



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण (सडक परिवहन और राजमार्ग मंत्रालय, भारत सरकार) National Highways Authority of India

(Ministry of Road, Transport and Highways, Government of India)

परियोजना कार्यान्वयन, इकाई. सोलापूर (महाराष्ट्र)

Project Implementation Unit. Solapur (Maharashtra)

कार्यालय : प्लॉट नं. ई-२, जय जलाराम नगर, शिवदारे कॉलेजच्या मागे, जुळे सोलापूर, सोलापूर-४१३००४ (महाराष्ट्र)

Office : Plot No. E- 2, Jai Jalaram Nagar, Behind Shivdare College, Jule Solapur, Solapur - 413 004. Tel/Fax - 0217 2303379

ई-मेल /Email : solapur@nhai.org; piusolapur@gmail.com * वेब /Web : https://nhai.gov.in



No. NHAI/PIU/SLP/forest/NH-9/ 3842

Date 7/11/2023

To,
Deputy Conservator of Forests (T.),
Solapur Forest Division,
Solapur.

Sub: Proposal for diversion of 3.36 Ha. forest area for four laning of Pune - Solapur Section of NH-9 in Km 144+400 to Km 249+000 at Village- Pakhani, Chikhali, Hivare, District-Solapur in the State of Maharashtra.

Ref: RO(Central), IRO, MoEF&CC, Nagpur letter no. FC-I/MH-353/2023-NGP/12460
Dated 09.11.2023

Sir,

With reference to the subject cited above, please find enclosed herewith compliance to the observations raised by RO(Central), IRO, MoEF&CC, Nagpur on proposal submitted to diversion of forest land into non-forest purpose for four laning of Pune - Solapur Section of NH-9 in Km 144+400 to Km 249+000 at Village Pakhani, Chikhali, Hivare, District-Solapur in the State of Maharashtra.

Sr. No.	Observation	Compliance / Reply
1.	Consolidated single KML file of entire road alignment under instant proposal, dully highlighting proposed forest area for diversion has not been submitted. The same needs to be submitted.	Already submitted with the proposal. Again, the same is enclosed for your information.
2.	Name of signing authority and date of submission is not mentioned by the User Agency in Part-I submitted along with the proposal. Revised Part-I mentioning name of the signing authority and date of submission shall be submitted.	Enclosed herewith is the Revised Part-I, which includes the name of the signing authority and the date of submission.
3.	DCF, Solapur has mentioned in his violation certificate that work is already executed in 2012. Detailed violation	Pertaining to the DCF (T.) Solapur



	report has not been submitted along with the proposal. A detailed report on the violation of the FCA, 1980 and action taken thereof against the officers responsible for violation of FCA, 1980 needs to be submitted by the State Government.	
4.	DCF, Solapur has mentioned that proposed area for diversion is passing through Great Indian Bustard Wildlife Sanctuary and NBWL in their 18 th Meeting dated 12.04.2010 granted the clearance for the said proposal. However, copy of approval of NBWL is not submitted along with the proposal. The same needs to be submitted.	Already submitted with the proposal. Again, the same is enclosed for your information.
5.	Complete enumeration list of trees proposed to be felled in the proposal is not submitted. Gorth wise complete enumeration list of trees proposed to be felled in the proposal needs to be submitted.	Already submitted with the proposal. Again, the same is enclosed for your information.
6.	Details of employment potential in terms of man days of skilled, semiskilled, and unskilled persons on permanent (direst and indirect) and temporary (direct and indirect) basis have not been provided. The same needs to be provided.	Employment already generated during construction phase. Permanent / Regular Employment (Number of persons): 200 Temporary Employment (Number of person-days): 260

This is for your information and necessary action please.

Thanking you,

Yours sincerely,



**Project Director,
NHAI PIU Solapur**

Encl.: As above

Copy: Chief Conservator of Forest (T.), Pune for information please.

17/11/2023



महाराष्ट्र शासन
वनविभाग

उपवनसंरक्षक, सोलापूर वनविभाग, सोलापूर यांचे कार्यालय

"वनभवन" विजापूर रोड, सोलापूर, 413 004.

दूरध्वनी क्रमांक. 0217/2345096, 2305982

ई-मेल forestofficesolapur@gmail.com

फॅक्स नं. 0217/2345096.

जा.क्र.ब/कक्ष-13/मोजणी/2348 /2023-24

सोलापूर, 413 004 दिनांक, 17/11/2023.

विषय:- Diversion of 3.36 ha forest land in favour of National Highway Authority of India, Solapur for four lanning of Pune-Solapur section of NH-9 in Km 144/400 to Km 249/000 at Village Pakani, Chikhali, Hivere Dist-Solapur in the State of Maharashtra. (FP/MH/ROAD/42876/2019)

✓ प्रति,

प्रोजेक्ट डायरेक्टर,
एन.एच.पी.आय.यु सोलापूर,
प्लॉट नं ई-2, जय.जलाराम नगर,
शिवदारे कॉलेजच्या मागे जुळे सोलापूर सोलापूर.

संदर्भ- केंद्र शासनाकडील पत्र क्र. FC-I/MH-353/2023-NGP/12460, दि. 09/11/2023.

उपरोक्त विषयांकित प्रकरणी वरील संदर्भान्वये केंद्र शासनाकडून 1 ते 6 त्रुटी उपस्थित करण्यांत आलेल्या आहेत. सोबत संदर्भित पत्राची छायांकित प्रत जोडली आहे.

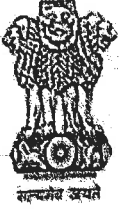
त्यानुसार आपणास कळविण्यांत येते की, संदर्भित पत्रामधील त्रुटींची पुर्तता करून पुर्तता अहवाल तात्काळ या कार्यालयास सादर करावा. जेणे करून सदर प्रकरणी पुढील उचित कार्यवाही करणे या कार्यालयास सोईचे होईल. सहपत्र- वरीलप्रमाणे.

(धैर्यशिल पाटील. भा. व. से.)

उपवनसंरक्षक,
सोलापूर वनविभाग, सोलापूर

प्रतिलिपी- 1. अपर प्रधान मुख्य वनसंरक्षक व केंद्रस्थ अधिकारी, म. रा. नागपूर यांचेकडे वरीलप्रमाणे माहितीसाठी सविनय सादर.

2. मा. मुख्य वनसंरक्षक(प्रा) पुणे यांचेकडे वरीलप्रमाणे माहितीसाठी सविनय सादर.



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST
& CLIMATE CHANGE

F.No. FC-I/MH-353/2023-NGP /12460

Regional Office
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
apccfcentral-ngp-mef@gov.in

Date: 09.11.2023

✓ To,

The Principal Secretary (Forests),
Revenue and Forest Department,
Hutatma Rajguru Chowk
Madame Cama Marg
Mantralaya, Mumbai- 400032.

Sub: Diversion of 3.36 ha Forest land in favour of National Highway Authority of India, Solapur for four laning of Pune-Solapur section of NH-9 in Km 144/400 to Km 249/000 at Villages- Pakhani, Chikhali, Hivare, District- Solapur in the State of Maharashtra- regarding.

Sir,

The undersigned is directed to refer to Government of Maharashtra letter no FLD-2223/C.R.238/F-10 dated 24.08.2023 which was received physically in this office on 06.09.2023 and APCCF & Nodal Officer (FCA), Maharashtra letter no. Desk-17/FCA-S1/PID-42876/Pune/1148 dated 14.07.2023 on the above subject seeking prior approval of the Central Government under Section- 2 of the Forest (Conservation) Act, 1980 and to say that preliminary scrutiny of the proposal in the Regional Office, MoEF&CC revealed following:

- i. Consolidated single KML file of entire road alignment under instant proposal, dully highlighting proposed forest area for diversion has not been submitted. The same needs to be submitted.
- ii. Name of the signing authority and date of submission is not mentioned by the User Agency in Part- I submitted along with the proposal. Revised Part- I mentioning name of the signing authority and date of submission shall be submitted.
- iii. DCF, Solapur has mentioned in his violation certificate that work is already executed in 2012. Detailed violation report has not been submitted along with the proposal. A detailed report on the violation of the FCA, 1980 and action taken thereof against the officers responsible for violation of FCA, 1980 needs to be submitted by the State Government.
- iv. DCF, Solapur has mentioned that proposed area for diversion is passing through Great Indian Bustard Wildlife Sanctuary and NBWL in their 18th Meeting dated 12.04.2010 granted the clearance for the said proposal. However, copy of approval of NBWL is not submitted along with the proposal. The same needs to be submitted.
- v. Complete enumeration list of trees proposed to be felled in the proposal is not submitted. Girth wise complete enumeration list of trees proposed to be felled in the proposal needs to be submitted.

