

F.No.10-8/2016-IA.III

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

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

Dated: 21st June, 2015

To

The Chief Engineer,
HSIIDC Ltd.,
C 13-14, Sector – 6,
Panchkula – 134 019 (Haryana)

Sub: 'Construction of Kundli - Manesar - Palwal Expressway (135.65 km)' in State of Haryana by Haryana State Industrial and Infrastructure Development Corporation Ltd – Terms of Reference for completing the balance work - reg.

Sir,

This has reference to your application No.HSIIDC:KMP:2016:1040 dated 29.01.2016 and subsequent letter dated 03.06.2016, submitted to this Ministry for seeking Terms of Reference (ToR) in terms of the provisions of the Environment Impact Assessment (EIA) Notification, 2006 under the Environment (Protection) Act, 1986.

2. The proposal for **'Construction of Kundli - Manesar - Palwal Expressway (135.65 km)' in State of Haryana by Haryana State Industrial and Infrastructure Development Corporation Ltd**, was considered by the Expert Appraisal Committee (EAC) in the Ministry for Infrastructure Development. Coastal Regulation Zone, Building/ Construction and Miscellaneous projects, in its meetings held on 28-29 March, 2016 and 30-31 May, 2016.

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

(i) The project involves construction of Kundli - Manesar - Palwal Expressway (135.65 km) in State of Haryana by Haryana State Industrial and Infrastructure Development Corporation Ltd.

(ii) The project was accorded Environmental Clearance vide letter No.5-42/2006-IA-III dated 22nd February, 2007. The validity of the said Environmental Clearance expired on 21st February, 2012. The project proponent did not seek extension of validity of Environmental Clearance within the validity period. About 68% of the construction work is already completed on the ground.

(iii) The project proponent applied for extension of validity of the Environmental Clearance on 20.11.2015 i.e., after expiry of the validity of Environment Clearance. Accordingly, the Member Secretary informed the project proponent that "The Environmental Clearance was granted on 22.02.2007 which expired in February, 2012. The request of extension of validity of EC is not acceptable". Accordingly, the project proponent has again applied for the TOR to complete the remaining construction work.



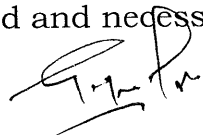
- (iv) The CEO of the project proponent discussed the matter with the officials in the Ministry wherein it was decided that as the earlier Environmental Clearance has expired, so a fresh Environmental Clearance should be obtained for completing the balance work.
- (v) It was also discussed that the project is important and there are direction of Hon'ble Supreme Court also in Writ Petition (Civil) 13029 of 1985 dated 16.12.2001 and 15.07.2002.
- (vi) The construction work on Manesar-Palwal Section (52.330 km length) has already been completed on 31st March, 2016 and has been opened for traffic.
- (vii) The work on Kundli-Manesar Section (83.320 km length) has already been allotted to M/s Essel Infrasprojects Ltd on BOT (Annuity) basis with a completion target of August, 2018, and the same has been intimated to Hon'ble Supreme Court of India and National Green Tribunal accordingly.
- (viii) The total length of the project is 135.65 km. The strategically designed alignment of expressway is connecting NH-1, NH-10, NH-8 and NH-2 and bypasses Delhi. The connectivity with the highways have been proposed at selective locations at NH-1, NH-10, NH-8 and NH-2 for prestigious industrial projects, promoted by the State Government.
- (ix) The alignment of the project passes through five districts, i.e. Sonipat, Jhajjar, Gurgaon, Mewat and Palwal. Road lane width of 100 m along the alignment of proposed expressway has already been acquired by HSIIDC Ltd.
- (x) On request of HSIIDC seeking financial assistance, the NCR Planning Board sanctioned a loan of Rs.343.35 core in favour of HSIIDC, subject to renewal of EC for the project.
- (xi) About 75,932 trees are affected along alignment in the area other than forest land. Sultanpur reserve forest and bird sanctuary is at a distance of 2.35 km from the alignment of the expressway. No other archaeological features or ESZ are present within a distance of 15 km from the alignment. Archaeological feature present in Delhi city are not in the vicinity of the project alignment.
- (xii) About 35.63 ha forest land is also involved. Forest Clearance has already been obtained by HSIIDC from the MoEF vide letter No.9-HRC1261/2006-CHA/12412, dated 11th December 2007. Further, 35.66 ha area has already been identified by forest department for Compensatory Afforestation.

