

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1235/2024

**IN THE MATTER OF:**

News Item titled "NHAI has made highway at protected pond site in Delhi Activists" appearing in the Times of India dated 30.09.2024

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NDOH- 06.02.2025

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THROUGH

RESPONDENT NO.3

*Madhur Arora*

Singhania & Partners LLP  
Solicitors & Advocates

P-24, Green Park Extension  
New Delhi-110016

Dated: 31.01.2025  
Place: New Delhi

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PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1235/2024

**IN THE MATTER OF:**

News Item titled “NHAI has made highway at protected pond site in Delhi Activists” appearing in the Times of India dated 30.09.2024

**REPLY ON BEHALF OF RESPONDENT NO.3/NHAI TO THE ORIGINAL APPLICATION REGISTERED SUO MOTO BY THIS HON’BLE COURT**

**MOST RESPECTFULLY SHOWETH:**

1. That the present reply is being filed by the Answering Respondent No.3/NHAI in compliance with the Order dated 16.10.2024 passed by this Hon’ble Tribunal to the Original Application registered *suo-moto* on the basis of the news item titled “NHAI has made highway at protected pond site in Delhi Activists” appearing in the Times of India dated 30.09.2024. The News item relates to the alleged illegal construction of a highway by Answering Respondent No.3 that encroaches upon a protected pond in southwest district of Delhi.
2. In the News Item, the major allegations against the Answering Respondent No.3 are as follows-
  - i. The Answering Respondent No.3 constructed the Urban Extension Road-II (“UER-II”) over the pond in Goyla Khurd village, which was among the list of over 1,000 ponds to be constructed. The News item also questioned as to why the officials purposely designed the road right through the pond land when land acquisition could have easily provided them with alternative land remedy.

- ii. The Answering Respondent No.3 proceeded with the construction of UER-II without conducting a necessary Environmental Impact Assessment (“EIA”).
3. It is stated that the land acquisition proceedings in respect of Village Goyla Khurd were carried out by Delhi Development Authority (“DDA”) in 2008. This makes it clearly evident that the Answering Respondent No.3 had no role in the land acquisition regarding this pond and the said land was under the control of DDA. True copies of the relevant documents are annexed and marked as **Annexure R-3/1**.
4. Pursuant to the acquisition of land, as part of the Delhi Master Plan 2021, DDA proposed construction of UER-II as 3<sup>rd</sup> ring road connecting all the major National Highways in the western side of Delhi including NH-1, NH-10, NH-8 and NH-2. DDA requested Answering Respondent No.3 to develop UER-II as a National Highway which was subsequently declared as NH-344M.
5. The land of Village Goyala Khurd was handed over to the Answering Respondent No.3 finally in 27.08.2021 for the construction of UER-II, which was previously under the management and control of DDA. True copy of the Handing Over Memo dated 27.08.2021 is annexed and marked as **Annexure R-3/2**.
6. The second major allegation raised in the News item that the Answering Respondent No.3 did not conduct EIA, is wholly false and incorrect. It is submitted that the Answering Respondent No.3 had submitted the EIA Report. Thereafter, in the 247<sup>th</sup> meeting of Expert Appraisal Committee (EAC), the issue of grant of environmental clearance was discussed and the Committee recommended the project for grant of environmental clearance. Subsequently, on 30.12.2021, the MOEF&CC granted

Environmental Clearance under the EIA Notification, 2006 for the development of UER-II. This underscores that the Answering Respondent No.3 has taken the necessary clearances as per the EIA Notification, 2006. It is pertinent to highlight that even the Environmental Clearance states at para 4 that *the proposed alignment is passing through 1 pond, 9 irrigation canals and 6 drains*. True copy of MOEF&CC's letter dated 30.12.2021 granting environmental clearance to the Answering Respondent No.3 is annexed and marked as **Annexure R-3/3**.

7. It is, therefore, submitted that the land acquisition with respect to the pond is not attributable to the Answering Respondent No.3 in any manner and the Answering Respondent No.3 has duly complied with the provisions of EIA Notification, 2006 by obtaining the environmental clearance before proceeding with the construction of the NH-344M (UER-II).



**RESPONDENT NO.3**

**THROUGH**

*Madhur Arora*

**Singhania & Partners LLP  
Solicitors & Advocates  
P-24, Green Park Extension  
New Delhi-110016**

**Dated: 31.01.2025  
Place: New Delhi**

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PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1235/2024

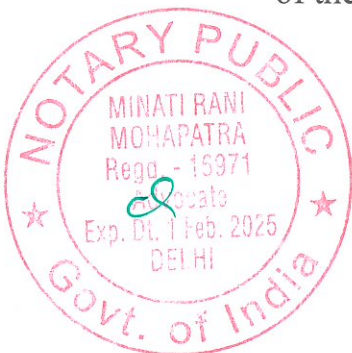
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**AFFIDAVIT**

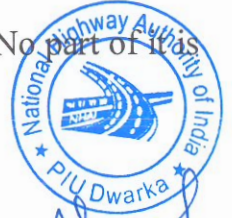
I, Akash Padhi, Son of Sh. Bisikesan Padhi, aged 33 years, working as Deputy General Manager (T) & Project Director, at PIU Dwarka, National Highways Authority of India, having office at PIU Dwarka, D21 Corporate Park, do hereby on solemn affirmation state and submit as under:

1. I say that I am the authorized representative of the Respondent No.3 abovenamed and as such am conversant with the facts and circumstances of the present reply. I have been duly authorized by the Respondent No.3 to initiate and pursue the present proceedings for and on behalf of the Respondent No.3 and hence, I am competent to swear the present affidavit on the basis of the records being maintained by the Respondent No.3 in the ordinary course of its business.
2. I say that the accompanying reply to the original application has been drafted by my counsel on my instructions and I have read and understood the contents of the same. The contents of the reply are true and correct, which are reiterated herein and are not being repeated for the sake of brevity.
3. I say that the annexures filed along with the present reply are true copies of their respective originals.



