



आर पी गुप्ता
R P Gupta



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

D.O. No. 7-22/2021-ROHQ

1st September, 2021

Dear Giridhar

This is regarding the issue of multiple EDS (Essential Details Sought) which was raised in the meeting of the Group of Infrastructure held on 24.08.2021.

As you may be aware, the EDSs are raised by the Integrated Regional Offices (IROs) of this Ministry, when there are shortcomings/deficiencies in the proposals submitted by the user agencies. It was highlighted in the above meeting and also in some previous occasions, that the IROs are raising EDSs multiple times on a single proposal as a result of which a lot of avoidable delay is caused.

This is a matter of concern and this Ministry has already issued clear instructions to the IROs vide its letter dated 04.12.2020 to raise EDS after detailed examination of the proposal, if any, only once and not to raise EDS on new issue(s) next time. I have also got the matter examined in the concerned divisions and IROs in the Ministry and it has come to our notice that EDSs have been raised by the IROs because the user agencies/State Governments do not furnish the essential information requested by the IROs, without which the proposals could not be considered as eligible for taking further decision. As far as NHAI is concerned, I am enclosing about 10 such proposals where multiple EDS have been raised by the concerned IROs, because NHAI did not furnish information in one go, which compelled the concerned IROs to raise subsequent/multiple EDSs.

You would agree that non-compliance of Ministry's direction by IRO is serious and should definitely attract disciplinary proceedings against defaulting IROs. Similarly, the practice of repeatedly sending same proposal without full information is also very serious. It reflects a mind-set of somehow submit proposals in any form and pass the buck. There may also be possible intent of getting approvals delayed and benefit the contractor. This tendency also results in wastage of time in examining incomplete proposal by IROs. I would therefore request you to take strong action against those responsible so as to send clear message of non-tolerance of such practices.

Apart from the above, I request your personal indulgence in the matter and further to instruct NHAI and other infrastructure building organizations under your Ministry to exercise due diligence in responding to EDSs, so that multiple EDSs are not required to be raised and precious time is saved.

Kind Regards

Yours sincerely,

Encl: As above

[R P Gupta]

Shri Giridhar Aramane
Secretary
Ministry of Road Transport and Highways
Transport Bhawan, Sansad Marg,
New Delhi – 110001 (Email: secy-road@nic.in)

इंदिरा पर्यावरण भवन, जोर बाग रोड, नई दिल्ली-110 003 फोन: (011) 24695262, 24695265, फैक्स: (011) 24695270

INDIRA PARYAVARAN BHAWAN, JOR BAGH ROAD, NEW DELHI-110 003 Ph.: (011) 24695262, 24695265, Fax: 011-24695270
E-mail: secy-moef@nic.in, Website: moef.gov.in

10. Stage-I proposal

Proposal Name – Diversion of 32.5904 ha of forest land for construction of Donginala-Gua road from 0.00 km to 15.328 km by CPWD in Upper Subansiri District of Arunachal Pradesh.

- Proposal received in IRO Guwahati on 19.03.2021.
- A.** 1st EDS raised on 23.03.2021 on 15 points.

Essential details sought:

- (i) Compensatory afforestation estimation as proposed at SI No. 14 of the CA scheme for construction of OBT labourer (2-room), as they are not eligible under CAF rules.
- (ii) The aerial distance of the proposed area from the nearest Protected Area/Wildlife Sanctuary/National Park.
- (iii) The colour or original Sol toposheet indicating the 3 alternate route examined by the State and reason for rejecting the other two route.
- (iv) The scientific names/local names of trees (657 nos) mentioned in "Others" category
- (v) The soft copy of Shape/kml file of the proposed road and CA site
- (vi) The original or colour Sol map indicating the exact area of the proposed CA site along with the GPS coordinates.
- (vii) The muck dumping plan of the proposed site along with the GPS coordinates of the proposed muck dumping sites.
- (viii) The proposal name should be specifically mentioned in the recommendation Part IV and V form of Nodal Officer (FCA) and State Govt.
- (ix) The original or colour Sol map indicating the muck dumping sites indicating the proximity to the river and streams from the same.
- (x) The current status of Forest Right Act, 2006 certificate.
- (xi) The technically approved and duly authenticated scheme for raising avenue plantation on both side of the road by the competent authority.
- (xii) The Cost Benefit analysis of the proposal in the prescribed format of Ministry.
- (xiii) The GPS coordinates of the polygon/patch of the proposed CAS site.
- (xiv) The undertaking certificate for addl. NPV payment by user agency.
- (xv) The undertaking by the user agency for payment for extraction charges of the trees to be removed from the propose area.

