

F.No.10-9/2017-IA-III  
Government of India  
Ministry of Environment, Forest and Climate Change  
(IA.III Section)

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

Date: 18<sup>th</sup> February, 2020

To,

**The Chief Engineer,  
M/s Kandla Port Trust**  
Administrative Office Building,  
Annexe Building, First Floor,  
Gandhidham - 370201, Gujarat  
E Mail: [kptemc@gmail.com](mailto:kptemc@gmail.com)

**Subject: Development of 3 remaining integrated facilities (Stage I) within the existing Kandla Port Trust at Gandhidham, Kutch, Gujarat by M/s Kandla Port Trust - Environmental & CRZ Clearance - reg.**

Sir,

This has reference to your online Proposal No. IA/GJ/MIS/61975/2017 dated 8<sup>th</sup> September, 2017, submitted to this Ministry for grant of Environmental and CRZ Clearance in terms of the provisions of the Environment Impact Assessment (EIA) Notification, 2006 and Coastal Regulation Zone (CRZ) Notification, 2011, under the Environment (Protection), Act, 1986.

2. The proposal for 'Development of 3 remaining integrated facilities (Stage I) within the existing Kandla Port Trust at Gandhidham, Kutch, Gujarat by M/s Kandla Port Trust was considered by the Expert Appraisal Committee (Infra-2) in the Ministry in its 27<sup>th</sup> meeting held during 25<sup>th</sup> January, 2018 and 33<sup>rd</sup> meeting held during 9-10 August, 2018.

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

- (i) Deen Dayal Port is situated at Latitude 23°01'N and Longitude 70°13'E on the shores of the Kandla Creek, Gulf of Kutch at a distance of 90 nautical miles from the Arabian Sea. The width of the channel varies from 200 meters to 1,000 meters. The total length of the Kandla Port approach Channel is around 23 km.
- (ii) Kandla Port Trust (renamed as Deendayal Post Trust) had obtained Terms of Reference for conducting EIA studies from MoEF&CC, vide letter F.No. 10-9/2017-IA.III dated 06.06.2017.
- (iii) Public Hearing was exempted by the Ministry as per para-7(ii) of EIA Notification, 2006, because public hearing has already been conducted by the Gujarat Pollution Control Board on 18.12.2013.
- (iv) CRZ recommendations have been received from SCZMA, Gujarat vide their letter no ENV-10-2015-248-E (T Cell) dated 29.06.2016 for the projects.
- (v) The project involves following components:
  - Development of Container Terminal at Tuna off Tekra on BOT basis  
Jetty T shape 1100m x 54m, capacity 2.19 Million TEUs/annum, Dredging: Capital 13,56,000 m<sup>3</sup> Maintenance 2,71200 m<sup>3</sup>/year, Land Area : 84 Ha Break water: Length of 1400 m with 20m ht.
  - Construction of Port Craft Jetty & shifting of SNA Section at Kandla Port Trust
  - Railway Line from NH-8A to Tuna Port- 11.00 km



- (vi) 5.0 KLD water will be used for various purposes during the project.
- (vii) Solid wastes generated from the colony will be taken care by the waste disposal plan. The construction waste may pose impacts on land environment by contamination of soil and hence the wastes shall be utilized for PCC works, Road construction, and other filling requirement etc. The accidental spillage of fuels and lubricants oils will be minimized by proper care.
- (viii) There will be temporary influx of people to the area who will be involved directly and indirectly during the construction of Jetty.
- (ix) The total land requirement for the project is 95 Ha. There is no land acquisition as land belongs to Kandla Port Trust.
- (x) Total project cost is Rs. 3214.17 crores.
- (xi) Benefits of the project: Faster evacuation of Cargo, thereby Increase in cargo evacuation capacity, Earning through special port charges on rail bound / rail borne cargo passing through the Railway line. Enhances the possibility of receiving higher revenue share quotes for various BOT projects to be developed nearby Tuna port.
- (xii) Employment potential: The indirect employment potential of the projects would be significantly beneficial for the area. The project requires recruiting numbers of skilled, semi-skilled and un-skilled manpower during the construction phase and indirect employment through contracts for civil construction, Mechanical erection, electrification, plumbing works and associated amenities. The proposed project is expected to employ about 200 people per day of various skills which would mean income to about 200 people.