- vi. Details of employment potential in terms of man days of skilled, semiskilled and unskilled persons on permanent (direct and indirect) and temporary (direct and indirect) basis have not been provided. The same needs to be provided.

In view of the above, I am directed to request the State Government to submit information on the shortcomings, as indicated above, to this Ministry for further consideration of the proposal for approval under the Forest (Conservation) Act, 1980.

This is issued with the approval of competent authority.

Yours faithfully,



(Karthik, M.L.)

Technical Officer (Gr. II)

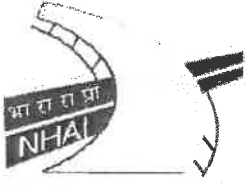
Copy to:

- i. The PCCF (HoFF), Government of Maharashtra, Nagpur.
- ii. User Agency.
- iii. Guard file.

— sd —

(Karthik, M.L.)

Technical Officer (Gr. II)



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

National Highways Authority of India

(Ministry of Road, Transport & Highway)

परियोजना कार्यान्वयन, इकाई, सोलापूर (महाराष्ट्र)

Project Implementation Unit, Solapur (Maharashtra)

कार्यालय/Office :

प्लॉट नं. ई-२, जय जलाराम नगर, शिवदारे कॉलेजच्या मागे,

जुळे सोलापूर, सोलापूर - ४१३००४ (महाराष्ट्र)

Plot No. E-2, Jai Jalaram Nagar, Behind Shivdare College,
Jule Solapur, Solapur - 413 004. Tel/Fax - 0217 2303379

ई-मेल/Email : solapur@nhai.org; plusolapur@gmail.com

No.: NHA/PIU/SLP/NH-65/2022-23/ 4478

Date: 31.12.2022

प्रति,

उप वनसंरक्षक,
सोलापूर वनविभाग
सोलापूर

Sub.: Four laning of Pune Solapur Section of NH-09 from Km. 144.400 to Km.249.000 in the State of Maharashtra on DBFOT basis - Compliance to the Observations on diversion of 3.36 Ha. forest land into non-forest proposal - Reg.

Ref.:

- T/o. letter no. 841 dated 27.05.2022.
- T/o. letter no. 2962 dated 03.10.2022.
- DFO Solapur office letter no. 2103 dated 02.11.2022.
- DFO Solapur office letter no. 2170 dated 10.11.2022.
- APCCF Nagpur office letter no. 2438 dated 20.12.2022.
- DFO Solapur office letter no. 2476 dated 23.12.2022.

Sir,

- With reference to the subject cited above, this office is in receipt of your letter duly enclosing APCCF Nagpur letter at reference (vi) above regarding observations raised on proposal submitted for diversion of 3.36 Ha. of forest land into non-forest as below:

Sl. No.	Observations	Reply / Compliance
1	The proposed project passes through Great Indian Bustard Sanctuary. Hence, Wildlife (Protection) Act. 1972 and the guidelines of MoEF&CC wildlife clearance would be necessary for the proposed project.	In this regard, kindly refer to letter from CCF (Pune) bearing no. A/survey/TA/342/10-11 dated 17.07.2010 and subsequent Hon'ble Supreme Court order dated 22.07.2011 item no. 315 on page no. 3 & 15, which allows de-notification of 50m wide land on either side of National Highway from the GIB Sanctuary for subject project. (Copy Enclosed)
2	As per the guidelines of MoEF&CC on linear projects (Wildlife clearance) animal passage plan is to be prepared along with the wildlife clearance proposal.	It is to mention that, the four laning work for the said project is completed in August -2013 and in the said project Vehicular Underpass and Pedestrian Underpasses have been provided at various locations of project highway (list enclosed). Furtherance to this it is to inform that, at this stage, the animal passage plan is not possible as the said project is already completed.

- This is for your information and further necessary action please.

धन्यवाद

(एस. डी. चिटणीस)

महाप्रबंधक (त) तथा परियोजना निदेशक,
भा.रा.रा.प्रा., इकाई, सोलापूर.

सलंगन: उपरोक्त
प्रतिलिपी



1) CGM (Tech.) & RO Mumbai for information please.

2) Artefact Projects Ltd. "Artifac Road to Mahanadi" 54/3, Chhatrapati Square, Wardha Road, Nagpur-440015 for information and further follow up, please

Head Office : No. G 5 & 6, Sector 10, Dwarka, New Delhi-110 075

3) Master File
Tel. No. 011-2507 4100 / 2507 4200 Fax No. : 011-2509 3507 / 2509 3514. Web Site : <http://www.nhai.org>

C (ii) Reconstruction/Widening Scheme for Box Culverts:

Sr. No	Type	NO's	Remarks
1	Widening	30	
2	Reconstruction	32	

C(iii) Change of Scope.

Change of Scope Details			
Sr.No	Chainage (Km)	Type of Structure	Span Arrangement
1	0.310	Portal Frame	116.95 X 4.5 X 3.8
2	6.640	Portal Frame	108.47 X 3 X 3.8
3	159.000	Portal Frame	25.24 X 4.5 X 3.8
4	164.500	Portal Frame	33.24 X 3 X 3.8
5	178.681	Box (Irrigation Canal)	2 X 2.0
6	180.135	Box (Irrigation Canal)	2 X 2.0
7	223.675	Box(NTPC)	4 X 3.0
8	247.140	Box(SMC)	2 X 2.0

Note: - Widening/Reconstruction of the culvert to be construct for 6 laning configuration.

D (i) Details of Vehicular Underpasses:

Sr. No	Proposed Chainage	Location	Proposed vent size in Agreement	Actual vent size adopted by Concessionaire	Total Length of structure
1	161+383 (2+725 of Tembhorni Bypass)	Tembhorni - Ahmadnagar SH - 141 Crossing (LHS Pedestrian opening of size 4X2.5 mtr. On both sides' approaches to be provided.)	1X25X5.5	1X25X5.5	26.80
2	163+595 (4+890 of Tembhorni Bypass)	Kurduwadi Road (Tembhorni bypass)	1X15X5.50	1X15X5.50	17.10
3	167+154	Venegaon Phata	1X12X5.5	1X12X5.5	14.10
4	190+180	Shetfal Chowk LHS - Kurduwadi RHS - Pandharpur	1X25X5.5	1X25X5.5	26.80
5	214+867	Vairag Road	1X12X5.50	1X12X5.50	14.10
6	234+936	MIDC Solapur	1X15.0X5.50	1X15.0X5.50	26.80
7	237+970	Y-Junction Kondi Village	1X15.00X5.50	1X15.00X5.50	17.10
8	244+575	LHS Barshi town Solapur Municipal Corporation. At Solapur side	1X25X5.50	1X25X5.50	26.80

*Four Laning of Pune – Solapur Section of NH-65 from Km. 150+050 to Km. 251+325 in the State of Maharashtra
Under NHDP Phase III on DBFOT Basis*

		approaches & Pedestrian opening of size of 4X2.5 meter to be provided.			
9	246+600	Start of Solapur Bypass. At Solapur side approaches Pedestrian opening of size 4X2.5 meter to be provided.	1X25X5.50	1X25X5.50	26.80
10	248+978	Tuljapur road at Pune side approaches Pedestrian opening of size 4X2.5 meter to be provided.	1X25X5.50	1X25X5.50	26.80
11	250+020	Shelgi Gaon	1X15X5.50	1X15X5.50	17.10

