

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

WESTERN ZONE BENCH, AT PUNE

Original Application No. 117 of 2024 (WZ)

In the matter of:

Tulshidas Sridhar Naik & Ors.

... Applicants

Versus

State of Goa & Ors.

... Respondents

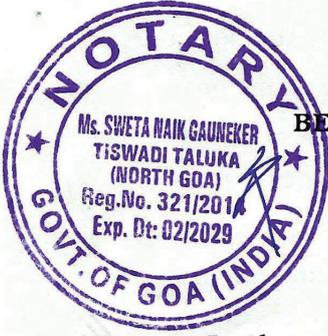
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Presented by:

M V Kini Law firm, Mumbai

Advocates for Respondent Nos 3-5



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REPLY TO APPLICANT'S INTERIM APPLICATION

ON BEHALF OF RESPONDENT NOS. 3 TO 5

I, Shrivallabh R. Pai, son of Rajaram Upendra Pai, aged 59, an Indian Inhabitant, working as Chief Engineer (NH, R&B) at the office of PWD having my office at Altinho Panaji Goa, do hereby state on solemn affirmation as under:

1. I state that I am fully conversant with the facts and circumstances of the present case based on the record maintained in the ordinary course of official business. I state that the Respondent No. 3 i.e. the Executive Engineer Works Division XV (NH) of PWD reports to the Respondent No.4 i.e. the Chief Engineer (NH, R & B). Therefore, this Reply is being filed by the Chief Engineer (NH, R & B), PWD, Government of Goa i.e the Respondent No.4.
2. The Respondent No.4 repeats, confirms and adopts the contents of the Reply dated 22.11.2024 and Additional Affidavit dated 16.05.2025 in entirety as if the same are set out and reproduced in seriatim herein. The Respondent No.4 reserves its right to file a further detailed Affidavit, if the circumstances so demand or if so directed by this Hon'ble Tribunal.

1.1. Preliminary Submissions:

- 1.1.1. The Respondents submit that the present Reply is being filed to oppose the Interim Application filed by the Applicants, wherein a stay is sought on the effect and operation of the Notification published under Section 3D(1) of the National Highways Act,

Sd/-

1956 (hereinafter referred to as "**the Act**") in relation to the Borim Bridge Project, on the purported ground that the same was published prior to obtaining Environmental Clearance, Forest Clearance, and Coastal Regulation Zone (CRZ) Clearance.

- 1.1.2. Unless expressly admitted herein, all the allegations, statements, assertions, contentions, claims, averments, insinuations made by the Applicant through the Interim Application, which is contrary to and/or inconsistent or otherwise with what is stated hereunder are denied by the Respondents herein.
- 1.1.3. The Respondents submit that the Interim Application is devoid of merits, misconceived, and deserves to be rejected in limine with exemplary costs.

1.2. No Prima Facie Case or Balance of Convenience:

- 1.2.1. The Respondents submit that the Applicants have failed to establish any prima facie case warranting interference of this Hon'ble Tribunal at the interim stage.
- 1.2.2. It is submitted that the Applicants have also failed to demonstrate any imminent or irreparable harm that would be caused to them if the stay as sought is not granted. On the contrary, the balance of convenience is entirely in favour of the Respondents and the general public, as the project in question is of vital public importance.

1.3. The rationale held in the case of Vikrant Kumar Tongad Vs.

Union of India & Ors. is not applicable:

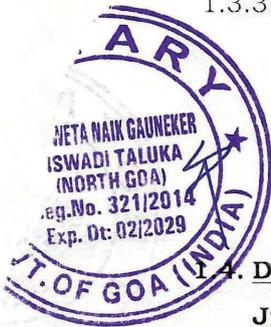
- 1.3.1. The Hon'ble Principal bench in the case of *Vikrant Kumar Tongad Vs. Union of India & Ors.* had held that a project that would cross the threshold marker of 1,50,000 Sq. mtrs. Would fall within the ambit Entry 8(b) of the Schedule to the EIA Notification, 2006, **unless it is a national or a city highway or a part thereof.**
- 1.3.2. It is imperative to submit that the subject project is a part of duly notified National Highway. Further, as per Circular dated

jsa



23.04.2015 issued by Ministry of Road Transport and Highways, Government of India (MoRTH), the section of the National Highway which has been bypassed would cease to be a part of National Highway network.

