

MINUTES OF ENVIRONMENTAL PUBLIC HEARING

MINUTES OF THE ENVIRONMENTAL PUBLIC HEARING FOR PROPOSED PROJECT OF ADDITIONAL LIQUID CARGO JETTY (CAPACITY 4.5 LAKH TON/ANNUM) AT JNPT SHEVA, TALUKA-URAN, DISTRICT – RAIGAD, MAHARASHTRA BY PROJECT PROPONENT M/S JAWAHARLAL NEHRU PORT TRUST (JNPT), A GOVT. OF INDIA UNDERTAKING

An Environmental Public Hearing for proposed project for Additional Liquid Cargo Jetty (Capacity 4.5 Million Ton/Annum) at JNPT Sheva, Taluka-Uran, District-Raigad, Maharashtra proposed by the project Proponent M/s Jawaharlal Nehru Port Trust (JNPT), A Govt. of India Undertaking, was conducted on 15th January, 2019 at 11.00 hrs at Multi Purpose Hall, Sector-11, JNPT Township, Uran, Jawaharlal Nehru Port Trust, Taluka-Uran, Dist-Raigad.

Following panel members were present as per Maharashtra Pollution Control Board's (MPCB) Office Order No. E - 04 of 2019 under letter no. BO / JD (WPC) / PH/B -128, dated 11-01-2019: -

- 1) Shri Dattatraya R. Nawale, - **Chairman,**
Sub Divisional Officer, Panvel
Raigad
(Representative of
District Magistrate, Raigad)
- 2) Dr. A. N. Harshawardhan, - **Member**
Regional Officer,
MPCB, Navi Mumbai
(Representative of
MPCB, Mumbai)
- 3) Shri Rahul Mote - **Convener**
Sub Regional Officer,
MPCB, Talaja

Shri Rahul Mote, Convener of the Public Hearing Committee and Sub Regional Officer, MPCB, Navi Mumbai- III welcomed Chairman of the Public Hearing Committee, all government officials, officials of project proponent and the participants who were present.

Dr. A. N. Harshawardhan, Member, Public Hearing Committee and Regional Officer, MPCB, Navi Mumbai with the permission of Chairman of the Committee welcomed all participants. He informed that as per the Environment Impact Assessment (EIA) Notification of Ministry of Environment, Forest and Climate Change, Govt. of India, (i.e. MoEF & CC, Gol) dated 14th September, 2006 as amended on 1st December, 2009, it is mandatory to conduct prior public consultation to certain projects which are covered in the schedule of the said Notification. MPCB has received proposal for proposed project of Additional Liquid Cargo Jetty (Capacity 4.5 Million Ton/Annum) at JNPT Sheva, Taluka – Uran, District-Raigad, Maharashtra by Project Proponent M/s Jawaharlal Nehru Port Trust (JNPT), A Govt. of India Undertaking.

He informed that as per EIA Notification, 2006, the proposed project activities fall under Category 7 (E) B1 which requires Environment Clearance before commencing the project for which prior public consultation is mandatory. Convener further

Dr. A. N. Harshawardhan, Member, Public Hearing Committee and Regional Officer, MPCB, Navi Mumbai with the permission of Chairman of the Committee welcomed all participants. He informed that as per the Environment Impact Assessment (EIA) Notification of Ministry of Environment, Forest and Climate Change, Govt. of India, (i.e. MoEF & CC, Gol) dated 14th September, 2006 as amended on 1st December, 2009, it is mandatory to conduct prior public consultation to certain projects which are covered in the schedule of the said Notification. MPCB has received proposal for proposed project of Additional Liquid Cargo Jetty (Capacity 4.5 Million Ton/Annum) at JNPT Sheva, Taluka - Uran, District-Raigad, Maharashtra by Project Proponent M/s Jawaharlal Nehru Port Trust (JNPT), A Govt. of India Undertaking.

He informed that as per EIA Notification, 2006, the proposed project activities fall under Category 7 (E) B1 which requires Environment Clearance before commencing the project for which prior public consultation is mandatory. Convener further

informed that the project proponent had applied for Terms of Reference (ToR) which is granted by the State Expert Appraisal Committee (SEAC-I), Govt. of Maharashtra, on 4th May, 2018.