- State Govt. replied on 28.07.2021.
- Deficiency noted on point no. (iii), (v), (ix)
- Also as per reply received from State Govt. IRO Guwahati noticed that some of the letters/documents are signed by NHIDCL and not by the User Agency i.e. CPWD. So IRO requested State Government to clarify whether there is any change in user agency involved in this proposal.

B. 2nd EDS raised on 13.08.2021 on the following 4 points by IRO, Guwahati:

- Reply from State Government is awaited.

9. Stage-I proposal

Proposal Name – Diversion of 15.262 ha of forest land for construction of Taksing-Ghora Camp road from 0.00 km to 7.09 km by CPWD in upper Subansiri District of Arunachal Pradesh.

- Proposal received in IRO Guwahati on 19.03.2021.
- A.** 1st EDS raised on 23.03.2021 on 17 points

Essential details sought:

- (i) To clarify on the discrepancy of the density of the forest cover of the proposed site.
- (ii) Review CA scheme for construction of OBT labourer (2 rooms)
- (iii) Aerial distance of proposed area from nearest protected area.
- (iv) The original or colour scan toposheet map indicating 3 alternate routes and reason for rejection of other two routes.
- (v) Scientific/local names of trees (397 nos) mentioned in Others category to be mentioned
- (vi) Shape/KML file of the proposed road and CA site.
- (vii) SOI map indicating exact area of the proposed CA site along with GPS coordinates.
- (viii) Muck dumping plan of the proposed road along with GPS coordinates.
- (ix) The proposal name should be specifically mentioned in the recommendation part IV and V form of Nodal officer.
- (x) Original or colour scan Sol map indicating muck dumping site indicating the proximity to the river and streams
- (xi) Status of FRA, 2006, certificate.
- (xii) The technically approved and duly authenticating scheme for raising avenue planation on both sides of the road by competent authority.
- (xiii) Cost benefit analysis of the proposed site.
- (xiv) GPS coordinates of the proposed site.
- (xv) Undertaking certificate for addl. NPV payment by UA.
- (xvi) Undertaking by the UA for payment for extraction charges of the trees to be removed from proposed area.

- State Govt. replied on 28.07.2021.
- Deficiency noted on point no. (iv), (vi), (x)
- Also as per reply received from State Govt. IRO Guwahati noticed that some of the letters/documents are signed by NHIDCL and not by the User Agency i.e. CPWD. So IRO requested State Government to clarify whether there is any change in user agency involved in this proposal.

B. 2nd EDS raised on 13.08.2021 on 4 points by IRO, Guwahati.

- Reply from State Government is awaited.

8. Stage-I proposal

Proposal Name – Diversion of 70.0626 ha of forest land for construction of Lada-Bisai from 0.00 km to 32.357 km by CPWD in East Kameng District of Arunachal Pradesh.

- Proposal received in IRO Guwahati on 19.03.2021.
- A.** 1st EDS raised on 23.03.2021 on 17 points

Essential details sought:

- (i) To clarify on the discrepancy of the density of the forest cover of the proposed site.
- (ii) Legible copy of Sol toposheet indicating the proposed CA site.
- (iii) Discrepancy in enumeration of trees.
- (iv) The scientific name/local name of trees (154 nos) mentioned as Unknown category
- (v) Discrepancy in forest area for diversion in Part-II.
- (vi) Review the CA estimation.
- (vii) The original or colour scan toposheet map indicating 3 alternate routes and reason for rejection of other two routes.
- (viii) Shape/KML file of the proposed road and CA site.
- (ix) Muck dumping plan of the proposed road.
- (x) The proposal name should be specifically mentioned in the recommendation part IV and V form of Nodal officer.
- (xi) Original or colour scan Sol map indicating muck dumping site.
- (xii) Status of FRA, 2006, certificate.
- (xiii) The technically approved and duly authenticating scheme for raising avenue plantation on both sides of the road by competent authority.
- (xiv) Cost benefit analysis of the proposed site.
- (xv) GPS coordinates of the proposed site.
- (xvi) Undertaking certificate for addl. NPV payment by UA.
- (xvii) Undertaking by the UA for payment for extraction charges of the trees to be removed from proposed area.

