical products) and refrigerated cargo. Discarded containers can be recycled and reused for other purposes.

Costs

Lower transport costs due to the advantages of standardization. Moving the same amount of break-bulk freight in a container is about 20 times less expensive than conventional means. The container enables economies of scale at modes and terminals that were not possible through standard break-bulk handling.

Velocity

Transshipment operations are minimal and rapid and port turnaround times have been reduced from 3 weeks to about 24 hours. Containerships are faster than regular freighter ships, but this advantage is undermined by slow steaming.

Warehousing

The container is its own warehouse, protecting the cargo it contains. This implies simpler and less expensive packaging for containerized cargoes, particularly consumption goods. The stacking capacity on ships, trains (double stacking) and on the ground (container yards) is a net advantage of containers.

Security and safety

The contents of the container are unknown to carriers since it can only be opened at the origin (seller/shipper), at customs and at the destination (buyer). This implies reduced spoilage and losses (theft).

7.5. SOCIO-ECONOMICAL BENEFITS

The socio-economic scenario in the region is certainly changed with positive impact on the existing regional socio-economic pattern since establishment of JNP. There is change in

employment pattern with local residents & locals are given preference for jobs opportunities and/or self-employment. Due to receiving larger vessels the economic growth will have positive impact; it will also help in increase in living standards of the local residents. Due to enhancement in infrastructure facilities and utilities in living condition will also improve. Hence there shall be positive impact on the employment.

A port is a location on a coast or shore containing one or more harbors where ships can dock and transfer people or cargo to or from land. Ports are one of the primary components of the general transportation sector and are nowadays linked to the expanding world economy. Ports are basically a means of integration into the global economic system. As international barriers to trade have effectively been lifted by the WTO-agreements since the 1980s, global manufacturers have vertically disintegrated their production systems into geographically dispersed and flexibly organized supply chain systems. The international trade regime allowed manufacturers to re-locate their production and assembly plants to more cost-efficient locations in developing economies.

Some of the important socio- economic benefits of ports are:

• Fuels economic development –

They are important links of hinterlands to points overseas. They facilitate movement of goods to and from hinterland. They increase international trade (both exports and import). Increase in exports lead to industrialization in the hinterland as well as around ports. Increase in imports lead to increase in consumer choice and provision of goods at competitive rates.

• Development of cities –

Most of the world's major cities are port cities. Ports spur the economic activities around them like banking, finance, Insurance, logistic etc. This lead to development of cities around ports. For example – Mumbai and Kolkata.

• Increase in Employment –

Ports increase employment both directly and indirectly. Direct employment refers to employment in port related activities. Indirect employment increases due to increased industrialization and increase in other services like banking and insurance.

- **Relatively Environment friendly –**

When compared to other transportation systems, railway transportation requires twice as much energy consumption, while road transportation requires ten times as much as sea conveyance. During the past few decades the world has become increasingly environmentally conscious and, with its lower energy consumption, marine transportation is obviously more environmentally friendly than other means.

- **Increase world Economic Integration –**

Globalization has been partially successful due to cheap transportation facilitated by ports.

- **Development of Infrastructure –**

Increase the economic activity between hinterland and ports lead to development of infrastructure including railways, roads & inland waterways. Such infrastructure makes our exports more competitive and as a spillover effect provide world class infrastructure to citizens.

As discussed above ports are important for socio-economic development of the region thus nations are moving for “Port led development”. China has experienced such development. China developed its industrial towns near ports to facilitate this export led growth. It has proposed Maritime Silk Route to catalyze port led development.

Importance for India

India has a long coastline of about 7,517 km along the western and eastern shelves of the mainland. With 12 major ports and 187 minor ports, India ranks 16th among maritime countries and has one of the largest merchant shipping fleets in the world. According to the Ministry of Shipping, approximately 95% of the country’s trade by volume and 70% by value moves through maritime transport, highlighting the importance of ports and their contribution in sustaining the growth and development of the Indian economy.

The increasing trend of Western countries moving their manufacturing functions to low-cost countries and the fact that India need to create millions of jobs for youth joining workforce every- year means that India could be a prospective manufacturing hub after china. This means we also need to focus on port led development by improvement in port infrastructure.

Policy Initiatives by government for Port led development

The Ministry of Shipping, the nodal agency for ports, encompasses the shipping and port sectors, including shipbuilding and ship repair, major ports and inland water transport. As per government policy, 100% FDI is allowed in port development projects. As way of incentive, 100% income tax exemption from income tax is extended to companies investing in port infrastructure. Further, a 10-year tax holiday has been given to enterprises engaged in the business of developing, maintaining and operating ports, inland waterways and inland ports.

