BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, Principal Bench, New Delhi

O.A. No. 838/2022

Prem Prakash Prajapati

Applicant

Vs.

Project Director, PIU Sonipat & Ors.

Respondent (s)

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(N .K. Gupta) Scientist E

Central Pollution Control Board

Delhi-110032

Date: 21.02.2023

Place: Delhi

Joint Committee Report in Pursuant to

Order dated 21.11.2022 passed by Hon'ble NGT (PB)

in

Original Application No. 838/2022

titled

Prem Prakash Prajapati Vs. Project Director,
PIU Sonipat & Ors.

Joint Committee Report in Pursuant to Order dated 21.11.2022 passed by Hon'ble NGT (PB) in Original Application No. 838/2022 titled Prem Prakash Prajapati Vs. Project Director, PIU Sonipat & Ors.

1. Background

Hon'ble NGT vide order dated 21.11.2022 in O.A. No. 838/2022 titled as Prem Prakash Prajapati Vs. Project Director, PIU Sonipat & Ors. has issued following Directions:

- "3. Having regard to above, we find it necessary to verify the factual position and to ensure remedial action in the matter.
- 4. For this purpose, we constitute a joint Committee of CPCB and Director, Environment Department, Delhi. CPCB will be the nodal agency for coordination and compliance. The Committee may hold its first meeting within two weeks from today. Except for site visit, it will be open to the Committee to meet online or off-line. The Committee will be at liberty to co-opt any other expert/institution and interact with any other concerned department or stakeholders. The Committee may ascertain the factual position and prepare an action plan for remedial action within one month. The compliance status as on 31.12.2022 may be communicated to this Tribunal by 15.01.2023 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. The said report may also be placed on the website of the CPCB with intimation by e-mail to the alleged violators for their response, if any, before the next date."

Copy of NGT Order under reference is enclosed as Annexure 1.

2. Follow-up Action on Compliance of Hon'ble NGT Order

2.1 Constitution of Joint Committee

In compliance with Para 4 in the said Order, Joint Committee was constituted and on the basis decision of the said Committee Members were coopted from Environment and Forest, Environment Department, Delhi and Delhi Pollution Control Committee. Hence, Joint Committee comprising of the following Members further proceeded in the matter:

SI. No.	Name & Designation	Organizations
1.	Shri N K Gupta, Additional	Central Pollution Control Board,
	Director&	Parivesh Bhawan,
	Head UPC-I Division	East Arjun Nagar,
		Delhi – 110032
2.	Smt. Nigam Aggarwal,	Environment Department, Delhi
	Director - Environment	6 th Level, C-Wing, IP Estate,
		Delhi Secretariat, Delhi – 110002
3.	Shri Satyaprakash,	Government of NCT of Delhi
	Range Officer,	Department of Forests and Wildlife,
	South Forest Division	Office of Deputy Conservator of Forests (South)
		Near Dr.Karni Singh Shooting Range
		Tughlakabad, New Delhi - 110044
4.	Shri S. K. Goyal,	Delhi Pollution Control Committee
	Environmental Engineer	Department of Environment,
		(Govt. of NCT of Delhi)
		4 th , 5 th & 6 th Floor, ISBT Building,
		Kashmere Gate,Delhi - 110006
5.	Shri Surender Singh,	Delhi Pollution Control Committee
	Asstt. Env. Engineer	Department of Environment,
		(Govt. of NCT of Delhi)
		4 th , 5 th & 6 th Floor, ISBT Building,
		Kashmere Gate,Delhi - 110006

2.2 Meetings of the Joint Committee

Preliminary Meeting of the Committee Members was held on 13.12.2022 through video conferencing. Minutes of the this Meeting are placed at **Annexure** – **2**. Second Meeting of the Committee along with Applicant and Project Proponent was convened on 13.01.2023 through video conferencing. Minutes of the this Meeting are placed at **Annexure** – **3**.

2.3 Communication with Applicant and Project Proponent

Applicant and Project Proponent (PP) vide Letters and E-mail dated 12.01.2023, were requested to attend the meeting scheduled on 13.01.2023 through Video Conferencing. M/s NHAI had also been requested to provide copies of the Approvals, Clearances, Consents, Permissions etc with regard to the Project under reference on or before 13.01.2023. Further, site inspection by the Joint Committee was conducted on 19.01.2023 wherein Applicant and PP were informed to be present at the site on 19.01.2023 along with all necessary documents and concerned staff.

2.4 Site inspection by the Joint Committee

The site under reference was visited by the Joint Committee along with Applicant and Members from Project proponent NHAI PIU Sonipat on 19.01.2023.

2.5 Documents submitted by the Applicant and PP

No additional documents were produced by the Applicant before the Joint Committee. However, PP has submitted following documents vide letter dated 16.01.2023 (Annexure - 4).

- 1. The Notification of Government of National Capital, Territory of Delhi (Department of Environment, Forest and Wildlife) no. 117/COT/WED/16-17/4459-67 dated 20.09.2017.
- 2. NHAI letter no. NHAI/EPE-I/NH-I/M-19/2017/D-2612 dated 08.12.2017.

- 3. Procured all applicable permits relating to environmental protection and conservation of site (8 laning section NH 44 from Mukarba Chowk to Delhi Border).
- 4. Addl. Commissioner (Landscape), Delhi Development Authority, New Delhi letter no. F1(39)DD-I/LS/YRFD/2015/Vol-I/80 dated 28.07.2017.
- 5. NHAI letter no. 4369 dated 23.08.2018.
- 6. Office of the Executive Engineer, Maintenance Division North West Road, PWD, Mukarba Chowk, GT Karnal Road letter no. 2143 dated 05.07.2017.

3. **Observation and findings:**

Observations of the joint committee based on the documents available and site visit, are as follows :

SI. No.	Issues	raised	Submission	Submission of	Committee's observation and Remarks
			of Applicant	Project	
				Proponent	
1.	Dust ger	neration at the s	site		
	I.	Khampur Village	absence of sprinkling of	Necessary actions are being taken for dust mitigation.	in uncovered state
	II.	ē	Necessary actions are being taken for dust mitigation.	Plantation at the edge of the POW are not proporty done	

III.	Singhola Mod	NHAI Officiand there shad construction drain and	als that, all be n of• till that ricading one and n report	At Singhola Mod, adequate dust mitigation measures have not been found. Only sprinkling was carried out, but loose soil, sand etc. have been found uncovered and barricades have not been found. Near Singhola Mod, kachha road and huge quantity of loose soil have been found.
IV.	VaishvanDhaba		Officials•	Loose soil found on the median.
	to Village	during	visit	
	Khampur	submitted	that,	
		Near		
		VaishvanDh	aba,	
		construction	of 100	
		m tunnel al	ong the	
		median ha	s been	
		proposed an	nd hence	
		there is	s no	
		plantation.		

2.	161 tress have been cut	Location of	1760	trees	have	As	per	r information submitted by South Forest Division,
	in January, 2021	compensatory	been	plante	d at	Depa	artm	ment of Forests and Wildlife, Delhi;
		plantation is	GarhiM	landu,	near			
		GarhiMandu,	Yamun	a Bank		•		A land of 19.52 ha at Yamuna Flood Plains in GarhiMandu for compensatory plantation was taken
		near Yamuna						over by North Forest Division, Department of Forests
		Bank, 26 km						Wildlife, Govt. of NCT of Delhi from Delhi
		away from						Development Department on 21.08.2018 as per permission issued for the construction of 8 lane of
		village					•	section NH-44 from MubarkaChowk to Delhi Border.
		Khampur				•		An amount of Rs. 11,12,64,000/- (Eleven Crore
		which does						welve Lakh and Sixty Four Thousand Rupees only) or compensatory plantation of 19520 on the same
		not in any					pa	patch of land mentioned in point no. 1 was deposited
		manner						n the accounts of Deputy Conservator of Forests West). This amount was transferred to North Forest
		mitigate the					-	Division as the land for compensatory plantation falls
		dust						n the jurisdiction of DCF (North).
		generated by	,			•		A total of 21689 nos. of saplings have been planted on the compensatory plantation land of 19.52 ha at
		the project at						amuna Flood Plains in GarhiMandu by North Forest
		the place.						Division in the year 2019-20.
3.	Deposition of	PP has failed	M/s NH	IAI subr	mitted	•		On this compensatory plantation an amount of Rs. 2,66,02,930/- (Two Crore Sixty Six Lakh Two
	Rs. 11,12,64,000/- as	to make the	vide l	letter	dated		Th	Thousand Nine Hundred and Thirty rupees) with
	payment of	said deposit.	16.01.	2023	that,			Idministrative charges Rs. 47,76,879/- (Rupees Forty Seven Lakh ,Seventy Six Thousand, Eight Hundred
	compensation as		they		have			and Seventy Nine only) has been incurred by the
	ordered by Secretary,		deposit	ted			Di	Division till date. Total expenditure is Rs. 3,13,79,809/- (Rupees Three Crore,Thirteen

Environment and	Rs. 11,12,64,000/-	Lakh,Seventy Nine Thousand, Eight Hundred and Nine
Forest, Delhi	as payment of	only).
	compensation.	