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

5. The Expert Appraisal Committee (Infra-2) deliberated on the proposal its 27<sup>th</sup> meeting held on 25<sup>th</sup> January, 2018 and 33<sup>rd</sup> meeting held on 9-10 August, 2018. The EAC also deliberated on the certified compliance report letter F. No. 6-37/2008(ENV)/311 dated 26.05.2017 issued by the MoEF&CC's Regional Office (WR), Bhopal and noted the observations/remarks of the Regional office as well as the action taken by project proponent.

6. The EAC, after detailed deliberations on the proposal and submissions made by the project proponent, recommended the project for grant of Environmental and CRZ Clearance. As per recommendations of the EAC, the Ministry of Environment, Forest and Climate Change hereby accords Environmental and CRZ Clearance for the project 'Development of 3 remaining integrated facilities (Stage I) within the existing Kandla Port Trust at Gandhidham, Kutch, Gujarat by M/s Kandla Port Trust', under the provisions of the EIA Notification, 2006 and CRZ Notification, 2011 and amendments thereto and circulars issued thereon and subject to the compliance of the following specific and general conditions as under:-

**A. SPECIFIC CONDITIONS:**

- (i) Consent to Establish/Operate for the project shall be obtained from the State Pollution Control Board as required under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.
- (ii) The project proponents will submit a declaration under Oath that the Railway line will not pass through mangrove area.

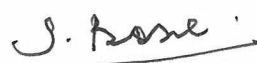
*J. Rose*

- (iii) A detailed traffic management and traffic decongestion plan to ensure that the current level of service of the roads within a 05 kms radius of the project is maintained and improved upon after the implementation of the project. This plan should be based on cumulative impact of all development and increased habitation being carried out or proposed to be carried out by the project or other agencies in this 05 Kms radius of the site in different scenarios of space and time and the traffic management plan shall be duly validated and certified by the State Urban Development department and the P.W.D. and shall also have their consent to the implementation of components of the plan which involve the participation of these departments.
- (iv) A detailed marine biodiversity impact assessment report and plan shall be drawn up and implemented to the satisfaction of the State Biodiversity Board and the CRZ authority. This shall be prepared through the NIOS or any other institute of repute on marine, brackish water and fresh water ecology and biodiversity. The report shall be based on a study of the impact of the project activities on the intertidal biotopes, corals and coral communities, molluscs, sea grasses, sea weeds, sub-tidal habitats, fishes, other marine and aquatic micro, macro and mega flora and fauna including benthos, plankton, turtles, birds etc. as also the productivity. The data collection and impact assessment shall be as per standards survey methods and include underwater photography.

***The project proponent shall obtain all the documents/certificate mentioned in para (i) to (iv) above and submitted/uploaded online to the Ministry's Regional Office, Bhopal before starting implementation of the project.***

The Ministry also stipulated the following specific conditions along with other environmental conditions while considering the grant of Environmental and CRZ Clearance:

- (v) Construction activity shall be carried out strictly according to the provisions of the CRZ Notification, 2011. No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.
- (vi) All the recommendations and conditions specified by the Gujarat Coastal Zone Management Authority who has recommended the project vide letter No. ENV-10-2015-249-E (T cell) dated 19.06.2017 shall be complied with.
- (vii) The project proponent shall ensure that the project is in consonance with the new CZMP prepared by the State Government under the provisions of the CRZ Notification, 2011.
- (viii) Notification GSR 94(E) dated 25.01.2018 of MoEF&CC regarding Mandatory Implementation of Dust Mitigation Measures for Construction and Demolition Activities for projects requiring Environmental Clearance shall be complied with.
- (ix) The Project proponent shall ensure that no creeks or rivers are blocked due to any activities at the project site and free flow of water is maintained.
- (x) No solid, semi solid cargos would be handled.
- (xi) Dredging shall not be carried out during the fish breeding season.
- (xii) Dredging, etc shall be carried out in the confined manner to reduce the impacts on marine environment including turbidity.
- (xiii) Dredged material shall be disposed safely in the designated areas.
- (xiv) Shoreline should not be disturbed due to dumping. Periodical study on shore line changes shall be conducted and mitigation carried out, if necessary. The details shall be submitted along with the six monthly monitoring report.



