

F. No. J-13012/94/2009-IA-II (T)
Government of India
Ministry of Environment and Forests
(I.A. Division)

Paryavaran Bhawan
CGO Complex, Lodhi Road
New Delhi - 110 003
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Tele/Fax: 011-2436 3973
Dated: 30th January, 2012

To

The Managing Director
M/s Jaiprakash Associates Limited
Sector 128, NOIDA - 201 304
Uttar Pradesh

**Sub: 2x60 MW Imported Coal Based Captive Thermal Power Plant of
M/s Jaiprakash Associates Ltd. at village Kariajhar/Majhgawan,
in Rampur Naikin Taluk, in Sidhi Distt., in Madhya Pradesh - reg.
Environmental Clearance**

Sir,

This has reference to your letter no. JAL/MOEF/SIDHI/ CPP/ 2011 dated 3.02.2011 along with copies of EIA/EMP and public hearing reports and subsequent communications dated 20.06.2011, 22.07.2011, 6.01.2012 and 20.01.2012 seeking environmental clearance under the provisions of EIA Notification, 2006.

2. The Ministry of Environment & Forests has examined the application. It has been noted that the proposal is for setting up of 2x60 MW Imported Coal based Captive Thermal Power Plant at Village Kariajhar/Majhgawan, in Rampur Naikin Taluk, in Sidhi Distt., in Madhya Pradesh. Land requirement will be 63.50 acres (25 ha), which is within the existing cement plant under the possession of the proponent. Out of 25 ha of land requirement for the power plant, 16 ha will be used for main plant; 1.0 ha will be used for fuel storage area and 8 ha will be used for green belt. The co-ordinates of the site are at Latitude 24°19'41"N to 24°19'54"N and Longitude 81°19'45" E to 81°19'59" E. Coal requirements will be 1.0 MTPA. Sulphur and ash contents in imported coal will be about 0.6% and 12-14 % respectively. Fly ash generated will be supplied to adjoining M/s Jaypee Sidhi Cement plant. About 1440 TPD fly ash and 360 TPD of bottom ash respectively will be generated. Stack height (bi-flue) will be 125 m. Water requirement of 1566 m³/day will be sourced from the Bansagar Canal and rain water collected in mine void located near the proposed site. Water from Bansagar will be conveyed by pipeline over a distance of 7.6 Km. Air cooled condenser will be installed. Son Ghariyal Sanctuary is situated at 9.0 km south from project site. The Standing Committee of National Board for Wildlife in its 22nd meeting held during 25th April, 2011 has recommended the proposal with standard conditions. Cost of the project will be Rs 519.0 Crores. Public hearing for the project was held on 27.09.2010.

3. The proposal was considered by the Expert Appraisal Committee (Thermal) in its 30th meeting held on 8th - 9th August, 2011. The Committee recommended the project for environmental clearance. Subsequently, it was brought to the notice of the Ministry that M/s Jaiprakash Associates Limited have completed substantial construction of the coal based captive power plant in Sidhi District in Madhya Pradesh without obtaining prior environmental clearance. This was brought to notice of the Expert Appraisal Committee (Thermal) in its 32nd meeting held during 12th - 13th September, 2011. The Committee decided that the Ministry may take the matter in accordance with the procedures and policy decision taken in such matters.

4. The Ministry therefore received the resolution passed by the Board of Directors of M/s Jaiprakash Associates Limited by circulation on 11.01.2012 and submitted vide letter no. JAL/MOEF/Sidhi/CPP/2012 dated 12.01.2012 placed at **Annexure-I** of this environmental clearance and the corporate environment and energy policy at **Annexure-II**, adopted by the company as per the resolution passed by the Board of Directors of M/s Jaiprakash Associates Limited in its meeting held on 11th January, 2012 submitted to the Ministry vide letter dated 12th January, 2012. Further as per the O.M. of MoEF dated 16.11.2010 for consideration of cases of violation, the M.P. State Pollution Control Board has filed a petition with the Chief Judicial Magistrate on 14.12.2011 (Copy enclosed).

5. Based on the information submitted by you, presentations made by you and your consultant, M/s Vimta Labs, Hyderabad, before the Expert Appraisal Committee, the Ministry of Environment and Forests hereby accords environmental clearance for 2X60 MW Imported Coal Based Thermal Power Plant at Village Karjha-Majhgawan, Taluk Rampur Naikin, Dist. Sidhi, Madhya Pradesh under the provisions of EIA Notification dated 14th September 2006 subject to strict compliance of the following Specific and General conditions:

A. Specific Conditions:

- i) A study shall be undertaken through a reputed Govt. organization / Agriculture University on the impact of captive power plant on vegetation within 10 km radius of the plant due to fly ash generated and action taken shall be submitted to the Ministry. The study shall be completed within one year of operation of the proposed plant.
- ii) Status of implementation of wildlife conservation plan vetted by the Office of the concerned Chief Wildlife Warden shall be submitted to the Ministry's Regional Office within **six months**.
- iii) In case source of fuel supply is to be changed at a later stage for the proposed 2x60 MW now proposed to be run on imported coal, the project proponent shall intimate the Ministry well in advance along with necessary requisite documents for its concurrence for allowing the change.
- iv) Coal transportation shall be undertaken by rail and no road transportation shall be permitted.

