

MADHYA BHARAT POWER CORPORATION LTD.

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Ref. No: MBPCL/F-10/2023-24/837

Date: 11.01.2024

To

The Deputy Director General of Forests (C),
Ministry of Env., Forest and Climate Change,
Integrated Regional Office,
Kolkata IB – 198, Sector-III,
Salt Lake City, Kolkata – 700106
Iro.kolkata-mefcc@gov.in

Subject: Submission of Six-Monthly Compliance Status Report on Environment Clearance granted for Rongnichu HEP (115 MW) in East District, Sikkim by M/s Madhya Bharat Power Corporation Limited for the period 01.07.2023 to 31.12.2023.

Dear Sir,

At the outset, we wish to inform your good self that MoEF&CC vide F. No. J-12011/14/2019-IA-I (R) dated 02.02.2021 has granted Environment Clearance for our Rongnichu HEP (115 MW) in East District, Sikkim.

In the context subject cited matter, please find enclosed herewith point-wise Compliance Status Report on the conditions stipulated in the Environment Clearance towards implementation and commissioning of 115 MW Rongnichu Hydro Electric Project as **Annexure – 1**.

Submitted for favour of kind information and perusal, please.

Thanking you,

Yours faithfully,


(P. P. Adhikari)

Sr. Manager (Environment)

Enclosed: As stated

Copy to: The Member Secretary, State Pollution Control Board, Forest & Environment Department, Govt. of Sikkim, Deorali, Gangtok, for kind information, please.

Point wise compliance of Condition Stipulated in the Environment Clearance Granted Vide F. No. J-12011/14/2019-IA-I (R) dated 02.02.2021 for Rongnichu HEP (115 MW) by Madhya Bharat Power Corporation Limited.

| Sl. No. | Observation | Compliance Status | | | | | | | | | | | | | | | | | |
|--|---|--|-------------|-----------|--------------|--|---------|------------|---|--------|------------|---|---------|--|---------|------------|--------------|----------------|--|
| I. | Statutory Compliance | | | | | | | | | | | | | | | | | | |
| i. | The project proponent shall obtain forest clearance under the provision of Forest (Conservation) Act, 1986, in case of the diversion of forest land for non-forest purpose involved in the project. | <p>Forest Clearance for Diversion of Forest Land for the Project has already been obtained:</p> <p>Details of forest land diverted:</p> <table border="1"> <thead> <tr> <th>Particulars</th><th>Area (ha)</th><th>Letter Dated</th></tr> </thead> <tbody> <tr> <td>Diversion of Forest Land - Annex: I (a)</td><td>26.2313</td><td>18.05.2009</td></tr> <tr> <td>Diversion of additional Forest Land – Annex: I (b)</td><td>2.5325</td><td rowspan="2">21.02.2012</td></tr> <tr> <td>Surrender of already diverted forest land</td><td>-3.6250</td></tr> <tr> <td>Forest Land for construction of 220Kv transmission line (Right of Way) – Annex: I (c)</td><td>23.3437</td><td>22.05.2017</td></tr> <tr> <td>Total</td><td>48.4825</td><td></td></tr> </tbody> </table> | Particulars | Area (ha) | Letter Dated | Diversion of Forest Land - Annex: I (a) | 26.2313 | 18.05.2009 | Diversion of additional Forest Land – Annex: I (b) | 2.5325 | 21.02.2012 | Surrender of already diverted forest land | -3.6250 | Forest Land for construction of 220Kv transmission line (Right of Way) – Annex: I (c) | 23.3437 | 22.05.2017 | Total | 48.4825 | |
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| Total | 48.4825 | | | | | | | | | | | | | | | | | | |
| ii. | The project proponent shall obtain clearance from the National Board for Wildlife, if applicable. | <p>Not applicable: The project falls 3.79 Km Outside the Fambonglho Wildlife Sanctuary and its ESZ. Distance map dully authenticated by Chief Wild Life Warden, Sikkim.</p> <p>The Eco-sensitive zone of the Fambonglho Wildlife Sanctuary has been notified by the Ministry of Environment Forest and Climate Change vide notification dated 27th August 2014.</p> <p>Ministry of Environment, Forest and Climate Change vide OM Dated: 8th August, 2019 has relaxed the requirement for prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) as under.</p> <p>Quoted:</p> <p><i>“ii. Proposals involving developmental activity/project located outside the stipulated boundary limit of notified ESZ and located within 10 km of National Park/ Wildlife Sanctuary, prior clearance from Standing Committee of the National Board for Wildlife (SCNBWL) may not be applicable. However, such proposals from environmental angle including impact of developmental activity/project on the</i></p> | | | | | | | | | | | | | | | | | |



