

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

UNSTARRED QUESTION NO:3788
ANSWERED ON:17.12.2012
AMENDMENT IN FOREST CONSERVATION ACT
Naqvi Shri Zafar Ali;Patil Shri C. R. ;Rajesh Shri M. B.

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

- (a) whether the approach roads of the villages, main district roads, and the trees planted along with the roads of Nagar and Zila Panchayats in the cities fall under the definition of protection of forest area in the country;
- (b) if not, the limit and definition of the protection of forest area;
- (c) whether the Government has any proposal to make amendment in Forest (Conservation) Act, 1980 to make the rules under this Act lenient for those who have a very genuine reason to fell the tree;
- (d) if so, the details thereof;
- (e) whether the State Forest Departments have been counted in this regard and if so, the details thereof; and
- (f) the steps taken by the Government in this regard?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT AND FORESTS (SHRIMATI JAYANTHI NATARAJAN)

- (a)& (b) The Hon'ble Supreme Court of India in their Judgment dated 12.12.1996 in the Writ Petition (Civil) No. 202 of 1995 in the matter of T.N. Godavarman Thirumulpad versus Union and Others inter alia directed as below: "The Forest Conservation Act, 1980 was enacted with a view to check further deforestation which ultimately results in ecological imbalance; and therefore, the provisions made therein for the conservation of forests and for matters connected therewith, must apply to all forests irrespective of the nature of ownership or classification thereof. The word "forest" must be understood according to its dictionary meaning. This description cover all statutorily recognised forests, whether designated as reserved, protected or otherwise for the purpose of section 2 (i) of the Forest Conservation Act. The term "forest land", occurring in Section 2, will not only include "forest" as understood in dictionary sense, but also any area recorded as forest in Government record irrespective of the ownership."
- (c) The Central Government does not have any proposal to make amendment in the Forest (Conservation) Act, 1980.
- (d) to (f) In view of reply to part (c) above, reply to parts (d) to (f) does not arise.