5. The Project proponent is allowed to use the data collected for finalizing the earlier EIA/EMP report.

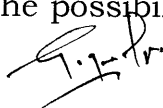
6. Public Hearing would be exempted for the project as the public hearing has already been conducted on 23.10.2006 in Sonapat, Jhajjar and Gurgaon Districts and on 24.10.2006 in Mewat and Palwal Districts.

6. In view of the above, the Ministry of Environment, Forest and Climate Change hereby accords ToR for completing the balance work of **'Construction of Kundli - Manesar - Palwal Expressway (135.65 km)' in state of Haryana by Haryana State Industrial and Infrastructure Development Corporation Ltd** for preparation of the Environment Impact Assessment Report and Environment Management Plan (EMP) with the specific and general conditions as under:

- (i) Examine and submit a brief description of the project, project name, nature, size, its importance to the region/state and the country.
- (ii) In case the project involves diversion of forests land, guidelines under OM dated 20.03.2013 may be followed and necessary action taken accordingly.



- (iii) Details of any litigation(s) pending against the project and/or any directions or orders passed by any court of law/any statutory authority against the project to be detailed out.
- (iv) Submit detailed alignment plan, with details such as nature of terrain (plain, rolling, hilly), land use pattern, habitation, cropping pattern, forest area, environmentally sensitive areas, mangroves, notified industrial areas, sand dunes, sea, rivers, lakes, details of villages, teshils, districts and States, latitude and longitude for important locations falling on the alignment by employing remote sensing techniques followed by “ground truthing” and also through secondary data sources.
- (v) Describe various alternatives considered, procedures and criteria adopted for selection of the final alternative with reasons.
- (vi) Submit Land use map of the study area to a scale of 1: 25,000 based on recent satellite imagery delineating the crop lands (both single and double crop), agricultural plantations, fallow lands, waste lands, water bodies, built-up areas, forest area and other surface features such as railway tracks, ports, airports, roads, and major industries etc. and submit a detailed ground survey map on 1:2000 scale showing the existing features falling within the right of way namely trees, structures including archaeological & religious, monuments etc. if any.
- (vii) If the proposed route is passing through any hilly area, examine and submit the measures for ensuring stability of slopes and proposed measures to control soil erosion from embankment.
- (viii) If the proposed route involves tunneling, the details of the tunnel and locations of tunneling with geological structural fraction should be provided. In case the road passes through a flood plain of a river, the details of micro-drainage, flood passages and information on flood periodicity at least of the last 50 years in the area should be examined.
- (ix) If the project is passing through / located within the notified Ecologically Sensitive Zone (ESZ) around a notified National Park/Wildlife Sanctuary or in the absence of notified ESZ, within 10 km from the boundary of notified National Park/Wildlife Sanctuary, the project proponent may simultaneously apply for the clearance for the standing committee of NBWL. The EC for such project would be subject to obtaining this clearance from the standing committee of NBWL.
- (x) Study regarding the Animal bypasses/underpasses etc. across the habitation areas shall be carried out. Adequate cattle passes for the movement of agriculture material shall be provided at the stretches passing through habitation areas. Underpasses shall be provided for the movement of Wild animals.
- (xi) The information should be provided about the details of the trees to be cut including their species and whether it also involves any protected or endangered species. Measures taken to reduce the number of the trees to be removed should be explained in detail. Submit the details of compensatory plantation. Explore the possibilities of relocating the existing trees.