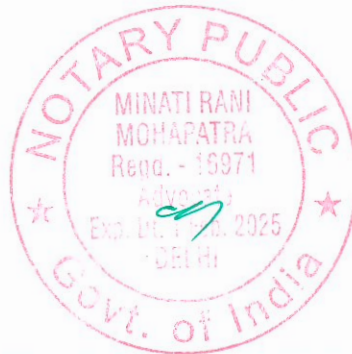
Atb  
CO/4039/2023)  
**VERIFICATION:**

Verified at \_\_\_\_\_ on this \_\_\_\_ day of January, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge. No part of it is wrong and nothing material has concealed there from.



*Akash*  
**DEPONENT**

01 FEB 2025



Atb  
CO/4039/2023)  
**IDENTIFIED**

01 FEB 2025

*Minati Rani Mohapatra*  
**MINATI RANI MOHAPATRA**  
**ADVOCATE (NOTARY)**  
**Mob. No.: 8130128457**

S.No (514)

श्री माधवदास ग्राम गांधीवादी सुद्वे अर्वाड नं. 06/2008-09

Notification u/s 4 - No.F9(88)/2004/L&B/LA/176 Dated 07.04.2006.

Notification u/s 6 - No.F9(88)/2004/L&B/LA/179A Dated 04.04.2007

आज दिनांक 27.07.2010 को आदेशानुसार पत्रांक ADM/LAC (SW) पत्र संख्या ADM/LAC/SW/2009-10/5798 दिनांक 22.07.2010 को उपरोक्त Notification u/s 6 व अर्वाड नं 6/2008-09 का कठपा अर्वाड/सुद्वे टेलु वार्डरों को सुद्वे आदल परिवारों (LA) व श्री. ललित राणा परिवारों (LA) रिकार्ड सहित, महुकमा L&B की तरफ से श्री. अमित आदल परिवारों, महुकमा DDA की तरफ से श्री. निरंज सिद्ध, कानूनगो व श्री. पद्मवी सिद्ध परिवारों तथा महुकमा माल की तरफ से श्री. उषु नाथ परिवारों अथ रिकार्ड माल विक्रयत किए गए हैं। एकी LAC दफता कापलहेटा टापी दुए/तथपञ्चात मॉक पर महुकमा टेलुका परिवारों रिकार्ड माल की सहायता से उपरोक्त अर्वाड काय अर्वाडाएत नवनाग वलरु की विनासत की गई। निम्न अनुसार मॉकपरिचरनादीकरत नवनाग छलरा का कठपा बाहोदोराग से हासिल करके, कठपा लो को लो हासिल करके, महुकमा L&B के नुमाइदे श्री. अमित आदल परिवारों को दिया गया। निम्न महु कठपा अर्वाड का लो DDA के नुमाइदा को दे दिया गया (निरंज सिद्ध कानूनगो) DDA.

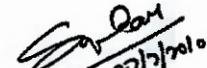
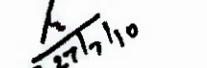
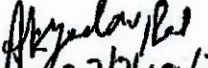
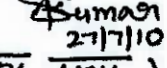
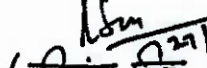
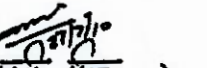
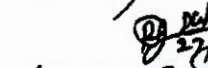
- नवनाग वलरु - 1/1/23 (0-17), 5/1/2/2 (0-18), 3 (4-10), 4/1 (1-05), 7/1/2 (0-75)  
 7/1/1 (0-5), 8 (4-16), 9/1 (1-18), 12/1/1 (1-3), 13 (4-16), 14/1 (0-16), 17/1/2  
 (0-7), 17/1/2 (0-4), 18 (3-16), 22/1/2 (1-16), 23/2 (2-4), 24 (0-4), 9/1/3/1  
 (4-8), 8/2 (3-05), 10/1/1 (0-2), 10/1/2 (0-2), 42 min (1-11), 21 min (10-08-10)  
 20 (2-13), 21 (4-16), 22 (1-09), 9/1 1/2 (1-01), 12 (2-06), 14/1/1 (4-10)

14/1/21 (0-3), 10/2 (3-12), 11/1 (2-02), 20/2 (0-12), 15/1/2 min  
 (3-07), 6/1 (4-08), 7/1 (0-2), 14/2 (1-03), 15 (4-15), 16 min (4-06)  
 29 (0-4), 17/1 min (2-0), 24/2 (2-14), 25 (4-16), 20/1/2 (2-14),  
 5/1/2 (4-16), 6/1/2 (2-08), 7/1/1 (0-15), 7/2/1 (0-18), 14/2  
 (2-14), 15 (5-08), 16 min (4-11), 17/1 (2-14), 24/1/1 min (0-17)  
 24/2 (1-16), 25 (4-16), 29 (0-4), 30/1/1/1 (0-18), 4/2 (1-16)  
 5 (4-16), 6 min (4-15), 7/1 (2-14), 14/1 (2-14), 15 (4-16),  
 16 (3-06), 17/1 (2-18), 8/1/16/1 (0-18), 25/2 (2-05), 30/1 -

