

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
IA NO. 110/2025
IN
EXECUTION APPLICATION NO. 29 /2024
IN
APPEAL NO. 79/2014**

IN THE MATTER OF:

DEBADITYO SINHA & ORS.

...APPELLANTS

Versus

UNION OF INDIA & ORS.

...RESPONDENTS

AND IN THE MATTER OF:

DEBADIYTO SINHA

..APPLICANT

Versus

MIRZAPUR ENERGY (U.P.) PVT. LTD. & ORS

..RESPONDENTS

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RESPONDENT NO.1

THROUGH


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Date: 06.03.2025

Place: New Delhi

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AND IN THE MATTER OF:

DEBADIYTO SINHA	<i>Versus</i> APPLICANT
MIRZAPUR ENERGY (U.P.) PVT. LTD. & ORS.	RESPONDENTS

REPLY ON BEHALF OF THE RESPONDENT NO.1 I.E., MIRZAPUR ENERGY (U.P.) PVT. LTD TO THE INTERIM APPLICATION BEARING I.A. NO. 110/2025.

Most Respectfully Showeth:

1. The instant Reply is filed by the Respondent No.1 i.e., Mirzapur Energy (U.P.) Pvt. Ltd. to the IA No. 110/2025 in Execution Application filed by the Appellant / Applicant inter alia seeking interim reliefs.
2. The instant Reply is signed, verified and filed by Dr. Rajesh Sehgal being duly authorised vide Board Resolution dated 05.08.2024 to sign, verify and

file the present Reply before this Hon'ble Tribunal for and on behalf of the Respondent No. 1 and to take all necessary actions in connection therewith or incidental and ancillary thereto.

A copy of the Board Resolution dated 05.08.2024 is attached herewith and marked as “**Annexure R-1/1**”

3. At the outset, the contents, allegations and averments made in the Execution Application are denied ad seriatim as though traversed, save and except as rare matters of record and/ or as are specifically admitted herein. It is stated that the contents of the Application are baseless, incorrect and are liable to be rejected at the threshold.
4. The Respondent No. 1 has filed a detailed Reply to the Execution Application filed by the Appellant / Applicant. The Respondent No. 1 craves leave to refer to and rely upon the Reply to the Execution Application and the documents attached thereto, contents whereof are not being repeated herein for the sake of brevity.
5. On 08.05.2024, the Respondent No. 1 submitted an application for the grant of Terms of Reference in respect of the proposed project, i.e. 1600 (2*800) MW coal based Ultra Super Critical Technology Thermal Power Project (USCTPP) (hereinafter referred to as “**Proposed Project**”) in village Dadri Khurd, District Mirzapur in the State of Uttar Pradesh. The

said Application was considered in the 10th EAC meeting held on 10.06.2024.

6. Accordingly, on 29.07.2024, the Respondent No. 3 has granted the Terms of Reference to the Respondent No. 1 for conducting the EIA/ EMP report in respect of the Proposed Project i.e., 1600 (2*800) MW coal based Ultra Super Critical Technology Thermal Power Project (USCTPP).

A copy of the Terms of Reference dated 29.07.2024 is attached herewith and marked as “**Annexure R-1/2**”

7. It is stated that on 10.10.2024 the land/ area admeasuring 335.272 hectares (hereinafter referred to as “**Project Land**”) has been transferred in the name of Respondent No. 1 in the revenue records. It is stated that the Respondent No. 1 has also paid stamp duty for the said Project Land. It is stated that the Project Land is not a forest land.
8. It is humbly submitted that the Proposed Project is to developed on the Project Land. It is reiterated that the Project Land is a revenue land and not forest land.

I. RESPONSE TO THE ALLEGATIONS AGAINST THE RESPONDENT NO. 1

9. It is stated that the allegations and the averments of the Appellant / Applicant in the Execution Application and the Stay Application bearing I.A. No. 110/2025 are false, incorrect and baseless. It is stated that the

Appellant / Applicant is seeking to deliberately mislead this Hon'ble Tribunal with grossly false assertions.

10. It is stated that the broad allegations of the Appellant / Applicant in the Execution Application and the Stay Application bearing I.A. No. 110/2025 are as under :

- i. Alleged illegal construction of 10 feet boundary wall alongwith project boundaries (approximately 1200 acres) and a large gate
- ii. Alleged construction of labour camps
- iii. Alleged blasting operations for hill cutting for levelling the land
- iv. Alleged tree – felling and clearing of vegetation and forest in and around the project area using massive earth work and construction of more than 2 kms of approach road for transporting vehicles, heavy machinery and equipment.

24. Without prejudice to the forthcoming submissions, it is submitted that the photographs annexed as Annexure-10 by the Appellant/ Applicant in the present Execution Application are not geotagged. There is no way to ascertain as to where and how the said pictures were taken.

25. Be that as it may, the Respondent No. 1 craves leave to address each of the aforementioned allegations in detail in the subsequent paragraphs.

➔ **Alleged Illegal construction of 10 feet boundary wall along with project boundaries and a large gate**

26. At the outset, it is imperative to draw the attention of this Hon'ble Tribunal to the memorandum issued by the Respondent No. 3/ Ministry of Environment, Forest and Climate Change inter alia, clarifying the activities that can be undertaken by any project proponent prior to the grant of Environmental Clearance.

27. On 29.03.2022, the Respondent No. 3/ Ministry of Environment, Forest and Climate Change (Impact Assessment Division) vide office memorandum bearing no. F.No. IA3-22/10/2022-IA. III issued a clarification regarding activities which can be undertaken for securing the land prior to grant of Environmental Clearance. Vide the aforementioned clarification / memorandum it was *inter alia*, stated as under:

"3. Over a period of time, various options other than conventional barbed wire and wall fencing, have come into existence, viz, use of pre-fabricated structures, pre-cast compound wall etc. Further in order to secure the land, the project proponent may need to have water and electricity connection. In view of the same, it has been decided by the Competent Authority in the Ministry to explicitly clarify that following activities can be undertaken by the project proponent for securing the land.

- i. *Fencing the project site by boundary wall using civil construction, barbed wire or precast/ prefabricated components.*
- ii. *Construction of temporary sheds using pre-fabricated/ modular structure, for site office/ guards and storing material and machinery.*
- iii. *Provision of temporary electricity and water supply for site office/ guards only.”*

A copy of the Memorandum dated 29.03.2022 bearing no. no. F.No. IA3-22/10/2022-IA. III issued by the Respondent No. 3 is attached herewith and marked as “**Annexure R-1/3**”

28. Thus from the aforementioned it shall be evident that the Respondent No. 1 is permitted to fence the project site/ Project Land by boundary wall using civil construction, barbed wire or precast/ prefabricated components even prior to the grant of Environmental Clearance.

29. It is most humbly submitted that in order to fence / secure the Project Land, the Respondent No.1 has made the boundary wall with pre-cast material. The site is also secured with a gate.

Photographs boundary wall and the gate are attached herewith and marked as “**Annexure R-1/4**”

30. It is stated that the boundary wall and the gate is imperative for the purposes of securing the Project Land from intruders and also for the demarcation of the Project Land.

31. Furthermore it is stated as under :

31.1. The Respondent No. 1 is in the legal possession of the Project Land.

31.2. The Project Land is revenue land and no Forest Land is involved.

31.3. No trees have been felled during the construction of the boundary wall along with the perimeter of the Project Land.

32. In view of the aforementioned it is submitted that the Respondent No. 1 is permitted under law to fence the boundary of the Project Land. It is stated that erecting the boundary wall is not a violation of any law, rules or regulations and furthermore, there is no deviation in terms of the directions passed in the Judgment dated 21.12.2016. Thus it is stated that the averments and the allegations of the Appellant/ Applicant in respect of the construction of the boundary wall are baseless, unfounded and liable to be rejected.

➔ **Alleged Construction of labour camps**

33. It is stated that in terms of the Memorandum dated 29.03.2022 issued by the Respondent No. 3/ Ministry of Environment, Forest and Climate Change (Impact Assessment Division) bearing no. F.No. IA3-22/10/2022-

IA. III, the Respondent No. 1 is permitted to undertake the following activity, even prior to the grant of Environmental Clearance as under :

“Construction of temporary sheds using pre-fabricated/ modular structure, for site office/ guards and storing material and machinery.”

34. It is stated that the Respondent No. 1 has set-up temporary portable sheds for the security guards. It is to be noted that the sheds are not permanent and there has been no construction for the purposes of the same.

Photographs of the temporary portable sheds for the security guards are attached herewith and marked as **“Annexure R-1/5”**

35. Thus, it is stated that in respect of the temporary sheds for the security guards, the Respondent No. 1 is not a violation of any law, rules or regulations and furthermore, there is no deviation in terms of the directions passed in the Judgment dated 21.12.2016. It is stated that the Respondent No. 1

➔ **Alleged blasting operations for hill cutting for levelling the land**

24. It is specifically submitted that the allegation of the Appellant / Applicant that the Respondent No. 1 has allegedly undertaken blasting for hill cutting or levelling of land or whatsoever, is grossly false and incorrect.

25. It is submitted that the Applicant has wrongly and with malafide stated that the blasting operations were carried out by the Respondent No. 1.

26. It is submitted that the Appellant / Applicant is falsely and incorrectly relying on a photograph of stones/ rough terrain to allege that the Respondent No. 1 has allegedly carried out blasting operations. It is stated that the Project land is a part of a natural rocky terrain and the stones/ rough terrain which is shown in the photograph (@ pg. 223 of I.A. No. 110/2025) is the nature of land and has been the same since the Respondent No. 1 took over the possession of the Project Land.

27. It is stated that the Respondent No. 1 has not undertaken blasting for hill cutting or levelling of land or whatsoever, as has been alleged by the Appellant / Applicant.

➔ **Alleged tree felling and clearing of vegetation and forest in and around construction of more than 2km of approach road**

28. It is stated that the Respondent No. 1 has not carried out / undertaken any tree felling. It is stated that the Project Land/ area admeasuring 335.272 hectares is revenue land and not forest land, as is sought to be alleged by the Appellant / Applicant.

29. In respect of the allegations of the Appellant / Applicant regarding approach road, it is stated as under :

41.1 There has been no “construction” in respect of the approach road.

The approach road is a “kaccha” road leading to the Project Land and the same shall also be evident from the photographs annexed by the Appellant / Applicant. It is also worth pointing out that the said “kacha road” / approach road has existed even prior to the Respondent No. 1 taking possession of the Project Land. In fact, it has been informed to the Respondent No. 1 from local sources that the approach road has been existing since prior to year 2010/2011. The said fact can be further corroborated by Google Earth Images over the past decade clearly showing the existence of the said “Kacha” Road well before the Answering Respondent came into legal and valid possession of the Project Site.

41.2 It is stated that the Project land / site has existed for more than 15 years and it is well understood that an approach road would be available to reach the Project Land.

41.3 It is reiterated that the Respondent No. 1 has not cut/ felled any trees and / or cleared any vegetation or forest for the purposes of approach road. Furthermore, the said Google Earth images over the past decade

would demonstrate that the existence of vegetation at and around the Project Land is completely seasonal and the density of said vegetation changes from time to time. The Appellant has deliberately chosen to put on record Google Earth images which further its self-serving narrative.

Copies of the photographs of the approach road are attached herewith and marked as **“Annexure R-1/6”**

Copies of Google Earth Images evincing the seasonal growth of vegetation at the project site and the existence of the “Kacha” Road well before the answering Respondent came into possession is annexed herewith and marked as **“Annexure R-1/7”**

30. In view of the aforementioned, it is stated that the allegations of the Appellant / Applicant inter alia, that the Respondent No. 1 has undertaken alleged construction of approach road by felling of trees/ forest is grossly unfounded and false.

II. THE EXECUTION APPLICATION AND THE INTERIM APPLICATION ARE MALA FIDE, MOTIVATED AND FALSE

31. It is stated that the Appellant / Applicant has stated in the Execution Application that the Appellant / Applicant is a trained ecologist and is also founder and trustee of ‘Vindhya Ecology and Natural History Foundation’ and has been actively working with the State and local communities for

protection of wildlife in Mirzapur region through scientific studies and awareness campaigns since 2010 (Para 1 @pg. 8).

32.Also, the Appellant / Applicant has stated that the Appellant / Applicant and his organization undertook the first-ever scientific survey of wildlife in the Mirzapur Forest Division. The Appellant / Applicant further stated that the initiative was taken in partnership with the Forest Division of Mirzapur that resulted in the documentation of several new species from the landscape. Based on the documentation, 'Sloth Bear Conservation Reserve was proposed by the then Divisional Forest Office- Mirzapur Forest Division (Para 8 @pg. 14).

33.It is stated that the Appellant / Applicant by narrating the aforesaid facts the Appellant / Applicant has allegedly illustrated his contribution towards the protection of the wildlife in the Mirzapur region and in order to act in furtherance of his self-serving interests the Appellant / Applicant has filed the present Execution Application and the Interim Application with malafide.

34.The Appellant / Applicant has based the Application on grossly false assertions alleging the violation by the Respondent No. 1 violation of any law, rules or regulations and furthermore, deviation in terms of the directions passed in the Judgment dated 21.12.2016 passed by this Hon'ble

Tribunal to publicly demonstrate the so-called contribution of the Appellant / Applicant and his organization towards the protection of the wildlife in the Mirzapur region.

35.The Appellant / Applicant is notorious and has been involved in perpetrating crimes in the region. It is submitted that a criminal case has been registered against the Appellant/ Applicant bearing no. Cr. No- 0246/2017 for the offences under section 147, 323, 504, 506, 392, 452 of the Indian Penal Code. The Appellant/ Applicant is currently out on bail in the above-mentioned case and the same is pending before the court.

The copy of the FIR are marked herewith and annexed as “**Annexure R-1/8**”

36.It is submitted that the entire conduct of the Appellant/ Applicant is not in the interest of environment protection, rather to cause the delay and impediment in the development of utility project to serve the interest of the public at large for the region.

I. PARA-WISE REPLY

37.It is submitted that the contents of the para 1 are a matter of record and are technical in nature, hence merits no response from the Respondent No.

1. It is denied that the Respondent No. 1 has been wilfully disobedient and in contempt of the judgement dated 21.12.2016 passed in Debadityo Sinha

& Ors. v. Union of India and Ors.” [Appeal No. 79/2014]. The rest of the contents of the are wrong and denied.

38.It is submitted that the contents of the para 2 are a matter of fact and does not merit response from the Respondent No.1.

39.It is submitted that the contents of the para 3 reproducing the relevant paragraph of the judgement dated 21.12.2016 passed in Debadityo Sinha & Ors. v. Union of India and Ors.” [Appeal No. 79/2014] is a matter of record and hence merits no response from the Respondent No. 1.

40.It is submitted that the contents of the para 4 save and except as are matters of record are frivolous, wrong and denied of merits. It is denied that any illegal construction work has been carried out on the Project Land by the Respondent No. 1. It is submitted that the Respondent No. 1 was not in the recipient of the notices and therefore the contents of the para stating that the Respondent No. 1 failed to make any appearance before is misleading, false and denied. It is submitted that on the last date of the hearing on 19.02.2025 during the proceedings before the Hon’ble Tribunal the counsel of the Respondent No. has entered appearance before the Hon’ble Tribunal. The relevant extract of order dated 19.02.2025 is produced as under:

“1. Learned Counsel Shri Sumeer Sodhi has entered on behalf of the Respondent No. 1 and has sought four weeks’ time to file the Reply.”

The pictures annexed by the Appellant/ Applicant as Annexure A-10 of the Execution Application is misleading and hence denied.

