

# Definition of forests

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**Source:** *The Hindu*

**Manifest pedagogy:** Clear definition of forests is fundamental for better forest management. Categorisation of forests varies among different states and this has brought ambiguity in defining forests. This hinders the actual assessment of conservation measures. In the backdrop of this, Forest Advisory Committee(FAC) recommendation is crucial. Topic could be asked in mains in terms of its implications. And in prelims the recent legal changes is probable area for preparation.

**In news:** Centre has clarified on definition of forests

**Placing it in syllabus:** Forests in India (explicitly mentioned)

**Dimensions:**

- General description
- Present legal status/authority
- The need for clarification

**Content: General description of forests:**

A forest is a **land area of more than 0.5 hectare, with a tree canopy cover of more than 10%**, which is **not primarily under agricultural or other specific non-forest land use** (FAO).

- Based on **15th State of forest report of 2017** conducted by the Forest Survey of India (FSI), the total forest and tree cover is **24.39 percent** of the geographical area of the country.
- According to the MoEF, India has shown an **increasing trend in the forest and tree cover**.
- As per the latest Food and Agriculture Organization (FAO) report, **India is placed 8th in the list of top ten**

**nations** reporting the greatest annual net gain in forest area.

- India wants 33% of its geographical area under forest cover as per **National Forest Policy**.
- As many as **15 states and union territories (UTs)** have **forest cover exceeding 33 percent** of their geographical area.
- India's Intended Nationally Determined Contribution (INDC) talks of the creation of an additional carbon sink of 2.5 to 3 billion tonnes of CO<sub>2</sub> equivalent through additional forest and tree cover by 2030.
- Three southern states have contributed to the **increase in forest cover – Andhra Pradesh, Karnataka and Kerala**.
- In **terms of area**, Madhya Pradesh has the largest forest cover followed by Arunachal Pradesh and Chhattisgarh.
- The top five Indian states where forest cover has shrunk belong to the Northeastern region (NER) – Mizoram, Nagaland, Arunachal Pradesh, Tripura and Meghalaya.
- The shrinking in Forest cover is due to shifting cultivation practices and developmental activities.

### **Present legal status/authority:**

The freedom to define land, not already classified as forests by the Centre or state records, as forest has been the prerogative of the States since **1996** based on **SC judgement in Godavarman case**.

- In this case SC had **expanded the definition of forest to include** (a) lands that were already notified by the Centre as forests (b) lands that appear in government records as forests and c) those that fell in the dictionary definition of forest.
- The court had allowed the **States to evolve their own criteria and define tracts of land as forest**.
- SC had opined that **all-encompassing definition of forest wasn't possible** for India because the country has **16 different kinds of forest** and a tract of grassland in

one State might qualify in one region as forest but not in another.

The **Forest Advisory Committee (FAC)** now has clarified that the States need not take the Centre's approval to define what constitutes unclassified land as forest. As the states are having well established forest departments, they are in a better position than MoEF&CC to understand their own forests and needs, and should frame criteria for their forests.

The **criteria finalised by a state need not be subject to approval by MoEF&CC.** However, once a state applied a criteria, it couldn't be reversed.

#### **The need for clarification:**

- Recent clarification by FAC on definition of forest came in the backdrop of the **Uttarakhand government putting forth a set of criteria defining forest land** and asked the ministry for its opinion.
- This clarification by FAC was much needed to evolve the definition of forest in Indian context keeping **international commitments and different orders of SC** into consideration.
- In all **conventions** like UNFCCC, CBD, UNCCD etc., the forest- related definitions **follow the technicist tenets of 'scientific forestry'**.
- But according to experts, **Indian definition** of forests **exaggerates forest cover** and inadvertently masks deforestation.
- India's definition of forests **doesn't provide an accurate picture of the extent of biodiversity** in rich natural forests.
- Often states claim that they are **helpless in preventing encroachment** because a patch of land in question hadn't been notified as forest. E.g. recent instance was the felling of trees in **Mumbai's Aarey Colony**, which officially isn't classified as 'forest.'