27 min (0-10) कुल तदादी रकवा 168 बीघा 2 बिहवा  
 व 10 बिहवासी, पिलने मौके पर फलल जाई गई।  
 उपरोक्त नम्बान्न खसरा के इतिहास, नम्बान्न खसरा -

14/1/1 min (0-1), 15/1/1 min (0-1), 16 min (0-1), 17/1 min (0-1),  
 20/1/16 min (0-1), 24/1/1 min (0-1), 30/1/6 min (0-1) से मौके  
 पर ट्यूबल - कार्य जाया गया व खसरा नं० 5/1/1/2 (0-17)  
 18 min (1-0), 19/1 (2-05), 22/1/2 (0-12), 23/1 (2-12), 9/1/2  
 (3-05), 9/1 (1-05) व 9/2/2 (3-04) तथा 29 min (0-0-10)

कुल तदादी रकवा 15 बीघा 07 बिहवा 10 बिहवासी  
 में Built up व ट्यूबल मौके पर जाए गए खसरा  
 कठपौ Demolition करवाने के बाद दिया जाएगा  
 कठपौ कार्यवाही के दौरान कोई गवामत पैदा नहीं हुई  
 कठपौ कार्यवाही पूर्ण हुई जिसकी एक प्रति हल्का पटवारी को  
 लिमाई जाल में फलल जायद केंद्र दे दी जाएगी।

 Sumon 27/7/10 (सुरेश यादव) पटवारी LA	 Lalit 27/7/10 (लालत राणा) पटवारी, LA	 Anil 27/7/10 (अनिल यादव) पटवारी LA B	 Suman 27/7/10 (सुमन कुमाँ) MT, LA
 Manoj 27/7/10 (मिचल मिह) कानूनी DDA	 Manoj 27/7/10 (मनोज मिह) पटवारी DDA	 Anil 27/7/10 (अनिल यादव मिह) पटवारी लिमाई जाल	

कब्जा कार्यवाही ग्राम गोमला खुर्द  
अर्डा न. 06/2008-09/5W

आज रोज काबुज जनत ADM/5W आदेश संख्या

ADM/LAC/5W/2023-24/18263 दिनांक 18/04/2023 बराए लेने

दने कब्जा खतरा न. 9/अग्नि तादादी रकबा (0-0-10)बिल्वांगी  
ग्राम गोमला खुर्द मैके पर LAC/5W ले कानूनमो श्री बलराज  
सिंह, LEB ले पटवारी श्री आशिष, DDA ले श्री रवि त्रिपाठी  
पटवारी LM/5W2, AE श्री O.P. CHAWLA विभाग PD-II ले व  
श्री B.S. JAIN विभाग NHAI ले हाजिर आए हैं।

उपरोक्त न. खतरा पर 10 बिल्वांगी में एक समाधी बनी  
हुई थी। जितको तुडवाकर खाली भूमि का कब्जा महकमा 1818  
के पटवारी श्री आशिष के सुपुर्द किया गया। दौरान कब्जा  
कार्यवाही किसी तरह की किसी तरह की कोई दिक्कत पैदा नहीं  
आई।

आशिष (PATWARI/LEB)

उपरोक्त भूमि का कब्जा लेकर महकमा DDA के पटवारी श्री रवि  
त्रिपाठी को दिया गया

रवि त्रिपाठी (PATWARI/DDA)

उपरोक्त भूमि का कब्जा लेकर महकमा DDA के PD-II के श्री O.P.  
CHAWLA के हवाले किया गया

O.P. CHAWLA AE/PO-II

उपरोक्त खाली भूमि का कब्जा महकमा NHAI के श्री B.S.  
JAIN को दिया।

B.S. JAIN RO/NHAI

(अनिल सुधीर)  
NT/LA

आशिष (PATWARI/LEB)

(रवि त्रिपाठी)  
PATWARI/DDA

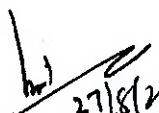
O.P. CHAWLA AE/PO-II

**HANDING OVER VACANT PHYSICAL POSSESSION OF LAND TO NHAI COMING  
IN THE ALIGNMENT OF UER-II PRESENTLY UNDER MANAGEMENT AND  
CONTROL OF DDA**

In compliance of Minutes of the Meeting dated 18-08-2021 held on 22-07-2021 chaired by Vice Chairman DDA, the land of villages namely- Dhoolsiras, Chhawla, Tajpur Khurd, Goyala Khurd and Deendarpur coming in the alignment of UER-II, free from all encumbrances/litigations is being handed over to the representatives of NHAI.

As per plan attached.

