

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

RAJYA SABHA
UNSTARRED QUESTION NO. 3903
TO BE ANSWERED ON 06.04.2023

Guidelines for environmental clearance for execution of railway works

3903. SHRI JAGGESH:

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

- (a) whether it is a fact that many railway projects in the State of Karnataka have been delayed due to environmental clearances;
- (b) whether there is an ambiguity among States/UTs regarding interpretation of the term Right of Way (RoW) mentioned in Government guidelines for environmental clearance for execution of railway works; and
- (c) if so, the details of the steps taken by Government to pave way for the national transporter to execute infrastructure projects in forest areas without seeking permission from Government?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI ASHWINI KUMAR CHOUBEY)

(a) As per the extant provisions of the EIA Notification, 2006, as amended from time to time, there is a laid down schedule for requirements of prior Environmental Clearance for various categories of activities/projects. Railway projects are not included in the schedule of EIA Notification, 2006, therefore no Environmental Clearance is required for railway projects.

(b) & (c) Prior approval of the Central Government is required to use any forest land for non-forestry purpose. The Ministry has issued a detailed guideline dated 10th March 2022 regarding applicability of the Forest(Conservation) Act 1980 on Railway owned land within the Railway's right of way. Further, the Ministry vide letter dated 22th February 2023 has clarified that RoW mentioned in the guidelines dated 10.03.2022 may be understood as the area falling within the limits of Railway owned land for execution or maintaining of railway works.
