

BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTHERN ZONE)
AT CHENNAI

Original Application No. 108 of 2024 (SZ)

Bhagat Singh A.,
Son of Arunachalam,
2.3rd Street, Ulaganathapuram,
Ennore, Tiruvallur, Tamil Nadu - 600 057 and 9 ors.

...Applicants

Vs.

Union of India
Rep. by its Secretary to Government
Ministry of Environment & Forests & Climate Change
Indira Paryavaran Bhavan, Jor Bagh, New Delhi and 3 ors.

...Respondents

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PRIVATE LTD.

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"CERTIFIED TO BE TRUE COPIES OF THE RESPECTIVE ORIGINALS"

Dated at Chennai on this the 15th June, 2025.



Counsel For Respondent No. 4

Prasad Vijayakumar

Ph No. 8838770455

BEFORE THE NATIONAL GREEN TRIBUNAL (SOUTH ZONE) AT CHENNAI**Original Application No. 108 of 2024 (SZ)****IN THE MATTER OF**

1. Bhagat Singh A.
Son of Arunachalam,
2,3rd Street, Ulaganathapuram,
Ennore, Tiruvallur, Tamil Nadu - 600 057
2. Karunakaran. M,
S/o Manikkam,
33, Kattukuppam, Porkaliyamman Street,
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3. Mathi Pachaiyappan,
S/o Manikkam,
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Kattivakkam, Tiruvallur, Tamil Nadu - 600 057
4. Suyambulingam. S,
S/o Sivalingam,
No.3, 1st Block V.O.C. Nagar,
Kattivakkam, Tamil Nadu - 600 057
5. Dhamodharan,
S/o Kanniyappan,
No.5/10, Sasthri Nagar 2nd Street,
Ennore, Kattivakkam, Tamil Nadu - 600 057
6. Jeyachandran,
S/o Durairaj,
97, Kaveri Nagar,
Kattivakkam, Tiruvallur, Tamil Nadu- 600 057
7. Damodharan Kasi,
S/o Kasi
14/4, 2nd Street, Anna Nagar,
Ennore, Kattivakkam, Tamil Nadu- 600 057



8. Riyazudden Hamarudeen
S/o Hamarudeen
21/16, 1 Street, Thiruvallurvar Nagar,
Ennore, Kattivakkam, Tamil Nadu - 600 057.
9. K. Parthsarathy,
S/o. Kathavarayan,
31, Chinnamman Koil Street,
Thazankuppam, Kattivakkam, Tamil Nadu- 600 057.
10. C. Muthukrishnan,
S/o Chinnamariyappan,
C130, Rajivgandhi Nagar,
Ennore, Kattivakkam, Tamil Nadu- 600 057.

...Applicants

Vs.

1. Union of India,
Rep. by its Secretary to Government,
Ministry of Environment & Forests & Climate Change,
Indira Paryavaran Bhavan, Jor Bagh, New Delhi
2. The Tamil Nadu Coastal Zone Management Authority,
Rep by its Member Secretary,
No.1, Jeenis Road, Panagal Building,
Ground Floor, Saidapet, Chennai - 600 015.
3. The Tamil Nadu Pollution Control Board,
Rep by its Member Secretary,
No. 76, Mount Salai, Guindy, Chennai.
4. M/s Coromandel International Limited,
Rep by its Managing Director,
Post Box No:2, Ennore Express Highway,
Ennore, Tamil Nadu - 600 057

...Respondents



COUNTER AFFIDAVIT FILED ON BEHALF OF RESPONDENT NO. 4

I, M. Vetrivel, S/o. Late A.C. Mani, aged about 43 years, working as Deputy General Manager – Productions with the Respondent No. 4, having office at Post Box No. 2, Ennore Express Highway, Ennore, Tamil Nadu – 600 057 do hereby solemnly affirm and sincerely state as follows:

1. I submit that I am the Deputy General Manager – Production of the Respondent No. 4 herein and as such I am well acquainted with the facts of the case. I am duly authorized by the Respondent No. 4 herein to swear to this affidavit.
2. It is respectfully submitted that I have gone through the Original Application and in answer thereto, I am filing this Counter Affidavit.
3. I state that this Original Application is an abuse of process of law and I deny the allegations made therein except those that are specifically admitted hereunder.
4. At the outset, I submit that this Application is barred by limitation as per Section 14 of the National Green Tribunal Act, 2010 and a preliminary counter affidavit dated 20.08.2024, has been filed on behalf of the Respondent No. 4, before this Hon'ble Tribunal, making submissions with respect to limitation. It is submitted that the present Application deserves to be dismissed on this ground alone.



5. It is hereby submitted that the instant affidavit is being filed in continuation of the abovementioned affidavit and therefore, the affidavit dated 20.08.2024, may be read as part and parcel of this affidavit as well.

BRIEF FACTS:

6. The subject manufacturing plant of the Respondent No. 4 at Ennore ("the Ennore Unit"), was setup and commissioned in 1963. To ensure compliances and to lawfully operate the plant, the Respondent No. 4 has periodically secured requisite approvals/consents under applicable legislations, including the Air (Prevention and Control of Pollution) Act, 1981 ("**Air Act**") and Water (Prevention and Control of Pollution) Act, 1974 ("**Water Act**") from the appropriate authorities.
7. The Respondent No. 1, MoEF, issued the CRZ Notification 1991 on 19th February 1991, in exercise of its powers conferred by Section 3(1) and 3(2)(v) of the Environment Protection Act, 1986, read with Rule 5(3)(d) of the Environment Protection Rules, 1986, whereby it declared certain coastal stretches of land among other areas as CRZ. Under the CRZ Notification 1991, certain activities such as setting up of new industries and the expansion of existing industries were prohibited within the CRZ. Since, the Respondent No. 4 was in existence and operation from 1963, it came under the category of an existing industry under the CRZ Notification 1991.
8. Subsequently, in the year 1993, the Respondent No. 4 applied to the Respondent No. 1, MoEF, for an environmental clearance, for expansion cum modernization of its Compound Fertilizer Complex for



Manufacturing 1,70,000 MT/Annum of Ammonium Phosphate Sulphate (Fertilizer), 1,81,000 MT/Annum of Sulphuric Acid, 35,800 MT/Annum of Phosphoric Acid. The Respondent No. 4 obtained environment clearance from the Respondent No.1, MoEF, vide Letter No. J-11011/7/93-IA.II dated 16.12.1993. The said environmental clearance dated 16.12.1993 is annexed herewith as **Annexure No. 1**

9. Thereafter, in order to import Ammonia, the Unit intended to set up a seawater pipeline project for transporting the imported ammonia to the Ennore Unit. The necessary environmental clearance for setting up such seawater pipeline was obtained from the MoEF on 17.06.1994, vide Lr.No.J-170119/9/94-IA-III. The said environmental clearance dated 17.06.1994 is annexed herewith as **Annexure No. 2**.
10. In the year 1995, the Unit obtained environmental clearance from Respondent No. 1, MoEF, for installation of an Ammonia Storage Tank of 12,500MT vide Lr. No. J-17011/9/94-IA-III dated 20.12.1995. The said environmental clearance dated 20.12.1995 is annexed herewith as **Annexure No. 3**. It is important to point out that this environmental clearance refers to the earlier clearance given by Respondent No. 1, MoEF, dated 17.06.1994 under the CRZ notification 1991, thereby substantiating that the authorities were well aware of the requirements under the CRZ notification and have granted clearance only in accordance with the terms of the said notification.
11. Thereafter, the Ennore Unit in order to further expand its production capacity of its (a) fertilizer plant from 1,70,000 MTPA to 3,30,000 MTPA; (b)



Phosphoric acid Plant from 35,800 MTPA to 66,000 MTPA; and (c) Sulphuric acid plant from 1,81,000 MTPA to 2,80,450 MTPA applied for environmental clearance from Respondent No. 1, MoEF, and obtained the same on 03.09.2007. The said environmental clearance dated 03.09.2007 is annexed herewith as **Annexure No. 4**. It is important to point out that from the Form 1 submitted along with the letter dated 11.04.2007 seeking clearance, the Ennore Unit had clearly mentioned that the Plant was situated within 1km of the CRZ Zone. The application made by the Respondent No. 4, in its erstwhile name is annexed herewith as **Annexure No. 5**.

12. It is to be noted that the Ennore Unit had originally submitted applications for the above purpose on 15.03.2000 and on 18.08.2003 to the Respondent No. 3, TNPCB. However, the TNPCB, in light of the coming into force of the EIA Notification 2006, had by way of a letter dated 09.11.2006, returned the application which was still pending on such date and specifically directed the Respondent No. 4 to resubmit the application as per the EIA Notification 2006. The application dated 18.08.2003 (which also mentions the application made on 15.03.2000) is attached herewith as **Annexure 6**. The letter of Respondent No. 3, TNPCB, dated 09.11.2006 is attached herewith as **Annexure 7**. The EIA Notification 1994 is attached herewith as **Annexure 8**. The EIA Notification 2006 is attached herewith as **Annexure 9**.
13. It is also submitted that the Form I under which the application was made, was introduced under the abovementioned EIA Notification 2006.



14. It is further submitted that the Ennore Unit was sourcing saline water for its manufacturing activities from the existing outfall channel of Ennore Thermal Power Station based on an agreement between the Respondent No. 4 and TANGEDCO. Since the power station was decommissioned, the Respondent No. 4 approached Respondent No. 1, MoEF, to setup an independent sea water intake facility for drawing water from the sea for its operations with no change in the existing sea water outfall. The Respondent No. 1, MoEF, issued CRZ clearance vide letter no. F.No. 11-46/2017-IA-III dated 25.10.2018 which is annexed herewith as **Annexure 10**.
15. In the year 2021, in order to replace the filler material Dolomite with Muriate of Potash (MoP), in order to produce Ammonium Phosphate Potash Sulphate, without any increase in the consented production capacity, the Ennore Unit, based on the Pollution Load Assessment Study report obtained from Department of Applied Science and Technology, Anna University, Chennai, obtained a "No Increase in Pollution Load" Certificate ("**NIPL Certificate**") from Respondent No. 3, TNPCB, on 12.03.2021. Thereafter, the Ennore Unit obtained CTO Direct on 23.11.2021 from Respondent No. 3, TNPCB, which was further renewed until 31.03.2023.
16. Further in the year 2023, in order to increase the production capacity of the Ammonium Phosphate Potash Sulphate plant from 3,00,000 to 4,00,000 MTPA, the Ennore Unit again applied for an NIPL Certificate in accordance with Respondent No. 1, MoEF, Notification S.O. 980(E) dated 02.03.2021. The Respondent No. 3, TNPCB, issued the NIPL certificate vide letter dated 21.07.2023. Upon securing the 2023 NIPL certificate, the unit also obtained



CTO Expansion from Respondent No. 3 TNPCB on 20.10.2023 which is valid up to 31.03.2028. It is necessary to point out the unit never actually carried out the increase in production capacity from 3,00,000 to 4,00,000 MTPA till date. The MoEF Notification S.O. 980 (E) dated 02.03.2021 is annexed herewith as **Annexure No. 11**. The NIPL Certificate dated 21.07.2023 is annexed herewith as **Annexure No. 12**.

17. It is therefore abundantly clear that the Respondent No. 4 has duly applied for and obtained necessary statutory approvals from the respective authorities for lawful operations of the Unit.
18. It is further relevant to note that, since inception, there has been no increase in the total land extent of the Ennore Unit till date.

PRELIMINARY SUBMISSIONS:

19. The main contentions raised by the Applicants in the present Application are, inter alia, as follows:
 - A. After the coming into force of the Coastal Regulation Zone (CRZ) Notification 1991, an existing industry such as the Respondent No. 4 herein could not have "expanded" its "production capacity".
 - B. Respondent No. 4 has obtained all subsequent clearances/ permissions/ approvals after 1991 from Respondent No. 1, MoEF, and/ or Respondent No. 3, TNPCB, by suppressing the fact that the industry of the Respondent No. 4 is located within the CRZ area.



- C. Respondent No. 4 has committed a fraud on the authorities and obtained permission for the expansion of its production capacity which is prohibited under the CRZ Notification 1991, and consequently all permissions granted for expansion are non est and void ab initio.
- D. The operation of the Ennore Unit of Respondent No. 4 in the CRZ area till date is a continuous wrong and in violation of existing laws.
20. It is respectfully submitted that the above averments made by the Applicants are bereft of merit and based on a misconceived interpretation of the applicable laws and regulations. It is also important to point out that the Applicants have selectively placed information in their application while suppressing vital details in order to mislead this Hon'ble Tribunal.
21. The Ennore Unit was setup and commissioned in 1963. Subsequently, to ensure compliances and to lawfully operate the plant, the Respondent No. 4 had periodically secured permissions/ approvals/ consents under applicable regulations. It is submitted that the Respondent No. 4 was incorporated as Coromandel Fertilizers Limited in the year 1961. In 2003, the subject Ennore Unit, which was previously with the farm division of EID Parry, later merged with Coromandel Fertilizers Limited, followed by a name change to Coromandel International Limited in September 2009. It is submitted that the Ennore Unit is located on the express highway at Kathivakkam village and is in operation from the year 1963. Ammonia



phosphate potash sulphate, a complex fertilizer, is produced in this Unit which is widely used by farmers in many Indian states.

22. The Respondent No. 1, MoEF, issued the CRZ Notification 1991 on 19th February 1991, in exercise of its powers conferred by Section 3(1) and 3(2)(v) of the Environment Protection Act, 1986, read with Rule 5(3)(d) of the Environment Protection Rules, 1986, whereby it declared certain coastal stretches of land among other areas as CRZ. Under the CRZ Notification 1991, certain activities such as setting up of new industries and the expansion of existing industries were prohibited within the CRZ. Since, the Respondent No. 4 was in existence and operation from 1963, it came under the category of an existing industry under the CRZ Notification 1991.
23. The crux of the present dispute relates to the interpretation of the word “**expansion**”. The Applicants seek to interpret this word to not just expansion in the physical sense i.e., expansion in land area and/ or built-up area of the existing buildings in the Unit, but the word “**expansion**” included increase in production capacity as well. It is respectfully submitted that this interpretation is bereft of merit and legally unsustainable.
24. It is submitted that the word expansion is not defined in the CRZ Notification 1991. Therefore, the intent of the legislation needs to be looked into to ascertain the meaning of the word “**expansion**” as it is used in the CRZ Notification 1991. CRZ Notification 1991 was enacted with a view to conserve and protect the unique environment of coastal stretches and marine areas, and to promote sustainable development based on scientific



principles taking into account the dangers of natural hazards, sea level rise due to global warming etc., CRZ Notification 1991 demarcates land into various categories. As per Clause 6(1) the coastal stretches within 500 meters of High Tide Line ("HTL") of the landward side are classified into four categories.

a) *Category - I (CRZ-I):*

(i) Areas that are ecologically sensitive and important, such as national parks/marine parks, sanctuaries, reserve forests, wildlife habitats, mangroves, corals/ coral reefs, areas close to breeding and spawning grounds of fish and other marine life, areas of outstanding natural beauty/historical/heritage areas, areas rich in genetic diversity, areas likely to be inundated due to rise in sea level consequent upon global warming and such other areas as may be declared by the Central Government or the concerned authorities at the State Union Territory level from time to time.

(ii) Area between the Low Tide Line and the High Tide Line.

b) *Category - II (CRZ II): The areas that have already been developed upto or close to the shore line. For this purpose, "developed area" is referred to as that area within the municipal limits or in other legally designated urban areas which is already substantially built up and which has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains.*

c) *Category - III (CRZ III): Areas that are relatively undisturbed and those which do not belong to either Category-I or II. These will include coastal zone*



in the rural areas (developed and undeveloped) and also areas within Municipal limits or in other legally designated urban areas which are not substantially built up.

d) Category - IV (CRZ IV): Coastal stretches in Andaman & Nicobar, Lakshadweep and small islands except those designated as CRZ I, II or III.

25. It is therefore respectfully submitted that the CRZ Notification 1991 was primarily concerned with stretches of land near seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action (in the landward side) up to 500 meters from the HTL and the land between the Low Tide Line ("LTL") and HTL as CRZ. It is clear that the intent of the CRZ Notification 1991 was land specific as it identifies stretches of land in different area as stated above to be classified as CRZ. Consequently, the word "**expansion**" has to be read as expansion of land. It is important to note that the CRZ Notification 1991 nowhere talks about the production capacity of any industry and does not place any restrictions/ fetters on the production capacity. Therefore, the interpretation sought to be placed by the Applicants that expansion means expansion of capacity is misplaced and a colorable reading of the CRZ Notification 1991.

26. The question then arises as to which is the law or regulation which governs the expansion of the production capacity of an industry whether in a CRZ area or otherwise. It is submitted that this is governed by the Environment Impact Assessment Notification, 1994 ("EIA Notification 1994"), which has subsequently been replaced by the Environment Impact Assessment Notification, 2006 ("EIA Notification 2006"). The Respondent No. 1, MoEF,



in exercise of its powers conferred by Section 3(1) and 3(2)(v) of the Environment Protection Act, 1986, read with Rule 5(3)(d) of the Environment Protection Rules, 1986, issued the EIA Notification whereby any expansion or modernization of any activity in an industry listed in the Schedule of the Notification shall not be undertaken "in any part of India" unless it has been accorded environmental clearance by the Central Government. A reading of the EIA Notification makes it clear that the increase or expansion of production capacity will be governed by this notification in any part of India which includes areas in the CRZ.

27. It is pertinent to point out that the EIA Notification and the CRZ Notification have been issued by the Respondent No. 1, MoEF, under the very same statutory provisions of the Environment Protection Act, 1986. The two notifications operate and occupy different fields, i.e., one relating to prohibited and permissible activities in areas designated as CRZ and the other dealing with obtaining prior clearance from the Respondent No. 1, MoEF, before expansion or modernization of the capacity of an industry is undertaken in any part of India. In the present case, the Respondent No. 4 has obtained the necessary clearances from the Respondent No. 1, MoEF, under the EIA Notifications for its expansion. In fact, when the Respondent No. 4 needed CRZ clearance for putting up its subsea pipeline as well as sea water intake, it obtained the same from the concerned CRZ authorities. Therefore, a reading of the above notifications makes it clear that the interpretation sought to be averred by the Applicants that CRZ clearance is required even for expansion of Production capacity is not sustainable. It is important to point out that the nodal ministry for both clearances/ approvals is one and the same namely the Respondent No. 1, MoEF. If the



contention as raised by the Applicants is accurate, then the Respondent No. 1, MoEF, would have never given approvals for the expansion of the production capacity of the Respondent No. 4, as it is the same ministry that deals with CRZ clearances as well.

28. It now brings us to the next averment sought to be made by the Applicants that Respondent No. 4 has obtained all subsequent clearances/ permissions/ approvals after 1991 from Respondent No. 1, MoEF, and/ or Respondent No. 3, TNPCB, by suppressing the fact that the industry of the Respondent No. 4 is located within the CRZ area. As stated above, the Respondent No. 4 has been in existence and operation since 1963. The entire area of the Ennore Unit of the Respondent No. 4 is about 50 acres in size. It is not a small or miniscule operation that can escape the attention of the authorities. Nor has the Respondent No. 4 ever concealed the fact that it is located in CRZ II from the authorities in any of its applications for permission to expand its production capacity. Therefore, it does not lie in the mouth of the Applicants to make such an averment of concealment of location of the Ennore Unit by the Respondent No. 4 from the authorities especially when the Ennore Unit produces 3,00,000 metric tonnes of fertilizers annually and being an industrial complex spread over 50 acres of land with around 800 employees (approx.).

29. The other averment that the Applicants seek to make is that the Respondent No. 4 has committed a fraud on the authorities and obtained permission for the expansion of its production capacity which is prohibited under the CRZ Notification 1991, and consequently all permissions granted for expansion are non-est and void ab initio. As stated above, expansion of production



capacity is governed by the EIA Notification and not the CRZ Notification, which is restricted to physical expansion alone.

30. In the present Application, the Applicants have challenged three clearances issued by the Respondent No. 1, MoEF, namely (i) clearance dated 16.12.1993 given for expansion-cum-modernization of compound fertilizer complex (ii) clearance dated 20.12.1995 given for installation of ammonia storage tank of 12,500 metric tons capacity, and (iii) clearance dated 03.09.2007 given for expansion of fertilizer plant by the Respondent No. 4. As stated above, clearance for the above expansions have been given by the Respondent No. 1, MoEF, under the applicable EIA Notifications. It is further pertinent to point out that the 16.12.1993 clearance and the 20.12.1995 clearance were given prior to the mapping of the CRZ zones, which were published in 1996 only. Therefore, the protection afforded to all developments and activities within the CRZ till the coastal zone management plans are approved vide section 3(iii) of the CRZ Notification 1991 applies to the above said two clearances as well. Insofar as the 03.09.2007 clearance is concerned, it has been given under the EIA Notification 2006, by the Respondent No. 1, MoEF, after considering the Form I submitted by Respondent No. 4 for expansion, the pre-feasibility report and environmental assessment study report. It is important to point out that this clearance expressly states that the expansion will be done **"within existing land and no additional land will be acquired"** which supports the interpretation of this answering Respondent that if expansion required additional land, then only CRZ clearance is required. It is also important to point out that in the Form I submitted by the Respondent No. 4, it is clearly mentioned in clause 9(III)-Environmental Sensitivity of the



Form that the factory/ Ennore Unit of Respondent No. 4 falls within 1 km of the CRZ zone and it is situated within 1 km of the Bay of Bengal. This again supports the contention of this answering Respondent that there has been no concealment of its location from the authorities as falsely averred by the Applicants.

31. It is also relevant to point out that the Respondent No. 1, MoEF, while granting the clearance for expansion dated 03.09.2007, expressly noted that the increase in production will be achieved through technological development, process improvements, improving on-stream hours, maximization of equipment capacity and continuous supply of raw materials and that no sulphuric acid and phosphoric acid plants will be installed, and all additional requirements, if any, of sulphuric acid and phosphoric acid will be imported. This further bolsters the interpretation of the Respondent No. 4 that expansion as envisaged in the CRZ Notification 1991 is only relating to land/ building expansion, which in any event has not been undertaken by the Respondent No. 4 while getting the above clearances.
32. It is again pertinent to point out that at that time i.e., 2007, when the Respondent No. 4 applied for environmental clearance, there was no requirement to obtain a separate NOC/ permission/ approval from the CRZ authority. This is fortified by the fact that the subsequent amendment to the EIA Notification 2006 on 01.12.2009 introduced a note in the amended Form I which stated as follows:



"1. The projects involving clearance under Coastal Regulation Zone Notification, 1991 shall submit with the application a C.R.Z map duly demarcated by one of the authorised agencies, showing the project activities, w.r.t. C.R.Z (at the stage of TOR) and the recommendations of the State Coastal Zone Management Authority (at the stage of EC). Simultaneous action shall also be taken to obtain the requisite clearance under the provisions of the C.R.Z Notification, 1991 for the activities to be located in the CRZ."

33. This amendment makes it clear that the requirement to obtain a separate clearance under the CRZ Notification 1991 from the Respondent No. 2, Tamil Nadu Coastal Zone Management Authority, came into effect only from 01st December 2009. Consequently, there was no such requirement of getting a separate and additional clearance under the CRZ Notification 1991 when the Respondent No. 4 got its EC on 03.09.2007. The EIA amendment dated 01.12.2009 is annexed herewith as **Annexure 13**.

34. The Applicants have also challenged the NIPL Certificate dated 21.07.2023 terming it an environmental clearance. It is respectfully submitted that the above letter dated 21.07.2023, is a "No Increase in Pollution Load certificate" granted by Respondent No. 3, TNPCB, and is not an environmental clearance granted by Respondent No. 1, MoEF. As per MoEF Notification bearing number S.O.980(E), dated 02.03.2021:

"(b) Existing projects (having Prior Environmental Clearance) with no increase in pollution load: Any increase in production capacity in respect of processing or production or manufacturing sectors (listed against item numbers 2,3, 4 and 5 in the Schedule to this notification) with or without any change in (i) raw material-



mix or (ii) product-mix or (ii) quantities within products or (ii) number of products including new products falling in the same category or (iv) configuration of the plant or process or operations in existing area or in areas contiguous to the existing area (for which prior environmental clearance has been granted) shall be exempt from the requirement of Prior Environmental Clearance provided that there is no increase in pollution load (derived on the basis of such Prior Environmental Clearance):..”

Accordingly, the Respondent No. 4 had applied for and secured the 2023 NIPL Certificate from Respondent No. 3, TNPCB, to enhance its production of Ammonium Phosphate Potash Sulphate from 3,00,000 TPA to 4,00,000 TPA. It is pertinent to state that despite obtaining the NIPL Certificate, for increasing production from 3,00,000 TPA to 4,00,000 TPA, the Respondent No. 4 has not done so till date for operational reasons.

35. It is respectfully submitted that a perusal of the above paragraphs demonstrates that the Respondent No. 4 has complied with all applicable laws and Regulations and had secured all necessary statutory approvals from the appropriate authorities to effect any expansion or installation prior to undertaking any such activity.
36. Insofar as the averment relating to limitation and the argument of a continuing wrong is made by the Applicants, it is respectfully submitted that the challenge to the validity of an environmental clearance is not a recurring cause of action and there is no continuing wrong as alleged by the Applicants. This Hon'ble Tribunal in a catena of decisions has consistently held that the theory of continuing cause of action cannot be



made applicable when there is a specific period of limitation prescribed under the National Green Tribunal Act, 2010 ("NGT Act"). This Hon'ble Tribunal has further held that any interpretation accepting the continuing cause of action averment would frustrate the very object of the NGT Act and the purpose of prescription of limitation under Section 14 of the NGT Act. It is submitted that the environmental clearances that are being challenged herein were issued on 16.12.1993, 20.12.1995, 03.09.2007 and 21.07.2023 respectively. The time limit prescribed under Section 14 of the NGT Act is six months from the date on which the cause of action for such dispute **first arose** and the tribunal is vested with a power to condone a delay **not exceeding** sixty days if it is satisfied that the Applicant was prevented by sufficient cause. It is submitted that the Applicants have filed the Original Application on 23.03.2024 with undue delay from the date the cause of Action first arose (i.e. on 16.12.1993, 20.12.1995, 03.09.2007 and 21.07.2023 being the date of issuance of Environmental Clearance) and hence the Original application is clearly barred by limitation. (See *Ms. Geeta Bhadrassen Vadhai v. Ministry of Environment and Forest and Ors., (MA 118/2014 in Application No. 63 of 2014)*).

37. It is respectfully submitted that the Applicants herein have sought to aver that the Application filed by them is within limitation since the cause of action is recurring in nature and continues till the violation is stopped. It is respectfully submitted that the cause of action is not a recurring cause of action. The word recurring cause of action has been explained in *Forward Foundation v. State of Karnataka., 2015 SCC Online NGT 5.*, wherein the Hon'ble Tribunal defined it as something happening again and again and not that which occurs only once. In the present case, the grant of



Environmental clearance on 16.12.1993, 20.12.1995, 03.09.2007 and 21.07.2023 is a singular event where the cause of action is complete and the limitation to challenge the validity also begins. The Hon'ble National Green Tribunal in *Aradhana Bhargav v. Ministry of Environment and Forest and Ors.*, 2013 SCC Online NGT 84 held as follows:-

31. *In the instant case, the applicants have asked for declaration in respect of environmental clearance dated 21.04.1986, communication dated 30.11.2005 and also a declaration on the strength that there was no environmental clearance and declaration that the activities of PENCH Diversion Project could not commence without prior environmental clearance under EIA Notification 2006 and all other reliefs were only consequential. Thus, without going into the legality or otherwise, by environmental approval dated 21.04.1986, communication dated 30.11.2005, the question in respect of their declaration referred to above cannot be investigated or considered or a decision arrived at. Thus, the cause of action, as could be seen from the averments in the applications was directly relatable to the existence of the letters dated 21.04.1986, environmental clearance and letter dated 30.11.2005. In the considered opinion of the Tribunal, the concept of continuing cause of action cannot be made applicable to the present factual position that too when there is a specific bar against the entertaining the application, if it is not within a period of limitation prescribed under Section 14(1) and 15(3) of NGT Act. At no stretch of imagination, neither the environmental approval dated 21.04.1986 nor the subsequent communicated dated 30.11.2005 can be assailed after long lapse of years. The words "first arose" in Section 14(1) and 15(3) which are indicators of the unambiguous legislative intent. While the expressed provisions of the statute of provision under Section 14(1) and 15(3) of the NGT Act is so clear, the*



concept of continuing cause of action as put forth by the applicants has no application. The statutory prescription of the special period of limitation under the said provisions would not only stand indicative but also exclude the said concept of continuing cause of action. If the theory of continuing cause of action is to be accepted, the words "first arose" in the above provisions will lose its import and significance. Having sought for a declaration that environmental approval dated 21.04.1986 and also the communication dated 30.11.2005 were invalid, now the applicants cannot be permitted to say that the environmental clearance dated 21.04.1986 was put an end by the subsequent communication in the year 2001 and thus, there was no environmental approval existed, cannot be countenanced. So long as the applicants have sought for a declaration as stated above, no doubt, the application is barred by time. As stated above, the applicants who are living nearby and whose lands have also been taken for the purpose of the project in question cannot now be permitted to say, after long lapse of a decade, that they came to know, that too the existence of their right only in November, 2012. A person who wishes to invoke the jurisdiction of the Tribunal or Court has to be vigilant and conscious of his rights and should not let the time to go by not taking appropriate steps. It is true that the provisions of law of limitation has to be construed liberally but the same cannot be applied to the present facts of the case for the reasons stated above. It is true that the Tribunal must adopt a practical approach which is in consonance with the provisions of the Act providing limitation. In the instant case, the period of limitation has begun to run long back. The period of limitation once commences operating, it does not stop but continues to operate with its rigour. An interpretation accepting the continuing cause



of action would frustrate the very object of the Act and the purpose of prescription of limitation.

