F.No. 10-52/2011-IA.III
Government of India
Ministry of Environment & Forests
(IA-III Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 003

Dated: 21st March, 2013

To
Chief General Manager (LA),
National Highways Authority of India,
G- 5&6, Sector-10, Dwarka,
New Delhi - 110 075.

Subject: Environmental Clearance for widening and improvement of existing carriageway to 2/4 lane of Bilaspur - Ner Chowk section of NH-21 from Km 134.500 to km 186.500 in the State of Himachal Pradesh by M/s NHAI - Reg.

This has reference to your letter No.- 11013/1/2k/Env./127 dated 04.09.2012 seeking Environmental Clearance under the Environment Impact Assessment Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the Environment Impact Assessment Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., the Form-I, EIA, EMP, Public Hearing proceedings and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meeting held 19th – 21st September, 2012.

2. It is interalia, noted that the proposed road of NH-21 starts at Km.134+350 and ends at Km.186+650. The existing road is a 2 lane carriageway with earthen shoulder and the length is about 63.5 Km. The improvement proposal is of total design length 57.913 Km (including Sunder Nagar Bypass and the Link Connectivity) which consists of 4-lane new construction of New alignment taking off from existing NH-21 near Nauni Chowk to Jarol Village (Km.126+500 to Km.159.070) of length is 32.570Km. The projected traffic indicates that the project road will need to be widened to 4-lane immediately. The Engineering investigations carried out on the existing road revealed that the existing road is deficient in geometrics and improving the geometrics will involve deep cuts and high fills. There are structures on the hills and valleys all along the project road and constructing these large fills and cuts shall not be feasible and shall involve large scale rehabilitation/ resettlement. Accordingly three options were examined for the improvement of the Project Road Section which are:

Option I: Widening of the Existing Road to 2-lane with Paved Shoulder.
Option III: Alternative New Alignment on the Western side of the Existing NH-21.

Based on the merits and demerits, the alternative new alignment on the western side of the existing NH21 between ferry site near Neoni Chowk to Proposed Sundar Nagar bypass was recommended and adopted for implementation. Existing ROW width varies between 11 to 42 m at different location. The Proposed ROW width is 45m except at the existing widening of NH-21 with 24m-30m and link connectivity & tunnels with 20m. The proposed project passes through 44 villages, which fall in two districts namely Bilaspur and Manji. The proposed length of the alternative new alignment of NH 21 is 57.913 km and the existing length of road is 63.5 km. Existing widening from Jareli Village to Start of Sundar Nagar bypass (follows existing road) (Km.159.070 to Km.167.473) of length 8.403Km. Proposed Sundar Nagar Bypass from Km. 173.904 to Km. 179.582 (2 lane to be constructed by State PWD and another 2 lane to be constructed by NHAI) – 5.678 Km.). Existing widening from End of Sundar Nagar Bypass to Start of Proposed Ner Chowk Bypass (Km.179.582 to Km.184.323) of length 4.741Km. Proposed Ner Chowk Bypass - (Km.184.323 to Km.188.874) of length 4.550Km. Link Connection to ACC Cement Plant of length 1.971 Km. Existing (3 major bridges, 10 minor bridges) whereas proposed 10 major bridges and 12 minor bridges, 222 Culverts exists and 144 nos proposed (83 nos new culverts, 61 nos reconstruction of existing culverts), 1 flyover, 1 pedestrian/Cattle underpass, Truck lay-by 2, and 1 Toll Plaza at Km 151+735 proposed along the entire stretch. There are 12 major and 18 minor junctions on the existing road whereas 5 major junctions and 22 minor junctions proposed on the project road. Provision of 2 tunnels (length of long tunnel is 1.410 km and short tunnel is 0.860 km). A total of 10000 trees are found within the proposed Right of Way, which will be impacted due to new alignment and proposed bypass 1941 households comprising of about 15491 Project affected people (PAPs) also fall in PROW. PAPs shall be compensated according to the provision of NH Act 1956. 1400 KL/day of water is required for construction and 840 KL/day water will be abstracted from existing borings present along the project road and remaining from surface water sources. Fly ash will be utilized for construction of embankment from Guru Gobind Singh super thermal power plant at Ropar near Ghanauli, Punjab as per MoEF notifications. The total project cost is Rs. 1000.49 crore (including civil cost, Environmental cost, shifting of utilities, land acquisition and R&R cost). The total cost for Resettlement and Rehabilitation is approximately Rs. 183.96 crore and environmental budget is Rs. 2.03 crore.

