

The definition of forest has been a contentious. Critically analyse FCA (a) 2023.

The Supreme court advised the government to adhere to the definition of forest as outlined in the Godavarman case, 1996. The judgement has come at the backdrop of Forest conservation amendment act 2023.

The Forest conservation act 2023 was enacted with a view to unsecure the economic value harboured in the forest that is under scanner now.

Not so green

The amended act recognises the definition as per the India Forest act 1927, bypassing the Godavarman case. With this the non-recorded forest areas will be outside the purview

of forest-conversion act

This can give access to non-forest activities on the cleared and community forest areas. With the Supreme-court's interim-orders the ambiguity around definition of forest is clarified.

Rampant diversion

A total of 1.97 lakh km² of land with tree cover would be excluded from recorded forest areas. Also, the amended act gives access to central government to give access to any authority by assigning forest land which is not defined.

With the apex court intervention, these rampant diversions are thwarted now.

Species protected

The 2023 act, had provisions regarding clearing project.

of national importance from 100 km of international boundaries. This can be a great threat to species such as the Giant Indian Bustard, Himalayan brown bear and many Himalayan plant species.

Traditional rights The changed definition of forest can negatively impact the traditional forest dwellers as the act was made on Forests Rights act, 2006.

Way forward

The Supreme has upheld the environmental jurisprudence by directing to use the dictionary meaning of forest which can stress the goal of achieving one-third of land under forest and reduce carbon emissions by one-billion tonnes.