

F. No. 5-59/2007-IA.III
Government of India
Ministry of Environment & Forests
(IA-III Division)

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

Dated: 9th September, 2010

To,
National Highways Authority of India,
Ministry of Shipping Road Transport & Highways,
G - 5 & 6, Sector - 10, Dwarka,
New Delhi - 110075

Subject: Environmental Clearance for 4/6 laning of package II, km 43.000 to 96.714 from Kerela/ Tamil Nadu Border to Kanyakumari of NH- 47 and Nagercoil- Kavalkinaru section of NH- 47B by M/s NHAI - Reg.

This has reference to your application No: 11013/12/1/2k/GM(Env.)/427 dated 14.05.2007 and subsequent letters dated 14.07.2009 and 01.04.2010 seeking prior Environmental clearance for the above project under the EIA Notification - 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the EIA Notification - 2006 on the basis of the mandatory documents enclosed with the application viz., the Questionnaire, 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 24th - 25th May 2007 and 21st - 23rd July, 2010.

2. It is interalia, noted that the proposal is for 4/6 laning of package II, km 43.000 to km 96.714 from Kerela/ Tamil Nadu Border to Kanyakumari of NH- 47 and Nagercoil- Kavalkinaru section of NH- 47B. The existing width of the project road is 2 lane. The present proposal is for completely new alignment of total 70.36 km except initial length of 600 m starting just before the junction of Nagercoil Bypass and existing NH 47B. The length of Karode (Kerala/Tamil Nadu Border) to Kanyakumari of NH-47 is 53.70 km and Nagercoil to Kavalkinaru of NH-47B is 16.60 km. The existing ROW for NH-47 section is 10 m to 20 m at location wherever the existing road is utilized. There are 26 bridges, 141 culverts along the alignment. Bypasses are proposed at 2 locations. 20 vehicular/pedestrian/cattle underpasses, service roads have been proposed at 25 locations of built up area. Truck lay byes have been provided at 1 location. 54 Bus bays have been provided. The project road passes through 25 villages in Kanyakumari district. The entire existing NH-47 from Kerala to Kanyakumari and NH-47B Nagercoil to Kavalkinaru is heavily built-up, hence bypass/realignment has been proposed except at

locations where the existing road can be widened. The alignment runs in the Deccan plateau. The average water requirement during construction will be 750 KLD and the source will be ground water. Project Road does not pass through any eco- sensitive area except only 0.88 ha forests land. About 14273 road side trees are going to be felled for the project area, against which 43,000 trees are proposed to be planted. About 558 households, 1 industry and 5358 agricultural families are going to be affected due to the project. The entitled persons will be compensated and assisted as per the extent of Govt. of India Regulation. The capital cost of the project is Rs. 62.177 million. The total cost of the Resettlement and Rehabilitation is approximately Rs. 20.12 crores.

The project proposal was considered in the EAC meeting held on 24th - 25th May 2007 in which a ToR was finalized. Public hearing was conducted on 21.08.2010 at Nagarcoil.

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 for the project. Accordingly, the Ministry hereby accord necessary Environmental Clearance for the above project as per the provisions of Environmental Impact Assessment Notification - 2006 and its subsequent amendments, subject to strict compliance of the terms and conditions as follows:

5. **SPECIFIC CONDITIONS:**

- (i) The road passes through forest area and requires diversion of 0.88 forest land. Necessary permission shall be obtained before start of construction work.
- (ii) 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.
- (iii) R& R shall be as per the guidelines of Govt. of India.
- (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) Necessary mitigative measures against adverse impact to the water bodies that are to be affected shall be provided.

- (viii) The road profile shall be raised on the low lying structures to prevent flooding of road.
- (ix) Green belt development shall undertaken as suggested in EMP.
- (x) 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.
- (xi) The seismic nature of the area shall be taken into account while designing the project.
- (xii) No ground water shall be used for the project.
- (xiii) The project proponent shall obtain necessary permission from the State Irrigation Department before drawing water from the river sources for the purpose of the proposed construction activity.
- (xiv) Sidewalk shall be provided along the bridges.
- (xv) The drain shall be at least 1 m. away from the toe of the embankment of the road adopting IRC guidelines.
- (xvi) Longitudinal drains shall be provided all along the project road to ensure proper drainage of the area. In addition, adequate number of under passes and culverts to act as cross drainage structures shall also be provided.
- (xvii) The solid waste generated shall be used for rehabilitating the borrow areas.
- (xviii) For providing safety to the crossing animals and avoid road accidents speed breakers/rumbled strips shall be constructed at the identified locations of the animal movements. Enough hoardings and signages shall also be put up for the public and vehicles convenience.
- (xix) Minimum of three times the number of trees to be cut shall be planted. It shall be ensured that the trees planted as a part of the afforestation shall be looked after by NHAI. Tree plantation shall be of the same species/local species and survival shall be monitored. Transplantation of trees shall be carried out wherever possible. The tree plantation shall be taken up on the extreme end of the road.

- (xx) 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. ✓
- (xxi) 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. ✓
- (xxii) Necessary clearance from the State Government shall be obtained for extraction of sand from the rivers.
- (xxiii) Proper signage shall be installed at appropriate locations for the convenience of the traffic movement.
- (xxiv) The embankments/slopes and the slopes left after cutting shall be provided with vegetative turning to avoid soil erosion.
- (xxv) 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.
- (xxvi) Rehabilitation and payment of compensation to the project affected people (PAPs) shall be made as per the policy of the State Government.
- (xxvii) 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.
- (xxviii) Details of the use of fly ash in the project shall be provided to the Ministry before its initiation. In any case, the project shall utilize fly ash in the construction of road embankments as per the provisions of Notification S.O.No.763 (E), dated 14.09.1999 as amended vide S.O. 979 (E) dated 27.08.2003.
- (xxix) 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 Bangalore 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.
- [Handwritten signature]*

- (x) A six-Monthly monitoring report shall need to be submitted by the project proponents to the Regional Office of this Ministry at Bangalore, 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.
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- (xv) A copy of the clearance letter shall be marked to concern Panchayat/local NGO, if any, from whom any suggestion / representation have 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 Centre 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.envfor.nic.in>. The advertisement should be made within 10 days from the date of receipt of the Clearance letter and a copy of the same should be forwarded to the Regional office of this Ministry at Bangalore.

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. Any appeal against this Environmental Clearance shall lie with the National Environment Appellate Authority, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Act, 1997.

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



(Bharat Bhushan)
Director (IA-III)

09.09.2010

Copy to:

- 1 The Principal Secretary, Department of Environment and Forests, First Floor, Panagal Building, Saidapet, Chennai - 600 015, Tamil Nadu
- 2 The Chairman, CPCB, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 32.
- 3 The Director, Department of Environment, Government of Tamilnadu, Panagal Building, Ground Floor, Saidapet, Chennai-15.
- 4 The Chairman, Tamil Nadu Pollution Control Board, No. 76, Mount Salai, Gundy, Chennai.
- 5 The Chief Conservator of Forests, Ministry of Environment and Forests, Regional Office, Western Region, Kendriya Paryavaran Bhavan, Link Road No. 3, Ravishankar Nagar, Bangalore - 462016 (M.P.)
- 6 Guard File.
- 7 Monitoring Cell.

(Bharat Bhushan)
Director (IA-III)