

പതിനാലാം കേരള നിയമസഭ
ഇരുപത്തിരണ്ടാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നമിടാത്ത ചോദ്യം നം. 942

14/01/2021-ലെ മറുപടിക്ക്

മുല്ലപ്പെരിയാർ ഡാമിന്റെ ബലക്ഷയം

ചോദ്യം

ഉത്തരം

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(എ) മുല്ലപ്പെരിയാർ ഡാമിന്റെ ബലക്ഷയം കണക്കിലെടുത്തും സംസ്ഥാനത്തെ ജനങ്ങളുടെ ജീവനും സ്വത്തിനും സംരക്ഷണം ഉറപ്പാക്കുന്നതിനും മുല്ലപ്പെരിയാറിൽ പുതിയ അണക്കെട്ട് പണിയുവാൻ തീരുമാനിച്ചിരുന്നോ; എങ്കിൽ അതിന്റെ അടിസ്ഥാനത്തിൽ ഇതിനകം സ്വീകരിച്ച നടപടികൾ വ്യക്തമാക്കുമോ;

നിലവിലെ മുല്ലപ്പെരിയാർ ഡാമിന്റെ ബലക്ഷയം കണക്കിലെടുത്ത് കേരളത്തിലെ ജനങ്ങളുടെ ജീവനും സ്വത്തിനും സംരക്ഷണം ഉറപ്പാക്കുന്നതിനായി, മുല്ലപ്പെരിയാറിൽ പുതിയ അണക്കെട്ട് പണിയുന്നതിനുള്ള അനുമതിയ്ക്കായുള്ള നടപടികൾ കേരളം സ്വീകരിച്ചു വരുന്നു. മുല്ലപ്പെരിയാർ പുതിയ അണക്കെട്ട് നിർമ്മിക്കാൻ ഉദ്ദേശിക്കുന്ന സ്ഥലം, പെരിയാർ കടുവ സങ്കേത മേഖലയിൽ ആയതിനാൽ പാരിസ്ഥിതികാനുമതി, ഫോറസ്റ്റ് ക്ലിയറൻസ്, വൈൽഡ് ലൈഫ് ക്ലിയറൻസ് എന്നിവയും ദേശീയ കടുവാ സംരക്ഷണ അതോറിറ്റിയുടെ അനുമതിയും ലഭ്യമാക്കേണ്ടതുണ്ട്. ഇതിന്റെ ആദ്യപടിയായി പാരിസ്ഥിതികാനുമതി ലഭ്യമാക്കുന്നതിനുള്ള നടപടികൾ സ്വീകരിച്ചു വരുന്നു.

(ബി) പുതിയ അണക്കെട്ടിനായുള്ള പരിസ്ഥിതി ആഘാതപഠനത്തിനായി കേന്ദ്ര & പരിസ്ഥിതി വനം കാലാവസ്ഥാ വ്യതിയാന മന്ത്രാലയത്തിന്റെ അനുമതി ലഭിച്ചിട്ടുണ്ടോ; എങ്കിൽ എന്നാണെന്ന് അറിയിക്കാമോ;

പുതിയ ഡാം നിർമ്മിക്കുന്നതുമായി ബന്ധപ്പെട്ട പരിസ്ഥിതി ആഘാത പഠനത്തിനുള്ള ടോസ് ഓഫ് റഫറൻസ് (ToR) കേന്ദ്ര പരിസ്ഥിതി, വനം, കാലാവസ്ഥാ വ്യതിയാന മന്ത്രാലയം ചില നിബന്ധനകളോടെ 14/09/2018 ന് നൽകുകയുണ്ടായി. പ്രസ്തുത നിബന്ധന അനുബന്ധം ആയി ചേർക്കുന്നു.

