

Plantation norms for highway projects relaxed

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Increasingly, acquiring large stretches of non-forest land is posing a problem for projects that are required to conduct compensatory afforestation against the diversion of forest land. (Photo for representational purpose)

The Union Ministry of Environment Forest and Climate Change (MoEFCC) has given relief to public sector undertakings (PSUs) and

central government-run projects that are being executed by state agencies. The ministry has allowed these agencies to take up compensatory afforestation in degraded forest land instead of non-forest land. Increasingly, acquiring large stretches of non-forest land is posing a problem for projects that are required to conduct compensatory afforestation against the diversion of forest land. Compensatory afforestation for large central projects such as the Char Dham road in Uttarakhand or 22 green expressways, being built at an estimated cost of Rs 3.10 lakh crore comprising 7,500 kilometres, by the Union Ministry of Road Transport and Highways (MoRTH) are likely to be exempted from taking up afforestation in non-forest land following the MoEFCC's relaxations. Experts said the new policy sets a precedent for many central projects being executed by state agencies to take up compensatory afforestation in double the degraded forest land, as against non-forest land. But the move may impact forest biodiversity and also the rights of forest dwellers. MoEFCC's forest conservation division had sent a letter on August 18 to all principal secretaries (forests) of all states and union territories (UTs). "It has been decided that MoRTH/central government agencies will be entered as a "user agency" in the online application form in Parivesh portal, in such cases, where work that is of central sector projects and is owned, developed and maintained by central government but the execution is carried out by a state agency," the letter had stated. "As the user agency is MoRTH (central Government) or a central PSU, the dispensation of compensatory afforestation over double the degraded forest land, instead of equivalent non-forest land will be available in such cases," the letter added. In case of any violation of provisions under the Forest (Conservation) Act, 1980, or matters related to residual responsibility, the Centre will be held accountable. "This clarification applies to projects that are fully funded by central agencies. The centre doesn't have any land of its own for compensatory afforestation. Hence, this clarification was needed. PSUs and government projects were always exempted from taking up plantation in non-forest land. But now those being executed by state agencies have also been exempted," said Sanjay Kumar, director-general (D-G) of forests, MoEFCC. "Most highway projects are also executed by state agencies such as the state public works departments (PWDs). The Char Dham project also has state agencies executing many stretches

apart from National Highways and Infrastructure Development Limited (NHIDCL) and Border Roads Organisation (BRO)," said an official from MoRTH.

Though the Forest Survey of India considers forests with tree canopy density less than 10% as degraded, the Forest Advisory Committee (FAC) had clarified last year that forest lands having crown density below 40% shall only be treated as degraded forest land for the purpose of compensatory afforestation. "The first issue that needs to be examined, if whether such an exemption can be issued without an amendment to the Forest (Conservation) Act, 1980, which requires equal amount of non-forest land to be acquired for afforestation. The second concern is the poor precedent such an exemption would set with other user agencies asking for similar reliefs. The third aspect is the burden such a move would have on lands termed as degraded on which several prevailing rights currently exist," said Kanchi Kohli, legal researcher, Centre for Policy Research (CPR), a non-profit think tank.

Source: <https://www.hindustantimes.com/environment/plantation-norms-for-highway-projects-relaxed/story-ZJfTo7rQmJyuTetshZ5FuM.html>