

**F. No. 10-138/2008-IA.III**  
**Government of India**  
**Ministry of Environment & Forests**

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

**Dated: July 15, 2014**

**To**  
**M/s Adani Port and SEZ Ltd**  
**Adani House, Near Mithakhali Six Roads,**  
**Navarangpura, Ahmedabad,**  
**Gujarat- 380 009.**

**Subject: EC for proposed Multi- Product SEZ and CRZ clearance for Desalination, sea water intake, outfall facility and pipeline, at Mundra by M/s Adani Port and SEZ Ltd. – Reg.**

This has reference to letter No. ENV-10-2010-1601-E dated 27.03.2012 of the Director (Environment) & Additional Secretary, Govt. of Gujarat and your subsequent letters dated 10.05.2012, 14.05.2012, 26.05.2012 and 29.04.2013 seeking prior Environmental and CRZ Clearance for the above project under the EIA Notification, 2006 and Coastal Regulation Zone Notification, 2011. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification, 2006 and the Coastal Regulation Zone Notification, 2011 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, EIA, EMP, recommendations of the State Coastal Zone Management Authority and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meetings held on 16<sup>th</sup> -17<sup>th</sup> April, 2012, 4<sup>th</sup> -5<sup>th</sup> June, 2012 and 9<sup>th</sup> -10<sup>th</sup> July, 2012.

2. It is, interalia, noted that the project involves development of multi product SEZ on a plot area of 18,000 ha. of which 6641.2784 ha. is presently notified under Special Economic Zone (SEZ). As per the proponent, the Multi product SEZ at Mundra comprising of various processing zones, non-processing zones, warehousing zones, Road Network (trunk as well as internal), Bridges or culverts over natural drains, Rail Network, IT-Telecommunication network, Electrical Network, Water supply, conservation & drainage Network, Effluent collection network, Desalination Plant with proposed intake & outfall locations, Common Effluent Treatment Plants & Sewage Treatment Plants, Natural Gas line network, Social Infrastructure, Existing Airstrip, Municipal Solid Waste Disposal site, utilities & supporting infrastructure etc. For the first phase of development total water requirement will be 150 MLD. Power requirement will be approx. 360 MW. Desalination plant of 150 MLD output capacity is proposed. 11 MLD water will be sourced through Narmada water pipeline. Two CETP each of capacity 50 MLD and 17 MLD as well as STP of 62 MLD is proposed. This will require 375 MLD of seawater intake and 241 MLD of treated waste water outfall into the sea. For final phase of development total water requirement will be 450 MLD and power requirement will be approx. 1000 MW.



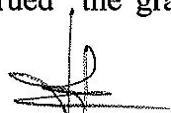
3. A suitable seawater intake point has been identified on the eastern end of the approved East Port Basin at Latitude 22°48'30.76"N; Longitude 69°46'34.06"E where a depth of 6 m below CD would be available after the port development. As per modelling study the combined discharge of 241MLD which includes 16MLD from CETP and 225 MLD from desalination plant as RO reject is expected having 57.57ppt of salinity, 14.41 mg / l of BOD and 94.39 mg/l of COD. After careful consideration of many aspects a suitable outfall location is identified on the west of the Eastern basin at Latitude 22°46'44.04"N; Longitude 69°45'5.51"E taking advantage of the expected 7.5m below CD basin depth. The outfall pipe line length is approximately 5.7 km and diffuser designed to attain a minimum dilution of 40-50 times.

