

Forest (Conservation) Rules, 2022

July 2, 2022

In news— The Ministry of Environment, Forest and Climate Change (MoEFCC) has recently notified Forest (Conservation) Rules, 2022 under sub-section (1) of section 4 of the Forest (Conservation) Act, 1980 and in supersession of the Forest (Conservation) Rules, 2003.

What are the key rules?

- Under these rules, the Ministry has directed the **constitution of a project screening committee** in each state/UT for an initial review proposals involving diversion of forest land.
- **The committee will meet at least twice every month** and will **advise the state governments** on projects in a time bound manner.
- The **committee will examine every proposal received from state governments or administrations of Union Territories (UTs)** without going into the merit of the proposal.
- Some of the things that the committee will review are whether the proposal is complete in all respects and its location with respect to restricted areas or categories.
- The notification added that the **committee may call the user agency for any clarification or additional documents, if any.**
- The new rules also **prescribe the time frame of review for different kinds of projects.**
 - **All non-mining projects between 5-40 hectares must be reviews within a period of 60 days** and all such mining projects within 75 days.
 - **For projects involving a larger area, the committee gets some more time – 120 days for non-**

mining projects involving more than 100 hectares and 150 days for mining projects.

- **The project screening committee will be headed by a nodal officer but will have district collector, conservator of forests** who will advise on projects and will have to do the initial screening to save time.
- The rules **provides for Constitution of Advisory Committee that would consists of 6 members including a chairman.**
- It also provide for the **establishment of Regional Empowered Committee** at each of the Integrated Regional Offices.
- The other significant change introduced in the new rules is that **all linear projects (roads, highways, etc), projects involving forest land up to 40 hectares** and those that have projected a use of forest land having a canopy density up to 0.7 – irrespective of their extent for the purpose of survey – **shall be examined in the Integrated Regional Office.**
- The process has been decentralised, giving the responsibility of considering all linear and hydel projects to integrated regional offices but all mining projects will be appraised by the central office.
- **The notification also shifts the onus of ensuring forest rights of forest dwellers are rehabilitated to state governments.**
- **So far, compliance with the forest rights act was mandatory before the Centre granted stage II forest clearance to any project,** however, that has also changed.
- Centre has given the responsibility of settling forest rights and then allowing diversion of forest land to states.
- On **compensatory afforestation** the new rules stated that

those applying for diverting forest land in a hilly or mountainous state with green cover over two-thirds its geographical area or in a state/UT with forest cover of over one-third the geographical area will be able to take up **compensatory afforestation** in other states/UTs where the cover is less than 20%.