

SPEED POST



J 13012/106/2009-IA.II (T)
 Government of India
 Ministry of Environment & Forests

Ph: 011-2436 4067
 Paryavaran Bhawan
 CGO Complex, Lodi Road
 New Delhi-110 003
 Dated: December 18, 2012

To

M/s Jaiprakash Associates Ltd.,
 Sector-128,
 Noida- 201 304,
 Uttar Pradesh (India).

Sub: 4x60 MW Imported Coal Based Captive Thermal Power Plant and 1.0 MTPA Cement Grinding Unit at village Churk, in Robertganj Taluk, in Sonebhadra Distt., in Uttar Pradesh - reg. Environmental Clearance.

Sir,

The undersigned is directed to refer to your letters dated 13.07.2012, 01.10.2012, 03.10.2012 and 15.10.2012 on the subject mentioned above. The Ministry of Environment & Forests has examined the application.

2. The Ministry of Environment and Forests has examined the project. It is informed that the proposal is for setting up of 4x60 MW Imported Coal Based Captive Thermal Power Plant and 1.0 MTPA Cement Grinding Unit at village Churk, in Robertganj Taluk, in Sonebhadra Distt., in Uttar Pradesh. The power plant will be captive to Cement Grinding. Land requirement will be 150 acres which is available within the old Cement Plant, which is not in operation since 1991. The co-ordinates of the plant site are within Latitude 24°38'08" to 24°38'29" N and Longitude 83°05'541" E to 83°06'18" E. Requirement of imported coal will be 1.5 MTPA. Quantity of Fly ash and bottom ash to be generated will be 263 TPD and 66 TPD respectively. Air cooled condenser will be used for condensate cooling. Water requirement will be 5513 cum/day which will be met from Dhandrol Dam on Ghaggar River. Allocation of 4.5 cusec of water has been obtained. Kaimur Wildlife Sanctuary is located in the south west, south east direction at a distance of 1.5 Km from the site. Public hearing was conducted on 02.06.2010. Cost of the project will be Rs. 1178.0Crores.

3. It is noted that the project proponent have gone ahead with the construction activity of the plant before obtaining prior Environmental Clearance, which is in violation of the provisions of the Environment(Protection) Act, 1986 and the EIA Notification, 2006. A copy of the Board Resolution passed by the Board of Directors in the meeting held

on 27th September, 2012 that the company will ensure due compliance of statutory provisions as applicable to the project and adoption of Corporate Environment and Energy Policy is at Annexure-I.

4. The project has been considered in accordance with the provisions of the EIA notification issued by the Ministry of Environment & Forests vide S.O. 1533 (E), dated September 14, 2006.

5. Based on the information submitted by you, as at Para 2 above and others and presentation made before the Expert Appraisal Committee (Thermal Power) in its 58th Meeting held during October 8-9, 2012, by you and your consultant viz. M/s Vimta Labs Ltd., Hyderabad, the Ministry of Environment and Forests hereby accords environmental clearance to the above project under the provisions of EIA notification dated September 14, 2006, subject to the compliance of the following Specific and General conditions:

A. Specific Conditions:

- (i) Vision document specifying prospective plan for the site shall be formulated and submitted to the Regional Office of the Ministry within **six months**.
- (ii) Since the project proponent had started construction activity before obtaining Environment Clearance, the Uttar Pradesh Pollution Control Board has filed a Petition under section 15 of the Environment (Protection) Act, 1986 in the court of Chief Judicial Magistrate Sonebhadra on 27.09.2012 under Misc. Case No.761/2012. The company shall comply with the orders passed by the court of Chief Judicial Magistrate, Sonebhadra.
- (iii) Environmental clearance is subject to obtaining prior clearance from the National Board of Wildlife. The environmental clearance granted does not necessarily imply that wildlife clearance shall be granted to the project. The investment made in the project, if any, based on environmental clearance granted in anticipation of the clearance from wildlife angle shall be entirely at the cost and risk of the project proponent and Ministry of Environment and Forests shall not be responsible in this regard in any manner.
- (iv) Wildlife conservation plan approved by the Office of the Competent Authority shall be implemented before commissioning of the plant. Status of implementation shall be submitted to the Regional Office of the Ministry.
- (v) Harnessing solar power within the premises of the plant particularly at available roof tops shall be undertaken and status of implementation shall be submitted periodically to the Regional Office of the Ministry.

