

Environmental and Social Due Diligence Report

Project Number: 47083-004
January 2022

INDIA: Accelerating Infrastructure Investment Facility in India – Tranche 3 Shamlaji Expressway Private Limited (Part 7 of 34)

Prepared by India Infrastructure Finance Company Limited for the India Infrastructure Finance Company Limited and the Asian Development Bank.

This environmental and social due diligence report is a document of the borrower. The views expressed herein do not necessarily represent those of ADB's Board of Directors, Management, or staff, and may be preliminary in nature.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

F.No. 10-37/2011-IA-III
Government of India
Ministry of Environment & Forests
(IA-III Division)

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

Dated: 21st March, 2013

To
Chief General Manager (LA),
National Highways Authority of India,
G- 5&6, Sector - 10, Dwarka,
New Delhi - 110075

Subject: Environmental Clearance for rehabilitation & up-gradation of existing carriageway of Kishangarh-Udaipur-Ahmedabad section of NH-79A, NH-79, NH-76 and NH-8 for km. 0.830 on NH-79 at Kishangarh and ends near Ahmedabad km 509.259 on NH-8 including Udaipur Bypass in the States of Rajasthan and Gujarat by M/s NHAI -Reg.

This has reference to your letter No. 11013/1/2k/Env/56 dated 15.05.2012 seeking Environmental Clearance under the Environment Impact Assessment Notification, 2006. The proposal has been appraised as per prescribed procedure in the light of provisions under the Environment Impact Assessment Notification, 2006 on the basis of the mandatory documents enclosed with the application viz., the Form-I, EIA, EMP, Public Hearing proceedings and the additional clarifications furnished in response to the observations of the Expert Appraisal Committee constituted by the competent authority in its meeting held on 4th - 5th June, 2012.

2. It is interalia, noted that the proposal involves rehabilitation & up-gradation of existing carriageway of Kishangarh-Udaipur-Ahmedabad section of NH-79A, NH-79, NH-76 and NH-8 for km. 0.830 on NH-79 at Kishangarh and ends near Ahmedabad Km 509.259 on NH-8 including Udaipur Bypass in the State of Rajasthan and Gujarat. The project road starts from km 0.830 on NH 79A in Kishangarh and ends in km 509.295 on NH-8 near Ahmedabad. The project road passes through Ajmer, Bhilwara, Chittorgarh, Udaipur, & Dungarpur districts of Rajasthan State and Sabarkantha & Gandhinagar districts of Gujarat State. A bypass is proposed in for Udaipur town (about 24.50km) to avoid the congestion. The bypass is start at km 117.750 of NH-76 and ends at km 287.000 of NH-8. The terrain is generally plain except some stretches on Bhilwara bypasses, near proposed Udaipur bypass, Khairwara, Bichiwara and Shamala ji, are in hilly. The existing ROW width varies generally from 30 to 60 m. The proposed ROW width is 60m generally except at toll plazas bus-bye and truck lay-bye locations. The project road does not pass through any protected area like wildlife sanctuary, national park, biosphere reserve, etc within 10 km radius area. The project road crosses river Wagan, a perennial water body. Diversion of 73.4156 ha.