- 1.3.3. Therefore, in the instant case the subject project would be a bypass to the existing highway and hence would have to be considered as part of duly notified National Highway. A Copy of the Circular dated 23.04.2015 issued by MoRTH is annexed herewith and marked as **Annexure- 1**.



1.4. Distinction Between the Present Case and P.V. Krishnamoorthy

Judgment:

- 1.4.1. The Applicants have erroneously equated the facts of the present project with those in the case of *Project Implementation Unit v. P.V. Krishnamoorthy*, (2021) 3 SCC 572, wherein the Government of India had proposed a major infrastructure project—specifically, a **276-kilometer-long**, greenfield expressway connecting Chennai and Salem at an estimated cost of approximately Rs.10,000 crores.
- 1.4.2. In stark contrast, the present project pertains to the construction of a bridge (New Borim Bridge) of 300 mtr length and the total project length of only **5.277 kilometers**, which is substantially below the threshold limits prescribed for requiring prior Environmental Clearance under the EIA Notification, 2006.
- 1.4.3. The Respondents submit that the subject project is a linear infrastructure project and squarely falls within the scope of Entry 7(f) of the Schedule to the EIA Notification, 2006. As per the original entry 7(f), Environmental Clearance was required for expansion of national highways greater than 30 kilometers, involving additional right of way of more than 20 meters and passing through more than one State. However, vide notification dated 22.08.2013, issued by the Ministry of Environment, Forests & Climate Change, Government of India, (MoEF) the said threshold under Entry 7(f) was amended, for projects requiring prior Environmental Clearance to:
“Expansion of National Highways greater than 100 kilometers, involving additional right of way or land acquisition greater than

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40 meters on existing alignments and 60 meters on re-alignments or by-passes.”

A copy of the notification issued by MoEF dated 22.08.2013 is annexed herewith and marked as **Annexure- 2**.

- 1.4.4. Admittedly, the length of the present project is only **5.277 kilometers**, which is far less than the prescribed threshold of 100 kilometers. Furthermore, the proposed alignment does not exceed the permissible width limits under the amended EIA Notification.
- 1.4.5. Therefore, the Respondents most respectfully submit that prior Environmental Clearance is not applicable or required for the subject project in view of the express exemption under the prevailing statutory framework.
- 1.4.6. Notwithstanding the above, the Applicants have further attempted to bring the project under Entry 8(b) of the Schedule to the EIA Notification, 2006, which pertains to “Townships and Area Development Projects.” This contention is wholly untenable and contrary to both the nature and scope of the subject project.
- 1.4.7. The subject project is purely a transport infrastructure project, specifically a bridge and road realignment initiative, and does not involve any township development, residential plotting, commercial facilities, or urban area planning which would be prerequisites to fall within the purview of Entry 8(b).
- 1.4.8. The Applicants have failed to offer any cogent or legal basis as to how or why the subject linear highway project could be deemed to be a township or area development project. This mischaracterization is without merit and on this count alone, the Interim Application deserves to be summarily rejected.

1.5. **Compliance with Statutory Requirements:**

- 1.5.1. The Respondents submit that the proposed Borim Bridge Project is a linear project **falling under Category 7(f) of the EIA Notification, 2006**. The length of the project is less than 100 kilometers and the width of land to be acquired does not exceed



60 meters. As such, the project does not attract the requirement of prior Environmental Clearance under the said notification.

1.5.2. It is submitted that the project is also not covered under Item 8(b) of the EIA Notification, 2006, as it neither constitutes a township nor falls under area development activities, and also is a part of duly notified National Highway.

1.5.3. It is submitted that no Forest Clearance is required as the proposed alignment does not involve any forest land.

1.5.4. As regards CRZ clearance, it is submitted that the Respondents have already applied for the same before the competent authorities on 05.12.2017. The Respondents undertake that no construction activity will be undertaken until the CRZ clearance is duly obtained. The same is in full compliance with the applicable law. A copy of the Application dated 05.12.2017 made by the Respondents is annexed herewith and marked as **Annexure- 3.**

1.6. Public Interest and Urgency of the Project:

1.6.1. The Respondents submit that the existing Borim Bridge is in a structurally distressed condition and is beyond stabilization even with continuous maintenance, thereby posing risks to public safety and causing frequent disruption in transportation.

