

NGT seeks replies on efforts made to reclaim 14,000ha reserved forest land

Sep 25, 2024, 01.09 AM IST

Pune: The National Green Tribunal (NGT) has sought reply affidavits from the state principal chief conservator of forest, the ministry of environment, forest and climate change and Pune district collector over the delay to reclaim 14,000ha of reserved forest from the revenue department in the city.

Reply affidavits need to be filed by Nov 4, when the matter is slated for the next hearing before the National Green Tribunal (NGT)'s western region bench which is looking into the matter now.

Taking suo motu cognisance of a news report, the green tribunal's principal bench in New Delhi observed on Sept 19, "The news item indicates violation of provisions of the Forest (Conservation) Act, 1980, and the Environment (Protection) Act, 1986. It raises substantial issues relating to compliance with the environmental norms and implementation of the provisions of scheduled enactment."

In 1978, following the Indian govt's order, the forest department had transferred 35,000ha land to the revenue department for plantation, supervision and other administrative purposes. In the early 2000s, the central govt again ordered the forest department to identify reserve forest land and mark it to prevent future encroachment/misuse. The latter began identification of reserve forest land in 2008. Nevertheless, the partnership's lease and agreement ended in and around 2008, resulting in the forest department reclaiming all the land it had previously owned.

Since 2008, the forest department has retrieved 20,000ha land and safeguarded it under the Forest Conservation Act (FCA), 1980, with 14,000ha pending action with the revenue department.

On Sept 19, a bench of chairperson Prakash Shrivastava, justice Arun Kumar Tyagi and expert member A Senthil Vel saide, "The matter relates to challenges faced by the Pune forest department in reclaiming 14,000ha land held by the revenue department currently. As per the news article, earlier policies resulted in large-scale transfers of forest land, but negligence resulted in encroachment over time. The forest department is struggling to regain its land and prevent it from future encroachment."

TOI had highlighted that encroachers — including farmers, who have converted the land for their own agriculture use, frequently laid claim to the land due to mismanagement and issues between the revenue and forest departments. When the land was transferred, documents retained the forest department as owners or claimed a disputed status.

Forest authorities had told TOI that the acquisition of the area was delayed by permanent encroachments and structures built on it. Therefore, once reclaimed, it would demolish any temporary encroachments and demarcate the area to ensure protection.

Due to the change in policy, officials had also said the district collector was transferring the majority of the land promptly. After completing the acquisition, the department would classify the land as a reserve forest area according to section 20 of the Indian Forest Act.

The bench further said, "Issue notice to the above respondents to file their response/reply by way of affidavit before the appropriate bench of the tribunal at least one week before the next date of hearing."

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