

Government of Himachal Pradesh  
Public Works Department

No. PWD (B) E (3)27/2013 Dated Shimla-2 the 13 January, 2014

OFFICE MEMORANDUM

Whereas the Hon'ble High Court took Suo-Moto cognizance and registered CWPIL No. 9/2013 titled Court on its own Vs. State of H.P.

And Whereas, in the above writ petition, from time to time, various affidavits were also filed. Ultimately comprehensive Draft Road Construction Policy, in consultation with all the stake holder/Departments was framed, which was placed before the Hon'ble High Court alongwith affidavit. This matter was lastly listed on 13-09-2012, when after perusing the said Draft Road Construction Policy, the writ petition has also been finally disposed of with the direction to act as per the said Road Construction Policy.

Now Therefore, this road construction policy, as approved by the Hon,ble High Court, is herby issued by the Government which may be followed in letter and spirit by all the Stake Holders/Departments of Government of HP.

By Order,

Chief Secretary to the  
Government of Himachal Pradesh


Endst. No. As above

Dated: Shimla-2, the

13/01-2014

Copy is forwarded for information and necessary action to :-

1. The Secretary to the Governor, Himachal Pradesh, Shimla-171002
2. The Advocate General High Court of Himachal Pradesh
3. All the Additional Chief Secretaries/Pr Secretaries/Secretaries to the Government of Himachal Pradesh Shimla-2
4. The Secretary, Himachal Pradesh Vidhan Sabha Shimla-4
5. All the Head of Departments, Himachal Pradesh
6. All the Deputy Commissioners in Himachal Pradesh.
7. The Engineer-in-Chief, HP PWD, Shimla-2
8. All the Chief Engineers, HPPWD, H.P.
9. The Private Secretary to Chief Secretary Himachal Pradesh Shimla-2
10. The Private Secretary to Chief Minister Himachal Pradesh Shimla-2
11. The Controller, Printing and Stationary, HP Government Press Shimla-5 for publication in the Rajpatra.
12. Guard file

  
Joint Secretary (PW) to the  
Government of Himachal Pradesh

## **H.P. ROAD CONSTRUCTION POLICY**

### **PREAMBLE**

In the absence of any significant rail and air network, roads are the only means of communication in the hill State of Himachal Pradesh. Further in the State about 66% land is classified as forest land and thus most of the roads have to be constructed through forest land only. As on 01-04-2013, more than 4500 habitations of the State having a population of more than 100 are yet to be provided with connectivity. The State Government is committed towards providing connectivity to all such habitations but simultaneously environment protection is a priority and policy of the Government. It has therefore been decided to frame a Road Construction Policy, which shall be followed by all road construction agencies in the state, and includes, Gram Panchayats, Rural Development Department, Forest Department, I&PH Department, Public Works Department etc. The contents of the policy as detailed below have been kept simple in order that it is understood and implemented by all implementing agencies.

### **Policy Statement**

The policy takes into consideration the planning, estimation and construction stage of the road.

(A) Planning and estimating stage

Aligning a road in hilly areas is a very complex job. Crossing of streams, location of bridges, connecting isolated populated pockets, saving agricultural and forest land, avoiding unstable slopes are some of the factors which limit the ideal alignment. Therefore, the following actions are required to be taken at Planning & Estimating stage by the concerned agency.

- (1) The alignment of any road should be such that:
  - (i) It traverses minimum area of forest land.
  - (ii) It avoids areas prone to land slides and soil erosion.
  - (iii) Number of trees required to be felled for construction of such roads should be minimum.
  - (iv) As far as possible, areas having hard rock which may require heavy blasting by way of use of explosives may be avoided.
  - (v) Water sources should be protected, as far as possible.
  - (vi) There should be minimum interruption to the natural drainage system.
  - (vii) As far as possible, excessive cutting and filling shall be avoided.
- (2) Identify appropriate and safe dumping sites for disposal of surplus debris from road. The dumping sites should not cause any harm to the adjoining public & private property and also to the environment and the capacity of these sites should be sufficient enough to

accommodate the surplus material likely to be generated from construction of any road.

