

**BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE
(Under Section 14, 15, read with 20 of the National Green
Tribunal Act 2010)**



Application No/02/2017(WZ)

Mrs.Smita Sandesh Singalkar, ... Applicant

V/S

The Chief Conservator of Forest and others ... Respondent

AFFIDAVIT

I, Mrs. Smita Sandesh Singalkar, Age- 45 Years, Occ: Practicing Lawyer, R/at Lad Apartment, North Ambazari Road, Dharampeth, Khare Town, Nagpur- 400 010, Applicant do hereby solemnly affirmed that the contents of Para Nos 1 to _ are true to my personal knowledge information and belief.

1. The present case is pending before the Hon'ble NGT since 2017. During the pendency of this environment interest litigation, at least 5318 Hectares of forest land in Maharashtra have been affected by wildfires (forest-fires) between January 2021 to March 2021.
2. Of the 3.86 lakh fire alerts issued nationally by the forest survey of India based on satellite data Maharashtra recorded 60851 alerts which come to 16% of the total forest fire incidents in the country in 2021.
3. Maharashtra ranked 4th in the number of forest fire incidents after Madhya Pradesh (4781 cases), Odisha (4416 cases) and Chhattisgarh (4373 cases).
4. In a report by the National Institute of Disaster Management, forest fires in India are generally ground fires. About 35 million hectares of forest area is affected by fires annually. About 95 per cent of the forest fires are caused by human beings,



especially to promote new flush of grasses, collection of minor forest produces or to prepare land for shifting cultivation. While statistical data on fire loss in India are very weak, it is estimated that the proportion of the forest areas prone to forest fire annually ranges from 33% to over 90% in different states. As per an estimate of the United Nations Development Programme and Food and Agriculture Organisation project in Maharashtra State, the economic loss due to forest fire is around Rs. 9000/- per hectare per annum.

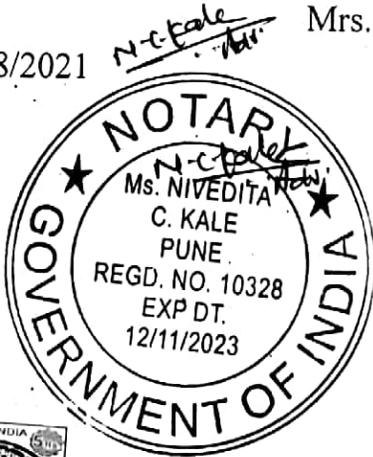
- 5. Marathwada having the lowest forest cover has witnesses over 700 forest fires in the last 4 years which has destroyed 2600 hectares of forest cover.
- 6. A 2017 article by Hindustan Times states that "Most forest fire incidents in Maharashtra are manmade".
- 7. A Hindustan article headlines "1500 forest fires reported in Maharashtra in 5 weeks." This data was collected by the FSI's real-time forest fire mapping.
- 8. Further there have been many singular incidents all reported in the past two years. For instance there was a forest fire in Pune's Baner hill, a vast stretch of dry grass caught fire on Parsik hill in CBD in Mumbai and there were forest fire reported in Purulia, Bankura.
- 9. All the information stated above has been taken from several newspaper articles published publically between the years 2017-2021 which are collective annexed as Annexure A-

S.S. Singalkar

Pune
Dated: 06/08/2021

Mrs. Smita Sandesh Singalkar

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NOTARY, GOVT. OF INDIA
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NOTED AND REGISTERED AT
SERIAL NUMBER 135/21



The Hindustan Times

5,300 hectares of forest area in Maharashtra affected by fires in 2021: Data

Mumbai, 11th April 2021

This marks a 74% percent increase from the 3,056 hectares of forest land affected during the same period in 2020, the data showed.

At least 5,318 hectares of notified forest land in Maharashtra have been affected by wildfires between January and March this year, according to forest department data obtained by Hindustan Times. This marks a 74% percent increase from the 3,056 hectares of forest land affected during the same period in 2020, the data showed. However, fire counts (in protected areas) correspondingly went up by 16% this year, indicating significantly more intense incidents this year.

Forest department officials attributed this trend to a warmer than usual summer season, which set in quickly and earlier than usual. One range forest officer in Gondia district, where three labourers lost their lives to a forest fire on Thursday, said, "The ground is very dry this year. Last year, there were some episodes of rain even in February and March which helped, but this year the fires are spreading extremely quickly."

