

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

STARRED QUESTION NO:284

ANSWERED ON:16.08.2004

REGULARISATION OF ENCROACHMENTS ON FOREST LAND

Bhagora Shri Mahavir; Satpathy Shri Tathagata

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

- (a) the forest area under encroachments as on date and the details of encroachers, State-wise;
- (b) whether the Union Government has announced their regularisation using 1980 as the baseline;
- (c) if so, the details of requests received for regularisation of encroachments made prior to 1980 and after 1980 separately and the area thus regularised and distributed amongst tribals so far, State-wise;
- (d) the efforts made towards regularisation of whole area as requested by States;
- (e) whether some States have regularised encroachments in rural and urban areas during the last three years and thereafter;
- (f) if so, the details thereof and reaction of the Union Government thereto;
- (g) the names of States who have formed District Level Committees for the purpose;
- (h) whether the Union Government has also directed for removal of illegal encroachments;
- (i) if so, the area thus cleared so far, State-wise; and
- (j) the rehabilitation package announced for evicted families?

**Answer**

MINISTER OF ENVIRONMENT AND FORESTS (SHRI A. RAJA)

(a) to (j) A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN THE REPLY TO PARTS (a) TO (j) OF THE LOK SABHA STARRED QUESTION NO. 284 BY SHRI TATHAGATA SATPATHY AND SHRI MAHAVIR BHAGORA REGARDING 'REGULARISATION OF ENCROACHMENTS ON FOREST LAND' DUE FOR REPLY ON 16-08-2004.

(a) According to information received from various State Governments/UT Administrations, about 13.43 lakh hectare of forest land is under encroachment in the country. The State-wise data is enclosed as Annexure-I. Central Government does not maintain the records of individual encroachers of forest lands.

(b) Encroachment is an offence under Section 26 of the Indian Forest Act, 1927. The encroachments have to be evicted from the forest lands. However, as a one time dispensation, Central Government had issued Guidelines on 18th September, 1990 for regularisation of pre-1980 eligible encroachments on forest lands keeping in view the fact that various State / UT Governments in some cases had taken a decision to regularize certain categories of encroachments but could not implement the decision as Forest (Conservation) Act, 1980 came into effect. This relaxation is not applicable to encroachments that took place after 24-10-1980.

(c)&(d) On receipt of proposals from the State Governments/UT Administrations, Central Government has regularised pre-1980 eligible encroachments in respect of Madhya Pradesh, Gujarat, Kerala, Arunachal Pradesh, Karnataka, Orissa, Tripura and Andaman & Nicobar Islands. The total area under pre-1980 eligible encroachments regularized so far is 3.66 lakh hectare. State-wise details are enclosed as Annexure-II. As per the Guidelines issued for regularisation of encroachments on forest land, all pre-1980 in-eligible encroachers and post-1980 encroachers have to be evicted from the forest lands. The data regarding tribal and non-tribal encroachers are maintained by the respective States/UTs.

(e)&(f) State/UT Governments are not competent to regularize encroachments on forest lands. Since August, 2001, Central Government has regularized pre-1980 eligible encroachments over 29.94 hectare of forest lands in respect of Orissa only. The order was issued by the Central Government on 22-11-2001. Central Government has not regularized any encroachments on forest land thereafter in view of the Supreme Court order dated 23-11-2001 restraining Central Government from regularisation of further encroachments.

(g) According to the available information with the Central Government, States of Madhya Pradesh, Gujarat, Rajasthan, Orissa, Kerala and Arunachal Pradesh had constituted the District Level Committees involving officials of Revenue Department, Forest Department

and Tribal Welfare Department as per the Guidelines issued on 18th September 1990, for regularisation of encroachments.

(h) In accordance with the orders of the Supreme Court and the Guidelines issued by the Central Government for regularisation of encroachment, pre-1980 in-eligible encroachments and all post-1980 encroachments have to be evicted from the forest lands.

(i) According to information received from various State Governments/UT Administrations, encroachments from about 1.52 lakh hectare of forest area have been evicted so far. The State-wise data for eviction of encroachments is enclosed as Annexure-III.

(j) No rehabilitation of the evicted encroachers is done by the Central Government.

