

**GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT**

From
Sri P.V.Sandeep Reddy, I.F.S.,
District Forest Officer,
YSR (T) Division,
Kadapa

To
The Chief Conservator of Forests,
Kurnool Circle,
Kurnool.

Rc.No.1155/2017/A14, Dt.15.09.2023.

Sir,

Sub :- (R&B) NH – Division, Kadapa – (Rehabilitation and upgradation of NH-167B from Km 43/097 to 99/103 (Porumamilla to C.S.Puram via Seetharamapuram) in the state of Andhra Pradesh to two lanes with paved shoulders under NH(O) on EPC basis – as Rehabilitation and upgradation of existing road to two **lanes** with paved shoulder configuration from Km 22/300 to 58/635 (Mudireddypalle to Kadapa / Nellore Border) of NH-167B in the state of Andhra Pradesh under Annual Plan 2021-22 through EPC basis) – **Request for consideration of existing road width as 3.70mt –Report submission of - Reg.**

Ref:- 1)E.E(R&B)NH Division, Kadapa Lr.No.NH-167B/EPC/Porumamilla-CS Puram/A2/2021-22, dated:05-01-2023.
2)This office Rc.No.1155/2017/A14, dated:05-01-2023.
3)This office Rc.No.1155/2017/A14, dated:05-01-2023.
4)CCF, Kurnool Rc.No.1885/2017-TO, dated:09-01-2023.
5)PCCF,A.P.Guntur Ref.No.EFS02/15034/24/2018 SEC-PCCF/FCA-1, dt: 10-02-2023.
6)This office Rc.No.1155/2017/A14, dated:24-02-2023.
7)E.E.(R&B), NH Division, Kadapa Lr.No.EPC/NH-167B/A2/2022-23, dated:15-03-2023.
8)PCCF & CWW, A.P.Guntur Proc.No.21024/16/2023/WI-2,dt:17-04-2023.
9)E.E(R&B), NH Division, Kadapa Lr.No.M-K-N/NH-167B/A3/2022-23, dt:20-05-2023.
10)This office Rc.No.1155/2017/A14,dt:05-06-2023.
11)CCF, Kurnool Rc.No.1885/2017-TO, dt:28-06-2023.
12)PCCF,A.P.Mangalagiri Rc.No.EFS02-17/34/2021-I,dt:31-07-2023.
13)E.E(R&B), NH Division, Kadapa Rc.No.EPC/NH-167B/A/2023-24,dt:24-08-2023.

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It is submitted that, in the reference 1st cited the user agency i.e., Executive Engineer (R&B), NH Division, Kadapa has requested the District Forest Officer, Kadapa to consider the existing Right of Way(RoW) as 3.70 Mtrs, duly considering the forest diversion area proposed 11.03 Ha and to recommend the same to the competent authority for further process.

In this connection, as per the detailed reports submitted vide references 3rd & 4th cited the Principal Chief Conservator of Forests(HoFF), Andhra Pradesh, Guntur has made the following observations:

1. Inconsistencies in the forest area to be diverted for the subject proposals as sought by the Government in Memo.No.1481/Section.II/2021 (1226406), EFS&T (Sec.II) Dept., dt:10.10.2022 has not been recorded.

Inconsistency is there because:

- i) Sri M.Guruprabhakar, the then Divisional Forest Officer, erstwhile Proddatur WL Division has reported in his inspection report that the width of the existing BT Road including side berms is about 7.00 Mt.
- ii) The Road Inspection Note book of PWD (Road & Buildings) Department, AP signed by the Executive Engineer, Nellore Dt. 05-10-1974, the road width (RoW) from Porumamilla to Setharamapuram was mentioned as 30 Mts and as the existing carriage way width is 7.5 Mt.
- iii) Sri M.Nagarjuna Reddy, the then Divisional Forest Officer, Proddatur in the inspection report reported that the width of the existing BT Road including side berms is about 7.50Mt.

Clarifications: Throughout the above (3) reports, they mentioned area to be diverted as 11.03 Ha only. There is no inconsistency in area to be diverted and in all above (3) reports area to be diverted is 11.03 Ha only.

There is inconsistency in Right of Way(RoW) reported in the above (3) reports because they mentioned as per their own interpretations and gave approximate width.

And as per field inspection of present District Forest Officer, at most of the stretch the existing road width is 3.70 meters(BT),(excluding side berms etc).