- State Govt. replied on 02.08.2021.
- Deficiency noted on point no. (v), (vii), (viii), (xi).
- Also as per reply received from State Govt. IRO Guwahati noticed that some of the letters/documents are signed by NHIDCL and not by the User Agency i.e. CPWD. So IRO requested State Government to clarify whether there is any change in user agency involved in this proposal.

B. 2nd EDS raised on 13.08.2021 on 5 points by IRO, Guwahati.

- Reply from State Government is awaited.

7. Stage-I proposal

Proposal Name – Diversion of 28.218 ha. of forest land in Baad, Binaga-Agra and 20 other villages in Uttara Kannada and Udupi Districts (Karwar, Honnavar and Kundapura Forest Divisions) for slope protection of Four laning of Goa Karnataka Border to Kundapur Section of NH-66 (formally NH-17) from KM 93.700 to KM 283.300 in favour of National Highways Authority of India (PIU), Mangalore.

- Proposal received in IRO Bangalore on 25.06.2020.
- A.** 1st EDS raised on 08.07.2020 on points/issues as given below

Essential details sought:

- (i) During the scrutiny of the proposal, it was found that the User agency has already carried out certain works in Kundapura Division during 2017. However, the proposal under Forest (Conservation) Act, 1980 has only been submitted in July, 2018. Therefore, a detailed Action Taken Report on violation was sought from State Government and also revised cost benefit analysis as per FC guidelines. The SG was also requested to furnish the reasons for submission of multiple proposals pertaining to the same project were submitted earlier.
- State Govt. replied on 18.01.2021 and it was found that action taken report on violation committed by UA was not complete.
- B.** 2nd EDS raised on 29.01.2021 once again requested the detailed report on violation committed by UA as reported by DCF and CF concerned and action proposed thereon.
- State Govt. replied on 17.03.2021 and submitted a report, wherein PCCF and Nodal Officer (FCA) has stated that trench excavated by the NHAI was of a kind of emergency measures to avoid loss of life and property in extraordinary circumstances and requested to consider the same.
 - Proposal was discussed in **REC meeting held on 20.04.2021.**
 - REC after detailed deliberation suggested that a joint inspection of the area by 2 REC Members, i.e. Shri Anant Hegde Ashisar & Shri Suhas Godse, the Nodal Officer (FC) or hi representative & local forest officials along with UA to know the present status of the Action Taken on the removal of the dumped soil from forest area, restoration of dumped area and measures taken to stabilize/cover the excavated channel to prevent further erosion and protect wildlife and human from danger if and posed by the open channel and based on the suggestions of the committee, the UA shall submit a mitigation plan for vulnerable places along the said highway through State Forest Department.
 - Subsequent on the decision, site inspection of the area could not be carried out due to lockdown imposed by Government of Karnataka from 27.04.2021 to 21.06.2021. Site inspection of the area was scheduled to be held on 02.08.2021. However, due to heavy rain in the proposed area the proposed site inspection is postponed to 26th – 27th August, 2021 and REC scheduled for 31st August, 2021.

6. Stage-II proposal

Proposal Name – Diversion of 32.9248 ha (revised from originally proposed 39.8466 ha.) of forest land in Divagi, Anthravalli and other villages spread over Honnavar and Sirsi Forest Divisions for upgradation to two lane with Paved Shoulder of Belekeri to Hattikeri (766EE) from Ch. 0+000 to Ch. 4+242 and Kumta to Sirsi (NH766E) Ch. 4+242 to Ch 59+410 in favour of the Project Director, National Highways Authority of India, Project Implementation Unit, Dharwad, Karnataka (Proposal No. FP/KA/ROAD/37738/2018)

- Proposal received in IRO Bangalore on 13.01.2020.
- A.** 1st EDS raised on 20.01.2020 on points/issues as given below

Essential details sought:

- (i) Specific comments of State Govt. on SIR report of DCF *inter-alia* reported that the proposed road for expansion passes through dense evergreen forest area in Western Ghats region and disturbances in these regions will lead to heavy erosion leading to choking of natural drains and siltation of rivers.

- State Govt. replied on 12.02.2021 and furnished mitigative measures proposed by UA.
- Proposal discussed in **REC meeting held on 25.02.2020.**
- REC decided to seek certain additional information from State Government i.e. user agency may be directed to re-look the proposal since it is a bio-diversity hotspot prone to soil erosion and also requested to examine width of the proposed road in Devimane Ghat and Bhandal Ghat areas, re-verify the proposal *vis-a-vis* the boundary of Sharavathi Wildlife sanctuary and enumeration of trees upto 30 cm girth.

