

F. No. 11-17/2014- IA III
Government of India
Ministry of Environment, Forest and Climate Change
(IA- III Section)

Indira Paryavaran Bhawan
Jorbagh Road, New Delhi - 110003
Dated: 1st September, 2020

To,
M/s Kharghar Vikhroli Transmission Private Limited
Adani Corporate House,
Shantigram, Near Vaishnodevi Circle,
SG Highway, Ahmedabad 382481 (Gujarat)

***Subject:* 400 KV multi circuit Transmission line for (i) Dherand –Negothane
(ii)Dherand-Palmbeach Road (iii) Kharghar–Vikhroli (Maharashtra)
- Transfer of CRZ Clearance - regarding.**

Sir,

This has reference to your request for transfer of CRZ clearance issued by this Ministry *vide* its letter of even no., dated 30th September, 2015 and amended on 9th November, 2016 in the name of M/s Tata Power Company Ltd to M/s Kharghar Vikhroli Transmission Private Limited.

2. It is noted that pursuant to the cancellation of allocation of above project to M/s Tata Power Company Ltd by Maharashtra Electricity Regulatory Commission (MERC) *vide* its letter dated 12th September, 2018 and incorporation of Kharghar Vikhroli Transmission Private Limited (KVTPL), a Special Purpose Vehicle for the implementing the project of setting up of 400 KV Vikhroli Receiving Station and associated incoming transmission lines for strengthening of Mumbai Transmission System by Maharashtra State Electricity Transmission Company Ltd (MSETCL) *vide* its letter dated 13th May, 2019 and thus necessitating transfer of all requisite approvals in the new name of the new company.

3. M/s Tata Power Company Ltd has submitted the No Objection certificate for transfer of the said CRZ clearance to M/s Kharghar Vikhroli Transmission Private Limited. M/s Kharghar Vikhroli Transmission Private Limited has submitted an undertaking to abide by the terms and conditions stipulated in the CRZ clearance dated 30th September, 2015 and amended on 9th November, 2016 issued in the name of M/s Tata Power Company Ltd. The Letter of Intent for the above project was issued to M/s Adani Transmission Limited by MSETCL *vide* its letter dated 12th December, 2019.

4. In view of the above, it is informed that the CRZ clearance issued for the project viz. Laying of 400 KV multi circuit Transmission line for (i) Dherand – Negothane (ii) Dherand-Palmbeach Road (iii) Kharghar –Vikhroli (Maharashtra), by this Ministry *vide* its letter of even no. dated 30th September, 2015 and amended on 9th November, 2016, is hereby transferred from M/s Tata Power Company Ltd to M/s Kharghar Vikhroli Transmission Private Limited, on the same terms and conditions under which the said clearance was accorded.


5. This issues with approval of the Competent Authority.



(Dr. H. Kharkwal)
Scientist 'E'(CRZ)

Copy to: -

1. The Secretary, Environment Department, Government of Maharashtra, 5th Floor, New Administrative Building, Mantralaya, Mumbai - 400032
2. The Chairman, (Environment) & Additional Secretary, Environment Department, Maharashtra Coastal Zone Management Authority, Government of Maharashtra, 5th Floor, New Administrative Building, Mantralaya, Mumbai - 400032
3. The Chairman, CPCB, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 110032.
4. The Member Secretary, Maharashtra Coastal Zone Management Authority, Government of Maharashtra, Environment Department, 5th Floor, New Administrative Building, Mantralaya, Mumbai - 400032
5. The Member Secretary, Maharashtra Pollution Control Board, Maharashtra Pollution Control Board, Kalpataru Point, 3rd and 4th floor, Opp. PVR Cinema, Sion Circle, Mumbai-400 022
6. The Deputy Director General (C), Ministry of Environment, Forest and Climate Change, Regional Office (WCZ), Ground Floor, East Wing, New Secretariat Building Civil Lines, Nagpur- 440001
7. Guard File / Record File / Notice Board.
8. Monitoring Cell.



(Dr. H. Kharkwal)
Scientist 'E'(CRZ)

F.No.11-17/2014-IA-III
Government of India
Ministry of Environment, Forest & Climate Change
(IA.III Section)

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

Dated: 30th September, 2015

To

The Head – Vikhroli Projects (Devl.),
M/s Tata Power Company Ltd,
Corporate Centre, A Block, 4th Floor,
Sant Tukaram Road, Carnac Bunder,
Mumbai – 09

Sub: '400 KV multi circuit Transmission line' for i) Dherand -Negothane ii) Dherand – Palmbeach Road iii) Kharghar – Vikhroli (Maharashtra) by M/s Tata Power Company Ltd – CRZ Clearance - Reg.

