

NHAI initiates process to withdraw case against MoEF

By [Dipak Kumar Dash](#), TNN | Feb 8, 2013, 06.26 AM IST

NEW DELHI: The [National Highways Authority of India](#) (NHAI) has initiated the process of filing an application to withdraw its case filed against the ministry of environment and forests (MoEF) in the [Supreme Court](#) seeking relaxations in green norms for road projects. MoEF is likely to move an application to this effect in the next few days.

Sources said that the decision to withdraw case was taken as per the details worked out at a meeting held under the chairmanship of Pulok Chaterji, principal secretary to the Prime Minister, on January 15.

Chaterji had expressed his "concern" over the issue of highway authority taking matter to the apex court. In the meeting the road transport and highways ministry had submitted that when the NHAI moved the SC, it was unaware of any MoEF circular issued to ease norms for green clearances.

However, the January 7 circular does not help the highway project since these are big ones. The detailed report of 32 road projects awaiting green clearances pending with the MoEF till February 4 shows that the NHAI is yet to get the nod from the ministry to allow construction work.

The Authority had been maintaining that there should be delinking of environment and forest clearances for faster implementation of highway projects and that directive could come only from the SC. In fact, the minutes of the January 15 meeting mentions that MoEF secretary had stated that the latest circular allowed execution of portion of work on non-forest land pending grant of forest clearance under the [Forest Act](#) 1980. However, it doesn't delink grant of environmental clearance under Environment (Protection) Act 1986 from grant of forest clearances required under the SC judgment in Lafarage case.

He had also submitted that MoEF has prepared a petition to be filed in the apex court to allow modification of norms for excluding linear projects - road, rail and power transmission lines - to ensure that green clearance gets "delinked for forest clearance".