

The Forest (Conservation) Act, 1980

Introduction

According to the Shorter Oxford English Dictionary, the term 'forest' includes-

- (i) an extensive tract of land covered with trees and undergrowth, sometimes intermingled with pasture;
- (ii) a woodland district, usually belonging to the king, set apart for hunting wild beasts and game etc.
- (iii) a wild uncultivate waste.

It was for quiet sometime felt the need of a legislation to protect the vast forest resources as rapid commercialization causing excessive deforestation which ultimately resulting ecological imbalance in the region.

Statement of objects and reasons

Deforestation causes ecological imbalance and leads to environmental deterioration. Deforestation had been taking place on a large scale in the country and it had caused widespread concern.

2. With a view to checking further deforestation, the President promulgated on the 25th October, 1980, the Forest (Conservation) Ordinance, 1980. The Ordinance made the prior approval of the Central Government necessary for dereservation of reserved forests and for use of forest land for non-forest purposes. The Ordinance also provided for the constitution of an advisory committee to advise the Central Government with regard to grant of such approval.

3. The Bill seeks to replace the aforesaid Ordinance.

Act 69 of 1980

The Bill to provide for the conservation of forests, and for matters concerned therewith was passed by the Parliament and subsequently received the assent of the President on 27th December, 1980 and became a Central Act under short title and numbers "The Forest (Conservation) Act (69 of 1980)".

Amending Act

The Forest (Conservation) (Amendment) Act, 1988 (69 of 1988).
The Forest (Conservation) Act, 1980
(69 of 1980)
[27th December, 1980]

An Act to provide for the conservation of forests and for matters connected therewith or ancillary or incidental thereto.

Be it enacted by Parliament in the Thirty-first year of the Republic of India as follows:-

1. Short title, extent and commencement.-(1) This Act may be called the Forest (Conservation) Act, 1980.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall be deemed to have come into force on the 25th day of October, 1980.

2. Restriction on the dereservation of forests or use of forest land for non-forest purpose.-Notwithstanding anything contained in any other law for the time being in force in a State, no State Government other authority shall make, except with the prior approval of the Central Government, any order directing.-

(i) that any reserved forest (within the meaning of the expansion 'reserved forest' in any law for the time being in force in that State) or any portion thereof, shall cease to be reserved;

(ii) that any forest land or any portion thereof may be used for any non-forest purpose;

1[(iii) that any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organisation not owned, managed or controlled by Government;

(iv) that any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for reforest