4. The Centre for Earth Science Studies demarcated HTL, LTL and CRZ area. As per the CESS report and GCZMA, out of 6641.2784 ha of SEZ area, 1473.39 ha area falls within CRZ area. No SEZ industrial activity is proposed in the CRZ area. Only the Desalination plant pipeline for intake and outfall is proposed in CRZ areas. The Gujarat SCZMA in their 14<sup>th</sup> meeting held on 27-02-2012 considered the proposal of intake, outfall facilities, Desalination plant and laying pipeline and recommended the same vide their letter no.ENV-10-2010-1601-E dated 27<sup>th</sup> March 2012. Gujarat Pollution Control Board has granted Consent to Establishment of Marine outfall (NOC) vide letter dated 10.11.2011. The length of the intake will be approximately 5 Kms. As the sea water intake demand is 15000m<sup>3</sup>/h, drawal by pipe system is suitable by incorporating a wet well structure at the location. The intake point proposed is within the proposed East Port basin with a depth of 6 m below CD. The projected quantity of water can be transported through a single pipe of 1.3 m dia with a flow velocity of 3 m/ s or with a 1.6 m pipe with flow velocity of 2m/s.

5. The Expert Appraisal Committee, after due consideration of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations, have recommended for the grant of Environment and CRZ Clearance for the SEZ in an area of 8481.2784 ha. However, SEZ for 1840 ha has been approved in principle by Ministry of Commerce and Industries.

6. Hon'ble High Court of Gujarat in WP No. 21 of 2013 vide order dated 13.01.2014 has directed that the Ministry to take a decision of its own so far as the issue of grant of environmental clearance is concerned considering the position prevailing as on date and also the aspects which have been highlighted by us in this judgment, within a period of thirty days from the date of this judgment without fail. Further, vide order dated 27.01.2014 Hon'ble Supreme Court in SLP No. 1526 of 2014 which was filed against the Order of High Court by the Respondent-1 has passed order that in case, the MOEF is unable to complete the process within the time stipulated by the High Court, it will be open for them to approach this Court for extension of time. Accordingly, Ministry has filed a petition before the Hon'ble Supreme Court seeking extension of two months time.

7. It is noted from the Judgement dated 13.01.2014 of Hon'ble High Court of Gujarat in PIL 21 of 2013 the Hon'ble Court has construed the grant of lease to units prior to



obtaining EC by M/s APSEZL as violation of EIA, Notification, 2006. Therefore, according to the OMs dated 12.12.2012 and 27.06.2013, PP was addressed for Board Resolution and the State Government was addressed to take credible action against the PP for the violation. Direction under Section 5 of E(P)Act, 1986 was also issued to APSEZ not to take up and allow any further construction activity within SEZ till the grant of clearance.

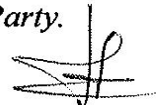
8. Further, Hon'ble Supreme Court video order dated 02.05.2014 in SLP 1526 of 2013 had ordered for stay of Ministry's letter dated 3.04.2014 addressed to Government of Gujarat to initiate legal action for the violation, also directed that the Ministry to complete the process of EC within eight weeks.

9. M/s APSEZ Ltd. has stated that the Board resolved that since the matter is sub-judice before the Hon'ble Supreme Court of India, will fully abide by the out come of the decision of the Hon'ble Supreme Court.

10. In view of the above and to comply with the orders of Hon'ble Courts, Ministry hereby accords necessary Environment Clearance for proposed Multi- Product SEZ in an area of 6641.2784 ha and CRZ clearance for desalination, seawater intake, outfall facility and pipeline for as per the provisions of Environmental Impact Assessment Notification – 2006 and its subsequent amendments and Coastal Regulation Zone Notification, 2011, subject to strict compliance of the terms and conditions as follows:

#### **11. PART A - SPECIFIC CONDITIONS**

- (i) *PP shall abide by the final order/decision of Hon'ble Supreme Court in SLP (Civil) no. 1526/2014 and connected matters.*
- (ii) *Properly conserve the creeks, river and the mangroves area in the area.*
- (iii) *Ensure that mouths of all the creeks are kept open to ensure flushing of the creeks.*
- (iv) *Bring the creeks to the condition as was seen in the satellite map of 2005 which will be a "reference" satellite map and a copy of which shall be sent to you separately.*
- (v) *Submit once in a year latest satellite map which can be compared with the reference satellite map of 2005 to ensure that no modification in the creeks, rivers, mangroves and mouth of creeks have taken place.*
- (vi) *Any direction issued by the MoEF with respect to the report submitted by Ms Sunita Narain Committee shall be complied with by the Proponent as applicable.*
- (vii) *At its cost get Inspection study done once in a year by the organizations like NEERI or any organization approved by this Ministry to - (i) ensure compliance of all the EC conditions (ii) development of SEZ meeting of the environment norms, and (iii) advise any mid-term correction that can be introduced depending on the recommendation of the independent Third Party.*



