



## **Govt eyes green law tweaks to boost strategic projects**

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NEW DELHI: Seeking to streamline green clearance processes to speed up key projects, environment ministry has released a consultation paper on proposed amendments to the Forest (Conservation) Act, 1980 which, if accepted, may pave the way for sweeping changes in certain sectors, including the strategic ones, and also in the way people use forests on private lands.

The ministry, however, at the same time, emphasised on considering introducing an enabling provision in the Act to “keep certain pristine forests showcasing rich ecological values intact” (no-go zone) even as there is a need to address dynamic changes in ecological, socio and economic environment in the country over the last four decades.

The paper, released on Monday, seeking stakeholders’ suggestions on it within 15 days, proposes exempting projects related to strategic importance including those of defence and security needs from obtaining prior green approval, and allow setting up zoos and safari parks in forest areas.

It also proposes to exempt landholding agencies including railways, NHAI, PWD from seeking permission for linear infrastructure projects - such as railway track, communication line or roads - if the land was acquired before October, 1980. At present, a landholding agency is required to take approval under the Act for use of such land which was originally acquired for non-forest purposes.

Though experts flagged their concerns over certain aspects of these proposals, the ministry in its note justified the move saying the changes are needed to effectively fit into the present circumstances, particularly for “accelerated integration of conservation and development” while factoring in the considerable changes in the past 40 years.

“Exemption of projects for strategic and defence needs to be reviewed. The process can be streamlined but blanket exemption will have serious ecological consequences,” said Ritwick Dutta of Legal Initiative for Forests and Environment (LIFE) that last week received the prestigious 2021 Right Livelihood Award, an international honour known as Sweden’s alternative Nobel Prize.

Referring to use of forests on private land, Dutta said, “Allowing one time exemption for private residence in private forest will lead to fragmentation of forest areas besides deforestation. This will open areas such as the Aravalli’s mountains to private real estate development.”

The ministry in its proposal, however, noted that considering any private area as forest would restrict the right of an individual to use his/her own land for any non-forestry activity. “This further leads to the development of a tendency to keep most of the private lands devoid of vegetation even if the land has scope for planting activities,” said the paper.

Objecting to the provisions of allowing zoos, safari parks in forest areas, Dutta said, “Zoo and safaris are non-site-specific activities and do not need forest land. These are essentially commercial activities and revenue generating activities and can be located in non-forest land.”

Though the LIFE in its analysis appreciated the point where the ministry’s paper emphasised on the need to keep certain forest ‘intact’, it said the overall thrust of the proposed amendment was to facilitate the diversion of forest and this is the most problematic part of the proposal.

“There is also a case of missing the forest for the trees. The emphasis of the proposed Amendment besides facilitating diversion is to promote growing of trees in private land. There is no doubt that tree plantation outside forest areas needs to be encouraged, but these cannot be regarded as forest and should not be adjusted against India’s Nationally Determined Contribution,” said the LIFE in its initial comments on the proposed amendments.

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