



Forest Conservation Conundrum

This editorial is based on [Many of the Above](#) which was published in The Indian Express on 28/07/2023. It talks about the issues with Forest Conservation (Amendment) Bill.

For Prelims: [Supreme Court](#), [National Forest Policy \(1988\)](#), [National Action Plan on Climate Change \(2008\)](#), [Convention on Biological Diversity \(1992\)](#), [UN Framework Convention on Climate Change \(1992\)](#), [Paris Agreement \(2015\)](#), [Comptroller and Auditor General](#), [Central Zoo Authority](#)

For Mains: Implications of Amendment to Forest Conservation Act.

The [Forest Conservation \(Amendment\) Bill](#) passed in the [Lok Sabha](#). The bill **introduces stricter conditions, limiting the scope of protected areas** to land declared or notified as a forest under the [Indian Forest Act, 1927](#), or any other law. The departure from the previous, more lenient definition of forests may put vast tracts of forests at risk and exclude unclassified forests that make up around **15% of India's total forest cover**. While the government assures that it won't violate the Forest Rights Act, concerns remain about the rights of forest-dependent communities in this context.

What is the Issue with the Proposed Amendment?

- **Limiting the Definition of Forest:**
 - The amendment proposes to **limit the definition of forest to areas** recorded as "forest" in government records **from October 25, 1980, onwards**. This amendment **seeks to redefine the scope of what is considered a forest, excluding areas not recorded** as such after the specified date.
- **Invalidating the Supreme Court's 1996 Judgment:**
 - The amendment will have the effect of invalidating the [Supreme Court's](#) landmark 1996 judgment in **T N Godavarman vs. Union of India**, which had **expanded the meaning of forest** to include all natural ecosystems, beyond the confines of government records.
- **Loss of Legal Protection for Vast Forest Areas:**
 - As a consequence of the amendment, **thousands of square kilometres of forests, constituting approximately 27.62%** of India's total forest cover, will **lose their legal protection**.
 - These areas **lie outside the boundaries of Recorded Forest Areas**.

What is the Status of Forest Loss in India?

- **Extent of Forest Loss:**
 - According to a [report by the Centre for Science and Environment](#) (CSE), India has witnessed a **staggering loss of over 31,000 square kilometres** of forests **between 2001 and 2018**.

- Various developmental activities, such as mining, dams, roads, and urbanization, have contributed to this extensive forest degradation.
- **India's Global Ranking:**
 - The CSE report highlights that **India ranks among the top 10 countries in the world in terms of forest loss.**
 - This alarming ranking emphasizes the severity of the issue and its potential implications on ecological stability and biodiversity.
- **Increasing Forest Loss Trends:**
 - Over the past two decades, **forest loss has seen an alarming surge.**
 - This escalation in **deforestation poses serious threats to ecological balance**, wildlife habitats, and climate change mitigation efforts.

What are the Impacts of the Proposed Amendment?

- **Reduction in Protected Areas:**
 - The stricter definition of forests under the amendment **may lead to the declassification** of many areas that were previously considered as forests.
 - This could **result in a reduction in the number of protected areas**, leaving vast tracts of forests vulnerable to encroachment and development.
- **Loss of Biodiversity and Ecosystem Services:**
 - With fewer areas under legal protection, there is a **higher risk of habitat destruction, leading to loss of biodiversity** and the services that natural ecosystems provide, such as water security, carbon sequestration, and climate resilience.
- **Environmental Degradation:**
 - Weakened forest conservation measures **may open the door to unsustainable exploitation of natural resources**, such as logging, mining, and other activities that can lead to environmental degradation and irreversible damage to ecosystems.
- **Climate Change Implications:**
 - Forests play a crucial role in mitigating climate change by sequestering carbon.
 - Reduced forest protection **may result in increased deforestation and higher greenhouse gas emissions**, impacting India's efforts to combat climate change.
- **Loss of Ecological Connectivity:**
 - Stricter criteria for defining forests may **disrupt ecological connectivity and wildlife corridors**, hindering the movement of species and further fragmenting habitats.
- **Challenges in Conservation Efforts:**
 - Environmentalists and conservationists may face challenges in safeguarding ecosystems and wildlife, as the amendment's limitations may hinder their efforts to protect vulnerable areas.
 - The report by the [Comptroller and Auditor General](#) highlights that many zoos in India are **not complying with prescribed norms** and standards set by the [Central Zoo Authority](#).
 - Problems such as inadequate **animal enclosures, poor waste management, and insufficient veterinary facilities raise concerns** about animal welfare and the environmental impact of zoos.
- **Challenges in Ecotourism:**
 - The study by the **Ashoka Trust for Research in Ecology and the Environment (ATREE)** reveals that ecotourism activities in protected areas can lead to increased pressure on natural resources, conflicts with local communities, loss of traditional livelihoods, cultural erosion, and reduced wildlife sightings.
 - These challenges underscore the need for proper regulation and oversight in ecotourism practices.

