

## **'New Forest Conservation Rules Do Not Dilute Forest Rights Act': Environment Minister**

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New Delhi, Jul 10 (PTI) Union Environment Minister Bhupender Yadav on Sunday said the new forest conservation rules "do not dilute or infringe on" the provisions of the Forest Rights Act, 2006, assuaging concerns that the new rules allow cutting of forests without the consent of forest-dwellers.

The minister posted a note on his official Twitter handle, rebutting the Congress's allegation that the Narendra Modi government is abdicating its responsibility towards protecting tribal rights and diluting the rules for the "ease of snatching forest land".

The environment ministry notified the Forest (Conservation) Rules, 2022 under the Forest (Conservation) Act on June 28 to replace the earlier rules, notified in 2003.

The Forest (Conservation) Act (FCA), 1980 was enacted to help conserve the country's forests. It strictly restricts and regulates the de-reservation of forests or use of forest land for non-forest purposes without the prior approval of the Centre.

The Forest Rights Act (FRA) recognises the rights of the forest-dwelling tribal communities and other traditional forest-dwellers who depend on the forest for their livelihood and habitation.

Yadav said the new rules have been promulgated to streamline the approval process, introduce the concept of collective decision making and address the dynamic changes in the ecological values of trees and forests.

The new rules will allow parallel processing of the proposals and eliminate the redundant processes, he said.

"The Forest (Conservation) Rules, 2022 have been promulgated solely to implement the provisions of the Forest (Conservation) Act, 1980.... No rule or provisions of any Act are being diluted. The process has been streamlined for reducing the timelines for arrival at the final decision," read the note posted by Yadav on Twitter.

"Processes and provisions envisaged in the Forest (Conservation) Rules, 2022 are not inconsistent with the other statutory laws including FRA compliance of which can also be ensured simultaneously by their respective nodal implementing agencies to reduce the time lag and cost involved," it said.

While Congress general secretary Jairam Ramesh said the new rules allow forest rights to be settled after the final approval for forest clearances has been granted by the Centre, the minister said the states and Union territories can ensure compliance of the FRA "at any stage as the provisions of the FC Rules, 2022 do not bar the authorities to do so but in any case, it should be before handing over forest land to the user agency".

"Approval of the central government under the FCA is merely a prior approval which does not directly lead to non-forestry use or breaking of forest land. It is actually the state government diversion order issued subsequently which authorises the use of forest land for intended purposes and hand over the land to the user agency," the note read.

The minister said the process envisaged in the FCA and the new rules is "more likely a parallel process", which is "not de-linked from the compliance of the FRA and does not inhibit the commencement of processes envisaged in other statutory laws including the FRA".

"Approvals granted by the central government under the FCA invariably stipulate compliance of the FRA before handing over the forest land to the user agency. Approval to be considered under the new regime of Forest (Conservation) Rules, 2022 will also stipulate mandatory compliance of provisions of the FRA before state government/UT administration issues final diversion order for handing over the land to the user agency," he clarified.

Earlier in the day, the Congress accused the government of abdicating its responsibility towards protecting tribal rights and alleged that the new forest conservation rules will disempower crores of "Adivasis" and others living in forest areas.

Former Congress chief Rahul Gandhi accused the BJP-led government of diluting the new forest conservation rules for the "ease of snatching forest land" and said his party stands strongly with the "Adivasi brothers and sisters".

Ramesh said the new rules issued recently allow forest rights to be settled after the final approval for forest clearances has been granted by the Centre.

"Obviously, this has been done in the name of 'ease of doing business' for a chosen few. But it will end the 'ease of living' for the vast many," he said in a statement.

The former Union environment minister said this destroys the very purpose of the Forest Rights Act, 2006 and its meaningful use while considering proposals for diversion of forest land.

"Once forest clearance is granted, everything else becomes a mere formality and almost inevitably, no claims will be recognised and settled. The state governments will be under even greater pressure from the Centre to accelerate the process of diversion of forest land," Ramesh said.

He said the new rules were promulgated without any consultation and discussion with the stakeholders, including the Parliamentary Standing Committee on Science and Technology, Environment, Forests and Climate Change, and will be challenged in the forthcoming session of Parliament. PTI GVS RC

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