Yet another range officer in the Nagpur forest division claimed that community dependence on protected areas has also seen an uptick this year, with the pandemic forcing several people back to their villages. "There are more people engaged in foraging for non-timber forest produce, like tendu leaves and mahua flowers. Because there is more human activity, the fires are leaving behind a larger footprint," the official said.

Nitin Kakodkar, principal chief conservator of forests, Maharashtra, agreed these are both likely explanations, and concurred that the ongoing fire season is markedly more intense than he has witnessed in recent years. "Another possibility is that because there were such few fires last year, largely due to intermittent rains, the current fuel load is more than usual. This gives fires more room to spread and do damage," he said.

As per the data, Gadchiroli's Sironcha forest division was the most affected, with 551 hectares of land coming under the influences of forest fires. The Nagpur forest division (under the Nagpur circle) and the Jalgaon forest division (under Dhule circle) also faced comparable losses, with 398 and 447 hectares of area lost to fire, respectively. The same figures for these divisions during January to March last year stood at 5 and 24 hectares respectively.

Similar upticks are seen across several forest divisions in Maharashtra this year, including Amravati, Buldhana, Melghat, Brahmपुरi, Allapalli, Gondia, Nashik, Pusad, Gugamal, Sipna, Thane and the Tadoba Tiger Reserve buffer area.

The findings are in line with a Hindustan Times' report from March 30, which analysed publicly available satellite data to demonstrate a consistent increase in fire counts across the state. The report also identified emerging fire hotspots,

namely Thane, Raigad and Pune districts, which are not considered historically fire-prone.

However, the forest department's own figures — which are confined only to legally notified forests — showed that the impact of fires remain largely confined to the state's eastern districts. Notably this year, even areas like Melghat, where the fire department has seen relative success in mitigating the impact of forest fires in recent year, are once again seeing an uptick in the quantum of forest area affected by wildfires.

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The Times of India

16% of country's forest fire alerts in Maharashtra alone

NAGPUR, 18th June 2021

Of the over 3.86 lakh fire alerts issued nationally by the Forest Survey of India (FSI) based on satellite data, Maharashtra recorded 60,851 alerts, which comes to 16% of the total forest fire incidents in the country this year.

As per FSI data, there were record number of fires between January and May as compared to the last two years. Most of these fires reported in April and May were manmade and ignited for mahua and tendu leaves collection.

“Despite the state government spending crores of rupees on combating forest fires by way of producing equipment like blowers and paying wages for drawing fire lines and appointing watchers, this year number of fires was far more compared to last two years,” admit forest officials.

APCCF (protection) Pravin Chavan admits there were 60,851 fire alerts this season as compared to 45,681 in 2019 and over 23,000 in 2020. Over 36,000 hectare forest area was devastated this year. Last year, due to intermittent rains in summer and lockdown, over 20,000 hectare area was destroyed in ground fires.

“The fire situation this year was similar to 2019 when an equal area was burnt. We have sought factual reports on reasons for increasing fire incidents and what steps were taken to control them,” said Chavan.

Senior forest officials admit the actual area destroyed in ground fires is always concealed and only one-fourth of it is shown on record fearing action. Even if 36,000 hectare is officially shown as burned this year, it may be over one lakh hectares.

However, APCCF Chavan says, “At least 60% fires are in non-forest areas, which are not recorded by us. Dry weather condition is one of the reasons for fires, but it is also true that most of the fires are witnessed during mahua flower and tendu collection season.”

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In Gadchiroli alone, which has high stakes for tendu patta and mahua collection, there were the 19,615 alerts. This was followed by Thane (7,708), Kolhapur (7,045), Chandrapur (6,378), Nagpur (5,282) & Aurangabad (3,029). These were the five forest circles that reported maximum fires this year.

As per rules, if forest fires occur in the area having tendu units then chief conservator (CCF) or deputy conservator (DyCF) is empowered to cancel these units, but despite so many incidents not a single tendu unit has been cancelled in the state. Take for example Bramhapuri division in Chandrapur circle, which reported 4,520 fire alerts, but there was no action against any field staff nor any tendu unit was cancelled.

APCCF (non-timber forest produce) TK Choubey said, "The tender conditions are very clear, and territorial officials are empowered to take action against the tendu contractors if fires occur in units. As of now, there is no report of any cancellation of tendu units due to fire."

Suresh Chopne, president, Green Planet Society, says, according to various studies, the annual losses from forest fires in India have been moderately estimated at Rs. 450-500 crore. This estimate does not include the loss suffered in the form of biodiversity, nutrient and soil moisture, and other intangible benefits.

