

Ecologists, conservationists express serious concerns over Forest Conservation Amendment Bill

As the devastating impacts of climate change and environmental degradation become clearer, highlighted in the recent floods across north India, this is the time for the government to reaffirm its commitment to protecting the country's immense biodiversity, mentions a petition signed by representatives of premier institutions

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Pointing out that numerous organisations have provided submissions during the consultation phase and their concerns seem to have been ignored, they have outlined their major concerns with the amendments, leading with the reclassification of forest areas.

“The new section adds confusion regarding the classification of forests in the country, stating that the FCA will only apply to areas recorded as forest in government records, as on or after 25 October, 1980. This has raised legitimate fears that the amendment will invalidate the Supreme Court’s 1996 judgment in T.N. Godavarman vs Union of India in which the court interpreted the meaning of forest as its dictionary definition, expanding the purview of the FCA,” says the petition, adding that if these areas are declassified, it will mean that thousands of square kilometre of forests will lose protection overnight.

The Forest Survey of India’s latest report, India State of Forest Report 2021, states that while 5,16,630 sq km of the forests are within Recorded Forest Areas, 1,97,159 sq km of forests lie outside Recorded Forest Areas. This implies that out of a total of 7,13,789 sq km of forests of India identified by FSI, 1,97,159 sq km of forests (27.62% of our forests) will lose all protection, they have explained, citing the example of the Aravalli forests.

The petitioners have also singled out the exemptions for projects near border areas and for security purposes, as well as for zoos, safari parks and ecotourism activities, arguing that the amendment will remove the necessity of forest clearances for security-related infrastructure within 100 km of international borders — areas which are home to the most ecologically important ecosystems in the country, including the forests of North East India, the high altitude deserts of Ladakh and Spiti, the alpine forests of Uttarakhand and Himachal Pradesh, and the open scrub and desert ecosystems of West India.

Climate change

“While ensuring the military security of the country is a priority, it should not come at the cost of losing our ecological security. These natural ecosystems play a crucial role in buffering against increasingly unpredictable weather patterns caused by climate change. The recent floods in the Western Himalayas have shown that areas heavily disturbed and fragmented by infrastructure development have experienced the most destruction of property due to landslides,” the petitioners have said.

Highlighting the difference between a zoo or safari park and a forest, and emphasising that a zoo can be a place for ex-situ conservation or education but can never be a replacement for a forest, they have also said eco-tourism, though an important ancillary activity to generate employment, tourism will overtake nature with clearances.

“Exempting such a large number of projects from the clearance process will mean that forest dwelling people will no longer be consulted....It is likely that this proposed amendment to FCA will ride roughshod over the rights of forest-dwelling tribals and other people. Many of the proposed amendments in the Bill adversely affect the protection accorded to Scheduled Tribes and other Traditional Forest Dwellers because if the land falls outside the scope of the FCA, it effectively eliminates the requirement of obtaining consent from the Gram Sabha for diversion of that land,” says the petition.

Urging the government to not be tabled in Parliament without additional consultations with domain experts and seeking an extension of time for submitting objections to the JPC, the petition says as the devastating impacts of climate change and environmental degradation become clearer, highlighted in the recent floods across north India, this is the time for the government to reaffirm its commitment to protecting the country’s immense biodiversity.

Concerns

Reclassification of forest areas

Exemptions for projects near border areas and for security purposes.

Exemptions for zoos, safari parks and ecotourism activities

Riding roughshod on people

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