(സി) ഏതെങ്കിലും നിബന്ധനയുടെ അടിസ്ഥാനത്തിലാണോ അനുമതി ലഭിച്ചത്; വിശദാംശം നൽകുമോ;

(ഡി) ഇതിന്റെ അടിസ്ഥാനത്തിൽ എൻവയോൺമെന്റൽ ഇമ്പാക്ട് അസസ്സ്മെന്റ് പഠനം ആരംഭിച്ചിട്ടുണ്ടോ; ഇല്ലെങ്കിൽ എന്തുകൊണ്ട് എന്നറിയിക്കാമോ?

(ഡി) പരിസ്ഥിതി ആഘാത പഠനത്തിന് ആവശ്യമായി അടിസ്ഥാന വിവര ശേഖരണത്തിനായുള്ള നടപടികളാണ് ഇപ്പോൾ സ്വീകരിച്ചു വരുന്നത്. അടിസ്ഥാന വിവര ശേഖരണവുമായി ബന്ധപ്പെട്ട പ്രവൃത്തികൾ ഏറ്റെടുത്ത് നടത്തുന്നതിനായി ഹൈദ്രാബാദിലെ പ്രഗതി ലാബ്സ് ആന്റ് കൺസൾട്ടന്റ്സ് പ്രൈവറ്റ് ലിമിറ്റഡ് എന്ന കമ്പനിയെയാണ് തിരഞ്ഞെടുത്തിരിക്കുന്നത്. പ്രസ്തുത പഠനം പുരോഗമിക്കുന്നു.



സെക്ഷൻ ഓഫീസർ

CONDITIONS FOR PREPARATION OF EIA/EMP REPORT

- a) The EIA/EMP report should contain the information in accordance with provisions & stipulations as given in the Annexure-I
- b) The consultant engaged for preparation of EIA/EMP report has to be registered with Quality Council of India (QCI/NABET) under the scheme of Accreditation & Registration of MoEF&CC. This is a pre-requisite.
- c) Consultant shall include a "Certificate" in EIA/EMP report regarding portion of EIA/EMP prepared by them and data provided by other organization(s)/laboratories including status of approval of such laboratories.
- d) The draft EIA/EMP report prepared as per Annexure-I should be submitted to the State Pollution Control Board Committee concerned for conducting Public Consultation as per the provisions stipulated in EIA Notification of 2006. Public Hearing, which is a component of Public Consultation, shall be held district wise at the site or in its close proximity as prescribed in Appendix(IV) of EIA Notification, 2006. The draft EIA/EMP report is to be submitted to SPCB etc. sufficiently before the expiry of the ToR validity so that necessary amendments in EIA/EMP can be undertaken based on public hearing and the same is submitted to MoEF&CC before expiry of validity.
- e) All issues discussed in the Public Hearing/Consultations should be addressed and incorporated in the EIA/EMP report. Final EIA/EMP

report should be submitted to the Ministry of Environmental Clearance only after incorporating these issues before the expiry of validity of ToR.

- f) The ToR will remain valid for a period of 4 years from the date of issue of this letter for submission of EIA/EMP report along with public consultation. The ToR will stand lapsed on completion of 4 years in case final EIA/EMP is not submitted and the validity is not extended.
- g) In case of any change the scope of the project such as capacity enhancement, change in submergence, etc., fresh scoping clearance has to be obtained by the project proponent.
- h) The PP should submit a copy of TEC of the DPR along with EIA/EMP report.
- i) Information pertaining to Corporate Environmental Responsibility and Environmental Policy shall be provided in the EIA/EMP Report as per this Ministry's OM No. J-11013/25/2014-IA-I dated 11/08/2014.(Reference as Annexure-II)
- j) The EIA/EMP report must contain an Index showing details of compliance of all ToR conditions. The Index will comprise of page no etc, vide which compliance of a specific ToR is available. It may be noted that without this index, EIA/EMP report will not be accepted.
- k) In case the validity is to be extended, necessary application is to be submitted to Regulatory Authority before expiry of validity period together with an updated Form-I based on proper justification.