1.6.2. The proposed project seeks to alleviate these issues and is to serve the larger interest of the general public, facilitate smooth flow of traffic, and boost the socio-economic development of the region.

1.6.3. The Respondents submit that any delay in land acquisition caused due to grant of stay would not only jeopardize the timely execution of the project but also cause serious hardship to the general populace and result in unnecessary cost escalation.

1.7. Interim Relief in the Nature of Final Relief:

1.7.1. The Respondents submit that the relief sought by the Applicant in the guise of an interim application is, in essence, in the nature



VERIFICATION

I, Shrivallabh R Pai, son of Rajaram Upendra Pai, aged 59, an Indian Inhabitant, working as Chief Engineer (NH, R&B) at the office of PWD having my office at Altinho Panaji, Goa, state on solemn affirmation that the contents of this Reply on behalf of the Respondent Nos. 3 to 5 are true and correct and the same are based on the records maintained at our office and are correct to the best of my knowledge and belief. In witness whereof, I have signed this day.



Date: 3/6/2025
Place: Panaji Goa

Chief Engineer
(NH), Roads & Bridges
Public Works Department
Altinho, Panaji-Goa

FOR RESPONDENT NO.4

Before Me

For M.V.KINI Law Firm
Advocates for Respondent No.4

Solemnly affirmed before me by
Mr. Shrivallabh R. Pai
who is identified to me by
whom I personally know,

SWETA NAIK GAUNEKER
NOTARY
TISWADI TALUKA NORTH GOA

Place Panaji Goa Date 3/6/2025
Reg. No. 8139

SWETA NAIK GAUNEKER
ADVOCATE & NOTARY
PANAJI GOA





GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS

Parivahan Bhavan,
1, Sansad Marg
New Delhi-110001

F. No. RW/NH-33044/117/2015/S,R&T (R)

Dated: 23rd April, 2015

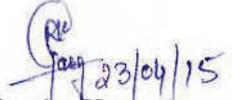
To,

1. The Chief Secretaries of all the State Governments/ UTs
2. The Principal Secretaries/ Secretaries of all States/ UTs Public Works Department dealing with National Highways, other centrally sponsored schemes.
3. All Engineers-in-Chief and Chief Engineers of Public Works Department of States/ UTs dealing with National Highways, other centrally sponsored schemes.
4. The Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi- 110 010.
5. The Chairman, National Highways Authority of India, G-5 & 6, Sector-10, Dwarka, New Delhi-110 075.
6. The Managing Director, NHIDCL, PTI Building, Parliament Street, New Delhi- 110001

Subject: Maintenance of bypassed sections of the National Highways.

As per the extant policy of the Ministry, on the subject cited above, issued vide Circular nos. NHIII/P/9/77 dated 30th November, 1977 and 12th April, 1982, the section of the National Highway which has been bypassed would cease to be the part of National Highway network and would no longer vest in the Government of India. The responsibility of its future improvement and maintenance lies with the respective State Government.

2. However, requests are being received in the Ministry regarding carrying out improvement works on such bypassed sections of National Highways due to paucity of funds with the State Governments. It has, accordingly, been decided that before handing over the bypassed sections of the National Highways to the State Governments, the improvement works in these sections shall be carried out through the funds of Central Government as a one-time investment, keeping in view the site requirements, local needs of the area and the safety requirements etc.
3. The contents of this Circular may be brought to the notice of all concerned in your organization.
4. This issues with the approval of Competent Authority.


 (Rajender Kumar)
 Executive Engineer (S, R&T) (Roads)
 For Director General (Road Development) & SS
 Tel. : 011-23314330
 E-mail : rajender.kumar68@nic.in

Contd. on page 2

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Copy to:

1. All Chief Engineers/Superintending Engineers in the Ministry of Road Transport & Highways
2. All Joint Secretaries in the Ministry.
3. All ROs and ELOs of the Ministry
4. The Secretary General, Indian Roads Congress
5. The Director, IAHE
6. Technical circular file of S,R&T (R) Section
7. NIC-for uploading on Ministry's website under "What's new"

Copy for kind information to:

1. PS to Hon'ble Minister (SRT&H)/ PS to Hon'ble MOS (SRT&H)
2. Sr. PPS to Secretary (RT&H)
3. PPS to DG (RD) & SS
4. PPS to SS&FA
5. PPS to ADG-I/ ADG-II/ Coordinators - II/III

