

**Bill No. 66 of 2021**

THE FOREST (CONSERVATION) AMENDMENT BILL, 2021

By

SHRI RAHUL KASWAN, M.P.

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BILL

*further to amend the Forest (Conservation) Act, 1980.*

BE it enacted by Parliament in the Seventy-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Forest (Conservation) Amendment Act, 2021.

Short title and commencement.

5 (2) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

Insertion of  
new section  
2A.

2. In the Forest (Conservation) Act, 1980, after section 2, the following section shall be added, namely: 69 of 1980.

No clearing of  
forest land  
having  
mangrove  
species.

“2A. Notwithstanding anything in this Act or any other law for the time being in force, the Central Government or a State Government or any other authority shall not permit the use, for any purpose, or clearing, of forest land or any portion thereof, if such land or portion thereof has naturally grown trees belonging to mangrove species.”. 5

## STATEMENT OF OBJECTS AND REASONS

The Forest Conservation Act of 1980 was enacted to provide for the conservation of forests. However, the Act is silent on mangrove forest cover area. As a matter of fact, area covered by mangroves currently is about 4921 square kilometer in India, which is nearly 3.3 per cent. of world mangrove vegetation. Mangrove forests are mostly found in the Andaman and Nicobar Islands and on the eastern and western coasts of India. India has lost about 45 per cent. of its mangrove areas in the last century. Mangrove ecosystems represent the natural ecosystem capable of producing a wide range of goods and services for coastal environments and communities and societies as a whole.

Mangroves provide nursery habitat for many wildlife species, including commercial fish and crustaceans, and thus contribute to sustaining the local abundance of fish and shellfish populations. Mangrove systems support a range of wildlife species including crocodiles, birds, tigers, deer, monkeys and honey bees. Many animals find shelter either in the roots or branches of mangroves.

The decision of the Union Ministry of Environment, Forest and Climate Change for clearing out approximately 57,000 mangrove trees for construction of bullet train is disheartening and alarming as people who will form the rider base of the upcoming bullet train are not directly dependent on mangrove trees for their survival but it is important to understand that numerous species of fauna and flora are. This is also the case with a substantial part of people who are dependent on mangroves for their livelihood. The need to protect mangrove forest cover is therefore very important.

Hence this Bill.

NEW DELHI;  
*March 1, 2021.*

RAHUL KASWAN

ANNEXURE

EXTRACTS FROM THE FOREST CONSERVATION ACT, 1980

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Restriction on the de-reservation of forests or use of forest land for non-forest purpose.

2. Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or 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 expression “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 purposes;

(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 reafforestation;

*Explanation.*— For the purpose of this section “non-forest purpose” means the breaking up or clearing of any forest land or portion thereof for—

(a) the cultivation of tea, coffee, spices, rubber, palms, oil-bearing plants, horticultural crops or medicinal plants;

(b) any purpose other than re-afforestation,

But does not include any work relating or ancillary to conservation, development and management of forests and wild life, namely, the establishment of check-posts, fire lines, wireless communications and construction of fencing, bridges and culverts, dams, waterholes, trench marks, boundary marks, pipelines or other like purposes.’.

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*(Shri Rahul Kaswan, M.P.)*