

Punjab Land Preservation Act, 1900 Section 4 - Forest Act, 1980 S. 2 - “Whether a land covered under a special order issued by the Government of Haryana under Section 4 of the Punjab Land Preservation Act, 1900 is a ‘forest land’ within the meaning of the Forest (Conservation) Act, 1980?” - The lands covered by the special orders issued under Section 4 of PLPA have all the trappings of forest lands within the meaning of Section 2 of the 1980 Forest Act and, therefore, the State Government or competent authority cannot permit its use for non-forest activities without the prior approval of the Central Government with effect from 25th October 1980 - Prior permission of the Central Government is the quintessence to allow any change of user of forest or so to say deemed forest land. We may add here that even during the subsistence of the special orders under Section 4 of PLPA, with the approval of the Central Government, the State or a competent authority can grant permission for non-forest use - If such non-forest use is permitted in accordance with Section 2 of the 1980 Forest Act, to that extent, the restrictions imposed by the special orders under Section 4 of PLPA will not apply in view of the language used in the opening part of Section 2 of the 1980 Forest Act - We also clarify that only because there is a notification issued under Section 3 of PLPA, the land which is subject matter of such notification, will not *ipso facto* become a forest land within the meaning of the 1980 Forest Act - Therefore, the lands covered by the special orders dated 18th August 1992 issued under Section 4 of PLPA will be governed by the orders passed by this Court in the Petition for Special Leave to Appeal (Civil) Nos. 7220-7221 of 2017 - Hence, all the concerned authorities shall take action to remove the remaining illegal structures standing on land covered by the special orders and used for non-forest activities on the said lands erected after 25th October 1980, without prior approval of the Central Government, and further to restore *status quo ante* including to undertake reforestation/afforestation programmes in right earnest.

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