1) The mutual agreement between Government of Kerala & Tamil Nadu should be submitted before the issue of environmental clearance.

Radhakrishnan

TERMS OF REFERENCE FOR CONDUCTING ENVIRONMENT IMPACT ASSESSMENT STUDY FOR 'A' CATEGORY RIVER VALLEY PROJECTS AND INFORMATION TO BE INCLUDED IN EIA/EMP REPORT

(1) Scope of EIA Study:

The EIA Report should identify the relevant environmental concerns and focus on potential impacts that may change due to the construction of proposed project. Based on the baseline data collected to know the existing environment in the area and capacity to bear the impact on this should be analysed. Based on this analysis, the mitigation measures for minimizing the impact shall be suggested in the EIA/EMP study.

(2) Details of the Project and Site

- General introduction about the proposed project.
- Details of Project and existing and proposed dam details.
- A clear cut boundary of the Tiger reserve forest map showing existing and proposed dam areas
- Location details on a map of the project area with contours indicating main project features. The project layout shall be superimposed on a contour map of ground elevation showing main project features (viz. location of dam, Head works, main canal, branch canals, quarrying etc.) shall be depicted in a scaled map.
- Layout details and map of the project along with contours with project components clearly marked with proper scale maps of at least 1:50,000 scale and printed at least on A3 scale for clarity.
- Drainage pattern and map of the river catchment up to the proposed project site.
- Delineation of critically degraded areas in the directly draining catchment on the basis of Silt Yield Index as per the methodology of Soil and Land Use Survey of India.
- Soil characteristics and map of the project area.
- Geological and Seismo-tectonic details and maps of the area surrounding the proposed project site showing location of dam.
- Remote Sensing studies, interpretation of satellite imagery, topographic sheets along with ground verification shall be used to develop the land use/land cover pattern of the study using overlaying mapping techniques viz. Geographic Information System (GIS), False Color Composite (FCC) generated from satellite data of project area.
- Land details including forests, private and other land.
- Demarcation of rain fed areas for a realistic estimate of the water availability.

(3) Description of Environment and Baseline Data

To know the present status of environment in the area, baseline data with respect to environmental components air, water, noise, soil, land and biology &

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biodiversity (flora & fauna), wildlife, socioeconomic status etc. should be collected within 10 km radius of the main components of the project/site i.e. dam site. The air quality and noise are to be monitored at such locations with the sensitive area of Tiger forests and its surroundings within 10 km radius area. The baseline studies should be collected for 3 seasons (Pre-monsoon, Monsoon and Post-monsoon seasons). Flora-Fauna in the catchment and command area should be documented. The study area should comprise of the following:

- Catchment area up to the dam site
- Submergence Area
- Project area or the direct impact area should comprise of area within within 10 km radius from the boundary of project components.

(4) Details of the Methodology

- The methodology followed for collection of base line data along with details of number of samples and their locations in the map should be included.
- Study area should be demarcated properly on the appropriate scale map.
- Sampling sites should be depicted on map for each parameter with proper legends.
- For Forest Classification, Champion and Seth (1968) methodology should be followed.

(5) Methodology for Collection of Biodiversity Data

- The number of sampling locations should be adequate to get a reasonable idea of the diversity and other attributes of flora and fauna. The guiding principles should be the size of the study area (larger area should have larger number of sampling locations) and inherent diversity at the location, as known from secondary sources (e.g. eastern Himalayan and low altitude sites should have a larger number of sampling locations owing to higher diversity).
- The entire area should be divided in grids of 5kmX5km preferably on a GIS domain. There after 25% of the grids should be randomly selected for sampling. At such chosen location, the size and number of sampling units (e.g. quadrates in case of flora/transects in case of fauna) must be decided by species area curves and the details of the same (graphs and cumulative number of species in a tabulated form) should be provided in the EIA report.
- The conventional sampling is likely to miss the presence of rare, endangered and threatened (r.e.t.) species since they often occur in low densities and in case of faunal species are usually secretive in behaviour. Reaching the conclusion about the absence of such species in the study area based on such methodology is misleading. It is very important to document the status of such species owing to their high conservation

