

Karnataka's forest, revenue departments spar over 62 acres designated as grazing land

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Karnataka's forest department has issued a notice to the state's revenue department after the latter ordered conversion of 62 acres of forest land in Tyavihalli into grazing land on a few villagers' request.

Assistant Conservator of Forest Prabhu IB's notice to BA Jagadish, tehsildar and assistant commissioner of the Hassan subdivision, stated that the conversion order was violative of the Forest Conservation Act and wanted to know if the latter had sought the central government's permission as mandated by the Karnataka Land Revenue Act.

In its January 5 order that designated the land in survey number 22 as grazing land in the rights, tenancy and crops records, the revenue department said, "Even though the land was under the physical control of the forest department, in the absence of an order by the state government under Section 3 of the Forest Act and a notification under Section 4 of the Act, the legal position is that the land continues to be under the control of the revenue department governed by the Karnataka Land Revenue Act."

The revenue department issued the order after a few villagers of Tyavihalli petitioned it saying they could access their farmlands only through the 62-acre forest land and that forest officials had objected to the construction of a road through the land.

However, a forest official said the records since 1981 showed the land had been under the department's control and that a lot of conservation activities had been taken up there.

"Moreover, the Supreme Court in the Godavarman Thirumalpad versus Union of India case has stated that the term forest need not be understood in the dictionary senses. The term "forest land" occurring in Section 2 of the Forest Conservation Act will not include forests as understood in the dictionary senses but includes any area recorded as a forest in the government records irrespective of its ownership. The forest department has challenged many such moves by the revenue department," the official said.

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