



Forest (Conservation) Amendment Bill, 2023

For Prelims: Forest (Conservation) Act, (FC) 1980, Afforestation and Plantation.

For Mains: Proposed Changes in Forest (Conservation) Amendment Bill, 2023.

Why in News?

Recently, the government introduced **the [Forest \(Conservation\) Amendment Bill, 2023](#)** in Lok Sabha and proposed changes to **the Forest (Conservation) Act, (FC) 1980**.

- The aim of the proposed changes is to build forest carbon stock by **raising [plantations](#)**. The Bill also seeks to make **land available for [compensatory afforestation](#)**.

What is the Background and Proposed Changes in FC Act, 1980?

▪ Background:

- After Independence, **vast areas of forest land were designated as reserved and protected forests**.
 - However, many forested areas were left out, and areas without any standing forests were included in **'forest' lands**.
- In 1996, the **Supreme Court** suspended the **felling of trees across the country**, and ruled that the **FC Act would apply to all land parcels that were either recorded as 'forest' or resembled the dictionary meaning of forest**.
- In June 2022, the government amended the **Forest Conservation Rules** to propose a **mechanism to allow developers to raise plantations "over land on which the (FC) Act is not applicable"** and to **swap such plots against subsequent requirements of compensatory afforestation**.

▪ Proposed Changes:

- **Preamble to the Act:**
 - It proposes to insert a **preamble to the Act to encompass the country's rich tradition of preserving forests**, their bio-diversity and tackling **climate change** challenges within its ambit.
- **Restrictions on Activities in Forest:**
 - The Act restricts the **de-reservation of forest or use of forest land for non-forest purposes**. Such restrictions may be lifted 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 reafforestation**.
 - The Bill adds more activities to this list such as: **(i) zoos and safaris under the [Wild Life \(Protection\) Act, 1972](#) owned by the government or any authority, in forest areas other than protected areas, (ii) eco-tourism facilities, (iii) silvicultural operations (enhancing forest growth), and (iv) any other purpose specified by the central government**.
- **Land under the Purview of the Act:**
 - The Bill provides that two types of land will be under the purview of the Act: **(i)**

land declared/notified as a forest under the Indian Forest Act, 1927 or under any other law, or (ii) land not covered in the first category but notified as a forest on or after October 25, 1980 in a government record.

- Further, the Act will not apply to land changed from forest use to non-forest use on or before December 12, 1996 by any authority authorized by a state/UT.
- **Power to Issue Directions:**
 - The Bill adds that the **central government may issue directions for the implementation of the Act** to any other authority/ organisation under or recognised by the centre, state, or union territory.
- **Exemptions:**
 - It seeks to exempt all **strategic linear projects of "national importance and concerning national security"** within **100 km of international borders**, the **LAC**, and the **LoC**.
 - The proposed amendment also includes exemptions for **"security-related infrastructure" up to 10 hectares**, and additional activities such as **silvicultural operations, construction of zoos and wildlife safaris, eco-tourism facilities**, and any other activities specified by the Central Government.
- **Issues:**
 - With the amendments, **all those forest lands which do not fall in the reserved area but are available in government records before 1980** will not come under the purview of the Act.
 - This **diverts away from the Supreme Court's 1996 verdict which had ensured every forest mentioned in government records gets legal protection against deforestation**.
 - Critics argue that the terms like 'proposed', 'ecotourism facilities', and 'any other purposes' can be **exploited or misused for activities damaging forests** and ecosystems in forest lands.
 - They also argue that **plantations are a significant threat to Indian forests as they replace the natural ecosystems**, affect soil quality, and **particularly threaten the native biodiversity**.

UPSC Civil Services Examination, Previous Year Question (PYQ)

Q. Consider the following statements: (2019)

1. As per recent amendment to the Indian Forest Act, 1927, forest dwellers have the right to fell the bamboos grown on forest areas.
2. As per the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, bamboo is a minor forest produce.
3. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 allows ownership of minor forest produce to forest dwellers.

Which of the statements given above is/are correct?

- (a) 1 and 2 only
- (b) 2 and 3 only
- (c) 3 only
- (d) 1, 2 and 3

Ans: (b)

- The **Indian Forest (Amendment) Bill 2017 permits felling and transit of bamboo grown in non-forest areas**. However, bamboo grown on forest lands would continue to be classified as a tree and would be guided by the existing legal restrictions. Hence, statement 1 is not correct.
- The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, **recognises bamboo as a Minor Forest Produce and vests the "right of ownership, access to collect, use and dispose of minor forest produce"** with Scheduled Tribes and Traditional Forest Dwellers. **Hence, statements 2 and 3 are correct.**
- **Therefore, option (b) is the correct answer.**

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