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| | | <p>wildlife habitat, if any, would be examined by the sector specific Expert Appraisal Committee and appropriate conservation measures in the form of recommendations shall be made. These recommendations shall be explicitly mentioned in the environmental clearance letter and shall be ensured by the member secretary concerned."</p> <p>On the basis of above it can be implemented that the prior clearance from Standing Committee of the National Board for Wildlife is not be required for our project.</p> <p>The detailed map regarding distance of the project boundary from the nearest wildlife sanctuary, duly authenticated by the Chief Wildlife Warden is enclosed as Annex – II.</p> |
| iii. | The project proponent shall prepare a Site-Specific Conservation Plan & Wildlife Management Plan and approved by the Chief Wildlife Warden. The recommendations of the approved Site-Specific Conservation Plan / Wildlife Management Plan shall be implementation report shall be furnished along with the six – monthly compliance report. (in case of the presence of Schedule – I species in the study area). | <p>The wildlife conservation plan for Red Panda and Clouded Leopard has been prepared and the same is approved by the Department of Forest & Environment, Government of Sikkim vide their letter no. 40/WL/E dated 24.06.2020.</p> <p>INR 32,50,000/- has been deposited by us vide Demand Draft no. "139923" dated 20.05.2020 against the Budgetary provisions for the wildlife conservation plan as Annex – III.</p> |
| iv. | The project proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board / Committee. | Consent to Establish has been granted by the Sikkim State Pollution Control Board vide letter no. 639/SPCB dated 12.11.2008. Further, the latest renewal of Consent to Operate was granted vide letter no. 2136/SPCB dated 22.06.2023 (valid till 31.03.2024)- Annex – IV. |
| v. | NOC shall be obtained from National Commission of Seismic Design Parameters (NCSDS) of CWC. | The NOC for Site Specific Design Earthquake Parameters has been issued by National Commission of Seismic Design Parameters (NCSDP) of CWC vide letter no. 2/2/2013/(Vol-I)/FE&SA/610 dated 03.09.2013. Copy enclosed as Annex – V. |
| vi. | Necessary approval of CEA shall be obtained for those projects having the project cost more than Rs. 1,000 crores. | <p>Against our request for approval Pre-DPR Chapters viz., Hydrology, Layout Map and Power Potential Studies, CEA responded vide letter dated 17.11.2020 that TEC has been initially granted by the State Government of Sikkim.</p> <p>TEC for Revised DPR (enhanced power station capacity 115 MW) was granted by State Government vide letter dated 15.06.2020. Copy enclosed as Annex – VI.</p> |

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| II. | Air quality monitoring and preservation | |
| i. | Regular monitoring of various environmental parameters viz., water Quality Ambient Air Quality and Noise Levels as per the CPCB guidelines at designated locations shall be carried out on monthly basis and a detailed database of the same shall be prepared and recorded. This shall be used as a baseline data for post construction EIA/ Monitoring purposes. | Regular monitoring of various environmental parameters is being done. |
| ii. | Appropriate Air Pollution Control (APC) system shall be provided for all the dust generating points including fugitive dust from all vulnerable sources, so as to comply prescribed standards. | <p>To prevent fugitive dust emission following measures are being taken up:</p> <ol style="list-style-type: none"> 1. All the internal roads are being made concrete. 2. Water sprinkling arrangements have been made. 3. Plantation work along the internal road is being done. <p>Dust generation is not envisaged from the project from any source other than vehicular movements. The movement of mainly light vehicles remain in project areas for conveyance of O&M employees.</p> |
| iii. | Necessary control measures such as water sprinkling arrangements, etc. bet taken up to arrest fugitive dust at all the construction sites. | Necessary control measures were installed during construction work. Now, there is only minor maintenance works as per requirements only, as the project is already commissioned. |
| III. | Water quality monitoring and preservation | |
| i. | Before impounding of the water, Cofferdams for both at the upstream and downstream are to be decommissioned as per EIA/EMP report so that once the project is commissioned; cofferdam should not create any adverse impact on water environment including the rock mass and muck used for the Cofferdam. | The upstream and downstream cofferdams had been decommissioned as per the provisions of EIA/EMP report. Now, the cofferdam will not create any adverse impact on water environment including the rock mass and muck used for the Cofferdam. |
| ii. | As the reservoir will be acting as balancing reservoir and there would be fluctuation of water level during peaking period, efforts be made to reduce impact on aquatic life including impacts spawning period both at the upstream and downstream of the project. | <p>Pertaining to measure taken for the conservation of the aquatic life, establishment of hatcheries has been proposed to be established.</p> <p>MBPCL has received a DPR towards hatcheries development from The Directorate of Fisheries, GoS. which is under scrutiny.</p> |