B. 2nd EDS raised on 28.02.2020 communicating decision of the REC to State Government.

- State Govt. replied on 12.02.2021 and furnished the reply.
- Proposal again discussed in **REC meeting held on 24.04.2020.**
- REC after detailed deliberation decided to seek additional information from State Government viz. mitigation plan approved by CWLW and length of the road passing through Sharavathi WLS, no. of trees to be felled including less than 30 cm girth and revised requirement of forest land sy. no. wise along with maps indicating existing width of the road and the Committee also decided to visit the proposed site.

C. 3rd EDS raised on 04.05.2020 communicating decision of the REC to State Government.

- State Govt. replied on 06.07.2020 along with the revised area of diversion of 29.2456 ha.
- Proposal again discussed in **REC meeting held on 30.07.2020.**
- REC approved the proposal subject to condition that User agency shall restrict the width of proposed road approaching from either side of Devimane and Bhandal Ghat to 15 meter from the proposed 18 meter RoW. User agency shall submit revised area requirement with details of sy.nos, contour maps and enumeration list etc.

D. 4th EDS raised on 03.08.2020 communicating decision of the REC to State Government.

- State Govt. submit the reply on 08.09.2020 along with the revised proposal area.
- **IRO Bangalore issued Stage-I on 23.09.2020.**
- Compliance report is awaited from State Government.

5. Stage-II proposal

Proposal Name – Diversion of 32.482 ha of forest land in favour of Project Director, NHAI, PIU, Chandigarh for 4 laning of Yamunanagar- Saha- BARwala- Panchkula Section from km.70.830 to 179.249 of NH 73 (new NH 7 & 344) (Division Portation from Km. 160.240 to 179.249 falling in wildlife sanctuary), under forest division and District Panchkula, Haryana. (Proposal No. FP/HR/Road/11802/2015)

- **Stage-I accorded on 23.11.2015.** Compliance report received on 17.04.2017 including payment details with UTR Number.
- However, the then Ad-Hoc CAMPA and now National Authority did not confirm the receipt of Payment against the UTR Number given by the NHAI. After repeated queries on non-receipt of confirmation by National Authority in CAMPA account, the payment was finally deposited by the User Agency (i.e. NHAI) viz. online on 29.10.2020 indicating thereby that NHAI had been furnishing wrong information of payment being forwarded through DFO Morni-Pinjore without cross-checking for last four years resulting into wastage of time and energy of all concerned.
- IRO Chandigarh wrote so many letters in these 4 years
- IRO Chandigarh in latest letter dated 01.03.2021 requested State Govt to clarify on 2 issues/points as below:

Essential details sought:

- (i) Whether the State Government will be able to implement site specific CA scheme, which was prepared in 2014-2015, after a gap of 5 years with seemingly stark difference in wage rates of 2015 and 2020 that cannot be ignored as it will have a deleterious impact on plantation works. **Hence, the decision of State Government on difference CA amount be communicated.**
 - (ii) Action to be taken against the user agency and DFO for furnishing false misleading information repeatedly during last four years and action taken report (ATR) be submitted to IRO Chandigarh, MoEF&CC.
- State Government replied on 28.06.2021 and revised the CA scheme.
 - IRO Chandigarh vide letter dated 09.07.2021 requested State Government to deposit the remaining amount in CAMPA and submit the compliance report within 30 days to their office.
 - Reply from State Government is awaited.

4. Stage-II proposal

Proposal Name – Diversion of 2.98 ha of forest land under section-2 of the Forest (Conservation) Act, 1980 for rehabilitation and upgradation of AUSA-Aarnga section of NH-361 from 2 lane to 4 lane configuration from km 470.000 to km 567.000 (Design Chainage- km 55.835 to 244.369) in favour of NHAI, PIU- Nanded in Chakur and Ahmedpur Taluka, District Latur in the State of Maharashtra.

- **Stage-I accorded on 12.06.2019.** Compliance report received on 21.10.2020 which is incomplete in respect of 2 conditions (out of 24 conditions mentioned in Stage-I order).

A. 1st EDS raised on 29.01.2021 on 2 points/issues.

Essential details sought:

- (i) Modified site-specific CA scheme including provision for watch & ward and fencing of CA area
- (ii) Complete compliances under FRA, 2006

- State Govt. replied on 22.04.2021.
- Deficiency noted on point no. (ii)

B. 2nd EDS raised on 07.06.2021 on point no. (ii)

- Reply is awaited from State Government.

