

**GOVERNMENT OF INDIA  
ENVIRONMENT, FORESTS AND CLIMATE CHANGE  
LOK SABHA**

UNSTARRED QUESTION NO:3824  
ANSWERED ON:06.08.2014  
LINEAR PROJECTS IN TRIBAL AREAS  
Adsul Shri Anandrao ;Yadav Shri Dharmendra

**Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:**

- (a) whether the Government has agreed to implement linear projects considering the need for roads and railways in tribal areas by dispensing with the system of consent from the Gram Sabhas for these projects;
- (b) if so, the details thereof and the response of the Ministry of Tribal Affairs thereon;
- (c) whether all the issues arising out of the Forest Rights Act, 2006 and the Forest (Conservation) Act, 1980 in this regard have been addressed to;
- (d) if so, the details thereof; and
- (e) if not, the corrective measures taken/ proposed to be taken by the Union Government in this regard?

**Answer**

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FORESTS AND CLIMATE CHANGE (SHRI PRAKASH JAVADEKAR)

(a) to (e) Ministry of Environment, Forests and Climate Change vide letter dated 3rd August 2009 issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

Ministry of Environment, Forests and Climate Change vide letter dated 5th February 2014 informed the States and Union Territories that proposals seeking prior approval of Central Government under the Forest (Conservation) Act, 1980 for projects like construction of roads, canals, laying of pipelines/optical fibres and transmission lines etc. where linear diversion of use of forest land in several villages are involved, unless recognised 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) as stipulated in clause (c) read with clause (b), (e) and (f) in second para of the said letter dated 3rd August 2009.

Ministry of Tribal Affairs in their communication dated 7th March 2014 referred to inter-alia the Ministry of Environment, Forests and Climate Change's said letter dated 5th February 2014 and informed the States and Union Territories that compliance to the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is a mandatory requirement before forest land can be diverted.

Appropriate action in consultation with the Ministry of Law and Justice and the Ministry of Tribal Affairs is being taken by the Ministry of Environment, Forests and Climate Change on the matter.