Member of the public hearing further informed that the aim of conducting public hearing is to make aware local people who can be participant in the hearing and they should know the developmental activities and environment management plan of the unit.

He further informed that as per said Notification, 30 days' advance public notice was published in the local newspaper daily Sakal and daily Krushival for Marathi and in daily National newspaper in The Indian Express for English on 14-12-2018. The copies of EIA report and Executive Summary were made available at various notified offices of Government viz Environment Department, Govt. of Maharashtra, Zonal Office Western Division – MoEF&CC Bhopal; District Magistrate Office - Raigad ; Additional District Magistrate- Raigad; Zilla Parishad Office- Raigad; District Industries Centre - Raigad ; Tahsil Office-Uran, Dist- Raigad; Uran

Nagar Parishad, Uran, Dist – Raigad; Grampanchayat offices at Karal, Sonari, Jaskar, Phunde, Dongari, Nahva, Sheva, Hanuman Koliwada, Panje, Gharapuri Tal-Uran, Dist – Raigad; Head Office of MPCB at Mumbai; Environment Department, Govt. of Maharashtra, Mumbai; Regional Office, MPCB, Navi Mumbai; Sub Regional Office, MPCB, Navi Mumbai-III and executive summary in English and Marathi on website of MPCB. It was appealed to send any objections / suggestions regarding the project to the MPC Board. Member of the Public Hearing Committee further informed that few objections are received by the local MPCB office. He requested to start the proceedings.

Chairman of Public Hearing Committee welcomed all and informed officials of the project to explain the details of pollution control devices and environment management plan of the proposed project in local language Marathi. Chairman of the Public Hearing Committee appealed all to keep calm and raise any doubts, suggestions and objections against the project after the

presentation. It will be included in the Minutes of Meeting which will be submitted to the Expert Committee of Ministry of Environment, Govt. of Maharashtra.

The Project Proponent gave the presentation of the proposed project and Environment Management Plan in detail explained all the aspects included in the EIA and EMP.

1) Shri Naresh Anant Koli, Maha Sachiv, Bahujan Samaj Party, resident at Post-Hanuman Koliwada, Tal-Uran, Dist-Raigad:-

After praying Dr. Babasaheb Ambedkar, Shri Naresh Koli remarked that in the presentation it is shown that the Project Proponent (PP) has implemented various welfare schemes at Sheva village and Hanuman Koli Wada. It is shown in the presentation that 906 nos. of local people have been extended job opportunities and local people are given free educational facilities. But it is our experience that the project proponent informs

villagers from Sheva and Hanuman Koli Wada villages will not get job opportunities as they have been paid the compensation. Then how it is shown in the presentation that the 906 job opportunities are given to local people? Secondly it is totally misleading that the pupils of local people are extended free educational facilities.

Member of the Public Hearing Committee and Regional Officer, MPCB, Navi Mumbai asked project proponent to give explanation regarding the representation.

Project Proponent informed that Administration Department of JNPT has made available the figures of employment to PAPs which were shown in the presentation and he promised to re-verify and rectify the same if there is any error.

Here Shri Naresh Anant Koli remarked that there were 400 meetings in last 32 years. Nothing is coming out. The land of Hanuman Koli Wada, Sheva and other 18 villages are compulsorily acquired. Still the issue of allotment of 12.5% of land is not solved. The local people who have been issued Project Affected Persons (PAPs) Certificate is not given the job opportunities. There are also

some uneducated PAPs, who have not been issued PAP Certificate. Some PAPs who have certificate is not given compensation for acquisition of land. The PAPs should be rehabilitated. The local people have been deprived from their legitimate rights of job opportunities, but persons from other States are given job opportunities. Here Chairman of the Public Hearing Committee and Additional District Magistrate informed that two plots have been shown to affected persons and they will be rehabilitated in one plot, which will be selected by them. The final report will be submitted to Government after their selection of the plot.

2) Shri Vishwanath Gharat & Other group of local people :-

Some section of the people expressed their dissatisfaction and gave the slogans. It is remarked here that after passing 32 years, if the proposal is going to be submitted to Government, then there should be Rehabilitation first and project should be afterwards. They have blamed that two days back, a house is collapsed in the vicinity. But the officers of the Project Proponent did not visit the site. They

have complained that the project proponent has already started the activities of proposed project by hidden ways and conducting this meeting is just a farce. The Chairman of the committee informed that the objections raised will be recorded and communicated to the Authority. Project Proponent informed that the activities of the proposed project have not started yet.