value. Hence likely presence of such species should be ascertained from secondary sources by a proper literature survey for the said area including referring to field guides which are now available for many taxonomic groups in India. Even literature from studies/surveys in the larger landscapes which include the study area for the concerned project must be referred to, since most species from adjoining catchments is likely to be present in the catchments in question. In fact such literature from the entire state can be referred to. Once a listing of possible r.e.t. species from the said area is developed, species specific methodologies should be adopted to ascertain their presence in the study area which would be far more conclusive as compared to the conventional sampling. If the need be, modern methods like camera trapping can be resorted to, particularly for areas in the eastern Himalayas and for secretive/nocturnal species. A detailed listing of the literature referred to, for developing lists of r.e.t. species should be provided in the EIA reports.

- The R.E.T. species referred to in this point should include species listed in Schedule I and II of Wildlife (Protection) Act, 1972 and those listed in the red data books (BSI, ZSI and IUCN).

(6) Components of the EIA Study

Various aspects to be studied and provided in the EIA/EMP report are as follows:

A. Physical and Chemical Environment

i. Geological & Geophysical Aspects and Seismo- Tectonics:

- Physical geography, Topography, Regional Geological aspects and structure of the Catchment.
- Tectonics, seismicity and history of past earthquakes in the area. A site specific study of the earthquake parameters will be done. The results of the site specific earthquake design shall be sent for approval of the NCSDP (National Committee of Seismic Design Parameters, Central water Commission, New Delhi for large dams.
- Landslide zone or area prone to landslide existing in the study area should be examined.
- Presence of important economic mineral deposit, if any.
- Justification for location & execution of the project in relation to structural components (dam height).
- Impact of project on geological environment.

ii. Meteorology, Air and Noise:

- Meteorology (viz. Temperature, Relative humidity, wind speed/direction etc.) to be collected from nearest IMD station.
- Ambient Air Quality with parameters viz. Suspended Particulate Matter (SPM), Respirable Suspended Particulate Matter (RSPM) i.e. suspended particulate materials <10 microns, Sulphur dioxide (SO₂) and Oxides of Nitrogen (NO_x) in the study area at 9 Locations.

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- Existing Noise Levels and traffic density in the study area at 6 and 3 Locations respectively.
- iii. **Soil Characteristics:**
 - Soil classification, physical parameters (viz., texture, Porosity, Bulk Density and water holding capacity) and chemical parameters (viz. pH, electrical conductivity, magnesium, calcium, total alkalinity, chlorides, sodium, potassium, organic carbon, available potassium, available phosphorus, SAR, nitrogen and salinity, etc.) at 18 locations.
- iv. **Remote Sensing and GIS Studies:**
 - Generation of thematic maps viz, slope map, drainage map, soil map, land use and land cover map, etc. Based on these, thematic maps, an erosion intensity map should be prepared.
 - New configuration map to be given in the EIA Report.
- v. **Water Quality**
 - History of the ground water table fluctuation in the study area.
 - Water Quality for both surface water and ground water for [i] Physical parameters (pH, Temperature, Electrical Conductivity, TSS); [ii] Chemical parameters (Alkalinity, Hardness, BOD, COD, NO₃, PO₄, Cl, So₄, Na, K, Ca, Mg, Silica, Oil & grease, phenolic compounds, residual sodium carbonate); [iii] Bacteriological parameter (MPN, Total coliform); and [iv] Heavy Metals (Pb, As, Hg, Cd, Cr-6, Total Cr, Cu, Zn, Fe) at 29 Locations.
- B. **Water Environment & Hydrology**
 - Hydro-Meteorology of the project viz. precipitation (snowfall, rainfall), temperature, relative humidity, etc. Hydro-meteorological studies in the catchment area should be established along-with real time telemetry and data acquisition system for inflows monitoring.
 - Run off, discharge, water availability for the project, sedimentation rate, etc.
 - Basin Characteristics.
 - Catastrophic events like cloud bursts and flash floods, if any, should be documented.
 - For estimation of Sedimentation Rate, direct sampling of river flow is to be done during the EIA study. The study should be conducted for minimum one year. Actual silt flow rate to be expressed in ha m km⁻² year⁻¹.
 - Sedimentation data available with CWC may be used to find out the loss in storage over the years.
 - Set-up a G&D monitoring station and a few rain gauge stations in the catchment area for collecting data during the investigation.
 - Flow series, 10 daily with 90%, 75% and 50% dependable years discharges.
 - A table of 10-daily water discharges corresponding to 90% dependable year showing the intercepted discharge at the dam, the environmental flow to be released and the other flow releases downstream of the dam and spills to be provided in hydrology section of EIA.