In reference to the pictures @pg. 198 of the Execution Application it is stated as follows:

- The first picture is of the labor camps as the makeshift tents were made for the laborers working at the Project Land during the construction of the boundary wall to secure the Project Land.
- The second picture is showing the truck, the tractor and the precast material used to build the boundary wall, the truck and the tractor were used to bring the precast material at the Project Land.
- The third picture is of the temporary structure with tin-shed for the security guards posted at the Project Land since 2011 and the same existed on the land when the Respondent No. 1 took over the Project Land.
- The fourth picture is of the machine used by the Respondent No. 1 for the geotechnical survey of the land for the preparation of EIA study.
- The fifth picture is of the precast wall of the initial stage at the Project Land.

In reference to the pictures @pg. 199 of the Execution Application it is stated as under :

- The first picture is of the approach road present leading to Project Land, the approach road is the “kaccha road” that already existed since 2010/2011.
- The second, third, fourth and fifth pictures are of the materials for the construction of the precast wall to secure the Project Land.

41. The rest of the contents of the para are wrong and denied.

42. It is submitted that the contents of the para 5 are false, misleading and denied. It is denied that rampant construction work is being illegally carried out by the Respondent No. 1 at the Project Land. It is stated that the construction of the boundary wall and the gate is imperative for the purposes of securing the Project Land from intruders and also for the demarcation of the Project Land. The Respondent No. 1 is permitted under law to fence the boundary of the Project Land. It is stated that the Respondent No. 1 has set-up temporary portable sheds for the security guards and it is to be noted that the sheds are not permanent and there has been no construction for the purposes of the same. It is stated that the construction of the boundary wall and by setting-up of temporary portable the Respondent No. 1 is not in a violation of any law, rules or regulations and furthermore, there is no deviation in terms of the directions passed in the Judgment dated 21.12.2016. It is stated that the Respondent No. 1 has not undertaken blasting for hill cutting or levelling of land or whatsoever, as has been alleged by the Appellant / Applicant. It is stated that the

Respondent No. 1 has not carried out / undertaken any tree felling. It is stated that the Project Land/ area admeasuring 335.272 hectares is revenue land and not forest land, as is sought to be alleged by the Appellant / Applicant. There has been no “construction” in respect of the approach road. The approach road is a “kaccha” road leading to the Project Land and the same shall also be evident from the photographs annexed by the Appellant / Applicant. It is also worth pointing out that the said “kacha road” / approach road has existed even prior to the Respondent No. 1 taking possession of the Project Land. It is vehemently denied that the Respondent No.1 has carried out any illegal construction activity as alleged by the Appellant/ Applicant. It is denied that any construction has progressed significantly and rampantly.

In reference to the pictures @pg. 222 of the Interim Application it is stated as follows-

- The first picture is of the boundary wall and the gate to secure the Project Land as the Respondent No.1 is permitted under law to fence the boundary of the Project Land.
- The first picture is of the boundary wall to secure the Project Land as the Respondent No.1 is permitted under law to fence the boundary of the Project Land.

In reference to the pictures @pg. 223 of the Interim Application it is stated as follows-

- The first and second photographs of stones/ rough terrain to allege that the Respondent No. 1 has allegedly carried out blasting operations is grossly incorrect. It is stated that the Project land is a part of a natural rocky terrain and the stones/ rough terrain which is shown in the photograph is the nature of land and has been the same since the Respondent No. 1 took over the possession of the Project Land.

In reference to the picture @pg. 224 of the Interim Application it is stated as follows-

- The first picture is of the “kacha road” / approach road that has existed even prior to the Respondent No. 1 taking possession of the Project Land.

43. The rest of the contents of the para are wrong and denied.

44. It is submitted that the contents of the para 6 do not merit response from the Respondent No. 1. It is submitted that the Respondent No. 1 has duly replied to the notice dated 30.11.2024 issued by the Respondent No. 2 on 25.02.2025. The Respondent No. 1 in the reply has clarified that the no construction activities have been commenced related to the thermal power plan at the Project Land.

A copy of the Reply dated 25.02.2025 by the Respondent No. 1 is attached herewith and marked as “**Annexure R-1/9**”

45. It is submitted that the contents of the para 7 are false, misleading and denied. It is vehemently denied that there is a continuous work going on at the Project Land. It is denied that any blasting operations have been undertaken at the Project Land and there is rapid movement of heavy loaded trucks of raw material and equipment at the Project Land. It is stated that the construction of the boundary wall and the gate is imperative for the purposes of securing the Project Land from intruders and also for the demarcation of the Project Land. The Respondent No. 1 is permitted under law to fence the boundary of the Project Land. It is stated that the Respondent No. 1 is ensuring the security of the Project Land and it is denied that the Respondent No. 1 is threatening the locals. It is denied that there is any illegal construction at the Project Land. It is stated that the contents of the para are repetitive in nature and the Respondent No. 1 has in detail responded to the alleged allegation in the proceeding paras, the same be read as part and parcel to the reply of the contents of the para. The rest of the contents of the para are wrong, misleading and denied.

46. It is submitted that the contents of the para 8 are false, misleading and denied. It is denied that the Project Land is a proposed site for 'Sloth Bear Conservation Reserve'. It is denied that any illegal construction activities are being carried that would allegedly hamper and impact the movement of the wildlife at the Project Land/ Site. It is stated that the construction of the boundary wall and by setting-up of temporary portable the Respondent No. 1 is not in a violation of any law, rules or regulations and furthermore,

there is no deviation in terms of the directions passed in the Judgment dated 21.12.2016. The rest of the contents of the para are wrong, misleading and denied and do not merit response from the Respondent No. 1.

47. It is submitted that the contents of the para 9 are false, misleading and denied. The contents of the para are repetitive and do not merit the response of the Respondent No. 1. It is denied that any illegal construction has been carried out by the Respondent No. 1 leading to the change in the landscape of the Project Land. It is stated that the construction of the boundary wall and by setting-up of temporary portable sheds, the Respondent No. 1 is not in a violation of any law, rules or regulations. The Respondent No. 1 has in detail responded to the alleged allegation as levelled by the Appellant/ Applicant in the proceeding paras and the same be read as part and parcel of the reply to the contents of the para 9. The rest of the contents of the para are misleading, wrong and denied and do not merit response from the Respondent No. 1.

48. It is submitted that the contents of the para 10 are false, misleading and denied. It is submitted that the Execution Application and the Interim Application are malafide, motivated and false.

PRAYER

It is most respectfully prayed that this Hon'ble Tribunal may be pleased

to:

- i. Dismiss the present Interim Application with exemplary costs;

- II. Pass such order(s) or direction(s) as this *Hon'ble* Tribunal may deem fit or proper in the interest of justice.


RESPONDENT NO.1



THROUGH



Trust Legal Advocates & Consultants
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petalchandhok@trustlegal.in

Date: 06.03.2025
Place: New Delhi

Verification:

Verified at Ahmedabad on this 06 day of March 2025 that the contents of the above Reply are true and correct to the best of my knowledge as derived from the record of the case and nothing material has been concealed therefrom and no part thereof is false. I say that the contents of the paragraph 2 is based on personal knowledge, paragraph 1, 3 - 48 are on the basis of documents maintained in ordinary course of business and paragraph Prayer are on the basis of the legal advice rendered to me.


RESPONDENT NO.1



**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
IA NO. 110/2025
IN
EXECUTION APPLICATION NO. 29 /2024
IN
APPEAL NO. 79/2014**

IN THE MATTER OF:

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...RESPONDENTS

AND IN THE MATTER OF:

DEBADIYTO SINHA

..APPLICANT

Versus

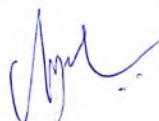
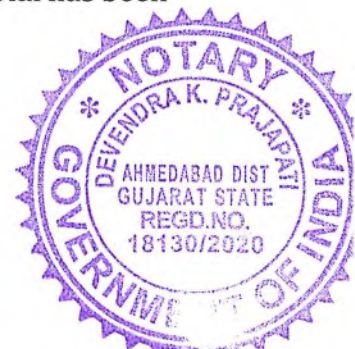
MIRZAPUR ENERGY (U.P.) PVT. LTD. & ORS

..RESPONDENTS

AFFIDAVIT

I, Rajesh Sehgal, S/o Late Sh. S.P Sehgal, aged about 51 years, residing at C1-201, Water Lily, Shantigram, Ahmedabad, presently at Ahmedabad employed as the Chief Legal Officer, Mirzapur Thermal Energy (UP) Private Limited (MTEUPPL) do hereby on solemn affirmation state and declare as under:

1. I am the Authorized Representative of the Respondent No. 1 Mirzapur Thermal Energy (UP) Private Limited (MTEUPPL) being duly authorized vide the Board Resolution dated 05.08.2024.
2. I state that I am aware of the facts and circumstances of the present case on the basis of the documents maintained by the Respondent No. 1 company and competent and authorized to swear and depose this affidavit.
3. That I have read and understood the contents of the accompanying Reply and I say that the contents thereof are true to my knowledge and derived from the official records and nothing material has been concealed therefrom.

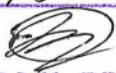
4. That the annexures annexed to the Reply are herein true copies of their respective originals.

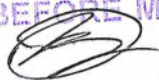

DEPONENT

VERIFICATION:

Verified at Ahmedabad on this 06 day of March 2025, that the contents paragraphs 1 to 4 of the above affidavit are true and correct and no part of it is false and nothing material has been concealed therefrom.


DEPONENT

Serial No. 298/2025
Book No. 01
Page No. 18

DEVENDRA K. PRAJAPATI
NOTARY
GOVT. OF INDIA
- 6 MAR 2025

SOLEMNLY AFFIRMED
BEFORE ME

DEVENDRA K. PRAJAPATI
NOTARY
GOVT. OF INDIA
- 6 MAR 2025



CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF MIRZAPUR THERMAL ENERGY (UP) PRIVATE LIMITED AT ITS MEETING HELD ON MONDAY, 05TH AUGUST, 2024 AT 10:00 A.M. AT ADANI CORPORATE HOUSE, SHANTIGRAM, NE VAISHNO DEVI CIRCLE, S. G. HIGHWAY, KHODIYAR, AHMEDABAD.

"RESOLVED THAT Mr. Rajesh Sehgal, Chief Legal Officer, and Shri Omprakash R, Manager, Legal, be and are hereby severally authorized on behalf of the Company to sign, execute, file and institute all applications, affidavits, complaints, petitions, suits, appeals, written statements, rejoinders, etc. in the matter of suit / complaint filed / to be filed by or against the Company before any court of law or authority, tribunals, National Company Law Tribunals ("NCLT"), National Company Law Appellate Tribunals ("NCLAT"), consumer forum or State Consumer Commission, or National Consumer Commission;

RESOLVED FURTHER THAT Mr. Rajesh Sehgal, Chief Legal Officer, and Shri Omprakash R, Manager, Legal, be and are also authorized severally to engage, appoint, or remove any pleader or advocates, and to sign vakalatnamas and power of attorney for such engagement or appointment and to file appeal and defend the interest of the Company as deemed necessary for the aforesaid purpose **AND THAT** any action taken by Mr. Rajesh Sehgal, Chief Legal Officer, and Shri Omprakash R, Manager, Legal, pursuant to this authority shall be deemed to have been ratified by the Company;

RESOLVED FURTHER THAT the certified true copy of the aforesaid Resolution, duly signed by any one Director of the Company, be forwarded to the concerned authority(ies), as may be necessary with a request to act thereon."

Certified True Copy


For Mirzapur Thermal Energy (UP) Private Limited

Sunil Tokarawat
Director
(DIN: 09486893)

Mirzapur Thermal Energy (UP) Private Limited
(Formerly Known as Welspun Energy UP Private Limited)
"Adani Corporate House"
Shantigram, Near Vaishno Devi Circle,
S. G. Highway, Khodiyar,
Ahmedabad 382 421, Gujarat India
CIN: U40300GJ2010PTC117810

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Registered Office: "Adani Corporate House", Shantigram, Near Vaishno Devi Circle, S. G. Highway, Khodiyar, Ahmedabad - 382421

TRUE COPY


**474**

File No: J-13012/12/2011-IA.II (T)

Annexure R-1/2

25

Government of India
Ministry of Environment, Forest and Climate Change
IA Division



Dated 29/07/2024



To,

Sh. Santosh Kumar Singh
M/s MIRZAPUR THERMAL ENERGY (UP) PRIVATE LIMITED
Mirzapur Thermal Energy (UP) Private Limited, Adani Corporate House, Shantigram, Near Vaishno
Devi Circle, S. G. Highway, Khodiyar, Ahmedabad 382 421, Gujarat, India, Ahmedabad,
AHMADABAD, GUJARAT, ACH, Shantigram, Vaishnodevi Circle, S.G Highway., 382421
E-mail: mirzapur.env@gmail.com

Subject: **Proposal of 2x800 MW Coal based Ultra Super Critical Thermal Power Project (TPP) at Village Dadri Khurd, Tehsil, Mirzapur Sardar, District Mirzapur, Uttar Pradesh by M/s Mirzapur Thermal Energy (UP) Private Limited (MTEUPPL). – Grant of Terms of Reference - regarding**

Sir/Madam,

This is in reference to your application for Grant of Terms of Reference under the provision of the EIA Notification 2006-regarding in respect of project 2x800 MW Coal based Ultra Super Critical Thermal Power Project (TPP) at Village Dadri Khurd, Tehsil, Mirzapur Sardar, District Mirzapur, Uttar Pradesh by Mirzapur Thermal Energy (UP) Private Limited (MTEUPPL). submitted to Ministry vide proposal number IA/UP/THE/467671/2024 dated 08/05/2024.

2. The particulars of the proposal are as below :

(i) TOR Identification No.	TO24A0601UP5665287N
(ii) File No.	J-13012/12/2011-IA.II (T)
(iii) Clearance Type	TOR
(iv) Category	A
(v) Project/Activity Included Schedule No.	1(d) Thermal Power Plants
(vi) Sector	Thermal Projects 2x800 MW Coal based Ultra Super Critical Thermal Power Project (TPP) at Village Dadri Khurd, Tehsil, Mirzapur Sardar, District Mirzapur, Uttar Pradesh by Mirzapur Thermal Energy (UP) Private Limited (MTEUPPL).
(vii) Name of Project	
(viii) Name of Company/Organization	M/s MIRZAPUR THERMAL ENERGY (UP)

- (ix) Location of Project (District, State)
 (x) Issuing Authority
 (xii) Applicability of General Conditions
 (xiii) Applicability of Specific Conditions

PRIVATE LIMITED
 MIRZAPUR, UTTAR PRADESH
 MoEF&CC
 no
 no

3. M/s Mirzapur Thermal Energy (UP) Private Limited (MTEUPPL) has made an application online vide proposal no IA/UP/THE/467671/2024 dated 08/05/2024 in the prescribed format (Form-I) and submitted a pre-feasibility report for undertaking a detailed EIA study as per the EIA Notification, 2006 for grant of Terms of Reference (ToR) to 2x800 MW Coal based Ultra Super Critical Thermal Power Project (TPP) at Village Dadri Khurd, Tehsil, Mirzapur Sardar, District Mirzapur, Uttar Pradesh by M/s Mirzapur Thermal Energy (UP) Private Limited (MTEUPPL).

4. The project/activity is covered under category A of item 1(d) 'Thermal Power Plants' of the Schedule to the Environmental Impact Assessment (EIA) Notification, 2006, as amended as the power generation capacity of proposed expansion is beyond threshold capacity of 500MW i.e. 2 x 800 MW (1600 MW) and requires appraisal at Central level.

5. The instant Proposal was considered in the 10th EAC (Thermal) meeting held on 10th June 2024. The minutes of the meeting and all the project documents are available on PARIVESH portal which can be accessed at <https://parivesh.nic.in>.

