

No. J-12011/18/2018-IA-I (R)
Government of India
Ministry of Environment, Forest & Climate Change
(IA.I Division)

Indira Paryavaran Bhawan
3rd Floor, Vayu Wing
Jor Bagh Road
New Delhi-110 003

Dated: 25th September, 2018

To.

Shri M.M. Madan
M/s. Attunli Hydro Electric Power Company Ltd
Jindal Centre, 5th Floor, Tower 'B',
Plot No -2, Sector - 32,
Gurgaon - 122 001, Haryana.

Subject : Kamala HEP (1800 MW) Project in Lower Subansiri District of Arunachal Pradesh by M/s. Kamala Hydro Electric Power Company Ltd – For ToR - regarding.

Sir,

This has reference to your letter No. KHEPCL/MoEF & CC/TOR/2018-19/05 dated 10.7.2018 on the above subject.

2. The said proposal was appraised by the Expert Appraisal Committee (EAC) for River Valley and Hydro Electric Power Projects (RV&HEP) in its meeting held on 27.7.2018. The comments and observations of EAC may be seen in the minutes of the meeting which are available on the Ministry's web-site.

3. The project is proposed on Kamala river upstream of Tamen village in Lower Subansiri District of Arunachal Pradesh. The project envisages construction of a 216 m high concrete dam across Kamala River with an installed capacity of 1800 MW for generation of hydropower. Total catchment area of the project is 7213 Sq. Km. Total land requirement is about 3279 ha. Total submergence area is 2775 ha. An underground powerhouse is proposed with 8 units of 216 MW each. An auxiliary surface powerhouse is provided at the toe of the dam with 2 units of 36 MW for environmental release. Total cost of the project is about Rs. 20140.77 crores and proposed to be completed in 90 months.

5. Based on recommendations of the EAC, the Ministry of Environment Forest & Climate Change hereby accords a Terms of Reference for pre-construction activities at the proposed site as per the provisions of the Environmental Impact Assessment Notification, 2006 and subsequent amendment in 2009 along with the following conditions for preparation of EIA/EMP report:

- a) The EIA/EMP report should contain the information in accordance with provisions & stipulations as given in the **Annexure-I**.

Copy to:

1. Secretary, Ministry of Power, Shram Shakti, Bhawan, Rafi Marg, New Delhi-110 001.
2. The Secretary, Ministry of Water Resources, RD & GR, Shram Shakti Bhawan, Rafi Marg, New Delhi -110 003.
3. Secretary, Department of Power, Govt. of Arunachal Pradesh, Itanagar, Arunachal Pradesh – 791 111.
4. Secretary, Department of Forest, Environment & Wildlife Management, Government of Arunachal Pradesh, Forest Secretariat, Itanagar-791 111.
5. The Chief Engineer, Project Appraisal Directorate, Central Electricity Authority, Sewa Bhawan, R.K. Puram, New Delhi-110 066.
6. The Additional Principal Chief Conservator of Forests (C), Ministry of Environment, Forest & Climate Change, Upland Road, Laitumkhrach, Shillong, Meghalaya – 793 003.
7. The Member Secretary, State Pollution Control Board, Department of Forests, Environment & Wildlife Management, Itanagar, Arunachal Pradesh – 791 111.
8. Guard File.


(Dr. S. Kerketta)
Director

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

(1) Scope of EIA Studies

The EIA Report should identify the relevant environmental concerns and focus on potential impacts that may change due to the construction of proposed project. Based on the baseline data collected for three (3) seasons (Pre-monsoon, Monsoon and Winter seasons), the status of the existing environment in the area and capacity to bear the impact on this should be analyzed. Based on this analysis, the mitigation measures for minimizing the impact shall be suggested in the EIA/EMP study.

(2) Details of the Project and Site

- General introduction about the proposed project.
- Details of project and site giving L-sections of all U/S and D/S projects of River with all relevant maps and figures. Connect such information as to establish the total length of interference of Natural River, the total length of tunneling of the river and the committed unrestricted release from the site of diversion into the main river.
- A map of boundary of the project site giving details of protected areas in the vicinity of project location.
- Location details on a map of the project area with contours indicating main project features. The project layout shall be superimposed on a contour map of ground elevation showing main project features (viz. location of dam, Head works, main canal, branch canals, quarrying etc.) shall be depicted in a scaled map.
- Layout details and map of the project along with contours with project components clearly marked with proper scale maps of at least a 1:50,000 scale and printed at least on A3 scale for clarity.
- Existence of National Park, Sanctuary, Biosphere Reserve etc. in the study area, if any, should be detailed and presented on a map with distinct distances from the project components.
- Drainage pattern and map of the river catchment up to the proposed project site.
- Delineation of critically degraded areas in the directly draining catchment on the basis of silt Yield Index as per the methodology of All India Soil and Land Use Survey of India.
- Soil characteristics and map of the project area.
- Geological and seismo-tectonic details and maps of the area surrounding the proposed project site showing location of dam site and powerhouse site.
- Remote Sensing studies, interpretation of satellite imagery, topographic sheets along with ground verification shall be used to develop the land use/land cover pattern of the study using overlaying mapping techniques viz. Geographic Information System (GIS), False Color composite (FCC) generated from satellite data of project area.

of species in a tabulated form) should be provided in the EIA report. Some of the grids on the edges may not be completely overlapping with the study area boundaries. However these should be counted and considered for selecting 25% of the grids. The number of grids to be surveyed may come out as a decimal number (i.e. it has an integral and a fractional part) which should be rounded to the next whole number.