गिबिरी सं० डी० एल०-33004/99

REGD. NO. D.L. 33004/99



भारत का राजपत्र

The Gazette of India

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पर्यावरण और वन मंत्रालय

अधिसूचना

नई दिल्ली, 22 अगस्त 2013

का.आ.2559(अ)-केन्द्रीय सरकार ने, भारत सरकार की पर्यावरण और वन मंत्रालय में पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उप-नियम (3) के खंड (घ) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (2) के खंड (5) और उप-धारा (1) के अधीन जारी अधिसूचना संख्या का.आ. 1533 (अ) तारीख 14 सितंबर, 2006 द्वारा निदेश दिया है कि इस अधिसूचना के प्रकाशन की तारीख से ही नई परियोजनाओं या उक्त अधिसूचना की अनुसूची में सूचीबद्ध विद्यमान परियोजनाओं या कार्यकार्यायों के विस्तार या आधुनिकीकरण के लिए अपरिहार्य क्षमतावर्धन के लिए प्रक्रिया या प्रौद्योगिकी में परिवर्तन और या उत्पाद मिश्रण, भारत के किसी भी भाग में यथास्थिति केन्द्रीय सरकार या उक्त अधिनियम की धारा 3 की उप-धारा (3) के अधीन केन्द्रीय सरकार द्वारा सम्बन्ध से गठित राज्य स्तरीय पर्यावरण संघात निर्धारण प्राधिकरण की उसमें विनिर्दिष्ट प्रक्रिया के अनुसरण में पूर्व पर्यावरण निकासी के पश्चात् ही हाथ में लिया जाएगा;

और भारत सरकार ने पर्यावरण और वन मंत्रालय में राजमागी, भवनों और विशेष आर्थिक क्षेत्र परियोजनाओं के लिए पर्यावरणीय निकासी प्रदान करने से संबंधित पर्यावरण संघात निर्धारण अधिसूचना, 2006 के उपबंधों का पुनर्विनिर्माण करने के लिए कार्यालय गणन सं. 21-270/2008-आईए.III, तारीख 11 दिसंबर, 2012 और पर्यावरण और वन मंत्रालय के गणनपूर्वी भवनों के संबंध में कार्यालय गणन तारीख 7 फरवरी, 2011 द्वारा सदस्य, (पर्यावरण और वन तथा विज्ञान और प्रौद्योगिकी), योजना आयोग की अध्यक्षता में एक उच्च स्तरीय समिति का गठन किया था ;

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(1)

और समिति के संदर्भ के निबंधनों (टीओआर) में एक निबंधन पर्यावरण संघात निर्धारण अधिसूचना के अधीन 60 मीटर के मार्गाधिकार और 200 किलोमीटर लंबी राजमार्ग विस्तार परियोजनाओं के लिए पर्यावरण निकासी की अपेक्षाओं का पुनर्विलोकन करना था ;

और समिति ने मंत्रालय को अपनी रिपोर्ट प्रस्तुत कर दी है और इस टीओआर पर समिति ने राजमार्ग विस्तार परियोजनाओं को विस्तारण की अपेक्षा और पर्यावरण संघात निर्धारण से छूट देने की सिफारिश की है या राजमार्ग विस्तार परियोजनाओं के लिए पर्यावरण प्रबंधन परियोजना माडल टीओआर, जिसे मंत्रालय की वेबसाइट पर पोस्ट किया जाएगा के अनुसार तैयार किया जा सकता है और पर्यावरण निकासी की अपेक्षा के संबंध में समिति ने सिफारिश की है कि 100 किलोमीटर तक राष्ट्रीय राजमार्ग परियोजनाओं का विस्तार जिसमें अतिरिक्त मार्गाधिकार या विद्यमान संरक्षणों पर 40 मीटर तक अर्जन और पुनःसंरक्षण पर 60 मीटर या उप-मार्गों को अधिसूचना की परिधि से बाहर रखने की सिफारिश की है ;

और समिति की रिपोर्ट की पर्यावरण और वन मंत्रालय में जांच की गई है । पहले ही अधिसूचना सं. का. आ. 3067(अ) तारीख 1 दिसंबर, 2009 द्वारा सभी राज्य राजमार्ग विस्तार परियोजनाओं को सिवाय उन परियोजनाओं के जो पहाड़ी क्षेत्रों (1000 मीटर एएमएसएल) और पारिस्थितिकीय रूप से संवेदनशील क्षेत्रों में हैं, को पर्यावरण संघात निर्धारण अधिसूचना 2006 से छूट प्रदान कर दी गई है ।