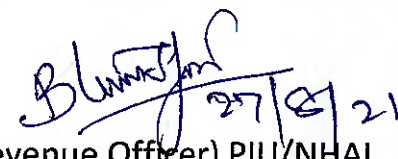
**Handed Over**

  
Narendr Kumar (Ex. Eng.) PD-V DDA

  
O. P. Chawla (Asstt. Eng.) PD-V DDA

**Taken Over**

  
R. N. Gupta (Manager-T) PIU/NHAI

  
B. S. Jain (Revenue Officer) PIU/NHAI

  
Katar Singh (Revenue Surveyor) PIU/NHAI

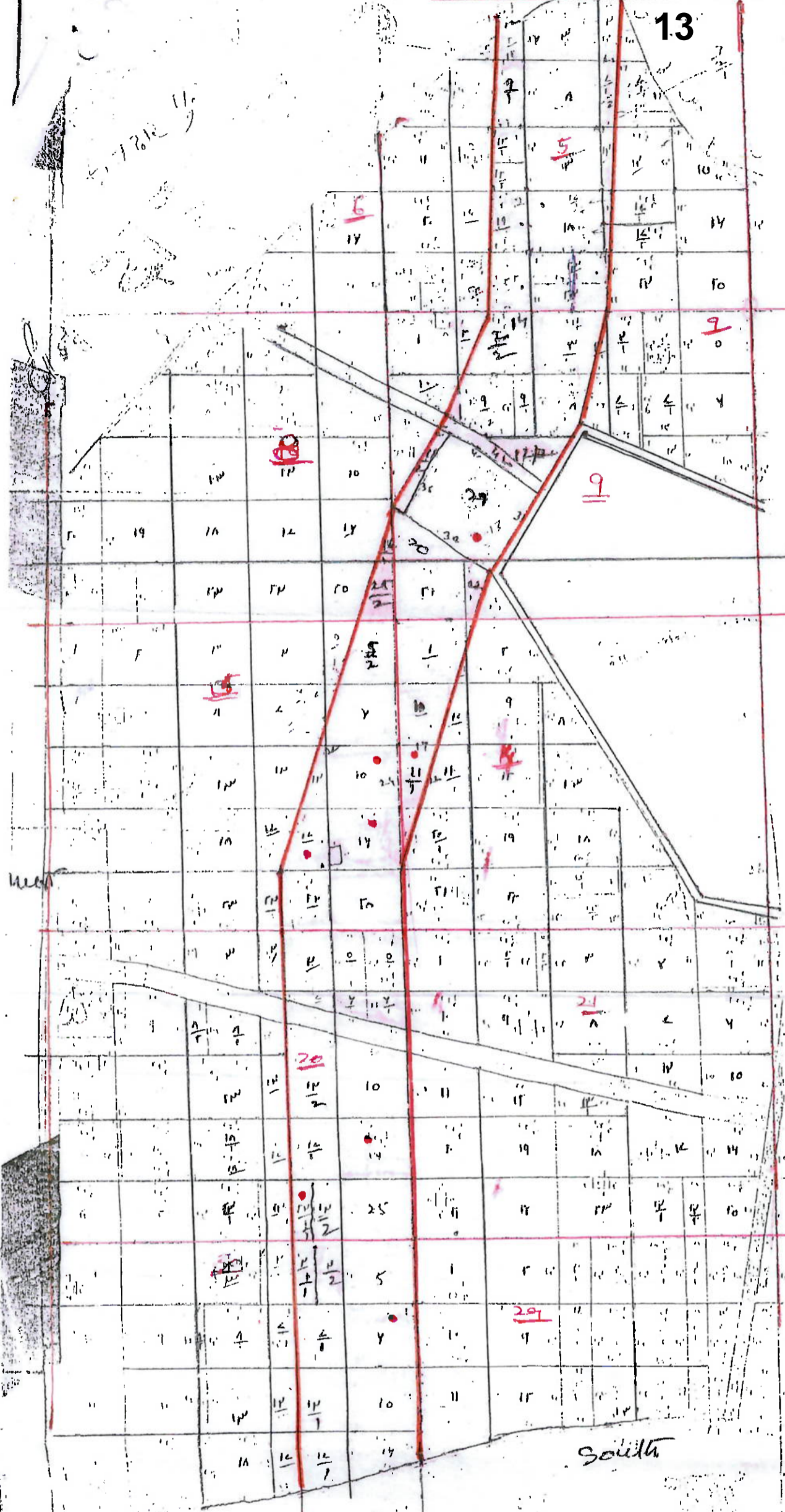
Vill. Goyala Kherd 10

(4)

पार्ट-शजरा, मौजा- गौयला खर्द

U.E.R. II (100 meter land.)

Dwarka



Index  
 Possession to be taken by  
 DDA from UAC.  
 Shown as = •

Khata nos = 9/29 in (0-0-10), 14/11 in (0-1)  
 15/15 in (0-1), 15/16 in (0-1), 15/17 in (0-1)  
 30/6 in (0-1), 20/16 in (0-1) 20/24/1/1 in (0-1)  
 TOTAL = 0-7-10

Handed over.

Taken over.

Handed over

Taken over.

Writs  
27/8/21  
AS/PS

27/8/21  
EE/PS

27-08-21  
R.N. Gupta  
Manager (T)/NHAI  
Blun Singh  
27/8/21

27/8/12

(Raj Bir Singh)  
Naib Tehsildar  
NLI / West Zone

27/8/12

(A.K. Khosla)  
TE/MPT

27/8/12

(Chakrabarty)  
AE/MPT

Land handed over to NHAI shown  
inside red line as -

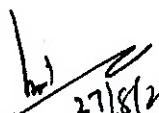
NHAI  
27/8/21

**HANDING OVER VACANT PHYSICAL POSSESSION OF LAND TO NHAI COMING  
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In compliance of Minutes of the Meeting dated 18-08-2021 held on 22-07-2021 chaired by Vice Chairman DDA, the land of villages namely- Dhoolsiras, Chhawla, Tajpur Khurd, Goyala Khurd and Deendarpur coming in the alignment of UER-II, free from all encumbrances/litigations is being handed over to the representatives of NHAI.

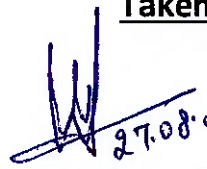
As per plan attached.