D (ii) Details of Pedestrian Underpasses:

Sr. No	Proposed Chainage	As Built Chainage	Location	Proposed vent size in Agreement	Actual vent size adopted by Concessionaire	Remarks
1	152+750 183+420	184+220	From Bhimanagar Shifted to Aran	6X3.50 6 X 3.50	7.00 X 4.50	Span arrangement & Vent height of PUP's modified under COS
2	176+454	177.259	Varwade,-LHS Hole -RHS Size Changed to	6X3.50	7.00 x 4.50	Span arrangement & Vent height of PUP's modified under COS
3	220+382	221.187	Mohol Railway Station	6X3.50	6.00 X 3.50	
4	224+373	225.178	Shirapur-LHS Lamboti - RHS	6X3.50	6.00 X 3.50	
5	225+525	226.362	From 250+742 To Shifted 225+525	6X3.50	6.00 X 3.50	
6	240+765	241+570	Kegaon / School	6X3.50	6.00 X 3.50	
7	247+114	247+909	Karamba	6X3.50	6.00 X 3.50	

D (iii) 5 PUPs are proposed at the approaches of VUP's

Sr. No.	Chainage (Km)	As Built Locations	Size	Remarks
1	161+300	-	4 X 2.50	Negative COS
2	161+460	-	4 X 2.50	Negative COS
3	244+560	245+455	4 X 2.50	
4	246+600	247+495	4 X 2.50	
5	248+975	249+631	4 X 2.50	
6	188+070	188+875	4 X 2.50	COS
7	215+700	216+535	4 X 2.50	COS

Office of the Conservator of Forests(Wildlife), Pune, Forest Colony, Wanavdi,
Opp to Naren Hills Society, Pune - 411 022, Maharashtra.
Phone : 020-26854182, Fax : 020 - 26851143, E Mail:wildlifepune@gmail.com

Subject:- Permission for 4/6 laning of NH-9 from
Km 144.400 to Km 249.000 passing through the
Great Indian Bustard Sanctuary include other
related activities.

No A/ Survey/ 1A /342/10-11 Dt. 14 July 2010

✓ To
General Manager (Technical), & Project Director,
National Highways Authority of India,
Hotgi Road, Solapur- 413 003., Maharashtra.

Reference:- Your letter No. NHAI/PIL/SLP/Forest/13012/10/2/1/115 , Dated 6th
June 2010.

Dear Sir,

This is in reference to your letter as above requesting NOC giving permission for 4/6 laning of NH-9 from Km.144.400 to km 249.000 passing through the GIB Sanctuary, we would like to inform that Government of Maharashtra filed an Interlocutory Application No. 2342/2008 in I.A. No.2342 of 2008 in I.A. No. 2119 of 1483 of 005 IN I.A. No. 548 in Writ Petition (civil) No. 202 of 1995 in the Hon'ble Supreme Court of India, in August 2008. I.A No.2342 of 2008 came up for orders before the Hon'ble Supreme Court on 20th October 2008. Upon hearing the parties, Hon'ble Supreme Court passed an order that the "rationalization of the Great Indian Bustard Wildlife sanctuary is to be finally decided based on the recommendation of the Committee constituted for the said purpose working under the MoEF. The Committee may take an early decision and based on the decision, the rest of the area which is excluded in such non-forest activities could be permitted".

Accordingly a proposal was submitted to the committee on rationalization of boundaries of sanctuaries and National Parks (CRBSNP) under the MoEF. Based on the field visits and meetings the CRBSNP recommended to include 1222.61 sq.kms in the GIB*sanctuary and exclude rest of the areas from the 8496.41 sq.kms of GIB sanctuary area. This was approved by the Standing Committee of the National Board

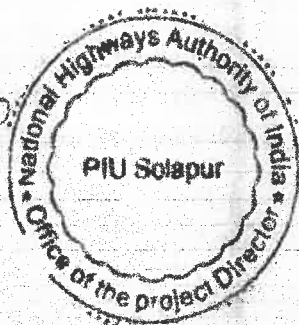
sanctuary area. This was approved by the Standing Committee of the National Board for Wildlife (SCNBWL) in its 18th meeting held at New Delhi on 12th April 2010. A final Interlocutory Application No 2882 of 2010 in IA no 2342/2008, in this matter was filed by the Government of Maharashtra on 1st July 2010, to get a formal order from the Hon'ble Supreme Court regarding reducing the sanctuary area from 8496.44 sq.kms to 1222.6 sq.kms as recommended by the SCNBWL in its 18th meeting. The area proposed for widening of the National Highway (NH) No 9 between Kms.144.400 to Kms 249.000 passing through the Great Indian Bustard Sanctuary and a buffer of 50 meters from the NH centerline was excluded from the sanctuary and do not fall in the 1222.63 sq.kms of area to be retained in the GIB sanctuary. This office has no objection for NHAI carrying out on non forest land, the road widening of NH between Kms.144.400 to Kms.249.000 passing through GIB sanctuary and to carry out other non forest activities related to the execution of the above project stretch passing through the Great Indian Bustard (Maldhok) Sanctuary including Land Acquisition and Tree Cutting, subject to the final order from the Hon'ble Supreme Court in the above IA no. 2882 of 2010.

Thanking you

Yours sincerely

(D.Y.L.P. Rao)

Conservator of Forests
Wild Life, Pune.



ITEM NOS. 301 to 318
MM-1

COURT NO.6

SECTION PIL/X

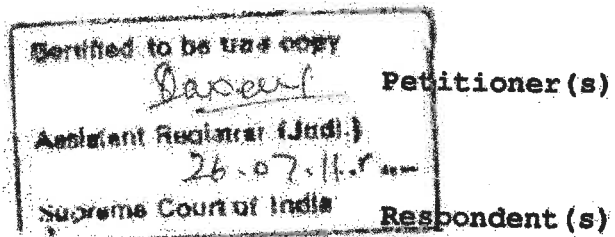
S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

MM-1 I.A. NO. 3050 OF 2010 IN W.P. (C) NO. 202 OF 1995
301. I.A. Nos. 128-129 & 144 in W.P. (C) No. 337/1995
(FOR MODIFICATION OF COURT'S ORDER DATED 28.4.2003 AND
EXEMPTION FROM FILING O.T. AND PERMISSION TO FILE REJOINDER
AFFIDAVIT)

CENTRE FOR ENVIR. LAW, WWF-I

VERSUS

U O I & ORS



302. I.A. NOS. 2881 & 3026-3027 IN W.P. (C) NO. 202/1995
(FOR RECOMMENDATION OF THE CEC IN APPLN. NO. 1228 & 1229 AND
INTERVENTION AND EXEMPTION FROM FILING O.T.)

T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VS.

UNION OF INDIA & ORS.

Respondent(s)

303. I.A. NO. 141 IN I.A. NOS. 124-125 IN W.P. (C) No. 337/1995
(FOR DIRECTIONS/CLARIFICATION IN I.A. NOS. 124-125 OF 2008)

304. I.A. NOS. 147, 148 AND 149 IN W.P. (C) No. 337/1995
(FOR IMPEADMENT, PERMISSION TO IMPLEMENT THE HARIDWAR
RISHIKESH-DEHRADUN NATURAL GAS PIPELINE IN THE ROW OF NH-58 AND
NH-72 PASSING THROUGH THE RAJAJI NATIONAL PARK AND PERMISSION
TO IMPLEMENT THE KOTA-BHILWARA NATURAL GAS PIPELINE BY
DERESERVING 1.56 HECTARES OF THE CHAMBAL WILD LIFE SANCTUARY)

305. I.A. NOS. 1433 & 1477 IN W.P. (C) 202/1995
(FOR DIRECTIONS AND EXEMPTION FROM FILING O.T.)

306. I.A. NOS. 1598-1600 IN W.P. (C) 202/1995
(FOR IMPEADMENT, DIRECTION AND EXEMPTION FROM FILING O.T.)

307. I.A. NO. 2296 IN I.A. 662 IN W.P. (C) 202/1995
(RECOMMENDATION OF CEC IN IA 662)

308. I.A. NO. 2297 IN W.P. (C) 202/1995
(FOR REPORT OF CEC IN APPLN. NO. WBI - 89)

309. I.A. NO. 2622-2624 & 2813 IN W.P. (C) 202/1995

(FOR PERMISSION, IMPLDEADMENT, DIRECTIONS AND PERMISSION TO
FILE ADDL. DOCUMENTS)

310. I.A. NOS. 2710 & 2730 IN W.P.(C) 202/1995
(FOR INTERVENTION DIRECTIONS AND IMPLEADMENT)

311. I.A. NO. 2816 IN W.P.(C) 202/1995
(REPORT OF CEC)

312. I.A. NOS. 2942-2944 IN W.P.(C) 202/1995
(FOR IMPLEADMENT PERMISSION AND EXEMPTION FROM FILING O.T.)

313. W.P.(C) 4/2010

YASAMIN SALEEM

.....PETITIONERS

VERSUS

STATE OF U.P. & ORS.

