

FOREST CONSERVATION ACT, 1980



Issue

The Centre has proposed an amendment to the Forest (Conservation) Act, 1980, to liberalise forest laws.

Background

The Forest Conservation Act has been amended twice in 1988 and 1996. The provisions of the act were applicable to only the forests notified under the Indian Forest Act, 1927.

Details

- The definition of forests was expanded following a Supreme Court judgment in a petition filed by the late Godavarman Thirumulpad.
- The Act prevents the state government and other authorities to take decisions without centre's approval.
- The main aim was to prevent forest lands being converted into agricultural, grazing or for any other commercial purposes.

New amendments

- Deemed forests listed by state governments up to 1996 will continue to be considered forest land.
- The major proposal is to make it a little easier to use forest land for non-forestry purposes.
- It allows certain categories of infrastructure project developers to get permission to use forest land for non-forestry purposes.

- This includes agencies involved in national security projects, border infrastructure projects, land owned by the Railways or the Road Transport Ministry.
- Several provisions have been introduced for imposing penalties for non-compliance. It also includes jail term.

Need for changes

- India has committed to create a carbon sink to lock in 2.5 to 3 billion tones of CO₂ by 2030. Under the current situation it is difficult to increase tree cover in existing forests.
- The current laws do not encourage private landowners to grow more trees, which prevents increase in tree cover.
- Changes in forest definition have prevented private industry and government to use land that falls under the definition of "forest" for non-forestry purposes.
- There were also instances of national security projects put on hold due to the requirement of Central approval.

The Forest (Conservation) Act, 1980

- It came into force to address deforestation. FCA made it necessary to get the Centre's permission for using forest land for non forestry purposes.
- This act replaced the Indian Forest Act that has been since existence 1927. The older act was aimed at empowering colonial British administration to control the extraction of timber and did not concern forest conservation.

NOTES

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