Sir,

This has reference to your proposal forwarded by the Member Secretary, Maharashtra Coastal Zone Management Authority (MCZMA) vide letter no. CRZ 2013/CR 265/TC 3 dated 07.04.2014 and your letters dated 19.08.2014, 19.09.2014 and 12.03.2015, to this Ministry for grant of CRZ Clearance in term of the provisions of the Coastal Regulation Zone (CRZ) Notification, 2011 under the Environment (Protection), Act, 1986.

2. The proposal for **'400 KV multi circuit Transmission line' for i) Dherand – Negothane ii) Dherand – Palmbeach Road iii) Kharghar – Vikhroli (Maharashtra) by M/s Tata Power Company Ltd**, was considered by the Expert Appraisal Committee (EAC) in the Ministry for Infrastructure Development, Coastal Regulation Zone, Building/ Construction and Miscellaneous projects, in its meetings held on 19th - 21st May, 2014, 29th September, 2014 – 1st October, 2014 and 9th – 11th March, 2015.

3. The details of the project, as per the documents submitted by the project proponents (PP), and also as informed during the above said EAC meetings, are reported to be as under:-

(i) The proposal involves construction of 400 kV multi circuit Transmission line for i) Dherand-Negothane ii) Dheand-Palmbeach Road iii) Kharghar-Vikhroli.

(ii) Tata Power has a generation capacity of about 1877 MW in the Mumbai license area. Electrical power requirement of the Mumbai City is growing very rapidly and is expected to reach about 4225 MW by 2015-16.

(iii) This requires either power import of about 1948 MW to be brought from outside Mumbai before 2015-16 or setting up of a new generating stations in Mumbai, which is not possible due to scarcity of land and environmental factors. Hence it is necessary to inject bulk power in to the Mumbai Transmission Grid system from Central & Western Grids which is an integrated part of National Grid.

(iv) The State Transmission Utility (STU) of Maharashtra has prepared a five year Transmission System Development Plan for Maharashtra which includes transmission projects to be implemented for Mumbai Metropolitan Area.

- (v) As part of above plan and to ensure the reliability of Power supply to Mumbai, Tata Power as transmission licensee of GoM has undertaken the following three major transmission lines projects for meeting the above objective.
- (vi) 400 KV Double Circuit (D/C) Transmission Line from (MSETCL) Nagothane to Dherand (45 Km).
- (vii) 400 KV Double Circuit (D/C) Transmission line from above Dherand to Vikhroli (55 Km).
- (viii) 400 KV Transmission Line from (MSETCL) Kharghar to Vikhroli (20 Km).
- (ix) Each Transmission Line tower has 4 legs and each leg rests on a pile type foundation of about 1.5 to 2.0 m diameter. The height of the towers will be approximately 50 meters and the distance between two towers will be approximately 350 m.
- (x) Each tower accommodates 4 number of power circuits of 400 KV voltage level. Each power circuit comprises of 3 current carrying conductors. In addition to the above, there will be top wire optical fibre guard wire which is essential for data transmission, communication, metering and protection of the power passing through the circuit.
- (xi) 123 transmission towers out of 334 transmission towers are in CRZ area. Environment Impact Assessment of the proposed Transmission Line Project was carried out by BNHS. About 1367 number of mangrove trees will get affected due to the proposed project.
- (xii) BNHS has suggested compensatory plantation of about 12,000 mangrove saplings. Mangrove plantation will be carried out in an area identified at Sarsole, Dist. Thane.
- (xiii) The proposal was considered in the 85th meeting of Maharashtra Coastal Zone Management Authority (MCZMA) held on 12th Sept. 2013. MCZMA has recommended the proposal to MoEF vide letter No. CRZ 2013/CR 265/TC 3 dated 07.04.2014.
- (xiv) Bombay High Court has passed an interim order on 27th January 2010 directing Tata Power to approach to the competent authority to seek permission in accordance with the law.
- (xv) DCF Alibag and DCF Thane have recommended our proposals of 400kV transmission lines for diverting Forest land under Forest Conservation Act, 1980. The cost of the project is Rs. 348.12 Crores.
- (xvi) MCZMA in its recommendation has mentioned that temporary pathway to tower locations in mangrove area is to be constructed on stilts.
- (xvii) The report on the various alternatives was submitted to Power Grid Corporation of India Ltd (PGCIL) for their views.
- (xviii) PGCIL have conveyed their views on the reports submitted by us and recommended that temporary approach pathway method may be the most optimal alternative, wherein permanent damage to mangroves will be the least
- (xix) Bombay Natural History Society (BNHS) have prepared the *Mangrove Conservation Plan* for the project and suggested the following mitigation measures:
- a. The approach pathways with suggested dimensions and routes (temporary pathway of max. 4 m wide including working space), during construction period, as per the EIA reports should be strictly followed.
 - b. Complete prohibition of disposal of waste such as left over construction materials and disposal of such leftover must be done in the pre designated areas outside mangroves.
 - c. The Right of way as demarcated or any other project activity should not restrict the flow of water to other mangroves and thus, adequate tidal water drainage system to be provided wherever necessary.