There was 10 times increase in forest fires in sanctuaries and national parks under Nagpur (Wildlife East). In 2020, there were 159 alerts only in Tadoba (core & buffer), Navegaon-Nagzira, Allapalli, and Pench but this year the number was 1,491 with Alapalli (776) and Pench (507). With 441 fire alerts, Melghat wildlife consisting of six divisions was at the lowest.

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The Times of India

Marathwada witnessed over 700 forest fires in last 4 years

Aurangabad, 6th February 2020

Marathwada, a region having the lowest forest cover in Maharashtra, has witnessed as many as 696 forest fire incidents in the past four years. These calamities have destroyed 2,598 hectare forest cover in the region, further reducing the forest cover.

Coinciding with the ongoing forest fire prevention week being observed in Maharashtra by the state forest department, authorities have brought to public notice that those who are responsible for causing such disaster can be subjected to imprisonment of upto two years, besides getting slapped with a fine of Rs 5,000.

Chief conservator of forests (territorial), Aurangabad, P K Mahajan on Wednesday said that locals dwelling around forest areas as well as tourists visiting the forests must ensure that no man-made activity on their part triggers forest fire. "Stringent laws are in place to deal with the incidents of forest fire arising due to man-made causes and persons involved it. Forest fire destructs local biodiversity and such harm can be irreversible. It is collective responsibility of people to ensure that such untoward incidents do not occur," he said.

Aurangabad forest circle, which consists of three territorial divisions and three independent sub divisions, has total forest cover of 2882.78 sq km. The area deals with all reserved, protected and unclassified forests, among other areas, except the areas included in Gautala Autramghat Wildlife Sanctuary, Jaikwadi Bird Sanctuary, Painganga Sanctuary, Naigaon Peacock Sanctuary and Yedshi Ramling Ghat Sanctuary.

According to official data, forest fires in Marathwada have increased since 2017 with a slight dip in the figures last year. Forest department authorities said that "unknown persons" are responsible for around 99% fire incidents by and large. "It is difficult to trace people who are responsible for triggering forest fires as it is an open territory. Proper awareness about the ill-effects of such fires on local biodiversity and humans as a whole can contain the incidents of forest fires," authorities said. Wildlife expert Hemant Chhajed said that the forest department must adopt zero-tolerance policy while dealing with the incidents of forest fires. "Besides enabling provisions of the Indian Forest Act, 1927, the government

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agencies are empowered with Wildlife Protection Act, 1972, Unlawful Activities (Prevention) Act, 1967, The Prevention of Damage to Public Property Act, 1984 and Biological Diversity Act, 2002 to deal with the culprits associated with forest fires. These legal tools must be used to take the investigation in the incidents of forest fires to the logical end and punish the guilty," he said. Citing an affidavit submitted by the Centre in the Supreme Court in one of the environmental cases, Chhajed said that a forest land of around one hectare is worth around Rs 1.62 crore. "The damage caused by forest fires in Marathwada in the last four years runs into crores of rupees, besides inflicting harm upon the wildlife and biodiversity," he said. Experts have also stressed on the need for focussing on preventive measures such as taking 'fire line' in the protected and reserved forest areas, ensuring sufficient availability of the fire-fighting equipment and proper training to forest department staffers to reduce the number of forest fires.

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The Hindustan Times

Most forest fire incidents in Maharashtra are manmade, say environmentalists

Mumbai, 27th December 2017

The number of forest fires in Maharashtra jumped five-fold in three years, with 3,487 incidents reported in 2017, compared to 702 in 2014. While environmentalists said that most fires are deliberate, the forest department said that there was no cause for alarm as the figures could indicate better surveillance and reporting of fires.

The country recorded 35,888 forest fire incidents this year, almost twice as much as 2014, when 19,054 cases were recorded. The data was submitted by Mahesh Sharma, minister of state, Ministry of Environment Forests and Climate Change (MoEFCC) to the Lok Sabha last week.

Forests in Melghat in Amravati district, Chandrapur, Gadchiroli and Gondia were among the areas that reported maximum number of fire incidents. While in some cases, forest fires are caused owing to natural conditions and can have benefits like rejuvenation of forest undergrowth and replenishing of soil nutrients, manmade fires can have an adverse affect on plant and animal life.

