

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO 641/2024
(In respect of the State of Arunachal Pradesh)

IN THE MATTER OF:

News Item titled: "Chunk of India's forests, missing, after 27-years-delay to file report Analysis" appearing in The Hindu dated 28.04.2024.

AFFIDAVIT ON BEHALF OF THE STATE ARUNACHAL PRADESH

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**PAPER BOOK
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Advocate for the
State of Arunachal Pradesh Shubham Bhalla

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AFFIDAVIT ON BEHALF OF THE STATE OF ARUNACHAL PRADESH

I, Millo Tasser, S/o, Late Millo Grayu, aged about 40 years, Conservator of Forests, in the Department of Environment, Forest & Climate Change, Government of Arunachal Pradesh do hereby solemnly affirm and state as under:

1. That, I am the Conservator of Forests in the Department of Environment, Forest & Climate Change, Government of Arunachal Pradesh and I am conversant with the facts and circumstances of the instant case in my official capacity and I have been duly authorized by the Respondent No. 4, Chief Secretary and Incharge of the Department of Environment, Forests and Climate Change to file this Affidavit. Hence, I am to swear this Affidavit.
2. That, I have read contents, and I submit that facts stated in this Affidavit are true to the best of my knowledge and are derived from the office records made available by the concerned Department. I believe them to be true and that no part of the same is false or any material has been concealed there from.
3. In pursuance of the Hon'ble Supreme Court interim order dated 12.12.1996, the State of Arunachal Pradesh has constituted an expert committee on identification of forests vide order No. FOR.398/IND-A/2/96/679-926 dated 06.01.1997. The committee was tasked to identify areas which are 'forests' irrespective of whether they are so notified, recognized or classified under any law, and irrespective of the ownership of the land of such forest
4. The Committee as per government records has reported that, the total forest area of the state is 51,540 Sq. Kms distributed under various categories as per table below:


 Judicial Magistrate - 1st Class
 A.P. Civil Secretariat, Itanagar



Sl. No.	Legal Status	Area (Sq. Km)	% of total Forest Area	% of Total Geographical Area
1	Reserved Forest	9531.37	18.49	11.38
2	Village Forest Reserve	279.24	0.54	0.33
3	Anchal Forest Reserve	325.13	0.63	0.39
4	Protected forest	7.8	0.02	0.01
5	Wild Life Sanctuary	7114.75	13.80	8.50
6	National Park	2468.23	4.79	2.95
	Total Notified Forest	19726.53	38.27	23.56
7	Un-classed State Forest	31813.47	61.73	37.99
	Total Forest Area	51540.00	100.00	61.54


5. Regarding the Un-classed State Forest (USF), the Committee observed that in Arunachal Pradesh, in absence of any land tenure system, the term USF has been used very loosely and all the un-surveyed and unsettled forest areas not included under the notified forests area including community land, private land and jhum land with or without tree growth, relic forest and snowclad mountains have been covered under the term USFs. The Committee mentioned that the identification of forests in a State like Arunachal Pradesh is a stupendous task in view of extremely difficult terrain, poor road and transportation network, vast land area and diverse forest types.
6. Further, subsequent to the need for identification of forest areas by dictionary meaning in view of the Hon'ble Supreme Court Judgement dated 07th July, 2011 in Lafarge Case, the Expert Committee on identification of forest by dictionary meaning met during October, 2014 and highlighted that being hilly and 100% tribal state, classification of community or privately owned areas as forest for the purpose of FC Act should not effect, the rights of the local tribal people to utilise the forest for traditional way of agriculture, such as, jhuming or to enjoy any other rights which are to be vested on this tribal people in accordance with the provisions of the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest right) Act, 2006 and Arunachal Pradesh (Land Revenue and Settlement) Act, 2000.



[Signature]
 Judicial Magistrate 1st Class
 A.P. Civil Secretariat
 Itanagar

7. The Committee also mentions that the areas falling under 'Un-classed Stated Forests' may continue to be regarded as forest for the purpose of FC Act, till they are classified. Classification can be either into one kind of forest or the other under the relevant Forests laws or as Villages (Revenue Land) under the provision of Arunachal Pradesh (Land Revenue and Settlement) Act, 2000.
8. As per the latest Forest Survey of India's 'India State of Forest Report, 2021', also the Recorded Forest Area in the State of Arunachal Pradesh, is 51540 Sq. kms.
- It is prayed that this Affidavit by the Conservator of Forests, Government of Arunachal Pradesh may kindly be considered and taken on record. This respondent also craves the permission of the Hon'ble Tribunal to file additional reports, as and when required.





DEPONENT
CF (HQ)
 Dept. of Environment & Forests
 Govt. of Arunachal Pradesh
 Itanagar


VERIFICATION

I, the above-named deponent, do hereby verify that the facts stated in the above affidavit are true to my knowledge and belief. No part of the same is false and nothing material has been concealed therefrom.

Verified at Itanagar on the 1st day of October, 2024

Executed before me.


DEPONENT
CF (HQ)
 Dept. of Environment & Forests
 Govt. of Arunachal Pradesh
 Itanagar


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