Overall Observations:

Grievance of the Applicant is in order with regard to following:

- 1. Govt of NCT vide notification dated 20.09.2017 has stated as follows:
 - a. Compensatory plantation of 19250 will be raised and maintained for 7 years and monitored till its successful establishment in 19.52 Ha land at Yamuna flood plain between Yamuna bank metro station and Railway land adjacent to CWG village complex as allotted by DDA.
 - b. Planatation along the edge of ROW, wherever feasible, in addition to above, compensatory plantation will be done by User agency.

NHAI has not carried out plantations at the project site in spite of availability of land at many places. This is the gross violation of the condition stipulated in the Clearance issued.

2. Dust mitigation measures at the project site are not being taken. As a result, adjacent villagers are being exposed to dusts which could have been avoided.



Photograph 1: Space on the ROW occupied with Shrubs/Grasses and Wastes



Photograph 2: Space on the ROW filled with various kinds of wastes



Photograph 3: Joint Committee's inspection at the site.





Photograph 4: Soil and sand kept uncovered on the Part of NHAI works adjoining to the NH-44.





Photograph 5: Sprinkling being carried out on the Part of NHAI works adjoining to the NH-44.





Photograph 6: Loose soil found on the parts of the stretch under reference.

4. Action plan for Remediation

In view of above observations, following action plan for remedial have been proposed by the Joint Committee:

- M/s NHAI should follow concerned Environmental Rules and Guidelines in letter and spirit. They shall abide by the provisions of the Environment (Protection) Act, 1986 and Rules and Amendments notified from time to time under the said Acts for control of air pollution and environmental safeguards.
- They must follow Environmental Management Plan and make display of the same without further delay at different interval of the stretch under reference.

However, with regard to dust mitigation and plantation, following specific action as proposed by the Committee may be referred:

4.1 For dust mitigation

They shall take all the necessary arrangements for dust mitigation measures at the time of construction and after construction of the corresponding stretch on priority. Following action points may be referred for the same:

4.1.1 Dust Pollution Mitigation Measures during Construction Phase

The measures which may be taken during the construction phase are as follows:

- Loose soil, sand and other construction material must be kept in earmarked area and shall be covered and road side storage of construction material and C&D waste generated if any should be prohibited.
- Construction material must be covered while they are transported.
- Kachha Roads must be paved and blacktopped on priority.
- Water sprinkling be carried out on the stretches where construction work is being carried out and while loading/unloading of construction materials are being done.
- Construction Machinery which generate dust should be kept away from lane on use and should not be in placed at upwind direction.
- If any C&D waste is generated, must be placed in earmarked area and may be further sent to waste processing facility.
- Construction machineries having inbuilt dust reduction measures may be used preferably.

- For compliance of Environmental Norms at the High Way, all measures must be taken and self-monitoring of the same must be carried out by M/s NHAI.
- M/s NHAI may also install display containing information regarding measures taken for dust mitigation along with the project details at different interval of the stretch under reference for public viewing.
- Adequate number of Anti-Smog Gun(s) should be installed with minimum horizontal throw of 30-50 m for mobile and of 70-100 m for stationery Anti- Smog Guns. Mandatorily installation at active construction/excavation/earth compaction area.

4.1.2 Air Pollution Mitigation Measures during Operation Phase

- For dust mitigation during operation phase sprinkling on the road at regular interval shall be carried out depending on weather conditions and Anti Smog Guns should be suitably deployed.
- Green belt with adequate no. of native plants along the stretches wherever feasible shall be developed.

4.2 For Plantation

- Scheduled plantation may be ensured by M/a NHAI in consultation with concerned Departments.
- Further, scope of plantation may be explored at following spaces:
 - a. Spaces opposite to Bageecha Resort (near Gurdwara)
 - b. From Vill. NaangliPuna towards Sonipat concreting may be avoided at the middle of the Lanes and plantation may be done.
 - c. Possibility of plantation between 8-lane and Service Road before Sani DhamMandir has been found.
 - d. Opposite side of Carnival Marriage Hall and Bharat Petroleum Pump along Sani Mandir Road possibility of plantation has been found.
- Encroachments of ROW have been found at various locations of the Stretch under reference and same may be removed in consultation with concerned Departments and possibility of plantation may be explored there.
- Local plants and bushes variety have been found in some locations and plantation of those and native plants are encouraged.
- Representatives of M/s NHAI are advised to explore the scope of plantation of shrubs, grasses etc. before and after tunnel construction.
- Plantation along the edge of ROW, wherever feasible must be done by the M/s NHAI.

4.3 For Air Quality Monitoring

- Periodic monitoring of air quality be carried out as per NAAQS, 2009 and submit reports to Delhi Pollution Control committee.
- Air Quality Monitoring of major parameters i.e. PM_{2.5}, PM₁₀, SO_x, NO_x must be carried out monthly basis during construction phase and half yearly basis during operation phases and report of the same must be sent to Delhi Pollution Control committee. The information derived from the monitoring can be used to mitigate and reduce the impact on air quality.

5. Joint Committee's Recommendations

Following recommendations have been made by the Joint Committee Members:

- M/s NHAI must comply with the conditions stipulated in the Forest Clearances / NOCs.
- M/s NHAI may follow above mentioned Action Plans from the time of availability of this report.
- M/s NHAI may also follow-up with the Forest Department, Government of Delhi and ensure scheduled plantation.

[N. K. Gupta]

Additional Director, Central Pollution Control Board, Delhi [Smt. Nigam Agarwal]

Director,

Environment Department, Delhi

Approved through email

[Surender Singh]

AEE, DPCC, Delhi

[S. K. Goyal] EE,DPCC, Delhi

[Satya Prakash]

Satzendra

Range Officer, South Forest Div, Department of Forests and Wildlife, Delhi Item No. 03 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

Original Application No. 838/2022

Prem Prakash Prajapati

Applicant

Versus

Project Director, PIU Sonipat & Ors.

Respondent(s)

Date of hearing: 21.11.2022

CORAM:

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Applicant:

Mr. Prem Prakash Prajapati, Applicant in Person

ORDER

- 1. Grievance in this application is against failure of the National Highways Authority of India (NHAI) in complying with its environmental obligations in the course of construction of 8-lane highway No. 44 from Mukarba chowk to Singhu border, Delhi.
- 2. It is stated that near Village Khampur lot of dust is generated in absence of sprinkling of water. Other hotspots are Palla-Mod, Singhola Mod, Vaishvan Dhaba to Village Khampur. It is further stated that 161 trees have been cut in January 2021. Though 1760 trees are claimed to have been planted, the same are at Garhi Mandu, near Yamuna Bank, 26 km away from Village Khampur which does not in any manner mitigate the dust generated by the project at the place where trees have been cut

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and thus do not substitute the environmental services of the cut trees. Object of compensatory afforestation is to maintain balance of ecology at the location where trees are cut. This is not achieved if trees are planted at any far of location. It is further stated that about 100 four-wheelers, trucks and buses pass per minute on the highway. Each vehicle generates about 404 gm of CO₂ per mile (1.6 Km) mean being 252 gm of CO₂ per vehicle per kilometer. Total 250 vehicles passing per 5 minutes on one side emit 252x500=126000 gm=126 Kg of CO₂ per 5 minutes. There is also non-compliance of Green Highway (Plantation, Transplantation, Beautification and Maintenance) Policy, 2015. Secretary, Environment and Forest, Delhi, has issued order for payment of compensation of Rs. 11,12,64,000/- in lieu of uprooting of 1952 trees but the NHAI has failed to make the said deposit.

- 3. Having regard to above, we find it necessary to verify the factual position and to ensure remedial action in the matter.
- 4. For this purpose, we constitute a joint Committee of CPCB and Director, Environment Department, Delhi. CPCB will be the nodal agency for coordination and compliance. The Committee may hold its first meeting within two weeks from today. Except for site visit, it will be open to the Committee to meet online or off-line. The Committee will be at liberty to co-opt any other expert/institution and interact with any other concerned department or stakeholders. The Committee may ascertain the factual position and prepare an action plan for remedial action within one month. The compliance status as on 31.12.2022 may be communicated to this Tribunal by 15.01.2023 by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. The said report may also be placed on the website of the

CPCB with intimation by e-mail to the alleged violators for their response, if any, before the next date.

List for further consideration on 31.01.2023.

A copy of this order be forwarded to CPCB and Director, Environment Department, Delhi by e-mail for compliance.

The applicant may serve a set of papers on CPCB and Director, Environment Department, Delhi and file affidavit of service within a week.

Adarsh Kumar Goel, CP

Arun Kumar Tyagi, JM

Prof. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

November 21, 2022 Original Application No. 838/2022 DV

Central Pollution Control Board

(Ministry of Environment, Forest and Climate Change) Parivesh Bhawan, East Arjun Nagar, Delhi - 110032

Minutes of Meeting

Sub: MoM of the First meeting of the Joint Committee.