**Handed Over**

  
Narendr Kumar (Ex. Eng.) PD-V DDA

  
O. P. Chawla (Asstt. Eng.) PD-V DDA

**Taken Over**

  
R. N. Gupta (Manager-T) PIU/NHAI

  
B. S. Jain (Revenue Officer) PIU/NHAI

  
Katar Singh (Revenue Surveyor) PIU/NHAI

ENVIRONMENTAL  
CLEARANCE

Government of India  
Ministry of Environment, Forest and Climate Change  
(Impact Assessment Division)

To,

The Project Director  
MINISTRY OF ROAD TRANSPORT & HIGHWAYS  
National Highways Authority of India  
Project Implementation Unit Dwarka, 201 E/A, 2nd Floor, D-21 Corporate  
Park, Dwarka, Sector 21, New Delhi, South West, Delhi-110075

**Subject:** Grant of Environmental Clearance (EC) to the proposed Project Activity  
under the provision of EIA Notification 2006-regarding

Sir/Madam,

This is in reference to your application for Environmental Clearance (EC)  
in respect of project submitted to the Ministry vide proposal number  
IA/DL/MIS/104396/2019 dated 09 Nov 2020. The particulars of the environmental  
clearance granted to the project are as below.

- |   |  |
|---|--|
| 1. EC Identification No.                      | EC21A034DL173140   |
| 2. File No.                                   | 10-30/2019-IA.III  |
| 3. Project Type                               | New  |
| 4. Category                                   | A  |
| 5. Project/Activity including<br>Schedule No. | 7(f) Highways  |
| 6. Name of Project                            | Development of Urban Extension Road-II<br>(NH-344M) from design chainage Km<br>0.000 to Km 38.111 in the state of NCT of<br>Delhi, Development of link road (new NH-<br>344P) (Km 0.000 to Km 29.600) between<br>Bawana Industrial Area Delhi (from Km<br>7.750 of UER II) till bypass of NH-352A at<br>village Barwasni Sonipat, Haryana in the<br>state of NCT of Delhi/Haryana and<br>Development of link road (new NH-344N)<br>(Km 0.000 to Km 7.500) between Dichaon<br>Kalan till Bahadurgarh Bypass/NH-10 in<br>the state of NCT of Delhi/Haryana |
| 7. Name of Company/Organization               | MINISTRY OF ROAD TRANSPORT &<br>HIGHWAYS   |
| 8. Location of Project                        | Delhi  |
| 9. TOR Date                                   | 19 Jul 2019  |

The project details along with terms and conditions are appended herewith from page  
no 2 onwards.

Date: 30/12/2021

(e-signed)  
Amardeep Raju  
Scientist E  
IA - (INFRA-1 sector)

Note: A valid environmental clearance shall be one that has EC identification  
number & E-Sign generated from PARIVESH. Please quote identification  
number in all future correspondence.

PARIVESH

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and Virtuous Environment Single-Window Hub)



2. The proposed highway project is for development of Urban Extension Road –II (UER-II) that will act as western ring road to Delhi. The proposed highway was declared as NH-344M vide Gazette notification S.O. 1466 (E) dated 03.04.2018. NH-344M will be designed as access-controlled highway having 6 lane main carriage way with provision of 3 lane service road on both sides, pedestrian facilities, cycle tracks etc. The length of NH-344M is 38.111 Km. The proposed project highway NH-344M will take off from NH-1 near Ch. Km 23+800 (28°48'40.08"N; 77°08'8.45"E) near village Bakoli and terminates near the junction of Sector-24 (28°33'35.73"N; 77°01'43.27"E) in Dwarka. In addition to this alignment, two four lane spurs are also proposed to be developed as part of UER-II i.e. Spur to Sonipat bypass (NH-352A) of length 29.6 Km and Spur to Bahadurgarh bypass (NH-10) of length 7.5 Km. Spur to Sonipat Bypass was declared as NH-344P and Spur to Bahadurgarh Bypass was declared as NH-344N vide Gazette notification S.O. 969(E) dated 22.02.2019.
3. The proposed Right of Way (RoW) for UER-2 (NH-344M) shall vary from 35 m to 200 m (35 m due to space constraint on DJB plant and 200m PROW at proposed 24 lane toll plaza & administrative building). For SPUR-I (NH-344P), the proposed ROW shall vary from 30 to 170 m (170 m PROW at proposed 16 lane toll plaza & administrative building). For SPUR-II (NH-344N), the proposed ROW shall vary from 35 m to 60 m.
4. The proposed project alignment NH-344P is passing through District North of NCT Delhi & Sonipat in Haryana and NH-344M is passing through District West, South-West of NCT Delhi & Jhajjar District in Haryana. The proposed alignment is passing through 1 pond, 9 irrigation canals and 6 drains. Elevated structures have been proposed on the pond and the bridges are proposed to cross the canals and drains. Two RoBs, 8 interchanges, 27 Flyovers, 1 major bridges, 23 minor bridges, 11 underpass box, 12 VUP, 12 LVUP, 2 VOP, 17 Subways, 32 Culvert are proposed along the project stretch for free passage to villagers and domesticated animals and to avoid any impact on local hydrology.
5. Public Hearings were conducted at two different Districts *i.e.*, Sonipat and Jhajjar of Haryana and four different districts *i.e.*, North District, North-West District, West District and South-West District of Delhi on 21<sup>st</sup>, 25<sup>th</sup>, 30<sup>th</sup> Sept. 2020 and 5<sup>th</sup>, 7<sup>th</sup> and 9<sup>th</sup> October 2020, respectively.
6. The proposed project falls under 7(f)-Highway 'Category-A' of Schedule to the EIA Notification, 2006. Total area of land acquisition for the proposed project is 527.27 Ha (Government Land 273.55 ha + Private Land 253.71 ha), out of which 253.71 ha of private land shall be acquired as per NH act 1956 and RFCTLARR, 2013. Total length of the project is 75.211 Km. Total investment/cost of the proposed project is ₹ 7,71,560/- Lakhs (7,715.60 Cr.).
7. The project site is characterized by plain terrain. The proposed project involves diversion of 54.8724 ha of forest land in Delhi and 4.546 ha of forest land in Haryana. Total 26,397 nos. of trees is proposed to be felled for entire length of 75.211 km consisting of NH-344M (3 packages), NH-344P (spur 1) & NH-344N (spur 2). The compensatory plantation will be carried out by DDA (1:10 as per local law, Delhi Preservation of Tree Act 1994) as a deposit work. NHA proposed plantation of approx. 43,725 trees (including median) through Contractor as per Scope of Contract and IRC SP 21:2009 on available RoW. No wildlife Sanctuaries or National Park is located within 10 km radius of the proposed project alignment. The Stage-1 forest clearance has been granted vide letter No 8B/DELHI/06/06/2021 dated 28<sup>th</sup> September, 2021 and vide letter No. 9-HRB101/2021-CHA dated 3<sup>rd</sup> September, 2021.
8. Total water required is approx. 3010 KLD (21,97,509 KL) during construction stage, which will be sourced from Delhi Jal Board on payment basis. The necessary permission will be obtained by the contractor prior to construction as per law/agreement. No