.....RESPONDENTS

(WITH APPLN(S) FOR EXEMPTION FROM FILING O.T.)

WITH W.P.(C) NO. 567 OF 2009
(WITH APPLN(S) FOR EXEMPTION FROM FILING O.T.)

WITH W.P.(C) NO. 568 OF 2009
(WITH APPLN(S) FOR EXEMPTION FROM FILING O.T. AND OFFICE
REPORT)

WITH W.P.(C) NO. 574 OF 2009
(WITH APPLN(S) FOR EXEMPTION FROM FILING O.T.AND OFFICE REPORT)

WITH W.P.(C) NO. 575 OF 2009
(WITH APPLN(S) FOR EXEMPTION FROM FILING O.T.AND OFFICE
REPORT)

WITH W.P.(C) NO. 576 OF 2009
(WITH APPLN(S) FOR EXEMPTION FROM FILING O.T.AND OFFICE
REPORT)

WITH W.P.(C) NO. 578 OF 2009
(WITH APPLN(S) FOR EXEMPTION FROM FILING O.T.AND OFFICE
REPORT)

314. SANDALWOOD MATTERS

I.A. NOS. 1287, 1570-1571, 1624-1625, 1978, 2395,
2795-2796 IN W.P.(C) 202/1995
(REPORT OF CEC, IMPLEADMENT, DIRECTION AND EXEMPTION)

WITH

I.A.NOS.2470-2471, 2472-2473, 2474-2475, 2476-2477, 2966-2967
IN 1287 IN W.P.(C) 202/1995

(FOR IMPEADMENT AND DIRECTIONS AND DIRECTION FOR BRINGING ON
RECORD CERTAIN SUGGESTIONS)

315. MAHARASHTRA-GREAT INDIAN BUSTARD WILDLIFE SANCTUARY

I.A. NO. 2882 IN I.A. 2342 IN I.A. NO. 2119, 1483, 1997,
2023, 2923-2925 IN W.P.(C) 202/1995

(FOR DIRECTIONS, IMPEADMENT, PERMISSION, MODIFICATION AND
EXEMPTION FROM FILING O.T.)

316. ASKOT MUSK DEER SANCTUARY

I.A. NO. 1791-1792 IN W.P.(C) 202/1995

(FOR PERMISSION TO DEMARCAT E BOUNDARIES OF ASKOT MUSK DEER
WILDLIFE SANCTUARY AND EXEMPTION FROM FILING O.T.)

WITH

I.A. NO.139 IN IN W.P.(C) 337/1995

(FOR PERMISSION REGARDING PROPOSED RATIONALISATION OF
BOUNDARIES OF PROTECTED AREAS IN HIMACHAL PRADESH)

317. MOUNT ABU

I.A. NO. 972 IN I.A.NO. 757 WITH 789-790, 962, 986,
1042-1045,1217-1219, 1536-1538, 2660-2661, 2064, 2255-2256 AND
2949 IN 757 AND I.A. NO..... IN I.A. NO. 757 IN W.P.(C)
202/1995

(FOR DIRECTIONS, IMPEADMENT, STAY, EXEMPTION FROM FILING
O.T.,RECOMMENDATION OF CEC AND PERMISSION TO FILE OBJECTIONS TO
THE FINAL NOTIFICATION DATED 25.6.2009))

318. I.A.NOS. 2155-2156 & 2680 IN I.A. NO. 2156 IN W.P.(C)
202/1995

(FOR IMPEAEMENT, PERMISSION AND DIRECTION TO REJECTION OF CEC
REPORT)

Date: 22/07/2011 These applications/Petitions were called on
for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.S.RADHAKRISHNAN

HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For the appearing parties :

Mr. P.S. Narasimha, Sr. Adv. (A.C)

Mr. K.Parameshwar, Adv.

Mr. Gaurav Agrawal, Adv.

Mr. Vijay Panjwani, Adv.

Mr. Haris Beeran, Adv.

Mr. P.K. Manohar, Adv.

Mr. B.S. Banthia, Adv.

301.

Ms.A.Subhashni, Adv.

Mrs.Jayshree Anand, Adv.

Ms.Ekta Singh, Adv.

Mr.Kuldip Singh, Adv.

Ms. Asha G.Nair, Adv.

Mr.S.S.Rawat, Adv.

Mr.D.S.Mahra, Adv.

Mr.Y.P.Mahajan, Adv.

Mr.Sakesh Kumar, Adv.

Mr.Rohit K.Singh, Adv.

Ms.K.V.Bharathi Upadhyay, Adv.

Mr.Pabitra Kr.Biswal, Adv.

Mr.T.S.Doabia, Sr. Adv.

Ms. Kiran Bhardwaj, Adv.

Mr. S.N.Terdal, Adv.

Mr.Sakesh Kumar, Adv.

Ms.Suvira Lal, Adv.

Mr.Raj Panjwani, Sr. Adv.

Mr.Vijay Panjwani, Adv.

Mr.Aditya Shamlal, Adv.

302.

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Ms. Hemantika Wahi, Adv.
 Mr. Ashwini Kumar, Adv.
 Ms. Sureni Banerjee, Adv.

Ms. A. Subhashini, Adv.

Mr. T. R. Andhiyarujan, Sr. Adv.
 Mr. Rajiv Tyagi, Adv.
 Ms. Chanchal Biswal, Adv.

303

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 Mr. S. N. Terdal, Adv.

Ms. A. Subhashni, Adv.

Mr. Raj Panjwani, Sr. Adv.
 Mr. Vijay Panjwani, Adv.
 Mr. Aditya Shamlal, Adv.

304.

Mr. Mohan Jain, ASG
 Mrs. Sukhbeer Kaur Bajwa, Adv.
 Mr. D. K. Thakur, Adv.
 Mr. S. N. Terdal, Adv.

Mr. Parag Tripathi, ASG
 Mr. Ajit Pudussery, Adv.
 Mr. K. Vijanan, Adv.
 Mr. Dinesh Khurana, Adv.

Mr. Raj Panjwani, Sr. Adv.
 Mr. Vijay Panjwani, Adv.
 Mr. Aditya Shamlal, Adv.

Mr. Rajiv Dutta, Sr. Adv.
 Mr. Bishwajit Dubey, Adv.
 Ms. Anushree Tripathi, Adv.
 M/s. Suresh A. Shroff & Co.

Ms. Bina Madhavan, Adv.

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 Mr. S. N. Terdal, Adv.

Mr. Manjit Singh, AAG
 Mr. Vivekta Singh, Adv.
 Mr. Tarjit Singh, Adv.
 Mr. Kamal Mohan Gupta, Adv.

305

Mr. Atul Jha, Adv.
 Mr. Dharmendra Kumar Sinha, Adv.

306.

Mr. Ajai Bhalla, Adv.
 Mr. A. K. Pandey, Adv.
 Mr. Sudhanshu Saran, Adv.
 Mrs. Swati Chandra, Adv.

Mr. M. Khairati, Adv.
 Ms. Varuna Bhandari, Adv.
 Mr. D. S. Mahra, Adv.