और अन्य बातों के साथ पूर्वोक्त को ध्यान में रखते हुए पर्यावरण और वन मंत्रालय ने कार्यालय जापन सं. 21-270/2008-आई.ए. III, तारीख 11 दिसंबर, 2012 द्वारा गठित उच्च स्तरीय समिति की पूर्वोक्त सिफारिशों को स्वीकार करने का विनिश्चय किया है ;

अतः, जब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (4) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (2) के खंड (5) और उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के पर्यावरण और वन मंत्रालय की अधिसूचना सं. का.आ. 1533(अ) तारीख 14 सितंबर, 2006 में उक्त नियम 5 के उपनियम (3) के खंड (क) के अधीन सूचना की अपेक्षा से अभिमुक्ति देने के लिए निम्नलिखित और संशोधन करती है, अर्थात् :-

2. उक्त अधिसूचना में,-

(क) पैरा 7 के उपपैरा 11 के मद (i) के स्थान पर निम्नलिखित मद रखी जाएगी, अर्थात्:-

'(i) "विस्तारण" उस प्रक्रिया को निर्दिष्ट करता है, जिसके द्वारा प्रवर्ग 'क' परियोजना क्रियाकलापों के मामले में विशेषज्ञ आंकलन समिति और प्रवर्ग 'ख 1' परियोजनाओं या क्रियाकलापों के मामले में, राज्य स्तर विशेषज्ञ आंकलन समिति, जिसके अंतर्गत विद्यमान परियोजनाओं या क्रियाकलापों के विस्तार या आधुनिकीकरण या उत्पाद मिश्रण में परिवर्तन उस परियोजना या क्रियाकलाप, जिसके लिए पूर्व पर्यावरणीय अनापत्ति ईप्सित की गई है, के संबंध में पर्यावरण समाधात निर्धारण रिपोर्ट (ईआईए) तैयार करने के लिए सभी सुसंगत पर्यावरणीय चिंताओं को संबोधित करते हुए विस्तृत और समग्र निर्देश के निबंधनों का अवधारण और विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर आंकलन समिति विहित आवेदन प्रूप 1/प्रूप1क में दी गई जानकारी के आधार पर जिसके अंतर्गत आवेदक द्वारा प्रस्तावित निर्देश के निबंधन हैं, किसी विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर आंकलन समिति के किसी उप समूह द्वारा स्थल भ्रमण यदि संबंधित विशेषज्ञ आंकलन समिति या संबंधित राज्य स्तर विशेषज्ञ आंकलन समिति द्वारा आवश्यक समझा जाए, आवेदक द्वारा सुझाए गए निर्देश के निबंधन, यदि प्रस्तुत किए जाएं और अन्य सूचना जो विशेषज्ञ आंकलन समिति या राज्य स्तर विशेषज्ञ आंकलन समिति के पास उपलब्ध हों, सम्मिलित है:

परंतु निम्नलिखित को विस्तारण की आवश्यकता नहीं होगी-

(i) अनुसूची के मद 8 में प्रवर्ग ख के रूप में सूचीबद्ध सही परियोजनाएं और कार्यकलाप (नगरों या वाणिज्यिक परिसरों या आवासन का संनिर्माण) ;

(ii) अनुसूची के मद 7 की उपमद (घ) के अधीन स्तंभ (3) और स्तंभ (4) की प्रविष्टि (ii) के अधीन आने वाली राजमार्ग विस्तार परियोजनाएं ;

परंतु यह और कि -

अ. खंड (i) में निर्दिष्ट परियोजनाएं और कार्यकलापों का अंकन प्ररूप 1 या प्ररूप 1क और अवधारणा योजना के आधार पर किया जाएगा ;

आ. खंड (ii) में निर्दिष्ट परियोजनाएं पर्यावरण और वन मंत्रालय द्वारा विनिर्दिष्ट माडल टीओआर के आधार पर ईआईए और ईएमपी रिपोर्ट तैयार करेंगी ;

(ख) अनुसूची में मद 7 की उप मद (घ) के सामने स्तंभ (3) में प्रविष्टि (ii) के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी, अर्थात्:-