Manager (Tech.)
Site Office
NHAI

LHG

Reserved Forest (RF) land & 9.4500ha Protected Forest (PF) land will involve in Rajasthan state, and, diversion of 173.3900 ha PF (road side plantation) will involve in Gujarat state for the proposed six laning. 75.0 ha. of land has been allotted by the District Administration against the diversion of Forest land. Total 38,213 trees are likely to be felled for six laning of the project road (29,655 trees in Rajasthan State and 8,558 trees in Gujarat State). In the proposed six lane road, 9 no. existing major bridges, 254 no. existing minor bridges, 455 existing box/slab type culverts will be retained and widened/reconstructed. Also 7 no. new major bridges, 104 no. of new minor bridges (20 on main carriageway & 84 no on service roads proximity to existing main carriageway) and 30 no. new culverts are proposed to be constructed. There are additionally 38 no. vehicular underpasses and 114 no. pedestrian/ cattle underpasses are proposed in the project road. Service roads are available at 62 locations amounting to 72.30 km length. In the proposed project 65.965km of existing Length of service road are to be widened and strengthened and 444.34 km length of service road are additionally proposed. Bus Bays have been provided at 120 locations and truck lay byes at 41 locations. All major junctions (59 no.) and minor junctions (420 no.) will be improved in the project road. Toll plaza is proposed on the project road at 8 locations. Quantity of fly-ash is proposed to be utilized for embankment on the project road as per IRC-SP-58-2001 is 10,000 cum from Thermal Power Plant situated within 100 km. Thermal Power Plants which exist within 100km either side of the project road are as Surat Thermal Power Plant, Surat, Dhuvaran Thermal Power Plant, Anand, Gandhinagar Thermal Power Plant, Gandhinagar, Vankbori Thermal Power Plant, Sevalia, and Sabarmati Thermal Power Plant. For construction of the project road, estimated average water requirement is about 10,560 kl/km, which will be met mostly from surface water resources. Approximately 451.59 ha (74.78 in Gujarat and 376.81 ha in Rajasthan) land will be acquired for six laning of the project road including Udaipur bypass. There are 3,127 private properties including residential, commercial and residential-cum-commercial structures, 235 community properties, 183 religious properties within the existing ROW (22.5 to 30 meter each side from the center line of the existing carriageway) of both Rajasthan State and Gujarat State. Affected families will be compensated as per National Highways Act. The budget for environment management and monitoring has been earmarked as approximately Rs. 27.76 Crores. The estimated cost for Resettlement & Rehabilitation is approximately Rs. 344.2 Crores. The Total Civil Cost is Rs. 5,387.30 Crores. The Total Estimated Cost of the project is Rs 5,759.26 crores.

3. The proposal was examined by the EAC in its meeting held on 23rd-24th July, 2011 and finalized ToR including conduct of Public Hearing. Public Hearing conducted in Rajasthan on 13.03.2012 at Udaipur district, 16.03.2012 at Chittigarh District, 21.03.2012 at Dungarpur District, 09.04.2012 at Bhilwara District, 16.04.2012 at Ajmer District, in Gujarat on 23.03.2012 at Sabarkantha District, 17.04.2012 at Gandhi Nagar.

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

2

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

5. **SPECIFIC CONDITIONS:**

- (i) The project involves diversion of 73.415 ha of Reserve Forest land and 9.45 ha of Protected Forest land for which the proponent shall obtain the requisite FC. The proponent can execute the above project on the entire stretch located in non-forest land, provided that the proponent submits an undertaking while making application to get FC that the execution of work on non-forest land shall not be cited as a reason for grant of FC and in case FC is declined, width of the portion of road falling in the forest land will be maintained at its existing level.
- (ii) The project indicates 38213 trees fall within the proposed ROW. However, bare minimum shall be cut. Avenue plantation shall be carried out as per IRC (SP-21-2009) apart from statutory requirement based on land availability of land within proposed ROW. Compensatory afforestation of will be carried out Necessary prior permission shall be obtained for cutting of trees from the competent authority.
- (iii) Fly ash shall be used in the project.
- (iv) Explore the possibilities for utilizing the unharmed Industrial waste/slag/marble waste of the nearby vicinity viz. Hindustan Zinc Ltd in keeping the IRC norms.
- (v) 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.
- (vi) R&R shall be as per the guidelines of State/Central Government.
- (vii) IRC guidelines shall be followed for widening & up-gradation of road.
- (viii) The responses/commitments made during public hearing shall be complied with letter and spirit.
- (ix) All the recommendation of the EMP shall be complied with letter and spirit. All the mitigation measures submitted in the EIA report shall be prepared in a matrix format and the compliance for each

mitigation plan shall be submitted to MoEF along with half yearly compliance report to MoEF-RO.

