



FACULTY OF JURIDICAL SCIENCES

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Lecture-38



LECTURE 38: Types of Forest under Indian Forest Act and Restrictions on Deresevation of Forest

Types of Forest Land under the Indian Forest Act, 1927

Private Forests

The private forests are those which are not occupied by the Government. According to the Indian Forests Act, 1927, the Government is commanded to regulate timber cutting and cultivation etc. in private forest land and also allow the state government to capture the forest land for the public purposes.

Public Forests

Public forests are of three types:

- Reserved Forests
- Village Forests
- Protected Forests

Reserved Forest (Section 3)

These are the forests which are reserved by the Government. More than half of the forest area in India is declared as a Reserve forest. 53% of the total forests in India are the Reserved Forests. For the conservation of the forests and wildlife resources, the Government reserves these forests. The activities like hunting and cutting the trees are strictly banned in these forests. Only on special permissions by the higher authorities, these activities may be performed unless and until there is a valid reason for performing it. According to the Indian Forest Act, 1927, the reserved forests come under chapter II. Some Reserved Forests in India are:

Name of the Reserved Forest	State in which it is present
Hanumasagara Reserve Forest	Karnataka

Begur Reserve Forest	Kerala
Attappadi Reserve Forest	Kerala
Sholayar Reserve Forest	Kerala

Village Forests (Section 28)

According to the Indian Forests Act, 1927, the State Government can give the rights to any village group, which the Government has over any land which has been reserved. Rules for regulating the management of the forest to be made by the State Government. In this type, two interchangeably terms are used- one is the village forest itself and the other one is a forest village, and both are different from each other. The village forest is in legal category under the Indian Forests Act, 1927, whereas the forest village lies in the administrative category in the Act.

Name of the village forest	State where it is located
Baikunthapur Forest	Dooars, West Bengal
Bhavnagar Amreli Forest	Gir National Park, Amreli district, Gujarat
Bhitarkanika Mangroves	Odisha
Dvaita Forest	South of the Kamyaka Forest

Protected Forests (Section 29)

The third most classification is “protected forest”. The Indian Forest Act empowers the State Government to use any land as protected forest. It must be noted that these forests are not reserved under the state government. A protected forest can be a reserved forest but a reserved forest cannot be a protected forest. Under these forests, the Government has the power to make rules and restrict uses of the forest. But in the lapsing of these rules, many practices under these forests are allowed. Other than this, the State also has some power to reserve some species of trees in these forests. These

powers are provided so that the state can have control over the trees, whose timber, fruits and non-wood products have revenue-raising potential.

Restriction on Dereservation of Forests or Use of Forests for Non-Forest Purposes [Section 2]

Section 2 of the Forest (Conservation) Act, 1980 enforces the restriction on dereservation of forests or use of forests for non-forest purposes. The restrictions are as follows:

- Any of the reserved forests shall cease to be reserved if any law is applicable to the state or any portion of the reserved forest.
- Any portion of the forest land can be used for the non-forest purpose.
- Any of the forest lands which are assigned by the way of lease to any private person, corporation, agency which are not owned, managed or controlled by the government.
- For the purpose of using reforestation, the trees which have grown naturally in any forest land may be cleared.