- (viii) "Consent for Establishment" for the SEZ shall be obtained from Gujarat Pollution Control Board under Air and Water Act and a copy shall be submitted to the Ministry before start of any construction work at the site.
- (ix) PP shall get detailed bathymetry done for all the creeks and rivers within Port and SEZ areas along with mapping of co-ordinates, running length, HTL, CRZ boundary, mangrove areas including buffer zone through NCSCM / NIOT. PP shall also get prepared a detailed action plan for conservation and protection of creeks/ mangrove area etc through NCSCM / NIOT and submit the same to GCZMA for their examination and recommendation. GCZMA will submit its recommendations to MoEF for approval.
- (x) PP shall demarcate the CRZ area on land with GPS coordinates in consultation with GCZMA/ the agency which has done the HTL/LTL demarcation for the area. There shall be no allotment of plot/s in CRZ area to industries. No industrial activity within CRZ area except the port and harbor & the foreshore facilities shall be allowed as committed
- (xi) Till the approval of action plan for conservation and protection of creeks/ mangrove area, the CRZ area within SEZ shall be demarcated as "No Development Zone". PP shall not allow/ undertake any development in CRZ area of SEZ.
- (xii) The implementation of action plan approved by the MoEF shall be monitored by the NCSCM/ NIOT. Compliance with action plan shall be submitted to GCZMA and to MoEF, RO. at Bhopal along with six monthly monitoring report.
- (xiii) PP shall earmark separate budget for the implementation of the above action plan. The details of the expenditure shall be submitted to GCZMA and to MoEF, RO. at Bhopal along with six monthly monitoring report.
- (xiv) All the industry in SEZ shall be connected through impervious drainage lines to the STP/ CETP for the discharge of their sewage or industrial effluent. There shall not be any discharge to creeks / rivers. PP shall be accountable for implementing this condition and necessary clause shall be incorporated in the MoU while allotting the plot to the individual industries
- (xv) PP shall not carry out any river course modification.
- (xvi) The individual industrial units shall obtain prior EC under EIA Notification, 2006 as applicable.
- (xvii) Proponent shall identify 200 ha of land for mangrove plantation as per the condition laid by SEAC.
- (xviii) 50 meter buffer from the existing mangrove area should be provided for any developmental activity,



- (xix) *Proponent shall develop the green belt with 3 layers of canopy all along the periphery.*
- (xx) *All the recommendation of the EMP shall be complied with in letter and spirit. All the mitigation measures submitted in the EIA report shall be prepared in a matrix format and the compliance for each mitigation plan shall be submitted to MoEF along with half yearly compliance report to MoEF-RO.*
- (xxi) *There shall be no disturbance to the sand dunes. The pipelines shall be laid using advanced method viz. Horizontal Directional Drilling (HDD) so as to avoid disturbance to the sand dunes/ creeks/ mangroves.*

## **PART – B. GENERAL CONDITIONS**

### **Construction Phase.**

- (i) *Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.*
- (ii) *A First Aid Room will be provided in the project both during construction and operation of the project.*
- (iii) *All the topsoil excavated during construction activities should be stored for use in horticulture/landscape development within the project site.*
- (iv) *Disposal of muck during construction phase should not create any adverse effect on the neighbouring communities and be disposed, taking the necessary precautions for general safety and health aspects of people, only in approved sites with the approval of competent authority.*
- (v) *Soil and ground water samples will be tested to ascertain that there is no threat to ground water quality by leaching of heavy metals and other toxic contaminants.*
- (vi) *Construction spoils, including bituminous material and other hazardous materials, must not be allowed to contaminate watercourses and the dump sites for such material must be secured so that they should not leach into the ground water.*
- (vii) *Any hazardous waste generated during construction phase should be disposed off as per applicable rules and norms with necessary approvals of the Gujarat Pollution Control Board.*
- (viii) *The diesel generator sets to be used during construction phase should be low sulphur diesel type and should conform to Environment (Protection) Rules prescribed for air and noise emission standards.*



