

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 555 OF 2024

Tribunal on its own motion SUO MOTO based on the News item titled "India lost 2.33 million hectares of tree cover since 2000 Global Forest Watch" appearing in the Indian Express date 13.04.2024.

Vs.

Central Pollution Control Board, Delhi and Ors.

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FILED BY:

*Gautam Kumar*  
GAUTAM KUMAR

FILED ON: 16/11/2024  
PLACE: NEW DELHI

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Central Pollution Control Board, Delhi and Ors.

**Affidavit on behalf of Respondent No. 2 (Ministry of Environment, Forest and Climate Change, New Delhi) and Respondent No. 4 (Forest Survey of India, Uttarakhand)**

I Nagaraja S.V. S/o Late Sh. Vasantha Shetty, aged about 44 years, presently working as Assistant Director in Forest Survey of India, Headquarters, Ministry of Environment, Forest and Climate Change, Dehradun do hereby solemnly affirm on oath and state as follows:

1. That, I Nagaraja S.V. am holding the post of Assistant Director, in Forest Survey of India Headquarters, Dehradun and I have made myself acquainted with the facts and circumstances of this case and I have been duly authorized and empowered to make and swear this Affidavit for and on behalf of Respondent No. 2 (Ministry of Environment, Forest and Climate Change, New Delhi and 4 (Forest Survey of India, Uttarakhand) and I am competent to do so.
2. That, the Hon'ble Tribunal at New Delhi vide its Order dated 20.05.2024 impleaded Secretary, Ministry of Environment, Forest and Climate Change Government of India as Respondent No. 2. The Hon'ble Tribunal vide Para 11 of its Order dated 25.05.2024 issued notice to Respondent No. 2 to for filing response in instant matter.
3. Hon'ble Tribunal further vide its Order dated 20.08.2024 impleaded Director General, Forest Survey of India, Dehradun as Respondent No.

4. The Hon'ble Tribunal vide Para 5 of its Order dated 28.08.2024 was pleased to direct Answering Respondent No. 4 to file a response in the present *suo motu* matter.
4. I have gone through the application and I have understood the contents/ averments/statements and/or tenor thereof. I deny all the averments except those that are specifically admitted herein.
5. That, at the outset, I state that the Respondent 2, is the nodal agency of the Central Government for the planning, promotion, co-ordination and overseeing the implementation of India's environment and forest policies. The primary concern of the Ministry is the implementation of policies and guidelines relating to the conservation and protection of the country's forests, biodiversity, natural resources, wildlife and environment. The Respondent 4 is an Institution under the Ministry of Environment, Forest and Climate Change, Government of India responsible for assessment of forest and tree cover of the country.
6. That the Original Application No.555/2024 is a registered *suo motu* case and is based on a news item titled "India lost 2.33 million hectares of tree cover since 2000 Global Forest Watch" appearing in "The Indian Express" dated 13.04.2024.
7. As per the Report of **Global Forest Watch**, "Tree Cover" is defined as
- "woody vegetation with the height of 5 m and taller, and may take the form of natural woodlands, forests, or tree plantations across a range of canopy densities. Tree cover gain does not equate directly to restoration, afforestation or reforestation". (Source:<https://www.globalforestwatch.org/dashboards/country/IND/?category=forest-change&location=WyJjb3VudHJ5liwiSU5EII0%3D>)
8. Forest Survey of India (FSI) carries out wall-to-wall forest cover mapping of the country using remote sensing data from the indigenous LISS III sensor of IRS ResourceSat series of satellites from Indian Space Research Organization. So far, seventeen cycles of forest cover

assessment have been completed by FSI from 1987 to 2021. FSI also undertakes sampling based National Forest Inventory (NFI) to assess information on tree cover, growing stock in forests and TOF, bamboo resource, carbon stock along with several other parameters. The findings of above exercise are published in India State of Forest Report (ISFR) in a cycle of two years. The definition used for representation of Forest and Tree Cover in ISFR, is as follows:

- "Forest Cover: All lands, more than 1 hectare in area, with a tree canopy of more than 10% irrespective of ownership and legal status. Such lands may not necessarily be a recorded forest area. It also includes orchards, bamboo and palm.
- Tree cover: It comprises of tree patches of size less than 1 hectare occurring outside the recorded forest area. Tree cover includes trees in all formations including linear, block and in scattered array."

