

## The Forest (Conservation) Amendment Bill, 2023

### What is the Forest (Conservation) Act, 1980?

- The Forest (Conservation) Act was passed on October 25, 1980.
- It contains regulations concerning forest conservation and matters related to it.
- **Restriction on dereservation of forests** - No State Government or other authority shall convert forest land for non-forest purpose except with the prior approval of the Central Government.
  - Non-forest purposes include use of land for cultivating horticultural crops or for any purpose *other than reforestation*.
- **Appeals** - Any person aggrieved, by an order or decision of the State Government or other authority may file an appeal to the National Green Tribunal established under NGT Act, 2010.
- **Advisory Committee** - The Central Government may constitute a Committee consisting of such number of persons as it may deem fit to advise the Government.
- **Power to make rules** - The Central Government can make rules for carrying out the provisions of this Act.
- The Act has been amended only once before, in 1988.

*In 1976, forests were included in List III (Concurrent List) under the Seventh Schedule of the Constitution.*

### What are the key features of the bill?

- **Restrictions on activities in forest** - The Bill adds more activities to the list of activities that will be excluded from non-forest purposes such as
  - Zoos and safaris under the Wild Life (Protection) Act, 1972 in forest areas other than protected areas
  - Eco-tourism facilities
  - Silvicultural operations
  - Any other purpose specified by the central government.
  - The central government may specify exclusion of any survey
- **Land under the purview of the Act** - The bill provides for 2 types of land to be under the purview of the Act.
  - Land declared/notified as a forest under the Indian Forest Act, 1927 or any law
  - Land not covered in the first category but notified as a forest on or after October 25, 1980 in a government record
- **Exempted land** - The Bill exempts
  - Forest land along a rail line or a public road maintained by the government up to a maximum size of 0.10 hectare

- Land situated within 100 km along the international borders, Line of Control, or Line of Actual Control
- Land proposed to be used for constructing security infrastructure and defence related projects (not exceeding 5 hectares in a left wing extremism affected area)
- **Assigning Forest land** - Requires prior approval of the central government to direct the assigning of forest land to any organisation not owned by the government.
- **Delegation of power** - The Central government may issue directions for the implementation of the Act to any other authority/ organisation.

### What are the criticisms of the bill?

- The amendment Bill seeks to limit the applicability of the FC Act only to land recorded as 'forest'.
- The restricted scope of the Act required fewer projects to obtain forest clearance.
- The amendment aids in the diversion of 'deemed forest' for non-forest use.
- The scope of the amendments is pushing plantations to achieve carbon neutrality by limiting the scope of the Act.
- The amendment may also affect the rights of the indigenous and forest-dwelling populations who are now protected under the Forest Rights Act.

### References

1. [IE - How the Forest Conservation Bill trades forests for trees](#)
2. [PRS India - The Forest \(Conservation\) Amendment Bill, 2023](#)