- 2. The existing road was black topped in the year 1968 and width of the RoW is 3.70 m but not 7.50 m as claimed by the user agency. However, documentary evidence to show that the existing road was black topped in the year 1968 and also Gazette notification of RF regarding mention of RoW were not submitted.**

In this connection, the user agency i.e., Executive Engineer (R&B), NH Division, Kadapa has submitted a report vide reference 9th cited stating that, "earlier the road from Porumamilla to Seetharamapuram is a **Major District Road (MDR)** assigned road No.4809. The total length of the road is 25.20Kms, out of this the road from Km 0/0 to 15/2 is passing through Kadapa District which is under the control of (R&B) Kadapa division and from Km 15/2 to 25/2 through Nellore district which is under the control of (R&B) Nellore division. The total road **(35.20 Kms)** was black topped in the year 1968 simultaneously by both (R&B) Kadapa and Nellore divisions in their respective jurisdiction. This road is an inter district road and it was renewed between 1973 - 1975. Subsequently the BT patch work was also done in the Financial Year 1983-84. Unfortunately, due to heavy floods occurred to Buggavanka river on 16.10.2001 part of Kadapa town was inundated including (R&B) Division Office, Kadapa. During floods some of the records of (R&B) Division were inundated including the record of subject road.

However, the Measurement Book(M.Book) showing the recorded evidence of BT patch work taken up for Porumamilla – Seetharamapuram road from Km 0/0 to 15/2 in the year 1983-84 was available. Further, it is mentioned that, normally after laying BT road a minimum of "6 to 8" years' time will be required for sanction of next renewal. If the sanction of renewal is delayed then in order to maintain the road in traffic worthy condition, BT patch work will be taken up. Accordingly, the BT patch work was done in the year 1983-84. If we consider a minimum of "6" years' time period for BT renewal and going back it is evident that, the road was black topped prior to 1980 itself. Therefore by going through the above facts it is known that the road from Km 0/0 to 15/2 of Porumamilla to Seetharamapuram (Kadapa district jurisdiction) was black topped prior to 1980 itself".

Therefore, the user agency has requested the authority to consider the existing road width as 3.70mt only since it was black topped in the year **1968 i.e. prior to year 1980 and the road was already under usage as per their records.**

It is further submitted that, the (R&B) NH Division will form the subject road with in the forest diversion area of **11.03Ha of Kavalakuntla** Reserved Forest area which was requested earlier vide letter dated 05.01.2023. Accordingly the total land width required will be restricted to 16.20 mt instead of 20.00mt proposed earlier duly not exceeding the earlier forest diversion area proposals.

- As submitted in the earlier reports vide reference 2nd & 3rd cited, at most of the stretch, the existing road width is 3.70 Mts (BT).
- The user agency has stated that the BT patch work was also done in the Financial Year 1983-84.
- The user agency has submitted the copy of the Measurement Book(M.Book) showing the recorded evidence of BT patch work taken up for Porumamilla – Seetharamapuram road from Km 0/0 to 15/2 in the year 1983-84.
- The user agency has submitted their consent that, the subject road will formed with in the forest diversion area of **11.03 Ha of Kavalakuntla** Reserved Forest and the total land width required will be restricted to 16.20 mt instead of 20.00 mt proposed earlier duly not exceeding the earlier forest diversion area i.e., 11.03 Ha.
- The user agency has submitted a certificate of Road formed before 1980 duly signed by the A,E, D.E & E.E(R&B)NH Division, Kadapa.

- Gazette notification saying about RoW is not available. We referred to the block history of working of plan which mentioned about 3 feet right of way for cart track. (copy enclosed)

However, the user agency is requesting irrespective of RoW as per Gazette, consider 3.7 Mt for exemption as per clarification of MoEF letter dated:15.03-2023 which says

- i. While seeking prior approval under the Forest (Conservation) Act,1980 for use for additional forest land required for upgradation/widening of such roads, the detail of existing forest land involved in the carriageway of road constructed prior to 1980 should also be included in the application for diversion of forestland.
- ii. As the non-forestry use of forest land involved in the carriage way constructed prior to 1980 has already been allowed before 1980,the provision of raising compensatory afforestation and payment of NPV should not be insisted for such portion of forest land involved in the upgradation/widening of forest land.

