

Deemed Forest

Deemed Forests are physical parcels that look to be forested but aren't listed as such in historical or official records. In India, deemed forests account for about 1% of total forest land. The Supreme Court ruled in 1996 that governments must identify and categorise designated forests. The states are free to define the considered forest as they see fit.

About Deemed Forests

While the term of deemed forests is not described in any statute, including that of the Forest Conservation Act of 1980, the Supreme Court of India recognised a broad definition of forests under the Act in the case of T N Godavarman Thirumalpad (1996). Following were the observations of the court:

- "The word 'forest' must be understood according to its dictionary meaning. This description covers all statutorily recognised forests, whether designated as reserved, protected or otherwise for the purpose of Section 2 (1) of the Forest Conservation Act," the Supreme Court said in its December 12, 1996 order.
- "The term 'forest land' occurring in Section 2 will not only include 'forest' as understood in the dictionary sense, but also any areas recorded as forest in the government record irrespective of the ownership.
- The provisions enacted in the Forest Conservation Act 1980 for the conservation of forest and the matters connected therewith must apply clearly to all forest so understood irrespective of the ownership or classification thereof," the court said.

The Court ordered that expert committees be established in each state to determine deemed forests in order to clarify the area of territories that may be protected under the Forest (Conservation) Act.

Deemed Forest in Karnataka

Following the Supreme Court's judgement, the Karnataka government formed an expert committee to define "deemed forests" as "land with the characteristics of forests regardless of ownership." The committee said in a report in 2002 that thickly wooded areas not handed over to the Forest Department, thickly wooded areas suggested to be handed over to the Forest Department, thickly wooded land distributed to grantees but not cultivated, and thickly wooded plantations of the Forest Department could all be 'deemed forests'.

Deemed Forest in Uttarakhand

In November of 2019, the Uttarakhand government classified "deemed forests" as forest area with tracts of 10 hectares having canopy density more than 60%.