Ref: NGT Matter - Original Application No. 838/2022 titled Prem Prakash Prajapati Vs. Project Director, NHAI, PIU Sonipat & Ors.

First meeting of Joint Committee was convened on 13th December 2022 at 3:00 PM through video conferencing. List of Participant having attended the meeting is attached as Annexure.

At the onset, Shri N K Gupta, Divisional Head, UPC-I, Central Pollution Control Board welcomed the members of the joint committee and briefed about background of case and agenda of the meeting. Issues raised by the applicant and relief sought by him were discussed.

Further, Smt Nigam Agarwal Director, Environment, GNCTD suggested for coopting representatives of Forest Department and DPCC in Joint Committee as the issues are also related to Plantation, compensatory afforestation and CTE/CTO to NHAI for project under question.

After detailed discussion, it was decided that:

- 1. Representatives of Forest department, GNCTD and DPCC will be coopted in Joint Committee to ensure effective compliance of the Order issued by Hon'ble NGT.
- 2. Next meeting will be convened within next 2 week wherein representatives of NHAI and the Applicant will be invited. Meanwhile, NHAI shall be asked to submit copies of all the Clearances, Licenses, NOCs, Permission and Consents as obtained by them from concerned departments.

Annexure

- 1. Smt Nigam Aggarwal, Director, Environment, GNCT, Delhi
- 2. Shri N. K. Gupta, Additional Director and Divisional Head, UPC-I CPCB
- 3. Dr. C K Dixit, Scientist C, CPCB
- 4. Shri Danish Meena, Scientist C, CPCB

Central Pollution Control Board

(Ministry of Environment, Forest and Climate Change) Parivesh Bhawan, East Arjun Nagar, Delhi - 110032

NGT Matter

OA No. 838/2022 titled Prem Prakash Prajapati Vs. Project Director, NHAI, PIU Sonipat & Ors.

Minutes of Second Meeting of the Joint Committee

Second meeting of Joint Committee was convened on 13th January 2023 at 3:00 PM through video conferencing. Concerned officers of NHAI and Applicant were also invited for the meeting. List of Participant having attended the meeting is attached as Annexure.

At the onset, Shri N K Gupta, Divisional Head , UPC-I , CPCB welcomed the members of the joint committee and briefed about background of case and agenda of the meeting.

Records of the discussion are as follows:

- 1. The Joint committee offered the opportunity to the Applicant namely Shri Prem Prakash Prajapati to brief the grievances. It was informed to the Committee that necessary afforestation and plantation around the affected areas and 'Right of Way' are not undertaken by NHAI. Further, dust mitigation measures during construction phase are also not practiced by NHAI.
- 2. It was informed by Shri Hanumant Sangwan, Project Director, NHAI, Sonepat that that all the necessary approvals, Consents, Clearances and NOC have been obtained by them. It was also informed that NHAI has deposited the compensatory afforestation fund to Forest Department, GNCTD for plantation at alternative site provided by DDA.
- 3. Shri Satyendra Prasad, Range Officer, Forest Department, GNCTD informed that status of afforestation under reference shall be informed to the joint committee before the site inspection.
- 4. DPCC Officer Shri Surender Singh, AEE asked NHAI about the status of plantation, its locations and justification regarding location of compensatory afforestation.

After detailed discussion, it was decided by the Committee that:

1. NHAI will provide copies of all the Approvals , Consents, Clearances and NOC, and other relevant documents to the Joint Committee latest by 16.01.2023.

- 2. Applicant may provide other information/supporting document , if any and as available with him.
- 3. Shri Satyendra Prasad, Range Officer, Forest department will provide status of compensatory afforestation before the site inspection by the joint committee .
- 4. Joint committee will analyse the documents submitted by NHAI and Applicant and will conduct site inspection in the presence of Applicant and NHAI.

Meeting ended with 'Vote of Thanks' to the Chair.

Annexure

- 1. Smt Nigam Aggarwal, Director, Environment, GNCT Delhi
- 2. Shri N. K. Gupta, Additional Director and Divisional Head, UPC-I CPCB, Delhi
- 3. Shri Surendra Singh, AEE, DPCC, Delhi.
- 4. Shri Satyendra Prasad, Range Officer, Forest Department, GNCT Delhi
- 5. Shri Hanumant Sangwan, Project Director, NHAI, Sonepat
- 6. Shri Prem Prakash, Applicant

[TO BE PUBLISHED IN PART IV OF THE DELHI GAZETTE-EXTRAORDINARY DATED]

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI (DEPARTMENT OF ENVIRONMENT, FORESTS AND WILDLIFE)

Dated: 20-19-2017

NOTIFICATION

No.F.117./COT/WFD/16-17/:- In exercise of the powers conferred by section 29 of the Delhi Preservation of Trees Act. 1994 (Delhi Act 11 of 1994), the Government of the National Capital Territory of Delhi, hereby, in public interest exempts an area of total 31.163 ha.(approx) as detailed below for construction of 8 lane of Section NH 44 from Mukarba Chowk to Delhi Border. New Delhi, from the provision of sub-section (3) of section 9 of the said Act.

Location.	Extent of Area (ha.)	No. of trees required to be removed.	Compensatory plantation required (No. of trees).	
Construction of 8 lane of Section NH 44 from Mukarba Chowk to Delhi Border, New Delhi.	31.163 (approx)	1952	19520 (by West Forest Division	
	Fotal	1952	19520	

The said exemption is subject to fulfillment of the following conditions:-

(a) The applicant shall make an advance deposit of an amount of Rs. 11,12,64,000 /- (Rupees Eleven Crore Twelve Lakh Sixty Four Thousand Only) towards security deposit for creation and maintenance of compensatory plantation for a period of Seven years as follows:

Project No.	Location of Compensatory Afforestation plantation	Number of saplings to be planted (Number of trees)	Total Amount including other Administrative expenses and contingency charges (in Rs.)	To be Deposited with Forest Division
1.	100% (19520) no. by the West Forest Division on behalf of User Agency i.e NHA1 on 19.52 ha. Land allotted by DDA for 19520 saptings at Yamuna Flood Plains (in between Yamuna Bank Metro Station and Railway Line adjacent to CWG Village Complex).		11,12;64,000 /-	Deputy Conservator of Forests (West)/ Tree Officer

- a) The compensatory plantation as shown below will be raised and maintained for Seven years and monitored till its successful establishment:-
 - (i) 19520 Nos, by the West Forest Division on behalf of User Agency i.e NHAI on 19.52 ha. Land at Yamuna Flood Plains in between Yamuna Bank Metro Station and Railway Line adjacent to CWG Village Complex as allotted by DDA vide letter No. F.32(03)/17/II/3228 dated 19/04/2017.
 - (ii) Plantation along the edge of ROW, wherever feasible, in addition to the above compensatory plantation will be done by User Agency.
- b) The timber obtained from felling of 1952 trees shall be auctioned by the land owning agency and deposit the proceeds as revenue to the government.
- c) The lops and tops obtained on removal of firewood species of trees shall be handed over by the National Highway Authority of India (NHAI) to the officials concerned of MCD for use in public crematoria of Delhi as firewood, free of cost.
- d) Before shifting of wood if any, from site of removal of trees, transportation permission for transportation of the said wood shall be obtained from Tree Officer (West)

By order and in the name of the Lt. Governor of the National Capital Territory of Delhi.

(Keshav Chandra) Secretary (Env. & Forests)

No.F.117 /COT/WFD/16-17/4/59 - 67 .Copy forwarded to:-

Dated: 20-09-2017.

- The Pr. Secretary to Li. Governor, Govt. of NCT of Delhi, Raj Niwas, Delhi,
- The Pr. Secretary to Hon ble Chief Minister Govt, of NCT of Delhi.
- 3. The Pr. Secretary (Law, Justice & L.A.), Govt. of NCT of Delhi Sectt.. New Delhi.
- 4. The Secretary to Hon ble Minister (E&F), GNCT of Delhi:
- 5. The Addl. Pr. Chief Conservator of Forests, Govt. of NCT of Deihi, New Delhi.

Shri Vipin Sharma, General Manager (Tech) & Project Director, National Highway Authority of India (NHAI), 17-L, Model Town, Ambala City, Haryana-134003.

- The Deputy Conservator of Forests. West Forest Division, Govt. of NCT of Delhi, Mandir Marg.
 Birla Mandir, Delhi-110060 for information and necessary action. Before issuing of felling
 permission, Compensatory Plantation land of 19.52 ha, may be taken over from DDA with proper
 detyarcation and map.
- The Deputy Secretary (GAD), Govt. of NCT of Delhi Sectt., New Delhi with Hindi version (two
 copies each) for publication in the Delhi Gazette Part IV Extraordinary and with the request to
 supply at least 10 copies of the Gazette to this Department for necessary action of record.

Guard file.