Maharashtra ranked fourth in the number of forest fire incidents after Madhya Pradesh (4,781 cases), Odisha (4,416 cases), and Chhattisgarh (4,373 cases). Andhra Pradesh, Assam, Manipur, Tripura and Uttarakhand, have reported a decline in forest fire incidents over the period.

Sharma told the house in a written statement that financial assistance provided to states under the centre's 'Intensification of Forest Management Scheme' was revised and replaced with a centrally sponsored 'Forest Fire Prevention and Management Scheme' to focus mainly on controlling forest fires. "The Ministry, states, and union territories, has prepared a crisis management plan (CMP) to deal with forest fires effectively with less response time in coordination with stakeholders," he said in the statement, adding that the CMPs are periodically updated to minimise response time.

Officials from the forest department said they would not be able to estimate the extent of forests affected by fires. "It would not be right to give a rough estimation, as the overall data needs to be studied, and maps developed to check affected areas. However, regular monitoring of these areas is being carried out and the fire line being checked," said P Srivastava, additional principal chief conservator of forest, for information technology and policy, state forest department.

Meanwhile, a study by the Indian Space Research Organisation (ISRO) and the Indian Institute of Space Sciences, from earlier this year, said that forest fires were reported in 18,128 locations in the state between 2006 and 2015, while India recorded 2.28 lakh forest fires during the same period.

Environmentalists said majority of the forest fires are manmade. In Mumbai, a recent forest fire incident was reported from behind Nagri Nivara Raheja IT Park

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in Dindoshi, Goregaon, at the edge of the Sanjay Gandhi National Park on December 8 and 9. "These fires are being set off purposely by local developers to clear large tracts of land for construction purposes," said Stalin D, director, NGO Vanashakti. "The fire is the best way to destroy the fresh saplings that are sprouting. Even after the fire was reported, the fire brigade did not intervene."

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The Hindustan Times

1,500 forest fires reported across Maharashtra in 5 weeks

Mumbai, 28th March 2018

Forest officials said there has been a significant rise in forest fire incidents in the past five weeks (last week of February onwards), as more than 300 cases have been reported per week. The numbers constitute to more than 40% (3,487) cases reported in 2017. Most of the fires were man-made.

“Based on data received from the Forest Survey of India (FSI), we documented more than 1,500 cases of forest fires from the entire state between February and March so far,” said RS Yadav, additional principal chief conservator of forest (protection), state forest department, in-charge of controlling forest fires.

He added, “Forests are being burnt deliberately to clear land for agriculture purposes. Only a handful of cases are relate to fires starting owing to rise in temperature.”

As per data from the FSI’s real-time forest fire mapping, Maharashtra has recorded 2,488 forest fire alerts since January this year — the highest in India. The number for the entire country is 22,128. This means Maharashtra has recorded 11% of all forest fire alerts in India. FSI data also revealed that Maharashtra had the highest number of forest fires in the last seven days with 1,023 alerts, followed by Madhya Pradesh (832 alerts) and Chhattisgarh (647 alerts).

A complaint filed by citizens’ group Watchdog Foundation with the state, on Monday, regarding recurring man-made forest fires (about 250) along the Western Ghats, parts of Panvel in Raigad district to Ratnagiri, states more than 1,000 acres of forest land was charred in the first two weeks of March.

“The situation is alarming because the number of forest fires reported in the past two months is more than those reported in the past two years. This It is disastrous for animals, as they will be forced to leave their natural habitat and enter human settlements. The government needs to initiate action at once,” said Godfrey Pimenta, trustee, Watchdog Foundation.

Satellite images from Indian Space Research Organisation (ISRO) have showed a rise in forest fires during the first week of March along the Western Ghats. Details published by the United Nations – Office of Outer Space Affairs – revealed that between 6 and 11 March, 32 forest fires were detected near Bodi Hills, Ahamalai, Kurangani and Kottagudi, all located in the same expanse of the ghats.

Senior forest officials also said lack of manpower is a cause of concern. “In some cases, one range forest officer is in charge of many hectares of forests. To control such fires, more manpower is needed,” said P Srivastava, additional principal chief conservator of forest, Information and Technology, state forest department. “This issue is not just confined to India, but every country is facing similar problems to curtail forest fires.”

On March 13, four deliberately lit forest fires were reported from protected forest areas inside and around Sanjay Gandhi National Park (SGNP). On March 10, nine trekkers died in a forest fire on the Kurangani Hills in Tamil Nadu’s Theni district.