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- Norms for release of Environmental flows, i.e. 30% in Monsoon season, 20% in lean season and 25% in non-monsoon & non-lean season to be followed corresponding to 90% dependable year.
 - Hydrological studies/ data as approved by CWC shall be utilised in the preparation of EIA/EMP report. Actual hydrological annual yield may also be given in the report.

C. Biological Environment

Besides primary studies, review of secondary data/ literature published for project area on flora & fauna including RET species shall be reported in EIA/EMP report.

i. Flora

- Characterization of forest types (as per Champion and Seth method) in the study area and extent of each forest type as per the Forest Working Plan.
- General vegetation profile and floral diversity covering all groups of flora including Bryophytes, Pteridophytes, Lichens and Orchids. A species wise list may be provided.
- Assessment of plant species with respect to dominance, density, frequency, abundance, diversity index, similarity index, importance value index [IVI], Shannon Weiner Index etc. of the species to be provided. Methodology used for calculating various diversity indices along with details of locations of quadrats, size of quadrats etc. to be reported within the study area in different ecosystems.
- Existence of National Park, Sanctuary, Biosphere Reserve etc. in the study area, if any, should be detailed.
- Economically important species like medicinal plants, timber, fuel wood etc.
- Details of endemic species found in the project area.
- Flora under RET categories should be documented using International Union for the Conservation of Nature and Natural Resources (IUCN) criteria and Botanical Survey of India's Red Data list along with economic significance. Species diversity curve for RET species should be given.
- Cropping Pattern and Horticulture Practices in the study area.

ii. Fauna

- Fauna study and inventorisation should be carried out for all groups of animals including reptiles and nocturnal animals in the study area. Their present status along with Schedule of the species.
- Information (authenticated) on Avi-fauna and wild life in the study area.
- Status of avifauna their resident/migratory/ passage migrants etc.
- Documentation of butterflies, if any, found in the area.
- Details of endemic species found in the project area.
- RET species- voucher specimens should be collected along with GPS readings to facilitate rehabilitation. RET faunal species to be classified as per IUCN Red Data list and as per different schedule of Indian Wildlife (Protection) Act, 1972.
- Existence of barriers and corridors, if any, for wild animals.

- Compensatory afforestation to compensate the green belt area that will be removed, if any, as part of the proposed project development and loss of biodiversity.
- collection of primary data on agricultural activity, crop and their productivity and Irrigation facilities components.

D. Aquatic Ecology

- Documentation of aquatic fauna like macro-invertebrates, zooplankton, phytoplanktons, benthos etc.
- Fish and fisheries, their migration and breeding grounds.
- Fish diversity, composition and maximum length & weight of the measured populations to be studied for estimation of environmental flow.
- Conservation status of aquatic fauna.

E. Irrigation and Cropping Pattern

- Cropping pattern and Horticultural practices in the study area.
- Collection of primary data on agricultural activity, crop and their productivity and irrigation facilities component.
- Component of pressurized/drip irrigation and micro irrigation.
- Details of Conjunctive use of water for irrigation.