Details submitted by the project proponent

6. Project Proponent along with the QCI NABET consultant M/s. Gaurang Environmental Solutions Pvt. Ltd made the detailed presentation and apprised following to the EAC:

i. Mirzapur Thermal Energy (UP) Private Limited (MTEUPPL) is proposed to setup a coal based Ultra Super Critical Technology Thermal Power Project (USCTPP) of 1600(2X800) MW in Village Dadri Khurd, District Mirzapur, State Uttar Pradesh.

ii. Previously, M/s. Welspun Energy UP Pvt. Ltd. (WEUPPL) proposed to set up 2x660 MW Super Critical Coal based thermal power plant at Village Dadri Khurd, Tehsil Mirzapur, Uttar Pradesh. The Ministry of Environment, Forest & Climate Change (MoEFCC) had granted Environmental Clearance for 1320 (2x660) MW vide F. No: J-13012/12/2011-IA II(T) dated 21.08.2014 and subsequently, name changed to Welspun Energy UP Pvt. Ltd. (WEUPPL) to Mirzapur Thermal Energy UP Pvt. Ltd. (MTEUPPL) Vide Letter No. F. No: J-13012/12/2011-IA II(T) dated 20.12.2019.

iii. Earlier, Hon'ble NGT, Principal Bench, Delhi in their judgement dated 21.12.2016 set aside the Environmental Clearance (EC) dated 21.08.2014. Further, in Judgement dated 01.05.2017, a clarification was issued, that "the Project Proponent is at liberty to approach the MoEF&CC or any other competent authority for processing of the application for grant of EC upon making up for /rectifying the defects and deficiencies pointed out in the judgement".

iv. MTEUPPL had submitted the revised Form-I & supporting documents - Study Reports as suggested by MoEFCC for EC amendment, which was appraised by the EAC (Thermal Power) in its meetings held on 24.07.2017 and 22.02.2019. The EAC in its meeting held on 22.02.2019 recommended for EC amendment.

v. The MoEFCC vide letter no. J-13012/ 12/2011-IA.II(T) dated: 20.12.2019 suggested for providing/submitting the Stage-I Forest Clearance for further issuance of EC amendment letter. MTEUPPL had not submitted the same and the EC amendment letter was not issued. PP now submitted a fresh proposal for EC.

vi. Pre-Construction activities & Planning has been completed and construction work not started yet.

vii. Now the proposal has changed from 2x660 MW to 2x800 MW and almost 10 years have lapsed, a new reference (De Novo) is being made through this application for grant of ToR.

viii. The salient features of the project are as under:-

Project Details

S. No.	Particulars	Details
i.	Category of the project	A
ii.	Capacity	1600 (2 X 800) MW
iii.	Location of TPP	Village Dadri Khurd, Tehsil, Mirzapur Sardar, District Mirzapur, Uttar Pradesh
iv.	Average height	(a) TPP site: 198 m above MSL (b) Ash pond site: 195 m above MSL.
v.	Accredited Consultant and certificate no.	M/s Gaurang Environmental Solutions Pvt. Ltd. NABET Accreditation No.: NABET / EIA / 2023/SA0203
vi.	Inter- state issue involved	No
vii.	Seismic zone	Zone-III as per IS 1893.

Land Area Breakup:

Land Requirement:	365.19 ha.
a) TPP Site	85.80 ha
b) Ash Pond	49.37 ha
c) Township	11.57 ha
d) Railway Siding & Others	64.14
e) Raw Water Reservoir	33.18 ha
f) Green Belt	120.51 ha
g) others	0.62
Total (if expansion state additional land requirement)	Total: No additional land is required.
Status of Land Acquisition:	The land required for proposed project is already under possession except Govt. & Forest like area (Jhari)
Status of the project: If under construction phase: please specify the reasons for delay, works completed till date and balance works along with expected date of completion. If under operation phase, date of commissioning (COD) of each unit. Whether the plant was under shutdown since commissioning, details and reasons.	Proposed project is at planning stage and no construction activities have been commenced at the site.
Break-Up of land-use of TPP site: a) Total land required for project components b) Private land c) Government land Forest Land	Total Project Land: 365.19 ha · Private Land: 364.57 ha · Forest Land: 0.62 ha (Application was submitted for same area but after the Joint inspection of DFO (Forest Office) & SDM (Revenue) was held on 03.04.2024 confirming that the above area is Non-Forest Land. This area will be used for plantation / green belt purposes only.)
Whether the project is in the Critically Polluted Area (CPA) or within 10 km of CPA. If so, the details thereof:	No, the district doesn't fall under CPA.
CRZ Clearance	Not Applicable
Whether the project is in the Critically Polluted Area (CPA)/Severely Polluted Area (SPA) or within 10 km of CPA. If so, the details thereof:	No, the district doesn't fall under CPA/SPA.

Details of fuel and Ash disposal:

Fuel to be used:	Coal and Auxiliary Fuel
Quantity of Fuel required per Annum:	Coal - 6.4 Million MTPA Auxiliary Fuel- 15000 KL per annum
Coal Linkage / Coal Block: (If Block allotted, status of EC & FC of the Block)	Coal for the Proposed project will be Domestic coal from commercial Coal Mines of NCL / SECL / CCL & Commercial Coal Mines. (Design Coal GCV of 3200-4300 KCal/kg.). Auxiliary liquid fuels, viz. LDO/HSD requirement per annum is about 15000 kiloliters.
Details of mode of transportation of coal from coal source to the plant premises along with distances	Coal shall be received from Mine to TPP through BG Rail Wagons. Total distance from the source to Rail: about 250 - 550 km.
Fly Ash Disposal System Proposed	Fly ash will be collected in dry form for utilization, while bottom ash will be collected in wet form. There would be provision for dry disposal of fly ash from storage silos to closed tankers for utilization in cement industries, abandoned mine reclamation, road construction, aggregate replacement in concrete, for manufacturing bricks, etc. as per Fly Ash Notification, 31st December' 2021 and amendments. Provision would be kept for HCSD disposal of both bottom and fly ash to ash pond in case of exigency. In this case, both bottom ash and fly ash will be disposed through HCSD system to the proposed ash dyke.
a) Ash Pond / Dyke: (Area, Location & Co-ordinates) Average height of area above MSL (m) b) Space left in ash dyke area	Area-49.37 ha 25° 0'1.67"N 82°40'33.12"E 195 m above MSL. Area- 49.37 ha
Quantity of a) Fly Ash to be generated b) Bottom Ash to be generated:	10,035 TPD 8028 TPD 2007 TPD
Fly Ash utilization percentage with details in last 5 years	No fly ash generated in last five years as this is a green field (De Novo) project
Stack Height (m) & Type of Flue	120 (m) (new) Bi Flue

ix. The estimated project cost is Rs. 18,300 Cr. Total capital cost earmarked towards environmental pollution control measures is Rs. 3012.39 Cr. and the Recurring cost (operation and maintenance) will be about Rs 3.0 Cr per annum considering EMP.

x. Total Employment will be 275 persons as direct & 25 persons as indirect. Industry proposes to allocate Rs. 48.5 Cr. towards CER (as per Ministry's OM dated 30.09.2020).

xi. There are no national parks, wildlife sanctuaries, Biosphere Reserves, Tiger/Elephant Reserves, Wildlife Corridors etc. within 10 km distance from the project site except Reserved forests, temples and BHU (South Campus) exist within the study area from the project site. Upper Khajuri Dam is at a distance of 6.0 km in the WEST direction and few other water bodies exist within the study area from the project site.

xii. Effluent of 1080 KLD quantity will be treated through STP & ETP. The plant will be based on a Zero Liquid discharge system.

xiii. Power requirement after will be 7.5 and will be met from self-generation, i.e. AUX consumption. The existing unit has no DG sets, additionally, no DG sets are used as standby during power failure. Stack (height-movable DG sets) will be provided as per CPCB norms for the proposed DG sets.

xiv. The existing unit has no boiler. Additionally, a 585 TPH coal-fired boiler will be installed. Electrostatic precipitator (ESP), NOx Control system and Flue gas desulphurisation system (FGD) with a stack height of 120 m will be installed for controlling particulate emissions within the statutory limit of 30 mg/Nm³ for proposed boilers.

xv. Details of Solid waste/ Hazardous waste generation and its management are given below-

Name of the waste	Source	Quantity (TPA)	Mode of Disposal	Mode of Transportation
Used/Spent oil	Plant Operation	60	Registered Recyclers/ Pre-processors with SPCB	Road
Wastes or residues containing oil	Plant Operation	10	Send to authorized recyclers	Road
Empty barrels/container/contaminated liners	Plant Operation	12	Send to authorized recyclers	Road

xvi. Ash Pond area: As per MoEF&CC Notification S.O. 5481(E) dated 31.12.2021 and amendments stipulated ash pond area for thermal power plant 0.1 hectare per Mega Watt (MW). The proposed power plant has total ash pond area 49.37 ha i.e. 13.51% of the total project area 365.19 ha which is well within the norms.

xvii. Water Requirement: Water consumption for thermal power plants as per MoEF&CC vide Notification S.O. 3305 (E) dated 07.12.2015 for all existing CT based plants reduce specific water consumption upto maximum of 3.5 m3/MWh and as per MoEF&CC stipulated norms vide Notification GSR 593 (E) dated 28.06.2018 water allocated to the thermal power plant is 3 m3/MWhr for new plants installed after the 1st January, 2017. The total water requirement for the project is 3200 m3/h, (2m3/MWh) which will be well within the stipulated norms of Notification dated 07.12.2015/28.06.2018.

xviii. The water drawl permission of 36 MCM/year is obtained from WRD Uttar Pradesh Vide letter no. 3613/11-27-C.0-4-174/11 dated 09.10.2011.

xix. Details of Coal Linkage: Coal for the Proposed project will be Domestic coal from commercial Coal Mines of NCL / SECL / CCL & Commercial Coal Mines.

xx. Status of Litigation Pending against the proposal, if any.

Court name	Bench	Case Category	Status	Orders Directions
Local Court	Local Court	WP(Civil)	Reserved for judgement	Regulatory and Non Regulatory court cases are under hearing & consideration.
NGT court Case	NGT, Principal Bench, Delhi	Appeal	Disposed Off	In December' 2016, NGT judgement set aside the EC of the 1320 MW TPP at Mirzapur and vide their judgment in May'2017, that Project proponent is at liberty to approach the MoEFCC or any other competent authority for processing of the applications for grant of EC upon making up for rectifying the defects and deficiencies pointed out in the judgment. However, the authorities concerned are at liberty to process the same in accordance with law while strictly adhering to the content of the judgment.

Deliberations of the Committee

7. The EAC noted the following:

i. The proposal is for the grant of Terms of Reference (ToR) to 2x800 MW Coal based Ultra Super Critical Thermal Power Project (TPP) at Village Dadri Khurd, Tehsil, Mirzapur Sardar, District Mirzapur, Uttar Pradesh by Mirzapur Thermal Energy (UP) Private Limited (MTEUPPL). The committee noted that earlier, M/s. Welspun Energy UP Pvt. Ltd. (WEUPPL) proposed to set up a 2x660 MW Super Critical Coal-based thermal power plant and MoEF&CC granted EC for 1320 (2x660) MW vide letter no. F. No: J-13012/12/2011-IA II(T) dated 21.08.2014 and subsequently, name changed to Welspun Energy UP Pvt. Ltd. (WEUPPL) to Mirzapur Thermal Energy UP Pvt. Ltd. (MTEUPPL) vide Letter No. F. No: J-13012/12/2011-IA II(T) dated 20.12.2019.

ii. It was noted by the EAC that in 2016, Hon'ble NGT, Principal Bench, Delhi vide Judgement dated 21.12.2016 set aside the Environmental Clearance (EC) dated 21.08.2014. Further, in the Judgement dated 01.05.2017, it was clarified that "the Project Proponent is at liberty to approach the MoEF&CC or any other competent authority for the processing of the application for grant of EC upon making up for rectifying the defects and deficiencies pointed out in the judgement". Accordingly, PP applied for amendment in EC in 2019 but the same was not issued due to non-submission of the Stage-I FC.

iii. It was observed by the committee that as per the KML file, no construction work has been started yet and now PP has proposed a thermal power plant with a change in capacity from 2x660 MW to 2x800 MW for obtaining prior environmental clearance (De Novo).

iv. The Committee also deliberated on the land use and observed that previous EC was granted over an area of 354.1 Ha (875 acres as per EC dated 21.08.2014) but now the proposal is for 365.19 Ha. The EAC deliberated on land use pattern and PP informed that the area is barren land, further EAC asked PP to submit existing Land Use pattern of the Project Site. Accordingly, PP vide letter dated 10.06.2024 submitted the following:

The proposed Land area for the project is 365.19 Ha. Land as per Government of Uttar Pradesh land records and land use details are as under:

S. No.	Type of Land	Area (in ha)	Remarks
a.	Industrial Land (Private Land converted for industrial use.) Currently the land is barren and under possession.	333.19	Land use map prepared using satellite imagery and GIS is enclosed as Annexure – I. Copy of order & summary of land documents is enclosed as Annexure – II. Based on the Land allotment and Land converted for industrial purpose by order of District Magistrate, Sadar Mirzapur, Govt. of U.P. Order dated: 05.11.2012.
b.	Govt. Land	31.38	Application for land allotment was submitted on dated 22.03.2024 & 22.05.2024. Copy of receipt the application is enclosed Annexure – III.
c.	Forest like area	0.62	The application was submitted for diversion of forest area (forest-like area) but after the Joint inspection of DFO (Forest Office) & SDM (Revenue) held on 03.04.2024, it was confirmed that the above area is Non-Forest Land. Copy of Joint inspection report enclosed Annexure – IV. However, as per the directions of Hon'ble committee members, this area will be used for plantation / green belt purposes only

The Committee observed that PP has reported an area of 0.62 Ha (forest land) inside the plant boundary but at the same time applied for FC over an area of 4.0123 vide proposal No FP/UP/OTHERS/470227/2024 dated 22/04/2024. Further, PP submitted that application was submitted for the same area (0.62 Ha) but after joint inspection of DFO (Forest Office) & SDM (Revenue) was held on 3.04.2024 confirming that the above area is non-forest land. In addition to this PP also reported in PFR that there is a forest involvement in water pipeline (5.8162 ha) and approach road (2.5419 ha). Stage I Forest Clearance has already been applied for this vide Proposal no. FP/UP/THE/14236/2015 and the same is under due consideration with MoEF&CC. The Committee is of the view that although PP has submitted a copy of joint inspection report but for more clarity PP shall obtain a letter in this regard from concerned forest department clearly mentioning the extent of forest land involved within and outside (other activities related to plant) plant area. The EAC also suggested that while preparing the EIA/EMP report, PP shall explore the possibility of optimizing forest land requirement to the extent possible and submit a detailed note on the same at the time of EC presentation. In case of any increase in forest land PP shall obtain the amendment in ToR.

v. PP showed the KML file and Topo-Sheet of the project area. The Committee observed that as per KML the area is barren land but some water bodies/nallha passing through the project area. The Committee therefore asked the PP to submit a drainage map with contours. PP vide letter dated 10.06.2024 submitted project area drainage map with contour. The Committee is of the view that PP shall submit a plan for diversion of nallha/water body, if any, involved in the project. PP shall also obtain the permission for such diversion from the concerned authorities.

vi. The Committed observed that PP has submitted that Coal for the proposed project will be Domestic coal from commercial Coal Mines of NCL / SECL / CCL & Commercial Coal Mines. But PP has not submitted the quantity of coal that will be used for the proposed plant, accordingly, PP vide email dated 10.06.2024 submitted that the annual requirement of coal is estimated to be about 6.4 million MTPA for Ultra Super Critical Boiler based TPP (2x800 MW) Coal from Coal Mines of NCL / SECL & Commercial Coal Mines. The Coal will be transported through Rail as per the rules, regulations & terms/conditions of the Indian Railway for transportation of Coal. The Committee is of the view PP shall submit the firm coal linkage, quality of coal and propose mitigative measures in the EIA/EMP report after referring to the OMs issued by MoEF&CC in this regard.

vii. The Committee also observed that PP has submitted a PPT for expansion but it's a green field project and asked the PP to submit the revised PPT. PP vide email dated 10.06.2024 submitted the revised PPT and basic information.

viii. Further, the EAC noted that the total water requirement for the expansion project is 3200 m³/h (~2 m³ /MWh), which is well within the stipulated limits mentioned in the Notification dated 28.06.2018. The water drawl permission of 36 MCM/year is obtained from WRD Uttar Pradesh Vide letter no. 3613/11-27-C.0-4-174/11 dated 09.10.2011.

ix. Additionally, the Committee noted that total power generation will be 1600 MW (2x800 MW). Further, as per MoEF&CC Notification S.O. 5481(E) dated 31.12.2021 and amendments stipulated ash pond area for the thermal power plant is 0.1 hectare per Mega Watt (MW), which works out to be 160 Ha. The proposed power plant has a total ash pond area of 49.37 ha i.e. 13.51% of the total project area 365.19 ha which is well within the area suggested as per Notification dated 31.12.2021.

x. The Committee is also of the view that PP while preparing the EIA/EMP Report and conducting Public consultation shall take into account, the deficiency pointed out by the Hon'ble NGT Judgment 21.12.2016.