Therefore, the user agency i.e., Executive Engineer (R&B), NH Division, Kadapa has requested to get the approval from the competent authority considering **3.70mt BT road which was under usage as the existing land width** of R&B road and total land width required for subject road as 16.30mt such that the extent of diversion of forest area remains same 11.03 Ha which was proposed earlier taking the 15.03.2023 MoEF Clarification in to consideration.

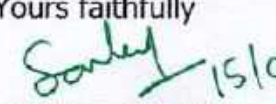
- 3. The user agency in their letter dated 05-01-2023 stated that they would reduce RoW from 20 m to 16.20 m in such a way that the extent of diversion area proposed earlier (11.03 ha) will not be exceeded 11.03 ha the user agency has to submit revised proposal &Kml layer duly informing the exact forest area required for diversion. And also instructed to submit the above information, for further processing of the proposal under the Forest(Conservation) Act, 1980.**

It is submitted that, the user agency has requested the revised proposals duly changing the name as Rehabilitation and upgradation of existing road to two lanes with paved shoulder configuration from Km 22/300 to 58/635 (Mudireddypalle to Kadapa / Nellore Border) of NH-167B in the state of Andhra Pradesh under Annual Plan 2021-22 through EPC basis and requested the PCCF(HoFF), A.P.Guntur to accord permission to conduct the DGPS survey.

Accordingly, the PCCF, & Chief Wildlife Warden, A.P.Guntur has accorded permission to conduct DGPS survey vide Proceeding No.21024/16/2023/WL-2, dated:17-04-2023. The DGPS survey was done and Authenticated maps are attached herewith.(Enclosure-I)

A Copy of the M.Book and E.E(R&B), NH Division, Kadapa report, certificate of road formed before 1980 are submitted herewith for favour of kind information and necessary action. The user agency is requesting to consider the indirect evidences citing that 3.70 mt B.T Road is existing prior to 1980 and the continuation of same road in Nellore district was already granted exemption by REC. Hence, it is requested to address to IRO, Vijayawada to issue suitable orders regarding exemption of 3.70 mt BT road which was under usage at the earliest.

- Encl: 1)Authenticated map
2)Letters of E.E(R&B), NH Division, Kadapa dt:20-05-2023, & 24-08-2023.
3)Copy of M.Books
4)MoEF guidelines dt:15-03-2023.

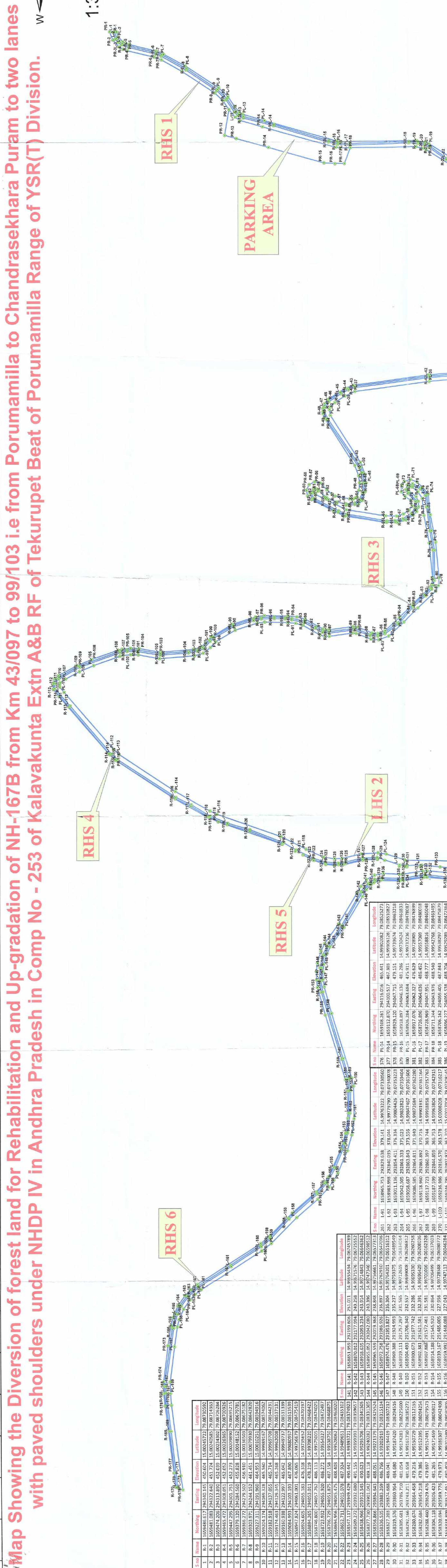
Yours faithfully

District Forest Officer,
YSR(T) Division, Kadapa

Copy to the Executive Engineer, (R&B), NH Division, Kadapa for information.

