



Bamboo centre diverted 3.98ha forest land without seeking nod

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Nagpur: The forest department, which is the custodian of the Forest Conservation Act (FCA), 1980, and is supposed to set the example for others, has itself violated the FCA by constructing units on Bamboo Research Training Centre (BRTC) without seeking forest clearance. Information was sought under the Right To Information (RTI) Act on whether the bamboo handicraft and art unit (BHAU) and vacuum pressure impregnation (VPI) plant was set up for bamboo treatment at BRTC in Chichpalli, near Chandrapur.

The world-class BRTC is constructed on 4.99-hectare (ha) zudpi jungle land for which Stage-II clearance was granted under FCA by the state government on March 9, 2017. However, under the garb of clearance for 4.99 ha, the BHAU and VPI were constructed in the backyard of BRTC on another 3.98 ha of forest land in 2017.

Under the FCA, any forest land diverted for non-forestry activity needs clearance under Section 2 of the Act. The project proponent has to pay the net present value (NPV) of forest land that is being diverted for non-forestry purposes. It depends on the type and quality of forests.

The RTI has revealed that no forest clearance was sought under Section 2 of the FCA for 3.98 ha for BHAU and VPI — an area equalling four football fields — implying a violation of Supreme Court orders by then BRTC director and deputy conservator of forests (DyCF) Rahul Patil. Though the RTI reply doesn't mention his name, Patil was at the helm of BRTC affairs in 2017 when the units were set up.

The RTI reply said, "The process to apply for forest clearance for 3.98-ha forest land is in progress." So, the two units were constructed four years ago but the proposal for forest clearance is being processed now.

In an earlier RTI query by Nagpur-based social activist Ishwar Gajbe, it was revealed that BRTC violated the Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2018 by taking no consent from Maharashtra Pollution Control Board (MPCB) before operating the VPI unit.

"We have applied for requisite permissions," the RTI reply said. However, even after one year, the permission has not been sought.

Action Against FCA Violation

* Whoever contravenes or abets the contravention of any of the provisions of Section 2, shall be punishable with simple imprisonment for a period which may extend to 15 days

* Handbook of guidelines for effective and transparent implementation of the provisions of FCA says in cases where the proposal has not been submitted and forest land is diverted without FC for non-forestry purposes, the state will be dealt with under provisions of Indian Forest Act 1,927 and other state acts.

- * The land in question will not be considered as diverted under FCA and the status of the land shall continue to be a forest
- * If the permission for use of forest land has been granted by the state authority without the prior approval of the Centre, then action under Section 3A or 3B of FCA shall be taken against the authority
- * The MoEFCC regional office will conduct a formal inquiry

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