groundwater shall be extracted. Rainwater harvesting structures will be provided at the locations where the first aquifer of ground water table is more than 8-10m. The provision of rain water harvesting will be executed as per IR:-SP:50-2013 guidelines and MoRT&H guidelines.

9. Socio-economic status: 482 nos. of structures (224 private, 27 religious, 24 government and 207 community properties), 224nos. of families (PAFs) and 794 nos. of persons (PAPs) are getting affected. Affected person and structures will be compensated as per relevant provisions of RFCLARR Act 2013 and NH Act 1956. The total cost is INR 1272.43 Cr.

10. The major settlements along the proposed corridor that will be benefitted from the proposed project include Sectors of Bawana, Rohini & Dwarka, Villages of Alipur, Shahpur Garhi, Bawana, Barwala, Madanpur Dabas, Mohammadpur Majri, Dichaon Enclave, Goyla etc. The alignment will also connect Gurgaon via Dwarka Expressway. Approx. 2500 people and 50 people will be employed during construction operation phase, respectively.

11. S.L.P.(C) No. 15202/2019: Raj Singh & others Vs Union of India & others is pending with DDA, wherein, Hon'ble Supreme Court has directed to maintain status quo vide order dated 12.07.2019. Thereafter, the full bench of the Hon'ble Supreme Court has passed a judgement dated 06.03.2020. On the basis of this judgement, DDA will be filing an application before SC in the pending SLP for getting the status quo vacated at an early date.

12. The project proponent along with the EIA consultant M/s Amaltas Enviro Industrial Consultants LLP, made a presentation through Video Conferencing during 247<sup>th</sup> meeting of Expert Appraisal Committee (EAC) on 23<sup>rd</sup> -24<sup>th</sup> November, 2020. The EAC based on the information submitted and clarifications provided by the project proponent and detailed discussions held on all the issues, recommended the project for grant of environmental clearance with stipulated specific conditions along with other Standard EC Conditions.

13. 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 grant Environmental Clearance for the "Development of Urban Extension Road-II (NH-344M) from Design chainage Km 0.000 to Km 38.111. Development of link road (new NH-344P) (Km 0.000 to Km 29.600) between Bawana Industrial Area Delhi (from Km 7.750 of UER II) till bypass of NH-352A at village Barwasni, Sonipat in Haryana as spur of Urban Extension Road-II (NH-344M) in the state of Delhi/Haryana. Development of link road (new NH-344N) (Km 0.000 to Km 7.500) between Dichaon Kalan till Bahadurgarh Bypass/NH-10 in the state of NCT of Delhi/Haryana (Total Length of Project: 75.211 Km)" under the EIA Notification, 2006 as amended, subject to strict compliance of the following specific conditions, in addition to all standard conditions applicable for such projects.

#### A. SPECIFIC CONDITIONS

- (i) In order to avoid the possibility of wildlife injury/death, proponent shall keep the finish road level sufficiently elevated from ground level with provision of railing on both sides to restrict animal crossing. Sufficient animal passes shall be provided by NHAI at regular interval as suggested in the Mitigation Plan and the Wildlife Conservation Plan developed by Chief Wildlife Warden as per recent guidelines of Wildlife Institute of India for linear infrastructure projects and as suggested by State Board for Wildlife and Standing Committee of National Board of Wildlife (as applicable).