F. Socio-Economic

- Collection of Baseline data on human settlements, health status of the community and existing infrastructure facilities for social welfare including sources of livelihood, job opportunities and safety and security of workers and surrounding population.
- Collection of information with respect to social awareness about the developmental activity in the area and social welfare measures existing and proposed by project proponent.
- Collection of information on sensitive habitat of historical, cultural and religious and ecological importance.
- The Socio-economic survey/profile within 10 Km of the study area for Demographic profile; Economic Structure; Development Profile; Agricultural Practices; Infrastructure, education facilities; health and sanitation facilities; available communication network etc.
- Documentation of Demographic, Ethnographic, Economic structure and development profile of the area
- Information on Agricultural practices, Cultural and aesthetic sites, Infrastructure facilities etc.
- Information on the dependence of the local people on minor forest produce and their cattle grazing rights in the forest land.
- List of all the Project Affected Families with their names, age, education, family size, sex, religion, caste, source of income, land & house holdings, other properties, occupation, land and other properties to be acquired, etc.
- In addition to Socio-economic aspects of the study area, a separate chapter on socio-cultural aspects based upon study on Ethnography of the area should be provided.

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(7) **Impact Prediction and Mitigation Measures**

The adverse impact due to the proposed project should be assessed and effective mitigation steps to abate these impacts should be described.

i. Air Environment

- Changes in ambient and ground level concentrations due to total emissions from point, line and area sources
- Effect on soils, material, vegetation and human health
- Impact of emissions from DG sets used for power during the construction, if any, on air environment.
- Pollution due to fuel combustions in equipment & vehicles
- Fugitive emissions from various sources.
- Impact on micro climate.

ii. Water Environment

- Changes in surface & ground water quality.
- Steps to develop pisci-culture and recreational facilities.
- Changes in hydraulic regime and down stream flow.
- Water pollution due to disposal of sewage.
- Water pollution from labour colony/camps and washing equipment.

iii. Land Environment

- Adverse impact on land stability, catchment of soil erosion, reservoir sedimentation and spring flow (if any) [a] due to considerable road construction/widening activity [b] interference of reservoir with the inflowing streams [c] blasting for excavation of canals and some other structures
- Changes in land use/land cover and drainage pattern.
- Immigration of labour population.
- Quarrying operation and muck disposal.
- Changes in land quality including effects of waste disposal
- River bank and their stability
- Impact due to submergence.

iv. Biological Environment

- Impact on forests, flora, fauna including wildlife, migratory avi-fauna, rare and endangered species, medicinal plants etc.
- Pressure on existing natural resources
- Deforestation and disturbance to wildlife, habitat fragmentation and wild animal's migratory corridors
- Compensatory Afforestation- Identification of suitable native tree species for compensatory afforestation & green belt.
- Impact on fish migration and habitat degradation due to decreased flow of water
- Impact on breeding and nesting grounds of animals and fish

v. Socio-economic Aspects

- Impact on local community including demographic profile.

- Impact on socio-economic status.
- Impact on economic status.
- Impact on human health due to water / vector borne disease.
- Impact on increased traffic.
- Impact on Holy Places and Tourism.
- Impacts of blasting activity during project construction which generally destabilize the land mass and lead to landslides, damage to properties and drying up of natural springs and cause noise pollution, will be studied. Proper record shall be maintained of the base line information in the post project period.
- Positive as well as negative impacts likely to be accrued due to the project are to be listed.