3) Local Representative Shri Manohar Bhoir,
Hon'ble Member, Vidhan Sabha, Govt. of
Maharashtra:-

Hon'ble MLA/local representative stood for a dialogue, some local people started to shout. They were of the opinion that project proponent has already started the work of the proposed project. At that time, Hon'ble MLA informed that this hearing is for the proposed additional liquid cargo jetty and the present work which is in progress is of coastal jetty.

Hon'ble MLA blamed that Hanuman Koli Wada village, Sheva village and other 18 villages have been made Project Affected. Now since last 33 years, the Government Administration has

failed to rehabilitate all the affected persons. The present condition of Hanuman Koli Wada is most serious. Almost all the houses have been affected due to cankerworm. The fishing net gets damaged/ split due to inception of the project. Project Proponent does not compensate the fishing nets. If the fishing community initiates discussions, Project Proponent directs them to go to local Government Administration. The Project Proponent (PP) always diverts the responsibility.

The pupils of P.P. are studying in local school. But the present situation of the school is worse. Now school management do release the tender only for carrying various maintenance work. The local people say that they may give total school administration on tender only. Though 33.0 hector plot at Bhokadvira is given for the rehabilitation of Hanuman Koli Wada, out of it, 23.0 hector belongs to CIDCO only.

He said if all the 18 villages, Sheva village and Hanuman Koli Wada village is totally rehabilitated and if 100% fee concession is given to the local

students and project affected persons, then local people will co-operate for the project.

He further blamed that instead of utilizing the Corporate Social Responsibility Fund (i.e. CSR Fund) in the Project Affected Area, the Project Proponent is utilizing it outside the area. The development of local people is purposefully neglected. The PP has given Rupees Five lakh to MMRDA. The various welfare development schemes in the Project Affected Area be implemented by the PP. The PP has spent CSR amount for the social welfare schemes at Sindhudurg and Nagpur, but neglecting the local area Uran. If Project Affected Persons gets justice, if land is given in lieu of acquired land and PAPs and local persons are given job opportunities in the project, the local people will co-operate.

4) Shri Bhushan Patil, Former Trustee, JNPT:-

Whether socio-economic survey of the local area is carried? How many local persons have been appointed in the project in the cadre of continuous service? The management of the

Project Proponent does not co-operate with local people.

The National Green Tribunal, Western Zone Bench, Pune fined Project Proponent to the tune of Rupees 75/- Crores for the damage done to the local area/environment. The PP has taken Stay in the Hon'ble Supreme Court of India. But under the CSR Fund, the social development work of other areas is undertaken. Hence, first date of Rehabilitation should be declared. First Rehabilitation, then only Project.

5) Shri Janardhan Pandurang Mhatre, Resident of Navin Sheva, Tal-Uran, Dist-Raigad:-

First there should be rehabilitation of Project Affected Persons, then only Project. As the local people have very bad experience of PP, Rehabilitation should be firstly implemented. It is observed that PP is spending the public money in an unwarranted manner. Govt. of India has given top most priority for inception of Solar Energy Projects. It is believed that vehicles will run on solar energy and the requirement of oil will be lessen. Then why there is necessity to build the

jetty to handle oil. Local people have given their land for the various projects in the area. They didn't get job in the project. Due to commissioning of this project, the life of fishing community will be in danger and there will be ill-effects on the aquatic life. Hence this project should be cancelled.

6) **Shri Deepak Thakur, Member, Panchayat Samiti, Tal. Uran, District-Raigad:-**

Local people have given their land for the various projects. But no justice is given to the local people. It is shown in the presentation that 900 local people have been given job opportunities. How many PAPs (Project Affected Persons) have been given job opportunities and how many PAPs retired from the services of PP. No information is made available regarding present status of the PAPs, whether new PAP is appointed on the post of retiree PAP/s and also given job opportunities in the new projects. Every day there will be 2.5 T/Day solid waste generation from this project. Nothing is explained regarding scientific treatment and disposal of the solid waste generation. Also, after commissioning of the project, the system of counting the leakage of oil is not mentioned. How

PP will count the leakage of oil and how it will be treated. Now Piling is started in the project. It will affect the World Heritage Centre at Gharapuri Caves. It is observed that the Project Proponent illegally discharge/throw Used Oil/Waste Oil and solid waste in the sea water. The local people blames that there was oil leakage incident and nearly 27.000 Kilo Liter Oil mixed in the sea water.