- (ii) Cumulative Impact Assessment studies and proposed mitigation measures for all the packages shall be implemented in toto and be submitted to the concerned Regional Office of the MoEF&CC along with half yearly compliance report.
- (iii) All the major, minor bridges and culverts should not affect the drainage systems. Flood plains of the rivers/ drainage systems are not to be disturbed.
- (iv) No Ground water shall be extracted and used. Approval/permission of concerned authority shall be obtained before drawing surface water from canal or any other sources. State Pollution Control Board (SPCB) concerned shall not issue Consent to Operate (CTO) till the project proponent obtains such permission(s).
- (v) The proponent shall obtain permission from the competent authorities for 26,397 tree to be felled along the proposed alignment. A comprehensive plan for afforestation using 1:10 times the trees felled by using native species shall be provided as per the IRC SP 21:2009 /MoRTH Code/Guidelines on Landscaping and Tree Plantation (2009). Effort should be made to plant native fruit trees and significant number of Ficus species on both sides of the alignment.
- (vi) Quarry areas shall be developed as water reservoirs with proper fencing and protection measures around quarry area. Rain water harvesting pit shall be at least 3 - 5 m above the highest ground water table.
- (vii) The RoW shall not exceed as per the details provided in the EIA report at any point of the proposed alignment, except for the junction improvement at the intersections of the other roads. Standardisation of ROW for plain land and forest land to be defined and to be remain constant for all the packages.
- (viii) As per the Ministry's Office Memorandum F. No. 22-65/2017-IA.III dated 30<sup>th</sup> September, 2020, the project proponent shall abide by all the commitments made by them to address the concerns raised during the public consultation. The project proponent shall initiate the activities proposed by them, based on the commitment made in the public hearing, and incorporate in the Environmental Management Plan and submit to the Ministry. All other activities including pollution control, environmental protection and conservation, R&R, wildlife and forest conservation/protection measures including the NPV, Compensatory afforestation etc., either proposed by the project proponent based on the social impact assessment and R&R action plan carried out during the preparation of EIA report or prescribed by EAC, shall also be implemented and become part of EMP.

#### **B. STANDARD CONDITIONS:**

- i. Responsibility for implementation of EC conditions rests with the project proponent only.
- ii. Cut and fill works shall be carried out strictly in accordance with the design drawings proposed at the time of appraisal of the project.
- iii. The project proponent shall obtain necessary permission from the owning agencies of water bodies/temple/tanks etc., as applicable, before execution of works.
- iv. The project proponent shall obtain necessary permission from the concerned State(s) Irrigation Department(s) before drawing water from the river sources for the purpose of the proposed construction activity.

- v. Blasting shall be carried out during fixed hours (preferably during mid-day) or as permitted by the concerned authority. The timing shall be made known to all the people within 1000m (200m for pre-splitting) from the blasting site in all directions.
- vi. The fly ash shall be used for the proposed project to comply with the Fly Ash Notification, 1999, as amended.
- vii. Rehabilitation of project affected families (PAFs) and payment of compensation to PAFs shall be carried out as per the extant policy of the Central/State Government, as provided under the law. All the Indian Road Congress (IRC) guidelines wherever applicable may be followed.
- viii. All entry/exit/access points on this highway shall be appropriately designed and preferably frozen to avoid traffic congestion and pollution.
- ix. Rain water harvesting including oil and grease trap shall be provided as prescribed by CGWB guidelines. Water harvesting structures shall be located at every 500m along the road. Vertical drain type rainwater harvesting structures shall be set up to minimize surface runoff losses of rainwater.
- x. All the recommendations of the EMP shall be complied in both 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&CC.
- xi. Sidewalk shall be provided along the bridges.
- xii. The seismic nature of the area shall be taken into account while designing the project.
- xiii. IRC guidelines shall be followed for widening & up-gradation of road.
- xiv. The drain shall be at least 1m away from the toe of the embankment of the road adopting IRC guidelines. 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/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.
- xvii. Necessary clearance/approval shall be obtained for extraction of sand from the rivers.
- xviii. The embankments/slopes and the slopes left after cutting shall be provided with vegetative growth to avoid soil erosion.
- xix. The hot mix plant shall be located at least 500m away from habitation and on the barren land to avoid its adverse impact on the human population.
- xx. For road safety, IRC guidelines in respect of road signages, service roads, bus bays, intersections, pedestrian crossings, etc. shall be strictly adhered to.
- xxi. The responses/commitments made to the issues raised during public hearing shall be complied in both letter and spirit. A hard copy of the action taken shall be submitted to the MoEF&CC and also to its concerned Regional Office.
- xxii. Beside fulfilling obligations under Corporate Social Responsibilities as per Company's Act, 2013, the proponent has to adhere to the followings Environment Responsibilities:



- (a) The Company shall have a well laid down Environment Policy approved by the Board of Directors.
  - (b) The Environment Policy shall prescribe for standard operating process/ procedures to bring into focus any infringements/ deviation/violation of the environmental or forest norms/ conditions.
  - (c) The hierarchical system or Administrative Order of the company to deal with environmental issues and for ensuring compliance with the environmental clearance conditions shall be furnished.
  - (d) To have proper checks and balances, the company shall have a well laid down system of reporting of non-compliances/ violations of environmental norms to the Board of Directors of the company and/or shareholders or stakeholders at large.
- xxiii. Appropriate measures must be taken while undertaking digging activities to avoid any likely degradation of water quality.
- xxiv. 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.
- xxv. As per MoEF&CC's circular no. J-11013/41/2006-IA.II (I) dated 22.09.2008, provision shall be made for supply of kerosene or cooking gas and pressure cooker to the labourers, mobile toilets, mobile STP, safe drinking water, medical health care, Crèche and temporary structures for living during construction phase.
- xxvi. Adequate precautions shall be taken during transportation of the construction material so that it does not affect the environment adversely.
- xxvii. Borrow pits and other scars created during the road construction shall be properly levelled and treated.
- xxviii. 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.
- xxix. Full support shall be extended to the officers of this MoEF&CC and its Regional Office 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.
- xxx. MoEF&CC 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.