"(ii) राष्ट्रीय राजमार्गों का 100 किलोमीटर से अधिक विस्तार जिनमें अतिरिक्त 40 मीटर से अधिक विद्यमान संरेखणों पर और पुनः संरेखणों या उपमार्गों पर 60 मीटर क्षेत्राधिकार या भूमि अर्जन अंतर्बर्तित है ।"

[फा.सं.21-270/2008-आईए.111]

अजय त्यागी, संयुक्त सचिव

टिप्पण : मूल नियम भारत के राजपत्र असाधारण, भाग II, खंड 3, उपखंड (ii) में अधिसूचना सं. का.आ. 1533(अ), तारीख 14 सितंबर, 2006 द्वारा प्रकाशित किए गए थे और तत्पश्चात् निम्नानुसार संशोधित किए गए :

1. का.आ. 1733(अ), तारीख 11 अक्तुबर, 2007;
2. का.आ. 3067(अ), तारीख 1 दिसंबर, 2009;
3. का.आ. 695(अ), तारीख 4 अप्रैल, 2011;
4. का.आ. 2896 (अ), तारीख 13 दिसंबर, 2012; और
5. का.आ. 674(अ), तारीख 13 मार्च, 2013

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 22nd August, 2013

S.O. 2559(E).- Whereas by notification of the Government of India in the Ministry of Environment and Forests vide number S.O.1533(E), dated the 14th September, 2006 issued under sub-section (1) and clause (v) of sub-section (2) of section (3) of the Environment (Protection) Act, 1986 read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government directed that on and from the date of its publication, the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to the said notification entailing the capacity addition with change in process or technology and or product mix shall be undertaken in any part of India only after prior environmental clearance from the Central Government or as the case may be, by the State level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified therein;

And whereas the Government of India in the Ministry of Environment and Forests had constituted a High Level Committee under the Chairmanship of Member (Environment and Forests and Science and Technology), Planning Commission, vide OM No.21-270/2008-IA.III dated the 11th December, 2012 to review the provisions of Environmental Impact Assessment Notification, 2006 relating to granting Environmental Clearances for Roads, Buildings and Special Economic Zone projects and provisions under the OM dated the 7th February, 2012 issued by the Ministry of Environment and Forests regarding guidelines for High Rise Buildings;

And whereas one of the terms of reference (ToR) of the Committee was to review the requirement of Environmental Clearance for highway expansion projects up to the right of way of 60 meters and length of 200 kms under Environmental Impact Assessment notification;

And whereas the Committee has submitted its report to the Ministry and on this ToR, the Committee has recommended exempting highway expansion projects from the requirement of scoping and that Environmental Impact Assessment or Environment Management Plan for highway expansion projects may be prepared on the basis of model ToRs to be posted on Ministry's website and in respect of requirement of environmental clearance, the Committee has recommended that expansion of National Highway projects up to 100 kms involving additional right of way or land acquisition up to 40 mts on existing alignments and 60 mts on re-alignments or by-passes may be exempted from the preview of the notification;

And whereas the report of the Committee has been examined in the Ministry of Environment and Forests. Earlier, vide notification S.O. 3067(E), dated the 1st December 2009 all State Highway expansion projects, except those in hilly terrain (above 1000 m AMSL) and ecologically sensitive areas, have already been exempted from the purview of the Environmental Impact Assessment notification, 2006.

And whereas, keeping inter-alia in view the foregoing, the Ministry of Environment and Forests has decided to accept the aforesaid recommendations of the High Level Committee constituted vide OM No.21-270/2008-1A.III, dated the 11th December 2012;

Now, therefore in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule (5) of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendment to the notification of the Government of India, in the Ministry of Environment and Forests number S.O. 1533(E), dated the 14th September, 2006 after having dispensed with the requirement of notice under clause (a) of sub-rule (3) of the said rule 5 in public interest, namely:—

2. In the said notification, —

(a) in paragraph 7, in sub-paragraph II, for item (i), the following item shall be substituted, namely:—