Recommendations of the Committee:

8. The EAC after detailed deliberation on the information submitted and as presented during the meeting **recommended** the proposal for grant of ToR for conducting an EIA study with Public Consultation (Public Hearing and Written submission) to the project for the construction of the 2x800 MW Coal based Ultra Super Critical Thermal Power Project (TPP) at Village Dadri Khurd, Tehsil, Mirzapur Sardar, District Mirzapur, Uttar Pradesh by **M/s Mirzapur Thermal Energy (UP) Private Limited (MTEUPPL)**, under the provisions of the EIA Notification, 2006, as amended with the specific ToRs in addition to generic/standard ToR.

9. In accordance with the provisions contained in the Environment Impact Assessment (EIA) Notification, 2006 & further amendments thereto and based on the recommendations of the EAC, the Ministry hereby accords Terms of Reference (ToR) to M/s Mirzapur Thermal Energy (UP) Private Limited (MTEUPPL) for the construction of the 2x800 MW Coal based Ultra Super Critical Thermal Power Project (TPP) at Village Dadri Khurd, Tehsil, Mirzapur Sardar, District Mirzapur, Uttar Pradesh under EIA Notification, 2006 (as amended) with the specific ToRs in addition to generic/standard ToR as per **Annexure 1**.

10. The EIA/EMP report should contain the information in accordance with provisions & stipulations as given in the specific and standard ToR.

11. You are required to submit the final EIA/EMP prepared as per TORs to the Ministry within 4 years as per this Ministry's Notification vide dated 25.07.2022 for considering the proposal for environmental clearance.

12. The consultants involved in the preparation of EIA/EMP report after accreditation with Quality Council of India/National Accreditation Board of Education and Training (QCI/NABET) would need to include a certificate in this regard in the EIA/EMP reports prepared by them and data provided by other organization(s)/laboratories including their status of approvals etc.

13. The Ministry reserves the right to stipulate additional ToR, if found necessary.

14. The Terms of Reference to the aforementioned project is under provisions of EIA Notification, 2006. It does not tantamount to approvals/consent/permissions etc. required to be obtained under any other Act/Rule/regulation. The Project

Proponent is under obligation to obtain approvals /clearances under any other Acts/ Regulations or Statutes, as applicable, to the project.

15. This issues with the approval of the Competent Authority.

Yours faithfully,

(Sundar Ramanathan)
Scientist 'E'/Additional Director
Tel: 011- 20819378
Email- r.sundar@nic.in;

Copy To

1. The Secretary, Ministry of Power, Shram Shakti Bhawan, Rafi Marg, New Delhi 110001.
2. The Chairman, Central Electricity Authority, Sewa Bhawan, R.K. Puram, New Delhi-110066.
3. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD cum-Office Complex, East Arjun Nagar, Delhi-110032.
4. The Chairman, Uttar Pradesh State Pollution Control Board, Building. No. TC-12V. Vibhuti Khand, Gomti Nagar. Lucknow-226 010
4. The Deputy Director General of Forests (C), Integrated Regional Officer, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector "H", Aliganj, Lucknow – 2260205.
5. The Chairman, Central Ground Water Authority, Ministry of Water Resources, Curzon Road Barracks, A-2, W-3 Kasturba Gandhi Marg, New Delhi.
6. Member Secretary, Uttar Pradesh State Pollution Control Board, PICUP Bhawan, 3rd Floor, B-Block, Vibhuti Khand, Gomti Nagar Lucknow – 226 010.
7. The Member Secretary, Central Ground Water Authority, Jamnagar House, 18/11, Man Singh Road Area, New Delhi, Delhi 110001
9. The District Collector, Mirzapur, Uttar Pradesh
10. Guard File/Monitoring File/PARIVESH Portal

Annexure 1

Specific Terms of Reference for (Thermal Power Plants)

1. [A] Environmental Management And Biodiversity Conservation

S. No	Terms of Reference
1.1	A Cumulative Environmental Impact Assessment study of all the existing and proposed projects in the 15-km radius of the proposed project shall be conducted and the same shall be included the in EIA/EMP report. Details of industrial units present in 15 Km radius of the power plant shall be submitted.
1.2	Radioactivity studies along with coal analysis to be provided (sulphur, ash percentage and heavy metals including Pb, Cr, As and Hg). Details of auxiliary fuel, if any including its quantity, quality, storage, etc should also be given.
1.3	A comparative chart shall be prepared with changes observed from the previous baseline study and present baseline study.

S. No	Terms of Reference
1.4	PP should submit the detailed plan in tabular format (year-wise for the life of the project) for concurrent afforestation and green belt development in and around the project site. The PP should submit the number of saplings to be planted, names of native species, area to be covered under afforestation & green belt, location of plantation, target for survival rate and budget earmarked for the afforestation & green belt development. In addition to this, PP should show on a surface plan (5-year interval for life of project) of suitable scale the area to be covered under afforestation & green belt clearly mentioning the latitude and longitude of the area to be covered during each 5 years. The capital and recurring expenditure to be incurred needs to be submitted. Plantation plan should be prepared in such a way that 80% of the plantation to be carried out in first 5 years and for the remaining years the proposal for gap filling. The seedling of height not less than 2 meters to be selected and accordingly cost of plantation needs to be decided. In addition to this, plantation in the safety zone at project boundary the plantation should be planned in such a way that it should be completed within 2 years only.
1.5	Action plan for development of Three tier plantation programme (33% of total project cover area) along the periphery of the project boundary shall be provided. Plan shall be duly approved by the local forest department.
1.6	A detailed plan need to be submitted for undertaking extensive green plantation within 10 km radius of the plant focusing on water reservoir, school, hospital and other institutional area and same need to be incorporated in EIA/EMP report.
1.7	<i>Detailed action plan shall be prepared for maintenance of air pollution control equipment for proposed and existing units and shall be incorporated in EIA/EMP report.</i>
1.8	<i>Details of Ash management of 5-year plan for 100 % ash utilization for proposed project shall be submitted. MoU signed for ash utilization with companies shall be submitted.</i>
1.9	<i>Details of Ash handling system along with the supplementary coal handling system shall be submitted.</i>
1.10	<i>Proper protection measures like HDPE lining, appropriate height of bund and adequate distance between the proposed Ash pond and water body (minimum 60 meters) etc. shall be planned to reduce the possibility of mixing leachate with any freshwater body for under-construction ash pond. A high-density Slurry disposal plan shall be prepared. The design of the same should as per CEA/CPCB guidelines.</i>
1.11	<i>Pond and ground water quality (10 locations within 2 km radius of the plant boundary) shall be studied and report be submitted along with EIA/EMP. Action plan for Ground water monitoring stations on all hotspots like schools/hospitals within 2 km radius of the plant boundary be submitted. Baseline Study for Heavy metals in Groundwater, Surface water and soil to be carried out and incorporated in EIA/EMP report. This is in addition to the regular baseline study of the study area.</i>
1.12	<i>Details pertaining to water source, treatment and discharge should be provided.</i>
1.13	<i>Zero Liquid Discharge plan shall be submitted.</i>
1.14	<i>PP shall submit action plan for using treated Sewage/Domestic wastewater for its operations.</i>

S. No	Terms of Reference
1.15	<i>Project Proponent to conduct Environmental Cost Benefit Analysis for the project in EIA/EMP Report.</i>
1.16	<i>An action plan shall be prepared for Water shed development within a 10 km radius of the plant boundary in consultation with a reputed government institution and incorporated in the EIA/EMP report. This should include recharge of ground water in the surrounding area of the plant.</i>
1.17	<i>PP should clearly bring out that what is the specific diesel consumption ~ (Liters/Tonne of total material handled) and steps to be taken for reduction of the same. The year-wise target for reduction in the specific diesel consumption needs to be submitted. PP shall also explore the possibility of using e-vehicles/LNG/CNG-based machinery and trucks for the operation and transportation of Coal and ash.</i>
1.18	<i>PP shall submit a plan for diversion of nallah/water body if any involved in the project. PP shall also obtain the permission for such diversion from the concerned authority.</i>
1.19	<i>PP shall obtain a letter from concerned forest department clearly mentioning the extent of forest land involved within and outside (other activities related to plant) plant area.</i>
1.20	<i>While preparing the EIA/EMP report, PP shall explore the possibility of optimizing forest land requirement to the extent possible and submit a detailed note on the same at the time of EC presentation. In case of any increase in forest land PP shall obtain the amendment in ToR.</i>
1.21	<i>List of Schedule-I species needs to be authenticated by the concerned forest department.</i>
1.22	<i>PP shall submit the firm coal linkage, quality of coal and propose mitigative measures in the EIA/EMP report after referring to the OM's issued by MoEF&CC in this regard.</i>

2. [B] Disaster Management

S. No	Terms of Reference
2.1	A Disaster Management Plan shall be prepared and incorporated in the EIA/EMP report.

3. [D] Miscellaneous

S. No	Terms of Reference
3.1	<i>Plot the wind rose diagram using the typical meteorological year (TMY) data for the period considered for the study. The monitoring units shall be deployed in the field based on the coverage area ratio and direction of the wind. A mathematical model shall be developed for the local site rather than using the standard model available in software for both air & water quality modelling.</i>
3.2	<i>PP shall align its activities to one/few of the Sustainable Development Goals (SDG) and start working on the mission of net zero by 2050. PP's shall update the same to the EAC.</i>
3.3	<i>PP shall submit the EIA/EMP report after the plagiarism check using authenticated plagiarism software.</i>

S. No	Terms of Reference
3.4	<i>Detailed description of all the court cases including all directions given by the apex and current status of them shall submit.</i>
3.5	<i>PP should provide in the EIA Report details of all the statutory clearances, permissions, no objection certificates, consents etc. required for this project under various Acts, Rules and regulations and their status or estimated timeline after grant of EC.</i>
3.6	<i>The PP should submit the photograph of monitoring stations & sampling locations. The photograph should bear the date, time, latitude & longitude of the monitoring station/sampling location. In addition to this PP should submit the original test reports and certificates of the labs which will analyze the samples.</i>
3.7	<i>PP should clearly bring out the details of the manpower to be engaged for this project with their roles /responsibilities/designations. In addition to this PP should mention the number and designation of persons to be engaged for the implementation of environmental management plan (EMP). The capital and recurring expenditure to be incurred needs to be submitted.</i>
3.8	<i>PP should submit the year-wise, activity-wise and time-bound budget earmarked for EMP, occupational health surveillance, and activities proposed to address the issues raised during the Public Hearing. The capital and recurring expenditures to be incurred need to be submitted.</i>
3.9	<i>Aerial view video of the project site and transportation route proposed for this project shall be recorded through drone and be submitted.</i>
3.10	<i>PP while preparing the EIA/EMP Report and conducting Public consultation shall take into account, the deficiency pointed out by the Hon'ble NGT Judgment 21.12.2016.</i>

4. [C] Socio-economic Study

S. No	Terms of Reference
4.1	<i>The Public Health Delivery Plan including the provisions for drinking water supply for the local population shall be in the EIA/EMP Report. The status of the existing medical facilities in the project area shall be discussed. Possibilities of strengthening of existing medical facilities, construction of new medical infrastructure etc. will be explored after assessing the needs of the labour force and local populace.</i>
4.2	<i>Public consultation (Public Hearing and Written submission) shall be conducted as per the provisions of EIA Notification, 2006 (as amended) and OM's issued in this regard by MoEF&CC.</i>
4.3	<i>As per the Ministry's OM dated 30.09.2020, to address the concern raised during the Public Hearing, the Project Proponent is required to submit the detailed activities proposed with year-wise budgetary provision (Capital and recurring) for at least 10 years. Activities proposed shall be part of EMP. Tentative no. of project-affected families (if any) shall be identified and accordingly appropriate Rehabilitation & Resettlement plan shall be prepared. The recommendation Socio-economic study may also be considered while planning the activities & budget. In addition to this issues raised during previous PH shall also be taken into account.</i>
4.4	<i>Demographic details in 10 km area shall be submitted.</i>

1. Statutory Compliance

S. No	Terms of Reference
1.1	The proposed project shall be given a unique name in consonance with the name submitted to other Government Departments etc. for its better identification and reference.
1.2	Vision document specifying prospective long term plan of the project shall be formulated and submitted.
1.3	Latest compliance report duly certified by the Regional Office of MoEF&CC for the conditions stipulated in the environmental and CRZ clearances of the previous phase(s) for the expansion projects shall be submitted.

2. Details Of The Project And Site

S. No	Terms of Reference
2.1	The project proponent needs to identify minimum three potential sites based on environmental, ecological and economic considerations, and choose one appropriate site having minimum impacts on ecology and environment. A detailed comparison of the sites in this regard shall be submitted.
2.2	Executive summary of the project indicating relevant details along with recent photographs of the proposed site (s) shall be provided. Response to the issues raised during Public Hearing and the written representations (if any), along with a time bound Action Plan and budgetary allocations to address the same, shall be provided in a tabular form, against each action proposed.
2.3	Harnessing solar power within the premises of the plant particularly at available roof tops and other available areas shall be formulated and for expansion projects, status of implementation shall also be submitted.
2.4	The geographical coordinates (WGS 84) of the proposed site (plant boundary), including location of ash pond along with topo sheet (1:50,000 scale) and IRS satellite map of the area, shall be submitted. Elevation of plant site and ash pond with respect to HFL of water body/nallah/river and high tide level from the sea shall be specified, if the site is located in proximity to them.
2.5	Layout plan indicating break-up of plant area, ash pond, green belt, infrastructure, roads etc. shall be provided.
2.6	Land requirement for the project shall be optimized and in any case not more than what has been specified by CEA from time to time. Item wise break up of land requirement shall be provided.
2.7	Present land use (including land class/kism) as per the revenue records and State Govt. records of the proposed site shall be furnished. Information on land to be acquired including coal transportation system, laying of pipeline, ROW, transmission lines etc. shall be specifically submitted. Status of land acquisition and litigation, if any, should be provided.
2.8	If the project involves forest land, details of application, including date of application, area applied for, and application registration number, for diversion under FCA and its status should be provided

S. No	Terms of Reference
	along with copies of relevant documents.
2.9	The land acquisition and R&R scheme with a time bound Action Plan should be formulated and addressed in the EIA report.
2.10	Satellite imagery and authenticated topo sheet indicating drainage, cropping pattern, water bodies (wetland, river system, stream, nallahs, ponds etc.), location of nearest habitations (villages), creeks, mangroves, rivers, reservoirs etc. in the study area shall be provided.
2.11	Topography of the study area supported by toposheet on 1:50,000 scale of Survey of India, along with a large scale map preferably of 1:25,000 scale and the specific information whether the site requires any filling shall be provided. In that case, details of filling, quantity of required fill material; its source, transportation etc. shall be submitted.