Shri Deepak Thakur again blamed that banned hazardous solid and liquid waste is brought here by PP and thrown in the sea. This information is not available in the any government departments. Project Proponent has sold the shops in which there are 1,126 illegal migrants. If the permission for building the house of local person is under process, it is destroyed by local government office considering it illegal. Then how the shops can be sold to illegal migrants? The village Sheva and Hanuman Koli Wada should be rehabilitated immediately.

7) **Shri Vijay Bhoir, Member, Raigad Zilla Parishad :-**

Whether the local people will get the justice for the issues raised by the local villagers as the issues

raised in the previous public hearings were remain unattended or whether conducting this meeting is just a process? Due to this project, if there is no ill-effects, then why PP is not giving detailed information? It should be given.

8) Shri Baliram Padmakar Thakur, Sarpanch, Gharapuri Grampanchayat, Tal-Uran, Dist-Raigad, At Post -Gharapuri (Elphanta Iceland):-

For the development of JNPT and internal small ports, the sea shore is filled with materials. The PP is increasing the depth of the sea level. Hence there is increase in sea water at Elphanta Sea Shore. Due to this, there is erosion of Elphanta sea shore. There is fear in local villagers that the roads will be washed out. It will affect the lakhs of tourists which includes foreign tourists also. The piles of thrown garbage/waste and ponds black oil are observed. Most of the foreign tourists takes the photos of the same. The local people and tourists suffer due to obnoxious smell. The livelihood of local fishing community is in danger. The foreign tourists do take photos of de-beautification of the Elphanta Sea Shore. Hence local people oppose the project.

9) Shri Kisan Patil, Dy. Sarpanch, Nhave Grampanchayat, Tal-Panvel, Dist-Raigad:-

Previously there was a small port in between Nhava and Sheva Creek. Fishing was livelihood since generations, which was carried by small net, small boat. While developing JNPT Port, the sea shore is filled with materials due to which sea level increased. The oyster could not come out of water due increase in sea level at the time sea reflux and hence the livelihood of poor fishing community is destroyed due to this project. The agriculture land is acquired by the CIDCO. Hence the sources of livelihood of Nhave village is totally destroyed. But the persons from Nhave village/PAP is not extended job opportunities in the project. CSR Fund is not used for the local villages. Since last 25 years, the Project Proponent JNPT has only given the Waste Baskets to the villagers of Rupees 1,200/-. The age old fishing boats have vanished as the sea water level increased due to filling of material by project proponent. The PP should build the jetty under CSR Fund immediately. The school building at Nhava should be developed with other infra-structure facilities. The toilet blocks should be

built at the Nhava village. If these developmental activities are not carried, then we will oppose the project.

10) Sarpanch, Jaskar Grampanchayat,

When the Grampanchayat will get additional land? This information should be made available immediately. The property tax should be paid by JNPT. Due to this project, 27-28 houses will be affected. It should be rehabilitated.

Chairman, Public Hearing Committee informed that as per the survey of Tahsildar/Competent Authority, the land on which these houses are built belongs to JNPT. Hence, as per Rule first the cost of construction of houses will be calculated and it will be compensated to the concerned persons. If concerned persons desires to claim the plot, the proof should be produced. After verifying authenticity, further action will be taken as per the Law.

**11) Shri Damodar Janardhan Gharat,
Sarpanch, Nhava-Sheva:-**

Due to this project, there will pollution in all Nhava Sheva village. Some houses will be

affected for the development of this project. Hence cost of houses and plots be given to the affected persons.

12) **Shri Jayesh Madhukar Koli, resident of Anugrah village:-**

It is observed that job opportunities are given to the people coming from outside area and State. Priority should be given to PAPs, Rehabilitation and then only there should be project.