- v) High Efficiency Electrostatic Precipitators (ESPs) with six fields shall be installed to ensure that particulate emission does not exceed 50 mg/Nm³. SO₂ capture shall not be less than 95%. 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.
- vi) Sulphur and ash contents in the coal to be used in the project shall not exceed 0.6 % and 12-14 % respectively at any given time. In case of variation of coal quality at any point of time fresh reference shall be made to MoEF for suitable amendments to environmental clearance condition wherever necessary.
- vii) Stack of 125 m height shall be installed and provided with continuous online monitoring equipments for SO_x, NO_x and Particulate Matter. Exit velocity of flue gases shall not be less than 22 m/sec.
- viii) The project proponent shall undertake rain water harvesting measures and shall develop water storage for use in operation of the plant. 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.
- ix) COC of 5.0 shall be adopted.
- x) Monitoring of surface water quantity shall also be regularly conducted and records maintained. The monitored data shall be submitted to the Ministry regularly. Further, monitoring points shall be located between the plant and drainage in the direction of flow of ground water and records maintained. Monitoring for heavy metals in ground water shall be undertaken.
- xi) Waste water generated from the plant shall be treated before discharge to comply limits prescribed by the SPCB.
- xii) Fly ash shall be used as per the Fly Ash Utilization Notification, 1999 and as amended in 2003 and 2009.
- xiii) Ash pond water shall be re-circulated and utilized. Ash pond shall be lined with HDPE/LDPE lining or any other suitable impermeable media so that no leachate takes place at any point of time. Adequate safety measures shall also be undertaken to protect the ash dyke from getting breached.
- xiv) An amount of Rs 3.0 Crores as one time investment shall be earmarked for activities to be taken up under CSR. Recurring expenditure for CSR shall be Rs 1.0 Crores till the life of the plant.
- xv) CSR schemes shall be undertaken based on need assessment in and around the villages within 5 km of the site and in constant consultation with the village Panchayat and the District Administration. As part of CSR employment of local youth after

imparting relevant training as may be necessary shall be undertaken as committed.

- xvi) It shall be ensured that an in-built monitoring mechanism for the CSR 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 besides putting their programs along with budgetary allocation on company's website.
- xvii) Green Belt consisting of 3 tiers of plantations of native species around the plant of atleast 50 m width shall be raised (except in areas not feasible). The density of trees shall not be less than 2500 per Ha and rate of survival atleast 80%. The thickness of the green belt shall be increased towards the Govindgarh reserve forests to prevent impact of particulate emissions.
- xviii) An Environmental Cell shall be created at the project site itself and shall be headed by an officer of appropriate superiority and qualification. It shall be ensured that the head of the Cell shall directly report to the Head of the organization.

A. General Conditions:

- (i) 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.
- (ii) Storage facilities for auxiliary liquid fuel such as LDO and/ 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.
- (iii) First Aid and sanitation arrangements shall be made for the drivers and other contract workers during construction phase.
- (iv) Noise levels emanating from turbines shall be so controlled such that the noise in the work zone shall be limited to 75 dBA. 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.
- (v) Regular monitoring of 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.

- (vi) 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.
- (vii) 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>.
- (viii) 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.
- (ix) A separate Environment Management Cell with qualified staff shall be set up for implementation of the stipulated environmental safeguards.
- (x) 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.
- (xi) 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.
- (xii) 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.

- (xiii) 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'
- (xiv) 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.
- (xv) Full cooperation shall be extended to the Scientists/Officers from the Ministry / Regional Office of the Ministry at Bhopal / CPCB/ SPCB who would be monitoring the compliance of environmental status.

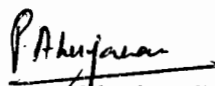
6. The Ministry of Environment and Forests reserves the right to revoke the clearance if conditions stipulated are not implemented to the satisfaction of the Ministry. The Ministry may also impose additional environmental conditions or modify the existing ones, if necessary.

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 and Transboundary Movement) Rules, 2008 and its amendments, the Public Liability Insurance Act, 1991 and its amendments.


(Dr. P.L. Ahujarai)
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 Chhattisgarh.
3. The Chairman, Central Electricity Authority, Sewa Bhawan, R.K. Puram, New Delhi-110066.
4. The Chairman, Madhya Pradesh State Pollution Control Board, Paryavaran Prisar, E-5 Arera Colony, Bhopal - 462 016
5. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi-110032.
6. The Chief Conservator of Forests, Ministry of Environment and Forests, Regional Office(WZ), E-5, Kendriya Paryavaran Bhawan, E-5 Area Colony, Link Road-3, Ravishankar Nagar, Bhopal -462016
7. The District Collector, Annupur District, Govt. of Madhya Pradesh.
8. Guard file / Monitoring file.

