

F.No. 11-98/2019-FC  
Government of India  
**Ministry of Environment, Forest and Climate Change**  
(Forest Conservation Division)

...

Indira Paryavaran Bhawan,  
Aliganj, Jor Bagh Road,  
New Delhi- 110003  
Dated: 05<sup>th</sup> December, 2019

To  
Principal Secretary (Forest),  
Government of Uttarakhand  
Dehradun

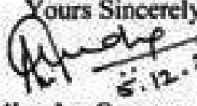
**Sub: Clarification on "Dictionary meaning of forest";**

Sir,

I am directed to refer to the office order dt.21.11.2019 issued by Government of Uttarakhand on 'deemed forest', copy of which was endorsed to this Ministry. After examination of content of this order, it was noted that the para (b) is in contravention of the order issued by the Hon'ble Supreme Court in their judgement dt. 12.12.1996 in WP(C) No. 202/95, which mentions that ".....the term 'forest land', occurring in section 2, will not only include "Forest" as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership. ....".

In this regard, it is explained that,

1. Hon'ble Supreme Court in their judgement dt. 12.12.1996 in the WP 202/1995, has clarified how the word 'forest' shall be interpreted for the purpose of Forest (Conservation) Act, 1980.
2. As per this order, the Forest (Conservation) Act, 1980 shall be applicable to all areas recorded as forest in any government record and any other area that has been considered to conform to dictionary meaning of forest. The area recorded as forest in any Government records, should be considered without any qualification.
3. Moreover, the States/UTs should not issue any communication that is violative of any order passed by Hon'ble Supreme Court, specifically the above mentioned order dt. 12.12.1996. All states/UTs should also ensure that while interpreting any clarification/communication issued from this Ministry, the letter and spirit of Hon'ble Supreme Court order of 12.12. 1996 is not violated.

Yours Sincerely  
  
5.12.2019  
(Brijendra Swaroop)  
Dy. Inspector General of Forests

Copy for information and necessary action:

1. PCCFs/Nodal officers (FCA), all states/UTs
2. DDGs, All Regional Offices, MoEF&CC
3. PPS to Secretary (EF&CC)/PPS to DGF&SS/PPS to ADGF, MoEF&CC