- The conventional sampling is likely to miss the presence of rare, endangered and threatened (R.E.T.) species since they often occur in low densities and in case of faunal species are usually secretive in behaviour. Reaching the conclusion about the absence of such species in the study area based on such methodology is misleading. It is very important to document the status of such species owing to their high conservation value. Hence likely presence of such species should be ascertained from secondary sources by a proper literature survey for the said area including referring to field guides which are now available for many taxonomic groups in India. Even literature from studies/surveys in the larger landscapes which include the study area for the concerned project must be referred to since most species from adjoining catchments is likely to be present in the catchments in question. In fact such literature from the entire state can be referred to. Once a listing of possible R.E.T. species from the said area is developed, species specific methodologies should be adopted to ascertain their presence in the study area which would be far more conclusive as compared to the conventional sampling. If the need be, modern methods like camera trapping can be resorted to, particularly for areas in the eastern Himalayas and for secretive/nocturnal species. A detailed listing of the literature referred to, for developing lists of R.E.T. species should be provided in the EIA reports.
- The R.E.T. species referred to in this point should include species listed in Schedule I and II of Wildlife (Protection) Act, 1972 and those listed in the red data books (BSI, ZSI and IUCN).

(6) Components of the EIA Study

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

A. Physical and Chemical Environment

Geological & Geophysical Aspects and Seismo – Tectonics:

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

- For estimation of Sedimentation Rate, direct sampling of river flow is to be done during the EIA study. The study should be conducted for minimum one year. Actual silt flow rate to be expressed in ha-m km² year⁻¹.
- Set up a G&D monitoring station and a few rain gauge stations in the catchment area for collecting data during the investigation.
- Flow series, 10 daily with 90%, 75% and 50% dependable years discharges.
- Information on the 10-daily flow basis for the 90 per cent dependable year the flow intercepted at the barrage, the flow diverted to the power house and the spill comprising the environmental flow and additional flow towards downstream of the barrage and spills shall be included in the EIA report.
- The minimum environmental flow shall be 20% of the flow of four consecutive lean months of 90% dependable year, 30% of the average monsoon flow. The flow for remaining months shall be in between 20-30%, depending on the site specific requirements. A site specific study shall be carried out by an expert organization.
- Hydrological studies/data as approved by CWC shall be utilized in the preparation of EIA/EMP report. Actual hydrological annual yield may also be given in the report.
- Sedimentation data available with CWC may be used to find out the loss in storage over the years.
- A minimum of 1 km distance from the tip of the reservoir to the tail race tunnel should be maintained between upstream and downstream projects.

C Biological Environment

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

Flora

- Characterization of forest types (as per Champion and Seth method) in the study area and extent of each forest type as per the Forest Working Plan.
- Documentation of all plant species i.e. Angiosperm, Gymnosperm, Pteridophytes, Bryophytes (all groups).
- General vegetation profile and floral diversity covering all groups of flora including lichens and orchids. A species wise list may be provided.
- Assessment of plant species with respect to dominance, density, frequency, abundance, diversity index, similarity index, importance value index (IVI) , Shannon Weiner index etc. of the species to be provided. Methodology used for calculating various diversity indices along with details of locations of quadrates, size of quadrates etc. to be reported within the study area in different ecosystems.
- Existence of National park, Sanctuary, Biosphere Reserve etc in the study area, if any, should be detailed.
- Economically important species like medicinal plants, timber, fuel wood etc.
- Details of endemic species found in the project area.

sources of livelihood, job opportunities and safety and security of workers and surroundings population.

- Collection of information with respect to social awareness about the developmental activity in the area and social welfare measures existing and proposed by project proponent.
- Collection of information on sensitive habitat of historical, cultural and religious and ecological importance.
- The socio-economic survey/ profile within 10 km of the study area for demographic profile; Economic Structure; Developmental Profile; Agricultural Practices; Infrastructure, education facilities; health and sanitation facilities; available communication network etc.
- Documentation of demographic, Ethnographic, Economic Structure and development profile of the area.
- Information on Agricultural Practices, Cultural and aesthetic sites, Infrastructure facilities etc.
- Information on the dependence of the local people on minor forest produce and their cattle grazing rights in the forest land.
- List of all the Project Affected Families with their name, age, educational qualification, family size, sex, religion, caste, sources of income, land & house holdings, other properties, occupation, source of income, house/land to be acquired for the project and house/land left with the family, any other property, possession of cattle, type of house etc.
- Special attention has to be given to vulnerable groups like women, aged persons etc. and to any ethnic/indigenous groups that are getting affected by the project.

