

No intention to dilute scope of 'forest', Centre tells SC

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Nagpur: The Centre has assured the Supreme Court that nothing would be done concerning forests as defined by it in its order of December 12, 1996, which states that Forest (Conservation) Act (FCA), 1980 will apply to all forests that come within its dictionary meaning.

On Thursday, the SC heard a writ petition filed by eleven retired civil servants and eminent wildlife conservationists, challenging the constitutionality of the Forest (Conservation) Amendment Act 2023, which significantly amends the FCA.

Additional solicitor general (ASG) Balbir Singh, appearing for Union of India, argued that there was no intention to dilute the scope of 'forest' as defined by the Supreme Court in its 1996 order and that they would ensure that the order is "observed in its letter and spirit".

The ASG also said that "no precipitative actions will be taken by Union of India, until further orders, concerning forests as understood in dictionary sense".

The SC admitted the petition and issued a notice on October 20, 2023. On November 2, 2023, the Union government came out with a notification indicating that the Amendment would take effect from December 1, 2023.

The petitioners then moved an application seeking a stay on the notification. The matter was heard on Thursday by the bench of Justice BR Gavai and Justice PS Narasimha. Senior advocate Prashanto C Sen, assisted by advocates Kaushik Choudhary and Shibani Ghosh, appeared for the petitioners.

The counsel for petitioners argued that large swathes of forest land that were protected by the SC's order of 1996 in the Godavarman case would lose protection as soon as the Amendment Act came into force.

The Amendment Act introduces a much narrower definition of forest than that laid down in the order, and would thus expose the excluded forest lands to rampant diversion and deforestation.

Before the Joint Committee of Parliament was constituted to review the Amendment Bill, the MoEFCC had given an assurance that all forests identified by specially constituted state expert committees in every state would be protected.

However, despite the SC order of 1996 to constitute these committees for demarcating forest land, no committee has been constituted. There was no clarity as to the content of the reports submitted. The reports are not publicly available either. The SC directed the environment ministry to file its reply in four weeks and gave the petitioners another two weeks to file their rejoinder.

We also published the following articles recently

Dept hopes villagers stop people from entering forest Authorities in Bandipur and Nagarhole tiger reserves have enlisted the help of tribal and committee members from villages on the fringes to prevent people from entering forest areas, following recent tiger attacks on humans. Despite warnings, villagers, including Rathnamma, ventured into the forests and lost their lives. Guarding the fringes is a challenge due to the vast area. Conservation activities rely on the support of village committee members. The rescue operation to track down the tiger continues.105546888

Revenue & forest depts set to fight over 900 acres The forest department has notified 900 acres of revenue land in Chinnakanal, Idukki as reserve forest, leading to a dispute with the revenue department. The land was previously leased to Hindustan Newsprints Limited (HNL) for eucalyptus plantation. The lease expired in 2020. The forest department had proposed converting the land into a national park for elephant conservation. It included

eucalyptus plantations and land assigned to families in the proposal. The revenue department has asked for details of the transfer, but the forest department has not responded yet.105672395