(i) "Scoping" refers to the process by which the Expert Appraisal Committee in the case of Category 'A' projects activities, and State level Expert Appraisal Committee in the case of Category 'B1' projects or activities, including applications for expansion or modernization or change in product mix of existing projects or activities, determine detailed and comprehensive Terms of Reference (TOR) addressing all relevant environmental concerns for the preparation of an Environment Impact Assessment (EIA) Report in respect of the project or activity for which prior environmental clearance is sought and the Expert Appraisal Committee or State level Expert Appraisal Committee concerned shall determine the terms of reference on the basis of the information furnished in the prescribed application Form I or Form IA including terms of reference proposed by the applicant, a site visit by a sub-group of Expert Appraisal Committee or State level Expert Appraisal Committee concerned only if considered necessary by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned, terms of Reference suggested by the applicant if furnished and other information that may be available with the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned:

Provided that the following shall not require Scoping:—

- (i) all projects and activities listed as Category 'B' in item 8 of the Schedule (Construction or Township or Commercial Complexes or Housing);
- (ii) all Highway expansion projects covered under entry (ii) of column (3) and column (4) under sub-item (f) of item 7 of the Schedule:

Provided further that—

- A. the projects and activities referred to in clause (i) shall be appraised on the basis of Form I or Form IA and the conceptual plan;
 - B. The projects referred to in clause (ii) shall prepare EIA and EMP report on the basis of model TOR specified by Ministry of Environment and Forests;
- (b) in the Schedule, against sub-item (f) of item 7, in column (3), for the entry (ii), the following entry shall be substituted, namely:—

"(ii) Expansion of National Highways greater than 100 km involving additional right of way or land acquisition greater than 40m on existing alignments and 60m on re-alignments or by-passes."

[F. No. 21-270/2008-1A.III]

AJAY TYAGI, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 1533(E), dated the 14th September, 2006 and subsequently amended as follows:—

1. S.O. 1737 (E), dated the 11th October, 2007;
2. S.O. 3067 (E), dated the 1st December, 2009;
3. S.O. 695 (E), dated the 4th April, 2011;
4. S.O. 2896 (E), dated the 13th December, 2012; and
5. S.O.674(E), dated the 13th March, 2013

No.F.8024/PWD/WDXV(NH)/ASW/2017-18/402

Government of Goa.
Office of the Executive Engineer,
W.D. XV (NH), P.W.D.,
Ponda - Goa.

Dated: - 05/12/2017.

To,
The Member Secretary,
Coastal Regulation Zone Department,
Government of Goa,
Porvorim - Goa.

Sub.: Preparation of Detailed Project Report for the "Proposed Construction of High Level New Bridge along with its approaches across River Zuari at Borim on NH - 17B (NH-566) in the State of Goa".

Reg.: Delineation of CRZ line

Sir,

We would like to inform you that, (NH) PWD-Goa has undertaken the work of preparation of Detailed Project Report for the construction of new Bridge across River Zuari at Borim on NH-17B which will be replacement of existing bridge at Borim. M/s. Technogem Consultants Pvt. Ltd. Thane has been entrusted the work of preparation of DPR for this new bridge.

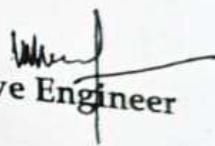
It is proposed to construct the new bridge at 1780m on D/s side of existing Borim Bridge. The alignment for new bridge has been approved by Ministry of Road Transport & Highways (MORT&H).

05/12/17
The Member Secretary
Coastal Regulation Zone Department
Government of Goa
Porvorim - Goa

In view of preparation of proposal for CRZ clearance for the proposed bridge, representative of the consultants had visited your office to give the introduction about this project and to enquire about the procedure for proceeding for CRZ clearance. He was directed by your office to submit the proposed alignment of new Borim Bridge marked on village maps/ Revenue maps and submit the same to CRZ department. Accordingly, a plan showing proposed alignment of new Borim Bridge across River Zuari marked on village map/ Revenue maps is submitted herewith for your kind information and necessary action. We request you to kindly delineate CRZ line for the proposed Bridge across River Zuari near Borim and offer your comments if any so that a proposal for CRZ clearance can be forwarded to your office.

Thanking You

Yours faithfully,


Executive Engineer

Encl:- A plan showing proposed alignment of new Borim Bridge across River Zuari marked on village map/ Revenue maps 2 copies

- C.C.:-1) M/s. Technogem Consultants Pvt. Ltd.
803, 8th Floor, B wing, Lodha Supremus II, Near New Passport Office,
Road no 22, Wagle Estate Thane (W) - 400604. Ph. No. 022 -
49747799/49749899.
- 2) The Assistant Engineer, SD III, WD XV(NH), PWD, Ponda - Goa.