



## New definition for Uttarakhand forest sparks outrage

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DEHRADUN: The Uttarakhand state government framed new definition of 'deemed forests' as 'a land patch of 10 hectare or above with 60 per cent canopy density and 75 per cent native plant species' paving way for acquisition of forest land for various purposes including industrial and mining say, environmentalists, conservationists.

The letter dated November 21, 2019 by state forest department states that a land patch of 10 hectare or above with 60 per cent canopy density and 75 per cent native plant species will be considered as deemed forests other than notified ones.

Shekhar Pathak, a Padam Shree awardee activist based in Nainital said, "This is clear attempt to dilute Forest Conservation Act 1980. This law has protected the Indian forests and clipped the rights of the government to misuse and abuse forest land. There are chances that this will have more negative impact than positive".

However, state government officials negated the possibility of any harm due to this new definition.

Harak Singh Rawat, state forest minister, said, "The decision has been taken in consultation with experts and officials alike. This new definition will help

safeguard the forests as well as give pace to development projects which are hindered due to paperwork between state forest department and concerned department with the project".

A senior state forest official on the condition of anonymity said that the state governments have always had problem with the FCA as this tends to deprive them of exercising any rights to forest lands.

"By this change, the state government will be able to divert land without requiring any approval from the central government, especially union ministry of environment, forest and climate change. Another side of the country is that the land will be diverted indiscriminately for government-funded projects as well as private enterprises such as mining, resort-hotels and housing projects raking crores," said the official.

The hill state's 70 per cent land is forest land and this new definition will enable the government to use up a significant chunk of land as it pleases without caring about Himalayan ecology and environment.

In year 2017, Forest Survey of India had given the definition of forest as one hectare or more land with 10% canopy cover making it almost impossible to get any land denotified. Many plan to challenge the decision in court.

The move comes after union ministry of environment, forest and climate change in its letter dated November 14, 2019 said that states should decide their own definition of forest and center has nothing to do with it.

Interestingly, the letter says that criteria regarding a 'forest' finalized by a state "need not be subject to approval of MoEF&CC".

The ministry referring to Supreme Court directions in the year 1996 in which it said to define forests stated that there cannot be any 'uniform criteria' applicable to all forest types and states and there has to be different criteria for different forests and states in the country.

"It is not that only Hon'ble Supreme Court has directed the states to identify their own forests, infact the states, having well-established forest departments are in better position rather than MoEF&CC, to understand their own forests and needs, and should frame criteria for their own forests," says the letter.

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