(7) Impact Prediction and Mitigation Measures

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

Air Environment

- Changes in ambient and ground level concentrations due to total emissions from point, line and area sources.
- Effect on soil, material, vegetation and human health.
- Impact of emissions from DG set used for power during the construction, if any, on air environment.
- Pollution due to fuel combustion in equipments and vehicles
- Fugitive emissions from various sources

Water Environment

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

Land Environment

- Adverse impact on land stability, catchment of soil erosion, reservoir sedimentation and spring flow (if any) (a) due to considerable road

measures to check shifting cultivation in the catchment area with provision for alternative and better agricultural practices should be included.

2. **Compensatory Afforestation** shall be prepared by the State Forest Department in lieu of the forest land proposed to be diverted for construction of the project as per the Forest (Conservation) Act, 1980. Choice of plants for afforestation should include native and RET species, if any. This will be a part of the forest clearance proposal.
3. **Biodiversity and Wildlife Conservation and Management Plan** for the conservation and preservation of rare, endangered or endemic floral/faunal species or some National Park/Sanctuary/ Biosphere Reserve or other protected area is going to get affected directly or indirectly by construction of the project, then suitable conservation measures should be prepared in consultation with the State Forest Department and with the physical and financial details. Suitable conservation techniques (in-situ/ex-situ) will be proposed under the plan and the areas where such conservation is proposed will be marked on a project layout map.
4. **Fisheries Conservation and Management Plan** – a specific fisheries management measures should be prepared for river and reservoir. If the construction of fish ladder/ fish-way etc. is not feasible then measures for reservoir fisheries will be proposed. The plan will detail out the number of hatcheries, nurseries, rearing ponds etc. proposed under the plan with proper drawings. If any migratory fish species is getting affected then the migratory routes, time/season of upstream and downstream migration, spawning grounds etc will be discussed in details. Fish ladder should be provided for free movement fish.
5. **Resettlement and Rehabilitation** Plan needed to be prepared on the basis of findings of the socio-economic survey coupled with the outcome of public consultation held. The R&R package shall be prepared after consultation with the representatives of the project affected families and the State Government. Detailed budgetary estimates are to be provided. Resettlements site should be identified. The plan will also incorporate community development strategies. R&R plan is to be formulated as per new Act, 2013 which came into force w.e.f. 1.1.2014.
6. **Green Belt Development Plan** along the periphery of the reservoir, approach roads around the colonies and other project components, local plant species must be suggested with physical and financial details. A layout map showing the proposed sites for developing the green belt should be prepared.
7. **Reservoir Rim Treatment Plan** for stabilization of land slide / land slip zones, if any, around the reservoir periphery is to be prepared based on detailed survey of geology of the reservoir rim area. Suitable engineering and biological measures for treatment of identified slip zones to be suggested with physical and financial schedule. Layout map showing the landslide/landslip zones shall be prepared and appended in the chapter.
8. **Muck Disposal Plan** suitable sites for dumping of excavated materials should be identified in consultation with State Pollution Control Board and State Forest Department. All muck disposal sites should be minimum 30 m away from the HFL of river. The quantity of muck to be generated and the quantity of muck proposed to be utilized shall be calculated in consultation with the project authorities. Details of each dumping site viz. area, capacity, total quantity of

19. **Environmental Monitoring Programme** to monitor the mitigatory measures implemented at the project site is required will be prepared. Provision for Environment Management Cell should be made. The plan will spell out the aspects required to be monitored, monitoring indicators/parameters with respect to each aspect and the agency responsible for the monitoring of that particular aspect throughout the project implementation.
20. A summary of Cost Estimates for all the plans, cost for implementing all the Environmental Management Plans.

Additional Conditions

- i. All the statutory clearances to be so implemented shall be incorporated in the EMP.
- ii. The baseline data so collected may also be used in the preparation of EIA/EMP report, apart from fresh three seasons base line data.
- iii. Land acquired for the project shall be suitably compensated in accordance with the law of the land with the prevailing guidelines. Private land shall be acquired as per provisions of Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

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

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

Dated the 11th August, 2014

OFFICE MEMORANDUM

Subject: Environment sustainability and CSR related issues-guidelines

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

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

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

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

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


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

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


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

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

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


(Dr. Satish C. Garkoti)
Scientist 'F'

To

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

Copy to:

1. PS to MEF
2. PPS to Secretary (EF&CC)
3. PPS to AS(SS)
4. PPS to JS(AT)
5. Website of MoEF&CC
6. Guard File

*30/10/2014
14/10/14*