3. Ecology Biodiversity And Environment

S. No	Terms of Reference
3.1	A detailed study on land use pattern in the study area shall be carried out including identification of common property resources (such as grazing and community land, water resources etc.) available and Action Plan for its protection and management shall be formulated. If acquisition of grazing land is involved, it shall be ensured that an equal area of grazing land be acquired and developed and detailed plan submitted.
3.2	Location of any National Park, Sanctuary, Elephant/Tiger Reserve (existing as well as proposed), migratory routes / wildlife corridor, if any, within 10 km of the project site shall be specified and marked on the map duly authenticated by the Chief Wildlife Warden of the State or an officer authorized by him.
3.3	A mineralogical map of the proposed site (including soil type) and information (if available) that the site is not located on potentially mineable mineral deposit shall be submitted.
3.4	The water requirement shall be optimized (by adopting measures such as dry fly ash and dry bottom ash disposal system, air cooled condenser, concept of zero discharge) and in any case not more than that stipulated by CEA from time to time, to be submitted along with details of source of water and water balance diagram. Details of water balance calculated shall take into account reuse and re-circulation of effluents.
3.5	Water body/Nallah (if any) passing across the site should not be disturbed as far as possible. In case any Nallah / drain is proposed to be diverted, it shall be ensured that the diversion does not disturb the natural drainage pattern of the area. Details of proposed diversion shall be furnished duly approved by the concerned Department of the State.
3.6	It shall also be ensured that a minimum of 500 m distance of plant boundary is kept from the HFL of river system / streams etc. and the boundary of site should also be located 500 m away from railway track and National Highways.
3.7	Hydro-geological study of the area shall be carried out through an institute/ organization of repute to assess the impact on ground and surface water regimes. Specific mitigation measures shall be

S. No	Terms of Reference
	spelt out and time bound Action Plan for its implementation shall be submitted
3.8	Detailed Studies on the impacts of the ecology including fisheries of the River/Estuary/Sea due to the proposed withdrawal of water / discharge of treated wastewater into the River/Sea etc shall be carried out and submitted along with the EIA Report. In case of requirement of marine impact assessment study, the location of intake and outfall shall be clearly specified along with depth of water drawl and discharge into open sea.
3.9	Source of water and its sustainability even in lean season shall be provided along with details of ecological impacts arising out of withdrawal of water and taking into account inter-state shares (if any). Information on other competing sources downstream of the proposed project and commitment regarding availability of requisite quantity of water from the Competent Authority shall be provided along with letter / document stating firm allocation of water.
3.10	Detailed plan for rainwater harvesting and its proposed utilization in the plant shall be furnished. In addition, wherever ground water is drawn, PP shall submit detailed plan of Water charging activity to be undertaken.
3.11	Feasibility of near zero discharge concept shall be critically examined and its details submitted.
3.12	Optimization of Cycles of Concentration (COC) along with other water conservation measures in the project shall be specified.
3.13	Plan for recirculation of ash pond water and its implementation shall be submitted.
3.14	Detailed plan for conducting monitoring of water quality regularly with proper maintenance of records shall be formulated. Detail of methodology and identification of monitoring points (between the plant and drainage in the direction of flow of surface / ground water) shall be submitted. It shall be ensured that parameter to be monitored also include heavy metals. A provision for long-term monitoring of ground water table using Piezometer shall be incorporated in EIA, particularly from the study area.
3.15	Hazards Characterization: Past incidents of hazard events within 10km radius of project area with detailed analysis of causes and probability of reoccurrence

4. Environmental Baseline Study And Mitigation Measures

S. No	Terms of Reference
4.1	One complete season (critical season) site specific meteorological and AAQ data (except monsoon season) as per latest MoEF&CC Notification shall be collected along with past three year's meteorological data for that particular season for wind speed analysis and the dates of monitoring shall be recorded. The parameters to be covered for AAQ shall include PM10, PM2.5, SO2, NOx, CO and Hg. The location of the monitoring stations should be so decided so as to take into consideration the upwind direction, pre-dominant downwind direction, other dominant directions, habitation and sensitive receptors. There should be at least one monitoring station each in the upwind and in the pre - dominant downwind direction at a location where maximum ground level concentration is likely to occur.

S. No	Terms of Reference
4.2	In case of expansion project, air quality monitoring data of 104 observations a year for relevant parameters at air quality monitoring stations as identified/stipulated shall be submitted to assess for compliance of AAQ Standards (annual average as well as 24 hrs).
4.3	A list of industries existing and proposed in the study area shall be furnished.
4.4	Cumulative impacts of all sources of emissions including handling and transportation of existing and proposed projects on the environment of the area shall be assessed in detail. Details of the Model used and the input data used for modelling shall also be provided. The air quality contours should be plotted on a location map showing the location of project site, habitation nearby, sensitive receptors, if any. The windrose and isopleths should also be shown on the location map. The cumulative study should also include impacts on water, soil and socio-economics.
4.5	Radio activity and heavy metal contents of coal to be sourced shall be examined and submitted along with laboratory reports.
4.6	Fuel analysis shall be provided. Details of auxiliary fuel, if any, including its quantity, quality, storage etc should also be furnished.
4.7	Quantity of fuel required, its source and characteristics and documentary evidence to substantiate confirmed fuel linkage shall be furnished. The Ministry's Notification dated 02.01.2014 regarding ash content in coal shall be complied. For the expansion projects, the compliance of the existing units to the said Notification shall also be submitted
4.8	Details of transportation of fuel from the source (including port handling) to the proposed plant and its impact on ambient AAQ shall be suitably assessed and submitted. If transportation entails a long distance it shall be ensured that rail transportation to the site shall be first assessed. Wagon loading at source shall preferably be through silo/conveyor belt.
4.9	For proposals based on imported coal, inland transportation and port handling and rail movement shall be examined and details furnished. The approval of the Port and Rail Authorities shall be submitted.
4.10	Details regarding infrastructure facilities such as sanitation, fuel, restrooms, medical facilities, safety during construction phase etc. to be provided to the labour force during construction as well as to the casual workers including truck drivers during operation phase should be adequately catered for and details furnished.

5. Environmental Management Plan

S. No	Terms of Reference
5.1	EMP to mitigate the adverse impacts due to the project along with item - wise cost of its implementation in a time bound manner shall be specified.
5.2	A Disaster Management Plan (DMP) along with risk assessment study including fire and explosion issues due to storage and use of fuel should be prepared. It should take into account the maximum inventory of storage at site at any point of time. The risk contours should be plotted on the plant layout map clearly showing which of the proposed activities would be affected in case of an

S. No	Terms of Reference
	accident taking place. Based on the same, proposed safeguard measures should be provided. Measures to guard against fire hazards should also be invariably provided. Provision for mock drills shall be suitably incorporated to check the efficiency of the plans drawn.
5.3	The DMP so formulated shall include measures against likely Fires/Tsunami/Cyclones/Storm Surges/ Earthquakes etc, as applicable. It shall be ensured that DMP consists of both On-site and Off-site plans, complete with details of containing likely disaster and shall specifically mention personnel identified for the task. Smaller version of the plan for different possible disasters shall be prepared both in English and local languages and circulated widely.
5.4	Details of fly ash utilization plan as per the latest fly ash Utilization Notification of GOI along with firm agreements / MoU with contracting parties including other usages etc. shall be submitted. The plan shall also include disposal method / mechanism of bottom ash along with monitoring mechanism.

6. Green Belt Development

S. No	Terms of Reference
6.1	Detailed scheme for raising green belt of native species of appropriate width (50 to 100 m) and consisting of at least 3 tiers around plant boundary not less than 2000 tree per ha with survival rate of more than 85% shall be submitted. Photographic evidence must be created and submitted periodically including NRSA reports in case of expansion projects. A shrub layer beneath tree layer would serve as an effective sieve for dust and sink for CO ₂ and other gaseous pollutants and hence a stratified green belt should be developed.
6.2	Over and above the green belt, as carbon sink, plan for additional plantation shall be drawn by identifying blocks of degraded forests, in close consultation with the District Forests Department. In pursuance to this the project proponent shall formulate time bound Action Plans along with financial allocation and shall submit status of implementation to the Ministry every six months

7. Socio-economic Activities

S. No	Terms of Reference
7.1	Socio-economic study of the study area comprising of 10 km from the plant site shall be carried out through a reputed institute / agency which shall consist of detail assessment of the impact on livelihood of the local communities.
7.2	Action Plan for identification of local employable youth for training in skills, relevant to the project, for eventual employment in the project itself shall be formulated and numbers specified during construction & operation phases of the Project.
7.3	If the area has tribal population, it shall be ensured that the rights of tribals are well protected. The project proponent shall accordingly identify tribal issues under various provisions of the law of the land.
7.4	A detailed CER plan along with activities wise break up of financial commitment shall be prepared in terms of the provisions OM No. 22-65/2017-IA.III dated 30.09.2020. CER component shall be

S. No	Terms of Reference
	identified considering need based assessment study and Public Hearing issues. Sustainable income generating measures which can help in upliftment of affected section of society, which is consistent with the traditional skills of the people shall be identified.
7.5	While formulating CER schemes it shall be ensured that an in-built monitoring mechanism for the schemes identified are in place and mechanism for conducting annual social audit from the nearest government institute of repute in the region shall be prepared. The project proponent shall also provide Action Plan for the status of implementation of the scheme from time to time and dovetail the same with any Govt. scheme(s). CER details done in the past should be clearly spelt out in case of expansion projects.
7.6	R&R plan, as applicable, shall be formulated wherein mechanism for protecting the rights and livelihood of the people in the region who are likely to be impacted, is taken into consideration. R&R plan shall be formulated after a detailed census of population based on socio economic surveys who were dependant on land falling in the project, as well as, population who were dependant on land not owned by them.
7.7	Assessment of occupational health and endemic diseases of environmental origin in the study area shall be carried out and Action Plan to mitigate the same shall be prepared.
7.8	Occupational health and safety measures for the workers including identification of work related health hazards shall be formulated. The company shall engage full time qualified doctors who are trained in occupational health. Health monitoring of the workers shall be conducted at periodic intervals and health records maintained. Awareness programme for workers due to likely adverse impact on their health due to working in non-conductive environment shall be carried out and precautionary measures like use of personal equipments etc. shall be provided. Review of impact of various health measures undertaken at intervals of two to three years shall be conducted with an excellent follow up plan of action wherever required.

8. Corporate Environment Policy

S. No	Terms of Reference
8.1	Does the company has a well laid down Environment Policy approved by its Board of Directors? If so, it may be detailed in the EIA report.
8.2	Does the Environment Policy prescribe for standard operating process / procedures to bring into focus any infringement / deviation / violation of the environmental or forest norms / conditions? If so, it may be detailed in the EIA.
8.3	What is the hierarchical system or Administrative order of the company to deal with the environmental issues and for ensuring compliance with the environmental clearance conditions. Details of this system may be given.
8.4	Does the company has compliance management system in place wherein compliance status along with compliances / violations of environmental norms are reported to the CMD and the Board of Directors of the company and / or shareholders or stakeholders at large? This reporting mechanism should be detailed in the EIA report.

9. Miscellaneous

S. No	Terms of Reference
9.1	All the above details should be adequately brought out in the EIA report and in the presentation to the Committee.
9.2	Details of litigation pending or otherwise with respect to project in any Court, Tribunal etc. shall invariably be furnished.
9.3	In case any dismantling of old plants are envisaged, the planned land use & land reclamation of dismantled area to be furnished.

10. Additional Tor For Coastal Based Thermal Power Plants Projects (TpPs)

S. No	Terms of Reference
10.1	Low lying areas fulfilling the definition wetland as per Ramsar Convention shall be identified and clearly demarcated w.r.t the proposed site.
10.2	If the site includes or is located close to marshy areas and backwaters, these areas must be excluded from the site and the project boundary should be away from the CRZ line. Authenticated CRZ map from any of the authorized agencies shall be submitted.
10.3	The soil levelling should be minimum with no or minimal disturbance to the natural drainage of the area. If the minor canals (if any) have to be diverted, the design for diversion should be such that the diverted canals not only drains the plant area but also collect the volume of flood water from the surrounding areas and discharge into marshy areas/major canals that enter into creek. Major canals should not be altered but their embankments should be strengthened and desilted.
10.4	Additional soil required for levelling of the sites should as far as possible be generated within the site itself in such a manner that the natural drainage system of the area is protected and improved.
10.5	Marshy areas which hold large quantities of flood water to be identified and shall not be disturbed.
10.6	No waste should be discharged into Creek, Canal systems, Backwaters, Marshy areas and seas without appropriate treatment. Wherever feasible, the outfall should be first treated in a Guard Pond and then only discharged into deep sea (10 to 15 m depth). Similarly, the Intake should be from deep sea to avoid aggregation of fish and in no case shall be from the estuarine zone. The brine that comes out from Desalinization Plants (if any) should not be discharged into sea without adequate dilution.
10.7	Mangrove conservation and regeneration plan shall be formulated and Action Plan with details of time bound implementation shall be specified, if mangroves are present in Study Area.
10.8	A common Green Endowment Fund should be created by the project proponents out of EMP budgets. The interest earned out of it should be used for the development and management of green cover of the area.
10.9	Impact on fisheries at various socio economic level shall be assessed.
10.10	An endowment Fishermen Welfare Fund should be created out of CER grants not only to enhance their quality of life by creation of facilities for Fish Landing Platforms / Fishing Harbour / cold

S. No	Terms of Reference
	storage, but also to provide relief in case of emergency situations such as missing of fishermen on duty due to rough seas, tropical cyclones and storms etc.
10.11	Tsunami Emergency Management Plan shall be prepared wherever applicable and Plan submitted prior to the commencement of construction work.
10.12	There should not be any contamination of soil, ground and surface waters (canals & village pond) with sea water in and around the project sites. In other words necessary preventive measures for spillage from pipelines, such as lining of Guard Pond used for the treatment of outfall before discharging into the sea and surface RCC channels along the pipelines of outfall and intake should be adopted. This is just because the areas around the projects boundaries could be fertile agricultural land used for paddy cultivation.



F. No. IA3-22/10/2022-IA.III [E 177258]

Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003

Dated: 29th March, 2022

OFFICE MEMORANDUM

Subject: Clarification regarding activities which can be undertaken for securing the land prior to grant of Environmental Clearance-regarding.

As per the provisions of Environment Impact Assessment (EIA) Notification 2006, the project or activities [New/Expansion/ Modernization/ change of product-mix or raw material mix] listed in the Schedule to the said Notification would require prior Environment Clearance (EC) from the concerned Competent Authority before undertaking any construction work or preparation of land by the project proponent, except for securing the land.

2. In this regard, Office Memorandum No. J-11011/41/2006-IA.II(I) dated 19/08/2010 clarified that while securing the land, no activity relating to any project covered under EIA Notification, 2006 including civil construction can be undertaken at the site without prior EC except fencing of the site to protect it from getting encroached and construction of temporary shed(s) for the guard(s).

3. Over a period of time, various options other than conventional barbed wire and wall fencing, have come into existence, viz., use of pre-fabricated structures, pre-cast compound wall etc. Further, in order to secure the land, the project proponent may need to have water and electricity connection. In view of the same, it has been decided by the Competent Authority in the Ministry to explicitly clarify that following activities can be undertaken by the project proponent for securing the land.

