



Rajasthan Communities at Risk of Losing Land

Why in News?

Recently, a Rajasthan state government notification has sparked fear among [community dwellers](#) in **western Rajasthan**, who are concerned about potential **loss of access to forest produce and livelihood**.

Key Points

- The community is apprehensive about the state's proposal to recognise **orans (sacred groves)** as deemed forests.
- The government notification declares that, in compliance with directives from the Supreme Court (SC), **orans, dev vans (sacred forests) and runds (traditionally conserved open forests)** will be categorised as **deemed forests**.
 - The community through representation of the organisation "**Gochar Oran Sanrakshak Sangh Rajasthan**" has raised objection to the decision.
 - The village residents also depend on the forest for **gum, timber, forest produce and wild vegetables**, crucial for their livelihoods and daily needs.
 - If orans are declared as deemed forests, the people fear they will **lose access to forest produce and grazing land** for their herds and sheep.
- According to the officials, to prevent further degradation of such lands, the SC, in the **TN Godavarman case, 1996**, directed state governments to identify them and stipulated that all forests, including deemed forests, would be covered under **section 2 of the [Forest \(Conservation\) Act, 1980](#)**.
 - The provisions in this section **prohibit non-forestry activities** such as mining, deforestation, quarrying, or infrastructure projects on such forest land without permissions from the central government.
 - However, this does not restrict individuals or communities from accessing the forest for grazing or worship.

Deemed Forests

- Deemed forests, **comprising about 1% of India's forest land**, are a controversial subject as they **refer to land tracts that appear to be a "forest", but have not been notified so by the government or in historical records**.
- The concept of deemed forests **has not even been clearly defined in any law including the Forest Conservation Act 1980**.
- In the **T N Godavarman Thirumalpad case 1996**, SC accepted a wide definition of forests under the Act and held that the word 'forest' must be understood according to its dictionary meaning.
 - This description **covers all statutorily recognised forests**, whether designated as reserved, protected or otherwise for the purpose of **Section 2 (1) of the Act** and also includes any **areas recorded as forest in the government record irrespective of the ownership**.
- The **provisions for the conservation of forest and the matters connected therewith applies clearly to all forests** irrespective of the ownership or classification.
- The **freedom to define which tracts of forest qualify** as forest has been the **prerogative of**

States since 1996.

- However, this only applies to forest land that has not already been historically classified as “forest” in revenue records, or categorised so by the government as “protected” or “reserve forest”.

Forest Conservation Act, 1980

- The Forest Conservation Act, 1980 stipulated that the **central permission is necessary to practice sustainable agro-forestry in forest areas**. Violation or lack of permit was treated as a criminal offence.
- It is targeted to limit deforestation, conserve biodiversity and save wildlife. Though this Act provides greater hope towards forest conservation it was not successful in its target.

PDF Refernece URL: <https://www.drishtiias.com/printpdf/rajasthan-communities-at-risk-of-losing-land>