#### Annexure-I

ANNEXURE REFERRED TO IN THE REPLY TO PART (a) OF THE LOK SABHA STARRED QUESTION NO. 284 BY SHRI TATHAGATA SATPATHY AND SHRI MAHAVIR BHAGORA REGARDING `REGULARISATION OF ENCROACHMENTS ON FOREST LAND` DUE FOR REPLY ON 16-08-2004.

(Data as on 31-3-2004)

Sl. No. Name of State/UT Existing encroachments  
(pre-1980 & post 1980 both)  
on forest lands (area in hectare)

1	Andhra Pradesh	295383.000
2	Assam	299710.000
3	Arunachal Pradesh	3887.810
4	A & N Island	2057.490
5	Bihar	251.869
6	Chandigarh	0.000
7	Chhattisgarh	150495.000
8	Delhi	0.000
9	Daman & Diu	87.960
10	Dadar & Nagar Haveli	614.350
11	Gujarat	22139.540
12	Goa	1012.000
13	Haryana	1274.060
14	Himachal Pradesh	2841.875
15	J & K	9284.000
16	Jharkhand	48438.410
17	Karnataka	67710.000
18	Kerala	7290.000
19	Lakshdweep	0.000
20	Maharashtra	79641.730
21	Manipur	533.240
22	Meghalaya	6584.490
23	Madhya Pradesh	138110.585
24	Mizoram	18759.616
25	Nagaland	0.000
26	Orissa	42605.530
27	Punjab	6812.806
28	Pondicherry	0.000
29	Rajasthan	6712.742
30	Sikkim	3499.640
31	Tamilnadu	17555.564
32	Tripura	59336.150
33	Uttaranchal	9668.000
34	Uttar Pradesh	27214.630
35	West Bengal	13834.536

Total 1343346.622

#### Annexure-II

ANNEXURE REFERRED TO IN THE REPLY TO PARTS (c) & (d) OF THE LOK SABHA STARRED QUESTION NO. 284 BY SHRI TATHAGATA SATPATHY AND SHRI MAHAVIR BHAGORA REGARDING `REGULARISATION OF ENCROACHMENTS ON FOREST LAND` DUE FOR REPLY ON 16-08-2004.

Name of State Total pre-1980 eligible encroachments regularized over forest area by Central Government

(in hectare)

1. Madhya Pradesh	275405.692
2. Gujarat	31982.800
3. Kerala	28588.159
4. Arunachal Pradesh	13419.290
5. Karnataka	14848.830
6. A & Nicobar Islands	1367.000
7 Orissa	29.940
TOTAL	365669.111

Annexure-III

ANNEXURE REFERRED TO IN THE REPLY TO PART  
(i) OF THE LOK SABHA STARRED QUESTION  
NO. 284 BY SHRI TATHAGATA SATPATHY AND SHRI MAHAVIR BHAGORA REGARDING  
'REGULARISATION OF ENCROACHMENTS ON FOREST LAND' DUE FOR REPLY ON 16-08-2004.

(Data as on 31-3-2004)

Sl.No. Name of State/UT Encroachments evicted from forest  
lands since May, 2002 (in hectare)

1 Andhra Pradesh	0.000
2 Assam	71740.000
3 Arunachal Pradesh	150.190
4 A & N Island	2580.400
5 Bihar	602.313
6 Chandigarh	0.000
7 Chhattisgarh	0.000
8 Delhi	0.000
9 Daman & Diu	0.000
10 Dadar & Nagar Haveli	0.000
11 Gujarat	14416.860
12 Goa	0.000
13 Haryana	873.840
14 Himachal Pradesh	84.124
15 J & K	1806.000
16 Jharkhand	1739.390
17 Karnataka	19948.000
18 Kerala	2183.000
19 Lakshdweep	0.000
20 Maharashtra	13557.660
21 Manipur	2.750
22 Meghalaya	0.000
23 Madhya Pradesh	8071.640
24 Mizoram	0.000
25 Nagaland	0.000
26 Orissa	2463.434
27 Punjab	420.767
28 Pondicherry	0.000

29	Rajasthan	8360.412
30	Sikkim	50.450
31	Tamilnadu	1698.284
32	Tripura	0.000
33	Uttaranchal	280.800
34	Uttar Pradesh	361.900
35	West Bengal	1007.896

Total 152400.110