(8) **Environment Management Plan (EMP)**

Environmental Management Plan aimed at minimizing the negative impacts of the project should be given in detail. The mitigation measures are to be presented for all the likely adverse impacts on the environment. The following suggestive mitigating plans should be included:

- **Command Area Development (CAD) Plan** giving details of implementation schedule with a sample CAD plan.
- **Compensatory Afforestation** in lieu of the forest land required for the project needs to be proposed. Choice of plants should be made in consultation with State Forest Department including native and RET species, if any.
- **Biodiversity and Wild Life Conservation & Management Plan** for conservation and preservation of endemic, rare and endangered species of flora and fauna to be prepared in consultation with State Forest Department.
- **Fisheries Conservation & Management Plan** - Fish fauna inhabiting the affected stretch of river, a specific fisheries management plan should be prepared for river and reservoir.
- **Resettlement and Rehabilitation (R&R) Plan** need to be prepared on the basis of findings of the socio-economic survey coupled with the outcome of public consultation held. The R&R package shall be prepared after consultation with the representatives of the project affected families and the state government. Detailed budgetary estimates are to be provided. Resettlements sites should be identified. They also incorporate community development strategies. R&R plan is to be formulated as per Land Acquisition, Rehabilitation & Resettlement Act, 2013 which came into force on 01.01.2014.
- **Green Belt Development Plan** along the periphery of reservoir, colonies, approach road, canals etc. to be prepared in consultation with the State

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Forest Department. Local plant species suitable for greenbelt development should be selected.

- **Reservoir Rim Treatment Plan** for stabilization of land slide/land slip zones if any, around the reservoir periphery to be prepared. Suitable engineering and biological measures for treatment of the identified slip zones to be provided with physical and financial schedule.
- **Muck Disposal Plan**- suitable sites for dumping of excavated material should be identified in consultation with the State Pollution Control Board and Forest Department. All Muck disposal sites should be minimum 30 m away from the HFL of river. Plan for rehabilitation of muck disposal sites should also be given. The L- section/ cross section of muck disposal sites and approach roads to be given. Financial out lay for this may be given separately.
- **Restoration plan for quarry sites** and landscaping of colony areas, working areas, roads, etc.
- **Study of Design Earthquake Parameters:** A site specific study of earthquake parameters should be done. The results of the site specific earth quake design parameters should be approval by National Committee of Seismic Design Parameters, Central Water Commission (NCSDP), New Delhi.
- **Dam Break Analysis and Disaster Management Plan:** The outputs of Dam Break Model should be illustrated with appropriate graphs and maps clearly bringing out the impact of Dam break scenario. Provision for early warning systems should be provided.
- **Water and Air Quality & Noise Management Plans** to be implemented during construction and post-construction periods.
- Mitigating measures for **impacts due to Blasting** on the structures in the vicinity.
- **Ground Water Management Plan.**
- **Public Health Delivery Plan** including the provisions for drinking water facility for the local community.
- **Labour Management Plan** for their Health and Safety.
- **Sanitation and Solid Waste Management Plan** for domestic waste from colonies and labour camps etc.
- **Local Area Development Plan** to be formulated in consultation with the Revenue Officials and Village Panchayats. Local skill development schemes should be given. Details of various activities to be undertaken along with its financial out lay should be provided.
- Environmental safeguards during **construction activities including Road Construction.**

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- o Energy Conservation Measures.
 - o Environmental Monitoring Programme with physical & financial details covering all the aspects of EMP. A summary of cost estimate for all the plans, cost for implementing all Environmental Management Plans including the cost for implementing environmental monitoring programme should be given. Provision for an Environmental Management Cell should be made.

Additional conditions

- i. As per the ruling of the Hon'ble Supreme Court, in its judgement dated May 7, 2014, liberty has been granted to the parties to apply to the Court if they are or unable to arrive at some amicable solution regarding the new dam. Therefore, mutual consent/amicable solution passed in this regard should be submitted while applying for environmental clearance.
- ii. A WP (MD) No.14190/2001 case filed by TNPWD Senior Engineer Association v/s Home Secretary, Ministry of Home Affairs in the High Court of Judicature at Madras (Special Original Jurisdiction), at Madurai Bench. The order in this regard be made available at the time of environmental clearance. ✓
- iii. It is clarified that simply giving the scoping/ToR clearance to this project does not necessarily mean that the project is eligible for getting environmental clearance.
- iv. All statutory/necessary clearance should have to be obtained before submitting application for environmental clearance.
- v. Grant of ToR is subjected to any direction given by Hon'ble Supreme Court or NGT.
- vi. The findings of Dr Thatte Committee's report in respect of stability of dam shall be submitted. ✓
- vii. The old dam and the submergence area is fully in the control of Govt. of Tamilnadu for the purpose of operation and use of water stored. Their prior consent for base data collection for preparation of EIA/EMP report, etc., is necessary. ✓