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| iii. | Water depth sensors shall be installed at suitable locations to monitor e-flow. Hourly data to be collected and converted to discharge data. The Gauge and Discharge data in the Excel Sheet is submitted to the Regional Office, MoEF&CC and to the CWC on weekly basis. | Water depth sensors has been installed to monitor e-flow regularly. Real time monitoring of e-flow is being done and the data thus collected is being uploaded/transmitted on SPCB portal on real time basis. Hourly data to will be collected and converted to discharge data. The Gauge and Discharge data in the Excel Sheet will be submitted as required. |
| IV. | Noise Monitoring and prevention: | |
| i. | All the equipment likely to generate high noise shall be appropriately enclosed or inbuilt noise enclosures be provided so as to meet the ambient noise standards as notified under the Noise Pollution (Regional and Control) Rules, 2000, as amended in 2010 under the Environment Protection Act, (EPA), 1986. | All the equipment likely to generate high noise have in-built noise enclosures to meet the ambient noise standards as notified under the Noise Pollution (Regional and Control) Rules, 2000, as amended in 2010 under the Environment Protection Act, (EPA), 1986. |
| ii. | The ambient noise level should confirm to the standards prescribed under E(P)A Rules, 1986 viz. 75 dB(A) during day time and 70 dB(A) during night time. | We accept the condition and we assure to adhere by the same. |
| V. | Catchment Area Treatment Plan: | |
| i. | Catchment Area Treatment Plan (CAT) Plan as proposed in the EIA/EMP Report shall be implemented in consultation with the State Forest Department and shall be implemented in synchronization with the construction of the project. | Catchment Area Treatment plan has been prepared by the Department of Forests, Env. & Wildlife Management, GoS, which includes treatment of the area and maintenance of plantations. MBPCL has paid an amount of Rs. 578.28 Lakhs Vide letter no. 026/EO/DGM/MBPCL/2012-12 dated 05.03.2012 to the Department of Forests, Env. & Wildlife Management, GoS, for implementation of the CAT plan as Annex – VII. |
| VI. | Waste Management: | |
| i. | Muck disposal be carried put only in the approval and earmarked sites. The dumping sites shall be located sufficiently away from the HFL of the river. Efforts be made to reuse the muck for construction and other filling purposes and balanced be disposed of at the designated disposal sites. Once the muck disposal sites are inactive, proper treatment measures be carried out so that sites are stabilized quickly. | Project has already been commissioned, there is no further requirement of muck dump yard. The yards utilized during the construction phase of the project are being stabilized and restored. |

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| ii. | Solid waste management should be planned in details Land filling of plastic waste shall be avoided and instead be used for various purposes as envisaged in the EIA/EMP reports. Efforts be made to avoid one time use of plastics. | Generation of Solid waste in the project is very minimum. It will be disposed in the Govt. Dump Yards. Efforts is being made to avoid one time use of plastics. | | | | | |
| VII. | Green Belt and Wildlife Management: | | | | | | |
| i. | Based on the recommendation of Cumulative Impact Assessment and Carrying capacity study of river basin or as per the TOR conditions or minimum 15% of the average flow of four consecutive leanest months, whichever value is higher, shall be released as environmental flow. | Based on ToR condition related to e-flow the three-regime following is proposed to be released as environmental flow: | | | | | |
| | | Sl. No. | Season | Months | Average flow in 90% dependable Yr. (cumec) | E-Flow | |
| | | | | | | %age | Cumec |
| | | 1 | Monsoon | June, July, Aug and Sept | 28.75 | 30 | 8.63 |
| | | 2 | Lean Season | Dec, Jan, Feb & March | 4.76 | 20 | 0.95 |
| | | 3(i) | Non- Monsoon, Non -Lean | Oct and Nov | 15.90 | 20 | 3.18 |
| | | 3(ii) | Non- Monsoon, Non -Lean | April and May | 9.54 | 20 | 1.91 |
| ii. | Detailed information on species composition particular to fish species from previous study / literature be inventoried and proper management plan shall be prepared for in-situ conservation in the streams, tributaries of river and the main river itself for which adequate budget provision be made and followed strictly. | Environment Management Plan for the project prepared through a third-party scrutinizing which the Hon'ble EAC recommended and Granted EC also include detailed information on species composition particular to fish species from previous study / literature be inventoried. Environment Management plan has been prepared for which an amount of INR 170.00 Lac has been earmarked. | | | | | |
| iii. | Wildlife Conservation Plan approved by the Chief Wildlife Warden shall be implemented in consultation with the local State Forest Department. | The wildlife conservation plan for Red Panda and Clouded Leopard has been prepared and the same is approved by the Department of Forest & Environment, Government of Sikkim vide their letter no. 40/WL/E dated 24.06.2020. INR 32,50,000/- has been deposited by us vide Demand Draft no. "139923" dated 20.05.2020 against the Budgetary provisions for the wildlife conservation plan. | | | | | |
| iv. | To enrich the habitat of the project site, plantation shall be raised as envisaged in the EIA/EMP report. Plantation | In order enrich the habitat of the project sites, altogether 230 saplings have been planted in month of May & June, 2023. The green belt development works around | | | | | |