Copy to the Sub-Divisional Forest Officer, Proddatur Sub-Division for information.

Copy to the Forest Range Officer, Porumamilla for information.

Map Showing the Diversion of forest land for Rehabilitation and Up-gradation of NH-167B from Km 43/097 to 99/103 i.e from Porumamilla to Chandrasekhara Puram to two lanes with paved shoulders under NHDP IV in Andhra Pradesh in Comp No - 253 of Kalavakunta Extn A&B RF of Tekurupet Beat of Porumamilla Range of YSR(T) Division.

[illegible]

The DGPS/GNSS/ETS data is only verified, the absolute locations of Points shall be verified by the concerned field officers.

M.I & A14 to Putup by May 26, 2023

2020
25.05.23
1155/2017/A14
25/05/2023

GOVERNMENT OF ANDHRA PRADESH
ROADS & BUILDINGS DEPARTMENT

From

Sri. C. Vijaya Bhaskara Reddy, M.Tech.,
Executive Engineer (R&B),
NH Division, Kadapa

To

The District Forest Officer,
YSR(T) Division,
Kadapa.

Lr No:M-K-N/NH-167B/A3/2022-23 dt20.05.2023

Sir,

Sub: - (R&B) NH – Division, Kadapa – Rehabilitation and upgradation of existing road to two lanes with paved shoulder configuration from Km 22/300 to 58/635 (Mudireddypalle to Kadapa / Nellore Border) of NH-167B in the state of Andhra Pradesh under Annual Plan 2021-22 through EPC basis – **Request for consideration of existing road width as 3.70mt - Reg.**

- Ref:- 1) This office Lr. No.NH-167B/EPC/Porumamilla – CS Puram/A2/21-22 Dt:05.01.2023.
2) Ref. No.EFSO2/15034/24/2018 Sec—PCCF/FCA-1 dt: 10.02.2023 of Pri.Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Mangalarigi, Guntur Dist.
3) Rc. No.115/2017/A14 Dt: 24.02.2023 of District Forest Officer, YSR(T) Division, Kadapa
4) Ministry of Environment, Forest & Climate Change (Forest Conservation Division) New Delhi Dt: 15.03.2023.

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Adverting to the reference 4th cited, it is to submit that, the road from Porumamilla to Seetharamapuram is a Major District Road (MDR) assigned road No.4809 . The total length of the road is 25.20Kms, out of this the road from Km 0/0 to 15/2 is passing through Kadapa District which is under the control of (R&B) Kadapa division and from Km 15/2 to 25/2 through Nellore district which is under the control of (R&B) Nellore division. The total road (35.20 Kms) was black topped in the year 1968 simultaneously by both (R&B) Kadapa and Nellore divisions in their respective jurisdiction. This road is an inter district road and it was renewed between 1973 - 1975. Subsequently the BT patch work was also done in the Financial Year 1983-84. Unfortunately, due to heavy floods occurred to Buggavanka river on 16.10.2001 part of Kadapa town was inundated including (R&B) Division Office, Kadapa. During floods some of the records of (R&B) Division were inundated including the record of subject road. However, the Measurement Book(M.Book) showing the recorded evidence of BT patch work taken up for Porumamilla – Seetharamapuram road from Km 0/0 to 15/2 in the year 1983-84 was available and the same is herewith furnished for favour kind perusal. In this regard, it is to mention that, normally after laying BT road a minimum of "6 to 8" years' time will be required for sanction of next renewal. If the sanction of renewal is delayed then in order to maintain the road in traffic worthy condition, BT patch work will be taken up. Accordingly the BT patch work was done in the year 1983-84. If we consider a minimum of "6" years' time period for BT renewal and going back it is evident that, the road was black topped prior to 1980 itself. Therefore by going through the above

facts it is known that the road from Km 0/0 to 15/2 of Porumamilla to Seetharamapuram (Kadapa district jurisdiction) was black topped prior to 1980 itself. In this regard it is submitted that the Government of India, Ministry of Environment, Forest & Climate Change (Forest Conservation Division) vide letter dated 15.03.2023 clarified that...