3. The proposed project road passes through Govind Sagar lake in a length of 1.57 km at 6-8 locations declared as a Sanctuary area in Dist. Bilaspur. It has been recently proposed for denotification by the State Govt. The project road passes through Protected Forest falling under Bilaspur Forest Division in district Bilaspur whereas Suket and Mandi Forest Divisions in district Mandi. The proposed road passes mostly through hilly and mountainous terrain of Himalayan range, but part of it crosses through agricultural, forest land and built-up area. 189.2 ha of land is proposed to
be acquired for this project (59.64 ha Govt. land and 129.52 ha Private). 26.71 ha. of forest land to be diverted for the proposed project. There are 2 bypasses viz. Sunder Nagar Bypass and Ner Chowk Bypass proposed in the project stretch and total length of bypass is 10.228 Km.

4. The project was considered by the EAC in its 103rd meeting held on 13th – 15th July, 2011 including conduct of Public Hearing. Public Hearing conducted on 23.04.2012 at Bilaspur District and 24.04.2012 at Mandi District.

5. The Expert Appraisal Committee, after due consideration of the relevant documents submitted by the project proponent and additional clarifications furnished in response to its observations, have recommended for the grant of Environmental Clearance for the project. Accordingly, the Ministry hereby accords necessary Environmental Clearance for the above project as per the provisions of Environment Impact Assessment Notification, 2006 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:

6. **SPECIFIC CONDITIONS:**

   (i) The project involves diversion of 26.71 ha of forest land for which the proponent shall obtain the requisite FC. The proponent can execute the above project on the entire stretch located in non-forest land, provided that the proponent submits an undertaking while making application to get FC that the execution of work on non-forest land shall not be cited as a reason for grant of FC and in case FC is declined, width of the portion of road falling in the forest land will be maintained at its existing level.

   (ii) The proposed road passes through Gobindasagar Wildlife Sanctuary at two locations. Hence, prior clearance from the Standing Committee of NBWL shall be obtained.

   (iii) 2 tunnels are proposed in the proposed road. Controlled blasting shall be carried out. Proponent shall ensure that the details of tunnel shall be brought to the Wildlife Board and Forests Authority while applying for clearance.

   (iv) It is indicated that 10,000 nos. trees falls within RoW, bare minimum are to be cut. Necessary permission shall be obtained from the Competent Authority for tree cutting. Compensatory afforestation shall be provided as per the norms. Necessary green belt shall be provided on both side of the highway with proper central verge and cost provision should be made for regular maintenance.

   (v) Noise barrier and safety measures shall be provided at School.
(vi) Rain water harvesting including oil and grease trap shall be provided. Water harvesting structures shall be located at every 500 mts along the road. Vertical drain type rainwater harvesting structures shall be set up to minimize surface runoff losses of rainwater.

(vii) R&R shall be as per the guidelines of State/Central Government.

(viii) IRC guidelines shall be followed for widening & up-gradation of road.

(ix) The responses/commitments made during public hearing shall be complied with letter and spirit.

(x) All the recommendation of the EMP shall be complied with letter and spirit. All the mitigation measures submitted in the EIA report shall be prepared in a matrix format and the compliance for each mitigation plan shall be submitted to MoEF along with half yearly compliance report to MoEF-RO.

(xi) Green belt development shall be undertaken as suggested in EMP.

(xii) The seismic nature of the area shall be taken into account while designing the project.

(xiii) The project proponent shall obtain necessary permission from the State Irrigation Department before drawing water from the river sources for the purpose of the proposed construction activity.

(xiv) Sidewalk shall be provided along the bridges.

(xv) The drain shall be at least 1 m. away from the toe of the embankment of the road adopting IRC guidelines.

(xvi) Longitudinal drains shall be provided all along the project road to ensure proper drainage of the area. In addition, adequate number of under passes and culverts to act as cross drainage structures shall also be provided.

(xvii) The solid waste generated shall be used for rehabilitating the borrow areas.

(xviii) For providing safety to the crossing animals and avoid road accidents speed breakers/rumbled strips shall be constructed at the identified locations of the animal movements. Enough hoardings and signages shall also be put up for the public and vehicles convenience.
(xix) Minimum of three times the number of trees to be cut shall be planted. It shall be ensured that the trees planted as a part of the afforestation shall be looked after by NHAI. Tree plantation shall be of the same species/local species and survival shall be monitored. Transplantation of trees shall be carried out wherever possible. The tree plantation shall be taken up on the extreme end of the road.

(xxi) Necessary clearance from the State Government shall be obtained for extraction of sand from the rivers.

(xxii) Proper signage shall be installed at appropriate locations for the convenience of the traffic movement.

(xxiii) The embankments/slopes and the slopes left after cutting shall be provided with vegetative turning to avoid soil erosion.

(xxiii) The hot mix plant shall be located at least 500 mts. Away from habitation and on the barren land to avoid its adverse impact on the human population.

(xxiv) Rehabilitation and payment of compensation to the project affected people (PAPs) shall be made as per the policy of the State Government.

