

Helping Forests Disappear

The environment ministry's latest decision is the thin edge of the wedge.

It is strange indeed that the private sector as well as the ministries dealing with it continue to chorus the same line – that the Ministry of Environment and Forests (MOEF) headed by Jayanthi Natarajan is “obstructionist” and delaying vital developmental projects. Natarajan’s record, since she took office in July 2011, has been quite to the contrary. In fact, compared to her predecessor Jairam Ramesh, whose pro-environment stance had private investors crying for his head and finally pushing him out of office, Natarajan has made many important concessions to industry. On her own admission, she has granted “forest clearance” to 754 out of 828 projects in the last 18 months.

Her latest such concession could well turn out to be the most far-reaching, a virtual thin edge of the wedge opening up India’s already dwindling natural forests to greater exploitation and consequently degradation. On 6 February, the MOEF issued a circular saying that it would no longer be mandatory for gram sabhas to give prior approval to diversion of forestland for linear infrastructure projects such as roads, canals and power transmission lines. Under an earlier circular of 2009, and in line with the Forest Rights Act (FRA) 2006, this requirement was mandatory.

This concession is the last in a series of such exceptions that the ministry has steadily made during the last year. The most pressing claims for a more relaxed regime for forest clearance have come from the National Highways Authority of India (NHAI), particularly after several large private investors pulled out of roads and highways projects. The reason given was the convoluted process of getting forest clearances, particularly in states which have a large forest cover and are also, coincidentally, where there is a considerable Maoist presence in the forests. Additionally, the home ministry has been arguing that building roads in these states is essential for security reasons.

Even as the pressure to relax forest clearance was building up, the MOEF agreed in May 2012 that up to five hectares of forestland could be diverted for 13 categories of public infrastructure such as schools, hospitals, electrical and telecom lines, drinking water and water harvesting structures, minor irrigation canals, non-conventional sources for energy, vocational training centres, power sub-stations, rural roads, underground laying of optical fibre cables and telephone lines, etc. The home ministry demanded that this list be expanded to include forestland for mining stones for road-building projects.

On 7 January 2013, the MOEF stated that it would clear linear projects on non-forestlands even before forest clearance was granted for the entire project on condition that the implementing agency submitted an alternative alignment in the event of forest clearance being refused. Earlier, a linear project such as a road or a highway could not begin until all clearances had come through. Despite this concession, the NHAI went to the Supreme Court asking for changes in the rules governing forest clearances. It argued that the current rules were obstructing the construction of vital infrastructure projects such as roads and highways, resulting in the flight of private capital.

The MOEF has finally buckled completely. Now getting forest clearance for these so-called “linear” projects will be a virtual cakewalk even though on paper each of them will still have to get the clearance from the ministry. One can make an educated guess that such clearances will not be impossible now given the looming general elections and the urgent desire of the central government to appear decisive and investor-friendly.

It can be argued that opening up forests for linear projects should not affect them adversely as the amount of land diverted is not very large. Yet studies have shown that this is not true. However minor the diversion might appear, such projects affect the plant and animal life in forests. There is increased pollution, the biodiversity is adversely affected and wildlife is vulnerable to poaching as well as accidents. The people living in the forests are also affected as these projects open these areas to traffic, more visitors, as well as an outside workforce. The most dramatic impact of a road going through a forest can be seen in the area inhabited by the Jarawas in the Andaman and Nicobar Islands.

However, apart from all this, by removing the power of the gram sabha to decide, the government is undermining an essential provision in the FRA which accepted that those who live and depend on the forests are best placed to decide on issues such as diversion of forestland rather than bureaucrats. The FRA was lauded as an important democratic step to empower forest dwellers and to strengthen decentralisation. Additionally, the MOEF’s ostensibly minor concession is likely to have long-term major consequences. Once an exception has been made for a specific project, it is only a matter of time before it will be cited as a precedent for clearing much larger projects, such as mines or power plants. After all, if the ultimate goal is to keep private investors happy at any cost, then why should forests, or the people who depend on them, come in the way?