

**GOVERNMENT OF INDIA
ENVIRONMENT AND FORESTS
LOK SABHA**

UNSTARRED QUESTION NO:1668
ANSWERED ON:06.03.2000
AMENDMENT IN FOREST ACT
PRASANNA KUMAR PATASANI;VAIKO

Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

- (a) whether certain hill districts and forest/tribal areas are facing difficulties due to provisions of the Forest (Conservation) Act, 1980 ;
- (b) if so, whether the Government propose to suitably amend the said Act with a view to removing hurdles ;
- (c) if so, the details thereof; and
- (d) if not the reasons therefor?

Answer

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT AND FORESTS

(SHRI BABU LAL MARANDI)

(a) to (d) As per the provisions of the Forest (Conservation) Act, 1980 , no State Government or other authority can make except with the prior approval of the Central Government any order directing de-reservation of forest land and or its use for non-forestry purposes. In fact by conserving the forests, the Act safeguards the interest of tribal and other local people who are heavily dependent on forest resources for their sustenance.

Moreover, provisions of Forest (Conservation) Act, 1980 do not affect the enjoyment of recorded rights/concessions of local people and specially tribal for their own bonafide domestic use.

This Ministry has framed a detailed guideline for processing of proposals received from State Government under the said Act and this has been revised from time to time to ensure speedy decision on proposals received under the Act. This include delegation of powers to Regional Offices to decide development projects involving forest area up to 5 hectare (except that of mining and regularisation of encroachment) ,constitution of State Advisory Groups comprising of representatives from the State Governments etc. Special relaxation in respect of compensatory afforestation has also been made for certain developmental projects involving forest land up to 20 hectare in hill districts and other districts having forest area exceeding 50% of the total geographical area by permitting it to be raised over degraded forest twice in extent to the area being diverted. Moreover, no compensatory afforestation is insisted for small public utility projects involving forest land up to one hectare .

In view of above there is no need to amend Forest (Conservation) Act, 1980 at present.