- i. Fencing of the project site by boundary wall using civil construction, barbed wire or precast/ prefabricated components.
 - ii. Construction of temporary sheds using pre-fabricated / modular structure, for site office/guards and storing material and machinery.
 - iii. Provision of temporary electricity and water supply for site office/guards only.
4. The above activities shall be undertaken subject to the following:

- i. The land should be in the legal possession of the project proponent and all statutory approvals in respect of the project site should have been obtained.
 - ii. In case of involvement of any forest land, no activity shall be initiated at the site till the Stage II Forest Clearance is obtained under the relevant provisions of Forest (Conservation) Act, 1980. In case of applicability of Wildlife Clearance, necessary permission from Standing Committee for National Board for Wildlife (SCNBWL) shall be obtained under the provisions of Wildlife Protection Act, 1972.
 - iii. In case of felling of trees if any, requisite permission from the Forest Department/Statutory Authorities of the concerned State Government shall be obtained.
 - iv. The investment made by the Project Proponent on the above, in anticipation of the applicable clearances under the relevant provisions of the Acts/Rules, shall be entirely at the cost and risk of the proponent.
5. However, the above dispensation would not entitle the project proponent to claim ***fait accompli*** with regard to grant of EC or any other applicable permission from any concerned statutory authority and further, the works of the aforesaid nature shall have no bearing on appraisal of the project for grant of EC which shall follow the due process and procedure as laid down in EIA Notification 2006, as amended.
6. This O.M. is being issued in supersession of the earlier O.M. dated 19/08/2010 and with the approval of the Competent Authority.



(A.K. Agrawal)
Director

To

1. Chairman, Central Pollution Control Board (CPCB)
2. Chairman of all the Expert Appraisal Committees
3. Chairperson/Member Secretaries of all the SEIAAs/SEACs
4. Chairpersons/Member Secretaries of all SPCBs/UTPCCs
5. All the Officers of I.A. Division

Copy for information to:

1. PS to Hon'ble Minister for Environment, Forest and Climate Change
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to DG (FC) & SS
5. PPS to AS(TK) / AS (NPG)/ AS(RS)
6. PPS to JS (SKB)
7. Website, MoEF&CC/Guard file.

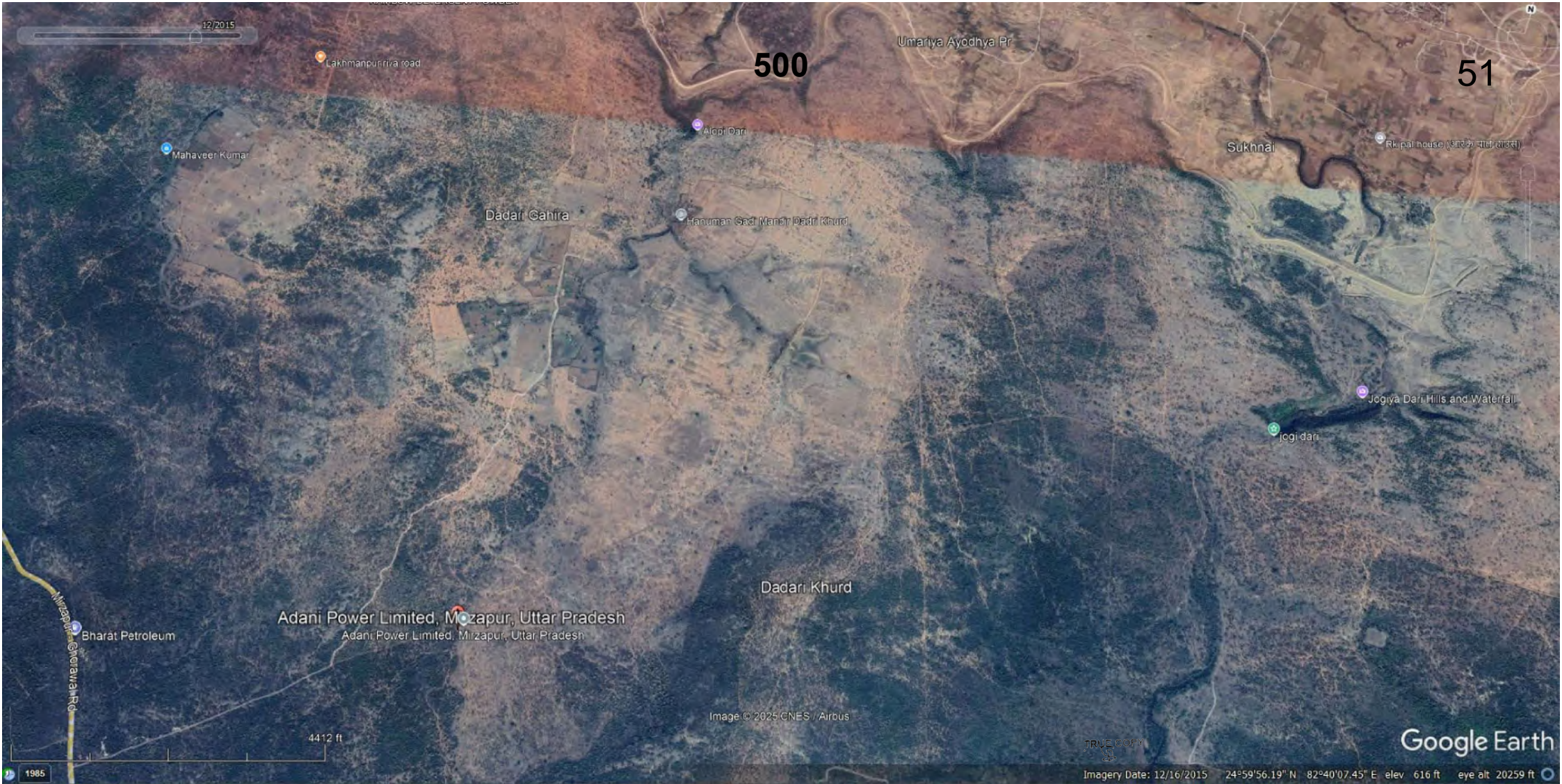


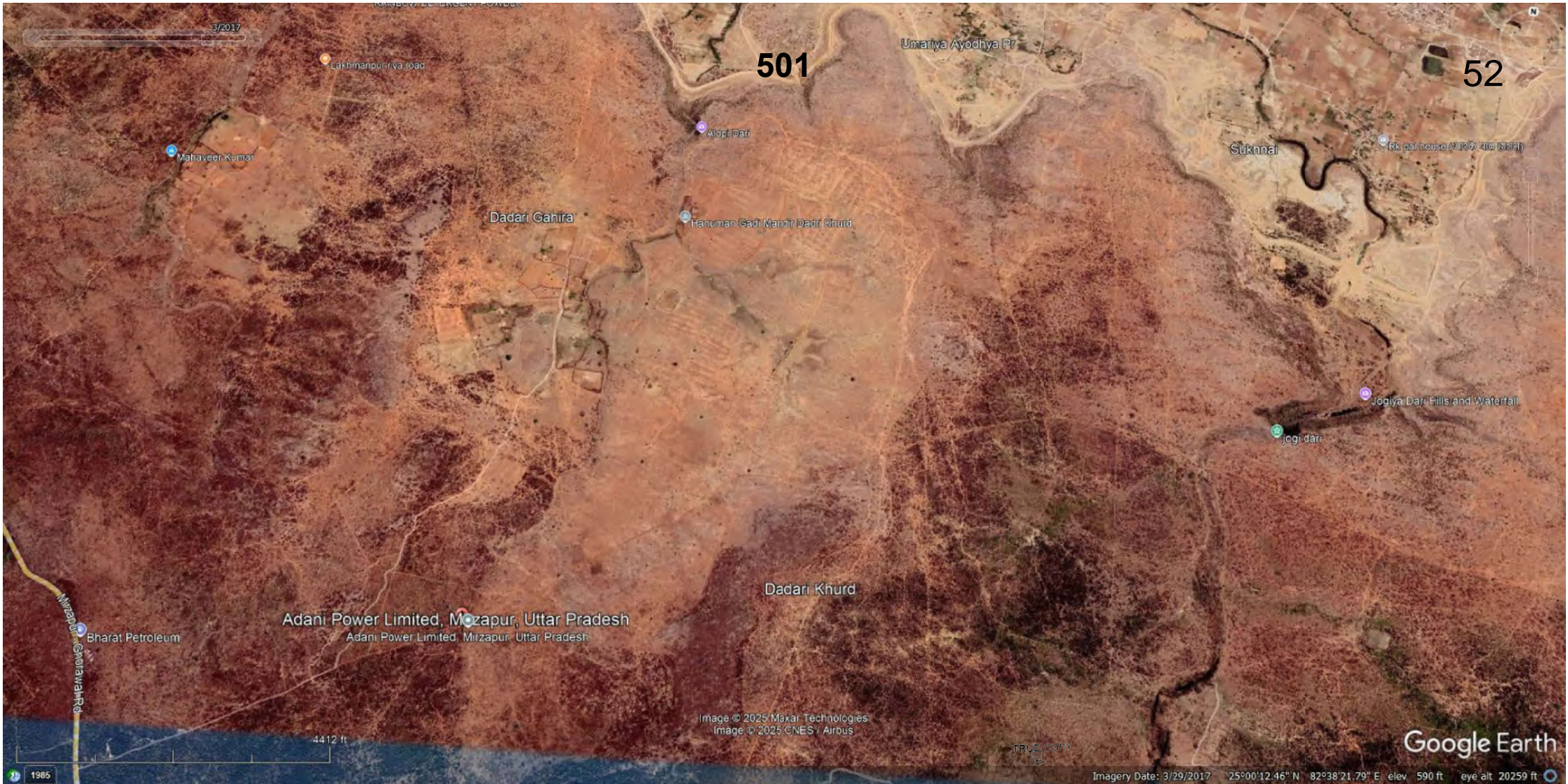


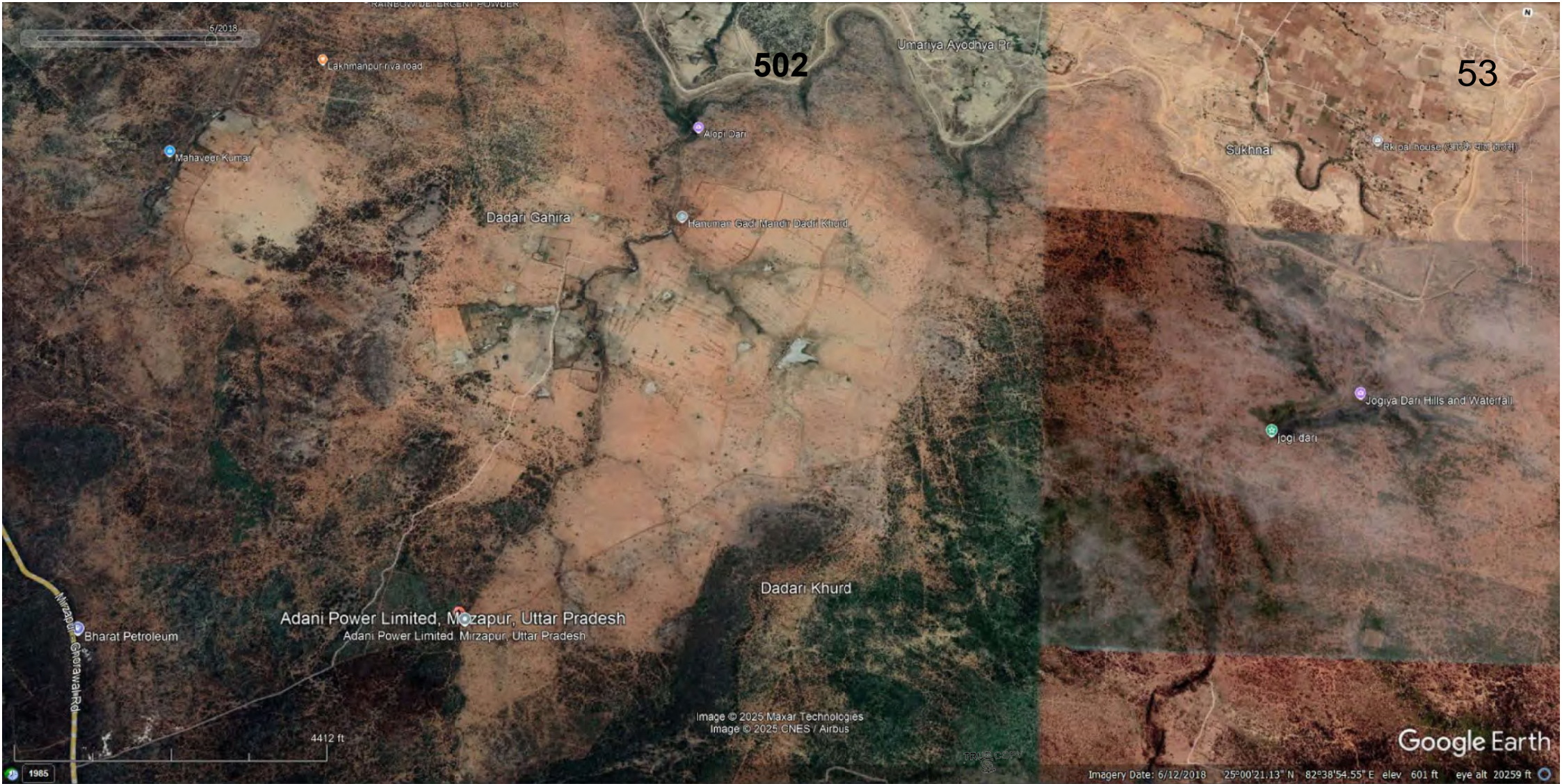












5/2018

Lakhanpur riva road

Mahaveer Kumar

502

Umaniya Ayodhya Pr

53

Sukhna

Rk pal house (रकपाल का घर)

Dadari Gahira

Hanuman Gad, Kanchi Dadri Khurd

Jogiya Dari Hills and Waterfall

Jogi dari

Dadari Khurd

Adani Power Limited, Mirzapur, Uttar Pradesh
Adani Power Limited, Mirzapur, Uttar Pradesh

Image © 2025 Maxar Technologies
Image © 2025 CNES / Airbus

Google Earth

Imagery Date: 6/12/2018 25°00'21.13" N 82°38'54.55" E elev 601 ft eye alt 20259 ft

1985

Mirzapur
Ghatwar Rd

Bharat Petroleum



12/2/2018

Lakhanpur river road

503

Umariya Ayodhya Pr

54

Mahaveer Kumar

Dadari Gahira

Alap Dar

Hanuman Gadi Mandir Dadri Khurd

Sukhnai

Rk pal house (81.32, 46.6134)

Jogiya Dar Hills and Waterfall

Jogi dar

Dadari Khurd

Adani Power Limited, Mirzapur, Uttar Pradesh
Adani Power Limited, Mirzapur, Uttar Pradesh