- (vi) Coal transportation to plant site shall be undertaken by rail and no road transportation shall be permitted.
- (vii) Sulphur and ash contents in the coal to be used in the project shall not exceed 0.6 % and 8 % respectively at any given time. The Gross Calorific Value of the coal should not be less than 5300 Kcal/Kg. In case of variation of coal quality at any point of time, fresh reference shall be made to the Ministry for suitable amendments to environmental clearance condition wherever necessary.
- (viii) Stack of 125 m height shall be provided with continuous online monitoring equipments for SO_x, NO_x and Particulate Matter (PM_{2.5} & PM₁₀). Exit velocity of flue gases shall not be less than 22 m/sec. Mercury emissions from stack shall also be monitored on periodic basis.
- (ix) Space provision for installation of FGD shall be made.
- (x) Action plan along with mitigation and management of fugitive emissions in and around coal handling plants and implementation schedule and monitoring mechanism for development of a thick three tier green belt all around plant boundary except in areas not feasible, shall be submitted to the R.O of the Ministry within six months.
- (xi) The company shall install online monitors in the major stacks to monitor the particulate emissions and monitoring Ambient Air Quality at the site. One monitoring station shall be installed adjoining the Wildlife Sanctuary to assess the impacts.
- (xii) High Efficiency Electrostatic Precipitators (ESPs) shall be installed to ensure that particulate emission from the proposed plant does not exceed 50 mg/Nm³.
- (xiii) Bag filters shall be installed in Cement Grinding Unit and dust suppression system.
- (xiv) Adequate dust extraction system such as cyclones/ bag filters and water spray system in dusty areas such as in coal handling and ash handling points, transfer areas and other vulnerable dusty areas shall be provided.
- (xv) An amount of Rs 223.55 Crores be earmarked for pollution control equipment/measures as committed by the project proponent. Additionally an amount of Rs 7.0 Crores per annum shall be earmarked for maintenance of the pollution control equipments.

- (xvi) Utilisation of 100% Fly Ash generated shall be made from 4th year of operation of the plant. Status of implementation shall be reported to the Regional Office of the Ministry from time to time.
- (xvii) No mine void filling or filling up of low lying areas with fly ash shall be undertaken.
- (xviii) Ash pond shall be lined with HDPE/LDPE lining or any other suitable impermeable media such that no leachate takes place at any point of time. Adequate safety measures shall also be implemented to protect the ash dyke from getting breached.
- (xix) Fugitive emission of fly ash (dry or wet) shall be controlled such that no agricultural or non-agricultural land is affected. Damage to any land shall be mitigated and suitable compensation provided in consultation with the local Panchayat.
- (xx) A long term study of radio activity and heavy metals contents on coal to be used shall be carried out through a reputed institute. Thereafter mechanism for an in-built continuous monitoring for radio activity and heavy metals in coal and fly ash (including bottom ash) shall be put in place.
- (xxi) Continuous monitoring for heavy metals in and around the existing ash pond area shall be carried out by reputed institutes like IIT, Chennai.
- (xxii) Air cooled condenser shall be installed.
- (xxiii) No water bodies including natural drainage system in the area shall be disturbed due to activities associated with the setting up / operation of the power plant.
- (xxiv) COC of atleast 5.0 shall be adopted.
- (xxv) A well designed rain water harvesting system shall be put in place which shall comprise of rain water collection from the built up and open area in the plant premises. Action plan and road map for implementation shall be submitted to the Regional Office of Ministry.
- (xxvi) Hydrogeology of the area shall be reviewed annually from an institute/ organization of repute to assess impact of surface water and ground regime (especially around ash dyke). In case any deterioration is observed specific mitigation measures shall be undertaken and reports/ data of water quality monitored regularly and maintained shall be submitted to the Regional Office of the Ministry.