38. In the present case, the environmental clearances under challenge, were granted in the years 1993, 1995, 2007 and 2023. It is respectfully submitted that the Application is barred by limitation as follows:

S. No.	Date obtained	Clearances	Date Limitation ends	Statutory	Total No. of days delay as on 23.03.2024 (Date of filing of OA)
1.	16.12.1993		15.08.1994		10,592 days
2.	20.12.1995		19.08.1996		10,078 days
3.	03.09.2007		02.05.2008		5,803 days
4.	21.07.2023		21.03.2024		2 days

39. Therefore, on the ground of being barred by limitation, it is respectfully submitted that the present Application ought to be dismissed by this Hon'ble Tribunal.

PARAWISE REPLY:

40. **Re Paragraph No. 1:** At the outset, the Respondent No. 4 denies the contentions raised in this paragraph in toto as being false, misleading and bereft of any merit. The Respondent No. 4 vehemently denies the allegations that it has obtained licenses for its operation by suppression of facts or played a fraud and mislead authorities. As stated above, the Respondent No. 4 has secured all necessary approvals required for each of



the operations/expansions undertaken by the Unit. The Applicants have not in any manner substantiated the allegations of consistent fraud played by Respondent No. 4 and have made this unsubstantiated allegation to misguide this Hon'ble Tribunal. The Applicants have not placed any fact or record to show how the Respondent No. 4 has misled the Respondents 1 to 3 and have also questioned the integrity of Respondents 1 to 3, in alleging that they have been misled, especially since the Respondent No. 4's Unit at Ennore is over 50 acres in size and has been in existence and operation from 1963. Such allegations only go to prove the desperation of the Applicants to build a case, albeit on falsity, against a highly reputed company which is an important contributor to the agricultural sector and economy of the country with a hope of unlawfully benefitting from the same.

41. **Re Paragraphs No. 2 to 4:** In response to these paragraphs, the contents of the preliminary submissions made above are reiterated and may be read as part and parcel of the reply to these paragraphs.
42. **Re Paragraphs No. 5 to 9:** In so far as these paragraphs are concerned, the applicant have merely extracted clause 3(i) of CRZ Notification 2011 and clause 4(i) of CRZ Notification 2019 and hence needs no traverse. In response to these paragraphs, the contents of the preliminary submissions made above are reiterated and may be read as part and parcel of the reply to these paragraphs.
43. **Re Paragraph No. 10:** As regards the contents of this paragraph, it is submitted that the Respondent No. 4 affirms the same to the extent that



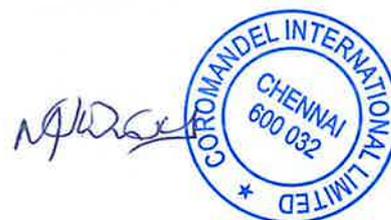
such contents were already sworn to in its affidavit filed by this Respondent in OA 195 of 2023.

44. **Re Paragraph No. 11:** The contents of this paragraph while being a matter of record, have also been covered above sufficiently and do not require any specific traversal. The contents of the preliminary submissions made above are reiterated and may be read as part and parcel of the reply to these paragraphs.
45. **Re Paragraphs No. 12 and 13:** The averments under these paragraphs are repetitive and have sufficiently been addressed above in the preliminary submissions. It is however strictly denied that the capacity of this Respondent prior to the expansion dated 16.12.1993 is the capacity at which this Respondent could have legally operated. This Respondent has sufficiently demonstrated its compliance with applicable laws and the notifications under which each of its ECs and Certificates have been obtained.
46. **Re Paragraph No. 14 to 16:** The allegations made by the Applicants that the clearances were obtained by fraud, are strongly denied. It is reiterated that the ECs were issued only after examination of the project. It is also a reprehensible remark on the diligence carried out by the authorities prior to issuing such clearances in favor of the Respondent No. 4 and the Applicants seek to cast aspersions on the credibility of the authorities. Further, it is also preposterous to suggest that the Respondent No. 4 suppressed the location of a Unit of such size and significance, especially after repeatedly admitting that the Respondent's Unit is a large industry,



from the very authorities who are appointed and empowered to monitor the same. Such averments are a mere exhibition of the desperation of the Applicants for reasons best known to them.

47. Further, it is interesting to note that, despite the repeated submissions with respect to the incident that occurred in December, 2023, the Applicants have claimed that the scope of the instant application is distinct. However, it is to be noted that, that the Applicants have only approached this hon'ble Tribunal vide this application only to take undue advantage of the accident and have filed this application with ulterior motives and to tarnish the reputation of the Respondent No. 4.
48. **Re Paragraphs No. 17 to 19:** The contents of these paragraphs are denied and the preliminary submissions made above are reiterated and may be read as part and parcel of the reply to these paragraphs.
49. **Re Paragraphs No. 20 to 28:** The Applicants have again, out of desperation, attempted to exploit the accident which occurred in December 2023 to illegally benefit out of the same. The Respondent No. 4 submits that the issue has been sufficiently dealt with vide the suo-moto proceedings (O.A No. 195 of 2023) before this Hon'ble Tribunal and the counter filed by this Respondent in that OA may be read as part of this reply as well. It is submitted that the Applicants vide this Application are trying to reagitate issues that have been judicially settled by this Hon'ble Tribunal and the present application is an abuse of the process of law.



50. **Re Grounds:** The contents of these paragraphs are denied and the preliminary submissions made above are reiterated and may be read as part and parcel of the reply to these paragraphs.
51. **Re Paragraph 29 – Limitation:** The contents of this paragraph are denied and the preliminary submissions made above are reiterated and may be read as part and parcel of the reply to this paragraph. It is respectfully reiterated that the present application is barred by limitation and has not been filed within the period of limitation prescribed under the NGT Act. It is pertinent to point out that if this Hon'ble Tribunal permits Applicants to challenge environmental clearances/approvals given many years ago, it would defeat the very purpose of the Act and the prescription of limitation provided therein. The Applicants are all residents in the area near the Ennore Unit of the Respondent No. 4 and were well aware of the existence and operation of the Respondent No. 4 from time immemorial. The averment that the Applicants came to know about the alleged fraud played by Respondent No. 4 in obtaining clearances for expansion only through RTI recently is a fig leaf and a ruse created by the Applicants to mislead this Hon'ble Tribunal. It would not be out of place to mention that the Applicants appear to be a part of an unknown organization or persons who seek to coerce the Respondent No. 4 by filing such belated and frivolous applications with ulterior motives.
52. The Applicants have no prima facie case. The instant application is perverse, an abuse of process of law and is a mere harassment of the Respondent No. 4. The instant application is only a nefarious act of the Applicants, to arm-twist the Respondent for unlawful gains. The



Applicants are not entitled to any of the reliefs prayed for and the instant application strictly deserves dismissal.

It is therefore humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the present application and pass such other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.



Solemnly affirmed at Chennai, on)
 This the 14th day of June 2025)
 And signed his name in my presence)

BEFORE ME

J. Hamant
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 High Court Bui Col. 54
 Chennai - 8

ADVOCATE

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No. J-11011/7/93-IA.II

Government of India

Ministry of Environment & Forests

IA-II(I) Section



Paryavaran Bhavan,
C.G.O. Complex,
Lodhi Road,
New Delhi-110003.

16th December, 1993.

OFFICE MEMORANDUM

Sub: Expansion-cum-Modernisation of Compound Fertilizer Complex (APS 1,70,000 TPA, Sulphuric Acid 1,81,000 TPA & Phosphoric Acid 35,800 TPA) by M/s. EID Parry (India) Ltd., Ennore.

This has reference to letters dated 17th Nov. 1992 and 22nd July, 1993 on the above subject from General Manager, EID Parry (India) Limited, Ennore.

2. The project has been examined and environmental clearance is accorded to the expansion scheme, except the proposal for ammonia storage facilities to be created at Madras Port, subject to implementation of the following conditions and environmental safeguards:

- i. The project authorities must strictly adhere to the stipulations made by the Tamil Nadu Pollution Control Board and the State Government;
- ii. No expansion or modernisation of the plant should be carried out without prior approval of the Ministry of Environment & Forests.
- iii. The gaseous emissions (SO₂, F, NO_x, NH₃, particulate matter and hydrocarbons) from the various processes/units should conform to the load/mass based standards notified by this Ministry on 19th May, 1993 or those may be notified from time to time. The State Board may specify more stringent standards for the relevant parameters keeping in view the nature of the industry and its location. At no time, the emissions should go beyond the prescribed standards. In the event of failure of any pollution control system adopted by the units, the respective unit should be immediately put out of operation and should not be restarted until the control measures are rectified to achieve the desired efficiency.
- iv. At least four ambient air quality monitoring stations should be set up in the down wind direction as well as

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where maximum ground level concentrations of Fluorine, SO₂, NO_x, NH₃ and SPM are anticipated in consultation with the State Pollution Control Board. The air quality monitoring stations should be selected on the basis of modelling exercise to represent short-term ground level concentrations, human settlements, sensitive targets etc.

Port holes and sampling facilities should be provided for all the stacks as per the Central Pollution Control Board Guidelines. Stack emissions should be monitored by setting up an automatic continuous stack monitoring unit in consultation with the State Pollution Control Board.

Data on ambient air quality and stack emissions should be submitted to this Ministry once in six months and to the State Pollution Control Board once in three months along with the statistical analysis and interpretation.

- v. Rock Phosphate Storage area should be separated from the APS storage site. Regular monitoring within and outside the APS Store House, and product packing zone should be carried out for ammonia.
- vi. The Sulphur storage yard should have a separate drain to collect surface run-off water.
- vii. On-line SO₂ monitor should be provided with the Sulphuric Acid Plant.
- viii. Ammonia gas leakages from storage and loading points should be efficiently controlled or collected and scrubbed or may be sent to incinerator for flaring.

Adequate precautions for handling ammonia vapours in case of emergency situation arising due to closure of the plant should be taken.

- ix. Fugitive emissions should be controlled, regularly monitored and data recorded. Automatic monitors for ammonia should be provided at appropriate places in the plant. Fugitive emissions of sulphur dust during the charging operations should be controlled. Fumes of sulphur emanating from molten sulphur tank should also be controlled.
- x. Oil bearing waste water should be treated for removal of oily matter and oil traps should be properly maintained so as to conform to the prescribed standards.

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- xi. Guard Pond(s) of sufficient holding capacity should be provided to cope up with the effluents discharged during the process disturbances. The contributing units should be immediately shut down and should not be restarted without bringing the system back to normalcy.
- xii. The industry should practice "zero discharge" from the plant, except the cooling tower blow down. The waste water should be recycled to the extent possible and should conform to the prescribed standards of TNPCB.
- xiii. The ground water tapping should be completely stopped by June, 1994 either by commissioning RO/multi-stage distillation plant.
- xiv. Adequate number of effluent and ground water monitoring stations should be set up in consultation with the State Pollution Control Board. Regular monitoring should be carried out for relevant parameters. Monitored data along with statistical analysis and interpretation in the form of a report should be submitted to this Ministry once in six months and to the State Pollution Control Board once in three months.
- xv. The hazardous wastes should be handled as per the Hazardous Waste (Management & Handling) Rules, 1989 of the Environment (Protection) Act, 1986.
- xvi. Handling, manufacture, storage and transport of hazardous chemicals should be carried out in accordance with the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989.
- xvii. The project authorities should prepare and submit detailed quantitative risk assessment report along with on-site and off-site emergency preparedness plans (EPP) especially for ammonia stored within the premises of the fertilizer plant as required under the Rules 13 and 14 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 within six months. EPPs should have approval from the competent authorities.
- The approval of the Chief Inspector of Explosives should also be obtained.
- xviii. Adequate measures for the control of noise within the plant should be taken so as to keep the noise levels below 85 dB in the working environment.

Persons working near the noisy machines in Compressor Room, DMP etc. should use ear muffs/plugs.

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- xix. Suitable alarm system and standard procedure for transmitting the information on the occurrence of an accident to the proper focal point should be established. Steps should also be taken to ensure access to information on weather conditions prevailing at the time and weather forecast. Wind socks at appropriate locations should be provided.
- xx. The workers entering the APS Godown and product packing areas should be provided with protective clothes, safety shoes, gloves etc.
- xxi. The height of containment wall all around the gypsum yard should be raised by atleast 1.5 metres to avoid overflow of water and gypsum. Periodically, strength of the impervious LDPE lining provided in the pond should be checked to avoid ground water contamination.
- xxii. Health status of the Ammonia Storage Tank, Stacks and other metallic structures should be carried out regularly and anti-corrosion measures be undertaken to ensure structural soundness.
- xxiii. A workable plan for 100 percent gypsum utilisation should be prepared and submitted to this Ministry for approval within 3 months.
- xxiv. A green belt of adequate width and density should be raised all around the fertilizer complex and the township. Native plant species should only be selected for this purpose in consultation with the local DFO.
- xxv. A separate Environmental Management Cell with suitably qualified people to carry out various functions should be set up under the control of Senior Executive, who will report directly to the Head of the organisation.
- xxvi. Periodic medical check-up of the workers should be done and records maintained.
- xxvii. The funds earmarked for the environmental protection measures should not be diverted for other purposes and yearwise expenditure should be reported to this Ministry.
- xxviii. The industry should obtain necessary approval from this Ministry for the proposed ammonia storage facilities (12,500 Tonnes) to be provided at Madras Harbour. They should also abide by the provisions of CRZ notification.

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The Secretary
Ministry of
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New Delhi -

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3. This Ministry or any competent authority may stipulate any further condition(s) on receiving reports from the project authorities.
 4. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
 5. The above conditions will 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 and the Public Liability Insurance Act, 1991 along with their amendments and rules.

(K.K. JAIN)
Joint Director.

The Secretary,
Ministry of Chemicals & Fertilizers,
Shastri Bhavan,
New Delhi - 110001.

Copy to :-

1. Chairman & Managing Director, EID Parry (India) Ltd., "Dare House", Post Box No. 12, Madras - 600 001.
2. Chairman, Tamil Nadu Pollution Control Board, 32, Santhome High Road, 3rd & 4th Floors, Madras - 600 004.
3. Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 110 032.
4. Chief Conservator of Forests(Central), Regional Office (South Zone), No. 463, 1st Main, IIIrd Block, IIIrd Stage, Basaveswara Nagar, Bangalore - 560 079.

Guard File.

Monitoring File.

Record File.


(K.K. JAIN)
Joint Director.

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भारत सरकार
पर्यावरण एवं वन मंत्रालय
Government of India
Ministry of Environment & Forest.

दूरभाष :
Telephone No.

सार :

Telegram : PARIYAVAHAN,
NEW DELHI

पर्यावरण भवन, सी.जी.ओ. कॉम्प्लेक्स
PARIYAVAHAN BHAVAN, C.G.O. COMPLEX
लोदी रोड, नई दिल्ली-110003
LODI ROAD, NEW DELHI 110003

Dated the 17/6/84

No. J-17011/9/74-JA.111

To

OFFICE MEMORANDUM

Subject:- Permission for Submarine Pipe-line System for Imported Ammonia at Ennore Coast under CRZ Notification - M/s. E.I.D. Parry (India) Ltd.

This has reference to the letter dated the 7th February, 1984 on the above subject from the General Manager (Fertilisers) E.I.D. Parry (India) Ltd.

2. The project has been examined in the Ministry and environmental clearance for the project is hereby accorded subject to the following conditions:-

- (1) The entire length of the pipe-line should be underground except at the factory location.
- (2) The project authorities would take all precautions and adopt full safety measures for handling of ammonia. Adequate precautions for the handling of ammonia vapours in case of emergency situation arising out of the closure of the plant should also be taken.
- (3) The proponents should prepare a proper Disaster Management Plan and a Contingency Plan for any eventuality in the event of ammonia leakage from the pipe-line or the storage tank, and submit the same to the Ministry within three months of the issue of the clearance letter.
- (4) The project authorities would adhere to the stipulations made by the Tamil Nadu Pollution Control Board and the State Government on safety/environmental issues.
- (5) The hazardous waste should be handled as per the Hazardous Wastes (Management & Handling) Rules, 1989 of the Environment (Protection) Act, 1986.
- (6) Handling, manufacture, storage and transport of hazardous chemicals should be carried out in accordance with the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989.

(7) The project authorities should prepare and submit detailed quantitative risk assessment report along with on-site and off-site emergency preparedness plans (EPP) especially for ammonia stored within the premises of the fertiliser plant as required under the Rules 13 and 14 of the Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 within six months. EPPs should have approval from the Competent authorities.

(8) Adequate number of effluent and ground water monitoring stations should be set up in consultation with the State Pollution Control Board. Regular monitoring should be carried out for relevant parameters.

(9) This Ministry or any competent authority may stipulate any further condition(s) subsequently for the project.

3. The Ministry may revoke or sustain the clearance of the project if implementation of the above conditions is not satisfactory or for any other reason which has adverse environmental impact.

4. The above conditions will 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 and the Public Liability Insurance Act, 1991 along with their amendments and rules.

adl.

(ASHOK BHATIA)
Jt. Director

The General Manager (Fertilisers),
M/s. EID Parry (India) Ltd.,
Compound Fertilizer Factory,
Ennore Thermal Station P.O.,
Post Bang No. 2,
Madras - 600 057.

Copy to:-

1. Secretary, M/o Surface Transport, Transport Bhavan, Parliament Street, New Delhi.
2. Chief Secretary, Govt. of Tamil Nadu, Madras.
3. Secretary, M/o Commerce & Fertilisers, Govt. of India, New Delhi.
4. Chairman, Tamil Nadu Pollution Control Board, 32, Santhome High Road, 3rd & 4th Floors, Madras - 600 004.
5. Secretary, Environment, Govt. of Tamil Nadu, Madras.

[Signature]
(ASHOK BHATIA)
Jt. Director

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No.J-17011/9/94-1A.III

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सं.सं. :

Telegrom : PARIYAVAHAN,
NEW DELHI

सं.सं. :

Telephone : 4360478

टेलीग्राम (द्विभाषीय) :

Telex : (bi-lingual) : W-66165 DOE IN

Fax : 4300678

भारत सरकार

पर्यावरण एवं वन मंत्रालय

GOVERNMENT OF INDIA

MINISTRY OF ENVIRONMENT & FORESTS

पर्यावरण भवन, सी. जी. ओ. कॉम्प्लेक्स

PARIYAVAHAN BHAVAN, C.G.O. COMPLEX

लोदी रोड, नई दिल्ली-110003

LODI ROAD, NEW DELHI-110003

December 20, 1995

OFFICE MEMORANDUM

Subject : Ammonia Storage Tank at existing Ennore Fertiliser Factory,
Tamilnadu, of capacity 12,500 MT.

Reference is invited to letter dated 19th October, 1995 from General Manager, E.I.D. Parry (India) Ltd., Madras regarding "Environmental Clearance for installation of proposed Ammonia Storage Tank at the existing factory.

2. The proposal for installation of one Storage Tank of capacity 12,500 MT has been examined and approved from environmental angle subject to the following conditions :-

- (i) The environmental conditions stipulated vide Ministry's O.M. No.J.11011/7/93-1A.II dated 16th December, 1993 for Expansion-cum-Modernisation of Compound Fertilizer Complex and O.M.No.J.17011/9/94-1A.III dated 17th June, 1994 on permission for Submarine Pipeline System for import of Ammonia at Ennore Coast under CRZ Notification should be strictly implemented.
- (ii) The conditions stipulated by Tamilnadu Pollution Control Board vide their letter No.T11/TNPCBd/DNSEC/196/CMN/95 dated 22nd August, 1995 should be strictly implemented.
- (iii) Design of the tank should be to the specification approved by the Chief Controller of Explosives and special alternative arrangements must be ensured for refrigerated compressors. A stand-by DG set may be provided to ensure uninterrupted power supply to the refrigeration unit.
- (iv) The mock drills should be carried out for the Emergency Preparedness Plans drawn for the project and the staff employed in the factory premises should be adequately trained for handling any emergency arising out of any disaster. Windlocks may be provided in consultation with the State Pollution Control Board. Fugitive emissions of ammonia

- 2 -

may be controlled. Ammonia leakage detection devices with alarm may be provided as an early warning system at strategic locations.

- (v) Necessary support should be extended during monitoring of the project by our Regional Office at Bangalore.
- (vi) In case of any deviation or alteration in the design and capacity of 12,500 tonnes of storage tank, a fresh reference should be made to the Ministry for review.
- (vii) In case of any accidental leak from the tank, a protection bund shall hold the spill from entering the coastal waters.

3. The above conditions will be enforced inter-alia under the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the Public Liability Insurance Act, 1991 along with their amendments and rules.

N. Bhat
(Nalini Bhat)

Additional Director

Shri M.S. Srinivasan,
General Manager (Ferts.),
E.J.D. Parry (India) Ltd.,
Dare House, Post Box No.12,
MADRAS-600 001.

Copy to :-

1. The Chairman, Tamilnadu Pollution Control Board, 32, Santhome High Road, Madras-600004.
2. The Secretary (Environment), Govt of Tamilnadu, Madras.
3. The Secretary, Ministry of Chemicals and Fertilizers, Shastri Bhavan, New Delhi.
4. Chief Conservator of Forests, Regional Office (South Zone), Bangalore.
5. Guard file.

Nalini Bhat
Additional Director

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F. No. J-11011/358/2007-IA II (I)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi - 110 003
E-mail : hanumant.singh@nic.in

Telephone : 011: 2436 7076

Dated 3rd September, 2007

To.

M/s Coromandel Fertilizers Ltd.
Compound Fertilizer Plant
Ennore
Tamil Nadu

eeswarankv@cfl.murugappa.com
 Fax-040-27844117

Sub: Expansion of Fertilizer Plant at Compound Fertilizer Plant, Ennore, Tamil Nadu by M/s Coromandel Fertilizers Ltd. Environmental Clearance reg.

Sir,

This has reference to your letter No. Nil dated 11th April 2007, along with Form 1, pre-feasibility report and Environmental Assessment Study Report, seeking environmental clearance for the above project under the Environment Impact Assessment Notification, 2006.

2. The Ministry of Environment and Forests has examined your application and noted that proposal is for environmental clearance for expansion of Fertilizer Plant Ammonium Phosphate Sulphate (1,70,000 to 3,30,000 MTPA) Sulphuric Acid (1,81,000 to 2,80,450 MTPA) and Phosphoric Acid (35,800 to 66,000 MTPA)] at the Compound Fertilizer Plant, Ennore, Tamil Nadu by M/s Coromandel Fertilizers Ltd. Expansion will be done within existing land and no additional land will be acquired. Details of products and capacities are as follows:

Plant	Consent Capacity (Existing)	Proposed Capacity
Fertilizer Plant	170,000 MTPA	330,000 MTPA
Phosphoric acid Plant	35,800 MTPA	66000 MTPA
Sulphuric acid plant	1.81.000 MTPA	280450 MTPA

3. Total cost of the project will be about Rs. 1.50 - 2.00 Crores for process improvements for enhancing the production capacity of the Fertilizer plant. No Sulphuric acid and Phosphoric Plant will be installed and additional requirement if any of Sulphuric acid and Phosphoric Acid will be imported. Increase in production will be achieved through technology innovations, process improvements, improving on-stream hours, maximization of equipment capacity and continuous supply of raw materials. Sulphuric acid plant will be based on DCDA technology. Anodic alloy protected coolers and scrubbers will be provided to Sulphuric acid plants. Five stage scrubbing system will be provided to control gaseous emissions. Scrubbers will also be provided to Phosphoric acid plant to scrub fluorine. Spray nozzles in the Fertilizer plant, improved catalyst in the Sulphuric Acid Plant and Kimre mesh pads with multi wash system will be provided to Phosphoric acid plant to control air emissions. Cyclone and scrubbers will be provided to control dust. Scrubbers will be provided to control NH_3 and SO_2 . Bag filters will be provided in Phosphoric Acid Plant to control dust emissions. Fume scrubbing system will be provided in Granulation Plant.
4. Total water requirement from Chennai Metro Water Supply will be $300 \text{ m}^3/\text{day}$ and prior permission has already been obtained. All the waste water generated will be collected and recycled into the process (Phosphoric Acid Plant). No effluent will be discharged. Thermal desalination plant will be installed to convert sea water to DM water to avoid tapping of ground water.
5. Green belt is already developed in 8 acres out of total 45 acres land available and it is proposed to develop green belt in 10% more area covering almost 25% area.
6. All the Chemical Fertilizer plants have been listed at S. N. 5(a) under Category 'A' and are appraised at the Central level. As per Section 7 (ii) of the EIA Notification, 2006 the proposal is considered without EIA/EMP and public hearing due to expansion of the project in the same location and proposed adequate pollution control measures.
7. Based on the information submitted by you, the Ministry of Environment and Forests hereby accords environmental clearance to above project under the provisions of EIA Notification dated 14th September 2006 subject to the compliance of the following Specific and General conditions:

A. SPECIFIC CONDITIONS :

- i) The expansion of the project shall be based on process improvement, technology innovation, improving on stream hours, maximization of equipment capacity and continuous supply of raw materials. No additional Sulphuric acid and phosphoric acid plant shall be installed for additional requirement of Sulphuric and phosphoric acid which shall be met by importing. Due to enhancement of production pollution load shall not increase from the existing load.
- ii) The project authorities shall install efficient scrubbing system to control fluorine emission and bag filters for dust control in phosphoric acid plant .
- iii) Multi stage scrubbing system shall be installed to control ammonia and suspended particulate matter in fertilizer plant.
- iv) The project authority shall install dust collection system in fertilizer bagging plant.
- v) The Sulphuric Acid Plant shall be based on double conversion double absorption technology and anodic alloy protected acid coolers shall be provided. Start-up scrubbers shall be installed in both Sulphuric acid plants to minimize SO₂ emission during start-up.
- vi) The project authority shall install high efficiency scrubber nozzles, additional tailgas scrubber, improve the scrubber efficiency by optimizing the L/G ratio, install additional cyclones in scrubbing system and install mist eliminators in scrubbers.
- vii) The proponent shall not withdraw groundwater for the plant.
- viii) The company shall develop the green belt in atleast 25% land area to mitigate the effect of fugitive emissions and noise as per the guidelines CPCB.
- ix) The company shall implement all the recommendations made in the Charter on Corporate Responsibility for Environmental Protection (CREP) for fertilizer industries.

B. GENERAL CONDITIONS :

- (i) The project authorities shall strictly adhere to the stipulations of the SPCB/state government or any statutory body.
- (ii) The gaseous emissions (SO₂, SO₃, NOx, NH₃, F, fertilizer dust) and particulate matter from various process units shall conform to the standards prescribed by the concerned authorities from time to time. Emission data shall be periodically monitored and reports submitted to Ministry's Regional Office, CPCB and SPCB.

- (iii) All the waste waters generated from the various processes shall be recycled/reuse in the plant and zero discharge shall be maintained. The domestic waste water shall be treated in septic tanks and treated waste shall be used for irrigation in the green belt.
- (iv) No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment and Forests. In case of deviations or alterations in the project proposal from those submitted to this Ministry for clearance, a fresh reference shall be made to the Ministry to assess the adequacy of conditions imposed and to add additional environmental protection measures required, if any.
- (v) At no time, the emissions shall exceed the prescribed limits. In the event of failure of any pollution control system adopted by the unit, the unit shall be immediately put out of operation and shall not be restarted until the desired efficiency has been achieved.
- (vi) The locations of ambient air quality monitoring stations shall be reviewed in consultation with the State Pollution Control Board (SPCB) and additional stations shall be installed, if required, in the downwind direction as well as where maximum ground level concentrations are anticipated.
- (vii) Dedicated scrubbers and stacks of appropriate height as per the Central Pollution Control Board guidelines shall be provided to control the emissions from various vents. The scrubbed water shall be sent to ETP for further treatment.
- (viii) All the storage tanks will be under negative pressure to avoid any leakages. Breather valves, N₂ blanketing and secondary condensers with brine chilling system shall be provided for all the storage tanks to minimize vapour losses. All liquid raw material shall be stored in storage Tanks and Drums.
- (ix) The company shall undertake following Waste Minimization measures.
- Metering and control of quantities of active ingredients to minimize waste.
 - Reuse of by-products from the process as raw materials or as raw material substitutes in other processes.
 - Use of automated filling to minimize spillage.
 - Use of "Close Feed" system into batch reactors.
 - Venting equipment through vapour recovery system.
 - Use of high pressure hoses for equipment cleaning to reduce wastewater generation.
- (x) Fugitive emissions in the work zone environment, product, and raw materials storage area shall be regularly monitored. The emissions shall conform to the

limits imposed by the State Pollution Control Boards/Central Pollution Control Board.