What are the Implications for Forest-Dwelling Communities?

- **Violation of Rights:**
 - Exempting a large number of projects from the clearance process means that forest-dwelling people will **no longer be consulted.**
 - This **violates the [Scheduled Tribes and Other Traditional Forest Dwellers \(Recognition of Forest Rights\) Act, 2006](#)**, which mandates obtaining free, prior, and informed **consent**

from local communities through their gram sabhas.

- By disregarding this legal requirement, the **rights of forest-dwelling communities are undermined.**
- **Social Unrest and Conflict:**
 - The denial or violation of their rights **can lead to social unrest and conflict within these communities** as they strive to protect their land, livelihoods, and cultural heritage.
- **Inadequate Recognition of Forest Rights:**
 - The report by the **Ministry of Tribal Affairs (MoTA)** indicates that **only a small percentage of claims filed by forest-dwelling communities under the Forest Rights Act have been approved.**
 - This **hinders their ability to exercise their rights over forest resources** and leads to **insecurity and vulnerability.**
- **Eviction and Harassment:**
 - Denial or violation of forest rights has **led to cases of eviction, displacement, harassment, and violence** against forest-dwelling communities.
 - This **further marginalizes already vulnerable populations** and disrupts their traditional way of life.

How will India's Ecological Security and Commitments be Compromised?

- **Contradiction with Forest Conservation Act's Preamble:**
 - The proposed amendments to the Forest Conservation Act **go against its stated purpose** of providing **for the conservation of forests** and matters connected therewith.
 - Instead of promoting conservation, the amendments may lead to the degradation of forest ecosystems.
- **Contravention of National and International Commitments:**
 - The amendments are in conflict with India's **national and international commitments to protect its environment** and biodiversity.
 - Commitments like the [National Forest Policy \(1988\)](#), **National Biodiversity Action Plan (2008)**, [National Action Plan on Climate Change \(2008\)](#), [Convention on Biological Diversity \(1992\)](#), [UN Framework Convention on Climate Change \(1992\)](#), and [Paris Agreement \(2015\)](#) prioritize conservation and sustainable management of natural resources.
- **Impact on Ecological Security and National Security:**
 - **The proposed amendments** can compromise India's ecological security by eroding its natural capital.
 - This can **lead to reduced resilience to climate change impacts** and jeopardize social harmony.
 - Neglecting ecological preservation can have cascading effects on various aspects of national security.
- **Threats to Biodiversity:**
 - India is recognized as one of the **17 megadiverse countries globally, hosting approximately 8% of the world's biodiversity.**
 - The nation's rich biodiversity contributes to its ecological resilience and is a valuable global heritage.
 - The **IPBES report (Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services)** highlights that India is facing a biodiversity crisis, with **approximately 25% of its species threatened** with extinction due to multiple factors such as **habitat loss, overexploitation, pollution, invasive species, climate change,** and human-wildlife conflict.

What Should be the Way Forward for Proposed Amendment?

- **Conservation and Sustainable Management:**
 - Instead of weakening forest conservation, the government **should focus on effective implementation and enforcement** of existing laws and policies.
 - Strengthening the institutional and regulatory mechanisms for environmental governance, such as the [National Green Tribunal](#), [National Biodiversity Authority](#), and **Forest Advisory Committee**, is crucial.

- **Scientific Approach:**
 - Enhancing the scientific and technical capacity for environmental assessment and monitoring, using modern tools like **remote sensing, geographic information systems, satellite imagery, drones, and citizen science**, can aid in informed decision-making and conservation efforts.
- **Community Participation:**
 - Promoting participatory and **community-based approaches for forest** and wildlife management is vital.
 - Involving local communities in **decision-making, planning, and benefit-sharing ensures the protection of their rights** and fosters a sense of ownership and responsibility towards conservation.
- **Integrated Approach:**
 - Adopting an **integrated and landscape-level approach** for conservation and development is essential.
 - Identifying and prioritizing **critical wildlife habitats, corridors, and buffer zones**, while ensuring ecological connectivity and compatibility among different land uses, can balance developmental needs with ecological preservation.

Drishti Mains Question:

Critically examine the implications of the proposed amendments to the Forest (Conservation) Act, 1980.

UPSC Civil Services Examination Previous Year's Question (PYQs)

Prelims:

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)