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- (xxvii) Waste water generated from the plant shall be treated before discharge to comply limits prescribed by the SPCB/CPCB.
 - (xxviii) Green Belt consisting of three tiers of plantations of native species around plant and at least 50 m width shall be raised. Tree density shall not less than 2500 per ha with survival rate not less than 80 %.
 - (xxix) The project proponent shall also adequately contribute in the development of the neighbouring villages. Special package with implementation schedule for free potable drinking water supply in the nearby villages and schools shall be undertaken in a time bound manner.
 - (xxx) An amount of Rs 5.0 Crores shall be earmarked as one time capital cost for CSR programme. Subsequently a recurring expenditure of Rs 1.0 Crores per annum till the life of the plant shall be earmarked as recurring expenditure for CSR activities. Details of the activities to be undertaken shall be submitted within one month along with road map for implementation.
 - (xxxii) Additionally as committed by the project proponent Rs 3.0 Crores shall be earmarked for development of ITI at Dallah for imparting training for local people in craft for employment. An amount of Rs 7.0 Crores shall be earmarked for development of green belt and Rs 80 lakhs per annum shall be kept as recurring expenses for green belt as committed.
 - (xxxiii) CSR scheme should address Public Hearing issues and shall be undertaken based on need based assessment in and around the villages within 5.0 km of the site and in constant consultation with the village Panchayat and the District Administration. As part of CSR prior identification of local employable youth and eventual employment in the project after imparting relevant training shall be also undertaken.
 - (xxxiiii) It shall be ensured that in-built monitoring mechanism for the schemes identified is in place and annual social audit shall be got done from the nearest government institute of repute in the region. The project proponent shall also submit the status of implementation of the scheme from time to time.
 - (xxxv) An Environmental Cell shall be created at the project site itself and shall be headed by an officer of appropriate seniority and qualification. It shall be ensured that the head of the Cell shall directly report to the Head of the Organization.

B. General Conditions:

- (i) The treated effluents conforming to the prescribed standards only shall be re-circulated and reused within the plant. Arrangements shall be made that effluents and storm water do not get mixed.
- (ii) A sewage treatment plant shall be provided (as applicable) and the treated sewage shall be used for raising greenbelt/plantation.
- (iii) Adequate safety measures shall be provided in the plant area to check/minimize spontaneous fires in coal yard, especially during summer season. Copy of these measures with full details along with location plant layout shall be submitted to the Ministry as well as to the Regional Office of the Ministry.
- (iv) Storage facilities for auxiliary liquid fuel such as LDO/ HFO/LSHS shall be made in the plant area in consultation with Department of Explosives, Nagpur. Sulphur content in the liquid fuel will not exceed 0.5%. Disaster Management Plan shall be prepared to meet any eventuality in case of an accident taking place due to storage of oil.
- (v) First Aid and sanitation arrangements shall be made for the drivers and other contract workers during construction phase.
- (vi) Noise levels emanating from turbines shall be so controlled such that the noise in the work zone shall be limited to 85 dB(A) from source. For people working in the high noise area, requisite personal protective equipment like earplugs/ear muffs etc. shall be provided. Workers engaged in noisy areas such as turbine area, air compressors etc shall be periodically examined to maintain audiometric record and for treatment for any hearing loss including shifting to non noisy/less noisy areas.
- (vii) Regular monitoring of ambient air ground level concentration of SO₂, NO_x, PM_{2.5} & PM₁₀ and Hg shall be carried out in the impact zone and records maintained. If at any stage these levels are found to exceed the prescribed limits, necessary control measures shall be provided immediately. The location of the monitoring stations and frequency of monitoring shall be decided in consultation with SPCB. Periodic reports shall be submitted to the Regional Office of this Ministry. The data shall also be put on the website of the company.
- (viii) Provision shall be made for the housing of construction labour (as applicable) 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.