Mr. Waseem Quadri, Adv.
 Mr. Ch. Shamruddin Khan, Adv.
 Mrs. Kiran Bhardwaj, Adv.
 Mr. Rohtas Nagar, Adv.
 Mrs. Anil Katihar, Adv.

Md. Khalid, Adv.
 Smt. varuna Bhandari, Adv.
 Mr. D. S. Mahra, Adv.

307.

Mr. P. V. Yogeshwaran, Adv.

308.

Ms. Asha G. Nair, Adv.

309.

Ms. S. Janani, Adv.
 Mr. Kamal Mohan Gupta, Adv.

310.

Mr. D. A. Dave, Sr. Adv.
 Mr. R. N. Karanjawala, Adv.
 Ms. Manik Karanjawala, Adv.
 Ms. Nandini Gore, Adv.
 Mr. Kaushik Murali, Adv.
 Mr. Ashok Parija, Adv.
 M/s Karanjawala & co., Adv.

Ms. Anitha Shenoy, Adv.

Mr. Shibhashish Mishra, Adv.

311. Mr. D. K. Sinha, Adv.

312. Mr. Aftab Ali Khan, Adv.

Mr. Kamlendra Mishra, Adv.

Mr. Subodh Markandeya, Adv.

Mr. Rajeev K. Dubey, Adv.

Mr. Kamlendra Mishra, Adv.

313. Mr. Anoop Kr. Srivastava, Adv.
Mr. Rameshwar Prasad Goyal, Adv.
Mr. Rakesh Khare, Adv.

Mr. Subodh Markandeya, Sr. Adv.

Mr. Rajeev K. Dubey, Adv.

Mr. Kamlendra Mishra, Adv.

314. Mr. Mohan Jain, ASG
Mr. D. K. Thakur, Adv.
Mr. Karthik Ashok, Adv.
Mr. S. N. Terdal, Adv.

Mr. A. Sharan, Sr. Adv.

Mr. Zafar Sadique, Adv.

Mr. Balraj Dewan, Adv.

Mr. Guru Krishna Kumar, AAG

Mr. Subramonum Prasad, Adv.

Mr. Basava Prabhu S. Patil, Sr. Adv.

Mr. Bipin Kalappa, Adv.

Mr. N. Ganapathy, Adv.

Mr. K. R. Sasiprabhu, Adv.

Mr. M. P. Maharia, Adv.

Ms. Sangeeta Kumar, Adv.

Mr. Sanjay R. Hegde, Adv.

Mr. T. N. Rao, Adv.

Mr. Balraj Dewan, Adv.
 M/s Aruputham Aruna & co.,
 M/s Parekh & co., Adv.
 Mr. N. Ganapathy, Adv.
 Mr. G. Prakash, Adv.
 Mr. Sanjay R. Hegde, Adv.
 Mr. Subramonum Prasad, Adv.
 Mr. T. V. George, Adv.

315.

Mr. G. E. Vahanvati, A. G.
 Ms. Asha G. Nair, Adv.

Dr. Manish Singhvi, Adv.
 Mr. Vijay Verma, Adv.

316

Mr. T. S. Doabia, Sr. Adv.
 Ms. Kiran Bhandari, Adv.
 Mr. S. N. Terdal, Adv.

Ms. Rachana Srivastava, Adv.

Mr. Wasim Qadri, Adv.
 Ch. Shamsuddin Khan, Adv.
 Ms. Kiran Bhardwaj, Adv.
 Mr. Rohtash Nagar, Adv.
 Mrs. Anil Katiyar, Adv.

Mr. Raj Panjwani, Sr. Adv.
 Mr. Vijay Panjwani, Adv.
 Mr. Aditya Shamlal, Adv.

317

Mr. Sushil Kr. Jain, Adv.
 Mr. Puneet Jain, Adv.

Dr. Manish Singhvi, Adv.
 Mr. Vijay Verma, Adv.
 Mr. Milind Kumar, Adv.

Ms. Rekha Pandey, Adv.
 Ms. Anil Katiyar, Adv.

318

Mr. Gurukrishna AAG
 Mr. Subramaniam Prasad, Adv.

UPON hearing counsel the Court made the following
O R D E R

MM-1

List the matter next Friday.

Item No.301

I.A.No.15 was earlier filed on behalf of State of U.P seeking permission for the construction of an Irrigation Project covering an area of 180.79. Prayer was allowed by this Court subject to the fulfilment of certain conditions. Learned counsel appearing for the State of U.P. submitted that condition no.2 requiring shifting of villages causing difficulties to the State, therefore, sought permission to seek variation of that conditions before NBWL. Learned counsel appearing on behalf of NBWL has submitted that of such an application is preferred within two weeks, the same would be considered in the next meeting and the decision will be placed before this Court in next hearing date. Prayer granted.

Post after six weeks.

Item No. 302

The State of Gujarat has filed an application before the Central Empowered Committee ("CEC") seeking permission to delete 2105.42.41 hectares forest area in 57 villages in four districts of Gujarat State under Section 4 of the Indian Forest Act, 1927 (hereinafter referred to as "the Act"). Details of which are furnished along with the application.

CEC placed that application with a report before this Court seeking appropriate orders on the request made by the State of Gujarat.

CEC in its report dated 23.6.2010 endorsed the deletion of the areas approved by the Forest Settlement Officer after acknowledging the rights of the villagers in response to the areas notified under Section 4 of the Act. Further it was also reported that the areas have by and large being decided to be excluded on genuine grounds as mentioned in the above mentioned Act. C.E.C, however, imposed following conditions.

1. no area will be deleted on the ground of its allotment done after the issue of notifications under Section 4 of the Indian Forest Act;
2. None of the deleted area will be allowed to be used for mining without obtaining approval under the Forest (Conservation) Act, 1980;
3. for deletion of the area approval under the Forest (Conservation) Act, 1980 will be obtained. However, no NPV or compensatory afforestation charges will be payable as the areas are to be deleted for settlement of rights as per the provisions of the Indian Forest Act, 1927 and
4. the balance areas will be notified as Reserved Forest under Section 20 of the Indian Forest Act, 1980.

Being aggrieved by condition no. 2, stated herein before, ABG Cement Limited has approached this Court seeking intervention and stated that its rights are effected by condition no.2 suggested in CEC report.

Mr. Andhyarujina, learned senior counsel appearing for the intervenor submitted that ABG Cement Limited had made an application before the Government of Gujarat for the grant of the mining lease in certain tracts of barren land aggregating 730.60 hectares of land in Village Nani

Ber for limestone mining. Further it is stated that after the order passed by the Forest Settlement Officer, the State of Gujarat has granted approval to the ABG Cement Limited for lime stone mining of 730.60 hectares of land in Village Nani Ber and by letter dated 30.6.2007 called upon the ABG Cement Limited to make the payment of Rs.32,94,500 towards the prospecting charges.

Learned senior counsel has further submitted that once the land is deleted on the proposed forest under Section 4 following the procedure under Section 11 of the Act, such land seized to be forest land and therefore provisions of Section 2 of the Forest (Conservation) Act, 1980 do not apply and there is no requirement of obtaining prior approval of the Central Government under that Act. Learned senior counsel has submitted that C.E.C has wrongly relied upon the Ministry of Environment and Forests (MoEF) guidelines, which was annexed as Annexure R-4 and stated that these guidelines do not refer to lease which are deleted under the Notification under Section 4 of the Act. Reference was also made in the judgment of this Court in Union of India vs. Abdul Jalil, 1954 4 SCR 158.

Mr. P.S. Narasimha, learned amicus curiae and the learned counsel appearing for the State of Gujarat submitted it is unnecessary to examine those contentions at this stage and the application preferred for intervention itself is premature. Further in the reply affidavit filed by the State of Gujarat it is stated that no lease has formerly been granted to the ABG Cement Limited in any of the areas notified under Section 4 of the Act and certain proposal regarding deletion of the lease submitted by the Government of India is pending consideration before the Ministry of Environment and Forests (MoEF). Further, it was also pointed out that ABG Cement Limited had also made an application for seeking approval under the Forest

(Conservation) Act, 1980 before the concerned Ministry.