- (xii) Necessary green belt shall be provided on both sides of the highway with proper central verge and cost provision should be made for regular maintenance.
- (xiii) If the proposed route is passing through a city or town, with houses and human habitation on either side of the road, the necessity for provision of bypasses/diversions/under passes shall be examined and submitted. The proposal should also indicate the location of wayside amenities, which should include petrol stations/service centres, rest areas including public conveyance, etc.
- (xiv) Submit details about measures taken for the pedestrian safety and construction of underpasses and foot-over bridges along with flyovers and interchanges.
- (xv) Assess whether there is a possibility that the proposed project will adversely affect road traffic in the surrounding areas (e.g. by causing increases in traffic congestion and traffic accidents).
- (xvi) Examine and submit the details of use of fly ash in the road construction, if the project road is located within the 100 kms from the Thermal Power Plant.
- (xvii) Explore the possibilities of utilizing the debris/ waste materials available in and around the project area.
- (xviii) Submit the details on compliance with respect to Research Track Notification of MoRTH.
- (xix) Examine and submit the details of sand quarry and borrow area as per OM No.2-30/2012-IA-III dated 18.12.2012 on 'Rationalization of procedure for Environmental Clearance for Highway Projects involving borrow areas for soil and earth' as modified vide OM of even No. dated March 19, 2013.
- (xx) Climate and meteorology (max and min temperature, relative humidity, rainfall, frequency of tropical cyclones and snow fall); the nearest IMD meteorological station from which climatological data have been obtained to be indicated.
- (xxi) The air quality monitoring should be carried out as per the notification issued on 16th November, 2009. Input data used for Noise and Air quality modelling shall be clearly delineated.
- (xxii) The base line data used for the EIA shall be not more than one year old.
- (xxiii) Identify project activities during construction and operation phases, which will affect the noise levels and the potential for increased noise resulting from this project. Discuss the effect of noise levels on nearby habitations during the construction and operational phases of the proposed highway. Identify noise reduction measures and traffic management strategies to be deployed for reducing the negative impact if any. Prediction of noise levels should be done by using mathematical modelling at different representative locations.
- (xxiv) Examine the impact during construction activities due to generation of fugitive dust from crusher units, air emissions from hot mix plants and

vehicles used for transportation of materials and prediction of impact on ambient air quality using appropriate mathematical model, description of model, input requirement and reference of derivation, distribution of major pollutants and presentation in tabular form for easy interpretation shall be carried out.

- (xxv) Also examine and submit the details about the protection to existing habitations from dust, noise, odour etc. during construction stage.
- (xxvi) If the proposed route involves cutting of earth, the details of area to be cut, depth of cut, locations, soil type, volume and quantity of earth and other materials to be removed with location of disposal/ dump sites along with necessary permission.
- (xxvii) If the proposed route is passing through low lying areas, details of filling materials and initial and final levels after filling above MSL, should be examined and submit.
- (xxviii) Examine and submit the water bodies including the seasonal ones within the corridor of impacts along with their status, volumetric capacity, quality and likely impacts on them due to the project along with the mitigation measures.
- (xxix) Examine and submit details of water quantity required and source of water including water requirement during the construction stage with supporting data and also classification of ground water based on the CGWA classification.
- (xxx) Examine and submit the details of measures taken during constructions of bridges across rivers/canals/major or minor drains keeping in view the flooding of the rivers and the life span of the existing bridges. Provision of speed breakers, safety signals, service lanes and foot paths should be examined at appropriate locations throughout the proposed road to avoid accidents.
- (xxxi) If there will be any change in the drainage pattern after the proposed activity, details of changes shall be examined and submitted.
- (xxxii) Rain water harvesting pit should be at least 3 - 5 m. above the highest ground water table. Provision shall be made for oil and grease removal from surface runoff.
- (xxxiii) If there is a possibility that the construction/widening of road may cause an impact such as destruction of forest, poaching or reduction in wetland areas, examine the impact and submit details.
- (xxxiv) Submit the details of road safety, signage, service roads, vehicular underpasses, accident prone zones and the mitigation measures.
- (xxxv) IRC guidelines shall be followed for widening & upgradation of roads.
- (xxxvi) Submit details of social impact assessment due to the proposed construction of the road.