- (ix) The project proponent shall advertise in at least two local newspapers widely circulated in the region around the project, one of which shall be in the vernacular language of the locality concerned within seven days from the date of this clearance letter, informing that the project has been accorded environmental clearance and copies of clearance letter are available with the State Pollution Control Board/Committee and may also be seen at Website of the Ministry of Environment and Forests at <http://envfor.nic.in>.
- (x) A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parisad / Municipal Corporation, urban local Body and the Local NGO, if any, from whom suggestions/representations, if any, received while processing the proposal. The clearance letter shall also be put on the website of the Company by the proponent.
- (xi) The proponent shall upload the status of compliance of the stipulated environmental 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, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM (PM_{2.5} & PM₁₀), SO₂, NO_x (ambient levels as well as stack emissions) shall be displayed at a convenient location near the main gate of the company in the public domain.
- (xii) The environment 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 environmental clearance conditions and shall also be sent to the respective Regional Offices of the Ministry by e-mail.
- (xiii) **The project proponent shall submit six monthly reports on the status of the implementation of the stipulated environmental safeguards to the Ministry of Environment and Forests, its Regional Office, Central Pollution Control Board and State Pollution Control Board. The project proponent shall upload the status of compliance of the environment of the environmental clearance conditions on their website and update the same periodically and simultaneously send the same by e-mail to the Regional Office, Ministry of Environment and Forests.**
- (xiv) Regional Office of the Ministry of Environment & Forests will monitor the implementation of the stipulated conditions. A complete set of documents including Environmental Impact Assessment Report and Environment Management Plan along with the additional information submitted from time to time shall be forwarded to the Regional Office

for their use during monitoring. Project proponent will up-load the compliance status in their website and up-date the same from time to time at least six monthly basis. **Criteria pollutants levels including NO_x (from stack & ambient air) shall be displayed at the main gate of the power plant.**

- (xv) Separate funds shall be allocated for implementation of environmental protection measures along with item-wise break-up. These cost shall be included as part of the project cost. The funds earmarked for the environment protection measures shall not be diverted for other purposes and year-wise expenditure should be reported to the Ministry.
- (xvi) The project authorities shall inform the Regional Office as well as the Ministry regarding the date of financial closure and final approval of the project by the concerned authorities and the dates of start of land development work and commissioning of plant.
- (xvii) Full cooperation shall be extended to the Scientists/Officers from the Ministry / Regional Office of the Ministry / CPCB/ SPCB who would be monitoring the compliance of environmental status.

6. The Ministry of Environment and Forests reserves the right to revoke the clearance if conditions stipulated are not implemented to the satisfaction of the Ministry. The Ministry may also impose additional environmental conditions or modify the existing ones, if necessary.

7. The environmental clearance accorded **shall be valid for a period of 5 years** to start operations by the power plant.

8. 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.

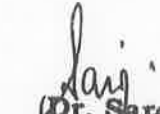
9. In case of any deviation or alteration in the project proposed including coal transportation system from those submitted to this Ministry for clearance, a fresh reference should be made to the Ministry to assess the adequacy of the condition(s) imposed and to add additional environmental protection measures required, if any.

10. The above stipulations would be enforced among others under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and rules there under, Hazardous Wastes (Management, Handling & Transboundary Movement) Rules, 2008 and its amendments, the Public Liability Insurance Act, 1991 and its amendments.