13) **Shri Janardhan Bhoir, Former Member Zilla Parishad, Navghar, Tal-Uran, Dist-Raigad :-**

Local people have given their land for the project. JNPT is the project which gives highest income than other ports to the Government. Still the rehabilitation of Hanuman Koli Wada is pending since last 33 years. Most of the local people have notice/certificate of JNPT identifying them as PAPs. But they have been denied the job opportunities in the project. The Project Proponent has sent notices to local fishing communities for prohibiting them for fishing. Hence their source of income/livelihood is removed by the PP and not giving the job opportunities.

Project Proponent informed that the suggestions, objections raised during the meeting will definitely be considered positively. Under the CSR Fund, the Project Proponent have planned certain projects in which cleaning of Elphanta shore and building the safety wall is considered. We have selected three Trustees to sort out urgent schemes. Other social welfare schemes are submitted to Central Government. After getting approval from respective departments, it will be implemented.

Here some local people gave slogans that the P.P. always makes hurdles while rehabilitating the local people. Shri Janardhan Bhoir raised the issue that the availability of land issue should be solved. Shri Bhushan Patil objected that Project Proponent has brought Stay for the Order delivered by National Green Tribunal, Western Zone Bench, Pune to give compensation for Rupees 95/- crores to local people. It is observed that P.P. always raises queries while giving compensation.

Chairman of the Public Hearing Committee informed that the rehabilitation issues are pending since last 32 years. The District Administration is

working hard to solve the issue. Now two plots have been identified. The plot will be finalized as per wishes of local people. The proposal will be submitted to Government. The local representative who are present here have taken follow up at higher level. Now people are requested to co-operate for the same.

14) Shri Pandit, resident of Sheva village :-

The rehabilitation issue of Sheva village is pending since 32 years and in how many days it will be solved? It is informed that 33 hector plot is reserved for rehabilitation, out of which 10 acre will be ear-marked for the rehabilitation, then whom remaining 23 hector of plot will be given. The workers from UP and Bihar are appointed in the project. But the rights of PAPs and local people i.e. Hanuman Koli Wada, Sheva and other 18 villages are denied. Local people have not been given job. CIDCO and JNPT has denied their rights.

15) Mrs. Karishma Haresh Bhoir, Sarpanch, Grampanchayat Panaje, Tal-Uran, Dist-Raigad :-

:-

In the last Public Hearing on 20th 2016, the Panchayat Samiti has wrote letter to MPCB. Still the information is not sent by the MPCB. Panaje village is two k.m. away from the project. CIDCO has stopped the age old process of producing sea salt in the area and hence age old Salt Pans (Mithagrahe) have been closed. The land of local people is acquired for many other projects. Due to JNPT and other two private ports, the availability of fishes is totally affected. Hence following demands should be fulfilled :-

- a) The Project Affected Persons (PAPs) should be given job opportunities in the project as per the qualification;
- b) If it is not possible, those be given an opportunity of fishing by constructing artificial lake near the Panaje sea shore;
- c) The children of PAPs and local people be given free education;
- d) Civic amenities be provided in the project affected areas;
- e) The fishing communities be compensated by the JNPT;

f) The fishing families who do fishing everyday, be given 7/12 extract;

Member, Public Hearing Committee and Regional Officer, MPCB, Navi Mumbai directed project proponent to give detailed answers for the queries raised by Hon'ble Sarpanch of Panaje village. It is informed by the Project Proponent that prior approval has to be sought from Govt. of India to spend CSR fund for various social schemes. Here, Member, Public Hearing Committee directed Project Proponent to give specific answers. It is expected that certain fund should be ear-marked for all the villages falls under project affected area. The amount and scheme should get be approved by the Project Proponent only.

16) Shri Nishant Vishnu Gharat, Sarpanch, Grampanchayat Navin Sheva, Tal-Uran, Dist-Raigad:-

Project Proponent has not completed the demand/requirement of social welfare schemes till today, though it is promised in writing. The job opportunities is not given to local and Project Affected Persons. The basic civic amenities are

not provided to the project affected villages. It is agreed that 33.64 hector land will be allotted to Sheva village. Only 10.0 hector is given. Still the Sanad is not issued for the same. Due to this project, our country gets foreign exchange. But after 30 years, the Project Proponent has not fulfilled the demands of local people. Hence MPCB is requested to direct project proponent to fulfil the demands of local people. If the young boys or girls goes to project management for job opportunities, the PAP Certificate/Notice is demanded by the Project Proponent. But the persons from UP, Bihar is illegally appointed.