(Keshav Chandra) Secretary (Env. & Forests) (दिल्ली राजपत्र असाधारण के माग—चार में प्रकाशनार्थ) राष्ट्रीय राजधानी क्षेत्र दिल्ली संस्कार (यंथीवरण, वन एवं वन्यजीव विभाग)

RMM-20 09.2017

अधिसूचना

फा.स. आर. 117 / मी. थीं टी./डब्लू. ऐंफ़ा डी./16-17:- दिल्ली वृक्ष संरक्षण अधिनियम: 1994 (1994 का दिल्ली अधिनियम 11) की वास 29 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए संष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार, 8 लेन एन एचं.- 44, मुकरवा चीक से दिल्ली बॉर्डर, नई दिल्ली के निर्माण हेतु नीचे दिए गए विवरण के अनुसार 31.163 हैक्टैयर (लगमग) क्षेत्रफल से उक्त अधिनियम की धारा 9 की उपधारा (3) के उपबंधों से इसके द्वारा छूट प्रदान करती है।

स्थान	क्षेत्र का विस्तार (हैक्ट०)	हदाए जाने वाले वृक्षों की संख्या	अपेक्षित प्रतिपूरक वृक्षारोपण (वृक्षीं की संख्या)
8 लेन एन.एच44, मुकरबा चोक मे दिल्ली बॉर्डर, नई दिल्ली ।	31.163 (लगगग)	1952	19520 (पश्चिमी वन प्रमाग द्वारा)
	कुल योग	1952	19520

यह छूट निम्नलिखित शर्तों के अधीन है।

(क) आवेदक का सात वर्ष की अवधि के लिए पौधों के संपूर्ण विकास एवं रखरखाव हेतु निम्नानुसार 11,12,64,000 ∕ — रूपये (म्यारह करोड़ बारह लाख चौसड़ हुझार रूपये मात्र) की राशि अग्रिम रूप में जमा करवानी होगी।

परियोजना संख्या	प्रतिपूरक चनीकरण बुक्षारोपण का न्यात	लगार जाने वाले पौद्यों की संख्या	अन्य प्रशासनिक व्ययो तथा आकल्मिक व्यय संहित कुल संशि	वन प्रभाग में जना कराई जाए
1.	100 % (19520) पौधों का उपभोगी संस्था की और से पश्चिमी बन प्रमाग द्वारा यमुना फेलड प्लेन्स (यमुना बैंक मैट्रो स्टेशन और रेलवे साइन के मध्ये, सी. इल्लू, जी. ग्राम परिसर के निकट) पर दिल्ली विकास प्राधिकरण द्वारा प्रतान की गई 19.52 हेक्टेयर भूमि पर किया जायेंगा।	19520	₹ 11.12,64,000 /-	टप—वन संरक्षक (मश्चिमी) / वन अधिकारी

- (ख) 19520 पौधों का क्षतिपूरक वृक्षारोपण नीचे दिए गए विवरण के अनुसार किया जायेगा तथा उनका सात वर्षों तक रखरखाव किया जायेगा तथा उनका सफलतापूर्वक स्थापना तक निगरानी की जाएगी: -
 - (i) 100 % (19520) पौधों का उपभागी संस्था की ओर से पश्चिमी वन प्रभाग द्वारा बमुना फल्ड प्लेन्स (बमुना वैंक मेट्रो स्टेशन और रेलवे लाइन के मध्य, भी. इंटल्, जी. ग्राम परिसर के निकट) 19.52 हेक्टेयर भूमि दिल्ली विकास प्राधिकरण पत्र संख्या . F.32(03)/17/11/3228 dated 19/04/2017 द्वारा प्रदान की गई भूमि पर किया जायेगा ! !
 - (ii) जहीं भी संमव हो. सड़क के दोनों ओर उपभोगी संस्था द्वारा अतिरिक्त अतिपूरक वृक्षारोपण किया जायेगा :
- (म) 1952 पेड़ों के काटी प्रत्यानीयण किए जाने के पश्चान प्राप्त सकड़ों की नीवामी उपमोगी संस्था द्वारा की जाएगी और उसने प्राप्त धनराश्चि सरकार की राजस्व के रूप में उपभोगी संस्था द्वारा जमा की जाएगी।
- (घ) मारतीय राष्ट्रीय राजमार्ग प्राधिकरण हास पेड़ों की ऊपरी शाखांग (लोप्स एंड टॉप्स) की प्रजातियों की जलाज लकड़ी की कार्ट जाने के पश्चात प्राप्त जलाज लकड़ी मुफ्त में दिख्ली नगर निगम के संबंधित कर्मधारियों को सार्वजिक सबदाहों में प्रथीय हेतु सौंपी जाए।
- (ड) वृक्ष काटे जाने के स्थल से लकड़ी ले जाने से पूर्व उक्त लकड़ियाँ की बुलाई के लिए वृक्ष अधिकारी (पश्चिमी) से बुलाई अनुभित्री प्राप्त करनी होगी।

राष्ट्रीय राजधानी क्षेत्र दिल्ली के उपराज्यपाल के आवेश से तथा उनके नाम पर

> केशव चर्दू (केशव चन्द्र)

代前市:- 20-09-2017-

सचिव (पर्यावरण एवं वन)

फा.सं. आर. 117 / सी. ओं. टी./डब्लू. एँफ़. डी./16-17 / पंप.59 - 67-

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित:-

- प्रधान सचिव, माननीय उपराज्यधाल, दिल्ली सरकार, राजनिवास, दिल्ली।
- प्रधान सचिव, माननीय मुख्यमंत्री, दिल्ली सरकार दिल्ली सविवालय, नई दिल्ली।
- प्रधान सचिव, विधि एवं न्याय विभाग, दिल्ली सरकार, दिल्ली।
- सचिव, माननीय मंत्री (पर्यावरण एवं ६न) दिल्ली सरकार, दिल्ली।
- अतिस्थित प्रधान मुख्य संरक्षक वन, दिल्ली सरकार, दिल्ली।
- 6. वीं विपिन शर्मा, सामान्य प्रगंधक (तकनीकी) & परियोजना निदेशक, भारतीय राष्ट्रीय राजमार्ग प्राधिकरण, 17-एल, मॉडल टाउन, अस्वाला शहर, हरियाणा -134003 ।
- उप—वंत संरक्षक (पश्चिमी) पश्चिमी वन विभाग, राष्ट्रीय राजधानी क्षेत्र, दिल्ली मरकार, मंदिर मार्ग, विरला मंदिर दिल्ली-110060 सूचनार्थ एवं आवश्यक कार्यवाही हेतु । अनुमिव देने से पहले, 19.52 हेक्टेयर वृक्षारोषण हेतु अतिपुरक भूमि उचित मीमांकन नहित दिल्ली विकास प्राधिकरण से प्राप्त कि जाये।
- 8. उप सचिव (सामान्य प्रशासन दिमाग), दिल्ली सरकार को दिल्ली राजपत्र असाधारण के भाग 4 में प्रकाशनार्थ दो प्रतियां (प्रत्येक की)। इस अधिसूचना की कम से कम 10 प्रतियां सरकारी प्रयोग के लिए इस विमाग को आवश्यक कार्रवाई एवं अभिलेख के लिए भिजदाने का कष्ट करें।

9. गार्ड फाईल।

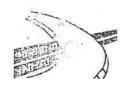
केराब चन्द्र

(केशय चन्द्र)

सचिव (पर्यावरण एवं वन)

Email: piuepe@nhai.org

Ph.: 011-49048174



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)

National Highways Authority of India

(Ministry of Road Transport and Highways, Govt. of India) परियोजना कार्यान्वयन ईकाई ई.पी.ई.-I, Project Implementation Unit EPE-I ए-3, उपरी भू-तल पुष्पान्जली एन्कलेव, पीतमपुरा, नई दिल्ली-110034 A-3, UGF, Pushpanjali Enclave, Pitampura, New Delhi-110034

NHAI/EPE-I/NH-1/M-19/2017/D- 26/2-

Dated: 08.12.2017

To,

Dy. Conservator of Forest West Forest Division Mandir Lane, New Delhi-110060

Sub: 8 laning of section of NH-1 (New NH-44) from Mukarba Chowk km 15.500 to Panipat km 86.000 on BOT (Toll) Basis in the state of Delhi & Haryana – Cutting of 1952 nos. of trees- reg.