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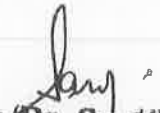
11. Any appeal against this environmental clearance shall lie with the National Green Tribunal, if preferred, within 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

Yours faithfully,


(Dr. Saroj)
Scientist 'F'

Copy to:

1. The Secretary, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi 110001.
2. The Secretary (Environment), Environment Department, Government of Uttar Pradesh, Lucknow.
3. The Chairman, Central Electricity Authority, Sewa Bhawan, R.K. Puram, New Delhi-110066.
4. The Chairman, Uttar Pradesh Pollution Control Board, PICUP Bhawan, 3rd Floor, B-Block, Vibhuti Khnad, Gomti Nagar, Lucknow - 226 020.
5. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi- 110032.
6. The Chief Conservator of Forests, Regional Office (WZ), E-5, Kendriya Bhandar, 5th Floor, Sector-H, Aliganj, Lucknow - 226 020.
7. The District Collector, Sonbhadra District, Uttar Pradesh.
8. Guard file.


(Dr. Saroj)
Scientist 'F'

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ANNEXURE-I

**JAIPRAKASH
ASSOCIATES LIMITED**

**COPY OF THE RESOLUTION PASSED BY THE BOARD OF
DIRECTORS OF THE COMPANY IN THEIR MEETING HELD ON 27TH
SEPTEMBER, 2012**

"RESOLVED THAT letter No.F92581/C-9/NOC/2011 dated 21.09.2011 addressed to the Company by the Uttar Pradesh Pollution Control Board, informing that the Company had started work and had already completed major physical construction of the proposed 4 x 60 MW Coal based Thermal Power Plant at Churk Village, Robertganj Tehsil of Sonbhadra District, Uttar Pradesh without having been granted environmental clearance for the said project, be and is hereby noted."

"RESOLVED FURTHER that the Board noted that the action taken by the Company is considered not to be in compliance with the provisions of E.I.A. Notification, 2006 and that the same is in violation of the Environment (Protection) Act, 1986."

"RESOLVED FURTHER that the Company undertakes that it shall take all steps to ensure due compliance of statutory provisions as applicable to its Projects, so as to avoid recurrence of any violation in future."

"RESOLVED FURTHER that the Board do adopt the "Corporate Environment & Energy Policy" for setting up and operation of the Company's Projects, as circulated alongwith the Resolution."

"RESOLVED FURTHER that Shri Sunny Gaur, Managing Director (Cement) be and is hereby authorized to ensure compliance of Environmental Regulations and implementation of "Corporate Environment & Energy Policy" and to introduce suitable steps and procedures for complete adherence to the relevant Act and Regulations."

**CERTIFIED TRUE COPY
For JAIPRAKASH ASSOCIATES LIMITED**

(MARISH K. VAID)
Sr. President (Corporate Affairs) & Company Secretary



CORPORATE ENVIRONMENT & ENERGY POLICY

1. To comply with statutory provisions and Rules and Regulations prescribed by Ministry of Environment & Forests, Government of India, Central Pollution Control Board and State Pollution Control Boards or any other statutory body.
2. Set up and operate Industrial Plants and Infrastructure Projects adopting modern technology, keeping in view efficiency of operations, prevention of pollution, conservation of energy.
3. Develop Green Belts in its Plants/Units and Mines with local plant species / flora having long life, nurture them to make a lively environment besides creating buffer to habitat around the area.
4. Make use of renewable energy to the extent it is possible and make tailor-made schemes to adopt such features suitable to respective projects.
5. Work on the philosophy of 'Zero Discharge' from its units.
6. Protection & Maintenance of Biodiversity.
7. Conserve precious Water, adopt Rain Water harvesting for ground water recharging and develop water reservoirs, reducing its dependency on ground water and other natural resources for water supply to the units.
8. Compliance of conditions stipulated in Environmental Clearance accorded by Ministry of Environment & Forests and those stipulated in Consent to Establish and subsequently Consent by respective State Pollution Control Boards.
9. Contribute effectively in Socio-economic development of habitat around the Project sites, through its CSR activities, giving significant emphasis to Education, Health, Vocational training for job creation.
10. Undertake periodic review of the compliance of the manual issued under this Policy and take corrective steps, wherever required.

CERTIFIED TRUE COPY
For JAIPRAKASH ASSOCIATES LIMITED

(HARISH K. VAID)
Sr. President (Corporate Affairs) & Company Secretary



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