Hence total rehabilitation of Sheva village, rehabilitation of all 18 villages, priority in job opportunities to local people are the demands of local people. It should be completed.

17) Shri Laxman Mhatre, resident of Navin Sheva, Tal-Uran, Dist-Raigad :-

Shri Laxman Mhatre remarked that it can be concluded that Project Proponent failed to fulfill their promises of rehabilitation of project affected areas, failed to provide basic amenities and

providing job opportunities to local people. Local people expressed their grievances. Hence, they are opposing the project. He requested that here local Member of Legislative Assembly is present and it is requested to guide accordingly.

18) Shri Vijay Bhoir, Member, Zilla Parishad, Raigad:-

He expressed the opinion that local people are angry because their legitimate demands are not fulfilled by the Project Proponent. Hence project should be resurveyed. Then decision should be taken.

Unless and until the demands of local people are not completed, still the project should not be allowed. He appealed the participants to show the opinion to reject the project to Public Hearing Committee by raising the hands. All the participants rose their hands.

19) Shri Tukaram Janardhan Koli, resident- Koliwada

He objected that the Project Proponent has not shown the "Traditional Fishing Map" totally. The distance between Gharapuri to Nhava is 5.0

k.m. It is shown as 6.1/2 Mtrs. Project Consultant has prepared the false report. He has not shown JNPT and Gharapuri map. Local people inform that scrapping of jetty is going on. Where the scrapping waste will be treated is not informed by the Project Proponent. JNPT does not allow traditional fishing. Hence the livelihood of fishing community is affected. Project Proponent has taken Stay on the directives of National Green Tribunal, Western Zone, Pune.

While reviewing the discussions in the meeting, Hon'ble Member of Legislative Assembly raised the demands of local people as under :-

- 1) Navin Sheva village, Hanuman Koli Wada and 18 other villages should be totally rehabilitated;
- 2) Though 33 hector area is sanctioned for rehabilitation of Navin Sheva, only 10.0 hectors will get for rehabilitation, as 23 hectors are in the possession of CIDCO. But CIDCO is misleading the people;
- 3) Nearly 80% population of Panaje village depends upon fishing. But Project Proponent i.e. JNPT does not allow them to carry fishing.

Hence total area and small ports which are under the area be surveyed again. The Fisheries Department of Govt. of Maharashtra does not take the decision;

- 4) If the good package is granted to Sea-Link, Nagpur Mumbai Samruddhi High Way, why not for this project is the question of local PAPs, which is absolutely right.
- 5) The local people are not against the project. But since last 30 years, rehabilitation, package for land and job opportunities are still unsolved. If it is given, the local people will co-operate;
- 6) The Project Proponent i.e. JNPT should give package, job opportunities. But Project Proponent does not co-operate. It can be seen as Stay is brought on the Order of National Green Tribunal, Western Zone Bench, Pune.
- 7) CSR Fund should be spent to fulfill the basic need of local people. Here it is used for outside area. The objection of the local people is totally right;

8) The Sheva and Hanuman Koli Wada villagers should not be asked for certificate of rehabilitation.

As there were no further questions, while concluding the meeting, Chairman of the Public Hearing Committee informed that as per the EIA Notification 14th September, 2006 as amended on 1st December, 2009, prior public consultation is mandatory to certain projects while obtaining Environmental Clearance. The public notice was published in the local and national newspaper regarding the public hearing. The suggestions and objections received for the project in writing and on email and raised during the meeting will be included in the minutes of the meeting along with final EIA report which will be submitted to the SEAC Committee, The Expert Committee will take further decision. Chairman of the Committee thanked all government officials, company officials and general public who attended the public hearing/meeting and declared that the said public hearing is concluded.

Some participant requested to make available the minutes of the meeting. It is agreed by the Chairman of the Public Hearing Committee.

The meeting ended extending thanks to the Chair.



(Rahul Mote)

Convener,

Public Hearing
Committee and
Sub Regional
Officer, MPCB, Talaja



(Dr. A. N. Harshawardhan)

Member,

Public Hearing Committee
and Regional Officer,
MPCB, Navi Mumbai



(Dattatraya R. Nawale)

Chairman

Public Hearing Committee
and
Sub Divisional Officer, Panvel,
Dist – Raigad