Ref: 1. Your office letter no. F.117/WFD/COT/17-18/ 3538 Dated- 23.10.2017

2. Your office letter no. F.117/COT/WFD/16-17/4459-67 Dated- 20.09.2017

Please find enclosed herewith 12 no. Demand Drafts amounting to Rs. 11,12,64,000/- towards security deposit for creation and maintenance of compensatory plantation for a period of 7 years details as blow:

Sl. No.	D/D	Date	Amount(Rs.)
	269691	01.12.2017	99,00,000/-
2	269692	01.12.2017	99,00,000/-
3	269693	01.12.2017	99,00,000/-
4	269694	01.12.2017	99,00,000/-
5	269695	01.12.2017	99,00,000/-
6	269696	01.12.2017	99,00,000/-
7	269697	01.12.2017	99.00,000/-
8	269698	01.12.2017	99,00 000/
9	269699	01.12.2017	99,00,000/
10	269700	01.12.2017	99,00,000/
11	992706	01.12.2017	92,00,000/
12	992705	01.12.2017	23,64,000/-
	Total		11,12,64,000/-

- 2. You are requested to acknowledge the receipt of Demand Draft to this office and take necessary action for planting of trees.
- 3. Please refer to this office letter no. NHAI/EPE-I/NH-1/2017/M-19/D-2303 dated 24.10.2017 vide which it was requested to take up work of auctioning and removing the existing 1952 no. existing trees through your agency at the cost of NHAI. However, no correspondence has been received till date.
- 4. It is again requested to take up the work of a cutting and removing the existing trees as per the terms and conditions mentioned as per permission of cutting issued by Secretary (Env. & Forests) vide letter no. cited above at serial no. (2). In case, it is not possible to take up the auctioning and cutting of trees by your office, the cost of the existing trees may please be got evaluated and intimated to this office for the purpose of auctioning theses trees as per the terms & conditions of the permission of auction.
- 5. The project of 8-laning of NH-1 (New NH-44) from Mukarba Chowk (km 15.000) to Panipat (km 86.000) on BOT (Toll) Basis in the state of Delhi & Haryana has been envisaged for the decongestion of Delhi and foundation stone for the project was laid by the Prime Minister of India.
- 6. It is once again requested to take early action in the matter.

Enel: as above

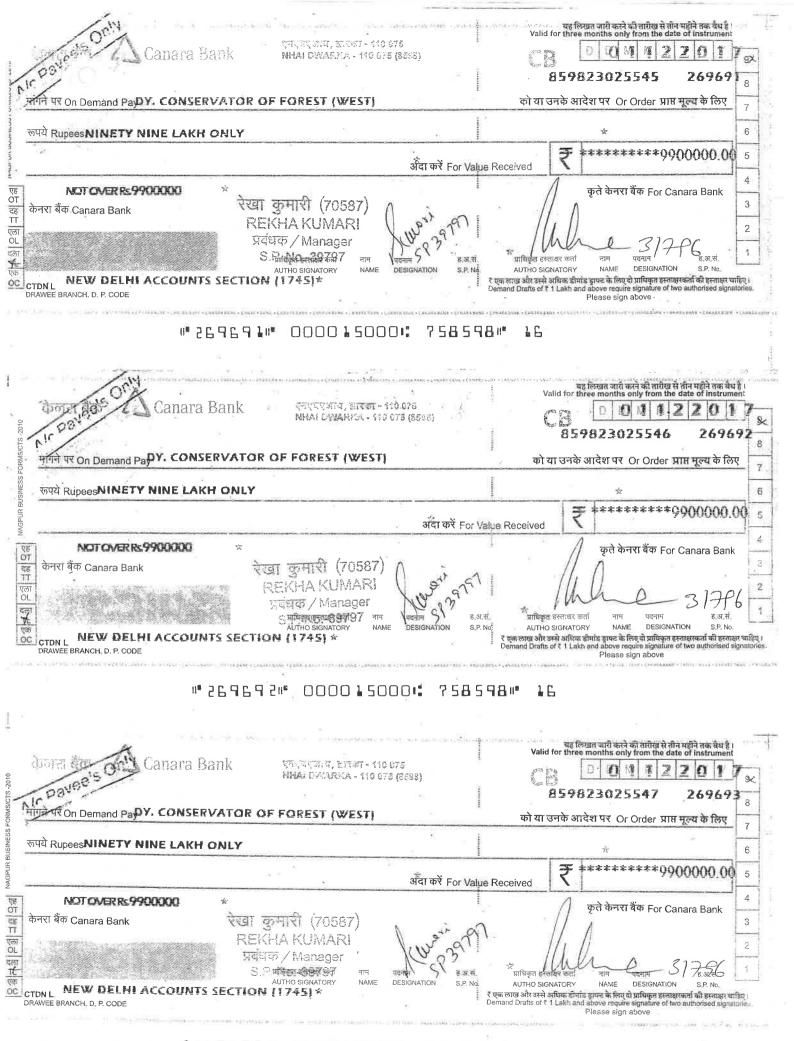
Project Director

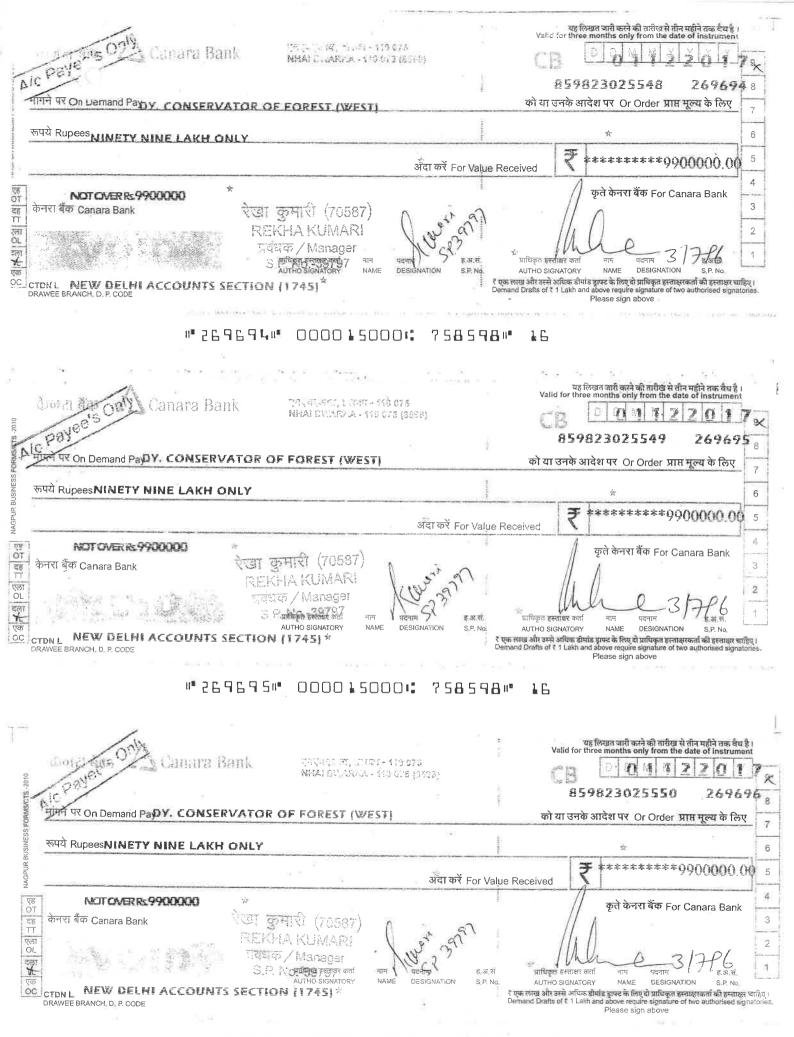
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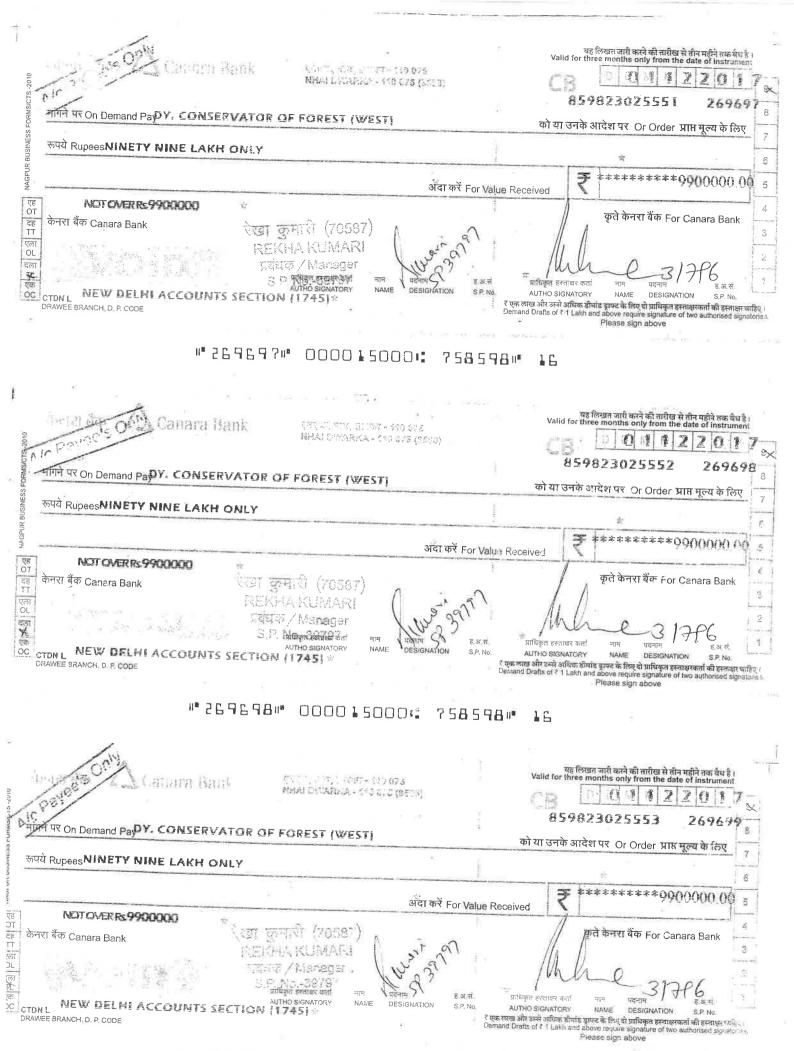
1. CGM(T)/RO-EPE.