9. The country's forest cover reported in the India State of Forest Report (ISFR) is based on internationally accepted criteria and the parameter adopted by the Global Forest Watch for forest cover is not based on the internationally accepted criteria and the Global Forest Watch is an initiative of an independent non-profit organisation which might have different methodology and definition for forest cover assessment. It is humbly submitted that as per Decision 19/Conference of Parties (CoP) 9-Kyoto Protocol, the forest can be defined by any country depending upon the capacities and capabilities of the country and is as follows:-

" Forest is defined structurally on the basis of

- Crown cover percentage: Tree crown cover- 10 to 30% (India 10%)
- Minimum area of stand: area between 0.05 and 1 hectare (India 1.0 hectare) and
- Minimum height of trees: Potential to reach a minimum height at maturity in situ of 2 to 5 m (India 2m)"

India's definition of forest has been taken on the basis of above three criteria and very well accepted by United Nations Framework Convention on Climate Change (UNFCCC) and Food and Agriculture Organization (FAO) for their reporting and communications. Therefore, the country's forest cover reported in the India State of Forest Report is based on internationally accepted criteria.

10. As per the ISFR 2021 compared to SFR 2001, there is a net increase of 59,891 sq km in Forest Cover and 14,277 sq km in Tree Cover in the country in past two decades. Total increase in Forest and Tree Cover of the country from SFR 2001 to ISFR 2021 is 74,168 sq km. Hence, as per the above report there is net gain in the forest and tree cover of the country. The year-wise status of Forest Cover, Tree Cover and Total Forest and Tree Cover of the country is enclosed as **Annexure**.

11. As per the Global Forest Watch, the report states that an average of 51.0 million tons of carbon dioxide equivalent per year was released into the atmosphere as a result of tree cover loss in India.

12. However, it is humbly submitted that there is no decrease in forest and tree cover, the question of emission of carbon dioxide from the forest in India does not arise. The assessment of carbon stock in forests of the country as per ISFR 2013 is estimated as 6,941 million tonnes and the carbon stock in forest of the country as per ISFR 2021 is estimated as 7,204 million tonnes. There is a net sequestration of 263 million tonnes of carbon in the forest of India between 2013 to 2021. Hence, India's forest represent a net sink of carbon dioxide not as a source of net emission of carbon dioxide.

13. In view of submission made in above para, the Global Forest Watch is devoid of the facts and ground reality and internationally accepted norms.

14. Therefore, it is humbly submitted that in light of the stringent criteria and the robust mechanisms employed in the preparation of the India State of Forest Reports, including the use interpretation of Satellite data, it is evident that the



data presented reflects a precise and meticulously assessed record of forest cover in India.


15. In view of the facts and circumstances and submissions, it is, therefore, prayed that the Affidavit filed by Answering Respondents be admitted and accepted by this Hon'ble Tribunal.

16. That, the answering respondent craves leave of this Hon'ble Tribunal to file additional information, if any till pendent lite.

17. It is respectfully requested that in view of the foregoing submissions this Hon'ble Tribunal may be pleased to dismiss the present application or pass further Orders as it may deem fit in the interest of justice and proper in the given circumstances of this case.

**DEPONENT**

Identified by:  
  
 (Advocate)  


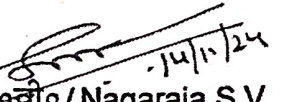
  
 नागराज एस.वी. / Nagaraja S.V.  
 सहायक निदेशक / Assistant Director  
 भारतीय वन सर्वेक्षण / Forest Survey of India  
 कौलागढ़ रोड, देहरादून / Kaulagarh Road, Dehradun

**VERIFICATION**

I, the deponent named above do hereby verify and say that the contents of the above affidavit are true and correct to my knowledge and area based on official records and nothing material is concealed therein.

Verified at Dehradun on this ...14<sup>th</sup>.....Day of..November 2024.

**DEPONENT**

  
 नागराज एस.वी. / Nagaraja S.V.  
 सहायक निदेशक / Assistant Director  
 भारतीय वन सर्वेक्षण / Forest Survey of India  
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