

VAJIRAM & RAVI

Institute for IAS examination

Indian Forest Service - Interview Guidance Program

National Forest Policy,

IFA 1927, FCA 1980, FCA 2023 AA

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National Forest Policies of India

- Comparison of the 1894, 1952, and 1988 National Forest Policies of India across key areas, highlighting how forest management evolved over time

Key features of comparison

1. Shift from Colonial to National Needs –
 - 1894 focused on colonial economic benefits, 1952 combined national development with sustainable use, and 1988 emphasized environmental conservation and social benefits, particularly for rural and tribal communities.
2. Increased Forest Cover Target
 - While 1894 lacked a forest cover target, 1952 introduced clear goals, and 1988 reinforced these targets with a stronger emphasis on community-driven afforestation efforts.
3. Functional Classification of Forests
 - The 1894 policy was revenue-driven, 1952 was functional and conservation-focused, while 1988 added a social forestry dimension, integrating community and ecological objectives into forest classification.
4. Soil and Water Conservation
 - 1894 did not prioritize soil and water conservation, while both the 1952 and 1988 policies integrated conservation into forest management. The 1988 policy went further by focusing on watershed management and addressing land degradation.
5. Sustained Yield Principle
 - Sustainable yield was ignored in 1894, introduced in 1952, and 1988 strengthened it with broader focus on ecological balance & community involvement.
6. Village and Private Forests
 - 1894 ignored village needs, 1952 recognized them but retained state control, and 1988 emphasized community participation and decentralized forest management.
7. Role of Forests in Agriculture
 - 1894 supported deforestation for agriculture, while 1952 began to see the role of forests in supporting agriculture. The 1988 policy fully integrated agroforestry and social forestry as crucial components of sustainable agricultural practices.
8. Forest Education and Research
 - The 1952 policy-initiated forest research and education, while the 1988 policy deepened the focus on integrated research and community education, incorporating traditional knowledge.
9. Importance of Minor Forest Products

- 1894 ignored NTFPs, 1952 acknowledged them but still prioritized timber, while 1988 elevated the importance of NTFPs as essential for local economies and sustainable development.
10. Wildlife and Biodiversity
- 1894 had no provisions for wildlife, 1952 introduced limited measures, and 1988 placed wildlife and biodiversity

Indian Forest Act (IFA), 1927

Salient provisions

Sec 3-27 : reserve Forest (RF)

Section 3 - Power to reserve forests.–The State Government may constitute any forest-land or waste-land as a reserved forest

Section 20. Notification declaring forest reserved. / Reserve forest

Section 27. Power to declare forest no longer reserved. / De-reservation of reserved forest

Section 28: village Forest (VF)

Section 29-34: protected Forest (PF)

Forest Conservation Act (FCA), 1980

Section 2:

No state government or authority without the prior approval of centre government shall direct any reserve forest to be de-reserved

- Any forest lands/ any portion of forest land can not be used for non- forestry purposes
- Any forest land/ any portion of forest land shall not be assigned by lease to any private person, authority , corporation or organization that is not owned by forest.
- Any forest land shall not be cleared for any non- forestry purposes. (permission needed from central government)
- Non-forestry purposes include cultivation of tea, coffee, spices, rubber, palm, oil bearing plants, horticultural plants and medicinal plants, mining, industry, developmental activity, any activity other than the exceptions

- Exceptions: Scientific research, education, conservation, management of forest and wildlife.

Sec 2 (a): Any person aggrieved shall appeal to national green tribunal

Sec 3: central Government shall form advisory committee on matters mentioned in Section 2.

Sec 3(a): Any person who acts against the provision of act will be punishable for time period of upto 15 days

Sec 4: Central Government shall make rules to implement the provisions of the act. Any such rules made by the central government has to be placed before both houses of parliament.