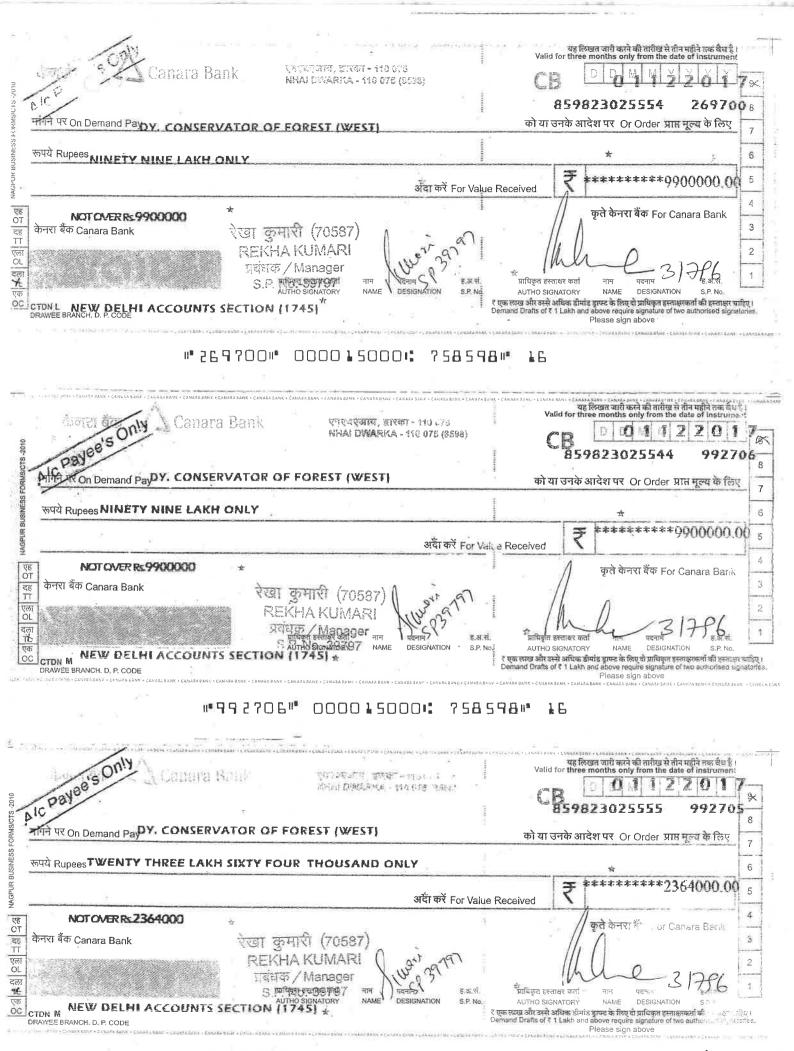
 M/s. Mukarba Chowk-Panipat Toll Roads Fift No. A-310, 3rd Floor, Ansal Roman Court, Kundli, Sonipat – 131023.

मुख्य कार्यालय : जी-5 एवं 6, सेक्टर-10, द्वारका, नई दिल्ली-110075 Head Office : G-5 & 6, Sector-10, Dwarka, New Delhi-110075











EXTRAORDINARY

भाग II-खण्ड 3-उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii) पाधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 1960]

नई दिल्ली, बृहस्पतिवार, अगस्त 22, 2013/श्रावण 31, 1935

No. 1960]

NEW DELHI, THURSDAY, AUGUST 22, 2013/SHRAVANA 31, 1935

पर्यावरण और वन मंत्रालय

अधिस्चना

नई दिल्ली, 22 अगस्त 2013

का.आ.2559(अ).-केन्द्रीय सरकार ने, भारत सरकार की पर्यावरण और वन मंत्रालय में पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (2) के खंड (5) और उप-धारा (1) के अधीन जारी अधिसूचना संख्या का.आ. 1533 (अ) तारीख 14 सितंबर, 2006 द्वारा निदेश दिया है कि इस अधिसूचना के प्रकाशन की तारीख से ही नई परियोजनाओं या उक्त अधिसूचना की अनुसूची में सूचीबद्ध विद्यमान परियोजनाओं या कार्यकलाणों के विस्तार या आधुनिकीकरण के लिए अपरिहार्य क्षमतावर्धन के लिए प्रक्रिया या प्रौद्योगिकी में परिवर्तन और या उत्पाद मिश्रण, भारत के किसी भी भाग में यथास्थित केन्द्रीय सरकार या उक्त अधिनियम की धारा 3 की उप-धारा (3) के अधीन केन्द्रीय सरकार द्वारा सम्यक् रूप से गठित राज्य स्तरीय पर्यावरण संघात निर्धारण प्राधिकरण की उसमें विनिर्दिष्ट प्रक्रिया के अनुसरण में पूर्व पर्यावरण निकासी के पश्चात् ही हाथ में लिया जाएगा;

और भारत सरकार ने पर्यावरण और वन मंत्रालय में राजमार्गों, भवनों और विशेष आर्थिक क्षेत्र परियोजनार्जों के लिए पर्यावरणीय निकासी प्रदान करने से संबंधित पर्यावरण संघात निर्धारण अधिसूचना, 2006 के उपबंधों का पुनर्विलोकन करने के लिए कार्यालय ज्ञापन सं. 21-270/2008-आईए.॥, तारीख 11 दिसंबर, 2012 और पर्यावरण और वन मंत्रालय के गमनचुंबी भवनों के संबंध में कार्यालय ज्ञापन तारीख 7 फरवरी, 2011 द्वारा सदस्य, (पर्यावरण और वन तथा विज्ञान और प्रौद्योगिकी), योजना आयोग की अध्यक्षता में एक उच्च स्तरीय समिति का गठन किया था ;

(1)

3649 GI/2013

और समिति के संदर्भ के निबंधनों (टीओआर) में एक निबंधन पर्यावरण संघात निर्धारण अधिसूचना के अधीन 60 मीट्र के मार्गाधिकार और 200 किलोमीटर लंबी राजमार्ग विस्तार परियोजनाओं के लिए पर्यावरण निकासी की अपेक्षाओं का पुनर्विलोकन करना था ;

और समिति ने मंत्रालय को अपनी रिपोर्ट प्रस्तुत कर दी है और इस टीओआर पर समिति ने राजमार्ग विस्तार परियोजनाओं को विस्तारण की अपेक्षा और पर्यावरण संघात निर्धारण से छूट देने की सिफारिश की है या राजमार्ग विस्तार परियोजनाओं के लिए पर्यावरण प्रबंधन परियोजना माइन टीओआर, जिसे मंत्रालय की वेबसाइट पर पोस्ट किया जाएगा के अनुसार तैयार किया जा सकता है और पर्यावरण निकासी की अपेक्षा के संबंध में समिति ने सिफारिश की है कि 100 किलोमीटर तक राष्ट्रीय राजमार्ग परियोजनाओं का विस्तार जिसमें अतिरिक्त मार्गाधिकार या विद्यमान संरेखणों पर 40 मीटर तक अर्जन और पुनःसंरेखण पर 60 मीटर या उप-मार्गों को अधिसूचना की परिधि से बाहर रखने की सिफारिश की है;

और समिति की रिपोर्ट की पर्यावरण और वन मंत्रालय में जांच की गई है । पहले ही अधिसूचना सं. का. आ. 3067(अ) तारीख 1 दिसंबर, 2009 द्वारा सभी राज्य राजमार्ग विस्तार परियोजनाओं को सिवाय उन परियोजनाओं के जो पहाड़ी क्षेत्रों (1000 मीटर एएमएसएल) और पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों में है, को पर्यावरण संधात निर्धारण अधिसूचना 2006 से छूट प्रदान कर दी गई है।

और अन्य बातों के साथ पूर्वोक्त को ध्यान में रखते हुए पर्यावरण और वन मंत्रालय ने कार्यालय ज्ञापन सं. 21-270/2008-आईए.III, तारीख 11 दिसंबर, 2012 द्वारा गठित उच्च स्तरीय समिति की पूर्वोक्त सिफारिशों को स्वीकार करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (2) के खंड (5) और उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533(अ) तारीख 14 सितंबर, 2006 में उक्त नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अभिमुक्ति देने के लिए निम्नलिखित और संशोधन करती है, अर्थात् :-

