

F. No.11-48/2002-FC
Government of India
Ministry of Environment & Forests
F.C. Division

Most Immediate
Out today

Paryavaran Bhawan, CGO Complex,
Lodhi Road, New Delhi - 110 003.
New Delhi, the 14th September 2004.

To
The Principal Secretary (Forests),
Government of Rajasthan,
Jaipur

Sub: Clarification on repair and maintenance of roads constructed on forest lands for public purpose prior to 1980.

Sir,

I am directed to refer to your letter No.F.1(17)Van/91 dated 20-7-2004 on the above mentioned subject. In this regard, the matter has been examined by the Central Government in its entirety. Since, good roads are the means of better communication and indicator of development and as these also help in better patrolling, protection and management of forests, the Central Government issue the following clarifications for the repair and maintenance of roads constructed on forest lands for public purpose prior to commencement of Forest (Conservation) Act, 1980:

1. Roads constructed on forest lands prior to 25.10.1980 (date of enactment of FC Act, 1980) may be repaired and maintained and black topping may be done with prior permission of the State Forest Department. While undertaking such works, State Government shall ensure:
 - (i) No tree felling should be allowed.
 - (ii) No widening of roads should be undertaken without prior permission of the Central Government under Forest (Conservation) Act, 1980.
 - (iii) No breaking of fresh forest land is carried out.
 - (iv) While black-topping, adequate precaution should be taken by the user agency to avoid any damage to flora and fauna.
 - (v) Plantation activities are taken up along the road at the cost of user agency, if the concerned Divisional Forest Officer finds it necessary.
2. However, for the repair and maintenance of roads in protected areas like National Park/Sanctuaries, prior permission of National Board of Wildlife shall be taken by the State Government on case to case basis in view of the Supreme Court order dated:14-2-2000 in Writ Petition (C) No. 202 of 1995.

This issues with the approval of competent authority.

Yours faithfully,


(Anurag Bajpal)

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, All States and UTs.
2. The Chief Conservator of Forests (Central), All Regional Offices, Ministry of Environment & Forests.
3. The Nodal Officer(FC), Forest Department, All States/UTs.
4. Director(FC)
5. AIGF(P)/AIGF(S)/SO (F.C)
6. Guard file.