
JUDICIAL REVIEW OF THE ULTRA VIRES ADMINISTRATIVE ACTIONS IN FOREST LAND ALLOTMENTS: A STUDY IN INDIAN ENVIRONMENTAL GOVERNANCE

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ABSTRACT

Governance of forest land in India has featured a long-standing contestation among ecological imperatives, community rights, and administrative discretion. This study engages in the judicial review of ultra vires administrative decisions in relation to allotments of forest land as a site of environmental governance. The central aim is to assess how aspects of the constitutional framework, statutory schemes, and judicial interpretations operate to constrain administrative overreach, while also revealing systemic gaps that enable such overreach to occur. The study employs a doctrinal and analytical framework, relying on constitutional text, statutory frameworks such as the Forest (Conservation) Act, 1980, and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, and leading decisions, including the cases of *Rural Litigation and Entitlement Kendra v. State of U.P.* and *T.N. Godavarman Thirumulpad v. Union of India*. The scholarly literature indicates that while there has been significant judicial activism in terms of expanding accountability and rights in relation to the environment, it has not been without its unintended effects, including a heightened centralization of regulatory authority and a greater role of technocracy. This study grapples with the abiding nature of ultra vires administrative behaviour, which persists in the face of judicial review, due to fragmentation of administrative institutions, unresolved interpretive problems, and political–bureaucratic collusion and indifference. The study shows evidence that judicial review has changed how we think about environmental law but has little conclusive evidence to support limiting public access to circumvent couldn't be the same institutional responses. The study concludes by offering suggestions for a legal and institutional policy context that provides safeguards for environmental, public, and constitutional purposes within the review of administrative decision-making in forest governance.

Keywords: Judicial Review; Ultra Vires; Forest Land Allotment; Environmental Governance; Administrative Law.

1. Introduction

Forests in India are not just natural resources but common-pool resources recognized under the Constitution, with implications for environmental sustainability and community access and usage for livelihoods, as well as inter-generational equity. Forest land ground rent issues represent one of the most contested aspects of administrative authority, where developmental objectives have often clashed with ecological sustainability and rights to access and work with forest land. The Indian Constitution directly calls out environmental protection and sustainability in the broad sediment of a right to life under Article 21, and accordingly, Articles 48A and 51A(g) obligate the State and its citizens to preserve and protect forests and wildlife. Nevertheless, under this constitutional striation, we have seen administrative agencies with recourse to statutory authority act in ways that undermine forest land governance, suggesting an important legality and accountability issue. An important standard in this context is if agency action is *ultra vires*, a Latin phrase meaning “beyond the powers,” and serves as a significant standard against which to assess agency action in forest land governance.

The context of this question stems from the historical trajectory of forest law in India. Colonial-era legislation, such as the Indian Forest Act, 1927, established forms of state ownership and bureaucratic control, treating forest communities as encroachers. Post-independence forest policy in India was, in theory, participatory, but remained statist in practice until the Forest (Conservation) Act, 1980 centralized the power of diverting forest land to the Union Government of India. The Forest Rights Act, 2006 was designed to redress historical injustices by recognizing community entitlements and rights, although issues of implementation have continued to be undermined by forms of governmental mismanagement. Court action, from the earliest stages of *Rural Litigation and Entitlement Kendra v. State of U.P.* to more recent cases, including continuing mandamus under *T.N. Godavarman Thirumulpad v. Union of India*, have been critical in expanding the parameters of environmental jurisprudence, maintaining checks on administrative discretion, and creating institutional mechanisms. However, action by courts has also caused tension from suspending and then, at times, determining their own legislation, and continuing to reinforce technocratic solutions for environmental problems, sometimes to the exclusion of local voices.

The main issue driving this research is that ultra vires administrative actions remain present in forest land allotments, even after decades of judicial scrutiny. It is noted in the literature that there is a missing piece, where some researchers have highlighted judicial creativity in the enforcement of environmental rights, and others have pointed to the complicity of the judiciary in facilitating the financialization and bureaucratic monopoly of forest governance. Nevertheless, there has been limited work that systematically examines the ways ultra vires administrative actions endure judicial review through loopholes created within statutory design, institutional fragmentation, and political collusion. This gap provides the space for the current research, which seeks to investigate not only how judicial review has responded to ultra vires actions but also why ultra vires actions persist despite judicial review.