- 2. उक्त अधिसूचना में,-
- (क) पैरा 7 के उपपैरा 11 के मद (i) के स्थान पर निम्नलिखित मद रखी जाएगी, अर्थात्:-
- '(i) "विस्तारण" उस प्रक्रिया को निर्दिष्ट करता है, जिसके द्वारा प्रवर्ग 'क' परियोजना क्रियाकलापों के मामले में विशेषन आंकलन समिति और प्रवर्ग 'ख 1' परियोजनाओं या क्रियाकलापों के मामले में, राज्य स्तर विशेषन आंकलन समिति, जिसके अंतर्गत विद्यमान परियोजनाओं या क्रियाकलापों के विस्तार या आधुनिकीकरण या उत्पाद मिश्रण में परिवर्तन उस परियोजना या क्रियाकलाप, जिसके लिए पूर्व पर्यावरणीय अनापित्त ईप्सित की गई है, के संबंध में पर्यावरण समाधात निर्धारण रिपोर्ट (ईआईए) तैयार करने के लिए सभी सुसंगत पर्यावरणीय चिंताओं को संबोधित करते हुए विस्तृत और समग्र निर्देश के निर्वथनों का अवधारण और विशेषन आंकलन समिति या संबंधित राज्य स्तर आंकलन समिति विहित्त आवेदन प्रस्प 1/प्रस्पाक में दी गई जानकारी के आधार पर जिसके अंतर्गत आवेदक द्वारा प्रस्तावित निर्देश के निर्वथन हैं, किसी विशेषन आंकलन समिति या संबंधित राज्य स्तर आंकलन समिति के किसी उप समूह द्वारा स्थल श्रमण यदि संबंधित विशेषन आंकलन समिति या संबंधित राज्य स्तर विशेषन आंकलन समिति द्वारा आवश्यक समझा जाए, आवेदक द्वारा सुझाए गए निर्देश के निर्वथन, यदि प्रस्तुत किए जाए और अन्य सूचना जो विशेषन आंकलन समिति या राज्य स्तर विशेषन आंकलन समिति के पास उपलब्ध हों, सम्मिलित है:

परंत् निम्नलिखित को विस्तारण की आवश्यकता नहीं होगी-

- (i) अनुसूची के मद 8 में प्रवर्ग ख के रूप में सूचीबद्ध सही परियोजनाएं और कार्यकलाप (नगरों या वाणिज्यिक परिसरों या आवासन का संनिर्माण);
- (ii) अनुसूची के मद 7 की उपमद (च) के अधीन स्तंभ (3) और स्तंभ (4) की प्रविष्टि (ii) के अधीन आने वाली राजमार्ग विस्तार परियोजनाएं ;

परंतु यह और कि -

अ. खंड (i) में निर्दिष्ट परियोजनाएं और कार्यकलापों का अंकन प्ररूप 1 या प्ररूप 1क और अवधारणा योजना के आधार पर किया जाएगा ;

आ. खंड (ii) में निर्दिष्ट परियोजनाएं पर्यावरण और वन मंत्रालय द्वारा विनिर्दिष्ट माडल टीओआर के आधार पर ईआईए और ईएमपी रिपोर्ट तैयार करेंगी ;

(ख) अनुसूची में मद 7 की उप मद (च) के सामने स्तंभ (3) में प्रविष्टि (ii) के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:-

"(ii) राष्ट्रीय राजमार्गों का 100 किलोमीटर से अधिक विस्तार जिनमें अतिरिक्त 40 मीटर से अधिक विद्यमान संरेखणों पर और पुन: संरेखणों या उपमार्गों पर 60 मीटर क्षेत्राधिकार या भूमि अर्जन अंतवर्लित है ।" [फा.सं.21-270/2008-आईए.

अजय त्यागी, संयुक्त सचिव

टिप्पण : मूल नियम भारत के राजपत्र असाधारण, भाग ।।, खंड 3, उपखंड (ii) में अधिसूचना सं. का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और तत्पश्चात् निम्नानुसार संशोधित किए गए :

- 1. का.आ. 1733(अ), तारीख 11 अक्तुबर, 2007;
- का.आ. 3067(अ), तारीख 1 दिसंबर, 2009;
- 3. का.आ. 695(अ), तारीख 4 अप्रैल, 2011;
- का.आ. 2896 (अ), तारीख 13 दिसंबर, 2012; और
- 5. का.आ. 674(अ), तारीख 13 मार्च, 2013

MINISTRY OF ENVIRONMENT AND FORESTS NOTIFICATION

New Delhi, the 22nd August, 2013

S.O. 2559(E).- Whereas by notification of the Government of India in the Ministry of Environment and Forests vide number S.O.1533(E), dated the 14th September, 2006 issued under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government directed that on and from the date of its publication, the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to the said notification entailing the capacity addition with change in process or technology and or product mix shall be undertaken in any part of India only after prior environmental clearance from the Central Government or as the case may be, by the State level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified therein;

And whereas the Government of India in the Ministry of Environment and Forests had constituted a High Level Committee under the Chairmanship of Member (Environment and Forests and Science and Technology), Planning Commission, vide OM No.21-270/2008-IA.III dated the 11th December, 2012 to review the provisions of Environmental Impact Assessment Notification, 2006 relating to granting Environmental Clearances for Roads, Buildings and Special Economic Zone projects and provisions under the OM dated the 7th February, 2012 issued by the Ministry of Environment and Forests regarding guidelines for High Rise Buildings;

And whereas one of the terms of reference (ToR) of the Committee was to review the requirement of Environmental Clearance for highway expansion projects up to the right of way of 60 meters and length of 200 kms under Environmental Impact Assessment notification;

36

And whereas the Committee has submitted its report to the Ministry and on this ToR, the Committee has recommended exempting highway expansion projects from the requirement of scoping and that Environmental Impact Assessment or Environment Management Plan for highway expansion projects may be prepared on the basis of model ToRs to be posted on Ministry's website and in respect of requirement of environmental clearance, the Committee has recommended that expansion of National Highway projects up to 100 kms involving additional right of way or land acquisition up to 40 mts on existing alignments and 60 mts on re-alignments or by-passes may be exempted from the preview of the notification;

And whereas the report of the Committee has been examined in the Ministry of Environment and Forests. Earlier, vide notification S.O. 3067(E), dated the 1st December 2009 all State Highway expansion projects, except those in hilly terrain (above 1000 m AMSL) and ecologically sensitive areas, have already been exempted from the

purview of the Environmental Impact Assessment notification, 2006.

And whereas, keeping inter-alia in view the foregoing, the Ministry of Environment and Forests has decided to accept the aforesaid recommendations of the High Level Committee constituted vide OM No.21-270/2008-IA.III, dated the 11th December 2012;

Now, therefore in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule (5) of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendment to the notification of the Government of India, in the Ministry of Environment and Forests number S.O. 1533(E), dated the 14th September, 2006 after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the said rule 5 in public interest, namely:—

2. In the said notification, -

(a) in paragraph 7, in sub-paragraph II, for item (i), the following item shall be substituted, namely:

'(i) "Scoping" refers to the process by which the Expert Appraisal Committee in the case of Category A 'projects activities, and State level Expert Appraisal Committee in the case of Category 'B1'projects or activities, including applications for expansion or modernization or change in product mix of existing projects or activities, determine detailed and comprehensive Terms of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought and the Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the terms of reference on the basis of the information furnished in the prescribed application Form 1 or Form 1A including terms of reference proposed by the applicant, a site visit by a sub-group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee on State Level Expert Appraisal Committee or State Level Expert Appraisal Committee concerned:

Provided that the following shall not require Scoping

- (i) all projects and activities listed as Category 'B' in item 8 of the Schedule (Construction or Township or Commercial Complexes or Housing);
- (ii) all Highway expansion projects covered under entry (ii) of column (3) and column (4) under sub-item (f) of item 7 of the Schedule:

Provided further that-

- A. the projects and activities referred to in clause (i) shall be apprised on the basis of Form 1 or Form 1A and the conceptual plan;
- B. The projects referred to in clause (ii) shall prepare EIA and EMP report on the basis of model TOR specified by Ministry of Environment and Forests;
- (b) in the Schedule, against sub-item (f) of item 7, in column (3), for the entry (ii), the following entry shall be substituted, namely:
 - "(ii) Expansion of National Highways greater than 100 km involving additional right of way or land acquisition greater than 40m on existing alignments and 60m on re-alignments or by-passes."