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The trekkers had entered the hills without prior permission from the state government.

“Most fires, which are being lit up, are owing biotic pressures on forests such as dependence of people on natural resources. Only a few forest fires are natural. The problems needs to be addressed through community participation. Joint forest management communities (including locals) need to develop a mechanism to spread awareness, build watchtowers and cut off the fire as soon as possible,” said Shailesh Tembhumkar, apccf (conservation), state forest department.

The Times of India

Frequent fires on Pune's Baner hill wreak havoc on local flora and fauna

Pune, 29th December 2020

A series of fires have done considerable damage to the flora and fauna on Baner hill, where environmental NGO Vasundhara Abhiyan has been carrying out afforestation activities along with local residents over the past 14 years.

Activists claimed that around 150 trees/saplings and many insects, reptiles etc have been destroyed in the fire. The environmental group has also appealed to people not to throw burning cigarettes or indulge in any activity that can lead to a fire on the hill and also requested the forest department for more protection in the area.

"Fire has been set almost every day in the past five days, which makes it look like an intentional work of some antisocial elements. It generally happens in the afternoon when nobody is around because people go up the hill in the morning and evening. Almost 150 old and new plants as well as the entire ecosystem have been burnt to the ground. The new plants, planted 2-3 years ago and hardly 3-4ft tall, have been completely destroyed, while the old ones damaged badly," said Pandurang C Bhujbal from Vasundhara Abhiyan.

Bhujbal and 5,000 plus volunteers claimed to have planted over 450 plus varieties of 26,000 indigenous trees in the 240-acre land since 2014. The work did not even stop during the three months when the country was under lockdown due to Covid-19. The residents take pride in the hill and are vigilant of any smoke emanating from it.

"The residents are alerted about fire through messages on WhatsApp group and whoever is available rushes to the spot without waiting for fire fighters. The response from fire-fighters is lukewarm as their vehicles cannot reach the hill tops or slopes. Post every monsoon, apart from planting activities, volunteers try to weed out grass which catches fire easily, but the area is very large to be covered by them in 2-3 hours daily. When there is a fire, we start watering the nearby areas, thereby cutting off the affected area. But without any protective gear, it is a tough task," added Bhujbal.

He said it was disheartening to see years of hard work going up in smoke just because of some miscreants and their twisted idea of having fun. "This is a people's movement and the entire cost of these activities comes from the

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volunteers' pockets. More than that when you plant something and tend to it with love and care and watch it grow, it is particularly heart-breaking to see it being burnt to death." Said Bhujbal.

The Times of India

Vast stretch of dry grass on Parsik hill in CBD catches fire in Mumbai

Mumbai, 26th March 2021

A raging fire engulfed vast tracts of dry grass atop Parsik hill at CBD, Belapur on Thursday afternoon. The fire brigade is still trying to douse it. Night-long operations will continue. MSEDCL has cut off power supply in the area to avoid any mishap.

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The Times of India

Purulia, Bankura forest fire doused after 24 hrs

Purulia/Bankura, 5th March 2021

Multiple forests across hills in Purulia and Bankura are up in flames for the past one day as “man-made” fires threatened to turn down vegetation and wildlife across south Bengal, raising concerns on the impact of environment and ecological balance in these areas.

Till late on Thursday, fire damaged forests of Ayodhya hills, Garpanchakot hills, Bandoan, Baranti and Susunia hills, which forest officials said, were set by local villagers to clear jungle path and generate more heat for better production of Mohua and some by suspected poachers to trap animals.

“The fires may have been man-made but we are not sure about it. We have been receiving news about fires from multiple places and a joint forest management committee with fire officials is trying its best to douse the flames,” said Ramprasad Badana, divisional forest officer of Purulia. Similar has been the situation at Susunia hills, Jhilimili hills and forests at Barjora and Bishnupur in Bankura where fires are raging since Wednesday night. “The situation is under control. Some people have alleged that a group of miscreants was involved but we haven’t found any such evidence yet,” said Bankura (north) DFO Kalyan Rai.

Residents living in areas near Susunia hills in Bankura and those near Ayodhya and Garpanchakot said they spotted the fire on Wednesday night. Some villagers called the Chhatna police who informed the fire forest departments as they began to douse the flames. By Thursday morning, photographs of the forest fire were being shared on social media.

The hills of Susunia as well as Ayodhya and Garpanchakot are known for their diversity of flora and fauna, especially medicinal plants.