- (xi) The project authorities shall strictly comply with the rules and guidelines under Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 as amended in October, 1994 and January, 2000 and Hazardous Waste (Management and Handling) Rules, 1989, as amended from time to time. Authorization from the SPCB shall be obtained for collection, treatment, storage, and disposal of hazardous wastes.
- (xii) The overall noise levels in and around the plant area shall be kept well within the standards by providing noise control measures including acoustic hoods, silencers, enclosures etc. on all sources of noise generation. The ambient noise levels shall conform to the standards prescribed under Environment (Protection) Act, 1986 Rules, 1989 viz. 75 dBA (day time) and 70 dBA (night time).
- (xiii) The company shall develop rain water harvesting structures to harvest the run off water for recharge of ground water.
- (xiv) Occupational health surveillance of the workers shall be carried out on a regular basis and records shall be maintained as per the Factories Act.
- (xv) The company shall undertake eco-developmental measures including community welfare measures in the project area for the overall improvement of the environment. The eco-development plan should be submitted to the SPCB within three months of receipt of this letter for approval.
- (xvi) The project proponent shall also comply with all the environmental protection measures and safeguards proposed in the EIA/EMP report.
- (xvii) A separate Environmental Management Cell equipped with full fledged laboratory facilities shall be set up to carry out the Environmental Management and Monitoring functions.
- (xviii) The project authorities shall earmark adequate funds to implement the conditions stipulated by the Ministry of Environment and Forests as well as the State Government along with the implementation schedule for all the conditions stipulated herein. The funds so provided shall not be diverted for any other purpose.
- (xix) The implementation of the project vis-à-vis environmental action plans shall be monitored by the concerned Regional Office of the Ministry/SPCB / CPCB. A six monthly compliance status report shall be submitted to monitoring agencies and shall be posted on the website of the Company.

- (xx) The project proponent shall inform the public that the project has been accorded environmental clearance by the Ministry and copies of the clearance letter are available with the SPCB/Committee and may also be seen at Website of the Ministry at <http://envfor.nic.in>. This shall be advertised within seven days from the date of issue of the clearance letter, at least in two local newspapers that are widely circulated in the region of which one shall be in the vernacular language of the locality concerned and a copy of the same shall be forwarded to the concerned Regional Office of the Ministry.
- (xxi) The project authorities shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of the project.
10. The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
11. The Ministry reserves the right to stipulate additional conditions, if found necessary. The company in a time bound manner will implement these conditions.
12. The above conditions will be enforced, inter-alia under the provisions of the Water(Prevention & Control of Pollution) Act,1974, Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 Hazardous Wastes (Management and Handling) Rules, 2003 and the Public Liability Insurance Act, 1991 along with their amendments and rules.


(H. S. Malviya)
Joint Director

Copy to: -

1. The Secretary (Environment), Govt. of Tamil Nadu, Fort. St. George, Chennai-600009.
2. The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
3. The Chairman, Tamil Nadu Pollution Control Board, 100, Anna Salai, Guindy, Chennai - 600032.
4. The Chief Conservator of Forests (Central), Regional Office (SZ), Kendriya Sadan, IVth Floor, E&F Wings, 7th Main Road, IInd Block, Koramangala, Bangalore-560034.
5. Monitoring Cell, Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, New Delhi.
6. Guard File.
7. Record File.


(H.S. Malviya)
Joint Director


COROMANDEL FERTILISERS LIMITED
COMPOUND FERTILISER FACTORY

Post Box No. 2, Express Highway Road, Ennore, Chennai-600 057.

Phone : +91-044-25752300 / 10 / 20 / 30 Fax : +91-044-25752311

Regd Office : 'Coromandel House', 1-2-10, Sardar Patel Road, Secunderabad - 500 003, India.

Phone : +91-040-27842034 / 27847212 Fax : +91-040-27844117 Website : www.cflindia.com


**MURUGAPPA
GROUP**

April 11, 2007

To,
The Director,
Ministry of Environment & Forest
 Government of India,
 Paryavaran Bhavan,
 CGO Complex, Lodhi Road,
 New Delhi 110 003.

Sub : Application in form I for Environmental Clearance of Enhancement in capacity of products namely Ammonium Phosphate Sulphate (APS), Sulphuric Acid and Phosphoric Acid at our Compound Fertiliser Plant, Chennai – Reg.

Dear Sirs,

We are enclosing our formal application in FORM I for issue of Environmental clearance for increasing the capacities of our Ammonium Phosphate Sulphate (APS Plant), Sulphuric Acid Plant and Phosphoric Acid Plant in our factory located at Ennore, Chennai.

At the outset we would like to highlight the fact that this proposal does not involve any investment or construction for the purpose of enhancing the production capacities and that the increase is due to improvement in the existing plant capabilities and that there is no increase in pollution as a result of enhanced production.

We are also submitting herewith the following along with Annexures for your kind perusal.

1. Pre-feasibility project report for enhancement of plant capacities
2. Environmental assessment study report by Centre for Environment Studies, Anna University, Chennai, Tamil Nadu.

RECEIVED
 Government of India
 Ministry of Environment & Forests
 Paryavaran Bhawan, CGO Complex
 Lodhi Road, New Delhi 110 003
 16-4-07

Contd..2

- 2 -

From these enclosures you would kindly appreciate the fact that the plant has capability to produce more as compared to original consented quantities on account of the following facts:

1. Technological breakthroughs carried out in the process
2. Improvement in the reliability of the equipment with better maintenance systems put into practice. This has helped in increasing the On - Stream Day (**OSD**) factor of the plants.
3. Improved raw material quality.

The above three points are elaborated in the prefeasibility report.

With the technological improvements done as described in the prefeasibility report the capacities as they stand today against the consent capacities are given below. Again even these enhanced capacities mentioned below are based on our current level of knowledge. As we continue to improve our understanding it is possible that the existing equipment can give even higher production as we foresee that there is still scope to produce more.

Plant	Consent Capacity	Present capacity
Fertilizer Plant	680 TPD* 250 OSD =170000 MT per annum	1000 TPD * 330 OSD = 330000 MT per annum
Phosphoric acid plant	As required by Fertilizer plant. = 35800 MT per annum	200 TPD * 330 OSD = 66000 MT per annum
Sulfuric acid Plant	Total sulfuric acid requirement based on the fertilizer requirement =181000 MT per annum	Sulfuric acid plant-I = 350 TPD * 355 OSD = 124250 MT per annum Sulfuric acid plant -II = 440 TPD * 355 OSD = 156200 MT per annum Total sulfuric acid capacity = 280450 MT per annum

Contd..3

The pollution load due to

-3-

You will also kindly observe from the Pre feasibility and EIA report of Anna University ^{remains} and from the Annexure III that ~~this~~ ^{is still less than} increase in production capacity has not resulted in any ~~increase in pollution load~~ ^{with in the permissible limits} both in terms of norms and in absolute quantities.

Further we would like to bring to your kind attention the following facts:

Subsequent to commissioning and stabilization of the plant operation and looking into the potential capacities of the various plants we submitted applications vide ref. no.36584 & 37864 dt: 15.03.2000 and our subsequent letter dt: 18.08.2003 (**Attached as letter I**) to TNPCB for expansion of capacities. This is in line with EIA Notification 1994 as there was no increase in pollution load and there was no investment. As per the directions of the TNPCB, we did a rapid Environmental Impact Assessment using the services of M/s.ERM India Limited and submitted the same to TNPCB for their evaluation vide letter no. EIDE/SHE/02/03 dt: 26.02.2001 (**attached as letter II**).

We were once again directed by the Chairman of TNPCB vide their letter no. TII/TNPCB.F.25906/RL/TVLR/2005 dt: 23.08.2005 to conduct a pollution load and other Environmental Impact study by Department of Environment, Anna University, Chennai, Tamil Nadu.

Accordingly the study was carried out by the Center for Environmental Studies, Anna University and the report was submitted to TNPCB vide our letter dt: 14.02.2006 (**attached as letter III**).

The Anna University had analyzed the reasons for improvement in production level in the fertilizer plant (APS), Phosphoric Acid Plant (PAP) and Sulphuric Acid Plant (SAP) and had tabulated the same in table 51, table 52 & table 53 respectively (mentioned earlier)

Contd..4

- 4 -

Based on the findings of the Anna University and on the advice of TNPCB Authorities, we submitted our application for issue of consent for expansion activity to Tamil Nadu Pollution Control Board vide our letter ref. CFL/ENN/TNPCB/03-2006 dt: 17.04.2006 (attached letter IV). TNPCB was processing our application and as part of the exercise, their field office at Ambattur, Chennai had inspected the site and the operations and in turn had sent their recommendation to the Board Office at Gundy, Chennai in June 2006.

In the light of new EIA notification 2006, TNPCB had returned our application for expansion advising us to seek the Environmental Clearance from Ministry of Environment & Forest, vide their letters No.T11/TNPCB/CHEM/25906/RL/TVLR/DT:09.11.06 and no. DEE/TNPCB/TLR/RL/-18/2006 DT: 27.11.2006, a copy each of these two letters are annexed herewith as letter V and VI for your reference.

In line with TNPCB's direction and EIA notification 2006 we hereby make our application to you for issue of necessary environmental clearance

We request you to kindly evaluate our application for capacity enhancement favorably and issue us an Environmental Clearance at the earliest.

Thanking you,

Yours faithfully,
For **Coromandel Fertilisers Limited**,



V. RAVICHANDRAN
Managing Director

Screening Category:

- Capacity corresponding to sectoral activity (such as production capacity for manufacturing, mining lease area and production capacity for mineral production, area for mineral exploration, length for linear transport infrastructure, generation capacity for power generation etc.,)

(II) Activity

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)	NO	
1.2	Clearance of existing land, vegetation and buildings?	NO	
1.3	Creation of new land uses?	NO	
1.4	Pre-construction investigations e.g. bore houses, soil testing?	NO	<p>The expansion is not a grass root expansion but steps like</p> <ul style="list-style-type: none"> - Improved raw material quantities - Continuous availability of raw materials. - Better maintenance techniques like preventive and predictive maintenance systems. - Usage of computer aided control systems like DCS (distributed control systems) and SAP - Have increased the potential of the plant to enhance production.

			<p>(please see Ann-I/Ann-II for the capacity enhancement)</p> <p>It is to be noted that, the blower capacities of the plant were not increased keeping the gaseous emissions well below standard norms of enhanced production.</p> <p>Phosphoric acid plant being a water guzzler all the water generated is consumed in the plant and the complex is a zero process effluent plant.</p>
1.5	Construction works?	NO	- The plant has implemented many environment improvement activities. These are elaborated in Annexure-XVI
1.6	Demolition works?	NO	
1.7	Temporary sites used for construction works or housing of construction workers?	NO	
1.8	Above ground buildings, structures or Earthworks including linear structures, cut and fill or excavations	NO	
1.9	Underground works including mining or tunneling?	NO	
1.10	Reclamation works?	NO	
1.11	Dredging?	NO	
1.12	Offshore structures?	NO	
1.13	Production and manufacturing processes?	NO	<p>We have improved the capacities of the already existing plants by carrying out process improvement activities. The process details are available in the Anna University 'Environmental Assessment' report attached herewith.</p> <p>Please refer Annexure -I and Annexure - II for the capacity enhancement.</p>

1.14	Facilities for storage of goods or materials?	NO	There was no increase in the raw material storage.
1.15	Facilities for treatment or disposal of solid waste or liquid effluents?	NO	<p>The facilities already exist in the plant.</p> <p>Our plant is zero process effluent plant.</p> <p>Gypsum and sulfur sludge are the major solid wastes generated by CFL, Ennore. The gypsum generation is at the rate of 1000 TPD. It is stored in an impervious yard and sold to the cement industries.</p> <p>Sulfur slag is generated at the rate of 0.6 TPD and is stored in an impervious area and used in road filling within the factory premises and as filler in the fertilizer plant along with river sand.</p> <p>Other major hazardous solid waste generated is spent catalyst generated in sulfuric acid plant. This is stored in closed containers under a covered shed. CFL, Ennore is working with Tamil Nadu Solid waste disposal company for the disposal of the spent catalyst.</p>
1.16	Facilities for long term housing of operational workers?	NO	
1.17	New road, rail or sea traffic during construction or operation?	NO	
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?	NO	
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?	NO	

1.20	New or diverted transmission lines or pipelines?	NO	
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?	NO	
1.22	Stream crossings?	NO	
1.23	Abstraction or transfers of water from ground or surface waters?	NO	
1.24	Changes in water bodies or the land surface affecting drainage or run-off?	NO	
1.25	Transport of personnel or materials for construction, operation or decommissioning?	NO	
1.26	Long-term dismantling or decommissioning or restoration works?	NO	
1.27	Ongoing activity during decommissioning which could have an impact on the environment?	NO	
1.28	Influx of people to an area in either temporarily or permanently?	NO	
1.29	Introduction of alien species?	NO	
1.30	Loss of native species or genetic diversity?	NO	
1.31	Any other actions?	NO	

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

No construction activity and therefore no consumption of natural resources for the construction of the project

S.No.	Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)	NO	

2.2	Water (expected source & competing users) unit: KLD	NO	<ul style="list-style-type: none"> ▪ Water supply from Chennai Metro water ▪ Water from sea water using Multiple Effect Desalination Plant using steam from Sulphuric Acid Plant. ▪ Quantity : 2400 KLD
2.3	Minerals (MT)	NO	
2.4	Construction material – stone, aggregates, and / soil (expected source – MT)	NO	
2.5	Forests and timber (source – MT)	NO	
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)	NO	
2.7	Any other natural resources (use appropriate standard units)	NO	

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

No new substance is introduced as a result of the enhancement of capacity

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)	NO	
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)	NO	
3.3	Affect the welfare of people e.g. by changing living conditions?	NO	
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,	NO	
3.5	Any other causes	NO	

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes	NO	
4.2	Municipal waste (domestic and or commercial wastes)	NO	
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)	NO	As mentioned earlier , CFL Ennore has a Hazardous waste management plan for the running plant. Anna University report pg 19,20
4.4	Other industrial process wastes	NO	
4.5	Surplus product	NO	
4.6	Sewage sludge or other sludge from effluent treatment	NO	
4.7	Construction or demolition wastes	NO	
4.8	Redundant machinery or equipment	NO	
4.9	Contaminated soils or other materials	NO	
4.10	Agricultural waste	NO	
4.11	Other solid wastes	NO	

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources	NO	
5.2	Emissions from production processes	NO	The emissions are within the norms set by TNPCB Please see the emission levels before and after the capacity enhancement. Annexure IV, V and VI
5.3	Emissions from materials handling including storage or transport	NO	
5.4	Emissions from construction activities including plant and equipment	NO	
5.5	Dust or odours from handling of materials including construction materials, sewage and waste	NO	
5.6	Emissions from incineration of waste	NO	
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)	NO	
5.8	Emissions from any other sources	NO	

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers	NO	There is no additional noise generation due to this proposal. Please refer page 38 & 39 of Anna university report.
6.2	From industrial or similar processes	NO	
6.3	From construction or demolition	NO	
6.4	From blasting or piling	NO	
6.5	From construction or operational traffic	NO	
6.6	From lighting or cooling systems	NO	
6.7	From any other sources	NO	

7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials	NO	CFL, Ennore is a zero process effluent plant as all the water generated is consumed in the phosphoric acid plant.
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)	NO	
7.3	By deposition of pollutants emitted to air into the land or into water	NO	
7.4	From any other sources	NO	
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?	NO	

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances	NO	
8.2	From any other causes	NO	
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)?	NO	

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	<p>Lead to development of supporting facilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.:</p> <ul style="list-style-type: none"> • Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) • housing development • extractive industries • supply industries • other 	NO	
9.2	Lead to after-use of the site, which could have an impact on the environment	NO	
9.3	Set a precedent for later developments	NO	
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects	NO	

(III) Environmental Sensitivity

S.No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value	NO	
2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests	Bay of Bengal	Our factory falls within 1.0 km of the CRZ zone.
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration	NO	
4	Inland, coastal, marine or underground waters	Sea	Within 1.0 km of Bay of Bengal
5	State, National boundaries	NO	
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas	NO	
7	Defence installations	NO	
8	Densely populated or built-up area	NO	
9	Areas occupied by sensitive man-made land uses (<i>hospitals, schools, places of worship, community facilities</i>)	NO	
10	Areas containing important, high quality or scarce resources (<i>ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals</i>)	NO	

11	Areas already subjected to pollution or environmental damage. <i>(those where existing legal environmental standards are exceeded)</i>	NO	
12	Areas susceptible to natural hazard which could cause the project to present environmental problems <i>(earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions)</i>	NO	

For Coromandel Fertilisers Limited,



V. RAVICHANDRAN
Managing Director

PRE-FEASIBILITY PROJECT REPORT

for

**ENHANCEMENT OF COMPLEX FERTILISER PLANT
CAPACITY**

COROMANDEL FERTILIZERS LTD, ENNORE

The compound fertilizer factory of CFL, Ennore was commissioned in the year 1963. Subsequently it underwent two major expansions to increase the production capacity- the first in 1986 involving modernization and revamping and the second in 1993 to enhance the production capacity. Currently it is engaged in the manufacture of compound fertilizers of two grades namely 16,20,0 (Paramfos) and 20,20,0 (Parry gold). The installation and expansion of the plant were done with the approval of statutory authorities of Tamil Nadu Pollution control Board (TNPCB). The company continued its efforts to improve productivity and energy conservation by removing the bottlenecks and fine-tuning of the machinery resulting in an annual production in excess of the consented capacity of 170000 t of Ammonium Phosphate Sulfate (APS)

The Main raw material inputs required for the Factory are:

1. Ammonia
2. Rock Phosphate
3. Sulphur

The intermediates are Sulfuric acid and Phosphoric acid. Finally ammonia, sulfuric acid and Phosphoric acid are processed in the fertilizer plant to make the required grades 16,20,0 or 20,20,0.

In CFL, Ennore, ammonia is imported and stored in a single tank of total capacity of 12500 MT. Phosphoric acid is produced in the 150-180 TPD plant utilizing Rock phosphate and sulfuric acid produced within the complex.

Sulphuric acid is produced in two plants one of 330 MTPD capacity and the other of 420 MTPD. Sulphur for the sulphuric acid plant is imported as solid sulphur.

The balance requirement of sulphuric acid is sourced locally.

B. Consent Capacities:

In the year 1992, 350 TPD APS plant was scrapped and a new 500 TPD plant was installed. The second expansion in 1993-97 introduced the pipe reactor technology and increased the throughput to 680 TPD. Increased sulfuric acid production was achieved by installing a new sulfuric acid plant (SAP-II) of 400TPD capacity. The old phosphoric acid plant was replaced with a new plant of 150 TPD.

Basis for the consented Capacities:

Depending on the knowledge level at that point of time, the basis for the consented capacities was calculated as follows:

Fertilizer Plant: $34 \text{ TPH} \times 20 \text{ hrs /day} \times 250 \text{ days per year} = 170000 \text{ T per annum}$
(running hours a day was considered 20 giving time for cleaning of chutes, ducts etc and On-stream days of 250 in a year giving considerations to breakdown and preventive maintenance etc.)

Phosphoric acid Plant: Normative consumption of Phosphoric acid is 0.210 t P₂O₅/T fertilizers. Accordingly the consented capacity = $0.210 \text{ t/T} \times 170000 \text{ T fertilizer}$

$$= 35800 \text{ T Phosphoric acid}$$

Sulfuric acid Plant: Normative Consumption of Sulfuric acid is 1.065-t/T fertilizer.

Accordingly the consented capacity = $1.065 \text{ t/T fertilizer} \times 170000 \text{ T fertilizer}$
= 181000 T Sulfuric acid

On this basis CFL, Ennore obtained the Environmental Clearance from MOEF and the consent from the Tamil Nadu Pollution Control Board to operate the plants.

- Also we have been producing more and more fertilizers to meet the demand from local government for higher production of fertilizers.

Plant wise we are illustrating the technical improvements carried out both in terms of throughput increase and improved On stream days factor.

1.1 Fertilizer Plant (APS) technological breakthroughs to increase throughput rate:

- Reduced recycle ratio of the plant from 4 to 3 thus improving the product output rate
- Pipe reactor discharge into the Granulator optimized (this emerged after discussions with Tunisian Phosphatic Fertilizer company).
- Increased the residence time of ammonia in the granulator bed to improve granulation and reaction rate.
- Decreased the moisture content in the slurry resulting in lesser fuel consumption and increased the scope for higher throughput.
- Indigenously designed /developed Pipe reactor to improve reaction rate.
- Increased L/G ratios of the scrubbers to improve scrubbing
- Granulator rpm and slope optimized to maximize equipment capacity
- Introduction of agitator in the scrubber effluent tank to improve mixing of scrubber liquor and fresh phosphoric acid
- Introduction of Phosphoric acid Tank management system to ensure steady P2O5 concentration to the plant.
- Optimized Pipe reactor backpressure to ensure good particle size at the discharge of the granulator.

- We introduce systems like 5S, TQM, PSMS and ISO 14000, all of them helped to improve the work culture of the organization. The concept of autonomous maintenance introduced gave individual responsibility to operating staff and though it is in very early stages we are hopeful of gaining atleast a month's operation when the initiatives take root.
- We introduced a system of incentive payment for encouraging higher productivity from the workmen.
- These initiatives together increased the running hours on daily basis and the daily cleaning of chutes and ducting got totally eliminated. With improved maintenance and process conditions the On stream Days (OSD) too increased and we are targeting a OSD of 330 days a year.

2.1 Phosphoric Acid Plant (PAP) technological breakthroughs to increase throughput rate:

- PAP throughput rate had to be increased to meet the higher production rates of Fertilizer plant
- Introduced additional cooling tower to decrease the slurry temperature and thereby increased production.
- Changed over from lower grade Rocks to higher-grade rocks with better FCR (fluoride complexing ratio)
- Improved grinding of the rock by loading optimum size balls in the mill
- The reactor agitator blade angle optimized and design changed to ensure complete reaction of rock phosphate with sulfuric acid. This ensured that the same reactor could be used for higher rock feeds.
- Improved filterability of the Belt filter by introducing hot water washing system.

- Introduction of Air prefilter to avoid dust entry into the drying towers. This dust will eventually increase the pressure drop of the mist eliminators and reduce throughput rate. With air prefilter the plant was operated at high rates.
- Installed low-pressure drop high collection efficiency Mist eliminators.
- Also introduced new concept “thermo compressor” in the low-pressure steam circuit to increase the power generation capacity and complete utilization of steam.

3.2 Sulfuric acid Plant (SAP) technological breakthroughs to increase On stream days of the plant:

- Proper planning of replacement of Cast Iron pipes during the planned shutdowns to eliminate breakdowns.
- Planned replacement of the weak Gas ducts to reduce plant stoppages due to gas leaks.
- Introduced on line checking and control of acid Mist carryover to safe guard the blower impeller from corrosion and resultant lower throughput rate.

D. Current proposal

With the technological improvements done as described in the previous section the capacities as they stand today are given below. Again even these enhanced capacities mentioned below are based on our current level of knowledge. As we continue to improve our understanding it is possible that the existing equipment can give even higher production as we foresee that there is still scope to produce more.

Fertilizer Plant : 1000 TPD
On stream days : 330 days
Total annual Production : 3,30,000 Tons
Of fertilizer

Your attention is sought to following pages/Tables of the report which highlight the fact that in spite of increase in the production in the plants, there is no increase in the values of pollutants in the emissions from the stacks of all the plants and in fact the absolute values of pollutions have been well below the values as per norms of CPCB and TNPCB.

Table 33: Emissions and pollution load from the fertilizer plant.

Table 34: Emissions and pollution load from Phosphoric acid Plant

Table 35: Emissions and pollution Load from sulphuric acid Plant I

Table 36: Emissions and pollution Load from sulphuric acid Plant II

As we had stated earlier, there is no process wastewater let out of the plant and where generated they are recycled to our Phosphoric acid plant.

The report covers to a great extent the details of changes and improvements in the plant in the last five years, which had caused the increase in the production levels. They are captured in Tables 51, 52, 53 and 54.

We are also attaching a report on **Environmental management Programmes** taken up to negate the adverse impacts and to mitigate the consequences due to the enhanced production levels.

F. Chronology of applications submitted for Environmental clearance

Subsequent to commissioning and stabilization of the plant operation and looking into the potential capacities of the various plants we submitted applications vide ref. no.36584 & 37864 dt: 15.03.2000 and our subsequent letter dt: 18.08.2003 (**Attached as letter I**) to TNPCB for expansion of capacities. This is in line with EIA Notification 1994 as there was no increase in pollution load and there was no fresh

We request you to kindly evaluate our application for capacity enhancement favorably and issue us an Environmental Clearance at the earliest.

We would be very glad to meet you to present our case in front of learned experts in the field for your evaluation.

For **Coromandel Fertilisers Limited,**



V. RAVICHANDRAN
Managing Director

Environment Management Programmes

Basic objective of the Environmental Management Plan (EMP) is to extenuate the potential environmental adverse impacts arising out of the additional production for the existing facility and to mitigate the consequences from the same, if any. This broadly consists of air, water and solid waste management.

1. Air emissions

- The air emissions from the plant are from the Manufacturing activities. Major process emissions that could result from the plant are dust, fluorine, ammonia and sulfur di-oxide and no new pollutants are added from the existing activity. This abundant precaution taken at the design stage and improvements made at a later stage gives CFL the advantage to meet stringent pollution control norms specified by CPCB/TNPCB, even at higher production levels
- We had introduced better spray nozzles in the fertilizer plant, improved catalyst in the sulfuric acid plants and Kimre mesh pads with multi-wash system in phosphoric acid plants. This improved technological intervention has helped us to maintain the emissions under the norms even at the current operational loads.
- Please refer to the following Annexures which are extracts from the Environmental Assessment Report of Anna University, detailing air pollution prevention / control systems that are in place in the APS / Phosphoric Acid Plants.

Fluorine

In the phosphoric acid plant we have a five-stage Kimre mesh pad scrubber to reduce the fluorine emission. The fluorine emissions are well below the TNPCB norms.

Sulfur di-oxide

- We have changed the V2O5 catalyst in both the plants with high efficiency Haldor Topsoe and Monsanto catalyst to meet the CREP requirement of SO2 emission norms.
- We have start up scrubber in both the plants to control the SO2 emissions during the start up conditions.
- From the design stage itself, the plant is equipped with Chemetic Acid coolers and DCS system in place.

Monitoring System:

We have installed 4 Nos. of On line stack monitoring systems one each for APS plant, Phosphoric Acid and two Sulphuric Acid plants. We monitor ammonia and SPM level in emissions from APS Plant, Fluorine and SPM from phosphoric acid plant and SO₂ from Sulphuric Acid Plants.

Further we have 4 nos. of On line continuous monitoring of Ambient air located at 4 corners of the plant premises. The values from these ambient air-monitoring systems clearly reveal that the quality of emissions from the stacks are very much under control.

Canteen waste at the rate of 10 m³ per day is treated by biological process (activated sludge process) and the treated effluent is used for gardening within the premises and this sludge is used as manure.

We generate fresh water from seawater by evaporation method using steam from sulphuric acid / Turbine generator in our Multiple Effect Desalination (MED) Plant. The trade effluent discharge from MED is cooled in a cooling tower and then discharged back into sea. We regularly analyse the quality of this discharge. Besides, TNPCB also analyses the seawater discharge once in a month. We are enclosing herewith two pages as **Annexure VIII** furnishing the quality of treated water as analysed by TNPCB and CFL. We are also enclosing the TNPCB analysis of Canteen treated water for the period April to October 2006 as **Annexure IX**.

You will kindly observe that we have good measure of control on generation of liquid effluents and there is no discharge of any process effluents from the plant. The quality of the treated water from canteen and the seawater discharge is monitored and found to be well within the norms. **The Anna University report has captured the details of liquid effluents in page No.19, 38 to 46.**

3.SOLID WASTE MANAGEMENT

CFL, Ennore proactively considered dry gypsum disposal from the plant commissioning stage itself. This has eliminated pulping and pumping of gypsum and solar drying beds and the related nuisance. Directly, the belt filter discharges dry gypsum into the lorries. Further, we have constructed impervious storage yard of capacity 24000 Sq M to store this gypsum so that there is no ground water contamination.

4.3.Green Belt development: we have proposed to make our plant the most clean and green plant in the location and have initiated efforts and taken up aggressive implementation of 5S practices and plantation of trees. We have 5000 Nos. trees in the factory premises and have planted 1340 trees in the time period April to November 2006. We are enclosing as **Annexure XI** the photographs of the green belt development within the factory premises for your reference and records.

