

IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
(In O.A. 168 of 2024)

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Place: Ludhiana
Date: 17-08-2025



Er. Kapil Dev

(Applicant No. 1 in Person)
aroraengineers@gmail.com
Mobile: 98720-07872

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**AT PRINCIPAL BENCH, NEW DELHI****(In O.A. No. 168 of 2024)****Kapil Dev & ors. Applicants****vs.****State of Punjab & ors. Respondents**

Additional submission by the Applicants regarding Email received from Forest Department on 12-08-2025 at 8:41PM inviting suggestions/comments on Draft Tree Protection Act of Punjab 2025

Hon'ble sir,**Respectfully showeth,****The petitioners humbly submit as under:**

- 1.** That the Applicants have submitted one I.A. in this Original application on 12-08-2025 with request of directions to Respondents to consider of suggestions before finalising the Tree Protection Act of Punjab 2025 as well as to club the present O.A. with O.A. 1279 of 2024 subjudice before the Principal Bench.
- 2.** That after raising the issue in media by Applicants on 06-08-2025, the Forest Department sent one email at 8:41PM on 12-08-2025, the Forest

Department sent one email inviting suggestions on the Draft which was seen by Applicant on next date. The copy of Email sent by Forest Department inviting suggestions is produced herewith as **Annexure-16**.

3. That keeping in view directions of this Hon'ble Tribunal in various cases, the Applicant No. 1 has submitted the suggestions/comments to Forest Department on 16-08-2025 and copy of same is produced herewith as **Annexure-17**.

4. That the Draft Tree Protection Act of Punjab 2025 is very weak and to avoid delay in implementation of the Act, the Applicants humbly prays this Hon'ble Tribunal to direct the Respondents to consider the suggestions/comments in true spirit. The Applicants humbly prays this Hon'ble Tribunal to consider the prayer as submitted in I.A. and club the O.A. 168 of 2024 with O.A. 1279 of 2024.



Date: 17-08-2025

Place: Ludhiana

Kapil Dev

(Applicant No. 1)



Kapil Arora <aroraengineers@gmail.com>

Request for Comments on the draft of "The Punjab Protection of Trees Act, 2025.

forest Working <forestworking0022@gmail.com>

Tue, Aug 12, 2025 at 8:41 PM

To: Samita Kaur <samitakaur1974@gmail.com>, Kuldeep Singh Khaira <kuldeepsinghkhaira5@gmail.com>, mattewarasutlejpac@gmail.com, Kapil Arora <aroraengineers@gmail.com>, jassgill44@gmail.com, forest Working <forestworking0022@gmail.com>, "Chanchal Kr." <kbcsonu2002@gmail.com>

I am hereby directed to send the draft "The Punjab Protection of Trees Act, 2025 for want of comments/ suggestions.

You are also requested to please give suggestions in two parts-

1. Changes/ modifications to our draft
2. New additions/ suggestions

**The Punjab Protection of Trees Act 2025 (1).pdf**
308K



Kapil Arora <aroraengineers@gmail.com>

Request for Comments on the draft of "The Punjab Protection of Trees Act, 2025.

Arora Engineers <aroraengineers@gmail.com>
To: forest Working <forestworking0022@gmail.com>

Sat, Aug 16, 2025 at 11:47 PM

Dear sir

Please refer to your email dated 12-08-2025 received at 8:41PM in regard with the subject matter.

It is pertinent to mention here that the Hon'ble Tribunal in O.A. 1279 of 2024 has directed the Chief Secretary of Punjab to Strengthen the Policy of 2024, however the draft Tree Act of 2025 is very weak and even the area of its Application has been reduced to just less than 10% of Geographical area of Punjab as the Urban Area as listed in Schedule-III comprised of just 7-8% of land in Punjab. Further, the Penalty is just like pennies for owners of high value properties in Urban Areas and it will give free hand to them to cut the trees and escape. Therefore, the provision of imprisonment is must and must be enforced, if numbers of trees felled by any person/s are more than three.

The suggestions in two parts i.e. (1) Changes/Modifications AND (2) New additions/Suggestions are detailed as under:

PART-1	
RELEVANT SECTION IN DRAFT TREE ACT 2025	IMPORTANT SUGGESTIONS IN EXISTING DRAFT FOR CHANGES/MODIFICATIONS – IMPORTANT FOR SAFETY OF TREE COVER IN NON-FOREST AREA OF PUNJAB
Section 1 (2)	It extends to all the urban & Rural Areas of Punjab
Section 3(iii)	Exempted Trees – Every tree standing on Non-Forest Area (except grown as Agroforestry should be protected
Section 4(a)	Fell any tree standing on any urban or rural area

