

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

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.

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.