4.4.Contribution to the Society: As a responsible corporate company we extend necessary services to the members of the society surrounding our factory premises.

- Our group of company contributes 2% of our profit to a trust AMM Foundation trust which run 3 schools, 1Polytechnic, hospitals in Chennai and other places of Tamil Nadu.
- We supply drinking water to the nearby villages, contribute books and note books to needy students studying in the elementary schools, secondary high school in Ennore (Rs.50, 000 per Annum)
- We regularly conduct medical camps for the benefit of people in the area (so far one Eye camp, one general health checkup and dental health checkup have been organized in the current financial year), training of engineering college students in the chemical, mechanical and instrumentation fields.

4.5 We fully comply with requirements of CREP direction as can be seen in the status report dated : 23.01.2006 submitted to TNPCB, a copy of which is enclosed herewith as **Annexure XII**.


E.I.D. PARRY (INDIA) LTD.

18.08.2003

The Member Secretary,
Tamil Nadu Pollution Control Board,
Mount Salai,
Guindy,
Chennai-600.032.

Compound Fertilizer Factory
Post Bag No. 2,
Ennore, Chennai - 600 057.
Telephone : (91 44) 5733600 Fax : 5734195
E-Mail : eid@vsnl.com

Sir,

Sub: Ref Proceedings M-II /25906/ 93/RL/TVLR/W-1

We thank you for issuing us Consent to operate under Section 25 Water (prevention and Control of Pollution Act), 1974 and section 21 Air (prevention and Control of Pollution Act 1981) For Our Ennore Plant and we received the same on 14.08.2002. In that regard we would like to bring the following to your kind attention.

We have submitted our application to Issue Consent to operate on 15th of March 2000 for the following quantities, Viz

Ammonium Phosphate Sulphate (16:20:0)	264,000 Tonnes / Annum
By product Gypsum	360,400 Tonnes / Annum
Intermediate products.	
Sulfuric acid	271,200 Tonnes / Annum
Phosphoric acid	54,000 Tonnes / Annum.

We also under several occasions have explained to the board the following, Viz

1. Eventhough our original Consent to establish was for a lower capacity, we have been able to produce higher quantities.
2. This has been done with out any increase in pollution load.
3. The increase in capacity has come about as a result of Improved maintenance/Operating practices and no further investment has been made to the plant.

We also would like to state that we have submitted our Environment impact assessment to the board and it reinforces the fact that the pollution load has not increased for the present production capacity.

The periodic analysis of stack and Ambient air quality survey done by the TNPCC, Laboratory is well within the stipulated norms prescribed by the board.

We also would like to mention that in the issued consent to operate the tolerance limit mentioned for dissolved phosphates in S.NO.31 have not been specified, we would like the board to specify the limit if any.



We once again assure the Pollution Control Board that we are committed to environment and are always willing to take up improvement measures.

Thanking You

Yours faithfully,
For E.I.D Parry (India) Ltd,



K.SATYANARAYANA RAO
General Works Manager

Copy to Joint Chief Environmental Engineer
Ambattur
Chennai-58



TAMIL NADU POLLUTION CONTROL BOARD

From

Thiru. K.A.MATHEW, I.A.S.,
Chairman,
Tamilnadu Pollution Control Board,
76, Mount Salai,
Guindy,
Chennai-600 032.

To

The General Works Manager,
M/s. Coromandel Fertilizers Ltd,
(Compound Fertilizer Factory),
Post Box No.2,
Express Highway Road,
Ennore,
Chennai - 600 057.

Letter No. T11/TNPCB/Chem/25906/RL/TVLR/dated 09.11.06.

Sir,

Sub: TNPCB - Industries - M/s. Coromandel Fertilizers Ltd.,
Ennore, Chennai - Application for expansion Activity
- EIA Notification 2006 - Environmental clearance to
be obtained - Application returned - Regarding.

Ref: 1) Your application dtd. 17.4.06.

2) Lr.No. DEE/TLR/ TNPCB/RL-18/(Expansion)/06/dtd. 14.6.06.

3) Unit's Lr.No. CFL/SHE/ TNPCB/2006/dtd. 1.9.2006.

4) Lr.No. DEE/TNPCB/TVLR/RL/18/2006/dtd. 26.9.06.

-00-

I invite your kind attention to the reference first cited wherein you have applied for consent of the Board for your expanded production.

In this regard, it is informed that as per Ministry of Environment and Forests, Government of India Notification S.O.1538 dtd. 14.9.06, the unit has to obtain environmental clearance for its expanded production.

Hence, your applications seeking consent of the Board for expanded production are returned to the unit, through District Environmental Engineer, Ambattur for resubmitting the same alongwith the Environment clearance obtained as per Environmental Impact Assessment Notification 2006, so as to consider the issue of consent for expansion activity by the Board.

for CHAIRMAN.

JWS
13/11



INDIA

**THE ENVIRONMENTAL IMPACT
ASSESSMENT NOTIFICATION, 1994**
(As amended on 4-5-94)

Government of India
Ministry of Environment & Forests
New Delhi

MINISTRY OF ENVIRONMENT & FORESTS**NOTIFICATION****ON****Environmental Impact Assessment of Development Projects**

New Delhi, the 27th January, 1994.

(as amended on 04/05/1994)

1. S.O.60(E) Whereas a notification under clause (a) of sub- rule (3) of rule 5 of the Environment (Protection) Rules, 1986 inviting objections from the public within sixty days from the date of publication of the said notification, against the intention of the Central Government to impose restrictions and prohibitions on the expansion and modernization of any activity or new projects being undertaken in any part of India unless environmental clearance has been accorded by the Central Government or the State Government in accordance with the procedure specified in that notification was published as S.O. No. 80(E) dated 28th January, 1993;

And whereas all objections received have been duly considered;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby directs that on

and from the date of publication of this notification in the Official Gazette expansion or modernization of any activity (if pollution load is to exceed the existing one) or a new project listed in Schedule I of this notification shall not be undertaken in any part of India unless it has been accorded environmental clearance by the Central Government in accordance with the procedure hereinafter specified in this notification.

2. Requirements and procedure for seeking environmental clearance of projects:

- 1.(a) Any person who desires to undertake any new project or the expansion or modernisation of any existing industry or project listed in Schedule I shall submit an application to the Secretary, Ministry of Environment and Forests, New Delhi.

The application shall be made in the proforma specified in Schedule II of this notification and shall be accompanied by a project report which shall, inter alia, include an Environmental Impact Assessment Report/Environment Management Plan prepared in accordance with the guidelines issued by the Central Government in the Ministry of Environment and Forests from time to time.

- (b) Cases rejected due to submission of insufficient or inadequate data and plans may be reviewed as and when submitted with complete data and plans. Submission of incomplete data or plans for the second time would itself be a sufficient reason for the Impact Assessment Agency to reject the case summarily.

II. In case of the following site specific projects:

- (a) mining;
- (b) pit-head thermal power stations;
- (c) hydro-power, major irrigation projects and/or their combination.

including flood control;

- (d) ports and harbours (excluding minor ports);
- (e) prospecting and exploration of major minerals in areas above 500 ha.,

The project authorities will intimate the location of the project site to the Central Government in the Ministry of Environment and Forests while initiating any investigation and surveys. The Central Government in the Ministry of Environment and Forests will convey a decision regarding suitability or otherwise of the proposed site within a maximum period of thirty days. The said site clearance shall be granted for a sanctioned capacity and shall be valid for a period of five years for commencing the construction, operation or mining.

- III.(a) The reports submitted with the application shall be evaluated and assessed by the Impact Assessment Agency, and if deemed necessary it may consult a Committee of Experts, having a composition as specified in Schedule-III of this Notification. The Impact Assessment Agency (IAA) would be the Union Ministry of Environment and Forests. The Committee of Experts mentioned above shall be constituted by the IAA or such other body under the Central Government authorised by the IAA in this regard.
- (b) The said Committee of Experts shall have full right of entry and inspection of the site or, as the case may be, factory premises at any time prior to, during or after the commencement of the operations relating to the project.
- (c) The Impact Assessment Agency shall prepare a set of recommendations based on technical assessment of documents and data, furnished by the project authorities, supplemented by data collected during visits to sites or factories, if undertaken, and interaction with affected population and

environmental groups, if necessary. Summary of the reports, the recommendation and the conditions, subject to which environmental clearance is given, shall be made available subject to the public interest to the concerned parties or environmental groups on request. Comments of the public may be solicited, if so decided by Impact Assessment Agency, within thirty days of receipt of proposal, in public hearings arranged for the purpose after giving thirty days notice of such hearings in at least two newspapers. Public shall be provided access, subject to the public interest, to the summary of the reports/ Environmental Management Plans at the Headquarters of the Impact Assessment Agency.

The assessment shall be completed within a period of ninety days from receipt of the requisite documents and data from the project authorities and completion of public hearing, where required, and decision conveyed within thirty days thereafter.

The clearance granted shall be valid for a period of five years for commencement of the construction or operation.

No construction work, preliminary or otherwise, relating to the setting up of the project may be undertaken till the environmental and/or site clearance is obtained.

- IV. In order to enable the Impact Assessment Agency to monitor effectively the implementation of the recommendations and conditions subject to which the environmental clearance has been given, the project authorities concerned shall submit a half-yearly report to the Impact Assessment Agency. Subject to the public interest, the Impact Assessment Agency, shall make compliance reports publicly available.
- V. If no comments from the Impact Assessment Agency are received within the time limit, the project would be deemed to have been approved as proposed by project authorities.

3. Nothing contained in this Notification shall apply to:
- (a) any item falling under entry nos. 3,18 and 20 of the Schedule-I to be located or proposed to be located in the areas covered by the Notifications S.O. No. 102(E) dated 1st February, 1989; S.O. 114(E) dated 20th February, 1991 S.O. No. 416(E) dated 20th June, 1991 and S.O. No. 319(E) dated 7th May, 1992.
 - (b) any item falling under entry Nos. 1,2,3,4,5,7,9,10,12,13,14,16,17,19,21,25 and 27 of Schedule-I if the investment is less than Rs. 50 crores.
 - (c) any item reserved for Small Scale Industrial sector with investments less than Rs. 1 crore.
4. Concealing factual data or submission of false, misleading data/reports, decisions or recommendations would lead to the project being rejected. Approval, if granted earlier on the basis of false data would also be to be revoked. Misleading and wrong information will cover the following:
- False information.
 - False data.
 - Engineered reports.
 - Concealing of factual data.
 - False recommendations or decisions.

(No. Z-12013/4/89-IA-I)

R. RAJAMANI, Secy.

SCHEDULE -I
(See paras 1 and 2)

**LIST OF PROJECTS REQUIRING ENVIRONMENTAL
CLEARANCE
FROM THE CENTRAL GOVERNMENT**

1. Nuclear Power and related projects such as Heavy Water Plants, nuclear fuel complex, rare earths.
2. River Valley projects including hydel power, major irrigation and their combination including flood control.
3. Ports, Harbours, Airports (except minor ports and harbours).
4. Petroleum Refineries including crude and product pipelines.
5. Chemical Fertilizers (Nitrogenous and Phosphatic other than single superphosphate).
6. Pesticides (Technical).
7. Petrochemical complexes (Both Olefinic and Aromatic) and Petro-chemical intermediates such as DMT, Caprolactam, LAB etc. and production of basic plastics such as LDPE, HDPE, PP, PVC.
8. Bulk drugs and pharmaceuticals.
9. Exploration for oil and gas and their production, transportation and storage.

10. Synthetic Rubber.
11. Asbestos and Asbestos products.
12. Hydrocyanic acid and its derivatives.
- 13.(a) Primary metallurgical industries (such as production of Iron and Steel, Aluminium, Copper, Zinc, Lead and Ferro Alloys).

(b) Electric arc furnaces (Mini Steel Plants).
14. Chlor-alkali industry.
15. Integrated paint complex including manufacture of resins and basic raw materials required in the manufacture of paints.
16. Viscose Staple fibre and filament yarn.
17. Storage batteries integrated with manufacture of oxides of lead and lead antimony alloy.
18. All tourism projects between 200m--500 meters of High Tide Line or at locations with an elevation of more than 1000 meters with investment of more than Rs. 5 crores.
19. Thermal Power plants.
20. Mining projects (major minerals) with leases more than 5 hectares.
21. Highway Projects.
22. Tarred Roads in Himalayas and/or Forest areas.
23. Distilleries.
24. Raw Skins and Hides.

25. Pulp, paper and newsprint.
26. Dyes.
27. Cement.
28. Foundries (individual).
29. Electroplating.

SCHEDULE -II

(See Sub-para I(a) of Para 2)

APPLICATION FORM

1. (a) Name and Address of the project proposed:
 - (b) Location of the project:
Name of the place:
District, Tehsil:
Latitude/Longitude:
Nearest Airport/Railway Station:
 - (c) Alternate sites examined and the reasons for selecting the proposed site:
 - (d) Does the site conform to stipulated land use as per local land use plan:
2. Objectives of the project:
3. (a) Land Requirement:
Agriculture Land:
Forest land and Density of vegetation:
Other (specify):
 - (b) (i) Land use in the Catchment/within 10 kms. radius of the proposed site:
 - (ii) Topography of the area indicating gradient, aspects and altitude:
 - (iii) Erodability classification of the proposed land;
- (c) Pollution sources existing in 10 km. radius and their impact on quality of air, water & land:
- (d) Distance of the nearest National Park/Sanctuary Biosphere

Reserve/Monuments/heritage site/Reserve Forest:

- (e) Rehabilitation plan for quarries/borrow areas:
- (f) Green belt plan:
- (g) Compensatory afforestation plan:

4. Climate and Air Quality:

- (a) Windrose at site;
- (b) Max./Min./Mean annual temperature
- (c) Frequency of inversion:
- (d) Frequency of cyclones/tornadoes/cloud burst:
- (e) Ambient air quality data:
- (f) Nature & concentration of emission of SPM, Gas (CO, CO₂, NO_x, CH_n etc.) from the project.

5. Water balance:

- (a) Water balance at site:
- (b) Lean season water availability:
- (c) Source to be tapped with competing users (River, Lake, Ground, Public supply):
- (d) Water quality:
- (e) Changes observed in quality and quantity of ground water in the last 15 years and present charging and extraction details:
- (f) (i) Quantum of waste water to be released with treatment details:
 - (ii) Quantum of quality of water in the receiving body before and after disposal of solid waste:
 - (iii) Quantum of waste water to be released on land and type of land:

(g) (I) Details of reservoir water quality with necessary Catchment Treatment Plan;

(II) Command Area Development Plan;

6. Solid wastes :
 - (a) Nature and quantity of solid wastes generated.
 - (b) Solid waste disposal method:
7. Noise and Vibrations:
 - (a) Sources of noise and vibrations;
 - (b) Ambient noise level;
 - (c) Noise and Vibration control measures proposed;
 - (d) Subsidence problem if any with control measures:
8. Power requirement indicating source of supply: Complete environmental details to be furnished separately, if captive power unit proposed:
9. Peak labour force to be deployed giving details of:
 - Endemic health problems in the area due to waste water/air/soil borne diseases:
 - Health care system existing and proposed:
10. (a) Number of village and population to be displaced:
(b) Rehabilitation Master Plan:
11. Risk Assessment Report and Disaster Management Plan:
12. (a) Environmental Impact Assessment } Report prepared as per
(b) Environment Management Plan: } guidelines of MOEF
(c) Detailed Feasibility Report: } issued from time to time
(d) Duly filled in questionnaire }

13. Details of Environmental Management Cell:

I hereby give an undertaking that the data and information given above are true to the best of my knowledge and belief and I am aware that if any part of the data/information submitted is found to be false or misleading at any stage, the project be rejected and the clearance given, if any, to the project is likely to be revoked at our risk and cost.

Signature of the applicant
with name and full address

Date:
Place:

Given under the seal of
organisation on behalf of
whom the applicant is signing

In respect to item for which data are not required or is not available as per the declaration of project proponent, the project would be considered on that basis.

SCHEDULE III

(See sub-para III(a) of Para 2)

COMPOSITION OF THE EXPERT COMMITTEES FOR ENVIRONMENTAL IMPACT ASSESSMENT

- I. The Committees will consist of experts in the following disciplines:
 - (I) Eco-System Management
 - (II) Air/Water Pollution Control
 - (III) Water Resource Management
 - (IV) Flora/Fauna Conservation and Management
 - (V) Land Use Planning
 - (VI) Social Sciences/Rehabilitation
 - (VII) Project Appraisal
 - (VIII) Ecology
 - (IX) Environmental Health
 - (X) Subject Area Specialists.
 - (XI) Representatives of NGOs/Persons Concerned With Environmental Issues.
2. The Chairman will be an outstanding and experienced ecologist or environmentalist or technical professional with wide

managerial experience.

3. The representative of IAA will act as Member - Secretary.
4. Chairman and members will serve in their individual capacities except those specifically nominated as representatives.
5. The membership of a Committee shall not exceed 15.

**EXPLANATORY NOTE REGARDING THE IMPACT
ASSESSMENT NOTIFICATION
DATED 27TH JANUARY, 1994**

1. Expansion and modernisation of existing projects

A project proponent is required to seek environmental clearance for a proposed expansion/modernisation activity if the resultant pollution load is to exceed the existing levels. The words "pollution Load" will in this context cover emissions, liquid effluents and solid or semi-solid wastes generated. A project proponent may approach the concerned State Pollution Control Board (SPCB) for certifying whether the proposed modernisation/expansion activity as listed in Schedule-I to the notification is likely to exceed the existing pollution load or not. If it is certified that no increase is likely to occur in the existing pollution load due to the proposed expansion or modernisation, the project proponent will not be required to seek environmental clearance, but a copy of such certificate issued by the SPCB will have to be submitted to the Impact Assessment Agency (IAA) for information. The IAA will however, reserve the right to review such cases in the public interest if material facts justifying the need for such review come to light.

2. Availability of Summary Feasibility Report, EIA/EMP Report etc. to concerned parties or groups

The project proponent will have to submit an executive summary incorporating in brief the essence of project details and findings of environmental impact assessment study which could be made available to concerned parties or environmental groups on request.

3. Clarification about concerned parties or environmental groups

The concerned parties or environmental groups will be the bonafide residents located at or around the project site or

site of displacement or site of alleged adverse environmental impact.

4. **Public Hearing**

Public hearings could be called for in case of projects involving large displacement or having severe environmental ramifications.

5. **Requisite information required for site clearance/project clearance.**

(a) Site Clearance:

Site clearance will be given for site specific projects as mentioned in para-2(ii) of the notification. Project proponents will be required to furnish information according to the environmental appraisal questionnaires for site clearance, as may be prescribed by the IAA from time to time. Additional information whenever required by the IAA will be communicated immediately to the project proponents who will then be required to furnish the same within the time frame specified:

(b) Project clearance:

In addition to the application form as mentioned in Schedule II to the notification, project proponents are required to furnish the following information for environmental appraisal:

- (i) EIA/EMP report (20 copies);
- (ii) Risk Analysis report (20 copies): however, such reports if normally not required for a particular category of project, project proponents can state so accordingly, but the IAA's decision in this regard will be final;
- (iii) NOC from the State Pollution Control Board;

- (iv) Commitment regarding availability of water and electricity from the competent authority;
- (v) Summary of Project report/feasibility report (one copy);
- (vi) Filled in questionnaire (as prescribed by the IAA from time to time) for environmental appraisal of the project;
- (vii) Comprehensive rehabilitation plan, if more than 1000 people are likely to be displaced, otherwise a summary plan would be adequate.

As a Comprehensive EIA report will normally take at least one year for its preparation, project proponents may furnish Rapid EIA report to the IAA based on one season data (other than monsoon), for examination of the project. Comprehensive EIA report may be submitted later, if so asked for by the IAA.

The requirement of EIA can be dispensed with by the IAA, in case of project which are unlikely to cause significant impacts on the environment. In such cases, project proponent will have to furnish full justification for such exemption, for submission of EIA. Where such exemption is granted, project proponents may be asked to furnish such additional information as may be required.

6. Submission of Insufficient or inadequate data

Regarding cases liable to be rejected due to inadequacy of data, it is clarified that the IAA will make such rejection within 30 days from the date of submission of the proposal. While rejecting a proposal due to insufficient or inadequate data after the first evaluation, the IAA may also stipulate additional requirement of information/clarification for impact assessment purposes if deemed essential due to the specific nature of location of the proposed project whose data as prescribed is

not available, the IAA can examine the project on the basis of available data.

7. **Application Form**

(i) In order to remove any hardship to the project proponent in providing any information, the project proponent may, where some information is not available or would cause inordinate delay, mention this in their application form. The IAA may consider the project proposal based on the information available.

(ii) **Quality and quantity of ground water**

If 15 years data on the quantity and quality variation of ground water is not available with the concerned Department or Authorities, the project proponent may mention this accordingly in the application form prescribed in Schedule-II to the notification. Further, in case of projects, where ground water is not to be used, and effluents are not to be discharged on the land, the requirement of ground water variation data for the previous 15 years will be dispensed with.

(iii) A project proponent may write the words "Not Applicable" while filling the application form as mentioned in Schedule-II to the notification in respect of items which are not relevant for the purposes of the proposed project.

8. **Exemption for projects already initiated**

For projects listed in Schedule-I to the notification in respect of which the required land has been acquired and all relevant clearances of the State Government including NOC from the respective State Pollution Control Boards have been obtained before 27th January, 1994, a project proponent will not be required to seek environmental clearance from the IAA. However those units who have not as yet commenced production will inform the IAA.

- 2 -

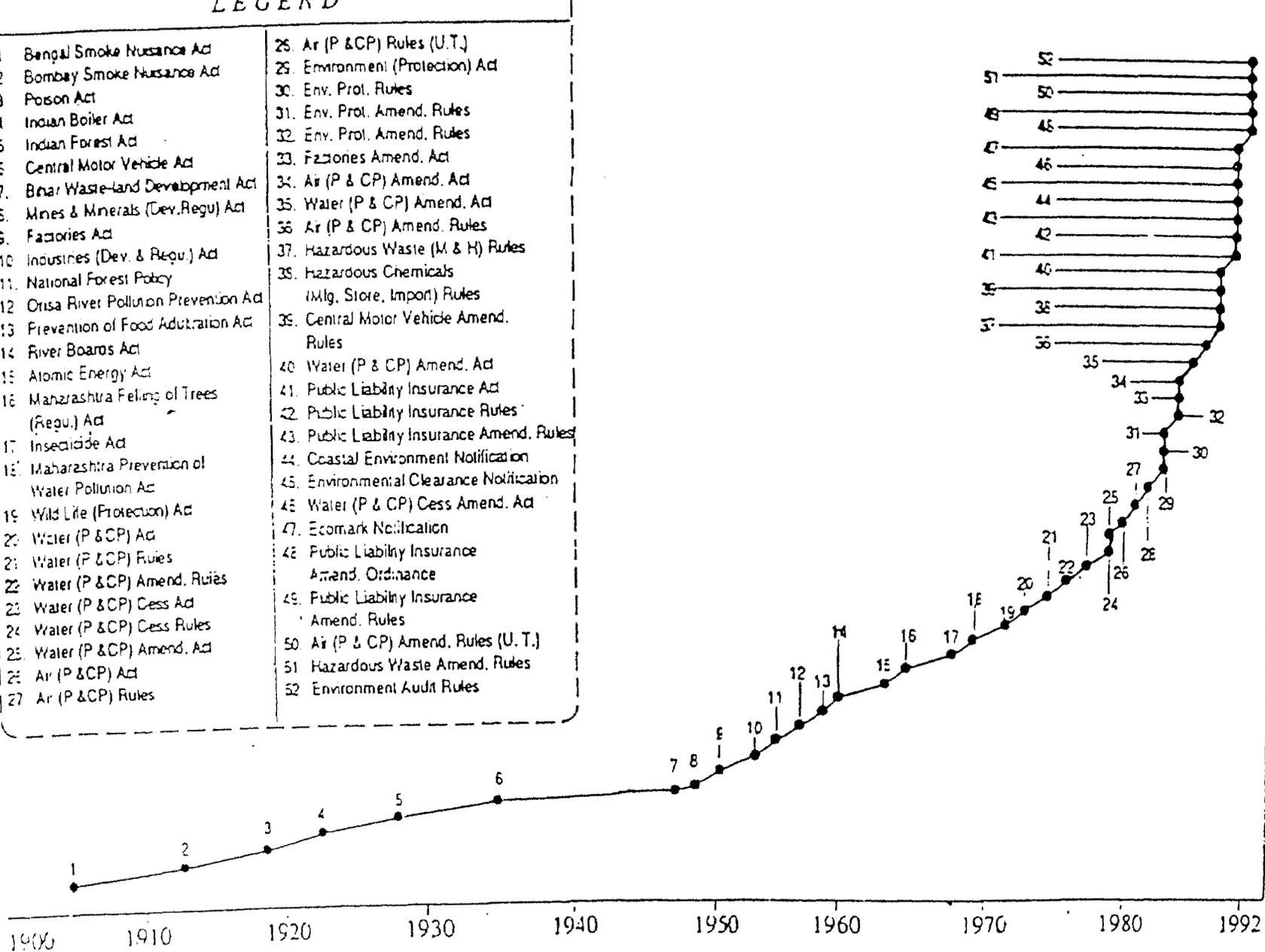
- 50. Air (P & CP) Amend.' Rules (U.T).
- 51. Hazardous Waste Amend. Rules.
- 52. Environment Audit Rules.

Note: 'P' and 'C.P' - 'Prevention and Control of Pollution'.

Reference: The above listing is adapted
From:

'Environmental Audit' (An overview) (page 12)
by 'Ashok Keshav Mhaskar',
M/S. 'MEDIA ENVIRO',
Pune.

LEGEND	
1. Bengal Smoke Nuisance Act	25. Air (P & CP) Rules (U.T.)
2. Bombay Smoke Nuisance Act	26. Environment (Protection) Act
3. Poison Act	30. Env. Prot. Rules
4. Indian Boiler Act	31. Env. Prot. Amend. Rules
5. Indian Forest Act	32. Env. Prot. Amend. Rules
6. Central Motor Vehicle Act	33. Factories Amend. Act
7. Bihar Waste-land Development Act	34. Air (P & CP) Amend. Act
8. Mines & Minerals (Dev. Regu.) Act	35. Water (P & CP) Amend. Act
9. Factories Act	36. Air (P & CP) Amend. Rules
10. Industries (Dev. & Regu.) Act	37. Hazardous Waste (M & H) Rules
11. National Forest Policy	38. Hazardous Chemicals (Mfg. Store, Import) Rules
12. Orissa River Pollution Prevention Act	39. Central Motor Vehicle Amend. Rules
13. Prevention of Food Adulteration Act	40. Water (P & CP) Amend. Act
14. River Boards Act	41. Public Liability Insurance Act
15. Atomic Energy Act	42. Public Liability Insurance Rules
16. Maharashtra Felling of Trees (Regu.) Act	43. Public Liability Insurance Amend. Rules
17. Insecticide Act	44. Coastal Environment Notification
18. Maharashtra Prevention of Water Pollution Act	45. Environmental Clearance Notification
19. Wild Life (Protection) Act	46. Water (P & CP) Cess Amend. Act
20. Water (P & CP) Act	47. Ecomark Notification
21. Water (P & CP) Rules	48. Public Liability Insurance Amend. Ordinance
22. Water (P & CP) Amend. Rules	49. Public Liability Insurance Amend. Rules
23. Water (P & CP) Cess Act	50. Air (P & CP) Amend. Rules (U.T.)
24. Water (P & CP) Cess Rules	51. Hazardous Waste Amend. Rules
25. Water (P & CP) Amend. Act	52. Environment Audit Rules
26. Air (P & CP) Act	
27. Air (P & CP) Rules	



**MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION**

New Delhi, the 14th September, 2006

S.O. 1533(E).—Whereas, a draft notification under Sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 for imposing certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India¹, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy as approved by the Union Cabinet on 18th May, 2006 and the procedure specified in the notification, by the Central Government or the State or Union Territory Level Environment Impact Assessment Authority (SEIAA), to be constituted by the Central Government in consultation with the State Government or the Union Territory Administration concerned under Sub-section (3) of Section 3 of the Environment (Protection) Act, 1986 for the purpose of this notification, was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) *vide* number S.O. 1324(E), dated the 15th September, 2005 inviting objections and suggestions from all persons likely to be affected thereby within a period of sixty days from the date on which copies of Gazette containing the said notification were made available to the public;

And whereas, copies of the said notification were made available to the public on 15th September, 2005;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government hereby directs that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to this notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified hereinafter in this notification.

¹Includes the territorial waters

2. Requirements of prior Environmental Clearance (EC):- The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

- (i) All new projects or activities listed in the Schedule to this notification;
- (ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;

(iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range.

3. State Level Environment Impact Assessment Authority:- (1) A State Level Environment Impact Assessment Authority hereinafter referred to as the SEIAA shall be constituted by the Central Government under sub-section (3) of section-3 of the Environment (Protection) Act, 1986 comprising of three Members including a Chairman and a Member – Secretary to be nominated by the State Government or the Union territory Administration concerned.