Section 4(b)	Cut, remove or otherwise dispose of any tree other than a tree which is completely dead or has fallen without the aid of human agency in an urban and rural area both
Section 7	Obligation to Plant trees – 10 (Ten) trees in lieu of every tree cut/felled and 2 out of 10 saplings must be planted at the same place, if cut illegally. The Saplings of trees must be maintained for a period of three years. There should be no other option of deposit of money in place of saplings. In case, the offender refuses to plant sapling at the same place, provision of Section 8 for trial of imprisonment.
Section 8 (1)	There should be provision of Imprisonment for 6 months to 3 years or Fine of Rs 3 Lakhs to 10 lakhs for every tree in urban/semi urban areas (depending upon location – commercial/Industrial/Residential) and Rs 50000 to Rs 2 Lakhs in Rural areas or both (if more than three trees are cut)
Section 9	The Value of a tree must be considered as a live tree and not as timber. Therefore, while deciding rules under the act, such important aspects must be considered.
Section 14	No tree should be exempted under the Act
PART-2	NEW IMPORTANT ADDITIONS/SUGGESTIONS
Section 3(ix) to be added as new sub-section	Rural Area – Every area which is outside the limits of Urban Area as detailed in Section 3(vii)
Section 3(x) to be added as new sub-section	Deforestation – <u>which includes the large-scale removal of trees, has significant environmental consequences, including</u>

	<u>biodiversity loss, habitat destruction, and soil erosion.</u>
Section 3(xi) to be added as new sub-section	<u>Illegal tree removal – Removing trees without proper authorization.</u>
Section 3(xii) to be added as new sub-section	<u>Heritage Tree: Based upon its form, shape, age, colour and rarity.</u> <u>The aesthetic, botanical, horticultural, ecological, social, cultural and historical values are also taken into account.</u> <u>A specimen associated with a historic person, place, event or period is also treated as heritage tree.</u> <u>A heritage tree can also be a tree associated with local folklore, myths, legends or traditions.</u> <u>Certain species that are relatively rare in an area, whether native or not, may also be granted special status.</u>
Section 15 (new added)	Tree Census and Geo-tagging of every tree standing on Public Place in Urban as well as Rural area should be done within one year of enforcement of this Act
Section 16 (new added)	Prohibition of use of any other material like concrete/grills/wires/nails/flex etc. than good soil around one meter radius of every tree and failing which may be termed as an offence section 8(1) as well as Section 9
Section 17	Preservation of trees in new developed colonies – Every tree standing on land of newly developed colonies should be protected. There should be mandatory 20% green cover in every newly developed colony after this act comes into force and tree as per building bye laws must be planted within the premises of every plot and if violated, it should be termed as an offence under section 8(1) and 9 of this Act

Section 18	List of Native Trees – to be planted in Punjab in place of every tree cut with or without permission
Schedule II	No tree should be exempted under the Act – therefore, this Schedule must be omitted
Schedule-III	Every Urban as well as rural area must be included. Therefore there should not be a requirement of Schedule-III too and must be omitted.

It is pertinent to mention as under:

1. That the tree act must consider the directions of Hon'ble Supreme Court for betterment of Environment, the Hon'ble Tribunal in M.A. No. 229 of 2019 in O.A. No. 346 of 2019 vide orders dated 26-11-2019 as well as & in MA 48 of 2023 in disposed of O.A. 200 of 2023.
2. That Punjab is facing acute shortage of tree cover, both in forest as well as non-forest areas, therefore no tree should be exempted from this act and saplings of only native trees should be allowed to be planted in place of tree axed with permission or illegally.
3. The cost of tree should not be termed as equivalent to timber and accordingly the value of tree must be calculated as per its age and
4. The Value of trees should be maximum for Urban Areas like Ludhiana, Amritsar, Mohali & Patiala and less for rural areas. It is important to mention here that only monetary penalty is not sufficient to save the tree as the owner of Showroom/Residence in Posh localities won't mind paying in lakhs to get the tree removed from front of their high value buildings. Therefore, along with Penalty, punitive action like imprisonment for Six months to three years must be included.
5. There is acute shortage of tree cover in Punjab, therefore against every tree cut, there should be provision of 10 Saplings of native trees by the person involved and he must be responsible for taking care of all the saplings (replaced if dies) for three years and every sapling must grow into a tree.

In order to save the trees in Punjab, the existing draft must be modified by including the above suggestions to save the existing tree and to increase the tree cover in Punjab. The Tree Act of Punjab should set an example amongst all other States and UTs to follow for a better, safe and healthy environment for generations to come.

Regards

Er. Kapil Dev
#186-E, BRS Nagar,
Ludhiana-141012
Punjab
Mobile: 9872007872

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