The goals of the study are therefore fourfold: (1) to assess the constitutional and statutory framework regulating forest land allocations and the limits of administrative authority; (2) to present an understanding of the doctrine of ultra vires in forest governance; (3) to assess the role of the judiciary in reviewing and regulating the government actions; and (4) to identify and reform key systemic shortcomings. This study employs a doctrinal approach - assessing constitutional provisions, statutes, judicial decisions, and secondary material to map how administrative action and judicial review interact or do not interact. In doing so, we will contribute not only to the scholarly literature on Indian environmental governance, but also the literature on administrative law, by underscoring the importance of ultra vires review to forest protection as constitutional commons.

2. Literature Review

Forest governance in India illustrates a complicated environment where judicial interventions, statutory reforms, and administrative actions, often directly in opposition to each other, have interacted. In their study of the Supreme Court's interventions in the Godavarman case, Manju Menon and Kanchi Kohli show how popular judicial activism altered forest governance towards techno-legal forms of governance, like compensatory afforestation and net present value, at the expense of recognition of community rights to forests by providing watershed jurisdiction at the level of bureaucratic agencies.¹ In a similar vein, Armin Rosencranz critiques the breach of informal constitutional limits in judicial activism that, in restricting

¹ Manju Menon & Kanchi Kohli, *The Judicial Fix for Forest Loss: The Godavarman Case and the Financialization of India's Forests*, 16 J. S. Asian Dev. 1, 24–27 (2021).

administrative delay and inertia, established technocratic authority in forest management.² Madusudan Bandi's analysis of the Forest Rights Act (FRA) draws attention to administrative subversion as the primary site of governance in forests, revealing the important work of bureaucratic malfeasance in undermining the statutory requirement to include community participation.³ This concern is aligned with Prateep Nayak's research on community-based forest management - highlighting the requirement to establish secure tenure across a plethora of institutional, glacial and administrative inertia - but exposing administrative inertia directing devolution of rights.⁴

Neil Thin draws attention to the incongruence of participatory rhetoric in administration as the gap between administration and owned processes; other administrative reforms, such as Social Forestry and Joint Forest Management, maintained bureaucratic control of forests despite contested autonomous discourse about reforming.⁵ Each of these works acknowledges broad and significant administrative discretion or judicial oversight of redress to remedy the ongoing problems between ecological sustainability and community rights while continuing to circle contested governance.

Concurrently, other strands of scholarship identify persistent structural contradictions in law and policy. Antara Roy and Sroyon Mukherjee place the FRA as a paradigmatic shift characterized by itself while noting the persistence of conservationist opposition and administrative resistance to that shift, eroding its transformative potential.⁶ Varun Mandanna Bheemaiah's examination of forest law and policy further illuminates colonial-era structures and policy innovations, such as the Draft National Forest Policy, 2018, which continue to place state control and revenue generation at the forefront of forest policy, enabling arbitrary abuses of administrative discretion.⁷ C.R. Bijoy recounts the Ministry of Environment's resistance to the FRA and illustrates institutional subversion through executive orders and amendments to

² Armin Rosencranz, *The Godavarman Case: The Indian Supreme Court's Breach of Constitutional Boundaries in Environmental Law*, 1 Asian J. WTO & Int'l Health L. & Pol'y 297, 301–15 (2006).

³ Madhusudan Bandi, *Forest Rights Act: Towards the End of Struggle for Tribals?*, 42 Soc. Scientist 1, 21–28 (2014).

⁴ Prateep K. Nayak, *Community-Based Forest Management in India: The Significance of Tenure*, 13 Forests, Trees & Livelihoods 2, 127–40 (2003).

⁵ Neil Thin, *Forest Policies and Decision-Making in India*, 11 Forests, Trees & Livelihoods 4, 275–89 (2001).

⁶ Antara Roy & Sroyon Mukherjee, *The Forest Rights Act, 2006: Settling Land, Unsettling Conservationists*, 1 NUJS L. Rev. 189, 201–06 (2008).

⁷ Varun Mandanna Bheemaiah, *A Critique on the Relevant Forest Laws and Policies in India*, 2 Indian J. Integrated Rsch. L. 1, 12–14 (2022).

forest law, supporting ultra vires diversions of forest land.⁸ Garima Thakur critiques the Forest (Conservation) Amendment Act, 2023, for diluting protections for forests by broadly defining discretion across administrative actors to redefine “forest,” exempting activities, and providing precedent to accommodate ultra vires activities.⁹ Peggy Rodgers Kalas traces the trajectory of how the courts engaged in unpredictable judicial creativity and acknowledged a new and expansive form of environmental rights, the right to life under Article 21 of the Indian Constitution, warning that the separation of powers has become blurred. Lastly, Indrani Sigamany has demonstrated that neoliberal-based policies and agreements between the state and market erode the transformative potential of the FRA while social justice populations suffer the most from these systems.¹⁰ Taken together, the literature reveals significant gaps. While the literature adequately recognizes judicial activism and administrative resistance, limited criticism exists in meeting neoliberalism.