- (2) The Member-Secretary shall be a serving officer of the concerned State Government or Union territory administration familiar with environmental laws.
- (3) The other two Members shall be either a professional or expert fulfilling the eligibility criteria given in Appendix VI to this notification.
- (4) One of the specified Members in sub-paragraph (3) above who is an expert in the Environmental Impact Assessment process shall be the Chairman of the SEIAA.
- (5) The State Government or Union territory Administration shall forward the names of the Members and the Chairman referred in sub- paragraph 3 to 4 above to the Central Government and the Central Government shall constitute the SEIAA as an authority for the purposes of this notification within thirty days of the date of receipt of the names.
- (6) The non-official Member and the Chairman shall have a fixed term of three years (from the date of the publication of the notification by the Central Government constituting the authority).
- (7) All decisions of the SEIAA shall be unanimous and taken in a meeting.

4. Categorization of projects and activities:-

- (i) All projects and activities are broadly categorized in to two categories - Category A and Category B, based on the spatial extent of potential impacts and potential impacts on human health and natural and man made resources.
- (ii) All projects or activities included as Category 'A' in the Schedule, including expansion and modernization of existing projects or activities and change in product mix, shall require prior environmental clearance from the Central Government in the Ministry of Environment and Forests (MoEF) on the recommendations of an Expert Appraisal Committee (EAC) to be constituted by the Central Government for the purposes of this notification;
- (iii) All projects or activities included as Category 'B' in the Schedule, including expansion and modernization of existing projects or activities as specified in sub paragraph (ii) of paragraph 2, or change in product mix as specified in sub paragraph (iii) of paragraph 2, but excluding those which fulfill the General Conditions (GC) stipulated in the Schedule, will require prior environmental clearance from the State/Union territory Environment Impact Assessment Authority (SEIAA). The SEIAA shall base its decision on the recommendations of a State or Union territory level Expert Appraisal Committee (SEAC) as to be constituted for in this notification. In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project;

5. Screening, Scoping and Appraisal Committees:-

The same Expert Appraisal Committees (EACs) at the Central Government and SEACs (hereinafter referred to as the (EAC) and (SEAC) at the State or the Union territory level shall screen, scope and appraise projects or activities in Category 'A' and Category 'B' respectively. EAC and SEAC's shall meet at least once every month.

- (a) The composition of the EAC shall be as given in Appendix VI. The SEAC at the State or the Union territory level shall be constituted by the Central Government in consultation with the concerned State Government or the Union territory Administration with identical composition;
- (b) The Central Government may, with the prior concurrence of the concerned State Governments or the Union territory Administrations, constitute one SEAC for more than one State or Union territory for reasons of administrative convenience and cost;
- (c) The EAC and SEAC shall be reconstituted after every three years;
- (d) The authorised members of the EAC and SEAC, concerned, may inspect any site(s) connected with the project or activity in respect of which the prior environmental clearance is sought, for the purposes of screening or scoping or appraisal, with prior notice of at least seven days to the applicant, who shall provide necessary facilities for the inspection;
- (e) The EAC and SEACs shall function on the principle of collective responsibility. The Chairperson shall endeavour to reach a consensus in each case, and if consensus cannot be reached, the view of the majority shall prevail.

6. Application for Prior Environmental Clearance (EC):-

An application seeking prior environmental clearance in all cases shall be made in the prescribed Form 1 annexed herewith and Supplementary Form 1A, if applicable, as given in Appendix II, after the identification of prospective site(s) for the project and/or activities to which the application relates, before commencing any construction activity, or preparation of land, at the site by the applicant. The applicant shall furnish, along with the application, a copy of the pre-feasibility project report except that, in case of construction projects or activities (item 8 of the Schedule) in addition to Form 1 and the Supplementary Form 1A, a copy of the conceptual plan shall be provided, instead of the pre-feasibility report.

7. Stages in the Prior Environmental Clearance (EC) Process for New Projects:-

7(i) The environmental clearance process for new projects will comprise of a maximum of four stages, all of which may not apply to particular cases as set forth below in this notification. These four stages in sequential order are:-

- Stage (1) Screening (Only for Category 'B' projects and activities)
- Stage (2) Scoping
- Stage (3) Public Consultation
- Stage (4) Appraisal

1. Stage (1) - Screening:

In case of Category 'B' projects or activities, this stage will entail the scrutiny of an application seeking prior environmental clearance made in Form 1 by the concerned State level Expert Appraisal Committee (SEAC) for determining whether or not the project or activity

requires further environmental studies for preparation of an Environmental Impact Assessment (EIA) for its appraisal prior to the grant of environmental clearance depending up on the nature and location specificity of the project . The projects requiring an Environmental Impact Assessment report shall be termed Category 'B1' and remaining projects shall be termed Category 'B2' and will not require an Environment Impact Assessment report. For categorization of projects into B1 or B2 except item 8 (b), the Ministry of Environment and Forests shall issue appropriate guidelines from time to time.

II. Stage (2) - Scoping:

(i) "Scoping": refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects or activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion and/or modernization and/or change in product mix of existing projects or activities, determine detailed and comprehensive Terms Of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought. The Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the Terms of Reference on the basis of the information furnished in the prescribed application Form I/Form 1A including Terms of Reference proposed by the applicant, a site visit by a sub- group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, Terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. All projects and activities listed as Category 'B' in Item 8 of the Schedule (Construction/Township/Commercial Complexes /Housing) shall not require Scoping and will be appraised on the basis of Form I/ Form 1A and the conceptual plan.

(ii) The Terms of Reference (TOR) shall be conveyed to the applicant by the Expert Appraisal Committee or State Level Expert Appraisal Committee as concerned within sixty days of the receipt of Form I. In the case of Category A Hydroelectric projects Item 1(c) (i) of the Schedule the Terms of Reference shall be conveyed along with the clearance for pre-construction activities. If the Terms of Reference are not finalized and conveyed to the applicant within sixty days of the receipt of Form I, the Terms of Reference suggested by the applicant shall be deemed as the final Terms of Reference approved for the EIA studies. The approved Terms of Reference shall be displayed on the website of the Ministry of Environment and Forests and the concerned State Level Environment Impact Assessment Authority.

(iii) Applications for prior environmental clearance may be rejected by the regulatory authority concerned on the recommendation of the EAC or SEAC concerned at this stage itself. In case of such rejection, the decision together with reasons for the same shall be communicated to the applicant in writing within sixty days of the receipt of the application.

III. Stage (3) - Public Consultation:

(i) "Public Consultation" refers to the process by which the concerns of local affected persons and others who have plausible stake in the environmental impacts of the project or activity are ascertained with a view to taking into account all the material concerns in the project or activity design as appropriate. All Category 'A' and Category B1 projects or activities shall undertake Public Consultation, except the following:-

- (a) modernization of irrigation projects (item 1(c) (ii) of the Schedule).

- (b) all projects or activities located within industrial estates or parks (item 7(c) of the Schedule) approved by the concerned authorities, and which are not disallowed in such approvals.
 - (c) expansion of Roads and Highways (item 7 (f) of the Schedule) which do not involve any further acquisition of land.
 - (d) all Building /Construction projects/Area Development projects and Townships (item 8).
 - (e) all Category 'B2' projects and activities.
 - (f) all projects or activities concerning national defence and security or involving other strategic considerations as determined by the Central Government.
- (ii) The Public Consultation shall ordinarily have two components comprising of:-
- (a) a public hearing at the site or in its close proximity- district wise, to be carried out in the manner prescribed in Appendix IV, for ascertaining concerns of local affected persons;
 - (b) obtain responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity.
 - (iii) the public hearing at, or in close proximity to, the site(s) in all cases shall be conducted by the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) concerned in the specified manner and forward the proceedings to the regulatory authority concerned within 45(forty five) of a request to the effect from the applicant.
 - (iv) in case the State Pollution Control Board or the Union territory Pollution Control Committee concerned does not undertake and complete the public hearing within the specified period, and/or does not convey the proceedings of the public hearing within the prescribed period directly to the regulatory authority concerned as above, the regulatory authority shall engage another public agency or authority which is not subordinate to the regulatory authority, to complete the process within a further period of forty five days,.
 - (v) If the public agency or authority nominated under the sub paragraph (iii) above reports to the regulatory authority concerned that owing to the local situation, it is not possible to conduct the public hearing in a manner which will enable the views of the concerned local persons to be freely expressed, it shall report the facts in detail to the concerned regulatory authority, which may, after due consideration of the report and other reliable information that it may have, decide that the public consultation in the case need not include the public hearing.
 - (vi) For obtaining responses in writing from other concerned persons having a plausible stake in the environmental aspects of the project or activity, the concerned regulatory authority and the State Pollution Control Board (SPCB) or the Union territory Pollution Control Committee (UTPCC) shall invite responses from such concerned persons by placing on their website the Summary EIA report prepared in the format given in Appendix IIIA by the applicant along with a copy of the application in the prescribed form , within seven days of the receipt of a written request for arranging the public hearing . Confidential information including non-disclosable or legally privileged information involving Intellectual Property Right, source specified in the application shall not be placed on the web site. The regulatory authority concerned may also use

other appropriate media for ensuring wide publicity about the project or activity. The regulatory authority shall, however, make available on a written request from any concerned person the Draft EIA report for inspection at a notified place during normal office hours till the date of the public hearing. All the responses received as part of this public consultation process shall be forwarded to the applicant through the quickest available means.

(vii) After completion of the public consultation, the applicant shall address all the material environmental concerns expressed during this process, and make appropriate changes in the draft EIA and EMP. The final EIA report, so prepared, shall be submitted by the applicant to the concerned regulatory authority for appraisal. The applicant may alternatively submit a supplementary report to draft EIA and EMP addressing all the concerns expressed during the public consultation.

IV. Stage (4) - Appraisal:

(i) Appraisal means the detailed scrutiny by the Expert Appraisal Committee or State Level Expert Appraisal Committee of the application and other documents like the Final EIA report, outcome of the public consultations including public hearing proceedings, submitted by the applicant to the regulatory authority concerned for grant of environmental clearance. This appraisal shall be made by Expert Appraisal Committee or State Level Expert Appraisal Committee concerned in a transparent manner in a proceeding to which the applicant shall be invited for furnishing necessary clarifications in person or through an authorized representative. On conclusion of this proceeding, the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall make categorical recommendations to the regulatory authority concerned either for grant of prior environmental clearance on stipulated terms and conditions, or rejection of the application for prior environmental clearance, together with reasons for the same.

(ii) The appraisal of all projects or activities which are not required to undergo public consultation, or submit an Environment Impact Assessment report, shall be carried out on the basis of the prescribed application Form 1 and Form 1A as applicable, any other relevant validated information available and the site visit wherever the same is considered as necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iii) The appraisal of an application shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee shall be placed before the competent authority for a final decision within the next fifteen days. The prescribed procedure for appraisal is given in Appendix V ;

7(ii). Prior Environmental Clearance (EC) process for Expansion or Modernization or Change of product mix in existing projects:

All applications seeking prior environmental clearance for expansion with increase in the production capacity beyond the capacity for which prior environmental clearance has been granted under this notification or with increase in either lease area or production capacity in the case of mining projects or for the modernization of an existing unit with increase in the total production capacity beyond the threshold limit prescribed in the Schedule to this notification through change in process and or technology or involving a change in the product -mix shall be made in Form 1 and they shall be considered by the concerned Expert Appraisal Committee or State Level Expert Appraisal Committee within sixty days, who will decide on the due diligence

necessary including preparation of EIA and public consultations and the application shall be appraised accordingly for grant of environmental clearance.

8. Grant or Rejection of Prior Environmental Clearance (EC):

(i) The regulatory authority shall consider the recommendations of the EAC or SEAC concerned and convey its decision to the applicant within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned or in other words within one hundred and five days of the receipt of the final Environment Impact Assessment Report, and where Environment Impact Assessment is not required, within one hundred and five days of the receipt of the complete application with requisite documents, except as provided below.

(ii) The regulatory authority shall normally accept the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned. In cases where it disagrees with the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, the regulatory authority shall request reconsideration by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within forty five days of the receipt of the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned while stating the reasons for the disagreement. An intimation of this decision shall be simultaneously conveyed to the applicant. The Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, in turn, shall consider the observations of the regulatory authority and furnish its views on the same within a further period of sixty days. The decision of the regulatory authority after considering the views of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be final and conveyed to the applicant by the regulatory authority concerned within the next thirty days.

(iii) In the event that the decision of the regulatory authority is not communicated to the applicant within the period specified in sub-paragraphs (i) or (ii) above, as applicable, the applicant may proceed as if the environment clearance sought for has been granted or denied by the regulatory authority in terms of the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned.

(iv) On expiry of the period specified for decision by the regulatory authority under paragraph (i) and (ii) above, as applicable, the decision of the regulatory authority, and the final recommendations of the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned shall be public documents.

(v) Clearances from other regulatory bodies or authorities shall not be required prior to receipt of applications for prior environmental clearance of projects or activities, or screening, or scoping, or appraisal, or decision by the regulatory authority concerned, unless any of these is sequentially dependent on such clearance either due to a requirement of law, or for necessary technical reasons.

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

9. Validity of Environmental Clearance (EC):

The "Validity of Environmental Clearance" is meant the period from which a prior environmental clearance is granted by the regulatory authority, or may be presumed by the applicant to have been granted under sub paragraph (iv) of paragraph 7 above, to the start of production operations by the project or activity, or completion of all construction operations in case of construction projects (item 8 of the Schedule), to which the application for prior environmental clearance refers. The prior environmental clearance granted for a project or activity shall be valid for a period of ten years in the case of River Valley projects (item 1(c) of the Schedule), project life as estimated by Expert Appraisal Committee or State Level Expert Appraisal Committee subject to a maximum of thirty years for mining projects and five years in the case of all other projects and activities. However, in the case of Area Development projects and Townships [item 8(b)], the validity period shall be limited only to such activities as may be the responsibility of the applicant as a developer. This period of validity may be extended by the regulatory authority concerned by a maximum period of five years provided an application is made to the regulatory authority by the applicant within the validity period, together with an updated Form I, and Supplementary Form 1A, for Construction projects or activities (item 8 of the Schedule). In this regard the regulatory authority may also consult the Expert Appraisal Committee or State Level Expert Appraisal Committee as the case may be.

10. Post Environmental Clearance Monitoring:

(i) It shall be mandatory for the project management to submit half-yearly compliance reports in respect of the stipulated prior environmental clearance terms and conditions in hard and soft copies to the regulatory authority concerned, on 1st June and 1st December of each calendar year.

(ii) All such compliance reports submitted by the project management shall be public documents. Copies of the same shall be given to any person on application to the concerned regulatory authority. The latest such compliance report shall also be displayed on the web site of the concerned regulatory authority.

11. Transferability of Environmental Clearance (EC):

A prior environmental clearance granted for a specific project or activity to an applicant may be transferred during its validity to another legal person entitled to undertake the project or activity on application by the transferor, or by the transferee with a written "no objection" by the transferor, to, and by the regulatory authority concerned, on the same terms and conditions under which the prior environmental clearance was initially granted, and for the same validity period. No reference to the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned is necessary in such cases.

12. Operation of EIA Notification, 1994, till disposal of pending cases:

From the date of final publication of this notification the Environment Impact Assessment (EIA) notification number S.O.60 (E) dated 27th January, 1994 is hereby superseded, except in suppression of the things done or omitted to be done before such suppression to the extent that in case of all or some types of applications made for prior environmental clearance and pending on the date of final publication of this notification, the Central Government may relax any one or all provisions of this notification except the list of the projects or activities requiring prior environmental clearance in Schedule I, or continue operation of some or all provisions of the said notification, for a period not exceeding one year from the date of issue of this notification.

SCHEDULE

(See paragraph 2 and 7)

LIST OF PROJECTS OR ACTIVITIES REQUIRING PRIOR ENVIRONMENTAL CLEARANCE

Project or Activity		Category with threshold limit		Conditions if any
		A	B	
1		Mining, extraction of natural resources and power generation (for a specified production capacity)		
(1)	(2)	(3)	(4)	(5)
1(a)	Mining of minerals	<p>≥ 50 ha. of mining lease area</p> <p>Asbestos mining irrespective of mining area</p>	<p><50 ha</p> <p>≥ 5 ha .of mining lease area.</p>	<p>General Condition shall apply</p> <p><u>Note</u> Mineral prospecting (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey</p>
1(b)	Offshore and onshore oil and gas exploration, development & production	All projects		<p><u>Note</u> Exploration Surveys (not involving drilling) are exempted provided the concession areas have got previous clearance for physical survey</p>
1(c)	River Valley projects	<p>(i) ≥ 50 MW hydroelectric power generation;</p> <p>(ii) ≥ 10,000 ha. of culturable command area</p>	<p>(i) < 50 MW ≥ 25 MW hydroelectric power generation;</p> <p>(ii) < 10,000 ha. of culturable command area</p>	General Condition shall apply
1(d)	Thermal Power Plants	<p>≥ 500 MW (coal/lignite/naphtha & gas based);</p> <p>≥ 50 MW (Pet coke diesel and all other fuels -)</p>	<p>< 500 MW (coal/lignite/naphtha & gas based);</p> <p><50 MW</p> <p>≥ 5MW (Pet coke ,diesel and all other fuels)</p>	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
1(e)	Nuclear power projects and processing of nuclear fuel	All projects		
2		Primary Processing		
2(a)	Coal washeries	≥ 1 million ton/annum throughput of coal	< 1 million ton/annum throughput of coal	General Condition shall apply (If located within mining area the proposal shall be appraised together with the mining proposal)
2 (b)	Mineral beneficiation	≥ 0.1 million ton/annum mineral throughput	< 0.1 million ton/annum mineral throughput	General Condition shall apply (Mining proposal with Mineral beneficiation shall be appraised together for grant of clearance)

3				
Materials Production				
(1)	(2)	(3)	(4)	(5)
3(a)	Metallurgical industries (ferrous & non ferrous)	<p>a) Primary metallurgical industry</p> <p>All projects</p> <p>b) Sponge iron manufacturing ≥ 200TPD</p> <p>c) Secondary metallurgical processing industry</p> <p>All toxic and heavy metal producing units $\geq 20,000$ tonnes/annum</p>	<p>Sponge iron manufacturing < 200TPD</p> <p>Secondary metallurgical processing industry</p> <p>i.) All toxic and heavy metal producing units $< 20,000$ tonnes/annum</p> <p>ii.) All other non-toxic secondary metallurgical processing industries > 5000 tonnes/annum</p>	General Condition shall apply for Sponge iron manufacturing
3(b)	Cement plants	≥ 1.0 million tonnes/annum production capacity	< 1.0 million tonnes/annum production capacity. All Stand alone grinding units	General Condition shall apply

4				
Materials Processing				
(1)	(2)	(3)	(4)	(5)
4(a)	Petroleum refining industry	All projects	-	-
4(b)	Coke oven plants	≥2,50,000 tonnes/annum	<2,50,000 & ≥25,000 tonnes/annum	-
4(c)	Asbestos milling and asbestos based products	All projects	-	-
4(d)	Chlor-alkali industry	≥300 TPD production capacity or a unit located outside the notified industrial area/estate	<300 TPD production capacity and located within a notified industrial area/estate	Specific Condition shall apply No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempted from this Notification
4(e)	Soda ash Industry	All projects	-	-
4(f)	Leather/skin/hide processing industry	New projects outside the industrial area or expansion of existing units outside the industrial area	All new or expansion of projects located within a notified industrial area/estate	Specific condition shall apply
5				
Manufacturing/Fabrication				
5(a)	Chemical fertilizers	All projects	-	-
5(b)	Pesticides industry and pesticide specific intermediates (excluding formulations)	All units producing technical grade pesticides	-	-

(1)	(2)	(3)	(4)	(5)
5(c)	Petro-chemical complexes (industries based on processing of petroleum fractions & natural gas and/or reforming to aromatics)	All projects	-	
5(d)	Manmade fibres manufacturing	Rayon	Others	General Condition shall apply
5(e)	Petrochemical based processing (processes other than cracking & reformation and not covered under the complexes)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	Specific Condition shall apply
5(f)	Synthetic organic chemicals industry (dyes & dye intermediates; bulk drugs and intermediates excluding drug formulations; synthetic rubbers; basic organic chemicals, other synthetic organic chemicals and chemical intermediates)	Located out side the notified industrial area/ estate	Located in a notified industrial area/ estate	Specific Condition shall apply
5(g)	Distilleries	(i) All Molasses based distilleries (ii) All Cane juice/ non-molasses based distilleries ≥ 30 KLD	All Cane juice/non-molasses based distilleries <30 KLD	General Condition shall apply
5(h)	Integrated paint industry	-	All projects	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
5(i)	Pulp & paper industry excluding manufacturing of paper from waste paper and manufacture of paper from ready pulp with out bleaching	Pulp manufacturing and Pulp& Paper manufacturing industry	Paper manufacturing industry without pulp manufacturing	General Condition shall apply
5(j)	Sugar Industry	-	≥ 5000 tcd cane crushing capacity	General Condition shall apply
5(k)	Induction/arc furnaces/cupola furnaces 5TPH or more	-	All projects	General Condition shall apply
6		Service Sectors		
6(a)	Oil & gas transportation pipe line (crude and refinery/ petrochemical products), passing through national parks /sanctuaries/coral reefs /ecologically sensitive areas including LNG Terminal	All projects		

(1)	(2)	(3)	(4)	(5)
6(b)	Isolated storage & handling of hazardous chemicals (As per threshold planning quantity indicated in column 3 of schedule 2 & 3 of MSIHC Rules 1989 amended 2000)	-	All projects	General Condition shall apply
7		Physical Infrastructure including Environmental Services		
7(a)	Air ports	All projects	-	-
7(b)	All ship breaking yards including ship breaking units	All projects	-	-
7(c)	Industrial estates/parks/ complexes/ areas, export processing Zones (EPZs), Special Economic Zones (SEZs), Biotech Parks, Leather Complexes.	If at least one industry in the proposed industrial estate falls under the Category A, entire industrial area shall be treated as Category A, irrespective of the area. Industrial estates with area greater than 500 ha. and housing at least one Category B industry.	-Industrial estates housing at least one Category B industry and area <500 ha. Industrial estates of area > 500 ha. and not housing any industry belonging to Category A or B.	Special condition shall apply Note: Industrial Estate of area below 500 ha. and not housing any industry of category A or B does not require clearance.
7(d)	Common hazardous waste treatment, storage and disposal facilities (TSDFs)	All integrated facilities having incineration & landfill or incineration alone	All facilities having land fill only	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
7(e)	Ports, Harbours	≥ 5 million TPA of cargo handling capacity (excluding fishing harbours)	< 5 million TPA, of cargo handling capacity and/or ports/ harbours ≥10,000 TPA of fish handling capacity	General Condition shall apply
7(f)	Highways	i) New National High ways; and ii) Expansion of National High ways greater than 30 KM, involving additional right of way greater than 20m involving land acquisition and passing through more than one State.	i) New State High ways; and ii) Expansion of National / State Highways greater than 30 km involving additional right of way greater than 20m involving land acquisition.	General Condition shall apply
7(g)	Aerial ropeways		All projects	General Condition shall apply
7(h)	Common Effluent Treatment Plants (CETPs)		All projects	General Condition shall apply
7(i)	Common Municipal Solid Waste Management Facility (CMSWMF)		All projects	General Condition shall apply

(1)	(2)	(3)	(4)	(5)
8		Building /Construction projects/Area Development projects and Townships		
8(a)	Building and Construction projects		≥20000 sq.mtrs and <1,50,000 sq.mtrs. of built-up area#	#(built up area for covered construction; in the case of facilities open to the sky, it will be the activity area)
8(b)	Townships and Area Development projects.		Covering an area ≥ 50 ha and or built up area ≥1,50,000 sq .mtrs ++	**All projects under Item 8(b) shall be appraised as Category B1

Note:-**General Condition (GC):**

Any project or activity specified in Category 'B' will be treated as Category A, if located in whole or in part within 10 km from the boundary of: (i) Protected Areas notified under the Wild Life (Protection) Act, 1972, (ii) Critically Polluted areas as notified by the Central Pollution Control Board from time to time, (iii) Notified Eco-sensitive areas, (iv) inter-State boundaries and international boundaries.

Specific Condition (SC):

If any Industrial Estate/Complex / Export processing Zones /Special Economic Zones/Biotech Parks / Leather Complex with homogeneous type of industries such as Items 4(d), 4(f), 5(e), 5(f), or those Industrial estates with pre -defined set of activities (not necessarily homogeneous, obtains prior environmental clearance, individual industries including proposed industrial housing within such estates /complexes will not be required to take prior environmental clearance, so long as the Terms and Conditions for the industrial estate/complex are complied with (Such estates/complexes must have a clearly identified management with the legal responsibility of ensuring adherence to the Terms and Conditions of prior environmental clearance, who may be held responsible for violation of the same throughout the life of the complex/estate).

[No. J-11013/56/2004-IA-II(I)]
R. CHANDRAMOHAN, J. Secy.

APPENDIX I

(See paragraph - 6)

FORM 1**(I) Basic Information**

Name of the Project:

Location / site alternatives under consideration:

Size of the Project: *

Expected cost of the project:

Contact Information:

Screening Category:

- Capacity corresponding to sectoral activity (such as production capacity for manufacturing, mining lease area and production capacity for mineral production, area for mineral exploration, length for linear transport infrastructure, generation capacity for power generation etc.)

(II) Activity

1. Construction, operation or decommissioning of the Project involving actions, which will cause physical changes in the locality (topography, land use, changes in water bodies, etc.)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
1.1	Permanent or temporary change in land use, land cover or topography including increase in intensity of land use (with respect to local land use plan)		
1.2	Clearance of existing land, vegetation and buildings?		
1.3	Creation of new land uses?		
1.4	Pre-construction investigations e.g. bore holes, soil testing?		
1.5	Construction works?		
1.6	Demolition works?		
1.7	Temporary sites used for construction works or housing of construction workers?		
1.8	Above ground buildings, structures or earthworks including linear structures, cut and fill or excavations		
1.9	Underground works including mining or tunneling?		
1.10	Reclamation works?		
1.11	Dredging?		
1.12	Offshore structures?		
1.13	Production and manufacturing processes?		

1.14	Facilities for storage of goods or materials?		
1.15	Facilities for treatment or disposal of solid waste or liquid effluents?		
1.16	Facilities for long term housing of operational workers?		
1.17	New road, rail or sea traffic during construction or operation?		
1.18	New road, rail, air waterborne or other transport infrastructure including new or altered routes and stations, ports, airports etc?		
1.19	Closure or diversion of existing transport routes or infrastructure leading to changes in traffic movements?		
1.20	New or diverted transmission lines or pipelines?		
1.21	Impoundment, damming, culverting, realignment or other changes to the hydrology of watercourses or aquifers?		
1.22	Stream crossings?		
1.23	Abstraction or transfers of water from ground or surface waters?		
1.24	Changes in water bodies or the land surface affecting drainage or run-off?		
1.25	Transport of personnel or materials for construction, operation or decommissioning?		
1.26	Long-term dismantling or decommissioning or restoration works?		
1.27	Ongoing activity during decommissioning which could have an impact on the environment?		
1.28	Influx of people to an area in either temporarily or permanently?		
1.29	Introduction of alien species?		
1.30	Loss of native species or genetic diversity?		
1.31	Any other actions?		

2. Use of Natural resources for construction or operation of the Project (such as land, water, materials or energy, especially any resources which are non-renewable or in short supply):

S.No.	Information/checklist confirmation	Yes/No	Details thereof (with approximate quantities /rates, wherever possible) with source of information data
2.1	Land especially undeveloped or agricultural land (ha)		

2.2	Water (expected source & competing users) unit: KLD		
2.3	Minerals (MT)		
2.4	Construction material – stone, aggregates, and / soil (expected source – MT)		
2.5	Forests and timber (source – MT)		
2.6	Energy including electricity and fuels (source, competing users) Unit: fuel (MT), energy (MW)		
2.7	Any other natural resources (use appropriate standard units)		

3. Use, storage, transport, handling or production of substances or materials, which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health.