- (x) The seismic nature of the area shall be taken into account while designing the project.
- (xi) 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.
- (xii) Sidewalk shall be provided along the bridges.
- (xiii) The drain shall be at least 1 m. away from the toe of the embankment of the road adopting IRC guidelines.
- (xiv) 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.
- (xv) The solid waste generated shall be used for rehabilitating the borrow areas.
- (xvi) For providing safety to the crossing animals and avoid road accidents speed breakers/rumpled 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.
- (xvii) 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.
- (xviii) 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.
- (xix) 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.
- (xx) Necessary clearance from the State Government shall be obtained for extraction of sand from the rivers.

Mandoor (Tech.)


- (xxi) Proper signage shall be installed at appropriate locations for the convenience of the traffic movement.
- (xxii) The embankments/slopes and the slopes left after cutting shall be provided with vegetative turning to avoid soil erosion.
- (xxiii) The hot mix plant shall be located at least 500 mts. Away from habitation and on the barren land to avoid its adverse impact on the human population.
- (xxiv) Rehabilitation and payment of compensation to the project affected people (PAPs) shall be made as per the policy of the State Government.
- (xxv) Noise barriers shall be provided at appropriate locations particularly in the areas where the alignment passes through inhabited areas so as to ensure that the noise levels do not exceed the prescribed standards.
- (xxvi) For road safety, IRC guidelines in respect of road signages, service roads, bus bays, inter-sections, pedestrians crossings, etc. shall be strictly adhered to.

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.

- 657
- (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, Lucknow and 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 Offices, Lucknow and Bhopal of this Ministry regarding the implementation of the stipulated conditions.
 - (xi) Ministry of Environment & Forests or any other competent authority may stipulate any additional conditions or modify the existing ones, if necessary in the interest of environment and the same shall be complied with.
 - (xii) The Ministry reserves the right to revoke this clearance if any of the conditions stipulated are not complied with the satisfaction of the Ministry.
 - (xiii) In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the Ministry of Environment and Forests.
 - (xiv) The project proponents shall inform the Regional Office, Lucknow and Bhopal 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.

6


 Manager (Tech.)
 Site Office
 N.H.A. - Bijnagar

- (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) Rajasthan State Pollution Control Board and Gujarat 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.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, Lucknow and Bhopal of this Ministry.

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

11. Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

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

7

Manager (Tech.)
Site Office
N.H.A.I - Himmatnagar

13. 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.


14. 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 Office of MoEF by e-mail.


(Lalit Kapur)
Director (IA-III)

Copy to:

1. The Secretary, Department of Environment, Government of Rajasthan, Jaipur.
2. The Secretary, Department of Environment, Government of Gujarat, Gandhinagar, Gujarat.
3. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi - 110 032.
4. The Member Secretary, Rajasthan State Pollution Control Board, 4, Institutional Area, Jhalana Dugri, Jaipur.
5. The Member Secretary, Gujarat Pollution Control Board, Paryavaran Bhavan, Sector 10-A, Gandhinagar, -382010.
6. The CCF, Regional Office, Ministry of Environment & Forests, RO(CZ), Kendriya Bhawan, 5th Floor, Sector 'H', Aliganj, Lucknow - 226 020.
7. The Chief Conservator of Forests, Ministry of Env & Forests, RO(WZ) E-5, Kendriya Paryavaran Bhawan, E-5, Arera Colony, Link Road-3, Ravishankar Colony, Bhopal - 462 016.
8. IA - Division, Monitoring Cell, MOEF, New Delhi - 110003.
9. Guard file.