A major promotional initiative of the ministry is the **National Maritime Development Programme (NMDP)**, an initiative to develop the maritime sector, with an outlay of USD 11.8 billion. The policy lists measures for enhancing private investment, improving service quality and promoting competitiveness to meet medium- and long-term objectives. The programme will be implemented through public/private partnership in two phases.

The **National Maritime Agenda 2010–20** outlines the framework for the development of the port sector with a target capacity of over 3 billion tonnes by 2020, largely through private sector participation. The agenda envisages a cumulative investment of around Rs. 2,774 billion in the port sector between 2010 and 2020 in three phases. The non-major ports are expected to account for 61% of the proposed investment and the major ports for the rest. The agenda also suggests policy-related initiatives to improve the operating efficiency and competitiveness of Indian ports. These include major ports to be turned into landlord ports by 2020 with their role being to provide the port infrastructure, while operations and services would be provided by the private sector participants.

Sagar Mala project is a strategic and customer-oriented initiative of the Government to modernize India's Ports so that port-led development can be augmented and coastlines can be developed to contribute in India's growth. It looks towards transforming the existing Ports into modern world class Ports and integrate the development of the Ports, the Industrial clusters and hinterland and efficient evacuation systems through road, rail, inland and coastal waterways resulting in Ports becoming the drivers of economic activity in coastal areas.

CHAPTER 8**ENVIRONMENTAL COST BENEFIT ANALYSIS****8.1. INTRODUCTION**

The proposed project is for obtaining fresh EC for balance work of construction of 4th Container Terminal and Marine Container Terminal at JNP by M/s Jawaharlal Nehru Port

Trust, Navi Mumbai, Maharashtra. The proposal for obtaining fresh ToR for balance work of construction of 4th Container Terminal and Marine Container Terminal at JNP was submitted to MoEF&CC on 17th May, 2018 for seeking Terms of Reference (ToR) in terms of the provisions of Environment (Protection) Act, 1986 for preparation of the Environmental Impact Assessment (EIA) Report and Environmental Management Plan (EMP). The proposal for grant of Terms of Reference (ToR) for the project 'Environment Clearance for balance work of 4th Container Terminal & marine Container terminal M/s Jawaharlal Nehru Port Trust was considered by the Expert Appraisal Committee (Infra-2) in its 31st meeting held on 29-30 May, 2018 & following additional ToR was granted in addition to Standard ToR.

8.2. BACKGROUND OF THE PROJECT

- Environmental Clearance has been granted by MoEF&CC Vide letter No. 10-81/2008-IA-III dated 29th July, 2008.
- The port could not finalize the tender/concession (concessionaire) for the project during the validity time of EC the port has obtained extension of validity from MoEF&CC vide letter No. 10-81/2008-IA-III dated 25th February, 2014
- The port has awarded the work to the successful bidder M/s. Bharat Mumbai Container Terminal Pvt. Ltd. (BMCTPL) (subsidiary of PSA- Port of Singapore Authority). The work is to be carried out in 2 phases.
- Concession agreement was signed between BMCTPL and JNPT on 6th May 2014.
- The work of Phase I is completed along with 90 ha reclamation, 1km of quay and 5 approaches.
- MPCB raised query regarding reclamation using stone material instead of dredged material as mentioned in specific condition No. (vi) of Environment Clearance (EC).
- The amendment in Environmental Clearance was granted by the Expert Appraisal Committee (Infra-2) in its 27th meeting of held on 25th January 2018, along with condition to apply afresh for extension of validity of the Environmental Clearance.
- The application for Terms of Reference for fresh Environmental Clearance for Balance Work of Construction of 4th Container Terminal and Marine Container Terminal at JNP was submitted on 17.05.2018.

8.3. PROJECT DETAILS

The ENTIRE construction of 4th Container Terminal and Marine Container Terminal at JNP by M/s Jawaharlal Nehru Port Trust, Navi Mumbai, Maharashtra involves –

1. Construction of 1000 m quay length for the new container terminal as Phase-I and an additional 1000 m quay length container berth as Phase-II
2. Reclamation of 200ha of land behind container berth for backup facilities,
3. Construction of marine chemical berth of 600 m quay length in Phase-II development of chemical handling and storage facilities,
4. Boat landing jetty,
5. Dredging all new berths and approach loading to berths and disposal of dredged spoil at designated dumping ground DS-3.
6. Other infrastructure like cargo handling equipments, buildings complex, gate complex etc.