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
3.1	Use of substances or materials, which are hazardous (as per MSIHC rules) to human health or the environment (flora, fauna, and water supplies)		
3.2	Changes in occurrence of disease or affect disease vectors (e.g. insect or water borne diseases)		
3.3	Affect the welfare of people e.g. by changing living conditions?		
3.4	Vulnerable groups of people who could be affected by the project e.g. hospital patients, children, the elderly etc.,		
3.5	Any other causes		

4. Production of solid wastes during construction or operation or decommissioning (MT/month)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
4.1	Spoil, overburden or mine wastes		

4.2	Municipal waste (domestic and or commercial wastes)		
4.3	Hazardous wastes (as per Hazardous Waste Management Rules)		
4.4	Other industrial process wastes		
4.5	Surplus product		
4.6	Sewage sludge or other sludge from effluent treatment		
4.7	Construction or demolition wastes		
4.8	Redundant machinery or equipment		
4.9	Contaminated soils or other materials		
4.10	Agricultural wastes		
4.11	Other solid wastes		

5. Release of pollutants or any hazardous, toxic or noxious substances to air (Kg/hr)

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
5.1	Emissions from combustion of fossil fuels from stationary or mobile sources		
5.2	Emissions from production processes		
5.3	Emissions from materials handling including storage or transport		
5.4	Emissions from construction activities including plant and equipment		
5.5	Dust or odours from handling of materials including construction materials, sewage and waste		

5.6	Emissions from incineration of waste		
5.7	Emissions from burning of waste in open air (e.g. slash materials, construction debris)		
5.8	Emissions from any other sources		

6. Generation of Noise and Vibration, and Emissions of Light and Heat:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data with source of information data
6.1	From operation of equipment e.g. engines, ventilation plant, crushers		
6.2	From industrial or similar processes		
6.3	From construction or demolition		
6.4	From blasting or piling		
6.5	From construction or operational traffic		
6.6	From lighting or cooling systems		
6.7	From any other sources		

7. Risks of contamination of land or water from releases of pollutants into the ground or into sewers, surface waters, groundwater, coastal waters or the sea:

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
7.1	From handling, storage, use or spillage of hazardous materials		
7.2	From discharge of sewage or other effluents to water or the land (expected mode and place of discharge)		
7.3	By deposition of pollutants emitted to air into the land or into water		
7.4	From any other sources		
7.5	Is there a risk of long term build up of pollutants in the environment from these sources?		

8. Risk of accidents during construction or operation of the Project, which could affect human health or the environment

S.No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
8.1	From explosions, spillages, fires etc from storage, handling, use or production of hazardous substances		
8.2	From any other causes		
8.3	Could the project be affected by natural disasters causing environmental damage (e.g. floods, earthquakes, landslides, cloudburst etc)?		

9. Factors which should be considered (such as consequential development) which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality

S. No.	Information/Checklist confirmation	Yes/No	Details thereof (with approximate quantities/rates, wherever possible) with source of information data
9.1	<p>Lead to development of supporting facilities, ancillary development or development stimulated by the project which could have impact on the environment e.g.:</p> <ul style="list-style-type: none"> • Supporting infrastructure (roads, power supply, waste or waste water treatment, etc.) • housing development • extractive industries • supply industries • other 		
9.2	Lead to after-use of the site, which could have an impact on the environment		
9.3	Set a precedent for later developments		
9.4	Have cumulative effects due to proximity to other existing or planned projects with similar effects		

(III) Environmental Sensitivity

S.No.	Areas	Name/ Identity	Aerial distance (within 15 km.) Proposed project location boundary
1	Areas protected under international conventions, national or local legislation for their ecological, landscape, cultural or other related value		

2	Areas which are important or sensitive for ecological reasons - Wetlands, watercourses or other water bodies, coastal zone, biospheres, mountains, forests		
3	Areas used by protected, important or sensitive species of flora or fauna for breeding, nesting, foraging, resting, over wintering, migration		
4	Inland, coastal, marine or underground waters		
5	State, National boundaries		
6	Routes or facilities used by the public for access to recreation or other tourist, pilgrim areas		
7	Defence installations		
8	Densely populated or built-up area		
9	Areas occupied by sensitive man-made land uses (<i>hospitals, schools, places of worship, community facilities</i>)		
10	Areas containing important, high quality or scarce resources (<i>ground water resources, surface resources, forestry, agriculture, fisheries, tourism, minerals</i>)		
11	Areas already subjected to pollution or environmental damage. (<i>those where existing legal environmental standards are exceeded</i>)		
12	Areas susceptible to natural hazard which could cause the project to present environmental problems (<i>earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions</i>)		

(IV). Proposed Terms of Reference for EIA studies

APPENDIX II

(See paragraph 6)

FORM-1 A (only for construction projects listed under item 8 of the Schedule)**CHECK LIST OF ENVIRONMENTAL IMPACTS****(Project proponents are required to provide full information and wherever necessary attach explanatory notes with the Form and submit along with proposed environmental management plan & monitoring programme)****1. LAND ENVIRONMENT****(Attach panoramic view of the project site and the vicinity)**

1.1. Will the existing landuse get significantly altered from the project that is not consistent with the surroundings? (Proposed landuse must conform to the approved Master Plan / Development Plan of the area. Change of landuse if any and the statutory approval from the competent authority be submitted). Attach Maps of (i) site location, (ii) surrounding features of the proposed site (within 500 meters) and (iii) the site (indicating levels & contours) to appropriate scales. If not available attach only conceptual plans.

1.2. List out all the major project requirements in terms of the land area, built-up area, water consumption, power requirement, connectivity, community facilities, parking needs etc.

1.3. What are the likely impacts of the proposed activity on the existing facilities adjacent to the proposed site? (Such as open spaces, community facilities, details of the existing landuse, disturbance to the local ecology).

1.4. Will there be any significant land disturbance resulting in erosion, subsidence & instability? (Details of soil type, slope analysis, vulnerability to subsidence, seismicity etc may be given).

1.5. Will the proposal involve alteration of natural drainage systems? (Give details on a contour map showing the natural drainage near the proposed project site)

1.6. What are the quantities of earthwork involved in the construction activity-cutting, filling, reclamation etc. (Give details of the quantities of earthwork involved, transport of fill materials from outside the site etc.)

1.7. Give details regarding water supply, waste handling etc during the construction period.

1.8. Will the low lying areas & wetlands get altered? (Provide details of how low lying and wetlands are getting modified from the proposed activity)

1.9. Whether construction debris & waste during construction cause health hazard? (Give quantities of various types of wastes generated during construction including the construction labour and the means of disposal)

2. WATER ENVIRONMENT

2.1. Give the total quantity of water requirement for the proposed project with the breakup of requirements for various uses. How will the water requirement met? State the sources & quantities and furnish a water balance statement.

- 2.2. What is the capacity (discharge flow or yield) of the proposed source of water?
- 2.3. What is the quality of water required, in case, the supply is not from a municipal source? (Provide physical, chemical, biological characteristics with details of water quality)
- 2.4. How much of the water requirement can be met from the recycling of treated wastewater? (Give the details of quantities, sources and usage)
- 2.5. Will there be diversion of water from other users? (Please assess the impacts of the project on other existing uses and quantities of consumption)
- 2.6. What is the incremental pollution load from wastewater generated from the proposed activity? (Give details of the quantities and composition of wastewater generated from the proposed activity)
- 2.7. Give details of the water requirements met from water harvesting? Furnish details of the facilities created.
- 2.8. What would be the impact of the land use changes occurring due to the proposed project on the runoff characteristics (quantitative as well as qualitative) of the area in the post construction phase on a long term basis? Would it aggravate the problems of flooding or water logging in any way?
- 2.9. What are the impacts of the proposal on the ground water? (Will there be tapping of ground water; give the details of ground water table, recharging capacity, and approvals obtained from competent authority, if any)
- 2.10. What precautions/measures are taken to prevent the run-off from construction activities polluting land & aquifers? (Give details of quantities and the measures taken to avoid the adverse impacts)
- 2.11. How is the storm water from within the site managed?(State the provisions made to avoid flooding of the area, details of the drainage facilities provided along with a site layout indicating contour levels)
- 2.12. Will the deployment of construction labourers particularly in the peak period lead to unsanitary conditions around the project site (Justify with proper explanation)
- 2.13. What on-site facilities are provided for the collection, treatment & safe disposal of sewage? (Give details of the quantities of wastewater generation, treatment capacities with technology & facilities for recycling and disposal)
- 2.14. Give details of dual plumbing system if treated waste used is used for flushing of toilets or any other use.

3. VEGETATION

- 3.1. Is there any threat of the project to the biodiversity? (Give a description of the local ecosystem with it's unique features, if any)

3.2. Will the construction involve extensive clearing or modification of vegetation? (Provide a detailed account of the trees & vegetation affected by the project)

3.3. What are the measures proposed to be taken to minimize the likely impacts on important site features (Give details of proposal for tree plantation, landscaping, creation of water bodies etc along with a layout plan to an appropriate scale)

4. FAUNA

4.1. Is there likely to be any displacement of fauna- both terrestrial and aquatic or creation of barriers for their movement? Provide the details.

4.2. Any direct or indirect impacts on the avifauna of the area? Provide details.

4.3. Prescribe measures such as corridors, fish ladders etc to mitigate adverse impacts on fauna

5. AIR ENVIRONMENT

5.1. Will the project increase atmospheric concentration of gases & result in heat islands? (Give details of background air quality levels with predicted values based on dispersion models taking into account the increased traffic generation as a result of the proposed constructions)

5.2. What are the impacts on generation of dust, smoke, odorous fumes or other hazardous gases? Give details in relation to all the meteorological parameters.

5.3. Will the proposal create shortage of parking space for vehicles? Furnish details of the present level of transport infrastructure and measures proposed for improvement including the traffic management at the entry & exit to the project site.

5.4. Provide details of the movement patterns with internal roads, bicycle tracks, pedestrian pathways, footpaths etc., with areas under each category.

5.5. Will there be significant increase in traffic noise & vibrations? Give details of the sources and the measures proposed for mitigation of the above.

5.6. What will be the impact of DG sets & other equipment on noise levels & vibration in & ambient air quality around the project site? Provide details.

6. AESTHETICS

6.1. Will the proposed constructions in any way result in the obstruction of a view, scenic amenity or landscapes? Are these considerations taken into account by the proponents?

6.2. Will there be any adverse impacts from new constructions on the existing structures? What are the considerations taken into account?

6.3. Whether there are any local considerations of urban form & urban design influencing the design criteria? They may be explicitly spelt out.

6.4. Are there any anthropological or archaeological sites or artefacts nearby? State if any other significant features in the vicinity of the proposed site have been considered.

7. SOCIO-ECONOMIC ASPECTS

7.1. Will the proposal result in any changes to the demographic structure of local population? Provide the details.

- 7.2. Give details of the existing social infrastructure around the proposed project.
- 7.3. Will the project cause adverse effects on local communities, disturbance to sacred sites or other cultural values? What are the safeguards proposed?

8. BUILDING MATERIALS

- 8.1. May involve the use of building materials with high-embodied energy. Are the construction materials produced with energy efficient processes? (Give details of energy conservation measures in the selection of building materials and their energy efficiency)
- 8.2. Transport and handling of materials during construction may result in pollution, noise & public nuisance. What measures are taken to minimize the impacts?
- 8.3. Are recycled materials used in roads and structures? State the extent of savings achieved?
- 8.4. Give details of the methods of collection, segregation & disposal of the garbage generated during the operation phases of the project.

9. ENERGY CONSERVATION

- 9.1. Give details of the power requirements, source of supply, backup source etc. What is the energy consumption assumed per square foot of built-up area? How have you tried to minimize energy consumption?
- 9.2. What type of, and capacity of, power back-up to you plan to provide?
- 9.3. What are the characteristics of the glass you plan to use? Provide specifications of its characteristics related to both short wave and long wave radiation?
- 9.4. What passive solar architectural features are being used in the building? Illustrate the applications made in the proposed project.
- 9.5. Does the layout of streets & buildings maximise the potential for solar energy devices? Have you considered the use of street lighting, emergency lighting and solar hot water systems for use in the building complex? Substantiate with details.
- 9.6. Is shading effectively used to reduce cooling/heating loads? What principles have been used to maximize the shading of Walls on the East and the West and the Roof? How much energy saving has been effected?
- 9.7. Do the structures use energy-efficient space conditioning, lighting and mechanical systems? Provide technical details. Provide details of the transformers and motor efficiencies, lighting intensity and air-conditioning load assumptions? Are you using CFC and HCFC free chillers? Provide specifications.
- 9.8. What are the likely effects of the building activity in altering the micro-climates? Provide a self assessment on the likely impacts of the proposed construction on creation of heat island & inversion effects?

9.9. What are the thermal characteristics of the building envelope? (a) roof; (b) external walls; and (c) fenestration? Give details of the material used and the U-values or the R values of the individual components.

9.10. What precautions & safety measures are proposed against fire hazards? Furnish details of emergency plans.

9.11. If you are using glass as wall material provides details and specifications including emissivity and thermal characteristics.

9.12. What is the rate of air infiltration into the building? Provide details of how you are mitigating the effects of infiltration.

9.13. To what extent the non-conventional energy technologies are utilised in the overall energy consumption? Provide details of the renewable energy technologies used.

10. Environment Management Plan

The Environment Management Plan would consist of all mitigation measures for each item wise activity to be undertaken during the construction, operation and the entire life cycle to minimize adverse environmental impacts as a result of the activities of the project. It would also delineate the environmental monitoring plan for compliance of various environmental regulations. It will state the steps to be taken in case of emergency such as accidents at the site including fire.

APPENDIX III

(See paragraph 7)

GENERIC STRUCTURE OF ENVIRONMENTAL IMPACT ASSESMENT DOCUMENT

S.NO	EIA STRUCTURE	CONTENTS
1.	Introduction	<ul style="list-style-type: none"> • Purpose of the report • Identification of project & project proponent • Brief description of nature, size, location of the project and its importance to the country, region • Scope of the study -- details of regulatory scoping carried out (As per Terms of Reference)
2.	Project Description	<ul style="list-style-type: none"> • Condensed description of those aspects of the project (based on project feasibility study), likely to cause environmental effects. Details should be provided to give clear picture of the following: <ul style="list-style-type: none"> • Type of project • Need for the project • Location (maps showing general location, specific location, project boundary & project site layout)

		<ul style="list-style-type: none"> • Size or magnitude of operation (incl. Associated activities required by or for the project) • Proposed schedule for approval and implementation • Technology and process description • Project description. Including drawings showing project layout, components of project etc. Schematic representations of the feasibility drawings which give information important for EIA purpose • Description of mitigation measures incorporated into the project to meet environmental standards, environmental operating conditions, or other EIA requirements (as required by the scope) • Assessment of New & untested technology for the risk of technological failure
3.	Description of the Environment	<ul style="list-style-type: none"> • Study area, period, components & methodology • Establishment of baseline for valued environmental components, as identified in the scope • Base maps of all environmental components
4.	Anticipated Environmental Impacts & Mitigation Measures	<ul style="list-style-type: none"> • Details of Investigated Environmental impacts due to project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project • Measures for minimizing and / or offsetting adverse impacts identified • Irreversible and Irretrievable commitments of environmental components • Assessment of significance of impacts (Criteria for determining significance, Assigning significance) • Mitigation measures
5.	Analysis of Alternatives (Technology & Site)	<ul style="list-style-type: none"> • In case, the scoping exercise results in need for alternatives: • Description of each alternative • Summary of adverse impacts of each alternative • Mitigation measures proposed for each alternative and • Selection of alternative

6.	Environmental Monitoring Program	<ul style="list-style-type: none"> • Technical aspects of monitoring the effectiveness of mitigation measures (incl. Measurement methodologies, frequency, location, data analysis, reporting schedules, emergency procedures, detailed budget & procurement schedules)
7.	Additional Studies	<ul style="list-style-type: none"> • Public Consultation • Risk assessment • Social Impact Assessment. R&R Action Plans
8.	Project Benefits	<ul style="list-style-type: none"> • Improvements in the physical infrastructure • Improvements in the social infrastructure • Employment potential –skilled; semi-skilled and unskilled. • Other tangible benefits
9.	Environmental Benefit Analysis	Cost If recommended at the Scoping stage
10.	EMP	<ul style="list-style-type: none"> • Description of the administrative aspects of ensuring that mitigative measures are implemented and their effectiveness monitored, after approval of the EIA
11.	Summary & Conclusion (This will constitute the summary of the EIA Report)	<ul style="list-style-type: none"> • Overall justification for implementation of the project • Explanation of how, adverse effects have been mitigated
12.	Disclosure of Consultants engaged	<ul style="list-style-type: none"> • The names of the Consultants engaged with their brief resume and nature of Consultancy rendered

APPENDIX III A
(See paragraph 7)

CONTENTS OF SUMMARY ENVIRONMENTAL IMPACT ASSESSMENT

The Summary EIA shall be a summary of the full EIA Report condensed to ten A-4 size pages at the maximum. It should necessarily cover in brief the following Chapters of the full EIA Report: -

1. Project Description
2. Description of the Environment
3. Anticipated Environmental impacts and mitigation measures
4. Environmental Monitoring Programme
5. Additional Studies
6. Project Benefits
7. Environment Management Plan

APPENDIX IV

(See paragraph 7)

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District -wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2.0 The Process:

2.1 The Applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is extending beyond a State or Union Territory, the public hearing is mandated in each State or Union Territory in which the project is sited and the Applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The Applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and in the local language, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the Ministry of Environment and Forests and to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/s
- (b) Zila Parishad or Municipal Corporation
- (c) District Industries Office
- (d) Concerned Regional Office of the Ministry of Environment and Forests

2.3 On receiving the draft Environmental Impact Assessment report, the above-mentioned authorities except the MoEF, shall arrange to widely publicize it within their respective jurisdictions requesting the interested persons to send their comments to the concerned regulatory authorities. They shall also make available the draft EIA Report for inspection electronically or otherwise to the public during normal office hours till the Public Hearing is over. The Ministry of Environment and Forests shall promptly display the Summary of the draft Environmental Impact Assessment report on its website, and also make the full draft EIA available for reference at a notified place during normal office hours in the Ministry at Delhi.

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or panchayats etc. They shall also additionally

make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices viz, Ministry of Environment and Forests, District Magistrate etc.

3.0 Notice of Public Hearing:

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7(seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in one major National Daily and one Regional vernacular Daily. A minimum notice period of 30(thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and only on the recommendation of the concerned District Magistrate the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances fresh date, time and venue for the public consultation shall be decided by the Member –Secretary of the concerned SPCB or UTPCC only in consultation with the District Magistrate and notified afresh as per procedure under 3.1 above.

4.0 The Panel

4.1 The District Magistrate or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

5.0 Videography

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

6.0 Proceedings

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Every person present at the venue shall be granted the opportunity to seek information or clarifications on the project from the Applicant. The summary of the public

hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the vernacular language and the agreed minutes shall be signed by the District Magistrate or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the Applicant shall also be prepared in the local language and in English and annexed to the proceedings:

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate, and the SPCB or UTPCC. The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings which may be sent directly to the concerned regulatory authorities and the Applicant concerned.

7.0 Time period for completion of public hearing

7.1 The public hearing shall be completed within a period of 45 (forty five) days from date of receipt of the request letter from the Applicant. Therefore the SPCB or UTPCC concerned shall send the public hearing proceedings to the concerned regulatory authority within 8(eight) days of the completion of the public hearing. The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations.

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45(forty five) days, the Central Government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this notification.

APPENDIX -V (See paragraph 7)

PROCEDURE PRESCRIBED FOR APPRAISAL

1. The applicant shall apply to the concerned regulatory authority through a simple communication enclosing the following documents where public consultations are mandatory: -

- Final Environment Impact Assessment Report [20(twenty) hard copies and 1 (one) soft copy]
- A copy of the video tape or CD of the public hearing proceedings
- A copy of final layout plan (20 copies)
- A copy of the project feasibility report (1 copy)

2. The Final EIA Report and the other relevant documents submitted by the applicant shall be scrutinized in office within 30 days from the date of its receipt by the concerned Regulatory Authority strictly with reference to the TOR and the inadequacies noted shall be communicated electronically or otherwise in a single set to the Members of the EAC

/SEAC enclosing a copy each of the Final EIA Report including the public hearing proceedings and other public responses received along with a copy of Form -I or Form 1A and scheduled date of the EAC /SEAC meeting for considering the proposal .

3. Where a public consultation is not mandatory and therefore a formal EIA study is not required, the appraisal shall be made on the basis of the prescribed application Form I and a pre-feasibility report in the case of all projects and activities other than Item 8 of the Schedule .In the case of Item 8 of the Schedule, considering its unique project cycle , the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form I, Form 1A and the conceptual plan and stipulate the conditions for environmental clearance . As and when the applicant submits the approved scheme /building plans complying with the stipulated environmental clearance conditions with all other necessary statutory approvals, the EAC /SEAC shall recommend the grant of environmental clearance to the competent authority.

4. Every application shall be placed before the EAC /SEAC and its appraisal completed within 60 days of its receipt with requisite documents / details in the prescribed manner.

5. The applicant shall be informed at least 15 (fifteen) days prior to the scheduled date of the EAC /SEAC meeting for considering the project proposal.

6. The minutes of the EAC /SEAC meeting shall be finalised within 5 working days of the meeting and displayed on the website of the concerned regulatory authority. In case the project or activity is recommended for grant of EC, then the minutes shall clearly list out the specific environmental safeguards and conditions. In case the recommendations are for rejection, the reasons for the same shall also be explicitly stated.

APPENDIX VI

(See paragraph 5)

COMPOSITION OF THE SECTOR/ PROJECT SPECIFIC EXPERT APPRAISAL COMMITTEE (EAC) FOR CATEGORY A PROJECTS AND THE STATE/UT LEVEL EXPERT APPRAISAL COMMITTEES (SEACs) FOR CATEGORY B PROJECTS TO BE CONSTITUTED BY THE CENTRAL GOVERNMENT

1. The Expert Appraisal Committees (EAC(s) and the State/UT Level Expert Appraisal Committees (SEACs) shall consist of only professionals and experts fulfilling the following eligibility criteria:

Professional: The person should have at least (i) 5 years of formal University training in the concerned discipline leading to a MA/MSc Degree, or (ii) in case of Engineering /Technology/Architecture disciplines, 4 years formal training in a professional training course together with prescribed practical training in the field leading to a B.Tech/B.E./B.Arch. Degree, or (iii) Other professional degree (e.g. Law) involving a total of 5 years of formal University training and prescribed practical training, or (iv) Prescribed apprenticeship/article ship and pass examinations conducted by the concerned professional association (e.g. Chartered Accountancy).or (v) a University degree , followed by 2 years of formal training in a University or Service Academy (e.g. MBA/IAS/IFS). In selecting the individual professionals, experience gained by them in their respective fields will be taken note of.

Expert: A professional fulfilling the above eligibility criteria with at least 15 years of relevant experience in the field, or with an advanced degree (e.g. Ph.D.) in a concerned field and at least 10 years of relevant experience.

Age: Below 70 years. However, in the event of the non-availability of /paucity of experts in a given field, the maximum age of a member of the Expert Appraisal Committee may be allowed up to 75 years

2. The Members of the EAC shall be Experts with the requisite expertise and experience in the following fields /disciplines. In the event that persons fulfilling the criteria of "Experts" are not available, Professionals in the same field with sufficient experience may be considered:

- **Environment Quality Experts:** Experts in measurement/monitoring, analysis and interpretation of data in relation to environmental quality
- **Sectoral Experts in Project Management:** Experts in Project Management or Management of Process/Operations/Facilities in the relevant sectors.
- **Environmental Impact Assessment Process Experts:** Experts in conducting and carrying out Environmental Impact Assessments (EIAs) and preparation of Environmental Management Plans (EMPs) and other Management plans and who have wide expertise and knowledge of predictive techniques and tools used in the EIA process
- **Risk Assessment Experts**
- **Life Science Experts in floral and faunal management**
- **Forestry and Wildlife Experts**
- **Environmental Economics Expert with experience in project appraisal**

3. The Membership of the EAC shall not exceed 15 (fifteen) regular Members. However the Chairperson may co-opt an expert as a Member in a relevant field for a particular meeting of the Committee.

4. The Chairperson shall be an outstanding and experienced environmental policy expert or expert in management or public administration with wide experience in the relevant development sector.

5. The Chairperson shall nominate one of the Members as the Vice Chairperson who shall preside over the EAC in the absence of the Chairman /Chairperson.

6. A representative of the Ministry of Environment and Forests shall assist the Committee as its Secretary.

7. The maximum tenure of a Member, including Chairperson, shall be for 2 (two) terms of 3 (three) years each.

8. The Chairman / Members may not be removed prior to expiry of the tenure without cause and proper enquiry.

Recd on
1 NOV 2018

F.No. 11-46/2017-IA-III
Government of India
Ministry of Environment, Forest and Climate Change
(IA.III Section)

Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi - 110003

Dated: 25.10.2018

To,

Coromandel International Limited
Post Box No.2, Ennore Express Highway Road
Chennai- 600 057, Tamil Nadu

Sub: CRZ Clearance for setting up of sea water intake system by realigning of existing intake and outfall pipeline route at Ennore, Tiruvottiyur Taluk, Tiruvallur District, Tamil Nadu- reg.

Sir,

This has reference to your proposal No. IA/TN/MIS/69795/2017, received in this Ministry for CRZ Clearance in accordance with the provisions of the Coastal Regulation Zone (CRZ) Notification, 2011 issued under the Environment (Protection) Act, 1986.

2. The proposal has been considered by the Expert Appraisal Committee (EAC)-Infrastructure Development, Coastal Regulation Zone, Building/ Construction and Miscellaneous projects, in its 179th meeting held on November 28, 2017. The details of the project as per the documents submitted and as informed during the aforesaid meeting is as under:

- (i) Coromandel International Ltd. has a fertilizer unit at Ennore for manufacturing various products such as ammonium phosphate sulphate, gypsum, phosphoric acid and sulphuric acid. The company also has a Multi Effect Distillation (MED) unit within the existing facility for extraction of distilled water from saline water for product manufacturing.
- (ii) Presently saline water is sourced from the existing outfall channel of Ennore Thermal Power Station based on mutual agreement between TANGEDCO and Coromandel International Ltd.
- (iii) TANGEDCO has planned to shut down the existing outfall channel as part of restoration of ETPS and informed Coromandel International Ltd to have its own individual sea water facility for operating the MED unit.
- (iv) This has resulted in stoppage of MED unit, shortage of fresh water and drop in production of Phosphatic Fertilisers from the facility, which is a vital input to the farming community.
- (v) Hence, to ensure continued operation of MED unit and sustainable production of fertilisers, Coromandel International Ltd. proposes to set up independent sea water intake facility for drawing water from the sea to meet MED operation, with no change in the existing sea water outfall.
- (vi) Final outfall sea water temperature will be close to ambient temperature.
- (vii) Salinity of the outfall water will be reduced to 49ppt from 54ppt.



- (viii) Numerical modelling confirms salinity gets diluted within 107m from the outfall point with a raise in ambient of 0.008ppt, which is negligible.
- (ix) No additional land usage is envisaged.
- (x) Installation of new independent sea water intake line to the plant premises parallel to the existing sea water outfall, with water drawn 100 meters away from the sea coast.
- (xi) The proposed project will fall under CRZ II & CRZ IV (a) as per CZMP.
- (xii) CRZ maps 1:4,000 scale has been prepared by IRS, Anna University.
- (xiii) No activity in CRZ I(B) as intertidal region is not available at proposed project site due to seawall along the coast
- (xiv) The proposed sea water intake facility is a permissible activity and falls under 4(f) of CRZ notification 2011
- (xv) No Ecologically Sensitive Areas viz., mangroves, sanctuaries, mudflats etc. are present near the project vicinity
- (xvi) The total cost of the proposed project is Rs 3.0 crores.
- (xvii) NOC has been obtained from TNPCB, vide Lr.No.T12/TNPCB/F.101 AMB/RL/2017 dated 30.06.2017.
- (xviii) The TNCZMA has recommended the project vide letter No. 17943/EC-3/2017-1, dated 02.11.2017.

3. Based on the information submitted as at para no. 2 above and others and presentation made before the EAC (Infrastructure Development, Coastal Regulation Zone, Building / Construction and Miscellaneous projects) in its 179th meeting held on November 28, 2017, and in acceptance of the recommendation of the EAC, the Ministry of Environment, Forest and Climate Change hereby accords CRZ Clearance to the above project viz *"setting up of sea water intake system by realigning of existing intake and outfall pipeline route at Ennore, Tamil Nadu"* under the provision of the CRZ Notification, 2011 and amendments thereto and circulars issued thereon, and subject to the compliance of the following specific and general conditions as under:

PART A – SPECIFIC CONDITIONS:

- (i) All conditions/recommendations stipulated by the Tamil Nadu Coastal Zone Management Authority (TNCZMA) vide their letter dated 02.11.2017, shall strictly be complied with.
- (ii) A 2% of the cost of the project shall be apportioned for marine and coastal biodiversity protection and conservation measures, to be spent by the project proponent towards fulfilling its Corporate Environmental Responsibility (CER) during the currency of the project. Proper record and account of measures taken should be maintained and should also be submitted to the CZMA every six months.
- (iii) Consent to Establish and Consent to Operate, as applicable, shall be obtained from State Pollution Control Board under the Air (Prevention and Control of

Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974, as may be applicable.

- (iv) All the other mandatory permission from different statutory authorities should be obtained prior to commencement of work.
- (v) The project proponent shall ensure that any likely impact due to the proposed activity on the marine environment during construction and operational phases on the marine environment is managed through a robust marine environment management plan (MEMP) and implemented in letter and spirit.
- (vi) The outfall point shall be placed at depth not less than 2.5 m from the surface of the water.
- (vii) Construction shall be strictly in accordance with the provisions of CRZ Notification, 2011 and as amended from time to time.
- (viii) A leak detection system shall be installed for identification of leakages and it shall be ensured that an inbuilt system of timely addressing mitigative measures, is in place.
- (ix) Solid waste shall be collected, treated and disposed in accordance with the Solid Waste Management Rules, 2016.
- (x) Disposal of muck during construction phase should not create any adverse effect on the neighbouring communities and shall be disposed taking necessary precautions for general safety and health aspects of people, only in the sites with the approved by the competent authority.