- (xv) While carrying out dredging, an independent monitoring shall be carried out by Government Agency/Institute to check the impact and necessary measures shall be taken on priority basis if any adverse impact is observed.
- (xvi) Water will be received from high service reservoir near Bhachau and Narmada Canal through pipeline of Gujarat Water supply and Sewerage Board. 5.0 KLD water will be used for various purposes during the project. Rain water harvesting shall be followed as per local byelaw and harvested water shall be stored, treated and reused to reduce the additional water requirement since Chennai is a water deficient area, besides use of water efficient appliances.
- (xvii) The concerns expressed during the public hearing held by the M/s Kandla Port Trust for development of 3 remaining integrated facilities (Stage I) within the existing Kandla Port needs to be addressed during the project implementation. These would also cover socio-economic and ecological and environmental concerns, besides commitment by the management towards employment opportunities.
- (xviii) The Marine biodiversity impact assessment report and management plan prepared by Gujarat Institute of Desert Ecology (GUIDE), Bhuj and approved by NIO and its mitigation measures for protection of sand dune vegetation, mangroves, sea grasses, macrophytes and phytoplankton etc. as given in the EIA-EMP Report shall be complied with in letter and spirit.
- (xix) A continuous monitoring programme covering all the seasons on various aspects of the coastal environs need to be undertaken by a competent organization available in the State or by entrusting to the National Institutes/renowned Universities/accredited Consultant with rich experiences in marine science aspects. The monitoring should cover various physico-chemical parameters coupled with biological indices such as sand dune vegetation, mangroves, sea grasses, macrophytes and phytoplankton on a periodic basis during construction and operation phase of the project. Any deviations in the parameters shall be given adequate care with suitable measures to conserve the marine environment and its resources.
- (xx) Continuous online monitoring of for air and water covering the total area shall be carried out and the compliance report of the same shall be submitted along with the 6 monthly compliance report to the regional office of MOEF&CC.
- (xxi) Ambient air quality shall be maintained at prescribed levels. The existing ambient air quality stations shall have a system of reporting exceedances separately to the Pollution Control Board.
- (xxii) The project configuration should integrate and dovetail with the State Plan and not implemented unless the state plan is prepared and dovetailing ratified.
- (xxiii) Marine ecology shall be monitored regularly also in terms of sea weeds, sea grasses, mudflats, sand dunes, fisheries, echinoderms, shrimps, turtles, corals, coastal vegetation, mangroves and other marine biodiversity components as part of the management plan. Marine ecology shall be monitored regularly also in terms of all micro, macro and mega floral and faunal components of marine biodiversity.
- (xxiv) Spillage of fuel / engine oil and lubricants from the construction site are a source of organic pollution which impacts marine life, particularly benthos. This shall be prevented by suitable precautions and also by providing necessary mechanisms to trap the spillage.
- (xxv) The handling of Hazardous Cargo should follow the provisions of the MSIHC Rules 1989 as amended. An onsite management plan shall be drawn up and integrated with that off site management plan. This shall be to the satisfaction of the state pollution control board, the Factory Department and the District Management.