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| | to be developed along the periphery of the reservoir in multi-layers with local indigenous species in consultation with the local State Forest Department. | the Power House and along the periphery of the Barrage/reservoir complex is being done as per site requirement. Works is being taken up in consultation with the local State Forest Department. So far, a total of 1486 Saplings have been planted. |
| v. | Compensatory afforestation programme shall be implemented as per the plan approved. | Compensatory afforestation programme has been implemented as per the approved plan by Department of Forest & Environment, Government of Sikkim. |
| VIII. | Public Hearing and Human health issues. | |
| i. | Resettlement & Rehabilitation plan be implemented in consultation with the State Govt. as approved by the State Govt. | Resettlement & Rehabilitation plan has been implemented by the State Government. |
| ii. | Budget provisions made for the community and social development plan including community welfare schemes shall be implemented in toto. | Community and social development plan have been implemented. Further, we assure you that, the community welfare schemes will be implemented in toto. Expenditures incurred on Community and Social Development up to 31.12.2023 is enclosed as Annex – VIII. |
| iii. | Preventive measures viz. fuming and spraying of mosquito control shall be done in and around the labour colonies, affected villages, stagnated pools, etc. Provisions be made not to create any stagnated pools to avoid creation of breeding grounds of the vector borne diseases. | Preventive measures have been carried out in and around the labor colonies, affected villages, stagnated pools, etc. Provisions have been made not to create any stagnated pools to avoid creation of breeding grounds of the vector borne diseases. |
| iv. | Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project. | As the project has already commissioned, there is no involvement of construction labours. The temporary structures, constructed during the construction phase, have been dismantled. |
| v. | Labour force to be engaged for construction works shall be examined thoroughly and adequately treated before issuing them work permit. Medical facilities shall be provided at the construction sites. | Requirement of labours maintenance works of project is very minimum. Thorough medical examination through registered medical practitioner is being done before engaging them in the project's maintenance works. Ambulance is available at Site for emergencies. All labors have been covered with Necessary ESIC and EPF, as applicable. |

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| vi. | Early Warning Telemetric system shall be installed in the upper catchment area of the project for advance intimation of flood forecast. | Early Warning Telemetric System has successfully been installed on 07.05.2022 at River Rorochu, near Bhusuk Location (approx. 13 km at the upstream of the Rongnichu Reservoir for advance intimation of flood forecast). Copy of the installation report is enclosed as Annex – IX . |
| vii. | Emergency preparedness plan be made for any eventuality of the dam failure and shall be implemented as per the Disaster Management Plan. | The Onsite Management plan has been prepared and submitted to the Disaster Management Authority, East Sikkim, GoS. |
| IX. | Miscellaneous | |
| i. | Skill mapping be undertaken for the youths of the affected project area and based on the skill mapping, necessary trainings to the youths be provided for their long-time livelihood generation. | Short term training is being provided as per requirement of the project affected areas. Direct employment has been provided to 20 nos. of Local people in the project. |
| ii. | The Company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements/ deviation/ violation of the environmental/ forest/ wildlife norms/ conditions. The company shall have defined system of reporting infringements/ deviation/ violation of the environment/ forest/ wildlife norms/ conditions and / or shareholders/ stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of Six-Monthly Report. | Environmental Policy has been approved by the Board of Directors in its meeting date 01.04.2021. Copy of the Board Resolution along with environment policy is enclosed as Annex – X (a & b) |
| iii. | A separate Environmental Cell both at the project and company head quarter level with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization. | A separate Environmental Cell both at the project and company head quarter level have been set up under the control of Senior Executive with qualified personnel. The environmental cell directly reports to the Whole Time Director of the Company. |
| iv. | Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in | Agreed.  |