- xxxi. In the event of a change in project profile or change in the implementation agency, a fresh reference shall be made to the MoEF&CC.
- xxxii. The project proponents shall inform the Regional Office concerned as well as the MoEF&CC, the date of financial closure and final approval of the project by the concerned authorities and the date of start of land development work.
- xxxiii. The funds earmarked for environmental protection measures shall be kept in separate account and shall not be diverted for other purpose. Year-wise expenditure shall be reported to MoEF&CC and its concerned Regional Office.
15. In addition to above mentioned conditions following general guidelines are to be adhered:
- i. The above 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, EIA Notification, 2006 and its subsequent amendments. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department, the Forest Conservation Act, 1980 and the Wildlife (Protection) Act, 1972 etc. shall be obtained, as applicable by project proponents from the respective competent authorities.
  - ii. 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, Forest and Climate Change at <http://www.envfor.nic.in>. The advertisement shall be made within Seven days from the date of receipt of the Clearance letter and a copy of the same shall be forwarded to the concerned Regional office of the MOEF&CC.
  - iii. A copy of the clearance letter shall be sent by the proponent to concerned Panchayat, Zila Parishad/Municipal Corporation, Urban Local Body and the Local NGO, if any, from whom suggestions/ representations, if any, were received while processing the proposal. The clearance letter shall also be put on the website of the company by the proponent.
  - iv. A copy of the environmental clearance letter shall also be displayed on the website of the concerned State Pollution Control Board. The EC letter shall also be displayed at the Regional Office, District Industries centre and Collector's Office/Tehsildar's office for 30 days.
  - v. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of the Ministry, the respective Zonal Offices of CPCB and the SPCB.
  - vi. The project proponent shall also submit six monthly report on the status of the compliance of stipulated EC Conditions including results of monitored data (both in hard copies as well as by email) to the concerned Regional Offices of MoEF&CC/CPCB/SPCB.
  - vii. The environmental statement for each financial year ending 31<sup>st</sup> 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 the Ministry/CPCB/SPCB by e-mail.

14. 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.

15. 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.

16. The Ministry reserves the right to add additional safeguard measures subsequently, if found necessary, and to take action including revoking of the environment clearance under the provisions of the Environmental (Protection) Act, 1986, to ensure effective implementation of the suggested safeguard measures in a time bound and satisfactory manner.

This issues with the approval of the Competent Authority.



**(Amardeep Raju)**  
Scientist-E

Copy to:

1. The Secretary, Department of Environment, Govt. of NCT of Delhi.
2. The Secretary, Department of Environment, Govt. of Haryana, Chandigarh
3. The Chairman, Central Pollution Control Board, Parivesh Bhawan, CBD-cum-Office Complex, East Arjun Nagar, Delhi – 32.
4. The Chairman, Haryana State Pollution Control Board, C-11, Sector-6, Panchkula, Haryana 134109.
5. The Member Secretary. 10, Dinesh Singh Bisht Directorate, Environment & Climate Change, Haryana, SCO 1-3, Sector 17 D, Chandigarh
6. The Member Secretary, Uttar Pradesh Pollution Control Board, PICUP Bhavan, 3<sup>rd</sup> Floor, Vibhuti Khand, Gomtinagar, Lucknow.
7. The APCCF(C), MoEF&CC, RO (CZ), Kendriya Bhawan, 5<sup>th</sup> Floor, Sector 'H', Aliganj, Lucknow – 20.
8. Addl. Principal Conservator of Forests (C), Ministry of Env., Forest and Climate Change, Regional Office (NZ), Bays No. 24-25 Sector 31 A, Dakshin Marg, Chandigarh – 160030.
9. Monitoring Cell, MoEF&CC, Indira Paryavaran Bhavan, New Delhi.
10. Guard File/Record File
11. Notice Board.



**(Amardeep Raju)**  
Scientist-E

Signature Not Verified

Digitally signed by Amardeep Raju  
Scientist E  
Date: 12/30/2021 4:10:21 PM

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1235/2024

**IN THE MATTER OF:**

News Item titled "NHAI has made highway at protected pond site in Delhi Activists" appearing in the Times of India dated 30.09.2024

KNOW ALL to whom these presents shall come that I, Akash Padhi, Deputy General Manager (Tech), Respondent No.3 / National Highway Authority of India do hereby appoint

**SINGHANIA & PARTNERS LLP.  
ADVOCATES & SOLICITORS**

P-24, Green Park Extension, New Delhi - 110016

Phone : 011-47471414, Fax : 011-47471415

Email : madhu@singhania.in

Hereinafter called the Advocates to be our Advocates in the above-noted case and authorize them:

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Courts.

To sign, file and represent pleadings, appeals, cross objections or petitions of execution review, revision, restoration, withdrawal, compromise or other petitions, replies, objections or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages. To file and take back documents.

To withdraw or compromise the said case or submit of arbitration any differences or disputes that may arise touching or in any manner relating to the said cause. To take out execution proceedings.

To deposit, draw receive moneys and grant receipt therefore and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said cause.

To appoint and instruct any other legal Practitioner authorizing him to exercise the powers and authority hereby conferred upon the Advocates whenever they may think fit to do so.

AND We undertake that We or our duty authorized agent would appear in the Court on all hearings.

AND We, the undersigned do hereby agree to ratify and confirm all acts done by the Advocates or their substitute in the matter as our own acts, as if done by us to all intents and purposes.

AND We, the undersigned do hereby agree that in the event of the whole or any part of the fee agreed by us to be paid to the Advocates remaining unpaid they shall be entitled to withdraw from the prosecution of the said cause until the same is paid up. If any costs are allowed for an adjournment, the Advocates would be entitled to the same.

IN WITNESS WHEREOF, We do hereunto set our hand to these presents the contents of which have been understood by me/us on this 31<sup>st</sup> day of January, 2025.

*Madhu Sineta*  
16/01/1977  
ADVOCATES

*Randul*  
21/6/2019  
9818392824

*Spoc*  
1/4/2018

*Akh*  
0/4/2023



CLIENT