We are of the view that, at this stage, it is unnecessary to examine various contentions raised by the learned senior counsel for ABG Cement Limited, since we are only concerned with the question whether the application preferred by the State of Gujarat for deletion of forest land be granted or not. CEC report is in favour of the deletion subject to certain conditions. The Ministry of Environment and Forests (MoEF) in its letter dated 7.1.2010 produced as Annexure R-3 before this Court has stated that the application be considered favourably under such circumstances we are of the view that the request made by the State of Gujarat for deletion of the area as shown in its application is justified. We therefore allow the application as prayed for.

However, with regard to the condition no.2 imposed by CEC, we express no final opinion specially in view of the stand taken by the State of Gujarat that no lease has formerly been granted to ABG Cement Limited in any of the areas as notified under Section 4 of the Act. ABG Cement Limited therefore would be aggrieved by the condition imposed by CEC, only if the State Government executes a lease deed in its favour or grants permission for mining, which is yet to happen. We therefore leave that question open.

Learned senior counsel has further submitted that he would be permitted to move an application before the Ministry of Environment and Forests (MoEF) seeking approval for the grant of lease and also to make a plea before the before the Ministry of Environment and Forests (MoEF) for permission under the Forest (Conservation) Act, 1980 and also to challenge the condition No.2. ABG Cement Limited, if so advised may raise all those contentions before the Ministry of Environment and Forests (MoEF) and it is for the MoEF to consider with which we express no final

opinion. I.A.No.2881 of 2009 preferred by State of Gujarat for deletion stands allowed, as above.

I.A.Nos.3026-3027 filed by ABG Cement Limited are accordingly disposed of.

Item No. 303

This application preferred seeking approval for diversion of additional forest land to the extent of 35 hectares in place of 10 hectares for the project fencing and construction of road along the Indo-Myanmar boarder between Boarder Pillar No. 79 to Border Pillar no. 81 on the terms and conditions as envisaged by the CWLW, Manipur and also for the consequence directions.

Earlier the National Board for Wild Life had sanctioned 10 hectares. Now the prayer is for diversion of further additional extent of 35 hectares of land which is a matter to be examined by the National Board for Wild Life if an application is made in the prescribed proforma. On receipt of an application NBWL will consider the same and make their recommendations within a period of two months thereafter.

Post the matter after two months.

Item NO. 304

In view of the decision taken by the Standing Committee of NBWL referred at p.74 of the compilation. I.A.Nos. 148 and 149 are allowed.

Application for impleadment is also allowed.

Item No. 305

Copy of the application and other relevant documents connected with I.A.No. 1433 of 2005 be furnished to Mr.P.S.Narasimha,Sr.Adv., amicus curiae.

List the matter after one month.

Item No. 306

Applications are allowed in terms of para 6 of the report of CEC dated 14/10/2009.

Item No.307

I.A. is dismissed as infructuous.

Item No. 308

Application is allowed in terms of the conditions mentioned in para 6 of the CEC report.

Item No. 309

No representation.

Perused the report of CEC.

In terms of the report of CEC, applications stand dismissed.

Item No. 310

Applications are allowed.

Liberty is also given to the other side to file additional affidavit.

Post on 5.8.2011 to file objection.

Item No. 311

Copy of the CEC report be served on the Standing counsel for the State of Chhatisgarh and the report be transmitted to the Government for implementation of the recommendations. The application is disposed of.

Item No. 312

No appearance for the applicant.

Perused the report of the CEC.

In view of the report of the CEC, the application stand rejected.

Item No. 313

W.P.(C) 4 of 2010

Learned counsel for the petitioner seeks permission to withdraw the writ petition. Permission is granted. The writ petition is dismissed as withdrawn.

W.P.(C) Nos.567, 568, 574,575, 576, 578 of 2009

Learned counsel for the petitioner seeks permission to withdraw the writ petitions with liberty to the petitioners to seek appropriate remedy in accordance with law. Permission granted. The writ petitions are dismissed as withdrawn with liberty as prayed for.

Item No. 314

List next week as first case.

However, it is made clear that no further adjournment will be granted.

Item No.315

We have heard Mr.G.E.Vehanvati, learned A.G and Mr.P.S.Narasimha, Sr.Adv. Amicus Curiae.

Perused the decision of the NBWL dated 12.4.2010.

The committee has already approved prayer no.1.

In terms of the decision of NBWL held on 12.4.2010,
prayer no.1 on this application is allowed.

Item No. 316

I.A.Nos. 1791-1792 of 2007 - List after Two weeks' for
the response of the CEC,

I.A.No. 139 of 2010 - List next week as miscellaneous
item.

Item No. 317

List after the sandalwood cases.

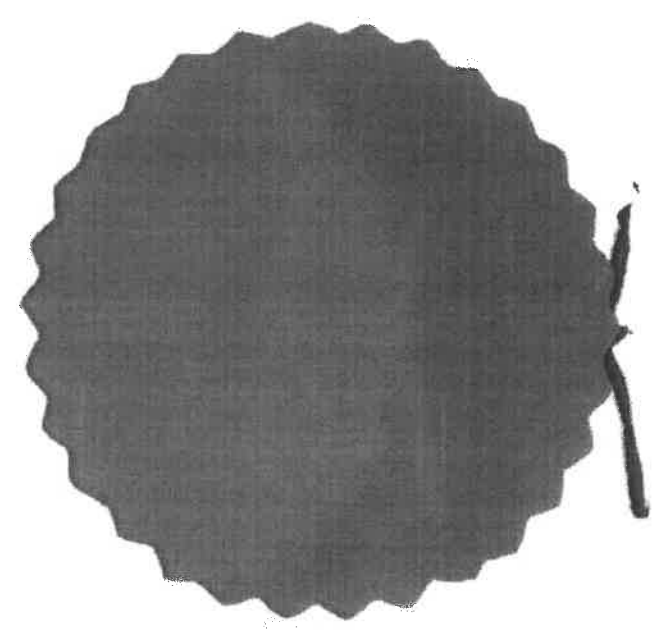
Item No. 318

List after two weeks.

(KUSUM SYAL)
SR.P.A.

(RENUKA SADANA)
COURT MASTER

✓
ALLOWED BY PRESENCE



AI—No. Ar-28906
User Fee : Rs 5/-
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Date of Application 26/11/11
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Branch Officer
Supreme Court of India
26/11/11

F.No.10-89/2010-IA-III
Government of India
Ministry of Environment & Forests
(IA-III Division)

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

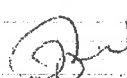
Dated: 17th November, 2011

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 rehabilitation of existing 4 to 4/6 laning of Pune - Solapur section on NH-9, Maharashtra by M/s NHAI - Reg.

This has reference to your letter No. 11013/1/2k/Env./102 dated 13.09.2011 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 meetings held on 18th - 20th January, 2011 and 21st - 23rd September, 2011.