3. Constitutional And Statutory Ambiguities Which Allow Administrative Discretion

The constitutional and statutory framework surrounding the allotment of forest land is superficially comprehensive, but persistent ambiguities have created considerable space for administrative discretion. Article 21 of the Constitution, when interpreted broadly, guarantees the right to a clean and healthy environment, thereby limiting executive action that compromises ecological integrity.¹¹ In *Rural Litigation & Entitlement Kendra v. State of U.P.*, the Supreme Court linked mining operations with violations of Article 21, creating a jurisprudence wherein environmental harm in itself is sufficient to render the administrative right to take action unconstitutional.¹² In addition, Article 48A creates an obligation for the State to protect and improve the environment, while Article 51A(g) creates a corresponding obligation for citizens.¹³ However, these constitutional obligations do not provide any procedural requirements or guidance, affording administrators discretion in how they interpret obligations to consider environmental impacts across contexts.

⁸ C.R. Bijoy, *Chronicling India's Environment Ministry's Resistance to Democracy in the Forest*, 18 L., Env't & Dev. J. 1, 15–18 (2022).

⁹ Garima Thakur, *Exigency of an Overhaul in Forest Law: How the Forest (Conservation) Amendment Act, 2023 Has Transformed India's Forest Regime*, 16 NUJS L. Rev. 245, 260–65 (2023).

¹⁰ Indrani Sigamany, *Land Rights and Neoliberalism: An Irreconcilable Conflict for Indigenous Peoples in India?*, 13 Int'l J. L. in Context 3, 297–315 (2017).

¹¹ *Rural Litig. & Entitlement Kendra v. State of U.P.*, A.I.R. 1985 S.C. 652.

¹² *Supra.* at 656.

¹³ INDIA CONST. arts. 48A, 51A(g).

The Forest (Conservation) Act, 1980 (FCA), aimed to bridge this gap by bringing forest diversion powers under centralized control, with the Union Government taking discretion away from state governments. Section 2 of the FCA prohibits the reservation or allotment of forest land for non-forest purposes except with prior approval of the Centre.¹⁴ However, the statutory definition of Forest purposes lacks specificity, and the exemptions that allow for ancillary activities give the executors significant room to interpret. Likewise, the FCA contains limited consequences under §§ 3A–3B to deter non-compliance by influential state and non-state actors.¹⁵ The Forest Rights Act, 2006 (FRA) grants some form of community entitlement, but as Madhusudan Bandi points out, bureaucratic opposition has 'hollowed out' the implementation of the FRA, while Gram Sabhas, the very bodies established to bring power to rural communities, are continuously excluded from decision-making.¹⁶ The Forest (Conservation) Amendment Act, 2023, aggravates the vagueness it attempts to eliminate by diminishing the definition of "forest" and expanding exemptions, allowing endless room for administrative discretion to assert itself disguised as a legislative change.¹⁷ Therefore, while the law appears to wrap discretion in legislative constraints, the potential for interpretation, as well as weak enforcement, ensures that unlawful conduct continues under the guise of legality.

4. Doctrinal Difficulties in Implementing the Ultra Vires Doctrine

The doctrine of ultra vires is the 'first line of defence' against administrative overreach, requiring that every administrative act be conducted lawfully. As noted in *Chintaman Rao v. State of M.P.*, it is impermissible for a delegate to increase/decrease statutory purposes through an executive action.¹⁸ This principle is especially important in environmental governance, where multiple interests are challenged between development, conservation, and community rights. The power of the doctrine, as H.W.R. Wade and Christopher Forsyth discuss its law-like nature, and if there is one thing the governance of Indian forests does it takes away the unequivocal nature of the doctrine through duplicative authorities and overlapping processes.¹⁹

Substantive ultra vires develops when certain diversions have been permitted, without the statutory authority to do so, as with the state-level dereservation made without Union approval

¹⁴The Forest (Conservation) Act, 1980, No. 69, Acts of Parliament, 1980 (India), § 2.

