

Gram Sabha clearance not must for building roads through forest land

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TEAM HERALD

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PANJIM: The Union Ministry of Environment of Forests has decreed that Gram Sabha clearance is not necessary for projects like construction of roads, canals and laying of pipelines through forest lands, reversing an earlier 2009 decision.

The order issued to the state principal secretary (forests) by H C Chaudhary, Assistant Inspector General of Forests, says that "...proposals seeking prior approvals of the central government under the Forest (Conservation) Act 1980 for projects like construction of roads, laying of pipelines/optical fibers and transmission lines etc where linear diversion of forest land in several villages is involved, unless rights of primitive tribal groups/ pre-agricultural communities are being affected, are exempted from the requirement of obtaining consent of the concerned Gram Sabha (s)..." The earlier order was issued in the ministry's letter dated August 3, 2009.

The ministry had in an earlier letter issued detailed guidelines about "submission of evidence for having initiated and completed the process of settlement of rights under the Scheduled Tribes and other Traditional Forest Dwellers Act."

Chaudhary said that the ministry had received representations from various ministries to exempt projects like construction of roads, canals, laying of pipelines/optical fibres and transmission lines where linear diversion of forest land in several villages was involved, from the mandatory requirement of getting Gram Sabha consent as per earlier stipulation.

The Union Ministry for Tribal affairs in its letter addressed to the Union Minister of State (independent charge) for Power Jyotiraditya Scindia, on January 21 this year, agrees with the recommendation of the committee.

The MoEF then wrote to the principal secretary (forests) of all states/Union territories on the diversion of forest land for non-forest purposes under the Forest (Conservation) Act 1980 - ensuring compliance of the Scheduled Tribes and other Traditional Forest Dwellers (recognition of Forest Rights) Act 2006.

Goa has certain sections of its proposed road network held up as it passes through forest land including some sections of the proposed mining by-pass.