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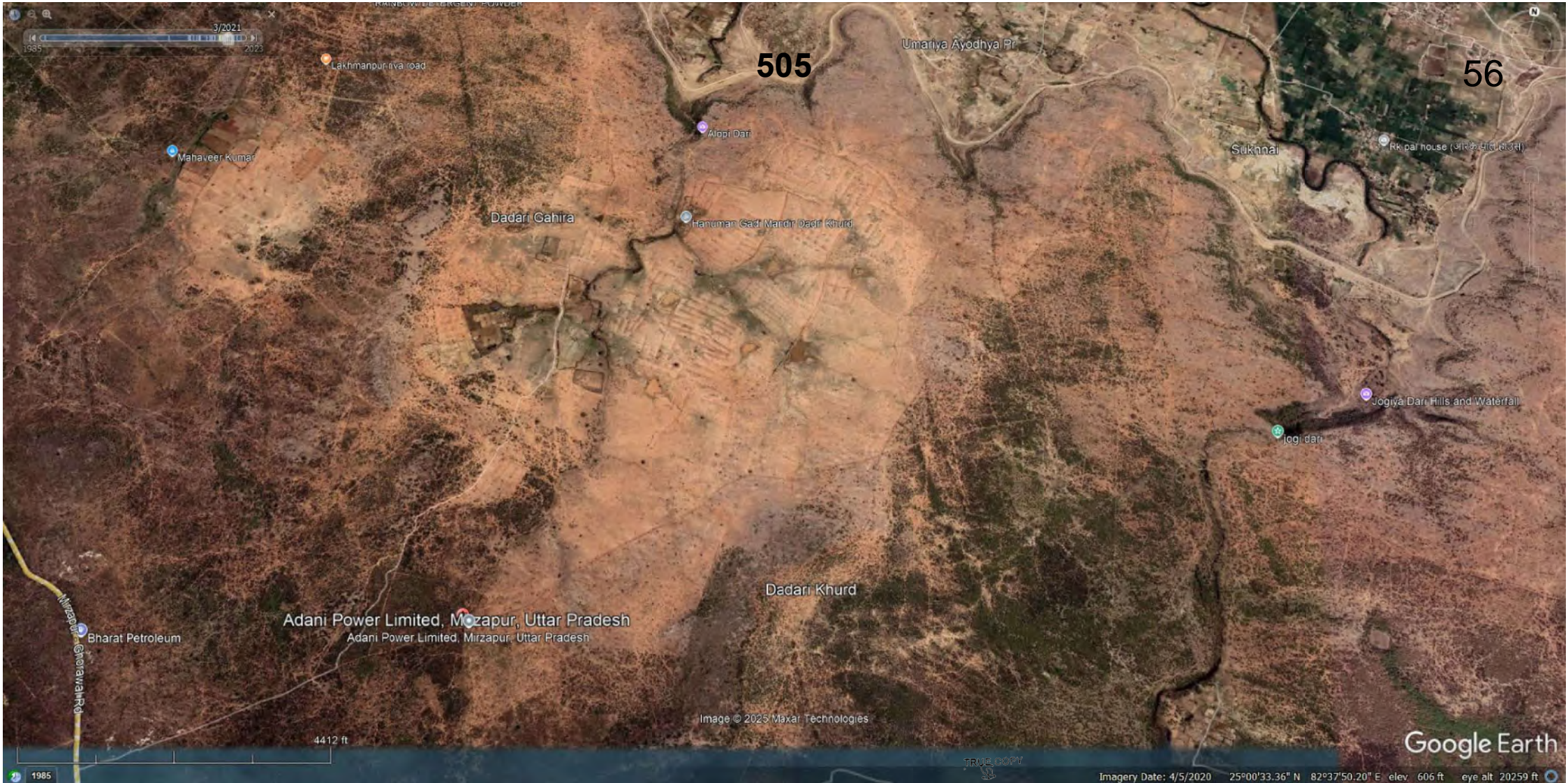
Google Earth

Imagery Date: 12/2/2018 24°59'55.76" N 82°39'13.36" E elev. 645 ft eye alt. 20259 ft

4412 ft

1985







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1985 2023

506

57

Adani Power Limited, Mirzapur, Uttar Pradesh
Adani Power Limited, Mirzapur, Uttar Pradesh

Image © 2025 Maxar Technologies

Google Earth

Imagery Date: 3/4/2022 25°00'28.93" N 82°37'57.39" E elev 609 ft eye alt 20259 ft



12/2023

Lakhmanpur nva road

Mahaveer Kumar

Dadari Gahira

Algot Dari

Hanuman Gadi Mandir Dadri Khurd

Umariya Ayodhya Pr

Sukhnai

Rk pal house (अरक पाल भवन)

Jogi dari Hills and Waterfall

Jogi dari

Dadari Khurd

Adani Power Limited, Mirzapur, Uttar Pradesh
Adani Power Limited, Mirzapur, Uttar Pradesh

Image © 2025 Airbus

Google Earth

Imagery Date: 12/4/2023 25°00'18.90" N 82°38'01.73" E elev 612 ft eye alt 20259 ft

1985

4412 ft

Annexure R-1/8

N.C.R.B (एन.सी.आर.बी)
I.I.F.-V (एकीकृत नॉच फॉर्म -V)

FINAL FORM/ REPORT
अंतिम फॉर्म/रिपोर्ट
(Under Section 173 Cr.P.C.)
(दण्ड प्रक्रिया संहिता धारा 173 के अन्तर्गत)

IN THE COURT OF : न्यायिक मजिस्ट्रेट कीर्तनपुर (को नवा प्रान्त में)

1. District (ज़िला): मिर्जापुर

P.S. (थाना): मजिदपुर

Year (वर्ष): 2017

FIR No. (प.व.प. नं.): 0245

Date (दिनांक): 20/06/2017

2. Final Report / Charge Sheet No. (अंतिम रिपोर्ट/आरोप पत्र संख्या):

AN-1/18

CN-2404/18

3. Date (दिनांक): 21/03/2018

4. S.No. (क्र.सं.) Acts (अभिनियम)

Sections (धाराएं)

1	भा द सं 1860	147
2	भा द सं 1860	323
3	भा द सं 1850	504
4	भा द सं 1860	506

5. Type of Final Form/Report (अंतिम फॉर्म/रिपोर्ट का प्रकार): आरोप पत्र

6. If FIR Unoccurred (यदि अंतिम रिपोर्ट अचरित):

7. If Charge sheet (यदि आरोप पत्र दाखिल किया): मूल

8. Name of I.O. at the time of charge sheet (आरोप पत्र दाखिल करते समय नॉच अधिकारी का नाम): Lajji (Kushwaha)

Rank (पद): SI (Sub-Inspector)

No. (नं.): 510470173

9. (a) (क) Name of complainant / Informant (शिकायाकर्ता/अभिज्ञान देने वाले का नाम):

बचन सिंह

(b) (ख) Father's Name (पिता का नाम):

शिव शंकर शर्मा

10. Details of Properties/Articles/Documents recovered/seized during investigation and relied upon:

(गैर के दौरान अस्त्र/वस्तु/दस्तावेज का निगरान निम्न आधारे आधार पर किया गया है):

S.No	Property Description	Estimated Value (In Rs.)	Police Station Property Register No.	From whom/where recovered or seized	Disposal
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11. Particulars of accused persons charge-sheeted (आरोप पत्र दाखिल अभियुक्तों का विवरण):

समस्तान लिखा गया है
रख रखा है

2.1.18

2.1.18

TRUE COPY

N.C.R.B (एन.सी.आर.बी)
I.L.F.-V (एकीकृत जाँच फार्म -V)

S.No.(क्र.सं.): 1

(i) Name(नाम): आरण शंकर सिंह उर्फ राजका सिंह

Whether verified(क्या सत्यापित है?): हाँ

(ii) Father's Name(पिता का नाम): हरिहर सिंह

(iii) Date/ Year of birth (जन्मतिथि/वर्ष): 1966

(iv) Sex(लिंग): पुरुष

(v) Nationality(राष्ट्रियता): भारत

(vi) Passport No.(पासपोर्ट संख्या):

Date of Issue(जारी करने की तिथि):

Place of Issue(जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग):

(ix) Occupation(व्यवसाय):

(x) Address (पता):

S.No.(क्र.सं.)	Address Type (पता का प्रकार)	Address(पता)
1	वर्तमान पता	सिंहपुर नौगलन, बसुही, बटौली, उत्तर प्रदेश, भारत
2	स्थायी पता	सिंहपुर नौगलन, बसुही, बटौली, उत्तर प्रदेश, भारत

Whether verified (क्या सत्यापित है?): हाँ

Regular Criminal No. (if known)नियमित अपराधी संख्या (यदि जान हो):

(xii) Date of arrest (गिरफ्तारी की तिथि):

(xiii) Date of release on bail(जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court(न्यायालय को भेजने की तिथि): 21/03/2018

(xv) Under Acts & Sections(अधिनियम एवं धाराएँ):

S.No.(क्र.सं.) Acts(अधिनियम)

Sections(धाराएँ)

(xvi) Details of bailors / sureties(जमानतियों का व्यौरा):

N.C.R.B (एन.सी.आर.बी)

I.I.F.-V (एकीकृत जॉय फॉर्म -V)

Name (नाम):

Father's/Husband's Name (पिता/पति का नाम):

Occupation (व्यवसाय):

Address (पता):

S.No.(क्र.सं.) Address Type (पता का प्रकार) Address(पता)

Identification (पहचान): Date of Birth (जन्मतिथि):

UID Number (यूआईडी सं.):

Any Other ID Proof (अन्य पहचान पत्र):

S.No.(क्र.सं.) ID Type (पहचान पत्र का प्रकार) ID Number (पहचान पत्र सं.)

(xvii) Previous convictions with case references (मानने के संदर्भ सहित, पहले हुई घटना का विवरण):

S.No.	FIR No.	State	District	Police Station	Description Of Case	Details Of Conviction / Acquittal
(क्र.सं.)	(फ.वु.रि. सं.)	(राज्य)	(जिला)	(थाना)	(मानने का विवरण)	(सजा / आरोपमूल का विवरण)

(xviii) Status of the accused (अभिषूक्त की स्थिति): पुलिस द्वारा नामित

S.No.(क्र.सं.): 2

(i) Name(नाम): देवगिरि सिंह

Whether verified(क्या सत्यापित है?): हाँ

(ii) Father's Name(पिता का नाम): आशुतोष कुमार सिंह

(iii) Date / Year of birth (जन्मतिथि/वर्ष): 1990

(iv) Sex(लिंग): पुरुष

(v) Nationality(राष्ट्रियता): भारत

(vi) Passport No.(पासपोर्ट संख्या):

Date of issue(नारी करने की तिथि):

Place of issue(नारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग):

(ix) Occupation(व्यवसाय):

(x) Address (पता):

S.No.(क्र.सं.)	Address Type (पता का प्रकार)	Address(पता)
1	वर्तमान पता	G-2 FF फाउंट नं0 3 सेक्टर 9, JUDGES कालोनी वैशाली गण्डियाबाद, गामिग्रामपट्ट, उत्तर प्रदेस, भारत
-	प्राचीन पता	28/1 मण्डिवरपुर कालकाजी, दक्षिण दिल्ली, दिल्ली, दक्षिण दिल्ली, भारत

TRUE COPY

N.C.R.B (एन.सी.आर.बी)
I.I.F.-V (एकीकृत ऑफ फॉर्म -V)

Whether verified (क्या सत्यापित है?): हाँ

Regular Criminal No. (If known) नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि):

(xiii) Date of release on bail (जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि): 21/03/2018

(xv) Under Acts & Sections (अधिनियम एवं धाराएँ):

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धाराएँ)
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(xvi) Details of bailers / sureties (जमानतियों का ब्यौरा):

Name (नाम):

Father's/Husband's Name (पिता/पति का नाम):

Occupation (व्यवसाय):

Address (पता):

S.No. (क्र.सं.) Address Type (पता का प्रकार) Address (पता)

Identification (पहचान): Date of Birth (जन्मतिथि):

UID Number (यूआईडी नं.):

Any Other ID Proof (अन्य प्रमाण पत्र):

S.No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number / पहचान पत्र नं.
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(xvii) Previous convictions with case references (प्राप्त के सहित, पहले हुई सजा का विवरण):

S.No.	FIR No.	State	District	Police Station	Description Of Case	Details Of Conviction / Acquittal
(क्र.सं.)	(F.I.R. नं.)	(राज्य)	(ज़िला)	(थाना)	(मागले का विवरण)	(सजा / आरोपमुक्त का विवरण)

(xviii) Status of the accused (अभिियुक्त की स्थिति): पुलिस द्वारा जमानत

S. No. (क्र.सं.): 3

(i) Name (नाम): शिवकुमार उपाध्याय

Whether verified (क्या सत्यापित है?): हाँ

(ii) Father's Name (पिता का नाम): राम कुमार उपाध्याय

(iii) Date of birth (जन्मतिथि/वर्ष): 1961

(iv) Sex (लिंग): पुरुष

(v) Nationality (राष्ट्रियता): भारत

(vi) Passport No. (पासपोर्ट संख्या):

Date of Issue (जारी करने की तिथि):

Place of Issue (जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनुजाति/अनुजन जाति/अन्य पिछड़े वर्ग):

(ix) Occupation (व्यवसाय):

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N.C.R.B (एन.सी.आर.बी)
I.I.F.-V (एकीकृत जांच फॉर्म -V)

(x) Address (पता):

S.No.(क्र.सं.)	Address Type (पता का प्रकार)	Address(पता)
1	वर्तमान पता	36/30 शिवपुरी कालोनी स्टेशन, रोड महुवरिया, जोधधामी कटरा, मिर्जापुर, उत्तर प्रदेश, भारत
-	स्थायी पता	36/30 शिवपुरी कालोनी स्टेशन, रोड महुवरिया, जोधधामी कटरा, मिर्जापुर, उत्तर प्रदेश, भारत

Whether verified (क्या सत्यापित है?): हाँ

Regular Criminal No. (if known)नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि):

(xiii) Date of release on bail (जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि): 21/03/2018

(xv) Under Acts & Sections (अधिनियम एवं धाराएँ):

S.No.(क्र.सं.)	Acts(अधिनियम)	Sections(धाराएँ)
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(xvi) Details of bailors / sureties (जमानतियों का ब्यौरा):

Name (नाम):

Father's/Husband's Name (पिता/पति का नाम):

Occupation (व्यवसाय):

Address (पता):

S.No.(क्र.सं.) Address Type (पता का प्रकार) Address(पता)

Identification (पहचान): Date of Birth (जन्मतिथि):

UID Number (यूआईडी नं.):

Any Other ID Proof (अन्य प्रमाण पत्र):

S.No.(क्र.सं.) ID Type (पहचान पत्र का प्रकार) ID Number (पहचान पत्र नं.)

(xvii) Previous convictions with case references (मागने के संदर्भ सहित पहले हुई सजा का विवरण):

S.No.	FIR No.	State	District	Police Station	Description Of Case	Details Of Conviction / Acquittal
(क्र.सं.)	(प्र.सू.नि.सं.)	(राज्य)	(जिला)	(थाना)	(मागने का विवरण)	(सजा / आरोपमुक्त का विवरण)

(xviii) Status of the accused (अधियुक्त की स्थिति): पुलिस द्वारा जमानत

S. No.(क्र.सं.): 4

(i) Name(नाम): कुल्लु कुमार उर्फ संजय कुमार उपाध्याय

Whether verified(क्या सत्यापित है?): हाँ

(ii) Father's Name(पिता का नाम): श्री शिव कुमार उपाध्याय

(iii) Date/ Year of birth (जन्मतिथि/वर्ष): 1985 -

3/31/6

N.C.R.B (एन.सी.आर.बी)

I.I.F.-V (एकीकृत जांच कार्य -V)

(iv) Sex(लिंग): पुरुष

(v) Nationality(राष्ट्रियता): भारत

(vi) Passport No.(पासपोर्ट संख्या):

Date of Issue(जारी करने की तिथि):

Place of Issue(जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अनु.विशेष वर्ग):

(ix) Occupation(व्यवसाय):

(x) Address (पता):

S.No.(क्र.सं.)	Address Type (पता का प्रकार)	Address(पता)
1	वर्तमान पता	36/30 सिखपुरी कालोनी स्टेशन, रोड गुरुअरिया, जौलवाली कटव, मिर्जापुर, उत्तर प्रदेश, भारत
	स्थायी पता	36/30 सिखपुरी कालोनी स्टेशन, रोड गुरुअरिया, जौलवाली कटव, मिर्जापुर, उत्तर प्रदेश, भारत

Whether verified (क्या सत्यापित है?): हाँ

Regular Criminal No. (if known)नियमित अपराधी संख्या (यदि जान हो):

(xii) Date of arrest (गिरफ्तारी की तिथि):

(xiii) Date of release on bail(जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court(न्यायालय को भेजने की तिथि): 21/03/2018

(xv) Under Acts & Sections(अभिनिन्द्य एवं धाराएँ):

S.No.(क्र.सं.) Acts(अभिनिन्द्य)

Sections(धाराएँ)

(xvi) Details of bailers / sureties(जमानतियों का स्वीरा):

Name (नाम):

Father's/Husband's Name (पिता/पति का नाम):

Occupation (व्यवसाय):

Address (पता):

S.No.(क्र.सं.) Address Type (पता का प्रकार) Address(पता)

Identification (पहचान): Date of Birth (जन्मतिथि):

UID Number (यूआईडी नं.):

Any Other ID Proof (अन्य प्रमाण पत्र):

S.No.(क्र.सं.) ID Type (पहचान पत्र का प्रकार) ID Number (पहचान एवं नं.)