3. Stage-II proposal

Proposal Name – Diversion of 3.933 ha Reserved Forest in favour of National Highway Authority of India, Dhule PIU Solapur for construction and upgradation of two lane into four lane of existing NH 166 from existing chainage 182.95 to chainage 219.56, Sangli to Boragaon under NHDP Phase-IV on hybrid annuity mode in Sangli District in the State of Maharashtra.

- **Stage-I accorded on 04.09.2020.** Compliance report received on 13.01.2021 which is incomplete in respect of 2 conditions (out of 25 conditions mentioned in Stage-I order).
- A.** 1st EDS raised on 02.02.2021 on 2 points/issues.

Essential details sought:

- (i) Complete compliances under FRA, 2006
- (ii) Complete tree enumeration details of 212 project affected trees

- State Govt. replied on 15.04.2021.
- Deficiency noted on point no. (i)
- B.** 2nd EDS raised on 27.07.2021 on point no. (i)
- Reply is awaited from State Government.

2. Stage-II proposal

Proposal Name - Diversion of 2.00 ha of Reserved Forest in favour of National Highway Authority of India, Dhule for upgrading of existing 2 lane to 4 lane of Fagne- Maharashtra-Gujarat Border Section of NH-66 from (kms 510.000) to (kms 650.794) in Dhule District in the State of Maharashtra.

- **Stage-I accorded on 01.06.2018.** Compliance report received on 07.10.2020 which is incomplete in respect of 5 conditions (out of 32 conditions mentioned in Stage-I order).
- A.** 1st EDS raised on 30.10.2020 on 5 points/issues.

Essential details sought:

- (i) Undertaking w.r.t. addl. NPV i.e. condition no. (5) of Stage-I order
 - (ii) English translated copy of comprehensive soil conservation plan
 - (iii) correct co-ordinates of under passes mentioned in compliance report
 - (iv) complete compliances under FRA, 2006
 - (v) details of locations for establishment of booths/kiosk/hall etc at nodes to facilitate setting of forest check nakas by the SFD
- State Govt. replied on 03.03.2021.
 - Deficiency noted on point no. (iv)
- B.** 2nd EDS raised on 19.04.2021 on point no. (iv)
- State Govt. replied on 25.06.2021.
 - Deficiency noted on point no. (iv)
- C.** 3rd EDS raised on 29.07.2021 on point no. (iv)
- Reply is awaited from State Government.

1. Stage-II proposal

Proposal Name - Diversion of 11.78 ha of Forest land in favour of NHAI, PIU – Aurangabad for rehabilitation and up-gradation of existing two lanning to four lanning of Aurangabad- Koradi section of NH-211 to 4 lane from km 290.200 to Km 376.000 and Km 390.000 to Km 452.800 in Aurangabad District in the State of Maharashtra.

- **Stage-I accorded on 15.02.2019.** Compliance report received on 03.07.2019 which is incomplete in respect of 8 conditions (out of 41 conditions mentioned in Stage-I order).
- A.** 1st EDS raised on 19.07.2019 on 8 points/issues.

Essential details sought:

- (i) transfer/mutation certificate for non-forest land
- (ii) plan for raising strip plantation
- (iii) plan for undertaking comprehensive soil conservation
- (iv) Fixing numbers and location of underpasses movement of wildlife animals
- (v) detailed avifauna plan
- (vi) Proceedings of District Level Committee and sub-divisional level committee and resolution of Gram Sabha under FRA, 2006
- (vii) location of booths/kiosk/hall etc at nodes to facilitate setting of forest check nakas by the SFD
- (viii) State Govt accorded TWP without compliance of FRA, 2006 and funds for point no. (ii), (iii) and (v) above. Cogent justification for the same.

- State Govt. replied on 28.09.2020.
- Deficiency noted on point no. (ii), (iii), (iv), (v), (vi)

B. 2nd EDS raised on 30.10.2020 on 5 points no. (ii), (iii), (iv), (v), (vi)

- State Govt. replied on 01.07.2021.
- Deficiency noted on point no. (ii), (iii), (iv), (v)

C. 3rd EDS raised on 29.07.2021 on 4 points no. (ii), (iii), (iv), (v)

- Reply is awaited from State Government.