8.4. T important socio- economic benefits of ports are:

• Fuels economic development –

They are important links of hinterlands to points overseas. They facilitate movement of goods to and from hinterland. They increase international trade (both exports and import). Increase in exports lead to industrialization in the hinterland as well as around ports. Increase in imports lead to increase in consumer choice and provision of goods at competitive rates.

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When compared to other transportation systems, railway transportation requires twice as much energy consumption, while road transportation requires ten times as much as sea conveyance. During the past few decades the world has become increasingly environmentally

conscious and, with its lower energy consumption, marine transportation is obviously more environmentally friendly than other means.

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infrastructure. Further, a 10-year tax holiday has been given to enterprises engaged in the business of developing, maintaining and operating ports, inland waterways and inland ports.

A major promotional initiative of the ministry is the **National Maritime Development Programme (NMDP)**, an initiative to develop the maritime sector, with an outlay of USD 11.8 billion. The policy lists measures for enhancing private investment, improving service quality and promoting competitiveness to meet medium- and long-term objectives. The programme will be implemented through public/private partnership in two phases.

The **National Maritime Agenda 2010–20** outlines the framework for the development of the port sector with a target capacity of over 3 billion tonnes by 2020, largely through private sector participation. The agenda envisages a cumulative investment of around Rs. 2,774 billion in the port sector between 2010 and 2020 in three phases. The non-major ports are expected to account for 61% of the proposed investment and the major ports for the rest. The agenda also suggests policy-related initiatives to improve the operating efficiency and competitiveness of Indian ports. These include major ports to be turned into landlord ports by 2020 with their role being to provide the port infrastructure, while operations and services would be provided by the private sector participants.

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CHAPTER 9 - ENVIRONMENT MANAGEMENT PLAN

9.1. INTRODUCTION

Impact assessment helps in identifying potentially damaging aspects of a proposed project. Based on the findings of the impact assessment, Environment Management Plan is devised to minimize adverse impacts and enumerated various steps to be taken for improvement of the environment.

Environmental Management Plan (EMP) is the key to ensure a safe and clean environment. A project may have identified proper mitigation measures but without a management plan to execute it, the desired results may not be obtained. The present chapter on Environment

Southern Anchorage Area ('B' Area) – Refer NHO Chart 2015

The southern anchorage area is bounded by the following co-ordinates:

This area is towards southwest of port entrance and is quite extensive. It is quite closer to the port entrance and is preferred by the port as well as ships. It takes about 1 to 1½ hours to travel from this location to the pilot station.

Sheltered Anchorages

Mumbai harbour being a natural harbour provides a large number of sheltered anchorages. For use in fair weather season, designated/marked anchorages starting soon after pilot station are lettered V to Z (Rows) upto Sunk Rock Light House and A to J from Sunk Rock to South of Tucker Beacon. Anchorages are numbered 1 to 4 (or 5) from West to East.

10.3. NEED OF THE PROJECT**Standardization**

Standard transport product that can be handled anywhere in the world through specialized modes (ships, trucks, barges and wagons) and equipment. Each container has an unique identification number and a size type code.

Flexibility

Can be used to carry a wide variety of goods such as commodities (coal, wheat), manufactured goods, cars, refrigerated (perishable) goods. There are adapted containers for dry cargo, liquids (oil and chemical products) and refrigerated cargo. Discarded containers can be recycled and reused for other purposes.

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10.5. METHODOLOGY ADOPTED FOR THE DREDGING:

For widening and deepening of the JNP channel and Mumbai Harbour channel following

10.5.1. Disposal And Dispersion Dredged Material

In this project dredged material cannot be used for any other purpose as the material is not suitable for reclamation or any other construction. IIT Mumbai has done a study and also suggested that the dredged material cannot be used in reclamation. Hence it is proposed to dispose off the dredged material at the pre designated site DS-3. Dispersion studies were carried out by CWPRS (Central Water and Power Research Station) for site DS3 to ascertain the suitability of the site as a dumping site. During the dredging operations, the bed material gets disturbed and this process brings the bed material into suspension. Due to this resuspension, the sediment concentrations in the vicinity of the dredger temporarily increase and the tidal currents transport this suspended sediment. Therefore, in order to ascertain the likely transport of the material in resuspension, dispersion studies were conducted for dredging operations in the channel. From these results, it is clear that the resuspended sediment due to dredging operations is not likely to be dispersed in to tidal flats near Sewri or Dharamtar where mangroves exist. However, there would be marginal increase in the suspended sediment concentrations in the Mumbai harbour area, near Butcher Island and this increase would be for a limited period during dredging operations.

