



Department struggles to protect private forest lands from former owners

By Gayatri Vajpeyee

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The Pune forest department, comprising Pune and Junnar divisions, is facing about 180 legal disputes on ownership of over one-fourth of its private forest land ranging between 2,800 and 3,000 hectares

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Rapid urbanisation, phenomenal growth in property price and large-scale land use change have led to a rise in claims filed before the Supreme Court and lower courts for ownership of private forest land.





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As per the official data, the forest department holds 11,495 hectares of private forest land with the highest 4365.89 hectares in Maval tehsil followed by 3,722 hectares in Mulshi tehsil. Around one-fourth of this land, over 3,000 hectares, is under dispute over ownership before the Bombay High Court and the Supreme Court.

Meanwhile, the court has clubbed the cases and will hold a joint hearing soon, said a forest department official.

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Mahadev Mohite, deputy conservator of forests, Pune forest division, said, "The demand for land in the western Maharashtra region, including Pune, has increased significantly in recent years. The Supreme Court verdict in favour of the residential complex built by Godrej & Boyce Mfg Co Ltd at Vikhroli of Salsette taluka in Maharashtra on land categorised as private forest has made many people aware of the land that they had discarded or abandoned because of various reasons, including remoteness and official paperwork.

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“The builder (Godrej & Boyce Mfg Co Ltd) had claimed ownership of the 1,000-acre developable land categorised as private forest property stating that hundreds of families are living in the township for several years. Considering the huge residential population living in the area and the basic land ownership issue, the builder demanded rights to the land in the Mumbai High Court and later approached the apex court.

“The SC judgement in the case brought the significance of land ownership issues ar [OPEN APP](#) on the verdict, many people are filing ownership claim forms over their lands before it was declared as private forest land under an Act introduced by the Maharashtra government in 1975.

“In the Godrej case, a huge township housing many families was already built on private forest land in the Mumbai suburban area. Considering the residential status and drawbacks in ownership proceedings by the forest department, the court had given the judgment in favour of the builder. However, in case of other claims, majority of lands have dense vegetation. Moreover, these lands are part of Western Ghats enriched with biodiversity and part of diverse ecosystems. Therefore, protecting these greens is essential.”



According to the forest official, many citizens were unaware of these lands in remote areas during the 80s and some abandoned their property as restrictions were put on property use as part of environmental conservation. The Maharashtra government under its Private Forest Protection Act, 1975, declared that the land with high or at least visible vegetation is included in private forest land. Hence, lands under private ownership but with high vegetation also come under the private forest category.

The judgement

In 2018, the Supreme Court in the matter of Godrej & Boyce Mfg Co Ltd & Anr vs The State of Maharashtra & Ors gave judgment against the Maharashtra forest department and gave ownership of the given private forest land to the Mumbai-based builder. The Supreme Court in its order stated that “the principal question for consideration is whether the mere issuance of a notice under the provisions of Section 35(3) of the Indian Forest Act, 1927 is sufficient for any land being declared a “private forest” within the meaning of that expression as defined in Section 2(f)(iii) of the Maharashtra Private Forests (Acqui. [OPEN APP](#) 1975”. Also “a tertiary question that arises is, assuming the disputed lands are forest lands, can the State be allowed to demolish the massive constructions made thereon over the last half a century. Given the facts and circumstances of these appeals, our answer to this question is also in the negative”.

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Areas under legal dispute

As per the forest officials, the private forest areas are mostly located in Western Maharashtra, including districts like Thane, Pune, Satara, Sangli, Kolhapur, and some parts of Nashik and Western Ghats. Thane holds the highest cases of land dispute while Pune ranks second for ownership claims on private forest land. In Pune district, land disputes are mostly related to private forest areas in Lonavla, Maval, and Mulshi tehsils.

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