¹⁵ *Supra*. at §§ 3A–3B.

¹⁶ Bandi, *supra* note 3, at 25.

¹⁷ Thakur, *supra* note 9, at 263

¹⁸ *Chintaman Rao v. State of M.P.*, A.I.R. 1951 S.C. 118, 123.

¹⁹ H.W.R. Wade & Christopher Forsyth, *Administrative Law* 31–58 (11th ed. 2014).

in § 2 of the FCA.²⁰ Procedural ultra vires is equally common and occurs where prescribed processes - for example, Environmental Impact Assessments, Gram Sabha consent, or compensatory afforestation certification are side-stepped. The recent controversies in Maharashtra - the 'Pune land case' demonstrate that both types of ultra vires actions arise when land was diverted from forests to private parties without statutory clearance and without consultation of the communities impacted - a classic ultra vires case.²¹

The difficulty is in operationalizing ultra vires review in a space where administrative discretion is cast as policy judgment. As Neil Thin and Prateep Nayak explain, bureaucratic discretion often hides behind policy rhetoric while breaching statutory or constitutional entitlements.²² The judicial review process logically tries to help navigate this landscape, but, Lavanya Rajamani points out, Public Interest Litigation in practice sometimes increases judicial discretion and does not fully constrain the arbitrariness of the executive.²³ Hence, we have a doctrinal paradox: while ultra vires does provide a solid principle of legality, the ability to enforce this principle under the rubric of ultra vires in practice is tempered by statutory vagueness, judicial activism, and bureaucratic resistance.

5. Judicial Review and the Limits of Institutional Oversight

The Indian judiciary has certainly undergone a transformative journey in limiting ultra vires administrative action on forests. Important interventions, such as Rural Litigation and Subhash Kumar v. State of Bihar, established an environmental quality lens within Article 21.²⁴ The true watershed moment came from T.N. Godavarman Thirumulpad v. Union of India, where the Court's continuing mandamus created a whole new level of judicial oversight of forest governance.²⁵ The Court's directions regarding the establishment of the Central Empowered Committee, the prohibition on non-forest use of forest land, and direction for nationwide compliance distorted the balance between the judiciary, executive, and legislature in environmental governance.

²⁰ The Forest (Conservation) Act, supra note 14, § 2.

²¹ *State of Maharashtra v. Various Private Parties*, (2025) S.C.C. (decided May 15, 2025).

²² Thin, supra note 5, at 280; Nayak, supra note 4, at 134.

²³ Lavanya Rajamani, *Public Interest Environmental Litigation in India: Exploring Issues of Access, Participation, Equity, Effectiveness and Sustainability*, 19 J. Envtl. L. 293, 298–302 (2007).

²⁴ *Subhash Kumar v. State of Bihar*, A.I.R. 1991 S.C. 420, 421.

²⁵ *T.N. Godavarman Thirumulpad v. Union of India*, A.I.R. 1997 S.C. 1228.

However, this judicial expansion has been met with criticism from scholars. Menon and Kohli have argued that Godavarman allowed for the financialization of forests and, with it the further entrenchment of bureaucratic monopoly, and violated community rights.²⁶ Rosencranz similarly critiques the judicial branch's overreach from constitutional boundaries and concentrating decision-making in ways that circumvent democratic accountability.²⁷ The recent 2025 Supreme Court judgment that revealed collusion among politicians, bureaucrats, and builders regarding direct allotments from forest lands brings together judicial vigilance and the reality of systemic ultra vires action.²⁸

The judiciary's liberalization of locus standi and establishment of environmental principles such as the precautionary principle, polluter pays, and inter-generational equity have improved the standards of review.²⁹ Nevertheless, judicial activism also jeopardizes legislative intents by establishing technocratic governance frameworks that transform and displace, where the judiciary may lean on an expert committee rather than the Gram Sabhas.³⁰ While judicial review operates as an important counterweight, judicial review's capacity to transform is curtailed not just by structural deficits of governance, but also the judiciary's own propensity to overstep, or substitute, administration functions.