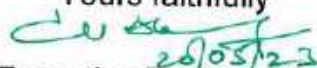
- (i) While seeking prior approval under the Forest (Conservation) Act, 1980 for use for additional forest land required for up-gradation / widening of such roads, the detail of existing forest land involved in the carriageway of road constructed prior to 1980 should also be included in the application for diversion of forest land.
- (ii) As the non-forestry use of forest land involved in the carriage way constructed prior to 1980 has already been allowed before 1980, the provision of raising compensatory afforestation and payment of NPV should not be insisted for such portion of forest land involved in the upgradation / widening of forest land.

Therefore it is requested the kind authority to consider the road width as 3.70mt only since it was black topped in the year 1968 ie prior to year 1980 and the road was already under usage.

It is further submitted that, the (R&B) NH Division will form the subject road with in the forest diversion area of 11.03Ha of Kavalakuntla Reserved Forest area which was requested earlier vide this office letter dated 05.01.2023. Accordingly the total land width required will be restricted to 16.30mt instead of 20.00mt proposed earlier duly not exceeding the earlier forest diversion area proposals.

Therefore it is requested the District Forest Officer, Kadapa to get the approval from the competent authority considering **3.70mt BT road which was under usage as the existing land width** of R&B road and total land width required for subject road as 16.30mt such that the extent of diversion of forest area remains same 11.03Ha which was proposed earlier.

Thanking you Sir

Yours faithfully

20/03/23
Executive Engineer (R&B)
NH Division, Kadapa

Copy submitted to the Chief Engineer (R&B) NH & CRF, Vijayawada for favour of information.

E-Mail
copy received
from Ee Nh Kadapa
25/08/2023 at 8:50 PM.

GOVERNMENT OF ANDHRA PRADESH
ROADS & BUILDINGS DEPARTMENT

2- P&S to Circle
office
3348
20/8/2023
Aug 19, 2023
1155/2017/A14
31/8/23

From
Sri. C.Vijay Bhaskar Reddy, M.tech,
Executive Engineer (R&B),
NH Division, Kadapa

To
The District Forest Officer,
YSR (T) Division,
YSR Kadapa Dist.

Lr. No.EPC/ NH-167B / A2/2023-24 Dated: 24.08.2023



Sir,

26 AUG 2023

Sub: (R&B) NH Division, Kadapa — "Rehabilitation and up gradation of NH-167B from Km 43/097 to 99/103 (Porumamilla to C.S.Puram via Seetharampuram) in the State of Andhra Pradesh to two-lanes with paved shoulder under NH(O) on EPC basis - Form-A (Part-I):
Division of Forest Land - Stage -I Approval - Requested - Regarding.

- Ref: 1. Lr. No. EFS02 - 15034 / 24 / 2018 / FCA SEC - PCCF / FCA - 1 dt: 08.09.2022 of Prl. Chief Conservator of Forests & Head of Forest Force, Guntur, A.P.
2. Memo No. 2102 / Section. II / 2021 / 1838119 dt: 01.12.2022 of Special Chief Secretary to Government of A.P
3. This Office Lr. No.EPC/ NH-167B / A2/2022-23 Dated: 10.04.2023
4. Rc. No. 115 /2017 /A14 dt: 13.04.2023 of District Forest Officer, YSR (T) Division, Kadapa
5. Lr. No. Ref.No.EFS02-17/34/2022 — IT dt: 21.08.2023 of Prl. Chief Conservator of Forests & Head of Forest Force, Guntur, A.P

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It is to submit that, the subject work was sanctioned for Rs. 279.29 crores and entrusted to M/s SRK Constructions & Projects Pvt. Ltd. on tender basis and the agreement concluded on 09.12.2022.

It is submitted that vide reference 1st cited the Prl. Chief Conservator of Forests & Head of Forest Force, Guntur, A.P had submitted the additional information to the Spl. Chief Secretary to Government, EFS&TD, Andhra Pradesh in respect of the proposals for diversion of 11.03 Ha of forest land in compartment no. 253 of Kavalakuntla Extn. A&B RF, Porumamilla Range of Kadapa Division for the subject work. After Scrutiny of the forest proposal the Spl. Chief Secretary to Government, EFS&TD, Andhra Pradesh vide reference 2nd cited had returned the forest proposal to the Prl. Chief Conservator of Forests & Head of Forest Force, Guntur, A.P and instructed the User Agency for uploading of revised KML file in the

A14

online application for an extent of the forest area allowed for diversion and submit compliance to issue Stage-I approval for the project.