(Lalit Kapur)
Director (IA-III)


Manager (Tech.)
Site Office
N.H.A.I - Himatnagar

F. No. 10-37/2011-IA-III
Proposal No. : IA/GJ/NCP/161261/2020
Government of India
Ministry of Environment, Forests and Climate Change
(I.A. Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Ali Ganj,
New Delhi - 110003
E-mail: adraju@gmail.com
Tele fax: 011: 24695236

Dated: 11th November, 2020

To

The Project Director.
NHAI PIU Ahmedabad
3A & 3B, 2nd Floor, Amul building,
Nr. Dena Bank, Vejalpur Road, Jivraj park, Ahmedabad

Subject: Extension of validity of Environment Clearance for rehabilitation and upgradation of existing carriageway of Kisangarh-Udaipur-Ahmedabad section of NH-79A, NH-79, NH-76 and NH-8 in state of Gujarat by National Highways Authority of India, PIU-Ahmedabad

Ref.: (i) MoEF EC letter No. 10-37/2011-IA-III dated 21st March 2013
(ii) Your letter No. NHAI/PIU-Ahmedabad/NH-8/PkgVI&VII/157, dated 29/06/2020

Sir,

This is in continuation of this Ministry's letter referred above and your letter under reference, wherein you have requested the Ministry for Extension of Validity of the aforesaid proposal.

2. It may be mentioned that the Environment Clearance for the project Kishangarh-Udaipur-Ahmedabad (in Rajasthan and Gujarat) was granted by MoEF&CC vide F.No.10-37/2011-IA-III dated 21/03/2013. At the time of grant of EC the validity of EC was up to the period of 5 years. However, vide notification dated 29/04/2015 the Environmental Clearance of projects which had not completed five (5) years on the date of publication of notification i.e. 29/04/2015, there validity has been extended to seven (7) years.

3. The Ministry vide office memorandum dated 25/03/2020, extended the validity of prior Environmental Clearance in respect of all categories of project or activities expiring between 15th March 2020 and 30th April 2020, till 30th June 2020 in view of outbreak of COVID-19 and subsequent lockdown declared by GOI.

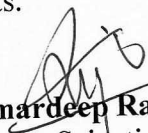
4. The Environmental clearance of Shamlaji to Nanachiloda stretch, a portion of subject stretch, expired on 20/03/2020 and stood extended upto 30/06/2020 as per office memorandums referred above.



5. NHAI *vide* letter no. NHAI/PIU-Ahmedabad/NH-8/Pkg VI & VII/157 dated 29/06/2020 has requested for extension of Environmental Clearance. It has been mentioned that due to contractual matter/provisions the Concession Agreement was terminated by NHAI dated 15/09/2017 and new tenders were floated for inviting bids from eligible bidders, which delayed the project. The EAC, after detailed deliberation during its 243rd meeting on 28th – 30th September, 2020 has recommended for extension of validity of EC of aforementioned project, issued by the Ministry *vide* letter No.10-37/2011-IA-III dated 21/03/2013 for further period of 3 years i.e. up to 20/03/2023.


6. The Ministry of Environment, Forest and Climate Change has considered the proposal based on the recommendations of the Expert Appraisal Committee (Infrastructure, CRZ and other Miscellaneous projects) and hereby decided to accord extension of validity of EC of aforementioned project, issued by the Ministry *vide* letter No.10-37/2011-IA-III dated 21/03/2013 for further period of 3 years i.e. up to 20/03/2023 under the EIA Notification, 2006 as amended, subject to strict compliance of the specific conditions, in addition to all standard conditions applicable for such projects.

This issue with the approval of the competent Authority


(Amardeep Raju)
Scientist-E

Copy to:

1. The Secretary, Department of Environment, Govt. of Rajasthan, Jaipur.
2. The Principal Secretary, Department of Forests & Environment and Chairman, GCZMA, Govt. of Gujarat, Sachivalaya, Gandhinagar, Gujarat
3. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 32
4. The Member Secretary, Rajasthan State Pollution 4-Institutional Area, Jhalana, Dugri, Jaipur.
5. The Member Secretary, Gujarat Pollution Control Board, Sector 10-A, Gandhi Nagar – 382043, Gujarat.
6. The APCCF (C), MoEF& CC, RO (WZ), E-5, Kendriya Paryavaran Bhawan, Arera Colony, Link Road No.3, Ravishankar Nagar, Bhopal –16
7. Monitoring Cell, MoEF&CC, Indira Paryavaran Bhavan, New Delhi.
8. Guard File/Record File
9. Notice Board.


(Amardeep Raju)
Scientist-E