- d. Right of way should not be fully converted into concrete roads. Thus, on completion, dirt roads will be naturally repopulated by the mangroves.
- e. To compensate the loss of total 1367 mature mangroves (852 due to approach path and 515 due to tower foundations), plantation of multi-species mangrove saplings would be undertaken.
- f. Plantation will be carried out under expert guidance.

(xx) Tata Power has signed Tri-partite Agreement along with Forest Department, Government of Maharashtra and M/s. Swaminathan Research Foundation, Chennai for mangrove plantation.

(xxi) As per the agreement, mangrove re-plantation on 25 ha of degraded area in Survey. No.93, 99 and 100 of Sarsole Village in the vicinity of the project site.

(xxii) About 3,00,000 mangrove saplings of various species will be planted over the period of 5 years.

(xxiii) This activity will cover survival, assessment and re-plantation of mangroves.

(xxiv) The proposed species of mangroves to be planted are *Avicennia marina*, *Avicennia officinalis*, *Rhizophoramucronata*, *Cereopstagal*, *Sonneratiaapatela* and *Sonneratiaalba* as suggested by BNHS.

4. The EAC, after deliberation, in its meeting held on 9th – 11th March, 2015 recommended the project for grant of the CRZ Clearance. As per the recommendations of the EAC, the Ministry of Environment, Forest & Climate Change hereby accords CRZ Clearance for the above-mentioned project '**400 KV multi circuit Transmission line**' for i) **Dherand –Negothane** ii) **Dherand – Palmbeach Road** iii) **Kharghar – Vikhroli (Maharashtra)** by **M/s Tata Power Company Ltd**, under the provisions of the Coastal Regulation Zone Notification, 2011 and amendments thereto and Circulars issued thereon and subject to the compliance of the following specific conditions, in addition to the general conditions mentioned below:

PART A – SPECIFIC CONDITIONS

I. Construction Phase

- (i) 'Consent to Establish' shall be obtained from State Pollution Control Board under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974.
- (ii) The Project Proponent shall use solid bricks/ ash bricks on geo-textile for roads which shall be removed after completion in satisfaction of Mangrove Cell, Government of Maharashtra.
- (iii) All the suggestion of Bombay Natural History Society (BNHS) regarding mangrove conservation plan shall be strictly complied with.
- (iv) All the recommendations and conditions specified by Maharashtra Coastal Zone Management Authority (MCZMA) vide letter no. CRZ 2013/CR 265/TC 3 dated 07.04.2014, shall be complied with.
- (v) Prior permission from Hon'ble High Court shall be obtained for activity in mangrove area and its buffer zone as applicable.
- (vi) The mangrove replacement programme shall be monitored and the progress reported on six monthly basis.

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- (vii) Construction activity shall be carried out strictly according to the provisions of CRZ Notification, 2011. No construction work other than those permitted in Coastal Regulation Zone Notification shall be carried out in Coastal Regulation Zone area.

PART - B. GENERAL CONDITIONS

- (i) A copy of the clearance letter shall also be displayed on the website of the concerned State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/ Tehsildar's office for 30 days.
- (ii) The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year-wise expenditure shall be reported to this Ministry and its concerned Regional Office.

5. The environmental/CRZ clearance is subject to their obtaining prior clearance from forestry and wildlife angle including clearance from the Standing Committee of the National Board for Wildlife as applicable. The grant of environmental/CRZ clearance does not necessarily implies that forestry and wildlife clearance shall be granted to the project and that their proposals for forestry and wildlife clearance shall be considered by the respective authorities on their merits and decision taken. The investment made in the project, if any, based on environmental/CRZ clearance so granted, in anticipation of the clearance from forestry and wildlife angle shall be entirely at the cost and risk of the project proponent and Ministry of Environment, Forests & Climate Change shall not be responsible in this regard in any manner.

6. Officials from the Regional Office of MoEF&CC, Nagpur who would be monitoring the implementation of environmental safeguards should be given full cooperation, facilities and documents/data by the project proponents during their inspection. A complete set of all the documents submitted to MoEF&CC should be forwarded to the CCF, Regional office of MoEF&CC, Nagpur.

7. In the case of any change(s) in the scope of the project, the project would require a fresh appraisal by this Ministry.

8. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.

9. 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.

10. These 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, 2006.

11. The project proponent should 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 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, Forests & 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 Nagpur.

12. This Clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation v/s. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.

13. 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.

14. 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.

