

What is a forest, really? On Haryana govt's table for the first time, criteria to define it

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GURGAON: Haryana has for the first time come up with criteria to define a 'forest' - a move that could pave the way for a long-pending exercise to identify areas, particularly in the Aravalis, that will get legal protection either under Supreme Court orders or provisions of the Forest Conservation Act.

A forest official told TOI on Thursday that according to the proposal submitted by the forest department to the state govt, an area with "5 hectares or more of uninterrupted forest-like elements" will be recognised as a 'deemed forest'.

If the state govt approves the proposal, the forest department will form committees in every district to identify deemed forests. "As per the proposal, a minimum of 5 hectares of continuous patch

will be considered as deemed forest if it has forest-like elements," the official said.

Haryana's move comes after the Supreme Court on Feb 19 told the Centre and all states to go by the broader "dictionary definition" of forest as given in its 1996 ruling in the TN Godavarman vs Union of India case, irrespective of last year's amendments in the Forest (Conservation) Act that defined afresh what would be treated as a forest.

The FCA amendment excluded all areas that were not recorded or identified as 'forest' in govt records as of Oct 25, 1980. This change, experts had said, violated the 1996 SC ruling that defined forest as per dictionary meaning and not necessarily areas based on official records.

The top court in its Feb order also directed that all states must forward to the Union environment ministry reports

made by expert committees after the 1996 ruling. These committees were supposed to identify all forests under the dictionary definition, but compliance lacks 27 years on.

TOI had reported in March that Haryana govt formed a committee in 1997 to identify and record 'deemed forest' but the norms weren't followed. The panel worked for a few months but never published a report or submitted it to the environment ministry, a govt source had said.

Asked why it was coming up with criteria when the Supreme Court had already given a definition, the forest official said on Thursday that all states have different types of forests and will need to come up with their own set of rules that make a forest.

"Large patches of Aravalis will be included in this exercise. The criteria have been made considering forest categories of Haryana, including sub-tropical thorny forest of Aravalis, tropical dry deciduous forest and subtropical pine forest areas," the official added.

Coming up with criteria is then the first step to identify 'deemed forest' and give it protection under FCA, which bars construction and human activities, the forest department said.

"We are awaiting govt's approval to begin the process of demarcating 'deemed forest' category. We are optimistic about receiving the nod soon since the matter is in the Supreme Court," said Pankaj Goyal, principal chief conservator of forests, Haryana.

The exercise is crucial for Haryana as it has the lowest forest cover - just 3.6% of its area -- among all Indian states. This is partially because over half of the Aravalis - more than 1 lakh hectares - in Haryana are not recognised as forests. Instead, Aravali lands are owned by panchayats, urban bodies or private owners. The only Aravali areas protected by FCA are those notified under the Punjab Land Preservation Act (PLPA) and the Aravali Notification of 1992.

In April this year, Haryana govt submitted to the environment ministry data about reserve forests, protected

forests, wildlife sanctuaries, national parks, PLPA land, and Aravali plantations, but not all forest areas under dictionary definition.

Experts underscored the importance of identifying forests in Haryana.