6. Institutional, Procedural, and Enforcement Gaps Sustaining Ultra Vires Actions

In spite of constitutional, statutory, and judicial safeguards, ultra vires administrative actions continue to occur because of entrenched institutional and enforcement deficits. In particular, the existence of confused jurisdiction between the revenue and forest departments encourages unauthorized allotments.³¹ Even when there are judicial orders directing the transfer of recorded forest lands to the Forest Departments, revenue authorities routinely resist complying with their own laws and court rulings that are ascribed to dual control systems.³²

Deficiencies in implementation weaken accountability. The Comptroller and Auditor General has reported failures in compensatory afforestation and identified a pattern of unspent public

²⁶ Menon & Kohli, *supra* note 1, at 25.

²⁷ Rosencranz, *supra* note 2, at 305.

²⁸ *State of Maharashtra*, *supra* note 21.

²⁹ *Vellore Citizens Welfare Forum v. Union of India*, (1996) 5 S.C.C. 647.

³⁰ Menon & Kohli, *supra* note 1, at 30.

³¹ Kohli & Menon, *Forest Governance and Implementation of REDD+ in India*, Ministry of Env't, Forest & Climate Change Report 45–62 (2019).

³² *Id.* at 47.

funds, non-existent plantations, and acceptance of degraded lands without statutory certification.³³ These accountability holes allow administrators to skirt requirements while creating the façade of compliance. The implementation of the FRA is similarly marred by implementation failure, as claimants often find themselves subject to bureaucratic tampering at every level of the claims process, resulting in statutory entitlements being reduced to a bureaucratic formality.³⁴

Ultimately, weak penalties and political–bureaucratic collusion reduce deterrence. The FCA’s penalty of fifteen days’ simple imprisonment is grossly inadequate to deal with violations that involve multimillion-dollar land conversions.³⁵ As the Supreme Court acknowledged in its 2025 ruling, collusion between administrators and private actors escalates ultra vires actions from mere instances of abuse into systemic failures of governance.³⁶ Institutional capture, together with revenue-driven incentives to state governments, intensifies this culture of non-compliance. Judicial review does provide an expansive remedy, but it cannot take the place of systemic reforms that can close the gaps.

7. Suggestions

The research shows that, notwithstanding constitutional guarantees, statutory controls, and lively judicial interventions, excessive administrative action in granting forest land extensions continues as a failure of the governing system. This is not due to a lack of law, but to a failure in structural implementation, institutional capture, and political–bureaucratic collusion in granting authorizations. While the role of the judiciary has been expansive in restricting administrative authority, it has also at times led to centralization, leading to a democratic deficit. A multi-pronged reform approach is needed to guarantee this connection between legality and governance.

7.1 Strengthening Constitutional and Statutory Clarity

First, constitutional and statutory provisions governing forest land should be explicitly linked to mitigate the lack of clear interpretive ambiguity. Judicial efforts have interpreted Article 21 broadly, asserting that the right to life includes the right to a healthy environment, while Articles

³³ Comptroller & Auditor Gen., *Report on Compensatory Afforestation* 23–45 (2013).

³⁴ Bandi, *supra* note 3, at 27.

³⁵ Forest (Conservation) Act, *supra* note 14, § 3A.

³⁶ *State of Maharashtra*, *supra* note 21.

48A and 51A(g) remain unchanged for the most part. Law references that clearly reflect those provisions in forest law would set direct principles and fundamental duties as binding elements of judicial review to manage administrative authorizations. In this regard, the Forest (Conservation) Act could be amended to include amendments to define “forest” and to address the standards laid out in *Godavarman* to limit manipulation by the executive.³⁷ The Forest Rights Act also requires procedural reforms to clarify the procedures that guarantee consent from the Gram Sabha.

7.2 Implementing the Doctrine of Ultra Vires

Second, the doctrine of ultra vires must be implemented through specific statutory mechanisms in environmental governance. Administrative bodies should be required to provide written clarifications citing statutory provisions for every diversion or allotment of forest land and be required to publish those clarifications.³⁸ Procedural ultra vires, understood as failing to conduct an assessment in accordance with the law or failing to hold a Gram Sabha consultation, should treat an administrative decision as void ab initio. The experience from other jurisdictions, such as South Africa and Brazil, shows that codifying ultra vires principles into environmental legislation improves transparency and reduces administrative evasion.³⁹ Indian legislation could likewise incorporate an ultra vires scheme, such that failure to follow process amounts to a failure of authority and militates for greater judicial review by shifting the burden of proof of the authority onto administrators.