It is further submitted that earlier the road from Porumamilla to Seetharamapuram is a **Major District Road (MDR)** assigned road No.4809 . The total length of the road is 25.20Kms, out of this the road from Km 0/0 to 15/2 is passing through Kadapa District which is under the control of (R&B) Kadapa division and from Km 15/2 to 25/2 through Nellore district which is under the control of (R&B) Nellore division. **The total road (35.20 Kms) was black topped in the year 1968 simultaneously by both (R&B) Kadapa and Nellore divisions in their respective jurisdiction.** This road is an inter district road and it was renewed between 1973 - 1975. Subsequently the BT patch work was also done in the Financial Year 1983-84. Unfortunately, due to heavy floods occurred to Buggavanka river on 16.10.2001 part of Kadapa town was inundated including (R&B) Division Office, Kadapa. During floods some of the records of (R&B) Division were inundated including the record of subject road. **However, the Measurement Book(M.Book) showing the recorded evidence of BT patch work taken up for Porumamilla – Seetharamapuram road from Km 0/0 to 15/2 in the year 1983-84 was available and the same is herewith furnished for favour kind perusal.** In this regard, it is pertinent to mention that, normally after laying BT road a minimum of "6 to 8" years' time will be required for sanction of next renewal. If the sanction of renewal is delayed then in order to maintain the road in traffic worthy condition, BT patch work will be taken up. Accordingly the BT patch work was done in the year 1983-84. If we consider a minimum of "6" years' time period for BT renewal and going back it is evident that, the road was black topped prior to 1980 itself. Therefore by going through the above facts it is known that the road from Km 0/0 to 15/2 of Porumamilla to Seetharamapuram (Kadapa district jurisdiction) was black topped prior to 1980 itself. In this regard it is submitted that the Government of India, Ministry of Environment, Forest & Climate Change (Forest Conservation Division) vide letter dated 15.03.2023 clarified that...

- (i) While seeking prior approval under the Forest (Conservation) Act, 1980 for use for additional forest land required for up-gradation / widening of such roads, the detail of existing forest land involved in the carriageway of road constructed prior to 1980 should also be included in the application for diversion of forest land.


- (ii) As the non-forestry use of forest land involved in the carriage way constructed prior to 1980 has already been allowed before 1980, the provision of raising compensatory afforestation and payment of NPV should not be insisted for such portion of forest land involved in the upgradation / widening of forest land.

Therefore it is requested the kind authority to consider the existing road width as 3.70mt only , in the same way as similar stretch for diversion of 5.94 Ha forest land in SPSR Nellore District of NH-167B from Km 58/500 to 62/963 , which was approved in the 09th REC meeting of the IRO, Vijayawada held on 23.11.2022 , since the kadapa district reach was also black topped in the year **1968 i.e. prior to year 1980 and the road was already under usage.**

The authenticated DGPS maps along with KML file for an extent of forest area allowed for diversion uploaded in the Parivesh Portal for favour of kind perusal .

Therefore, it is requested the District Forest Officer , YSR (T) Division ,Kadapa to kindly process the diversion of forest proposals for taking further necessary action.

Yours faithfully


Executive Engineer (R&B)
NH Division, Kadapa

Particulars										Measurements up to 1.2					Remarks	
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No	S	A	D	Constant of rate	Rate
118	1x12	0.30	0.30	73.87	26
	1x69	0.30	0.40	17.28	
1110	1x21	0.20	0.30	8.28	
	1x27	0.30	0.60	18.99	
	1x9	0.20	0.20	4.86	
1212	1x16	0.30	0.30	3.86	
	1x69	0.30	0.40	127.12	26
1214	1x183	0.30	0.30	14.94	
	1x17	0.30	0.30	5.89	
1416	1x17	0.30	0.30	16.47	
1418	1x15	0.30	0.30	15.99	
1410	1x19	0.30	0.30	14.83	
	1x19	0.30	0.30	15.21	
1812, 14	1x80	0.30	0.30	83.28	26
1816	1x19	0.30	0.30	27.41	
1818	1x14	0.30	0.30	13.41	
1810	1x14	0.30	0.30	13.86	
	1x16	0.30	0.30	14.40	

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3. Is the enclosure a full copy of the 'A' register envelope?