2. It is interalia, noted that the proposal involves widening and rehabilitation of existing 4 to 4/6 laning of Pune - Solapur section on NH-9, Maharashtra. The proposed road 4/6 Laning of Pune Solapur Section Package II (From Km: 144+400 to Km: 249+000) of existing NH-9 in the State of Maharashtra on DBFOT basis under NHDP Phase III. The terrain along the project road is partly rolling and partly Plain Terrain. Total length of existing project road is 104.6 km and the length of proposed road is 101.30km. The project road passes through Solapur district in Maharashtra State. Existing ROW varies from 24 to 40 m. The proposed ROW is of 60.0 m. 270 Ha additional land is proposed to be acquired and there is no diversion of forest land in the proposed Acquisition. The project alignment traverses along the Great Indian Bustard (GIB) Sanctuary. The NBWL has accepted and has endorsed the recommendations of Sawarkar Committee appointed on the instructions of Hon'ble Supreme Court, for rationalization of area of GIB Sanctuary, thereby reducing GIBS area considerably to 1222.61 sq.km from existing 8496.44 sq.km including exclusion of 50m wide strip of land on either side of National Highway. The Hon'ble Supreme Court has granted the above recommendations on 22nd July 2011, which excludes the entire Project Highway from the Sanctuary limits. There are about 16147 No. of trees in the proposed ROW and about 70% of these trees are to be cut for the proposed widening activity. At 4 locations, realignment has been proposed due to poor




geometrics. However no new bypasses are proposed. There are 7 nos. of existing major bridges out of which 3 Nos shall be reconstructed as 6 lane bridge where as the balance 4 Nos shall be widened and rehabilitated to 6 lane configuration. Existing 21 minor bridges will be widened or repaired. Existing 195 culverts are in the project road which will be widened or repaired and 2 new culverts will be constructed on the project road. One existing ROB is proposed to be widened and a new 6 Lane ROB is proposed at the existing Level Crossing Location. In the widening of the project road, 12 vehicular underpasses and 12 pedestrian/cattle underpasses have been provided. In the project road, one flyover (Grade Separator) has been proposed. The service roads have been provided in the length of 83.05 Km (both side). at 11 locations. 15 Nos of Bus Bays, 47 Nos of Bus Stops, 3 Truck Lay Bys and 2 Rest Areas are proposed. Toll plaza is proposed at 2 locations. All junctions (total 28 Nos) will be improved. There are about 481 properties/structures are affected (283 Nos fully affected and 198 Nos partially affected) due to the widening of the existing road. Out of the total number of properties that are likely to be affected, 449 are private properties; there are 3 Schools 12 religious structures and 17 government properties. Affected families will be compensated as per NHA Policy. There is no provision of Fly ash as there is no Thermal Power Plant within 100 Km of the Project Road. 852 KL of water per day is proposed to be extracted from surface sources (70%) and ground water (30%). The budget for environment management is approximately Rs. 8.73 Crores. The estimated cost for Land Acquisition, Resettlement & Rehabilitation is approximately Rs. 27.35 Crores. The estimated total project cost (TPC) is Rs. 835 Crores.

3. The project was considered by the EAC in its meeting held on 18th - 20th January, 2011 and finalized ToR including conduct of public Hearing. The Public Hearing was conducted on 26th August, 2011 at District Collectorate, Solapur.

4. 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 Environment 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:

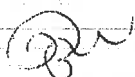
5. SPECIFIC CONDITIONS:

- (i) The project indicates cutting of about 15000 trees for the widening of the road. Necessary prior permission shall be obtained for cutting of trees from the competent authority. Compensatory afforestation shall be carried out as per stipulated conditions of MoEF and State Forest Division.
- (ii) 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.

- (iii) R&R shall be as per the guidelines of State/Central Government.
- (iv) IRC guidelines shall be followed for widening & up-gradation of road.
- (v) The responses/commitments made during public hearing shall be complied with letter and spirit.
- (vi) All the recommendation of the EMP shall be complied with letter and spirit.
- (vii) Green belt development shall be undertaken as suggested in EMP.
- (viii) 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.
- (ix) The seismic nature of the area shall be taken into account while designing the project.
- (x) No ground water shall be used for the project. 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.
- (xi) Sidewalk shall be provided along the bridges.
- (xii) The drain shall be at least 1 m. away from the toe of the embankment of the road adopting IRC guidelines.
- (xiii) 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.
- (xiv) The solid waste generated shall be used for rehabilitating the borrow areas.
- (xv) 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.
- (xvi) 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

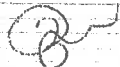


possible. The tree plantation shall be taken up on the extreme end of the road.

- (xvii) Necessary permission for tree felling from the concerned department shall be obtained before commencement of the project work and copies of the same shall be submitted to this Ministry.
- (xviii) Adequate number of underpasses shall be provided in the habitation areas. The details of such underpasses shall be provided to the Ministry within 6 months from the date of issue of this letter.
- (xix) Necessary clearance from the State Government shall be obtained for extraction of sand from the rivers.
- (xx) Proper signage shall be installed at appropriate locations for the convenience of the traffic movement.
- (xxi) The embankments/slopes and the slopes left after cutting shall be provided with vegetative turning to avoid soil erosion.
- (xxii) 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.
- (xxiii) Rehabilitation and payment of compensation to the project affected people (PAPs) shall be made as per the policy of the State Government.
- (xxiv) 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.
- (xxv) For road safety, IRC guidelines in respect of road signages, service roads, bus bays, inter-sections, pedestrians crossings, etc. shall be strictly adhered to.

6. 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 at Bhopal 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 at Bhopal 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.



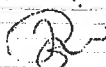
- (xii) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.
- (xiii) In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the Ministry of 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.

7. 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.

8. 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.

9. 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.cnvfor.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 at Bhopal.

10. Environmental 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.



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

12. 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.

13. 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.

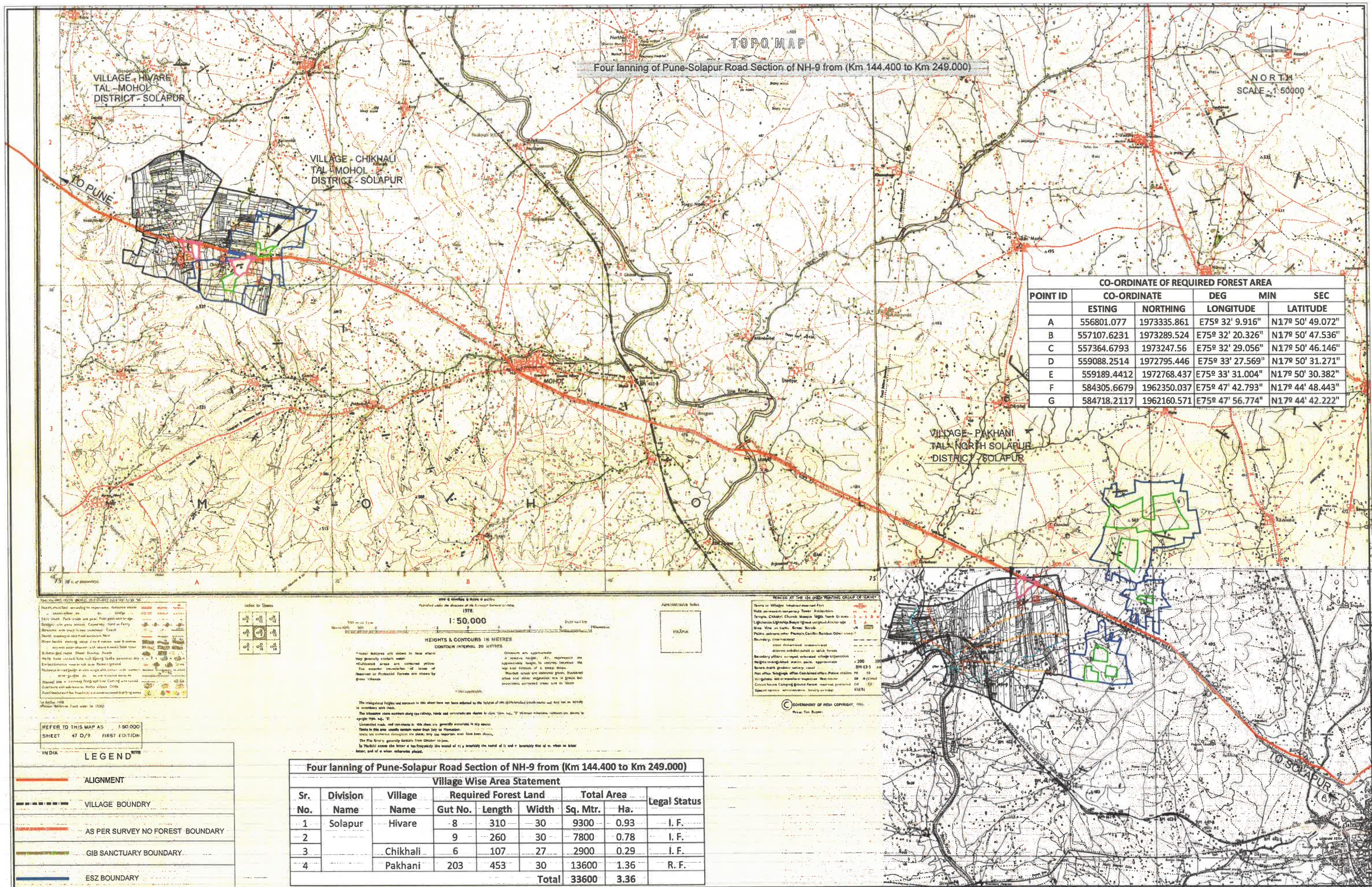

(E. Thirunavukkarasu)
Deputy Director (IA-III)