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No.J-11013/25/2014-IA.1
Government of India
Ministry of Environment & Forests

Indira Paryavaran Bhawan
Jor Bagh Road, Ali Ganj,
New Delhi-11003

Dated the 11th August, 2014

OFFICE MEMORANDUM

**Subject: Environment sustainability and CSR related issues-
guidelines**

The Environment Impact Assessment (EIA) Notification 2006, issued under the Environment (Protection) Act 1986, as amended from time to time, prescribes the process for granting prior environment clearance (EC) in respect of certain development projects / activities listed out in the Schedule to the notification.

2. Sustainable development has three components, viz., social, economic and environmental. All the three components are closely inter-related and mutually re-enforcing. Considering this, the general structure of EIA document, under Appendix-III to the notification, prescribes inter-alia public consultation, social impact assessment and R&R action plan besides environment management plan (EMP).

3. It is noticed that while there is clarity on the guidelines on EMP, as regards sustainability related issues, different formulations have been prescribed in the conditions in EC letters for the projects under different sectors listed out in Schedule to the EIA Notification, 2006. Thus, there is a need to issue guidelines on the subject.

4. Section 135 of the Companies Act, 2013 deals with corporate social responsibility and Schedule-VII of the Act lists out the activities which may be included by companies in their CSR Policies. The activities relating to "ensuring environmental sustainability", are listed in this schedule. Further, Ministry of Corporate Affairs has also notified the Companies (Corporate Social Responsibility Policy) Rules, 2014.

5. The concept of CSR as provided for in the Companies Act, 2013 and covered under the Companies (Corporate Social Responsibility Policy) Rules, 2014 comes into effect only in case of companies having operating projects and making net profit as also subject to other stipulations contained in the aforesaid Act and Rules. The environment clearance given to a project may involve a situation where the concerned company is yet to make any net profit and / or is not covered under the purview of the aforesaid Act and Rules. Obviously, in such cases, the provisions of aforesaid Act and Rules will not apply.

6. The matter has been further examined in the Ministry of Environment, Forests & Climate Change (MoEF&CC). It has been decided that in respect of valid concerns expressed during the public consultations, mitigation issues emerging from social impact assessment and R&R Plan, the project proponents, in EIA / EMP report will clearly state the activity-wise activities involved (both capital as well as recurring costs), the phasing of these activities along with costs and also as to how such expenditure would be met. The costs and the timelines for various activities as prepared by the project proponent may be looked into by the concerned Expert Appraisal Committee (EAC) for their reasonableness and appropriate recommendations in the matter reflected in the minutes of EAC meeting. In case these activities (or some of these activities) are proposed to be covered by the project proponent under CSR activities, the project proponent should continue providing for the same. In either case, the position regarding the above activities, their funding mechanism and the phasing should be clearly reflected in the EC letter.

7. The obligation on part of the project proponents, as mentioned in para 5 above, should be stated at the TOR stage itself as one of the TORs for the project.

8. All Sectoral EACs will follow the aforesaid procedure on environmental sustainability and CSR related issues while appraising the projects and away with the existing practices being followed on the subject, if any.

9. These guidelines will apply mutatis mutandis to SEACs/SEIAAs.

10. This issues with the approval of the Component Authority.

(Dr. Satish C. Garkoti)
Scientist

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs / SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

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