- (ix) *The diesel required for operating DG sets shall be stored in underground tanks and if required, clearance from Chief Controller of Explosives shall be taken.*
- (x) *Vehicles hired for bringing construction material to the site should be in good condition and should have a pollution check certificate and should conform to applicable air and noise emission standards and should be operated only during non-peak hours.*
- (xi) *Ambient noise levels should conform to residential standards both during day and night. Incremental pollution loads on the ambient air and noise quality should be closely monitored during construction phase. Adequate measures should be made to reduce ambient air and noise level during construction phase, so as to conform to the stipulated standards by CPCB/GPCB.*
- (xii) *Fly ash should be used as building material in the construction as per the provisions of Fly Ash Notification of September, 1999 and amended as on 27<sup>th</sup> August, 2003. (The above condition is applicable only if the project site is located within 100 Kms of Thermal Power Stations).*
- (xiii) *Ready mixed concrete must be used in building construction.*
- (xiv) *Storm water control and its re-use should be regulated as per CGWB and BIS standards for various applications.*
- (xv) *Water demand during construction should be reduced by use of pre-mixed concrete, curing agents and other referred best practices.*
- (xvi) *Permission to draw ground water shall be obtained from the competent Authority prior to construction/operation of the project.*
- (xvii) *Separation of grey and black water should be done by the use of dual plumbing line for separation of grey and black water.*
- (xviii) *Fixtures for showers, toilet flushing and drinking should be of low flow either by use of aerators or pressure reducing devices or sensor based control.*
- (xix) *Use of glass may be reduced by upto 40% to reduce the electricity consumption and load on air-conditioning. If necessary, use high quality double glass with special reflective coating in windows.*
- (xx) *Roof should meet prescriptive requirements as per Energy Conservation Building Code by using appropriate thermal insulation material to fulfill requirements.*
- (xxi) *Opaque wall should meet prescriptive requirement as per Energy Conservation Building Code which is proposed to be mandatory for all airconditioned spaces while it is aspirational for non-airconditioned spaces by use of appropriate thermal insulation material to fulfil these requirement.*



- (xxii) *The approval of the competent authority shall be obtained for structural safety of the buildings due to earthquake, adequacy of fire fighting equipments, etc. as per National Building Code including protection measures from lightning etc.*
- (xxiii) *Regular supervision of the above and other measures for monitoring should be in place all through the construction phase, so as to avoid disturbance to the surroundings.*
- (xxiv) *Under the provisions of Environment (Protection) Act, 1986, legal action shall be initiated against the project proponent if it is found that construction of the project has been started without obtaining environmental clearance.*

### **Operation Phase**

- (i) *The PP while issuing the allotment letter to individual member units shall specifically mention the allowable maximum quantity of water usage and effluent generated by each member unit.*
- (ii) *The PP shall establish an environmental monitoring cell with all the potential polluting units as members to review the environmental monitoring data and suggest improvements.*
- (iii) *Treated effluent emanating from STP shall be recycled/reused to the maximum extent possible. Treatment of 100% grey water by decentralised treatment should be done. Discharge of unused treated effluent shall conform to the norms and standards of the Pollution Control Board. Necessary measures should be made to mitigate the odour problem from STP.*
- (iv) *The solid waste generated should be properly collected and segregated. Wet garbage should be composted and dry / inert solid waste should be disposed off to the approved sites for land filling after recovering recyclable material.*
- (v) *Diesel power generating sets proposed as source of back up power for elevators and common area illumination during operational phase should be of enclosed type and conform to rules made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be equal to the height needed for the combined capacity of all proposed DG sets. Low sulphur diesel should be used. The location of the DG sets may be decided in consultation with the Gujarat Pollution Control Board.*
- (vi) *Noise should be controlled to ensure that it does not exceed the prescribed standards. During night time the noise levels measured at the boundary of the building shall be restricted to the permissible levels to comply with the prevalent regulations.*
- (vii) *Green belt of adequate width and density preferably with local species along the periphery of the plot shall be raised so as to provide protection against particulates and noise.*