[F. No. 21-270/2008-1A.III] AJAY TYAGI, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and subsequently amended as follows:—

- 1. S.O. 1737 (E), dated the 11th October, 2007;
- 2. S.O. 3067 (E), dated the 1st December, 2009;
- 3. S.O. 695 (E), dated the 4th April, 2011;
- 4. S.O. 2896 (E), dated the 13th December, 2012; and
- 5. S.O.674(E), dated the 13th March, 2013

DELHI DEVELOPMENT AUTHORITY Landscape & Environmental Planning Unit 11th floor, Vikas Minar, New Delhi – 110002

F1(39)DD-I/LS/YRFD/2015/Vol-I/ & Q

Date: 2307.2017

To,
The Chief Conservator of Forest,
Department of Forest & Wildlife,
GNCTD,
A Block, Vikas Bhawan,
IP Estate,
New Delhi-110002

Subject: Plantation Strategy for land parcel given for Compensatory Plantation in Yamuna Floodplains

This is with reference to land transferred/ handed over to the Forest Department for the purpose of Compensatory Plantation done by Forest Department on behalf of National Highways Authority of India (NHAI) in lieu of felling of 1952 trees for 8 laning of section of NH-1 from Mukarba Chowk to Panipat. Approx. 19.52 Hectares of land was transferred in Yamuna Floodplains between Yamuna Bank Metro Station and Railway Line adjacent to CWG Village Complex.

The area under reference falls within the river floodplains and hence plantation in this area shall be done in accordance with the recommendations of Hon'ble NGT. The plantation strategy shall be in accordance to the riverine ecosystem function of the floodplains.

The suggestive plantation is divided into four different zones based on the topographical study i.e. Elevation levels of the site.

- The Riparian plantation is along the river edge, wetland system and river basin community which is at the lowest level.
- The River Basin community is along the Greenway, which lies at the highest elevation level
- The Outer fringe zone and floodplain forest lie between the riparian and river basin community.

The planting scheme may be got approved from the Landscape Department of DDA.

Addl. Commissioner (Landscape)

CC M. Project Director, National Highways Authority of India, PIU, EPE-1 (NHAI), A-3, UGF, Pushpanjali Enclave, Pitampura, Delhi–110034

- 2. Principal Commissioner (P,H,LS)
- 3. Director (Horticulture)

GOVT OF N.C.T. OF DELHI DEPARTMENT OF FOREST & WILDLIFE OFFICE OF THE DY. CONSERVATOR OF FOREST (WEST) WEST FOREST DIVISION, MANDIR LANE, NEW DELHI-60

5920 3311

lieu

111/KOT/WFD/2016-17/ 5488-94

Dated 28/12/17

1..

SM. Vipin Sharma,

of felling of 1952 trees -reg.

General Manager (Technical) and Project Director NHAI, Ambala, 17-L, Model Town, Ambala City, New Delhi

GM (T) 1 15/112018

Sir.

Please refer to your application for felling of 1952 trees for 8 laning of NH-08 (New NH-44) from Mukarba Chowk to Singhu Border.

Sub: Handing over and taking over of land selected for compensatory plantation to be done in

In this regard, it is brought to your attention that 19.52 ha was to be handed over to the Department of Forests and Wildlife for compensatory plantation as per notification No. F.117/COT/WFD/16-17 dated 20/09/2017. The compensatory land mentioned has still not been handed over as was required.

It is requested that the encumbrance free land, with proper demarcation, geocoordinates and with fixing of pillars at all vertices of the boundary, may be arranged for handing over from DDA, so that the final permission may be issued under Delhi Preservation of Trees Act, 1994.

Personnel of this Department stand ready for carrying out an inspection of the area proposed. A date for the same may be communicated at the earliest.

Yours faithfully

DY. CONSERVATOR OF FORESTS
I/C (WEST FOREST DIVISION)

Copy To:

- The Additional Principal Chief Conservator of Forest/HOD, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.
- The Director (IL), Institutional Land Branch, Delhi Development Authority, A-216, Vikas Sadan, INA, New Delhi -110023, for information and necessary action.
- 3. The Conservator of Forest, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.
- 4. The Dy. Conservator of Forest (P&M), Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.
- 5. The D₃. Conservator of Forest (North Divn.), North Forest Division, Kamla Nehru Ridge, New Delhi with request issue necessary direction to the field staff posted in the area concerned.
- 6. Sh. Vijay Kumar, In-charge Tree cell with direction to coordinate with the officials of NHAI and DDA.

DY. CONSERVATOR OF FORESTS
I/C (WEST FOREST DIVISION)



(सडक परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)

Enish : niuepe@nhal.org Ph.: 011-48048174

National Highways Authority of India (Ministry of Road Transport and Highways, Govt. of India) परियोजना कार्यान्वयन ईकाई ई.पी.ई.-I, Project Implementation Unit EPE-I ए-३, उपरी भू-तल पृष्पान्जली एन्कलेव, पीतमपुरा, नई दिल्ली-110034

A-3, UGF, Pushpanjali Enclave, Pitampura, New Delhi-110034

NHAI/EPE-I/NH-1/2018/M-19/D-4369

Dated: 23.08.2018

To

Deputy Conservator of Forest West Forest Division Mandir Lane. New Delhi-110060

Sub: 8 laning of section of NH-1 (New NH-44) from Mukarba Chowk km 15.500 to Panipat km 86.000 on BOT (Toll) Basis in the state of Delhi & Haryana - Handing over of 19.52 ha. land for compensatory plantation in place of 1952 no. trees - reg.

- 1. This office letter no. 2612 dated 08.12.2017
- 2. This office letter no. 2969 dated 17.01.2018.
- 3. Your office letter no. F.117/COT/WFD/2016-17/5488-94 dated 28.12.2017.

Sir.

Please refer to your letter cited at sl. no. 3 above regarding handing over of land for compensatory plantation in place of 1952 no. trees. It is submitted that the required land of 19.52 ha. for plantation of compensatory trees, has been handed over by the Delhi Development Authority to your representative to Sh. R.K. Mishra and Ors. on dated 21.08.2018 free of all encumbrances. Copy of the land plan duly signed by handing over/taking persons is attached herewith.

- The requisite amount of Rs. 11,12,64,000/- as per notification of Lt. Governor of NCT of Delhi endorsed by Secretary (Env. & Forest) letter no F.117/COT/WFD/2016-17/4459-67 dated 20.09.2017 towards security deposit for creation and maintenance of compensatory plantation for a period of 7 years has already been deposited with your office vide this office letter no. 2612 dated 08.12.2017 (copy enclosed).
- In view of above, it is requested that the necessary permission for cutting of 1952 no. of trees for construction of 8 laning of NH-1 from Mukarba Chowk to Panipat may please be issued at the carliest.

Encl. As above

Project Director PIU-EPE-I

Copy to:

- (1) CGM(T)/RO-EPE.
- The Director (IL), DDA, Institutional Land Branch, A-216, Vikas Sadan, INA, New Delhi-(it: 110023 = for information.
- M/s. Mukarba Chowk Panipat Toll Road Ltd., No. A-310, 3rd Floor, Ansat Roman Court, Edmine Sonipat-13 [023

कार्यालय, कार्यपालक आभयंता

Office of the Executive Engineer अनुरक्षण मंडल नोर्य वेस्ट रोड-१ (एम-३। १),

Maintenance Division North West Road-1 (M-311) ोक निर्माण विभाग, मुकरबा चौक, जी.टी.करनाल रोह.

PWD, Mukarba Chowk, G.T.Karnal Road.

दिल्ली-110033

Delhi-110033

दरभाष:-27691105,फैक्स:-27691105,

email:- eepwddelhim311;a gmail.com

No.8(4)/का.31/(सि.)/एनडब्लयूआर-1/लो.नि.वि./(दिस)/,३/५२ - रि

. दिनांकः 5/7/17

To

Sh. A. K. Jain, Project Director, PIU, EPE, Pitampura, New Delhi - 110034

Sub :- Handing Over of Mukarba Chowk (Km. 16.500) to Singhu Border (Km. 29.300) Section of NH-1 (new NH No. 44) to Govt. of NCT, Delhi.

Ref :- Your office letter No. 11.141/4/NHAI/AMB/2946 dated 08-11-2016.

Sir.

With reference to your letter on the subject cited above and in pursuance of instructions received from the Higher Authorities, the record pertaining to the road section of NH-1 (new NH No. 44) from Mukarba Chowk (Km. 16.500) to Singhu Border (Km. 29.300) is hereby handed over to NHAI. The stretch is already in possession of NHA1 since October 2016. A copy of handing over! Taking over note is enclosed as Annexure-A.

Encl:- Above.

1995

कार्यपालकं अभियंता (सिविल), अनुरक्षण मंडल नोर्थ वेस्ट रोड-1, लोक निर्माण विभाग, (दि.स.), मुकरबा चौक, दिल्ली

प्रतिलिपि:-

1- The Suprintending Engineer, North Circle, PWD, Below ISBT Flyover, Delhi for information please.

2- The Suprintending Engineer, North West Circle, PWD, Punjabi Bagh, Delhi for information please.

The Executive Engineer, PWD, North Roads (M-313), Opposite Khalsa College, Delhi for information. The record pertaining to road section of NH-1 as detailed above has been

handed over to NHAL.

कार्यापॉलक अभियंता (सिविल)

एवम् आवश्यकं कारांट हर हर वे १५ ह

सहायक राष्ट्र ५ % लों नि. ः