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| | separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the Ministry/ Regional Office along with the Six-Monthly Compliance Report. | |
| v. | Post EIA and SIA be prepared for the project through a third party and evaluation report be submitted to the Ministry after five years of commissioning of the project. | We accept the condition. |
| vi. | Multi-Disciplinary Committee (MDC) be constituted with experts from Ecology, Forestry, Wildlife, Sociology, Soil Conservation, Fisheries, NGO etc. to oversee implementation of various environmental safeguards proposed in EIA/EMP report during construction of the project. The monitoring report of the Committee shall be uploaded in the website of the Company. | We accept the condition. |
| vii. | The project proponent shall make public the environmental clearance granted for their project along with the environmental conditions and safeguards at their cost by prominently advertising it at least in two local newspapers of the District or State, of which one shall be in vernacular language within seven days and in addition this shall also be displayed in the project proponent's website permanently. | The public notice of the environmental clearance was published on 13.02.2021 in Sikkim Express and Hamro Prajashasakti Newspapers as Annex – XI . A copy of the Environment Clearance has been uploaded at our website at http://www.mbpcl.co.in/OtherCompliances.html |
| viii. | The copies of the environmental clearance shall be submitted by the project proponents to the Heads of the local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt. | The copies of the environment clearance were submitted to the Heads of Government Department and local Panchayat (MEO) vide our letter no. MBPCL/F-10/2020-21/623 dated 13.02.2021. Copy of intimation letter is enclosed as Annex – XII . |
| ix. | The project proponent shall upload the status of compliance of the stipulated environment clearance conditions, including results of monitored data on their website and update the same on half- yearly basis. | We accept the condition. |
| x. | The project proponent shall submit six-monthly reports on the status of the compliance of the stipulated | We accept the condition. |

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| | environmental conditions on the website of the Ministry of Environment, Forest and Climate Change at the environment clearance portal. | |
| xi. | The project proponent shall submit the environmental statement for each financial year in Form-V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules 1986 as amended subsequently and put on the website of the company. | We accept the condition. |
| xii. | The project proponent shall inform the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project. | The project implementation work was commenced after grant of all necessary approvals, consents and NOC and the financial closure has been granted. All the project works have been completed and the Commercial Operation of the station as in whole was declared on 04.07.2021. |
| xiii. | The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government. | We assure you that, we will adhere to the stipulations made by the State Pollution Control Board and the State Government. |
| xiv. | The project proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee. | We assure you that, we will abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee. |
| xv. | No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests, and Climate Change (MoEF&CC). | We accept the condition. |
| xvi. | Concealing factual data or submission of false/ fabricated data may result in revocation of this environmental clearance and attract action under the provisions of Environment (Protection) Act, 1986. | We accept the condition. |
| xvii. | The Ministry may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory. | We accept the condition. |

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| xviii. | The Ministry reserves the right to stipulate additional conditions if found necessary. The company in a time bound manner shall implement these conditions. | We accept the condition. |
| xix. | The Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data/ information/ monitoring reports. | We accept the condition and we assure you that, we will extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data/ information/ monitoring reports. |
| xx. | The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India/ High Courts and any other Court of Law relating to the subject matter. | <p>We accept the condition.</p> <p>As per the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, Consent to Establish and Operate have been granted by the State Pollution Control Board.</p> <p>An application for grant of Authorization for used/spent oil envisaged to be generated from the project has been made under the provisions of Hazardous and Other Wastes (Management and Trans-boundary Movement) Rules, 2016.</p> <p>As per the provisions of the Public Liability Insurance Act, 1991, the PUBLIC LIABILITY ACT POLICY has been obtained from The New India Assurance Co. Ltd. vide Policy No. 46040036233300000001. Copy enclosed at Annex – XIII.</p> |
| xxi. | Any appeal against the EC shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010. | We accept the condition. |