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(Dr. P.L. Ahujarai)
Scientist 'F'

JAIPRAKASH
ASSOCIATES LIMITED

**COPY OF THE RESOLUTION PASSED BY CIRCULATION
BY THE BOARD OF DIRECTORS OF THE COMPANY ON
11TH JANUARY, 2012**

“RESOLVED THAT letter No.J-13012/94/2009-IA,II(T) dated 28.11.2011 addressed to the Company by the Ministry of Environment & Forest, informing that the Company had started work and had already completed major physical construction of the proposed 2 x 60 MW Coal based Thermal Power Plant at village Kariajha- Majhagawan, in Rampur, Naikin Taluk, in Sidhi District, in Madhya 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 EIA 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 hereby adopt the “Corporate Environment & Energy Policy” for setting up and operation of the Company’s Projects, as per the draft circulated alongwith the Resolution.”

“RESOLVED FURTHER that Shri Sunny Gaur, Managing Director (Cement) be and is hereby authorized to ensure compliance 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

H/K

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



Corp. & Regd. Sector-128, Noida - 201 304, Uttar Pradesh (India)
Office : Ph. : +91 (120) 4609000, 2470800 Fax : +91 (120) 4609464, 4609496
Head Office : 'JA House', 63 Basant Lok, Vasant Vihar, New Delhi - 110 057 (India)
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8/11

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 to Operate 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.

THL

No. J-11013/41/2006-IA.II(I)
Government of India
Ministry of Environment & Forests

Paryavaran Bhavan,
C.G.O. Complex, Lodi Road,
New Delhi-110003.
Telefax: 24362434

Dated the 16th November, 2010

Office Memorandum

- Sub: 1. Consideration of proposals involving violation of the Environment (Protection) Act, 1986 or Environment Impact Assessment (EIA) Notification, 2006 / the CRZ Notification, 1991, there under – Regarding.**
- 2. Corporate Environment Policy - Regarding.**

The Environment Impact Assessment (EIA) Notification, 2006 requires all new projects or activities and or expansion and modernization of those existing projects or activities listed in the schedule to the said Notification with capacity beyond the threshold limits prescribed there under, to obtain prior environmental clearance under the provisions thereof.

2. Instances have come to the notice of the Ministry of Environment & Forests where substantial physical progress relating to construction of the project has been made at site and significant investments have been made for setting up of new projects as also for the expansion components of various existing projects such as thermal power plants, integrated steel plants, mining projects etc. without obtaining a requisite prior environmental clearance as is mandated under the EIA Notification, 2006.

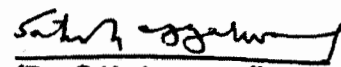
3. As per the existing practice being followed in the Ministry for considering such violation cases as and when these are submitted for environmental clearance, while environmental clearance is granted to deserving projects prospectively, based on their merit, in accordance with the recommendation of the Expert Appraisal Committees, simultaneously the concerned State Governments, under the powers delegated to them under the Environment (Protection) Act, 1986 are requested to initiate action against such units for the period these units have operated in violation of the said Act as per the procedure laid down.

4. The matter has been considered in the Ministry and it has been decided to follow the following procedure henceforth to deal with such cases of violations:

- (i) All such cases of violations which are submitted to the Ministry of Environment & Forests / SEIAAs for environmental clearance would be referred to the respective Expert Appraisal Committee (EAC) / SEACs for their consideration based on the merit of the proposal. After the EAC / SEAC have made its recommendations on the project, the proposal will be processed on file for obtaining the approval of the Competent Authority.

- (ii) After the Competent Authority has approved the proposal for grant of environmental clearance, MoEF / SEIAA will send a communication to the project proponent informing that although the proposal has been approved by the Competent Authority, formal environmental clearance will be issued to the project only after the matter relating to the violations have been put up to the Board of Directors of the Company or to the Managing Committee / CEO of the Society, Trust, partnership / Individually owned concern for consideration of its environment related policy / plan of action as also a written commitment in the form of a formal resolution to be submitted to MoEF / SEIAA to ensure that violations of the Environment (Protection) Act etc. will not be repeated. For the purpose, a time limit of 90 days will be given to the project proponent. In the meantime, the project will be delisted. In the eventuality of not having any response from the project proponent within the prescribed limit of 90 days, it will be presumed that it is no longer interested in pursuing the project further and the project file will be closed, where after the procedure for obtaining environmental clearance will have to be initiated de-novo by such project proponents.
- (iii) The respective State Government will be informed of the violation cases for their initiating legal action against the Company as per the procedure prescribed.
- (iv) The details of the project proponents and a copy of the commitment etc. mentioned at para 4(ii) above will be put on the website of MoEF / SEIAA for information of all / stakeholders.

This issues with the approval of the Competent Authority.


(Dr. S.K. Aggarwal)
Director

To

All the Officers of IA Division

Copy to:-

1. All SEIAAs / SEACs
2. All SPCBs / UTPCCs
3. PS to MEF
4. PPS to Secretary (E&F)
5. PPS to AS(JMM)
6. PS to Advisor (NB)
7. Website of MoEF