

Is new measure a boon or bane for natural forests?

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The announcement to create additional carbon sink of 2.5 to 3 billion tonnes of carbon-di-oxide equivalent by 2030 as part of achieving overall goal of net zero emission of greenhouse gasses by 2070 made consistently both at international and domestic fora reflects a strong commitment of the centre towards forest conservation and sustainable development.

The bill seeking to amend Forest Conservation Act, 1980 introduced in the last week of march is stated to be a significant move in this direction. The bill is now under examination of a Joint Parliamentary Committee (JPC) which has called for views/suggestions from wide cross section of people before 18th May. It is envisaged, once the bill enacted, there would be impetus to increase the forest and tree cover to one-third of the geographical area with enhanced growth trajectory.

The bill spells out the need to broaden the horizon of the Act so as to carry forward the rich tradition of preserving forests and their bio-diversity symbiotically by enhancing forest based economic, social and environmental benefits, including improvement of livelihoods for forest dependent communities. The thrust needed for conservation, management and restoration of forests, maintaining ecological security, sustaining cultural and traditional values of forests and facilitating economic needs and carbon neutrality gets a prominent mention. With this kind of recitals in preamble, one can imagine that the operative provisions would strongly tilt towards safeguarding, conserving and improving the forests in order to harness environmental, cultural, economic and other benefits to the society in an effective manner. However, it does not seem to be the case here. A brief discussion on a few amendments presented in the following lines will unfold this fact.

A relook needed The bill specifies that new Act would be applicable only to two categories of land: One, the notified forests covered under Indian Forest Act, 1927 or relevant forest laws and the other, the lands that were recorded as forests in government records prior to 25th October, 1980. With this, the sizeable chunk of forest lands comprising of wooded areas, grass lands, deserts, wetlands and other with rich biodiversity and wildlife which could not be notified due to several reasons will suddenly go out of the Act's ambit. The large part of Aravalli Hills, north-eastern forests, Western Ghats and various important wildlife habitats and corridors are a few examples falling under this category. The justification stated for this provision is to remove the restrictions imposed by Supreme Court Orders of 1996 (Godavarman case) in the non-notified but recorded forest areas which had already been put to non-forestry use and facilitate to undertake changes in the land use and pursue various development activities. Further, it is stated that it would take out the ambiguity regarding applicability of the Act in the plantations raised in private and government non-forest lands. These grounds do not stand to reason as major portion of such lands represent natural eco-systems of ecological significance and a limited area is under coverage of either man made plantations or other non-forestry land use. Alternative mechanisms can be worked out to address this kind of issues instead of blanket removal of protection to such a huge extent of forests (unclassified) spread over about 12.08 million hectares. Moreover, if creation of additional carbon sink is the main aim, it becomes crucial to retain, maintain and enrich the current carbon stock of about 7.2 billion tonnes of carbon-di-oxide equivalent (ISFR, 2021) available with the existing forest and tree cover by way of its strict protection, conservation and restoration. The bill proposes certain exemptions. In the forest lands situated within 100 kilo meters along the international borders, execution of strategic linear projects of national importance and concerning national security is put under exemption. Forest in this area encompasses the major portion of Himalayan region and the entire northeast belt of India measuring about 15,200 Kms length. Incidentally most part of this region is vital to the ecological security of the nation as it forms the

catchment of several perennial rivers, source of rich biodiversity and important habitat for wildlife besides playing protective role in mitigating seismic events and climate change threats. Hence the entire forest landscape in this area deserves special care and extreme protection. There is no denial of the fact that national security requires overriding importance and fast tracking of such projects need top priority. It would therefore be useful to provide space for certain relaxations and arrangements for speedy clearance on case by case basis instead of generic exemption over the vast forest landscape of high environmental fragility. Similar approach becomes more appropriate for the exemptions suggested for defence projects/camps for para military forces/public utility projects within 100 km of international border areas (upto 10 hectare) and in left wing extremism affected areas (up to 5 hectares). The Bill proposes to add more to the list of forestry activities such as creation of zoos and safaris, eco-tourism facilities, silvicultural operations including regeneration activities, and any other purpose specified by the central government so as to remove from the purview of the act. Though it is a welcome step, the terms like 'regeneration operations', 'ecotourism facilities', and 'any other purposes' are susceptible for misuse and can cause damage to forests and natural ecosystems. Thrust of regeneration operations should be on natural growth rejuvenation, eco-restoration and integrated habitat improvement rather than commercial plantations in order to ensure sustainable flow of ecosystem services including carbon sequestration and livelihood improvement of local communities and forest dwellers. It is desirable to restrict leasing of forest areas to private or corporate entities for afforestation or plantation purposes in order to avert serious consequences on ecological, cultural and livelihoods front. However their participation needs to be encouraged in creating additional carbon sink outside the forest lands so as to meet the national targets. As far as ecotourism is concerned it is necessary to insert condition of promoting state managed ecotourism with focus on benefits to local communities instead of promoting private/corporate participation in order facilitate sustainable forest management and community development go hand in hand. Way forward As a matter of fact, the Forest Conservation Act, 1980 is meant to regulate but not to prohibit non-forestry use of the forest lands. On the whole this Act created significant positive impact on forest protection without any adverse effect on growth and economic development of the country. However act needs a revamp to facilitate fast track clearance of projects of strategic, security and national importance with specific target orientation rather than in the proposed form with large scale exemptions and taking out vast areas from purview of the Act which will have serious repercussions on saving natural forests with disastrous consequences on environmental stability and sustainable development of the country. There is no need to re-emphasise about the imperative of conserving and improving the forests as the preamble of bill makes a clear and loud statement about it. Our country lost huge extent of natural forest (about 9 percent of geographical area) to give way to agriculture expansion under grow more food campaign in the formative years of independence. It becomes essential to save remaining natural forests especially keeping in view of the position of one of the lowest per capita forests (about 0.05 Ha) and with highest rate of people's dependence (about 400 million people dependent, TERI. 2015) in the world. Forest policies and laws of the country, therefore, should accord top priority to save and improve the natural forests with an aim to benefit the society as a whole rather than favouring a limited section of people. Each and every responsible citizen of the country has an immense faith on our temple of democracy that it would refine and finally make the Act more meaningful so that it safe guards Vanadevata (forest goddess) and serve the larger interests of the people of present and future generations in general and forest dependant communities in particular.

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