Register "Lum Register"

4 Have all subdivided their premises changes entered in No. 3 Account, duly filed with the number and date of the act of subdivision of the village copy of the "B. Register"?

Do the village and Tallo agree in respect of—

(a) all permanent child-testing full fields are

(b) these new fields
been scrutinized and plotted
cents. Bonds by the revenue

5. Has the Village B Register been checked in the case of items other than extra Fair Register in the Village B Register. With the Think the difference two (two).

6 Are there any items requiring explanation or other action.

James G. Thompson

Labrador 3.11.88

Physical Accounts Clerk

8/11/85

June 7th

Hy-Fab-er

75

10

[Handwritten signature]

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2115

5044-A

5044-A
(a) What is the total number of houses in the village at the disposal of Government and of houses constructed on them?

(b) Are there suitable sites available for assignment of houses? If so, furnish particulars of S. No. classification, extent available and the present use to which the sites are put.

(c) Are there houses in the village who are houseless of their own and if so how many?

(d) Have the Village Register of Census and Statistics been checked with Taluk Register and plan?

(e) Have assignments been made in order to conform with the census plan?

(f) Is there a sanctioned plan for assignment of houses? Give the number and date of sanction.

(g) Are the house-registry registers properly maintained? Where conditions of house have not been carried out, what steps have been taken to enforce them?

House-Registry Register

Note: In the districts in which the special register is maintained the District Officer may note out the question.

Do they appear to have been checked the registers? Do they appear to have been checked the registers? Do they appear to have been checked the registers?

Government of India
Ministry of Environment, Forest & Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 15th March, 2023

To

The Addl. Chief Secretaries/Principal Secretaries (Forests),
All States/ Union Territory Administrations.

Sub: Upgradation/widening of roads, constructed prior to 1980 in forest areas - reg.

Sir,

I am directed to refer to above mentioned subject and to inform that the issue related to upgradation/widening of roads, constructed prior to 1980 in forest areas, was considered by the Forest Advisory Committee (FAC) in its meeting held on 27.01.2023. The detailed minutes of the FAC meeting held on 27.01.2023 is placed on the website of this Ministry: www.parivesh.nic.in.

2. Ministry vide its guidelines dated 9.11.2020 provided that the State Forest Department can undertake repair, maintenance and upgradation of roads constructed in the forest area prior to 1980 without attracting the provisions of the Forest (Conservation) Act, 1980. There is an apprehension among the various processing authorities in the State as well as in the IRO regarding applicability of the Forest (Conservation) Act, 1980. Many processing authorities are insisting for obtaining approval of forest land located in the carriage way of road constructed prior to 1980 thereby resulting into a situation of ambiguity among the filed functionaries.

4. Based on the recommendations of the Advisory Committee, and approval of the same by the competent authority of the MoEF&CC, New Delhi, the following is clarified:

- i. While seeking prior approval under the Forest (Conservation) Act, 1980 for use for additional forest land required for upgradation/widening of such roads, the detail of existing forest land involved in the carriageway of road constructed prior to 1980 should also be included in the application for diversion of forest land.
- ii. As the non-forestry use of forest land involved in the carriage way constructed prior to 1980 has already been allowed before 1980, the provision of raising compensatory afforestation and payment of

I/39693/2023

NPV should not be insisted for such portion of forest land involved in the upgradation/widening of forest land.

- iii. The guidelines dated 9.11.2020 issued by the Ministry accordingly, stands modified to the above extant .

This issue with the approval of Competent Authority of the Ministry.

Signed by Charan Jeet
Singh

Date: 16-03-2023 12:53:49

Yours faithfully

Sd/-
(Charan Jeet Singh)
Scientist 'D'

Copy to:

1. The PCCF, All States/ Union Territories Administration.
2. The Regional Officer, All Integrated Regional Office of MoEF&CC
3. The Nodal Officer, O/o the PCCF, All States/ Union Territories Administration.
4. Monitoring Cell of FC Division, MoEF&CC, New Delhi
5. Guard file.