7.3 Judicial Innovations and Their Limits

Judicial review has certainly expanded environmental rights and accountability. However, institutional innovations do need recalibration. The continued mandamus approach in *Godavarman* established important oversight but also reinforced technocratic solutions like the Central Empowered Committee, effectively short-circuiting legislatively understood institutions like Gram Sabhas. The primary purpose of judicial review in the future should be more of a direct responsibility to augment statutory bodies’ authority, rather than to supplant them. Courts could refine a doctrine of a “participatory ultra vires,” where the status of

³⁷ *Godavarman*, supra note 25, ¶ 12.

³⁸ Michael Kidd, *Environmental Law and Governance in South Africa* 145–47 (2d ed. 2011); Antonio Benjamin, *Environmental Law in Brazil: Principles and Innovations*, 24 Rev. Eur. Comp. & Int’l Envtl. L. 274, 278–80 (2015).

³⁹ Menon & Kohli, supra note 1, at 17.

administrative action that fails to engage mandated community participatory accountability would result in invalidity, regardless of the ecologically or economically acceptable justificatory reasoning.⁴⁰ In addition, judicial remedies should allow remedies beyond review with the cancellation of particular actions being ultra vires, to remedies that could include restitutionary and deterrent sanctions, such as directing personal liability for public officials who authorize illegal allotments.⁴¹

7.4 Institutional Transformation and Anti-Capture Protections

Fourth, there is a need for systemic reforms to address the capture of institutions and conflicting incentives. The dual control over forest land allocated by revenue and illicitly allotted by forest departments is unclear and leads to unauthorized allotments. Statutory provisions should transfer all recorded forest land to the Forest Departments automatically and within a timeframe.⁴² Building anti-capture protections into the appointment and functioning of oversight committees would benefit from the inclusion of independent experts, civil society representatives, and representatives from stakeholders in the community and forest. The establishment of blockchain promulgation of land records and real-time online clearance of the proposed use would also enable reduced discretion in allocation consideration and collusion.⁴³

Enforcement, Penalties, and Deterrence

Finally, enforcement needs conviction to reflect the issue of accountability. The penalties under the Forest (Conservation) Act - a maximum of simple imprisonment of 15 days - are woefully inadequate given the economic implications of forest land usage.⁴⁴ Stronger and more robust provisions must be provided, including penalties related to criminal liability of senior officials and corporate beneficiaries. A helpful judicial directive precedent within the 2025 Maharashtra case included restitution of illegally allocated forest land, and financial compensation earmarked for restoration of the forested land. Embedding such remedies within legislation could institutionalize deterrence and prevent future ultra vires actions.

Conclusion

⁴⁰ Nayak, supra note 4, at 136.

⁴¹ *A.P. Pollution Control Bd. v. Prof. M.V. Nayudu*, (2001) 2 S.C.C. 62, ¶ 18.

⁴² Kohli & Menon, supra note 31, at 55.

⁴³ Bheemaiah, supra note 7, at 14.

⁴⁴ Forest (Conservation) Act, supra note 14, § 3A.

This study has brought to the attention the irony of Indian environmental governance: an advanced constitutional structure, supported by detailed statutory schemes, robust judicial review, and still, ultra vires actions of the executive in matters of allotment of forest land prevail. This persistence is not a failure of law in theory, but a failure of law in action. Administrative discretion undermines constitutional and statutory direction; weak judicial activism, ranging from interpretation to technocratic decisions, contributes to this deficit; and institutional arrangements are vulnerable to capture.

The findings lead to three fundamental conclusions. First, constitutional principles, particularly Article 21, have led to an expansion of environmental protection, but remain hamstrung in practice by weak enforcement processes. Second, the ultra vires doctrine is critical to limiting executive power; however, codification is needed to strengthen the order to limit administrative actions in practice. Third, judicial review has transformed environmental governance, but cannot compensate for the weakening of institutions in systemic purposes.

The research also highlights important gaps in the literature and practice. While academics have explored judicial activism, administrative resistance, and neoliberal influences on forest governance, there has been little systematic examination of the doctrine of ultra vires in the context of forest governance. By addressing this gap, the present research demonstrates that any meaningful change must be committed to structural change through law and governance processes, not just episodic judicial engagement.

In summary, a comprehensive reform strategy is necessary to achieve the following: harmonizing statutory statutes, institutionalizing a protocol for ultra vires review, developing frameworks for community involvement, and establishing accountability mechanisms. Only through these kinds of reforms can India fulfill the constitutional promise of environmental justice in practical governance, while ensuring that forest areas as ecological commons and lifelines for communities are defended from unauthorized encroachments from the state through administrative decision-making.