15. The proponent shall upload the status of compliance of the stipulated EC 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. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

16. The environmental 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 EC conditions and shall also be sent to the respective Regional Offices of MoEF&CC by e-mail.

SK
30/9/2015
(S. K. Srivastava)
Scientist E

Copy to:

1. The Secretary, Department of Environment, Govt. of Maharashtra, Mantralaya, Mumbai - 32
2. The Chairman, CPCB, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32
3. The Chairman, Maharashtra Pollution Control Board, Kalpataru Points, 3rd & 4th floor, Opp. Cine Planet, Sion Circle, Sion (E), Mumbai - 22
4. Additional Principal Chief Conservator of Forests (C), Ministry of Environment, Forests and Climate Change, Regional Office (WCZ), Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur -1
5. Guard File
6. Monitoring Cell

SK
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(S. K. Srivastava)
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Government of India
Ministry of Environment, Forest and Climate Change
(IA.III Section)

Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi - 3
Dated: 9th November, 2016

To

The Head - Vikhroli Projects (Development),
M/s Tata Power Company Ltd,
Corporate Centre, A Block, 4th Floor,
Sant Tukaram Road, Carnac Bunder,
Mumbai - 9 (Maharashtra)

Sub: '400 kV Multi Circuit Transmission line' for Dherand - Negrothane, Dherand - Palmbeach Road and Kharghar - Vikhroli in Mumbai (Maharashtra) by M/s Tata Power Company Ltd - Amendment in CRZ Clearance - reg.

Sir,

This has reference to your letter No.TP/VK PRJ400kV/27/CRZ/363 dated 5th October, 2015 and subsequent letter dated 28th July, 2016, submitting the above proposal to this Ministry for amendment in the CRZ Clearance dated 30th September, 2015 in terms of the provisions of the Coastal Regulation Zone (CRZ) Notification, 2011 under the Environment (Protection) Act, 1986.

2. The project '400 kV Multi Circuit Transmission line' for i) Dherand -Negothane ii) Dherand - Palmbeach Road and iii) Kharghar - Vikhroli in Mumbai (Maharashtra) was earlier accorded CRZ Clearance in favour of M/s Tata Power Company Ltd by the MoEF&CC vide letter No.11-17/2014-IA-III dated 30th September, 2015.

3. The proposal for amendment in CRZ Clearance, was considered by the Expert Appraisal Committee (EAC) in the Ministry for Infrastructure Development, Coastal Regulation Zone, Building/ Construction and Miscellaneous projects, in its 154th meeting held on 22-23 December, 2015.

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

(i) The proposal seeks amendment in CRZ Clearance to the project '400 kV Multi Circuit Transmission line' for i) Dherand-Negothane ii) Dherand-Palmbeach Road and iii) Kharghar-Vikhroli in Mumbai (Maharashtra) granted in favour of M/s Tata Power Company Ltd, to the extent that the specific condition at para 4 (A) (i) be deleted, which is read as under:-

'Consent to Establish' shall be obtained from State Pollution Control Board under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974'.

(ii) The request has been made due to the fact that the said project/activity is not covered under the present consent mechanism for the identified industrial units/activities, as required under the Air Act, 1981 and/or the Water Act, 1974.

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5. The EAC, while considering the proposal vis-à-vis the submissions made by the project proponent in this regard, recommended that the Ministry may take a view in terms of the extant policy in this regard.

6. The project proponent has further informed that the transmission line project does not attract the provisions of the EIA Notification, 2006, and hence environmental monitoring report is not applicable to their project. It is also stated that on receipt of the amended CRZ Clearance, they will approach to Hon'ble High Court of Bombay for permission to undertake the project in mangrove and mangrove buffer zone.

7. On examination of the submissions of the project proponent, the Ministry of Environment, Forest and Climate Change hereby conveys its approval for deleting the specific condition at para 4 (A) (i) of the CRZ Clearance dated 30th September, 2015, and amendment in the CRZ Clearance accordingly under the provisions of the CRZ Notification, 2011 and subsequent amendments therein, subject to the condition that the project proponent shall submit the six monthly progress on mangrove replacement programme after the permission is obtained in this regard from Hon'ble High Court of Bombay.

8. All other conditions stipulated in the CRZ Clearance letter No.11-17/2014-IA-III dated 30th September, 2015, shall remain unchanged.

SKS
9/11/2016

(S. K. Srivastava)
Scientist E

Copy to:

1. The Secretary, Department of Environment, Govt. of Maharashtra, Mantralaya, Mumbai – 32
2. The Chairman, CPCB, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32
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4. The APCCF (C), MoEF&CC, Regional Office (WCZ), Ground Floor, East Wing, New Secretariat Building, Civil Lines, Nagpur - 1
5. Guard File
6. Monitoring Cell

SKS
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