*J. Patel*



- (xxvi) Necessary arrangements for the treatment of the effluents and solid wastes/ facilitation of reception facilities under MARPOL must be made and it must be ensured that they conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986. The provisions of Solid Waste Management Rules, 2016, E-waste Management Rules, 2016, and Plastic Waste Management Rules, 2016 shall be followed.
- (xxvii) Compliance to Energy Conservation Building (ECBC-2017) shall be ensured for all the building complexes. Solar/wind or other renewable energy shall be installed to meet energy demand of 1% equivalent.
- (xxviii) All the recommendations mentioned in the rapid risk assessment report, disaster management plan and safety guidelines shall be implemented.
- (xxix) Measures should be taken to contain, control and recover the accidental spills of fuel and cargo handle.
- (xxx) Necessary arrangement for general safety and occupational health of people should be done in letter and spirit.
- (xxxi) KPT shall take up massive greenbelt development activities in and around Kandla and also within the KPT limits.
- (xxxii) All the mitigation measures submitted in the EIA report shall be prepared in a matrix format and the compliance for each mitigation plan shall be submitted to the Regional Office, MoEF&CC along with half yearly compliance report.
- (xxxiii) As per the Ministry's Office Memorandum F.No. 22-65/2017-IA.III dated 1<sup>st</sup> May 2018, an amount of Rs. 8.04 Crore (@0.25% of project Cost) shall be earmarked under Corporate Environment Responsibility (CER) for the activities such as drinking water, sanitation, health, education, skill development, roads, solar power, rain water harvesting, avenue plantation and plantation in the community areas. The activities proposed under CER shall be restricted to the affected area around the project. The entire activities proposed under the CER shall be treated as project and shall be monitored. The monitoring report shall be submitted to the regional office as a part of half yearly compliance report, and to the District Collector. It should be posted on the website of the project proponent.
- (xxxiv) The project is recommended for grant of Environmental and CRZ Clearance subject to final outcome/legal opinion on the Order dated 22<sup>nd</sup> November, 2017 of Hon'ble NGT in the Original Application No. 424 of 2016 (Earlier O.A. No. 169 of 2015) and Original Application No. 11 of 2014 in the matter of M/s. Mehdad & Anr. Vs. Ministry of Environment, Forests & Climate Change & Ors. and Shamsunder Shridhar Dalvi & Ors. Vs. Govt. of India & Ors.

**B. GENERAL CONDITIONS:**

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



- (iv) Ministry of Environment, Forest and 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.
- (v) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.
- (vi) In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the Ministry of Environment, Forest and Climate Change.
- (vii) The project proponents shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities and the date of start of land development work.
- (viii) A copy of this clearance letter shall also be displayed on the website of the concerned State Pollution Control Board.

7. 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.

8. The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental and CRZ Clearance and copies of clearance letters are available with the State Pollution Control Board 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 Regional office of this Ministry at Bhopal. The Clearance letter shall also be displayed at the Regional Office, District Industries Centre and Collector's Office/ Tehsildar's office for 30 days.

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

10. 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.

11. 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.

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

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

*S. Patel*

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

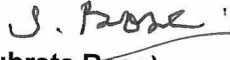
15. The environmental statement for each financial year ending 31<sup>st</sup> March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put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

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

  
(Dr. Subrata Bose)  
Scientist F

**Copy to:**

- 1) The Secretary to Government (Environment and Ecology), Forests & Environment Department, Government of Gujarat Block 14, 8th floor, Sachivalaya, Gandhinagar - 382 010, Gujarat.
- 2) The Addl. Principal Chief Conservator of Forests (Central) Ministry of Environment, Forest and Climate Change, Regional Office (WZ) E-5, Kendriya Paryavaran Bhawan, E-5 Arera Colony, Link Road-3 Ravishankar Nagar, Bhopal - 462016, Madhya Pradesh.
- 3) The Chairman, Central Pollution Control Board Parivesh Bhavan, CBD-cum-Office Complex, East Arjun Nagar, New Delhi - 110 032.
- 4) The Member Secretary, Gujarat Pollution Control Board, Paryavaran Bhavan, Sector-10A, Gandhinagar - 382010, Gujarat.
- 5) Monitoring Cell, MoEF&CC, Indira Paryavaran Bhavan, New Delhi.
- 6) Guard File/ Record File/ Notice Board.
- 7) MoEF&CC website.

  
(Dr. Subrata Bose)  
Scientist F