Note:

- (Indian Forest Act – deals with categorization of forests, how to protect forest, how to control transit, dealing of timber, punishment.
- Forest Conservation Act - conversion of forest lands for non forestry purposes are prohibited)

Forest (Conservation) Amendment Act, 2023

Introduction

The Forest (Conservation) Amendment Act, 2023 (No. 15 of 2023) was enacted to amend the Forest (Conservation) Act, 1980, with the objective of balancing forest conservation with strategic, economic, and developmental needs.

- Date of Enactment: August 4, 2023

Preamble (Insertion)

The amendment emphasizes the role of forests in achieving India's environmental and developmental goals, including:

1. Net Zero Emission Targets by 2070 and enhancing forest carbon stocks.
2. Creating an additional carbon sink of 2.5 to 3.0 billion tonnes of CO₂ equivalent by 2030.
3. Increasing forest and tree cover to one-third of India's land area with sustainable economic growth.
4. Preserving India's rich biodiversity while enhancing forest-based social, economic, and environmental benefits.
5. Conserving forests while ensuring ecological security, cultural preservation, and economic needs.

Key Amendments to The Forest (Conservation) Act, 1980

A. Change in Terminology

- The name “Forest (Conservation) Act” has been substituted with “Van (Sanrakshan Evam Samvardhan) Adhiniyam”.

B. Insertion of New Section 1A: Defining Land Covered Under the Act

The Act now applies to:

1. Land Declared as Forest
 - Any land notified as forest under the Indian Forest Act, 1927, or any other existing law.
2. Land Recorded as Forest in Government Records (After October 25, 1980)
 - Any land listed in official revenue or forest records.
 - Exception: Lands converted to non-forest use before December 12, 1996, under a state government or UT administration order.
3. Definition of Government Record
 - Includes records held by Revenue Departments, Forest Departments, Local Bodies, Councils, or any State/UT-recognized authorities.

C. Land Exempted from the Act

Certain categories of land are excluded from the provisions of this Act:

1. Forest Land Along Infrastructure
 - 0.10 hectares or less alongside rail lines or public roads for habitations, rail access, or roadside amenities.
2. Tree Plantations on Non-Forest Land
 - Lands where tree plantations or afforestation were carried out but do not fall under forest classification.
3. Strategic and Security-Related Exemptions
 - Up to 100 km along international borders, Line of Control (LoC), or Line of Actual Control (LAC) for strategic linear projects.
 - Up to 10 hectares for constructing security infrastructure.
 - Up to 5 hectares for defence projects, paramilitary camps, or public utilities in Left Wing Extremism-affected areas.
4. Compensatory Afforestation Conditions
 - Exemptions are subject to conditions, including tree planting to offset deforestation, as per Central Government guidelines.

Amendments to Section 2: Expanding the Scope of Conservation Activities

A. Regulation of Non-Forest Activities

- The phrase "not owned, managed, or controlled by Government" has been modified to allow Central Government intervention and oversight.

B. Expanded List of Permitted Activities in Forest Areas

- Certain conservation, protection, and management activities will not be treated as non-forest purposes, including:
 1. Silvicultural operations (forest regeneration).
 2. Check-posts and infrastructure for frontline forest staff.
 3. Fire lines and fire prevention mechanisms.
 4. Wireless communication towers for forest management.
 5. Boundary demarcations, bridges, check dams, and waterholes.
 6. Establishment of zoos and safaris under the Wild Life (Protection) Act, 1972, in non-protected forest areas.
 7. Eco-tourism projects included in working plans for forests, wildlife, and tiger conservation.
 8. Any other conservation-related activities specified by the Central Government.

C. Exemptions for Survey and Research Activities

- Scientific surveys (including seismic surveys) for reconnaissance, prospecting, and exploration shall not be treated as non-forest activities, subject to terms and conditions set by the Central Government.

New Section 3C: Central Government's Power to Issue Directions

- The Central Government now has explicit authority to issue directions to:
 - State Governments and UT Administrations.
 - Any organization, entity, or body recognized by the Government.
- These directions ensure uniform implementation of the Act across India.