- (viii) *Weep holes in the compound walls shall be provided to ensure natural drainage of rain water in the catchment area during the monsoon period.*
- (ix) *Rain water harvesting for roof run- off and surface run- off, as plan submitted should be implemented.*
- (x) *The ground water level and its quality should be monitored regularly in consultation with Central Ground Water Authority.*
- (xi) *Traffic congestion near the entry and exit points from the roads adjoining the proposed project site must be avoided. Parking should be fully internalized and no public space should be utilized.*
- (xii) *A Report on the energy conservation measures conforming to energy conservation norms finalised by Bureau of Energy Efficiency should be prepared incorporating details about building materials & technology, R & D Factors etc and submitted to the Ministry along with six monthly monitoring report.*
- (xiii) *Energy conservation measures like installation of CFLs/TFLs for the lighting the areas outside the building should be an integral part of the project design and should be in place before project commissioning. Used CFLs and TFLs should be properly collected and disposed off/sent for recycling as per the prevailing guidelines/ rules of the regulatory authority to avoid mercury contamination. Solar panels may be used to the extent possible.*
- (xiv) *Adequate measures should be taken to prevent odour problems from solid waste processing plant and STP.*
- (xv) *The buildings should have adequate distance between them to allow movement of fresh air and passage of natural light, air and ventilation.*
- (xvi) *The environmental safeguards contained in the EIA Report should be implemented in letter and spirit.*
- (xvii) *Adequate drinking water facility be provided.*
- (xviii) *Incremental pollution loads on the ambient air quality, noise and water quality should be periodically monitored after commissioning of the project.*
- (xix) *Application of solar energy should be incorporated for illumination of common areas, lighting for gardens and street lighting in addition to provision for solar water heating. A hybrid system or fully solar system for portion of the apartments should be provided.*
- (xx) *Ozone depleting substance (Regulation & Control) Rules should be followed while designing the air conditioning system of the project.*

12. Officials from the Regional Office of MOEF, Bhopal who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents / data by the project proponents during their inspection. A complete set of all the





documents submitted to MoEF should be forwarded to the CCF, Regional office of MOEF, Bhopal

13. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.

14. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.

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

16. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and control of Pollution) act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification, 2006.

17. 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 Clearance and copies of clearance letters are available with the Gujarat Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at <http://www.envfor.nic.in>. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional office of this Ministry at Bhopal.

18. 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.

19. "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".

20. 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. The clearance letter shall also be put on the website of the company by the proponent.

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




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

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

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

Copy to:

1. The Principal Secretary, Forest and Environment Department, Block no. 14/ 8 floor Sachivalaya, Gandhinagar – 382 010 Gujarat.
2. The Chairman, Central Pollution Control Board, Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 110 032.
3. The Member Secretary, Gujarat Coastal Zone Management Authority & Director,( Environment) Forests & Environment Department, Block No. 14, 8<sup>th</sup> Floor, Sachivalaya, GandhiNagar-382.
4. The Chief Conservator of Forests, Ministry of Environment and Forests, Regional Office, Western Region, Kendriya Paryavaran Bhavan, Link Road No. 3, Ravishankar Nagar, Bhopal – 462016 (M.P.)
5. The Member Secretary, Gujarat State Pollution Control Board, Paryavaran Bhawan , Sector 10-A, Gandhi Nagar 382043, Gujarat
6. Director (EI), Ministry of Environment and Forests.
7. Guard File.
8. Monitoring File.

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