

# Objections overruled, Forest Bill goes to House unchanged

Parliamentary committee endorses proposed amendments to Forest (Conservation) Act, 1980 in its entirety; Environment Ministry denies charge that changes dilute various protections in the law

July 09, 2023 10:16 pm | Updated July 10, 2023 10:20 am IST - NEW DELHI

JACOB KOSHY, SOBHANA K. NAIR

COMMENTS

SHARE

🔖 READ LATER



A view of Shola forests in Sakleshpur. File | Photo Credit: The Hindu

A Parliamentary committee, set up to examine controversial proposed amendments to the [Forest \(Conservation\) Act, 1980](#), has endorsed the amendment Bill in its entirety. *The*



Parliament ahead of the monsoon session on July 20.

## The Hindu Group Monsoon Sale

Subscribe now at **40% off on annual plan!**

SUBSCRIBE

The Bill seeks to amend the pivotal 1980 law which was enacted to ensure that India's forest land is not wantonly usurped for non-forestry purposes. The Act empowers the Centre to require that any forest land diverted for non-forestry purposes be duly compensated. It also extends its remit to land which is not officially classified as 'forest' in State or Central government records.

### **'Removing ambiguities'**

While the Act has been amended several times in the last few decades — mostly in the spirit of bringing larger tracts of forest-like land under State protection — the latest set of amendments are different. According to the Centre, these amendments are necessary to "...remove ambiguities and bring clarity about the applicability of the Act in various lands."

Also Read | [Forest \(Conservation\) Amendment Bill, 2023: Does it aim for climate mitigation at the expense of biodiversity, forest rights? | In Focus podcast](#)

Some of the proposed amendments specify where the Act does not apply. Other amendments specifically encourage the practice of cultivating plantations on non-forest land that could, over time, increase tree cover, act as a carbon sink, and aid India's ambition of being 'net zero' in terms of emissions by 2070. The amendments would also remove the 1980 Act's restrictions on creating infrastructure that would aid national security and create livelihood opportunities for those living on the periphery of forests.

## **Touching a raw nerve**

### **The proposed amendments to the Forest (Conservation) Act, 1980 have attracted objections on various grounds:**

'Dilution' of the Supreme Court's 1996 judgment in the Godavarman case that extended protection to wide tracts of forests, even if they were not recorded as forests

---

In geographically sensitive areas within 100 km of the International Borders or the Line of Control, no forest clearance required to construct highways, hydel power projects and so on

---

No Central protection for vast tracts of so-called 'deemed forest' (forests not officially recorded as forests) and permitting activities such as tourism,

The report states that the joint committee, chaired by BJP MP Rajendra Agrawal, analysed the Bill “clause by clause” and invited representations from 10 Central Ministries, as well as views from Chattisgarh, Maharashtra and Telangana, from experts, individuals, and representatives of public sector units.

## ‘Diluting’ forest protection

The report notes that objections were raised to various aspects of the Bill, including complaints that the proposed amendments “diluted” the **Supreme Court’s 1996 judgement** in the **Godavarman** case that extended protection to wide tracts of forests, even if they were not recorded as forests. The Environment Ministry refuted this point and argued that provisions in the Bill guarded against such situations.



In Focu...

Fores...

Kanchi

Koli...



SHARE SUBSCRIBE

Construction of highways, hydel power projects and other such projects in geographically sensitive areas within 100 km of international borders or the Line of Control will no longer require a forest clearance, an amendment that was “deeply problematic”, a member noted. The Environment Ministry responded that such exemptions were not “generic” and were unavailable to private entities.

There were even objection to the proposal to change the name of the 1980 law from the Forest (Conservation) Act to the Van (Sanrakshan Evam Samvardhan) Adhiniyam, which literally translates to Forest (Conservation and Augmentation) Act. The objections were on the grounds that it was “non-inclusive” and left out “vast tracks of population both in South India and also in the North-East.” Environment Ministry officials defended the