Copy to:

1. The Secretary, Department of Environment, Govt. of Maharashtra, Mantralaya, Mumbai - 400 032.
2. The Chairman, CPCB, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32.
3. The Chairman, Maharashtra Coastal Zone Management Authority, Room No.217 (Annexe), Mantralaya, Mumbai - 400 032.
4. The Chairman, Maharashtra Pollution Control Board, Kalpataru Points, 3rd & 4th floor, Opp. Cine Planet, Sion Circle, Sion (E) Mumbai - 400 022.
5. The Chief Conservator of Forests, Ministry of Environment and Forests, Regional Office, Western Region, Kendriya Paryavaran Bhavan, Link, Road No. 3, Ravishankar Nagar, Bhopal - 462016(M.P.)
6. Guard File.
7. Monitoring Cell.


(E. Thirunavukkarasu)
Deputy Director (IA-III)

FOUR LANE OF PUNE-SOLAPUR SECTION NH-9 FROM KM 144/400 TO KM 249/000													
SOLAPUR FOREST DIVISION- GIRTH WISE TREES TO BE FELLED ALONG EXISTING ROAS (NH-9)													
Local Name	Botanical Name	<=30	>30 to <=45	>45 to <=60	>60 to <=75	>75 to <=90	>90 to <=105	>105 to <=120	>120 to <=135	>135 to <=150	>180	Total	
Shiras	Albizialebeck	0	3	3	2	2	0	0	1	1	0	12	
Neem	Azadirachta indica	9	61	15	5	3	2	0	1	0	0	96	
Subabul	Leucaena leucocephala	1	6	4	5	2	4	1	0	0	0	23	
Babul	Acacia nilotica	1	10	3	6	3	0	0	0	0	0	23	
Prasopik	Prasopik	0	0	0	0	0	0	1	0	0	0	1	
Bor	Zyziphus mauritiana	0	4	3	1	0	0	0	0	0	0	8	
Babulramkathi	Acacia cupressina	0	0	1	1	0	0	0	0	0	0	2	
Gliricidia	Gliricidia maculata	3	13	7	0	0	0	0	0	0	0	23	
Sisso	Dalbergiasissoo	0	1	0	0	0	0	0	0	0	0	1	
Anjan	Hardwickia binata	0	1	0	0	0	0	0	0	0	0	1	
	Total	14	99	36	20	10	6	2	2	1	0	190	

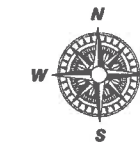


Reconstituted Great Indian Bustard Wildlife Sanctuary in Maharashtra State

(Area Recommended by joint varification of Sub- Divisional Officer & Deputy Conservator of Forest)

Notification No-WLP-0614/CR-111/F-1 Date-9th March 2016

Area- 36672.96 ha(366.66 Sq.Km).



SCALE - 1:2000000

Four lanning of Pune-Solapur Road Section of NH-9 from (Km 144.400 to Km 249.000)

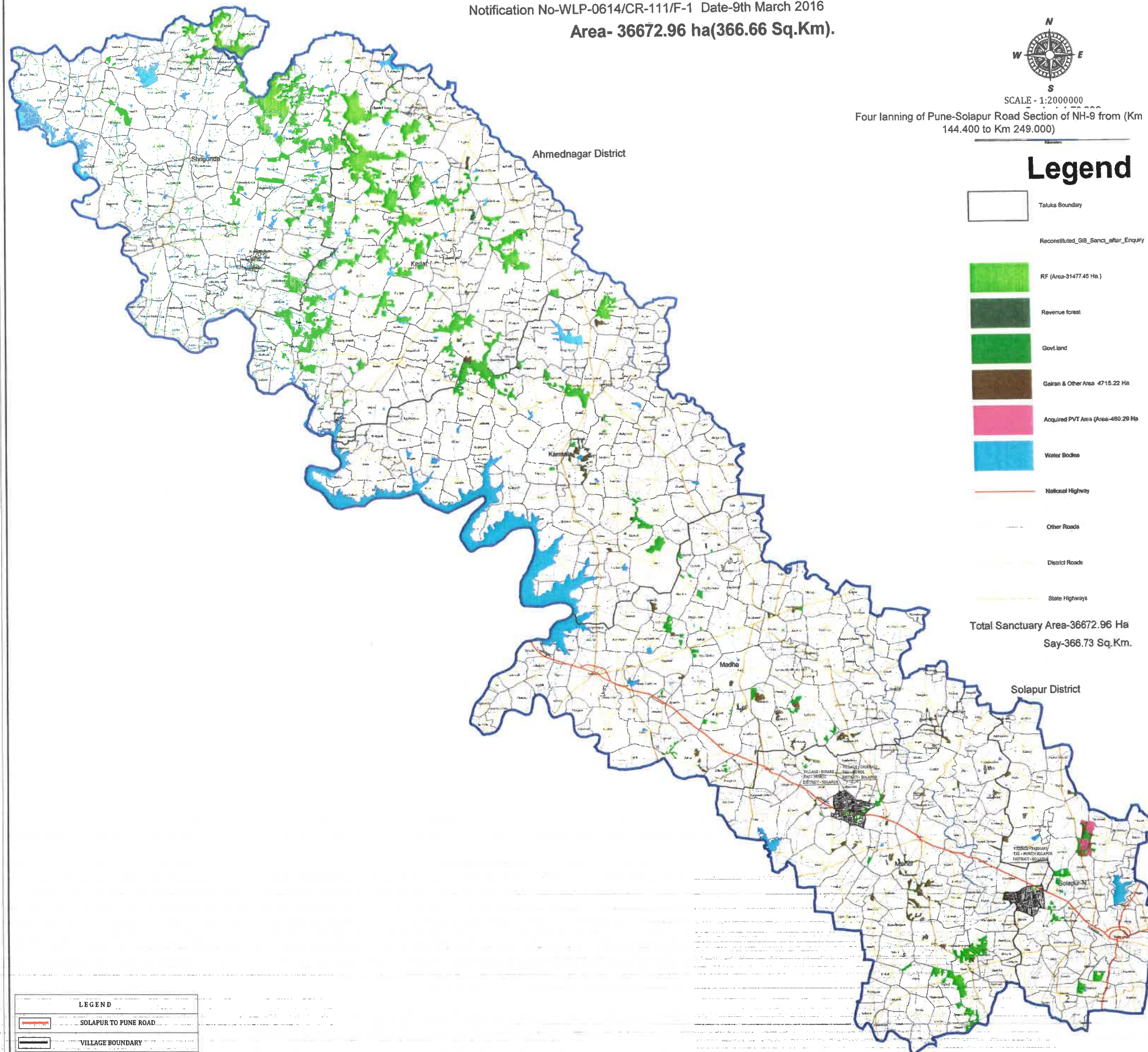
Legend

- Taluka Boundary
- Reconstituted_GIB_Sanct_after_Enquiry
- RF (Area-31477.45 Ha.)
- Revenue forest
- Govt land
- Galan & Other Area 4715.22 Ha
- Acquired PVT Area (Area-480.29 Ha)
- Water Bodies
- National Highway
- Other Roads
- District Roads
- State Highways

Total Sanctuary Area-36672.96 Ha
Say-366.73 Sq.Km.

Solapur District

Ahmednagar District



LEGEND	
	SOLAPUR TO PUNE ROAD
	VILLAGE BOUNDARY
	GREAT INDIAN BUSTARD WILDLIFE SANCTUARY