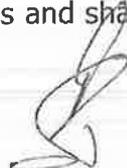
PART B - GENERAL CONDITIONS:

- (i) A copy of the clearance letter shall be uploaded on the websites of the Company/Proponent and concerned State Pollution Control Board. The Clearance letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.
- (ii) Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- (iii) Adequate provision for infrastructure facilities including water supply, fuel and sanitation must be ensured for construction workers during the construction phase of the project to avoid any damage to the environment.



- (iv) A six-monthly monitoring report shall need to be submitted by the project proponent to the concerned regional Office of this Ministry regarding the implementation of the stipulated conditions.
- (v) The Ministry of Environment, Forest & Climate Change or any other competent authority may stipulate any additional conditions or modify the existing ones, if necessary in the interest of environment and the same shall be complied with.
- (vi) The above stipulations would be enforced among others under the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991, the EIA Notification, 2006 and the CRZ Notification, 2011.
- (vii) Full co-operation shall be extended to the officials from the Regional Office of MoEF&CC, during monitoring of implementation of environmental safeguards stipulated. It shall be ensured that documents/data sought pertinent is made available to the monitoring team. A complete set of all the documents submitted to MoEF&CC shall be forwarded to the concerned Regional Office of MoEF&CC.
- (viii) In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.
- (ix) The Ministry reserves the right to add additional safeguard measures subsequently, if considered necessary, and to take action to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner, including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, for non compliance.
- (x) All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponent from the respective competent authorities.
- (xi) The project proponent should advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded CRZ Clearance and copies of clearance letters are available with the State Pollution Control Board (SPCB) and may also be seen on the website of the Ministry of Environment, Forest and Climate Change at <http://www.envfor.nic.in>. The advertisement should be made within Seven days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the concerned Regional Office of this Ministry.

4. This Clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs Union of India in Writ Petition (Civil) No.460 of 2004, as may be applicable to this project.
5. Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
6. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zilla Parisad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal.
7. The proponent shall upload the status of compliance of the stipulated conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF&CC, the respective Zonal Office of CPCB and the SPCB.
8. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of clearance conditions and shall also be sent to the respective Regional Office of the Ministry by e-mail.


(W. Bharat Singh)
Director/ Sc 'F'

Copy to:

1. The Secretary, Environment & Forests Department, Govt of Tamil Nadu, Saint George Port, Chennai.
2. The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD- cum-Office Complex, East Arjun Nagar, Delhi - 110032.
3. The Chairman, Tamil Nadu, Environment and Forests (EC.3) Department, Secretariat, Chennai-9.
4. The Chairman, Tamil Nadu State Pollution Control Board, 76, Mount Salai, Guindy, Chennai - 600032.
5. The APCCF (C), MoEF&CC, RO, 1st Floor, Handloom Export Promotion Council, 34, Cathedral Garden Road, Nungambakkam, Chennai-34.
6. Guard File.
7. Monitoring File


(W. Bharat Singh)
Director/ Sc 'F'

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1. परियोजना प्रस्तावक से अपेक्षा की जाती है कि वह ऐसे पर्यावरण संपरीक्षकों या प्रतिष्ठित संस्थाओं, जो राज्य प्रदूषण नियंत्रण बोर्ड या केंद्रीय प्रदूषण नियंत्रण बोर्ड या पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय (जिसे इसमें इसके पश्चात् मंत्रालय कहा गया है) द्वारा पैनलीकृत की जाएं, से 'प्रदूषण भार में कोई वृद्धि नहीं' का प्रमाणपत्र अभिप्राप्त करे।

2. मंत्रालय द्वारा परिवेश पोर्टल पर, समय-समय पर उपलब्ध कराए गए अनुसार, 'प्रदूषण भार में कोई वृद्धि नहीं' प्रमाणपत्र और सूचना की एक प्रति उस यूनिट द्वारा अपलोड की जाएगी, जिसके लिए प्रणाली सृजित अभिस्वीकृति आनलाइन जारी की जाएगी।

3. यूनिट, यथास्थिति, राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति को विनिर्दिष्ट रूपविधान में निम्नलिखित के साथ सूचित करेगी,—

i. राज्य प्रदूषण नियंत्रण बोर्ड या प्रदूषण नियंत्रण समिति या केंद्रीय प्रदूषण नियंत्रण बोर्ड या मंत्रालय द्वारा पैनलीकृत पर्यावरण संपरीक्षक या प्रतिष्ठित संस्था से 'प्रदूषण भार में कोई वृद्धि नहीं' का प्रमाणपत्र ;

ii. परियोजना या क्रियाकलाप के लिए प्रचालन के लिए अंतिम सहमति प्रमाणपत्र ; और

iii. परिवेश पोर्टल पर सूचना और 'प्रदूषण भार में कोई वृद्धि नहीं' प्रमाणपत्र अपलोड करने की आनलाइन सृजित प्रणाली अभिस्वीकृति।

4. इस प्रकार अभिप्राप्त सूचना की, यथास्थिति, राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति द्वारा परीक्षा की जाएगी, जो, परियोजना प्रस्तावक से अभिप्राप्त, ऐसी सूचना पर विनिश्चय करेगा/करेगी।

5. यदि, यथास्थिति, राज्य प्रदूषण नियंत्रण बोर्ड या संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति, सत्यापन किए जाने पर यह पाते हैं कि परिवर्तन या विस्तार या आधुनिकीकरण का परिणाम प्रदूषण भार में वृद्धि के रूप में होगा या हुआ है, तो इस खंड के अधीन दावा की गई छूट विधिमान्य नहीं होगी और यह माना जाएगा कि परियोजना प्रस्तावक, ऐसे परिवर्तन या वृद्धि करने से पहले, इस अधिसूचना के पैरा 7 के उपपैरा (ii) खंड (क) के अनुसार, पूर्व पर्यावरणीय अनापत्ति अभिप्राप्त करने का दायी होगा और पर्यावरण (संरक्षण) अधिनियम, 1986 के उपबंध तदनुसार लागू होंगे।

टिप्पण : शंकाओं को दूर करने के लिए, यह स्पष्ट किया जाता है कि परियोजना प्रस्तावक का यह उत्तरदायित्व होगा कि वह, ऐसा परिवर्तन या वृद्धि करने से पूर्व, यथास्थिति, परिवर्तन, विस्तार या आधुनिकीकरण के परिणामस्वरूप 'प्रदूषण भार में कोई वृद्धि नहीं' के संबंध में स्वयं का समाधान करे और परियोजना प्रस्तावक, पर्यावरण (संरक्षण) अधिनियम, 1986 के उपबंधों के अधीन कार्रवाई के लिए दायी होगा, यदि तथ्यों या दावे के सत्यापन किए जाने पर यह पाया जाता है कि ऐसे परिवर्तन, विस्तार या आधुनिकीकरण से प्रदूषण भार में वृद्धि अंतर्वलित है।”

[फा. सं. 22-33/2019-आईए. III]

गीता मेनन, संयुक्त सचिव

टिप्पण : मूल अधिसूचना, भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (ii) में, अधिसूचना संख्या का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित की गई थी और अधिसूचना संख्या का.आ. 221(अ), तारीख 18 जनवरी, 2021 द्वारा उसमें अंतिम बार संशोधन किया गया था।

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 2nd March, 2021

S.O. 980(E).—WHEREAS, by notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O.1533 (E), dated the 14th September, 2006 issued under sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of the sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 (hereinafter referred to as the EIA Notification), the Central Government directed that on and from the date of its publication, the new projects or activities or the expansion or modernisation of existing projects or activities listed in the Schedule to the EIA notification entailing capacity addition with change in process or technology and/or product mix shall be undertaken in any part of India only after obtaining prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified therein;

AND WHEREAS, with core principle of 'no increase in pollution load', the Central Government has amended the EIA notification by notifications number S.O. 3518(E), dated the 23rd November, 2016 and number S.O. 236 (E), dated the 16th January, 2020 providing flexibility in change in product-mix; change in quantities within products or number of products in the same category including resultant increase in the production with a cap of 50 per cent for which environmental clearance has been granted; change in configuration of the plant from the environmental clearance conditions during execution of the project;

AND WHEREAS, the Ministry of Environment, Forest and Climate Change is in receipt of requests from processing, production and manufacturing sector for permitting increase in production capacity without having to go through entire environmental clearance process again as long as there is no increase in pollution load;

AND WHEREAS, based on the experience in implementation of the EIA notification as amended by aforesaid notification number S.O. 3518(E), dated the 23rd November, 2016, the Central Government deems it necessary to permit increase in production capacity in respect of processing, production and manufacturing sector with or without any change in raw material-mix or product-mix or change in quantities within products or number of products or any change in configuration of the plant or operations in areas contiguous to the existing area, for which prior environmental clearance has been granted, without the requirement of Prior Environmental Clearance provided that there is no increase in pollution load;

AND WHEREAS, for the purpose of Ethanol Blending Programme with Petrol, a special dispensation was provided for expansion of sugar manufacturing or distillery units, intended for production of Ethanol vide notification number S.O. 345(E), dated the 17th January, 2019 and notification number S.O. 750(E), dated the 17th February, 2020. In view of the Government's commitment to achieve 20% blending of ethanol in petrol by the year 2025, it has been decided to continue further with this dispensation;

Now, therefore, in exercise of powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, hereby makes following further amendments in the notification of the Government of India, in the erstwhile Ministry of Environment and Forests, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 1533 (E), dated the 14th September, 2006, namely:-

In the said notification, -

1. in paragraph 2, for clauses (ii) and (iii), the following clause shall be substituted, namely:-

"(ii) Expansion, modernisation or any change in the product mix or raw material mix in existing projects or activities, listed in the Schedule to this notification, resulting in capacity beyond the threshold limits specified for the concerned sector in the said Schedule, subject to conditions and procedure provided in the sub-paragraph (ii) of paragraph 7";

2. in paragraph 7,-

A. in the heading, the words "for New Projects" shall be omitted;

B. in the sub-paragraph (i), the words "**For new projects or activities listed in the Schedule to this notification.**" shall be inserted as heading to the sub-paragraph;

C. in the sub-paragraph (ii),-

(I) in the clause (a), after the words "*application shall be appraised accordingly for grant of environmental clearance*", the following words shall be inserted, namely:-

"in respect of projects or activities other than falling in clause (b) and (c)";

(II) for clauses (b) and (c), the following clauses shall be substituted, namely:-

'(b) Existing projects (having Prior Environmental Clearance) with no increase in pollution load: Any increase in production capacity in respect of processing or production or manufacturing sectors (listed against item numbers 2,3, 4 and 5 in the Schedule to this notification) with or without any change in (i) raw material-mix or (ii) product-mix or (ii) quantities within products or (ii) number of products including new products falling in the same category or (iv) configuration of the plant or process or operations in existing area or in areas contiguous to the existing area (for which prior environmental clearance has been granted) shall be exempt from the requirement of Prior Environmental Clearance provided that there is no increase in pollution load (derived on the basis of such Prior Environmental Clearance):

Provided that such exemption shall be applicable only consequent to -

- A. the project proponent furnishing information regarding such changes along with no increase in pollution load certificate, from the environmental auditor or reputed institutions empanelled by the State Pollution Control Board or Union Territory Pollution Control Committee or Central Pollution Control Board or Ministry of Environment, Forest and Climate Change, as per the procedure laid down in Appendix-XIII, on PARIVESH portal as well as to the concerned State Pollution Control Board or Union Territory Pollution Control Committee.

Note: If on verification, the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, after giving the project proponent the opportunity of being heard, holds that such change or expansion or modernisation results in increase in pollution load, the exemption claimed under this clause shall not be valid and it shall be deemed that the project proponent was always liable to obtain prior environmental clearance, in respect of such change or expansion or modernisation, as per the clause (a) and the provisions of Environment (Protection) Act, 1986 shall apply accordingly;

- B. installation and implementation of Online Continuous Monitoring System (OCMS) with at least 95% uptime, connected to the servers of the Central Pollution Control Board and State Pollution Control Board or Union Territory Pollution Control Committee concerned to report the quantity and quality, of emission and discharges:

Provided further that the provisions of this clause shall not be applicable if such change or increase results in change in category of project or activity from Category-‘B2’ to either Category-‘A’ or Category ‘B1’.

(c) Any change in configuration of the plant or activity from the environmental clearance conditions during execution of the project after detailed engineering, in respect of projects or activities, falling in any item of the Schedule to this notification, shall not require prior environmental clearance, if there is no change in production capacity and there is no increase in pollution load subject to furnishing particulars of such changes on PARIVESH portal in the format as may be provided by the Government from time to time, before implementing such changes whereupon a system generated acknowledgement will be issued by the concerned Regulatory Authority.

Explanation:- For the purpose of this sub-paragraph, “Pollution load” shall be determined on the basis of multiplication of quantity and concentration of different components and parameters (as provided or referred in the Prior Environment Clearance or the Environment Impact Assessment Report (EIA) and Environment Management Plan based on which such Prior Environment Clearance has been granted), in respect of emissions, effluents or discharge, solid, industrial hazardous waste and such other parameters notified under the Environment (Protection) Rules, 1986 as amended from time to time.’

3. in the Schedule, against item 5(g), after the entry in column (5), the following entry shall be inserted, namely:-

“**Note:** Expansion of sugar manufacturing units or distilleries, having Prior Environment Clearance and for production of ethanol, to be used as fuel for blending only as certified by the competent authority, shall be appraised as Category ‘B2’ projects.”;

4. for Appendix-XIII, the following Appendix shall be substituted, namely:-

“Appendix-XIII

Verification of No Increase in Pollution Load

The instant amendment in EIA Notification exempts the requirement of Prior Environmental Clearance for any increase in production capacity in respect of processing or production or manufacturing sectors (listed against item numbers 2,3, 4 and 5 in the Schedule to this notification) with or without any change in (i) raw material-mix or (ii) product-mix or (ii) quantities within products or (ii) number of products including new products falling in the same category or (iv) configuration of the plant or process or operations in existing area or in areas contiguous to the existing area specified in the environmental clearance of the project. This facility is available to those units which have obtained prior environmental clearance under EIA Notification, 1994 and EIA Notification, 2006. To claim exemption from obtaining Prior Environment Clearance in respect of such cases, the project proponent shall follow the following process:-

1. *The project proponent is required to obtain a certificate of 'no increase in the pollution load' from the environmental auditors or reputed institutions, to be empanelled by the State Pollution Control Board or Central Pollution Control Board or Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry).*
2. *A copy of 'no increase in pollution load' certificate and intimation, as provided by the Ministry from time to time on PARIVESH portal, shall be uploaded by the unit for which system generated acknowledgement shall be issued online;*
3. *The unit shall inform the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, in specified format along with-*
 - i. *'no increase in pollution load' certificate from the Environmental Auditor or reputed institutions empanelled by the State Pollution Control Board or Pollution Control Committee or Central Pollution Control Board or Ministry;*
 - ii. *last Consent to Operate certificate for the project or activity; and*
 - iii. *online system generated acknowledgement of uploading of intimation and 'no increase in pollution load' certificate on PARIVESH Portal;*
4. *The information so received shall be examined by the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, who shall take decision on such information, received from the project proponent.*
5. *If on verification the State Pollution Control Board or Union Territory Pollution Control Committee, as the case may be, holds that the change or expansion or modernisation will result or has resulted in increase in pollution load, the exemption claimed under this clause shall not be valid and it shall be deemed that the project proponent was liable to obtain Prior Environmental Clearance before under taking such changes or increase, as per the clause (a) of sub-paragraph (ii) of paragraph 7 of this notification and the provisions of Environment (Protection) Act, 1986 shall apply accordingly.*

Note: For removal of doubts, it is clarified that it shall be the responsibility of the project proponent to satisfy itself about 'no increase in pollution load' as a result of changes, expansion or modernisation, as the case may be, before under taking such changes or increase, and the project proponent shall be liable for action under the provisions of the Environment (Protection) Act, 1986 if on verification of facts or claim it is found that such change or expansion or modernisation involves increase in pollution load."

[F. No. 22-33/2019-IA.III]

GEETA MENON, Jt. Secy.

Note : The principal notification was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide number S.O. 1533 (E), dated the 14th September, 2006 and was last amended vide the notification number S.O.221(E) , dated the 18th January, 2021.



TAMIL NADU POLLUTION CONTROL BOARD


From

Thiru R.Kannan, M.Tech.,
Member Secretary,
Tamil Nadu Pollution Control Board
76, Mount Salai, Guindy
Chennai – 600 032.

To

The Managing Director
M/s. COROMANDEL INTERNATIONAL LIMITED,
S.F.No. 37/B2,38/5A,39/B1,39/6A,246/2,3,4,
5,6,7,247/(part)1A,2A,3C,3A,
ERNAVOOR Village,
Thiruvottiyur Taluk,
Chennai District

Lr No. T1/TNPCB/F.016460/CHN/RL/2023 Dated : 21.07.2023

Sir,

Sub: TNPCB- Industries – M/s. Coromandel International Limited, located at S.F.No. 37/B2, 38/5A, 39/B1, 39/6A, 246/2,3,4,5,6,7 & 247/1A,2A,3C,3A, Ernavoor Village, Thiruvottiyur Taluk, Chennai District - application for “ No Increase in Pollution Load Certificate” - Decision of Pollution Load Assessment Committee meeting held on 29.05.2023 - Communicated - Reg.

Ref: 1. Environmental Clearance issued by MoEF MoEF Lr. No. J-11011/358/2007-IA II (I) dated 03.09.2007.
2. Your application submitted for requesting “ No increase in Pollution Load Certificate Dt. 12.01.2023
3. Minutes of PLAC meeting held on 29.05.2023.

I invite attention to the reference 2nd cited, wherein the unit M/s. Coromandel International Limited, located at S.F.No. 37/B2, 38/5A, 39/B1, 39/6A, 246/2,3,4,5,6,7 & 247/1A,2A,3C,3A, Ernavoor Village, Thiruvottiyur Taluk, Chennai District has applied for “No increase in pollution load certificate” for the proposed production enhancement of Ammonium Phosphate Potash Sulphate from 300000 TPA to 400000 TPA in the existing Chemical Fertilizer Plant, without any additional equipments and without generation of any additional effluent as well as air pollution.

Existing Products:

I	Products	
a	Ammonium Phosphate Potash Sulphate	3,00,000 MT/Year
II	By-Products	
a	Gypsum	41,000 MT/ Month
III	Intermediate Products	
a	Phosphoric Acid	66,000 MT/Year
b	Sulphuric Acid	2,58,000 MT/Year
c	Captive Power	4 MW

Proposed:

I	Products	
a	Ammonium Phosphate Potash Sulphate	4,00,000 MT/Year
II	By-Products	
a	Gypsum	492000 MT/ yEAR

III	Intermediate Products	
a	Phosphoric Acid	66,000 MT/Year
b	Sulphuric Acid	2,58,000 MT/Year
c	Captive Power	4 MW

1. Raw materials (Product – wise) for existing:

S. No	Name of Product	Quantity (TPA)	Name of the Raw material (product wise)	Quantity (TPA)	Remark
A Main Product					
1	Ammonium Phosphate Potash Sulphate (APPS)	300000	Ammonia	54780	
			Sulphuric Acid	93720	
			Phosphoric Acid	171270	
			MOP	79200	
			Water	33000	
Sub Total				431970	
B By-Products					
1	Gypsum	492000	-	-	
C Intermediate Product					
1	Sulphuric Acid	258000	Sulphur	81840	
			Water	7590	
Sub Total				89430	
2	Phosphoric Acid	66000	Rock Phosphate	239250	
			Sulphuric Acid	164340	
			Water	229350	
Sub Total				632940	
3	Captive Power	4 MW	-		

1. Raw materials (Product – wise) for proposed:

S. No	Name of Product	Quantity (TPA)	Name of the Raw material (product wise)	Quantity (TPA)	Remark
A Main Product					
1	Ammonium Phosphate Potash Sulphate (APPS)	400000	Ammonia	44880	
			Sulphuric Acid	44880	
			Phosphoric Acid	188100	
			MOP	105600	
			Water	39930	
			Ammonium Sulphate	107910	
Sub Total				531300	
B By-Products					
1	Gypsum	492000	-	-	
C Intermediate Product					
1	Sulphuric Acid	258000	Sulphur	81840	
			Water	7590	
Sub Total				89430	
2	Phosphoric Acid	66000	Rock Phosphate	239250	
			Sulphuric Acid	164340	
			Water	229350	
Sub Total				632940	
3	Captive Power	4 MW	-		



TAMIL NADU POLLUTION CONTROL BOARD

2. Sewage:

Details	Existing – KLD				Proposed - KLD			
	Existing (Quantity in KLD) – 0.0029 KL/ton of product				Proposed*(Quantity in KLD) - 0.0027 KL/ton of product			
	Pollution load before treatment		Pollution load after treatment		Pollution load before treatment		Pollution load after treatment	
	mg/lit	kg/Ton of Product	mg/lit	kg/Ton of Product	mg/lit	kg/Ton of Product	mg/lit	kg/Ton of Product
BOD	-	-	6.60	0.000019	-	-	6.60	0.000017
TSS	-	-	12.0	0.000035	-	-	12.0	0.000032

Status of Online Connectivity in TNPCB and CPCB – Effluent

Station Name	Type of Monitoring System	Process Attached	Parameter Monitored	Device Make	Device Vendor	Last Calibrated on
STP – pH	Effluent	Sewage Treatment Plant	pH	GLI International	Hach	04.10.2022
STP – Flow	Effluent		Flow	Krohne – Forbes Marshall	Forbes Marshall	04.10.2022
MED Outlet	Effluent	Multi Effect Desalination	pH	GLI International	Hach	07.10.2022
MED Outlet	Effluent		Flow	Forbes Marshall	Forbes Marshall	07.10.2022

3. Trade Effluent:

Concentration of Pollution (for all manufacturing process and utilities)				
Details	Existing ---KLD- (---KL/ton of product)		Proposed ---KLD* (----KL/Ton of product)	
	Pollution concentration before treatment (mg/l)	Pollution concentration after treatment (mg/l)	Pollution concentration before treatment (mg/l)	Pollution concentration after treatment (mg/l)
pH	1095 KLD of total trade effluent generated from Cooling Tower Blow down			
BOD	I & II (96 KLD + 105 KLD), Boiler Blow down I & II (7 KLD + 9 KLD),			
COD	Condensate Recovery from Sulfuric Acid Plant I & II (778 KLD), Captive			
TSS	Power Plant & Instrument Air Compressor water (10 KLD) and Multiple			
TDS	Effect Desalination Plant Seal Water (90 KLD) is directly reused in			
Chlorides	Sulfuric Acid Plant I & II (372 KLD + 532 KLD) and Phosphoric Acid plant			
Sulphates	(191KLD).			

III. Total Pollution load (Kg/ton of product) (For all manufacturing process and Utilities)

Details	Existing			Proposed*		
	Qty of Effluent in KLD (----- KL/ton of product)			Qty of Effluent in KLD (----- kl/ton of product)		
	Pollution Load before treatment (kg/day) Kg/Ton	Pollution load after treatment Kg/Ton	Performance efficiency. (%) [(2-3)/2*100]	Pollution load before treatment Kg/Ton	Pollution load after treatment Kg/Ton	Performance efficiency. (%) [(5-6)/5*100]
1	2	3	4	5	6	7
BOD	Nil					
COD						
TSS						
TDS						
Chlorides						
Sulphates						

Boiler blow down and cooling tower bleed off is included in the calculation of all the above parameters *

4. AIR POLLUTION

Existing

S. No.	Source of emission	Fuel consumption	Stack Height (m)	Stack diameter (m)	Velocity (m/s)	Pollutant Conc. mg/Nm3				
						PM	SO ₂	NO _x	F	NH ₃
Process stacks and Utility Stacks										
1	Sulfuric Acid Plant – I	-	38.2	1.4	16.5	-	320	6	-	-
2	Sulfuric Acid Plant- II	-	50	1.15	15.8	-	504	12	-	-
3	Phosphoric Acid Plant	-	36	0.75	9.83	3	-	-	6	-
4	Ball mill in Phosphoric Plant	-	24	0.6	22.68	48	-	-	-	-
5	Ammonium Phosphate Potash Sulphate	2.99 T/D Furnace oil	49	1.7	43.54	120	-	-	1	41
6	Bagging Plant	-	35	0.6	-	-	-	-	-	-
7	Sulfuric Acid Plant – steam Header	-	10	0.15	-	-	-	-	-	-
8	CPP Steam Header	-	15	0.15	-	-	-	-	-	-
9	MED Steam Header	-	8	0.15	-	-	-	-	-	-
10	DG Set – 1000 KVA	0.15 T/D Diesel	10.4	0.6	24.05	14	9	196	-	-



TAMIL NADU POLLUTION CONTROL BOARD



II) Pollution Load (Existing)

S. No.	Source of emission	Pollution load before treatment Kg/Ton of product					Pollution load after treatment Kg/Ton of product				
		PM	SO ₂	NO _x	F	NH ₃	PM	SO ₂	NO _x	F	NH ₃
Fuel Gas Stacks & Process gas stacks											
1	Sulfuric Acid Plant – I	-	-	-	-	-	-	2.251	0.042	-	-
2	Sulfuric Acid Plant- II	-	-	-	-	-	-	1.737	0.041	-	-
3	Phosphoric Acid Plant	-	-	-	-	-	0.005	-	-	0.010	-
4	Ball mill in Phosphoric Plant	-	-	-	-	-	0.128	-	-	-	-
5	Ammonium Phosphate Potash Sulphate	-	-	-	-	-	0.978	-	-	0.008	0.334
6	Bagging Plant	-	-	-	-	-	-	-	-	-	-
7	Sulfuric Acid Plant – steam Header	-	-	-	-	-	-	-	-	-	-
8	CPP Steam Header	-	-	-	-	-	-	-	-	-	-
9	MED Steam Header	-	-	-	-	-	-	-	-	-	-
10	DG Set – 1000 KVA	-	-	-	-	-	0.001	0.001	0.022	-	-

III) Details of Proposed Emission sources:

S. No.	Source of emission	Fuel consumption	Stack Height (m)	Stack diameter (m)	Velocity (m/s)	Pollutant Conc. mg/Nm ³				
						PM	SO ₂	NO _x	F	NH ₃
Process stacks and Utility Stacks										
1	Sulfuric Acid Plant – I	-	38.2	1.4	16.5	-	320	6	-	-
2	Sulfuric Acid Plant- II	-	50	1.15	15.8	-	504	12	-	-
3	Phosphoric Acid Plant	-	36	0.75	9.83	3	-	-	6	-
4	Ball mill in Phosphoric Plant	-	24	0.6	22.68	48	-	-	-	-
5	Ammonium Phosphate Potash Sulphate	2.77 T/D Furnace oil	49	1.7	43.54	118	-	-	1	40.4
6	Bagging Plant	-	35	0.6	-	-	-	-	-	-
7	Sulfuric Acid Plant – steam Header	-	10	0.15	-	-	-	-	-	-

8	CPP Steam Header	-	15	0.15	-	-	-	-	-	-
9	MED Steam Header	-	8	0.15	-	-	-	-	-	-
10	DG Set – 1000 KVA	0.15 T/D Diesel	10.4	0.6	24.05	14	9	196	-	-

IV) Pollution Load (Proposed)

S. No.	Source of emission	Pollution load before treatment Kg/Ton of product					Pollution load after treatment Kg/Ton of product				
		PM	SO ₂	NOx	F	NH ₃	PM	SO ₂	NOx	F	NH ₃
Fuel Gas Stacks & Process gas stacks											
1	Sulfuric Acid Plant – I	-	-	-	-	-	-	2.251	0.042	-	-
2	Sulfuric Acid Plant- II	-	-	-	-	-	-	1.737	0.041	-	-
3	Phosphoric Acid Plant	-	-	-	-	-	0.005	-	-	0.010	-
4	Ball mill in Phosphoric Plant	-	-	-	-	-	0.128	-	-	-	-
5	Ammonium Phosphate Potash Sulphate	-	-	-	-	-	0.724	-	-	0.006	0.247
6	Bagging Plant	-	-	-	-	-	-	-	-	-	-
7	Sulfuric Acid Plant – steam Header	-	-	-	-	-	-	-	-	-	-
8	CPP Steam Header	-	-	-	-	-	-	-	-	-	-
9	MED Steam Header	-	-	-	-	-	-	-	-	-	-
10	DG Set – 1000 KVA	-	-	-	-	-	0.001	0.0009	0.021	-	-

Details of Air Pollution Management:

S. No	Air Pollution Control Description	Existing Products	Proposed Products
1	To remove various pollutants and dust particles from flue gases and control the fumes from the process gases in sulfuric Acid Plants 1 & 2	Alkali Scrubber with stack	Alkali Scrubber with stack
2	To remove various pollutants and dust particles from flue gases and control the fumes from the process in phosphoric Acid Plant.	Wet scrubber with stack	Wet Scrubber with stack



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3	To remove various pollutants and dust particles from flue gases and control the fumes from the process in Ammonium Phosphate Potash Sulphate (APPS) Plant	Wet Scrubber with stack	Wet Scrubber with stack
4	To Remove dust particles and gases from the air Bagging Plant	Dust Collector with stack	Dust Collector with stack
5	To remove dust particles and gases from the air Ball mill	Bag Filter with stack	Bag Filter with stack
6	To remove gases from the air- Sulfuric Acid Plant steam header, CPP Steam Header & MED Steam Header	Steam vent	Steam Vent
7	To control the noise from Unit -DG set	Stack	Stack

Status of Online Connectivity in TNPCB and CPCB – Emission

Station name	Type of monitoring system	Process attached	Parameter monitored	Device make	Device vendor	Last calibrated on
APPS Plant	Emission	Fertilizer – Complex	NH3 (Ammonia)	SIEMENS	ADAGE Automations	30.06.2022
APPS Plant	Emission	Fertilizer Plant (NPK)	PM	SIEMENS	ADAGE Automations	25.11.2022
Phosphoric Acid Plant	Emission	Fertilizer – Phosphoric Acid plant	Hydrogen Fluoride (HF)	SIEMENS	ADAGE Automations	30.06.2022
Phosphoric Acid Plant	Emission		Particulate Matters (PM)	Forbes Marshall	Forbes Marshall	20.07.2022
Sulfuric Acid Plant - 1	Emission	Fertilizer – Sulphuric acid plant – I	Sulphur-di-oxide (SO2)	Emerson	Emerson	13.12.2022
Sulfuric Acid Plant - 1	Emission	Fertilizer – Sulphuric acid plant – II	Sulphur-di-oxide (SO2)	Emerson	Emerson	13.12.2022
Time office – SO2	Ambient	Time office	SO2	Horbia	Sun Technology	21.07.2022
Time office – NH3	Ambient		NH3	Horbia	Sun Technology	21.07.2022
Pump House – SO2	Ambient	Pump House	SO2	Horbia	Sun Technology	21.07.2022
Pump House – NH3	Ambient		NH3	Horbia	Sun Technology	21.07.2022

Hazardous waste generation:

Note: Trade effluent is not generated from the fertilizer plant. The following hazardous waste generated from the plant.