(xxv) Noise barriers shall be provided at appropriate locations particularly in the areas where the alignment passes through inhabited areas so as to ensure that the noise levels do not exceed the prescribed standards.

(xxvi) For road safety, IRC guidelines in respect of road signages, service roads, bus bays, inter-sections, pedestrians crossings, etc. shall be strictly adhered to.

7. **GENERAL CONDITIONS:**

(i) Adequate provision for infrastructure facilities including water supply, fuel and sanitation must be ensured for construction workers during the construction phase of the project to avoid any damage to the environment.

(ii) Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality.

(iii) Borrow sites for each quarry sites for road construction material and dump sites must be identified keeping in view the following:

(a) No excavation or dumping on private property is carried out without written consent of the owner.
(b) No excavation or dumping shall be allowed on wetlands, forest areas or other ecologically valuable or sensitive locations.

(c) Excavation work shall be done in close consultation with the Soil Conservation and Watershed Development Agencies working in the area, and

(d) Construction spoils including bituminous material and other hazardous materials must not be allowed to contaminate water courses and the dump sites for such materials must be secured so that they shall not leach into the ground water.

(iv) The construction material shall be obtained only from approved quarries. In case new quarries are to be opened, specific approvals from the competent authority shall be obtained in this regard.

(v) Adequate precautions shall be taken during transportation of the construction material so that it does not affect the environment adversely.

(vi) Borrow pits and other scars created during the road construction shall be properly levelled and treated.

(vii) Adequate financial provision must be made in the project to implement the aforesaid safeguards.

(viii) The project proponent will set up separate environmental management cell for effective implementation of the stipulated environmental safeguards under the supervision of a Senior Executive.

(ix) Full support shall be extended to the officers of this Ministry/Regional Office by the project proponent during inspection of the project for monitoring purposes by furnishing full details and action plan including action taken reports in respect of mitigation measures and other environmental protection activities.

(x) A six-Monthly monitoring report shall need to be submitted by the project proponents to the Regional Office of this Ministry regarding the implementation of the stipulated conditions.

(xi) Ministry of Environment & Forests or any other competent authority may stipulate any additional conditions or modify the existing ones, if necessary in the interest of environment and the same shall be complied with.
(xii) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.

(xiii) In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the Ministry of Environment and Forests.

(xiv) The project proponents 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 and the date of start of land development work.

(xv) A copy of the clearance letter shall be marked to concerned Panchayat/local NGO, if any, from whom any suggestion/representation has been made received while processing the proposal.

(xvi) Safety provision such as bus bays, service roads intersection improvement etc., will be carried out by the project proponent. The project proponent shall provide adequate facilities as per IRC norms/ guidelines.

(xvii) State Pollution Control Board shall display a copy of the clearance letter at the Regional Office, District Industries Center and Collector’s Office/Tehsildar’s office for 30 days:

8. These stipulations would be enforced among others under the provisions of Water (Prevention and Control of Pollution) Act 1974, the Air (Prevention and Control of Pollution) Act 1981, the Environment (Protection) Act, 1986, the Public Liability (Insurance) Act, 1991 and EIA Notification 2006, including the amendments and rules made thereafter.

9. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, Forest Conservation Act, 1980 and Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.

10. The project proponent shall advertise in at least two local Newspapers widely circulated in the region, one of which shall be in the vernacular language informing that the project has been accorded Environmental Clearance and copies of clearance letters are available with the State Pollution Control Board and may also be seen on the website of the Ministry of Environment and Forests at http://www.envfor.nic.in. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional Office of this Ministry.
11. Any appeal against this clearance 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.

12. This clearance is subject to final order of the Hon'ble Supreme Court of India in the matter of Goa Foundation Vs. Union of India in Writ Petition (Civil) No.460 of 2004 as may be applicable to this project.

13. Status of compliance to the various stipulated environmental conditions and environmental safeguards will be uploaded by the project proponent in its website.

14. The project proponent shall also submit six monthly reports on the status of compliance of the stipulated EC conditions including results of monitored data (both in hard copies as well as by e-mail) to the respective Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB.

15. The environmental statement for each financial year ending 31st March in Form-V as is mandated to be submitted by the project proponent to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently, shall also be put on the website of the company along with the status of compliance of EC conditions and shall also be sent to the respective Regional Offices of MoEF by e-mail.

(Lalit Kapur)
Director (IA-III)

Copy to:
(i) The Secretary, Department of Environment, Government of Himachal Pradesh
(ii) The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 110 032
(iii) The Member Secretary, Himachal Pradesh Pollution Control Board, HP SCST &E, 34, SDA Complex, Kusumpati, Shimla -171009.
(v) IA - Division, Monitoring Cell, MOEF, New Delhi - 110003.
(vi) Guard file

(Lalit Kapur)
Director (IA-III)