

NHAI can no longer blame MoEF for any delays

Given how the Supreme Court has ruled in favour of NHAI by delinking environment clearances from forest clearances, the road has been cleared for a rapid execution of stalled highway projects. According to officials, around 20 such projects can now be started immediately, with a project cost of an impressive R27,000 crore. These projects got stalled when, a few years ago, the environment ministry started insisting that no environment clearances would be given till there was a forest clearance. This seemed the logical thing to do given that the two are closely linked; but it didn't really apply as much to road projects where the encroachment on the forest was quite minimal. Indeed, for most projects, the bulk of the road lies outside forests. But in any project where there was even a bit of forest to be gone through, the forests clearances never came through; in the event, neither did the environment clearances, nor therefore, the bank loans. With the SC's nod to delink the two, this knot has been untied and the projects can go ahead and NHAI, which was only able to award 1,100 km of contracts in the first 9 months of the year, can now hope to make better progress next year—this year's target was to award 9,000 km of roads.

It would, however, be foolhardy to think that all is now well. Indeed, the SC clearance now means NHAI will have to work that much harder if projects are to take off. After the SC nod, a project developer can now build the road till the beginning of the forest and then after the end of the forest—later, when the forest nod comes, the part in the middle can be completed. But what if the forest clearances still don't come, or get delayed? This is where NHAI needs to be ready with alternative alignments and be ready to help buy the land required. Equally important, in the case of one big project, NHAI failed to notify the new toll rates—new rules allow developers to collect tolls based on a 6-road basis even while the road is still being expanded, to allow developers to get more funds—for over a year after which the developer walked out. The SC has cleared a major roadblock, it is up to NHAI to ensure it makes the most of this.