

# Community rights and forest conservation | Explained

**What is the Forest (Conservation) Amendment Act, 2023? Why do the Central and State governments insist on the right to convert forest land for non-forest purposes?**

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Paddy fields are seen near a Dongria tribal village inside the Niyamgiri hills in Odisha. | Photo Credit: BISWARANJAN ROUT

The story so far: The Forest Conservation Amendment Act of 2023 has received limited attention and little discussion about its impact on forests and its inhabitants. From the colonial forest law in 1865 to the Forest Conservation Amendment Act, 2023, more than fifteen laws, Acts, and policies have been formulated interlinking forests with legal and policy frameworks. However, there is little to no recognition of the rights of indigenous communities in these Acts, who are the rightful inhabitants of forest lands.

At first glance, the amendment primarily aims to tackle the critical issues of climate change and deforestation's adverse effects, focusing on effective management and afforestation. The law further aims to determine how forests can be utilised for economic gain, and the manner in which it seeks to achieve this goal is outlined in the legislation. The primary method used to achieve this objective involves removing forests from the law's jurisdiction, thereby facilitating various forms of economic exploitation. As per the amendment, the forest law will now apply exclusively to areas categorised under the 1927 Forest Act and those designated as such on or after October 25, 1980. The Act will not be applicable to forests that were converted for non-forest use on or after December 12, 1996 and land which falls under 100 kilometres from the China and Pakistan border where the central government can build linear projects. To establish security infrastructure and facilities for surveillance, the central government is authorised to construct security measures in areas up to ten hectares. This provision also applies to areas (up to five hectares) which are designated as vulnerable. Within these regions, the government, with the necessary approvals, can implement security protocols as described above. Initiatives like ecotourism, safari, environmental entertainment, and more may be implemented in these areas. The main objective of these initiatives is to improve the livelihoods of those reliant on forest resources, a goal that has drawn criticism from tribal communities and human rights activists.

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