

11-47/2008-IA.III
Government of India
Ministry of Environment & Forests
(IA Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi – 110 003,

Dated: 14th September, 2012

Office Memorandum

Subject: Constitution of Committee for inspection of M/s Adani Port and SEZ Ltd, Mundra, Gujarat. – Reg.

Ministry had granted Environment and CRZ clearance on 12.01.2009 to M/s Adani Port and SEZ Limited (Formerly Mundra Port and SEZ Limited) for the development of Port facilities at Mundra, District Kutch, Gujarat.

2. On representation from Shri Bharat Patel, General Secretary, Machchhi Mar Adhikar Sangarsh Sangathan, Ministry conducted a site inspection on 06-07th December, 2010. The Site inspection revealed certain violations related to construction of airport, township, and hospital without prior EC/CRZ clearance and destruction of mangroves. On 15.12.2010, a show cause notice was issued to the project authorities. Further, the Ministry issued directions on 23rd February, 2011 to project authorities not to undertake any reclamation activity and not to initiate any new construction work in the CRZ area.

3. Meantime, Kheti Vikas Sewa Trust have filed a PIL 12 of 2011 in the High Court of Gujarat alleging violation of Environmental Clearance by M/s Adani Port and SEZ Limited. The High Court passed an order directing inquiry into the allegation of destruction of mangroves by project authority and imposed stay on development works. The inquiry was conducted by Member Secretary, Gujarat Coastal Zone Management Authority (GCZMA) and PCCF. Based on the report of the committee, the High Court passed an interim order according to which project authority can carry out development in certain portions. The areas in which work can be carried out and the areas in which prohibition will remain were marked on a map, mentioned in the High Court order.

In the affidavit filed by the Ministry in the Hon'ble court of Gujarat, it was stated that 'the issues related to mangroves destruction, shore-line change due to reclamation, seismic/tsunami events, socio-economic implications etc. need to be examined by a multi-disciplinary committee of experts /relevant institutions.

4. Complaints have been received from Kheti Vikas Sewa Trust regarding severe impact upon environment safety and integrity in Mundra Port and SEZ Limited in Mundra, Kutch committed by M/s Adani Port and SEZ Ltd.



5. In view of the severity of the issues involved in the matter, it has been decided to constitute the following committee and make site visit to conduct inspection based on Terms of Reference (TOR) as mentioned in para 6 and submit the report to MoEF.

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| 1. Ms. Sunita Narain, | - | Chairperson |
| 2. Shri Anthony Gnanamuthu | - | Member |
| 3. Prof. R. Ramesh, Director, NCSCM & Member, NCZMA | - | Member |
| 4. Dr. A. Mehrotra, Director, Regional Office, Bhopal | - | Member |
| 5. Shri Lalit Kapur, Director, IA-III, MoEF, New Delhi | - | Member |

6. The broad terms of reference of the committee for inspection of M/s Adani Ports and Special Economic Zone Ltd are to examine:

- (i) the allegations regarding bunding /diversion/blocking of creeks and reclamation etc. and thereby distortion of original HTL.
- (ii) the HTL submitted by the Proponent and HTL of approved Coastal Zone Management Plan .
- (iii) whether construction of Mundra port, roads, railway was taken up prior to grant of Forest / Environmental Clearance ,
- (iv) the development of port with respect to the approved components
- (v) compliance to the conditions of the Environmental and CRZ clearance granted for the port development
- (vi) the destruction of mangroves and levelling of sand dunes
- (vii) the development of Power Plant with respect to the approved components
- (viii) compliance to the conditions of the Environmental clearance granted for the Power plant
- (ix) the likely impacts on agriculture due to ingress of salinity due to creation of huge water body of sea water for Adani Power Plant at Mundra Taluka.
- (x) the issues related to handling of fly ash by Adani Power Limited and particularly with reference to the Notification on utilisation of fly ash.
- (xi) the issues related to earthquake /Tsunami/ other natural calamities and soil liquefaction which may be impacted adversely by the project.

7. The TA/DA of the non-official members of the Committee will be borne by Ministry of Environment and Forests, as per the prevailing Government of India rules on the subject.



8. The Committee shall submit its report within three months from the date of constitution.

This issues with the approval of Competent Authority.



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To

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3. Dr A.Mehrotra, Director. Regional Office, Ministry of Environment and Forests, Kendriya Paryavaran Bhavan, Link Road No.3, Bhopal-462016 (Fax No. 0755-2463102)
4. Prof. Ramchandran Ramesh, Director, National Center for Sustainable Coastal Management, Anna University, Chennai (044-22300108)
5. Shri Lalit Kapur, Director(IA-III), MoEF, New Delhi.