Sl. No.	Details of waste Category wise		Existing (T/T of product)	Proposed* (T/T of product)	Remark If Any
1.	Schedule I/17. Production of mineral acids	17.2 – Spent Catalyst	0.000031	0.000031	
2.	Schedule I/5. Industrial operations using mineral or synthetic oil as lubricant in hydraulic systems or other applications	5.1- Used or Spent oil	0.000017	0.0000016	
3.	Schedule I/5. Industrial operations using mineral or synthetic oil as lubricant in hydraulic systems or other applications	5.2 – wastes or residues containing oil	0.00001	0.0000098	

B. As per Schedule-II of Hazardous and Other Waste (Management Handling and Transboundary Movement) Rules, 2016

Sl. No.	Details of waste Category wise		Existing (T/T of product)	Proposed* (T/T of product)	Remark If Any
1.	Schedule-II / Class C: Based on Hazardous Characteristics – Cl- Flammable	37. Total Sulphur – Presence in the wastes	0.0031	0.0031	

The subject was discussed in the PLAC meeting held on 29.05.2023 and after detailed deliberation and discussion with the Industry, the committee inferred that the pollution load has not increased for the proposed enhanced production of Ammonium Phosphate Potash Sulphate from 300000 TPA to 400000 TPA in the existing Chemical Fertilizer Plant by optimizing operation parameters, adopting latest technologies and industrial best practices.

Further, in view of the following facts presented by the industry for NIPL to achieve the proposed enhanced production of Ammonium Phosphate Potash Sulphate from 300000 TPA to 400000 TPA in the existing Chemical Fertilizer Plant, the committee opined that the NIPL can be validated & accepted.

- Increasing Phosphoric Acid concentration 32.13% (Imported 53.5% + In house 25% usage in the ratio 1:3. Reduce water consumption and Fuel Consumption.
- Use of Ammonium sulphate to reduce consumption of Ammonia by 38.8% and sulphuric Acid 61.4% contribute for reduction in stack emissions.
- Fine Generation will be minimized due to usage of Ammonium Sulphate which contributes for reduction in recycle ratio.



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- Reduced Moisture content in the slurry will reduce Fuel Consumption for Dryer and contribute for reducing recycle ratio.
- Installation of On-line monitoring frequency control will improve the screening effectiveness & will contribute for reducing recycle ratio.
- Installation of On-line tracking of product weightment will contribute for reducing recycle ratio and maintain consistency in the production.
- By implementation of the above technologies and measures Reduction in Recycle Ratio of the plant will be achieved from 3.4 to 2.30%
- By maintaining the reduced Recycle Ratio as 2.30% Production enhancement of Ammonium, Phosphate Potash Sulphate (APPS) from 3,00,000 TPA TO 4,00,000 TPA will be achieved.

In view of the above, the committee decided to certify that there is "No increase in Pollution Load" for the proposed enhanced production of Ammonium Phosphate Potash Sulphate from 300000 TPA to 400000 TPA in the existing Chemical Fertilizer Plant and recommended that the request of the unit for the issue of consent without Environmental Clearance can be considered by the TNPCB subject to the following conditions:

1. Three months after obtaining CTO Expansion from TNPC Board for increased production capacity based on this NIPL certificate, the unit through the QCI consultant M/s. Natureanalytica Envirocare solutions Pvt. Ltd., Rajasthan shall analyse & validate the load based values projected to the 'Pollution Load Assessment Committee' and shall furnish the report to the TNPC Board.
2. The unit shall comply with all the basic conditions imposed in the Environmental Clearance issued by MOEF vide F.No.J-11011/358/2007-IA-II (I) dated: 03.09.2007.
3. The unit shall comply with all existing norms of discharge and emission as well as changes if any made by Authorities like MoEF & CC, CPCB and TNPCB from time to time.
4. The unit shall comply with all the conditions imposed by the TNPCB in the consent order when granted.
5. The TNPCB shall monitor the unit periodically to confirm the real time pollution load after operation.
6. The unit shall not go for any expansion or installation of new machineries without prior consent of the Board.
7. The unit shall under take to work out the pollution loads after commencing the operation of product mix change and submit report to TNPCB.

8. Sewage to be monitored for quantity and quality on monthly basis and the reports to be submitted to TNPCB.
9. The unit shall comply with all the conditions imposed in the office memorandum of MoEF&CC vide.No.J-11011/358/2007-IA-II(I) dated: 03.09.2007.
10. Ambient Air Quality and stack emission to be monitored by external agency once in a month and the reports to be submitted to TNPCB on regular basis.
11. Hazardous wastes to be segregated and stored in designated areas and properly disposed for recycling/TNWML for disposal.
12. The unit shall furnish Environmental Management Plan and 3rd party Audit.
13. The unit shall provide online monitors for ambient and emission parameters and shall make proper connectivity with CAC of TNPCB for continuous monitoring of water and Air Quality.
14. The unit shall connect the parameter of exit velocity from the emission stack with the O2 correction factor with Care Air Centre of TNPCB
15. The unit shall carry out analysis to determine U-238 and Ra-226 content in each imported consignment of rock phosphate as well as in phosphor gypsum produced from its processing and shall be examined by the AERB.
16. The unit shall comply with the consent order conditions, various directions issued by TNPCB/CPCB/NGT etc., from time to time.
17. The unit shall obtain NOC from the Tamil Nadu bio Diversity Board-National Bio diversity Authority if the unit is using any Biological resources or knowledge associated thereto as per the provisions of Biological Diversity Act 2002.
18. As per EIA notification, if on verification the TNPCB holds that the change or expansion or modernization will result or has resulted in increase in pollution load, the exemption claimed under this clause shall not be valid and it shall be deemed that the project proponent was liable to obtain prior Environmental clearance before undertaking such changes or increase , as per the clause (a) of sub para (ii) of para 7 of EIA notification and the provisions of Environment (Protection) Act, 1986 shall apply accordingly.



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19. It shall be the responsibility of the project proponent to satisfy itself about "no increase in pollution load" as a result of changes, expansion or modernization, as the case may be, before under taking such changes or increase, and the project proponent shall be liable for action under the provisions of the Environment (Protection) Act, 1986 if on verification of facts or claim it is found that such change or expansion or modernization involves increase in pollution load.

The receipt of this letter shall be acknowledged

dlan
21/7/2023
For Member Secretary

Copy to:

1. The Joint Chief Environmental Engineer,
Tamil Nadu Pollution Control Board,
Chennai
2. The District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Ambattur

MINISTRY OF ENVIRONMENT AND FORESTS

NOTIFICATION

New Delhi, the 1st December, 2009

S.O. 3067(E).— Whereas, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), a draft notification for making certain amendments in the Environment Impact Assessment notification, 2006 issued vide no. S.O. 1533 (E), dated the 14th September, 2006, was published under sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, vide number S.O. 195 (E), dated the 19th January, 2009, inviting objections and suggestions from all the persons likely to be affected thereby, within a period of 60 days from the date of publication of the said notification in the Gazette of India;

And whereas, all objections and suggestions received in response to the above mentioned draft notification have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following amendments in the said notification, namely:-

In the said notification, -

I in para 3, for sub-para (7), the following shall be substituted, namely:—

"(7) All decisions of the SEIAA shall be taken in a meeting and shall ordinarily be unanimous:

Provided that, in case a decision is taken by majority, the details of views, for and against it, shall be clearly recorded in the minutes and a copy thereof sent to MoEF."

II in para 4, in sub-para (iii), for the words and letters "In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be treated as a Category 'A' project", the words and letters "In the absence of a duly constituted SEIAA or SEAC, a Category 'B' project shall be considered at the Central Level as a Category 'B' project" shall be substituted.

III in para 7(i), in sub-para III relating to Stage (3) - Public Consultation, in clause (i),—

(i) after item (c), the following item shall be inserted, namely:—

“(cc) maintenance dredging provided the dredged material shall be disposed within port limits.”;

(ii) for item (d), the following item shall be substituted, namely:—

“(d) All Building or Construction projects or Area Development projects (which do not contain any category 'A' projects and activities) and Townships (item 8(a) and 8(b) in the Schedule to the notification).”.

IV In para 10 relating to Post Environmental Clearance Monitoring,-

(a) the existing sub-para (i) shall be renumbered as sub-para (ii) and before sub-para (ii) as so re-numbered, the following sub-para shall be inserted namely;

“(i) (a) In respect of Category 'A' projects, it shall be mandatory for the project proponent to make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the district or State where the project is located and in addition, this shall also be displayed in the project proponent's website permanently. (b) In respect of Category 'B' projects, irrespective of its clearance by MoEF / SEIAA, the project proponent shall prominently advertise in the newspapers indicating that the project has been accorded environment clearance and the details of MoEF website where it is displayed. (c) The Ministry of Environment and Forests and the State/Union Territory Level Environmental Impact Assessment Authorities (SEIAAs), as the case may be, shall also place the environmental clearance in the public domain on Government portal. (d) 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.”;

(b) existing sub-para (ii) shall be renumbered as sub-para (iii).

V in the Schedule,—

(i) for item 1(a) and the entries relating thereto, the following item and entries shall be substituted, namely:—

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(1)	(2)	(3)	(4)	(5)
"1(a)	(i) Mining minerals. of	<p>≥50 ha of mining lease area in respect of non-coal mine lease.</p> <p>>150 ha of mining lease area in respect of coal mine lease.</p> <p>Asbestos mining irrespective of mining area.</p>	<p><50 ha ≥5 ha of mining lease area in respect of non-coal mine lease.</p> <p>≤150 ha ≥5 ha of mining lease area in respect of coal mine lease.</p>	<p>General Condition shall apply.</p> <p>Note: Mineral prospecting is exempted.”;</p>
	(ii) Slurry pipelines (coal lignite and other ores) passing through national parks/ sanctuaries/ coral reefs, ecologically sensitive areas.	All projects.		

(ii) against item 1(c), for the entries in column (5), the following entries shall be substituted, namely:—

“General Condition shall apply.

Note: Irrigation projects not involving submergence or inter-state domain shall be appraised by the SEIAA as Category 'B' Projects.”;

(iii) against item 1(d),—

(a) in column (3), for the entries, the following entries shall be substituted, namely—

“≥ 500 MW (coal/lignite/naphtha and gas based);
 ≥ 50 MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass);

≥ 20 MW (based on biomass or non hazardous municipal solid waste as fuel).”;

(b) in column (4), for the entries, the following entries shall be substituted, namely:—

“<500MW (coal/lignite/naphtha and gas based);
<50 MW ≥ 5 MW (Pet coke, diesel and all other fuels including refinery residual oil waste except biomass);
<20MW > 15MW (based on biomass or non hazardous municipal solid waste as fuel).”;

(c) in column (5), for the entries, the following entries shall be substituted, namely:—

“General Condition shall apply.

Note:

- (i) Power plants up to 15 MW, based on biomass and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt.
- (ii) Power plants up to 15 MW, based on non-hazardous municipal waste and using auxiliary fuel such as coal / lignite / petroleum products up to 15% are exempt.
- (iii) Power plants using waste heat boiler without any auxiliary fuel are exempt.”;

(iv) against item 3(a), in column (5), for the entries, the following entries shall be substituted, namely:—

“General condition shall apply.

Note:

- (i) The recycling industrial units registered under the HSM Rules, are exempted.
- (ii) In case of secondary metallurgical processing industrial units, those projects involving operation of furnaces only such as induction and electric arc furnace, submerged arc furnace, and cupola with capacity more than 30,000 tonnes per annum (TPA) would require environmental clearance.
- (iii) Plant / units other than power plants (given against entry no. 1(d) of the schedule), based on municipal solid waste (non-hazardous) are exempted.”.

- (v) against item 4(b), in column (5), for the entry, the following entry shall be substituted, namely:—**

“General conditions shall apply.”;

- (vi) against item 4(d),—**

- (a) in column (4), for the entry, the following entry shall be substituted, namely:—**

“(i) All projects irrespective of the size, if it is located in a Notified Industrial Area/Estate.

(ii) < 300 tonnes per day (TPD) and located outside a Notified Industrial Area/ Estate.”;

- (b) in column (5), for the entry, the following entry shall be substituted, namely:—**

“General as well as specific conditions shall apply.

No new Mercury Cell based plants will be permitted and existing units converting to membrane cell technology are exempt from the notification.”;

- (vii) against item 4(f), in column (5), for the existing entry, the following entry shall be substituted, namely:—**

“General as well as specific conditions shall apply.”;

- (viii) against item 5(a),—**

- (a) in column (3), for the existing entry, the following entry shall be substituted, namely:—**

“All projects except Single Super Phosphate.”;

- (b) in column (4), for the entry, the following entry shall be substituted, namely:—**

“Single Super Phosphate.”;

- (ix) against item 5(e), in column (5), for the existing entry, the following entry shall be substituted, namely:—

“General as well as specific conditions shall apply.”;

- (x) against item 5(f), in column (5), for the existing entry, the following entry shall be substituted, namely:—

“General and specific conditions shall apply.” ;

- (xi) item 5(k) and the entries relating thereto shall be omitted;

- (xii) against item 7(a),—

- (a) in column (3), for the entry, the following entry shall be substituted, namely:—

“All projects including airstrips, which are for commercial use.”;

- (b) in column (5), for the entry, the following entry shall be substituted, namely:—

“Note:

Air strips, which do not involve bunkering/ refueling facility and or Air Traffic Control, are exempted.”;

- (xiii) against item 7(c), in column (5), for the entry, the following entry shall be substituted, namely:—

“General as well as specific conditions shall apply.

Note:

1. Industrial Estate of area below 500 ha. and not housing any industry of Category 'A' or 'B' does not require clearance.
2. If the area is less than 500 ha. but contains building and construction projects > 20,000 Sq. mtr. and or development area more than 50 ha it will be treated as activity listed at serial no. 8(a) or 8(b) in the Schedule, as the case may be.”;

(xiv) against item 7(e),—

(a) in column (2), for the entry, the following entry shall be substituted, namely:—

“Ports, harbours, break waters, dredging.”

(b) in column (5), for the entry, the following entry shall be substituted, namely:—

“General Condition shall apply.

Note:

1. Capital dredging inside and outside the ports or harbors and channels are included;
2. Maintenance dredging is exempt provided it formed part of the original proposal for which Environment Management Plan (EMP) was prepared and environmental clearance obtained.”;

(xv) against item 7(f),

(a) in column (4), for the entry, the following entry shall be substituted namely:—

- “(i) All State Highway Projects; and
- (ii) State Highway expansion projects in hilly terrain (above 1,000 m AMSL) and or ecologically sensitive areas.”;

(b) in column (5) for the existing entry, the following entry shall be substituted, namely:—

“General Condition shall apply.

Note:

Highways include expressways.”;

(xvi) against item 7(g),—

(a) in column (3), for the entry, the following entry shall be substituted, namely:—

- “(i) All projects located at altitude of 1,000 mtr. and above.
(ii) All projects located in notified ecologically sensitive areas.”;

(b) in column (4), for the entry, the following entry shall be substituted, namely:—

“All projects except those covered in column (3).”;

(xvii) after the Schedule, in the 'Note', for sub-heading relating to 'General Condition (GC)', the following shall be substituted, namely:—

“General Condition (GC):

Any project or activity specified in Category 'B' will be treated as Category 'A', if located in whole or in part within 10 km from the boundary of: (i) Protected areas notified under the Wildlife (Protection) Act, 1972; (ii) Critically polluted areas as identified by the Central Pollution Control Board from time to time; (iii) Eco-sensitive areas as notified under section 3 of the Environment (Protection) Act, 1986, such as, Mahabaleshwar Panchgani, Matheran, Pachmarhi, Dahanu, Doon Valley, and (iv) inter-State boundaries and international boundaries:

Provided that the requirement regarding distance of 10 km of the inter-State boundaries can be reduced or completely done away with by an agreement between the respective States or U.Ts sharing the common boundary in case the activity does not fall within 10 kilometres of the areas mentioned at item (i), (ii) and (iii) above.”

VI in the Appendix I, in Form I,—

(a) for item (I) relating to the Basic Information, the following shall be substituted, namely:—

“(I) Basic Information

Serial Number	Item	Details
1.	Name of the project/s	
2.	S. No. in the schedule	

3.	Proposed capacity/area/length/tonnage to be handled/command area/lease area/number of wells to be drilled	
4.	New/Expansion/Modernization	
5.	Existing Capacity/Area etc.	
6.	Category of Project i.e. 'A' or 'B'	
7.	Does it attract the general condition? If yes, please specify.	
8.	Does it attract the specific condition? If yes, please specify.	
9.	Location	
	Plot/Survey/Khasra No.	
	Village	
	Tehsil	
	District	
	State	
10.	Nearest railway station/airport along with distance in kms.	
11.	Nearest Town, city, District Headquarters along with distance in kms.	
12.	Village Panchayats, Zilla Parishad, Municipal Corporation, Local body (complete postal addresses with telephone nos. to be given)	
13.	Name of the applicant	
14.	Registered Address	
15.	Address for correspondence :	
	Name	
	Designation (Owner/Partner/CEO)	
	Address	
	Pin Code	
	E-mail	
	Telephone No.	
	Fax No.	
16.	Details of Alternative Sites examined, if any. Location of these sites should be shown on a topo sheet.	Village-District-State 1. 2. 3. "
17.	Interlinked Projects	
18.	Whether separate application of interlinked project has been submitted?	
19.	If yes, date of submission	
20.	If no, reason	

21.	Whether the proposal involves approval/clearance under: if yes, details of the same and their status to be given. (a) The Forest (Conservation) Act, 1980 ? (b) The Wildlife (Protection) Act, 1972 ? (c) The C.R.Z Notification, 1991 ?	
22.	Whether there is any Government Order/Policy relevant/relating to the site?	
23.	Forest land involved (hectares)	
24.	Whether there is any litigation pending against the project and/or land in which the project is propose to be set up? (a) Name of the Court (b) Case No. (c) Orders/directions of the Court, if any and its relevance with the proposed project.	

(b) the following shall be inserted at the end, namely:—

"I hereby given undertaking that the data and information given in the application and enclosures are true to the best of my knowledge and belief and I am aware that if any part of the data and information submitted is found to be false or misleading at any stage, the project will be rejected and clearance give, if any to the project will be revoked at our risk and cost.

Date: _____
Place: _____

Signature of the applicant
With Name and Full Address
(Project Proponent / Authorised Signatory)

NOTE:

1. The projects involving clearance under Coastal Regulation Zone Notification, 1991 shall submit with the application a C.R.Z map duly demarcated by one of the authorized agencies, showing the project activities, w.r.t. C.R.Z (at the stage of TOR) and the recommendations of the State Coastal Zone Management Authority (at the stage of EC). Simultaneous action shall also be taken to obtain the requisite clearance under the provisions of the C.R.Z Notification, 1991 for the activities to be located in the CRZ.
2. The projects to be located within 10 km of the National Parks, Sanctuaries, Biosphere Reserves, Migratory Corridors of Wild Animals, the project proponent shall submit the map duly authenticated by Chief Wildlife Warden showing these features vis-à-vis the project location and the

- recommendations or comments of the Chief Wildlife Warden thereon (at the stage of EC)."
3. All correspondence with the Ministry of Environment & Forests including submission of application for TOR/Environmental Clearance, subsequent clarifications, as may be required from time to time, participation in the EAC Meeting on behalf of the project proponent shall be made by the authorized signatory only. The authorized signatory should also submit a document in support of his claim of being an authorized signatory for the specific project."

VII for Appendix IV, the following shall be substituted, namely:—

**"APPENDIX IV
(See paragraph 7)**

PROCEDURE FOR CONDUCT OF PUBLIC HEARING

1.0 The Public Hearing shall be arranged in a systematic, time bound and transparent manner ensuring widest possible public participation at the project site(s) or in its close proximity District-wise, by the concerned State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC).

2.0 The Process:

2.1 The applicant shall make a request through a simple letter to the Member Secretary of the SPCB or Union Territory Pollution Control Committee, in whose jurisdiction the project is located, to arrange the public hearing within the prescribed statutory period. In case the project site is covering more than one District or State or Union Territory, the public hearing is mandated in each District, State or Union Territory in which the project is located and the applicant shall make separate requests to each concerned SPCB or UTPCC for holding the public hearing as per this procedure.

2.2 The applicant shall enclose with the letter of request, at least 10 hard copies and an equivalent number of soft (electronic) copies of the draft EIA Report with the generic structure given in Appendix III including the Summary Environment Impact Assessment report in English and **in the official language of the state/local language**, prepared strictly in accordance with the Terms of Reference communicated after Scoping (Stage-2). Simultaneously the applicant shall arrange to forward copies, one hard and one soft, of the above draft EIA Report along with the Summary EIA report to the following authorities or offices, within whose jurisdiction the project will be located:

- (a) District Magistrate/**District collector/Deputy commissioner/s**
- (b) Zila Parishad or Municipal Corporation **or Panchayats Union**

- (c) District Industries Office
- (d) Urban Local Bodies (ULBs) / PRIs Concerned/**Development authorities**
- (e) Concerned Regional Office of the Ministry of Environment and Forests

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

2.4 The SPCB or UTPCC concerned shall also make similar arrangements for giving publicity about the project within the State/Union Territory and make available the Summary of the draft Environmental Impact Assessment report (Appendix III A) for inspection in select offices or public libraries or any other suitable location etc. They shall also additionally make available a copy of the draft Environmental Impact Assessment report to the above five authorities/offices as given in para 2.2.

3.0 Notice of Public Hearing:

3.1 The Member-Secretary of the concerned SPCB or UTPCC shall finalize the date, time and exact venue for the conduct of public hearing within 7 (seven) days of the date of receipt of the draft Environmental Impact Assessment report from the project proponent, and advertise the same in ~~one~~ major National Daily and one Regional vernacular Daily / Official State Language. A minimum notice period of 30 (thirty) days shall be provided to the public for furnishing their responses;

3.2 The advertisement shall also inform the public about the places or offices where the public could access the draft Environmental Impact Assessment report and the Summary Environmental Impact Assessment report before the public hearing. In places where the newspapers do not reach, the Competent Authority should arrange to inform the local public about the public hearing by other means such as by way of beating of drums as well as advertisement / announcement on radio / television.

3.3 No postponement of the date, time, venue of the public hearing shall be undertaken, unless some untoward emergency situation occurs and then only on the recommendation of the concerned District Magistrate/District collector/Deputy commissioner, the postponement shall be notified to the public through the same National and Regional vernacular dailies and also prominently displayed at all the identified offices by the concerned SPCB or Union Territory Pollution Control Committee;

3.4 In the above exceptional circumstances, fresh date, time and venue for the public consultation shall be decided by the Member – Secretary of the concerned SPCB or UTPCC only in consultation with the District

Magistrate/**District Collector/Deputy Commissioner** and notified afresh as per procedure under 3.1 above.

4.0 Supervision and Presiding over the Hearing:

4.1 The District Magistrate / District Collector / Deputy Commissioner or his or her representative not below the rank of an Additional District Magistrate assisted by a representative of SPCB or UTPCC, shall supervise and preside over the entire public hearing process.

5.0 Videography

5.1 The SPCB or UTPCC shall arrange to video film the entire proceedings. A copy of the videotape or a CD shall be enclosed with the public hearing proceedings while forwarding it to the Regulatory Authority concerned.

6.0 Proceedings

6.1 The attendance of all those who are present at the venue shall be noted and annexed with the final proceedings.

6.2 There shall be no quorum required for attendance for starting the proceedings.

6.3 A representative of the applicant shall initiate the proceedings with a presentation on the project and the Summary EIA report.

6.4 Persons present at the venue shall be granted the opportunity to seek information or clarifications on the project from the applicant. The summary of the public hearing proceedings accurately reflecting all the views and concerns expressed shall be recorded by the representative of the SPCB or UTPCC and read over to the audience at the end of the proceedings explaining the contents in the **local/vernacular** language and the agreed minutes shall be signed by the District Magistrate/**District Collector/Deputy Commissioner** or his or her representative on the same day and forwarded to the SPCB/UTPCC concerned.

6.5 A Statement of the issues raised by the public and the comments of the applicant shall also be prepared in the local language or the Official State language, as the case may be, and in English and annexed to the proceedings:

6.6 The proceedings of the public hearing shall be conspicuously displayed at the office of the Panchyats within whose jurisdiction the project is located, office of the concerned Zila Parishad, District Magistrate / **District collector / Deputy Commissioner**, and the SPCB or UTPCC. The SPCB or UTPCC shall also display the proceedings on its website for general information. Comments, if any, on the proceedings, may be sent directly to the concerned regulatory authorities and the applicant concerned.

7.0 Time period for completion of public hearing

7.1 The public hearing shall be completed within a period of forty five days from date of receipt of the request letter from the applicant. Thereafter the SPCB or UTPCC concerned shall sent the public hearing proceedings to the concerned regulatory authority within eight days of the completion of the public hearing. ***Simultaneously, a copy will also be provided to the project proponent.*** The applicant may also directly forward a copy of the approved public hearing proceedings to the regulatory authority concerned along with the final Environmental Impact Assessment report or supplementary report to the draft EIA report prepared after the public hearing and public consultations incorporating the concerns expressed in the public hearing along with action plan and financial allocation, item-wise, to address those concerns."

7.2 If the SPCB or UTPCC fails to hold the public hearing within the stipulated 45 (forty five) days, the Central government in Ministry of Environment and Forests for Category 'A' project or activity and the State Government or Union Territory Administration for Category 'B' project or activity at the request of the SEIAA, shall engage any other agency or authority to complete the process, as per procedure laid down in this Notification."

VIII in Appendix V, for para 3, the following para shall be substituted, namely:—

"3. Where a public consultation is not mandatory, the appraisal shall be made on the basis of the prescribed application Form 1 and EIA report, in the case of all projects and activities other than Item 8 of the Schedule. In the case of Item 8 of the Schedule, considering its unique project cycle, the EAC or SEAC concerned shall appraise all Category B projects or activities on the basis of Form 1, Form 1A and the conceptual plan and make recommendations on the project regarding grant of environmental clearance or otherwise and also stipulate the conditions for environmental clearance."

[No. J-11013/56/2004-IA. II(I)]

G. K. PANDEY, Advisor

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and amended vide S.O. 1737(E), dated the 11th October, 2007.

**BEFORE THE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE)
AT CHENNAI**

**Original Application No. 108 of 2024
(SZ)**

Bhagat Singh A. and ors.
...Applicants

Vs.

The Union of India & ors.
...Respondents

**Counter Affidavit and Typed Set filed on
Behalf of the Respondent No.4**

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Manush Nandhan S.
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