- (xxxvii) Examine road design standards, safety equipment specifications and Management System training to ensure that design details take account of safety concerns and submit the traffic management plan.
- (xxxviii) Accident data and geographic distribution should be reviewed and analyzed to predict and identify trends – in case of expansion of the existing highway and provide Post accident emergency assistance and medical care to accident victims.
- (xxxix) If the proposed project involves any land reclamation, details to be provided of the activity for which land is to be reclaimed and the area of land to be reclaimed.
- (xl) Details of the properties, houses, business activities etc likely to be effected by land acquisition and an estimation of their financial losses.
- (xli) Detailed R&R plan with data on the existing socio-economic status of the population in the study area and broad plan for resettlement of the displaced population, site for the resettlement colony, alternative livelihood concerns/employment and rehabilitation of the displaced people, civil and housing amenities being offered, etc and the schedule of the implementation of the specific project
- (xlii) Submit environment management and monitoring plan for construction and operation phases of the project. Submit a copy of your corporate policy on environment management and sustainable development.
- (xliii) Estimated cost of the project including that of environment management plan (both capital and recurring) and source of funding. Also, the mode of execution of the project, viz, EPC, BOT, etc.
- (xliv) Submit a copy of your CSR policy.

General Guidelines

- (i) The EIA document shall be printed on both sides, as for as possible.
- (ii) All documents should be properly indexed, page numbered.
- (iii) Period/date of data collection should be clearly indicated.
- (iv) Authenticated English translation of all material provided in Regional languages.
- (v) The letter/application for EC should quote the MoEF&CC File No. and also attach a copy of the letter prescribing the TOR.
- (vi) The copy of the letter received from the Ministry on the TOR prescribed for the project should be attached as an annexure to the final EIA-EMP Report.
- (vii) The final EIA-EMP report submitted to the Ministry must incorporate the issues in TOR. The index of the final EIA-EMP report, must indicate the specific chapter and page no. of the EIA-EMP Report where the specific TOR prescribed by Ministry. Questionnaire related to the project (posted on MoEF&CC website) with all sections duly filled in shall also be submitted at the time of applying for EC.

- (viii) Grant of TOR does not mean grant of EC.
- (ix) Grant of TOR/EC to the present project does not mean grant of approvals in other regulations such as the Forest (Conservation) Act 1980 or the Wildlife (Protection) Act, 1972.
- (x) Grant of EC is also subject to Circulars issued under the EIA Notification 2006, which are available on the MoEF&CC website: www.envfor.nic.in.
- (xi) The status of accreditation of the EIA consultant with NABET/QCI shall be specifically mentioned. The consultant shall certify that his accreditation is for the sector for which this EIA is prepared.
- (xii) On the front page of EIA/EMP reports, the name of the consultant/consultancy firm along with their complete details including their accreditation, if any shall be indicated. The consultant while submitting the EIA/EMP report shall give an undertaking to the effect that the prescribed TORs (TOR proposed by the project proponent and additional TOR given by the MoEF) have been complied with and the data submitted is factually correct (Refer MoEF office memorandum dated 4th August, 2009).
- (xiii) While submitting the EIA/EMP reports, the name of the experts associated with/involved in the preparation of these reports and the laboratories through which the samples have been got analysed should be stated in the report. It shall clearly be indicated whether these laboratories are approved under the Environment (Protection) Act, 1986 and the rules made there under (Please refer MoEF Office Memorandum dated 4th August, 2009). The project leader of the EIA study shall also be mentioned.
- (xiv) All the TOR points as presented before the Expert Appraisal Committee (EAC) shall be covered.

7. The project proponent shall submit the detailed final EIA/EMP prepared as per ToRs to the Ministry for considering the proposal for environmental clearance within 3 years as per the MoEF&CC O.M. No.J-11013/41/2006-IA-II(I) (P) dated 08.10.2014.

8. The consultants involved in 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. vide notification of the MoEF dated 19.07.2013 read with Gazette Notification vide S.O.No.648(E) dated 3rd March, 2016.

9. The prescribed ToRs would be valid for a period of three years for submission of the EIA/EMP Reports.


(Yogendra Pal Singh)
Scientist 'D'

Copy to:

The Member Secretary, Haryana State Pollution Control Board, C-11, Sector-6, Panchkula (Haryana)