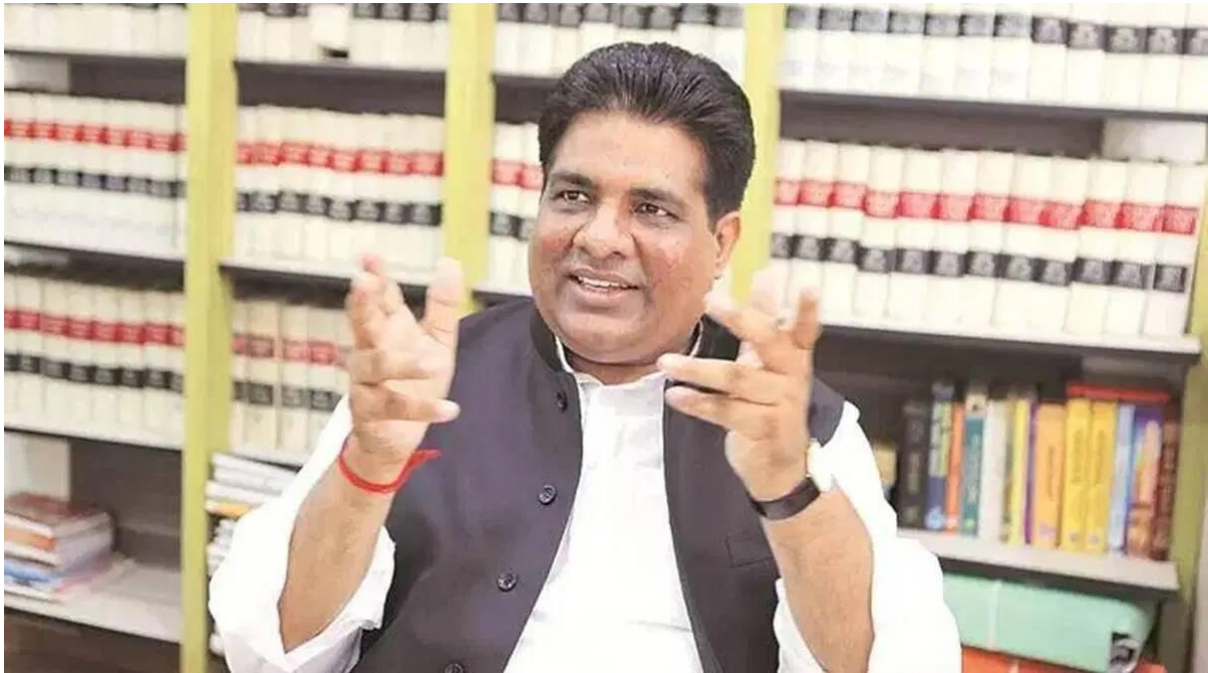


Over 7 lakh sq km of forest land in country, Rajya Sabha informed

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Bhupender Yadav

Minister for Environment, Forests and Climate Change Bhupender Yadav on Monday informed Rajya Sabha that the recorded forest area in the country is 7,67,419 sq km, as surveyed by the India State of Forest Report, 2019. He said the ministry has so far not quantified the forest area that has been under dispute.

Yadav said that of the recorded forest area in the country, 4,34,853 sq km fall under the Reserved Forests category, 2,18,924 sq km under the Protected Forests category, and 1,13,642 sq km are of unclassified forests.

In a written reply, Yadav told Rajya Sabha that the term 'forest' is yet to be defined by the Centre. "The word 'forest' is not defined in any Central Forest Act, namely the Indian Forest Act (1927), or the Forest Conservation Act (1980). The Central government has not laid down any criterion to define forest," he said.

The minister was replying to a question in the Upper House by [BJP](#) member Rakesh Sinha, who asked "How Forests are defined or formed, and if there is any specific criteria" and how forest land disputes were being resolved by the Ministry.

Sinha also asked if there were any plans of giving individual titles to tribals for forest land, pointing out that there has been an ongoing tussle between the Forest and the Revenue Departments over land, and how this was being resolved. To this, Yadav's response was that the states are responsible for categorising forest land, and it is the states that resolve dispute between these two departments.

The minister further said that the Indian Forest Act, 1927 gives states the rights to notify Reserved Forests in their areas.

Speaking of disputes over forest land, Yadav said, “The disputes regarding forest lands are variable in nature and keep changing depending upon the pace of settlement process, recording of new disputes, demarcation/survey on case to case basis etc by the respective State/UT authorities as per due process of law applicable to the area. As such forest area under dispute for the country has not been quantified by the Ministry.”

In his reply, Yadav also noted that as per the Wasteland Atlas, 2019, published by the Ministry of Rural Development, the total wasteland in the country is 5,57,665.51 sq km. Wasteland is defined not as desertified land, but land that not used for agriculture, commercial use or as forest land. For instance, it could use grasslands, that are used by communities for grazing.

Rights such as that of grazing of animals are often not recorded, and the local community does not need to be consulted if the land were to be reclassified as ‘forest’ and diverted by the forest department. This often leads to disputes between local communities and governments.

Environmentalism Manshi Asher of the Himdhara Environment Research and Action Collective said, “Most of the disputes over forest areas in the country arise from the contradictions in the legal status of the land versus its actual use and status on the ground. So on one hand is land that is demarcated as forests under the Indian Forest Act, 1927 by the Forest Department – this kind of land may or may not actually have a forest standing on it.

“On the other hand there are forests which are un-demarcated or not under the purview of the Forest Department. The Supreme Court in the Godavarman case post 1996 ordered for bringing under purview of the Forest Conservation Act 1980 those forests which fall under the dictionary meaning of ‘forests’ irrespective of the legal category. They had also instructed the Environment Ministry to clarify the definition and the categories, including which are deemed forests, which the Ministry has so far not done.

“A lot of confusion exists therefore, on which land is forest and over the years this has impacted forest dependent people’s rights as well. However, as far the FRA 2006 is concerned it grants forest rights to tribals and other traditional forest dwellers on all types of classified and unclassified and deemed forests as well,” Asher said.

Incidentally, the MoEF in June had signed a joint communication with the Ministry of Tribal Affairs for the proper implementation of the Forest Rights Act, 2006 to ensure the grant and protection of rights of tribal people in the country.

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