- (3) Identify the stretches and areas of land which may be impacted by blasting, where unavoidable.
- (4) The case under Forest Conservation Act 1980, for seeking use of forest land for the construction of road including land required for dumping of debris may be initiated by the concerned agency and sanction be obtained from competent authority. However, in case where some forest land, extra to that being transferred under FCA 1980, is also likely to be damaged by way of blasting even after taking all the precaution, the concerned agency may identify the same in advance and intimate its details to the forest authorities.
- (5) The alignment so finalized and the comments of the Committee as notified in para (C) of this policy shall be taken into consideration by the concerned agency while preparing the estimates for construction of such road. A walk along the road alignment (where feasible), should be invariably taken by the Committee.
- (6) The location of dumping sites shall be clearly earmarked in the plans of the estimates. The development works, if any, required for creating an appropriate dumping sites shall also be incorporated in the estimates.

- (7) The protection works like breast walls & retaining walls shall invariably be included in the estimate, for all those stretches which are prone to frequent land slides. Further all the essential cross-drainage structures including road side drains shall be incorporated in the estimates.

However, in case during the stage of planning and alignment of new roads, the local committee considers that some of the area/portion of the road may involve fragile portion, in that case the State Geologist shall be requested to depute some expert, not below the rank of Mining Inspector, to associate in the finalization of the alignment of road qua the portion of fragile area and give his suggestion, which shall be taken care by the local committee at the time of the construction activity being undertaken through the concerned fragile area.

- (8) All roads works shall be planned to meet the provisions of relevant IRC Codes and prevalent PWD norms & specification in the State.

**(B) Construction Stage**

1. For construction of new roads, the alignment finalized earlier during the planning stages should strictly be followed. However, in private land, alignment may be changed, if necessary, provided alternate land is made available by land owners free of cost.

2. The cutting work of road should be done in a planned & systematic manner so that the debris does not effect the land beyond the acquired road land. In case of stretches where land beyond acquired road land is likely to be affected by blasting even after taking all the precautionary measures, the cutting work shall be planned so meticulously , so that least damage is caused to the land on either side of proposed road. These stretches and the areas beyond the road length, which may be affected shall be identified at the Planning stage, as covered in para A(4) of this policy and in case of forest land, the forest department authorities may be intimated in advance i.e. before the execution of work in such vulnerable stretches. Further whatever least damages are caused to the forest, the payment for restoration of such damages be deposited by construction agency with Forest Deptt. immediately on receipt of such notice.
3. The cutting through hard rock may require controlled blasting. However, the cut material shall be removed very systematically by using mechanical excavators or by manual means or by use of both, ensuring that least damage is caused to the adjoining land. Any damages caused to private & public property beyond

that which is anticipated at planning stage, shall invite personal liability of concerned officials.

4. All the surplus debris shall be lifted and disposed off at the authorized dumping sites. .
5. All the planned breast walls, retaining walls, the cross drains and road side drains shall be constructed simultaneously so that occurrence of landslides and soil erosion could be reduced especially during rains.
6. The executing agency shall take all measures and precautions to avoid any nuisance or disturbance to the inhabitants, arising from the execution of works. It should also be ensured that all existing water sources and drains within and adjacent to the site are free from any contamination.
7. The executing agency shall maintain all the equipments in good condition to minimize dust, gaseous or other air borne emissions and carry out works in such a manner, so as to minimize adverse impact on air.
8. The stone crushers, bituminous & hot mix plants, concrete batching plants shall be located sufficiently away from habitations as per the prevailing policy guidelines issued by the concerned authorities of the state. The executing agency shall take every precaution to reduce the levels of noise, vibration,

dust and emissions from such plants and shall be fully responsible for any claims for damages caused to the individuals, environment, public & private property.

(C) **Constitution of local Committee for implementation of policy .**

The Committee consisting of the following shall be responsible for ensuring compliance of policy/ guidelines:-

- (i) Assistant Engineer (PWD) of the area.
- (ii) Assistant Engineer (I&PH) of the area.
- (iii) Assistant Conservator of Forest of the area.
- (iv) Elected Pradhan (s) of local Gram Panchyat (s).
- (v) Kanoongo and Patwari of the area.
- (vi) Junior Engineer (RDD) where roads are proposed to be constructed by Rural Development Department.

The Planning / Construction Agency shall be required to inform all the above members about the activities of the road and the Committee, should meet as frequently as possible in order to ensure satisfaction of all committee members/ public regarding implementation of the above policy. The committee members may go together for inspection or authorize their nominee.

By Order

Chief Secretary to the  
Government of Himachal Pradesh