

Over 3 lakh hectares of forest land diverted under Forest Conservation Act in 15 years: Govt

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NEW DELHI: Over three lakh hectares of forest land has been diverted for non-forestry use in India over the last 15 years under the Forest (Conservation) Act, 1980, Union environment minister Bhupender Yadav told Lok Sabha on Monday.

Government data presented in the House showed 61,318 hectares of forest land in Punjab, the maximum among all states and Union territories, has been diverted for non-forestry purposes since 2008-09. At present, Punjab has a total forest area of 1,84,700 hectares.

Madhya Pradesh saw 40,627 hectares of forest land being diverted for non-forestry purposes, followed by Odisha at 28,320 hectares, Telangana at 19,419 hectares and Gujarat at 16,070 hectares.

Jharkhand (15,691 hectares), Chhattisgarh (15,082 hectares), Uttarakhand (14,141 hectares), Maharashtra (13,297 hectares), Rajasthan (12,877 hectares), Arunachal Pradesh (12,778 hectares) and Andhra Pradesh (11,093 hectares) also witnessed significant forest area diversion.

The data showed that the major purposes for diversion include mining (58,282 hectares), road construction (45,326 hectares), irrigation (36,620 hectares), transmission lines (26,124 hectares), defence (24,337 hectares), hydel projects (13,136 hectares), railways (9,307 hectares), thermal power (4,101 hectares) and wind power infrastructure (2,181 hectares).

Yadav said 514 hectares of land was encroached on during this period.

The government approved diversion of 17,381 hectares of forest land in 2022-23, 16,785 hectares in 2021-22, 18,314 hectares in 2020-21, 17,392 hectares 2019-20, 19,359 hectares in 2018-19 and 19,592 hectares in 2017-18.

The data showed 7,467 hectares of forest land was diverted in 2016-17, 15,241 hectares in 2015-16, 13,045 hectares in 2014-15, 20,045 hectares in 2013-14, 13,978 hectares in 2012-13, 14,841 hectares in 2011-12, 23,117 hectares in 2010-11, 76,743 hectares in 2009-10 -- the maximum in the last 15 years -- and 12,701 hectares in 2008-09.

India's total forest cover stands at 7,13,789 square kilometres, which is 21.71% of the country's total geographic area.

The Forest (Conservation) Act (FCA) 1980, a crucial law to conserve forests and biodiversity in India, requires obtaining prior approval from the central government for any project or activity that involves clearing forest land. The Act helps in striking a balance between development and environmental protection by ensuring sustainable use of forest resources.

Last week, the government amended the FCA, limiting its applicability to lands recorded as forest in government records and exempting certain categories of land from its purview.

Conservationists argue that limiting the applicability of the FCA to land recorded as forest in government records invalidates the Supreme Court's 1996 judgment in the TN Godavarman case, which said the Act was applicable to land covered under the "dictionary meaning of forests" or "deemed forests" (forests not officially recorded as forests).

The environment ministry says the application of the Act on land covered under the dictionary meaning of forests (or deemed forests) had resulted in a "declining tendency in plantations in non-forest lands owing to the apprehension among individuals, organisations and authorities regarding such plantations being considered forests".

This misapprehension became a hindrance in enhancing the green cover to fulfil the Nationally Determined Contribution targets of creating an additional carbon sink of 2.5 to 3 billion tonnes of CO₂ equivalent, it says.

The amended law also exempts forest land up to 10 hectares for constructing security-related infrastructure and within 100 km of international borders, Line of Control (LoC) and Line of Actual Control (LAC) for "strategic and security-related projects of national importance".

Besides, forest land up to 5 hectares in Left Wing Extremism-affected areas has been exempted from the purview of the FCA for the construction of public utility projects such as schools, water facilities and telecommunication services to address the challenges faced by the residents of these forested regions.

States, including Himachal Pradesh, Nagaland, Sikkim, Tripura, Mizoram and Assam, told a 31-member Joint Parliamentary Committee that reviewed the Forest (Conservation) Amendment Bill that such a step could potentially encompass large areas of their forest land and also affect tribals and other traditional forest dwelling communities.

Environmentalists say areas in the hilly region close to the international borders and LAC/LoC are known for their geological instability and are prone to natural disasters such as heavy rainfall, landslides, flash floods and cloudbursts.

"Unregulated and largescale diversion of forests for non-forest activities" will exacerbate the risks to communities and ecosystems, they argue.

They also say exemption of forest lands up to 0.10 hectares alongside roads and rail lines for public amenities from the requirement of forest clearances could lead to unchecked deforestation and ecological degradation in sensitive areas.

Experts also raise questions about the amended law's impact on the rights of indigenous communities and forest-dependent tribes. The proposed amendments could contradict the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, and the Panchayats (Extension to The Scheduled Areas) Act, 1996, which were enacted to protect the rights of these marginalised communities.



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