

A Urgent Response needed.....!!!

Ministry of Environment, Forest and Climate Change is proposing amendments in Forest (Conservation) Act, 1980. A Joint Parliamentary Committee (JPC) approved the report on the Forest Conservation (Amendment) Bill, 2023 on July. In the upcoming Monsoon Session the amended bill will be presented.

What's the impact of new amended bill ?

Let's get into highlights of the proposed amendment.

- Ministry's amended bill does not have any mention of FRA, 2006. It does not even mention the consensus or permission being sought from the Village Committee for Forest Rights Act.
- Ministry is considering now to exempt lands without any approval acquired by Railways & Roadways before Forest (Conservation) Act 1980 came into existence i.e., before 25/10/1980. Also, alongside many roads and railway lines, strip plantations have been developed and notified as forests. So, Ministry is of the view that, an exemption up to 0.05ha i.e., 500m² for each such accesses. Forest whether it is big or small patch belongs to the nation and people, without comment and opinions of the people and Environment Impact Assessment (EIA) reports no exemption can be given to any kind of de-reservation.
- Ministry is considering use of new technologies such as Extended Reach Drilling etc. is in view that it is quite environment-friendly and as such should be kept outside the purview of Act. So, Ministry should provide detailed description of how new technologies like extended reach drilling is environment friendly? what is EIA reports on making drilling holes even though it is outside the forest land or non-forest land?
- It has been proposed that, establishment of zoos, safaris, forest training infrastructure, survey & investigation activities etc., should not come within the meaning of non-forestry activity for the purpose of section 2(ii) of the Act. Keeping pristine forests undisturbed will prevent forest degradation. So, any activities which disturbs forest ecosystem to be prohibited.
- Ministry is in view to exempt non-forestry use of forests for development of infrastructure along the international border areas. Even if it is for strategic and security projects to what extent area can be exempted? If Ministry gives exemption maybe it should be a nominal area and if it exceeds given area, it must get centre's approval for additional forest land. Nation's security and Nation's natural resources both are important we have to balance as both are important assets.
- The lands bearing vegetation irrespective ownership and classification also attract the provisions of the Act. So, there is a need to dispel the apprehension among tree growers that vegetation or tree plantation raised on their private or non-forest lands will not attract the provisions of the Act. It has been proposed to allow owners for construction of structures for bonafide purpose including forest protection measures and residential unit up to an area of 250m² as one time relaxation. And many a times there are contrasting entries of the same land in revenue records and also in the forest records. This has created a scope of mis-interpretation and litigation. It is strongly felt that this recording in revenue record of plantation, afforestation etc., on any non-forest land after 12.12.1996 remain outside the purview of the Act. So, above provisions should be applicable to only 'private owners' and not for those lands which are government owned which come

within the state specific private forest Act or coming within the purview of dictionary meaning of forest in terms of Supreme Court order dated 12.12.1996 and accordingly where Forest (Conservation) Act 1980 is applicable.

Any access or permission to take up non-forestry activities on forest land-deemed or on paper records, should be consulted with local people for their opinion regarding exemption of their resources whether it is local water body, forest land, hill etc.,

Earlier Central government had circulated the proposal note on the Bill in October 2021 for public comments, at that time on 18th Oct 2021, only 5000 responses were gathered. Don't know what they have taken from those feedback's.

But,

It is very crucial time now to wake up and take action, if we did not take any action now, we cannot save our natural resources for future generations. Drop a mail to Ministry of Environment, Forest, & Climate Change - mefcc@gov.in; most importantly please take a call and convey your opinion to your respective MPs. As they represent our voices in the parliament, the amended Bill is likely to be tabled in Parliament in the upcoming Monsoon Session.

With regards

KALOSMI FOUNDATION

If you find any environment related issues, please mail us to email: kalosmifoundation@gmail.com

Forest is the important asset of a Nation, to protect forest and environment is fundamental duty of its citizens.