(xvii) Previous convictions with case references (गामले के संदर्भ सहित, पहले हुई सजा का विवरण):

S.No.	FIR No.	State	District	Police Station	Description Of Case	Details Of Conviction / Acquittal
(क्र.सं.)	(प्र.सू.नं. सं.)	(राज्य)	(जिला)	(थाना)	(गामले का विवरण)	(सजा / आरोपमूलक का विवरण)

(xviii) Status of the accused (अभिदूक की स्थिति): पुलिस द्वारा जमानत

TRUE COPY

N.C.R.B (एन.सी.आर.बी)
I.I.F.-V (एकीकृत नॉच फॉर्म -V)

S. No.(क्र.सं.): 5

(i) Name(नाम): शिवराम प्रसाद उर्फ गूलचन्द

Whether verified(क्या सत्यापित है?): हाँ

(ii) Father's Name(पिता का नाम): श्री अमर नाथ पाल

(iii) Date/ Year of birth (जन्मतिथि/वर्ष): 1984

(iv) Sex(लिंग): पुरुष

(v) Nationality(राष्ट्रियता): भारत

(vi) Passport No.(पासपोर्ट संख्या):

Date of issue(जारी करने की तिथि):

Place of issue(जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु.जाति/अनु.जन जाति/अन्य पिछड़े वर्ग):

(ix) Occupation(व्यवसाय):

(x) Address (पता):

S.No.(क्र.सं.)	Address Type (पता का प्रकार)	Address(पता)
1	वर्तमान पता	अनुराधा आयोग्य प्रसाद, मंडिहान, मिर्जापुर, उत्तर प्रदेश, भारत
2	स्थायी पता	अनुराधा आयोग्य प्रसाद, मंडिहान, मिर्जापुर, उत्तर प्रदेश, भारत

Whether verified (क्या सत्यापित है?): हाँ

Regular 'A' / minal No. (if known)नियमित डाक संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि):

(xiii) Date of release on bail(जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court(न्यायालय को भेजने की तिथि): 21/03/2018

(xv) Under Acts & Sections(अधिनियम एवं धाराएँ):

S.No.(क्र.सं.) Acts(अधिनियम)

Sections(धाराएँ)

(xvi) Details of bailers / sureties(जमानतियों का ब्यौरा):

N.C.R.B (एन.सी.आर.बी)
L.I.F.-V (एकीकृत जॉय फार्म -V)

Name (नाम):

Father's/Husband's Name (पिता/पति का नाम):

Occur No. (व्यवसाय):

Address (पता):

S.No.(क.स.) Address Type (पता का प्रकार) Address(पता)

Identification (पहचान):

Date of Birth (जन्मतिथि):

UID Number (यूआईडी सं.):

Any Other ID Proof (अन्य प्रमाण पत्र):

S.No.(क.स.) ID Type (पहचान पत्र का प्रकार) ID Number (पहचान पत्र सं.)

(xvii) Previous convictions with case references (मामले के संदर्भ सहित, पहले हुई सजा का विवरण):

S.No.	FIR No.	State	District	Police Station	Description Of Case	Details Of Conviction / Acquittal
(क.स.)	(प्र.सं. वि. सं.)	(राज्य)	(ज़िला)	(थाना)	(मामले का विवरण)	(सजा / आरोपमुक्त का विवरण)

(xviii) Status of the accused (अभिमुक्त की स्थिति): पुलिस द्वारा नमानत

S. No.(क.स.): 5

(i) Name(नाम): नरेन्द्र सिंह

Whether verified(क्या सत्यापित है?): हाँ

(ii) Father's / H. me(पिता का नाम): श्री राम अवध सिंह

(iii) Date/ Year of birth (जन्मतिथि/वर्ष): 1965

(iv) Sex(लिंग): पुरुष

(v) Nationality(राष्ट्रियता): भारत

(vi) Passport No.(पासपोर्ट संख्या):

Date of Issue(जारी करने की तिथि):

Place of Issue(जारी करने का स्थान):

(vii) Religion (धर्म):

(viii) Whether SC/ST/OBC (अनु. जाति/अनु. जन जाति/अन्य पिछड़े वर्ग):

(ix) Occupation(व्यवसाय):

(x) Address (पता):

S.No.(क.स.)	Address Type (पता का प्रकार)	Address(पता)
1	वर्तमान पता	स्टरी बूट, मजिहान, मिर्जापुर, उत्तर प्रदेश, भारत
2	स्थायी पता	स्टरी बूट, मजिहान, मिर्जापुर, उत्तर प्रदेश, भारत

N.C.R.B (एन.सी.आर.बी)

I.I.F.-V (एकीकृत नॉच फॉर्म -V)

Whether verified (क्या सत्यापित किया गया):

Regular Criminal No. (If known) (नियमित अपराधी संख्या (यदि ज्ञात हो):

(xii) Date of arrest (गिरफ्तारी की तिथि):

(xiii) Date of release on bail (जमानत पर रिहाई की तिथि):

(xiv) Date on which forwarded to court (न्यायालय को भेजने की तिथि): 21/03/2018

(xv) Under Acts & Sections (अधिनियम एवं धाराएं):

S.No. (क्र.सं.) Acts (अधिनियम)

Sections (धाराएं)

(xvi) Details of bailers / sureties (जमानतियों का व्यौरा):

Name (नाम):

Father's/Husband's Name (पिता/पति का नाम):

Occupation (व्यवसाय):

Address (पता):

S.No. (क्र.सं.) Address Type (पता का प्रकार) Address (पता)

Identification (पहचान):

Date of Birth (जन्मतिथि):

UID Number (यूआईडी सं.):

Any Other ID Proof (अन्य प्रमाण पत्र):

S.No. (क्र.सं.) ID Type (पहचान पत्र का प्रकार) ID Number (पहचान पत्र सं.)

(xvii) Previous convictions with case references (सामने के संदर्भ सहित, पहले हुई सजा का विवरण):

S.No. (क्र.सं.)	FIR No. (प्र.सू. वि. सं.)	State (राज्य)	District (ज़िला)	Police Station (थाना)	Description Of Case (सामने का विवरण)	Details Of Conviction / Acquittal (सजा / आरोपमुक्त का विवरण)
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(xviii) Status of the accused (अभियुक्त की स्थिति): पुलिस द्वारा जमानत

12. Particulars of accused persons - not charge sheeted (suspect) (आरोप पत्र दाखिल न किए गए/सदिग्ध) अभियुक्तों का विवरण:

13. Particulars of witnesses to be examined (पूछताछ किए जाने वाले गवाहों का विवरण):

S.No. (क्र.सं.)	Name (नाम)	Father's/Husband's name (पिता/पति का नाम)	Date/Year of birth (जन्मतिथि/वर्ष)	Occupation (व्यवसाय)	Address (पता)	Type of evidence to be tendered (प्रस्तुत किए जाने वाले साक्ष्य का प्रकार)
1	रमेश चंद	पिता: शिव शंकर चंद			जमानत पता: मडिहान, मिर्जापुर, उत्तर प्रदेश, भारत स्थायी पता: मडिहान, मिर्जापुर, उत्तर प्रदेश, भारत	सिक्काचारकर्ता
2	निरीश्वर धनेश्वर पालडे	पिता:			जमानत पता: तत्कालीन प्रधानी मिर्जापुर, मडिहान, मिर्जापुर, उत्तर प्रदेश, भारत स्थायी पता: तत्कालीन प्रधानी मिर्जापुर, मडिहान, मिर्जापुर, उत्तर प्रदेश, भारत	अन्य गवाह
3	कोकिल सिंह				जमानत पता: मडिहान, मिर्जापुर, उत्तर प्रदेश, भारत स्थायी पता: मडिहान, मिर्जापुर, उत्तर प्रदेश, भारत	अन्य गवाह
4	कांछु नवीन यादव				जमानत पता: मडिहान, मिर्जापुर, उत्तर प्रदेश, भारत स्थायी पता: मडिहान, मिर्जापुर, उत्तर प्रदेश, भारत	अनुसंधान साक्ष्य
5	कुंवा शंकर यादव	पिता: रमेश यादव			जमानत पता: कोलकाता, देहात, मिर्जापुर, उत्तर प्रदेश, भारत स्थायी पता: कोलकाता, देहात	संयुक्त साक्ष्य

I.I.F.-V (एकीकृत जॉय फार्म -V)

14. If FR is false (F.R. false), indicate action taken or proposed to be taken w/s 102/211 I.P.C :
(यदि अनिष्ट रि. झूठी है तो भा.द.स. की धारा 102/211 - अन्तर्गत की गई अथवा प्रस्तावित कार्यवाई का विवरण)

श्रीधर की मृत्युदमा उपरोक्त बना ध्वनीय पर ३ नवम्बर होकर ४०० मिसेकन तकलिये प्रचारी निर्देशक की भुनेश्वर जाण्ये बाबा मजिदुल-सीबाबुद द्वारा सम्पादित किया गया उनके स्वतन्त्रता के प्रयास तक अभियोग की विवेचना बर्लामा प्रचारी निर्देशक की फेलेन ० सिद्धा मजिदुल सीबाबुद के द्वारा सम्पादित किया गया दोहरा विवेचना अभियोग आरोक के बर्लामा प्रयास के धारा ३७२/३५२ IPC का क्षेत्र किया गया तथा कलकतता तक अभियोग की विवेचना मूल उपरिष्ठ द्वारा सम्पादित किया गया अरु तब की कर्मा विवेचना बर्लामा प्रयास, बर्लामा मध्याह्नक अथवा बर्लामा साह्यी के अग्रार पर अभियुक्त गा १ बर्लामा शंकर सिन्हा २ देवशिरुम सिन्हा ३ वृन्ना कुमार उपाड ४ जैतय कुमार उपाड ५ शिवकुमार उपाड ६ मजिदुल पान उर्ग मुसलम ७ नौरु सिह बुराक के सिद्ध मूल धारा ३७२/३५२/५०४/५०६ IPC का सम्पादन विवेचना कर्तव्यी सम्पत्ति है अतः अभियुक्त सम्-उपरोक्त का बर्लामा जैतय जाण्ये पर मध्यम ५७/१६ डिग्रीस २१.०३.१८ से अतर्पित कर- बर्लामा मजिदुल-सीबाबुद किया उपर है। कलकता कथ्य का विवेचना कर्ते की कृत्य अर्ग है।

20. List of enclosures : As annexed (संलग्नकों की सूची):

Forwarded by Officer in charge
(जमाति अधिकारी द्वारा अर्पित)

Name (नाम): Kisan Kumar Singh

Rank (पद): (Inspector)

No.(सं.): 012760419

N.C.R.B (एन.सी.आर.बी)

L.I.F.-V (एकीकृत जांच फार्म -V)

Signature of Investigating Officer submitting final report charge sheet
(अंतिम रिपोर्ट/आरोप पत्र टावर करने वाले जांच अधिकारी के हस्ताक्षर)

Name (नाम): Laljit Kushwaha

Rank (पद): SI (Sub-Inspector)

No.(सं.): 910470173



Submitted
29-3-18

Ref: APL/MTEUPPL/ENV/UPPCB/EC/30/25
Date: 25.02.2025

To,
The Regional Officer,
Regional Office, U.P Pollution Control Board
House No. 162, Uttar Mohal
Robertsganj, Sonbhadra, U.P.

Sub: Submission towards letter received from Uttar Pradesh Pollution Control Board, Regional Office, Sonbhadra vide letter G1054/Welspun/P.H./2024 dated 30.11.2024

Dear Sir,

With reference to the above subject, Mirzapur Thermal Energy (UP) Private Limited (MTEUPPL), a subsidiary of Adani Power Limited has proposed to set up a Coal based Ultra Super Critical Technology Thermal Power Project (USCTPP) of 1600 (2x800) MW in village Dadri Khurd, District Mirzapur, Uttar Pradesh.

Environmental Clearance (EC) has already been granted to Welspun Energy UP Pvt. Ltd. (WEUPPL) by MoEFCC vide File no. J-13012/12/2011-IA. II (T) dated **21.08.2014** for 2x660 MW Super Critical Technology based Thermal Power Project by WEUPPL and subsequently, name changed from WEUPPL to MTEUPPL Vide Letter No. F. No: J-13012/12/2011-IA II(T) dated **20.12.2019**.

U.P Pollution Control Board already granted Consent to Establish (CTE) to WEUPPL vide letter no. F54116/C-9/NOC-229/2015 dated **13.01.2015**.

We herewith clarify that temporary boundary wall was already constructed by **WEUPPL** during the **validity period of EC & CTE**.

MTEUPPL after acquiring TPP has done the repairing, painting of the existing plant boundary with pre cast wall & installed GI Sheets at some area which are temporary in nature this is only to prevent any encroachment of the land. Additionally, there are few temporary fabricated portacabins available at site.

We hereby confirm that we have not started any construction activities related to thermal power plant at project site.


As part of EIA Notification 2006, temporary site activities are permitted as pre-construction, engineering, project feasibility. We are also regularly submitting the six monthly EC compliance report to the ministry and concern authority as part of compliance.

We assure the concern authority that all the necessary approvals will be obtained prior to the commencement of the TPP construction activities at Project site

Mirzapur Thermal Energy (UP) Pvt. Ltd.
Adani Corporate House
Shantigram, S G Highway
Ahmedabad 382 421

Tel +91 79 2555 7022
Fax +91 79 2555 7177
env.power@adani.com
www.adani.com Gujarat India

Registered Office: Adani Corporate House, Shantigram, S G Highway, Vaishnodevi Circle, Ahmedabad - 382 421, Gujarat, India

TRUE COPY


Power

We are committed to complying with and maintaining all environmental rules & regulations as applicable.

Thanking You,

Yours Faithfully,

for **Mirzapur Thermal Energy (UP) Private Limited,**

(R N Shukla)

Head Environment & Forest

CC:

The Member Secretary,
Uttar Pradesh Pollution Control Board,
TC-12V Vibhuti Khand, Gomti Nagar
Lucknow- 226010

Encl: Chronology of Mirzapur TPP

Mirzapur Thermal Energy (UP) Pvt. Ltd.
Adani Corporate House
Shantigram, S G Highway
Ahmedabad 382 421

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TRUE COPY

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Shruti Gupta <shrutigupta.trustlegal@gmail.com>

Ref: Service // Execution Application No. 29/2024- Debadityo Sinha v. Mirzapur Energy (UP) Pvt. Ltd. and Ors.//**Shruti Gupta** <shrutigupta.trustlegal@gmail.com>

Thu, Mar 6, 2025 at 7:09 PM

To: parul gupta <parul.lawyer@gmail.com>, csup@nic.in, secy-moef@nic.in

Cc: RITWIK NANDA <ritwikananda@trustlegal.in>

Dear Ma'am/Sir,

We write under the instructions of our Client, i.e Mirzapur Energy (UP) Pvt. Ltd, i.e. Respondent No. 1 in the above-captioned matter.

Please find attached herewith the Reply to the Execution Application bearing No. 29/2024 and the Reply to the Interim Application bearing No. 110/2025 in above-captioned matter filed before the Hon'ble Tribunal.

Kindly treat this as advance service.

Regards



Reply by Respondent No. 1 [EA29 of 24].pdf



Reply by Respondent No. 1 [IA 110 of 25].pdf

Shruti Gupta
Advocate | Associate

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**ASIAN LEGAL
BUSINESS**

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- Trust Legal is ranked 37th in the RSG Top 50 India Law Firms, 2019.
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