

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

Original Application No. 555/2024

IN THE MATTER OF:

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.

Index

S. No.	Particulars	Page No.
1.	REPLY ON BEHALF OF THE RESPONDENT No. 1: CENTRAL POLLUTION CONTROL BOARD in compliance to Hon'ble NGT (PB) order dated 20.05.2024 in Original Application No. 555/ 2024; 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.	
2	Annexure I: A copy of Hon'ble NGT order dated 20.05.2024.	



**Filed by Adv. Rajkumar
(On behalf of Central Pollution Control Board)**

Dated: 24.08.2024

Place: Delhi

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

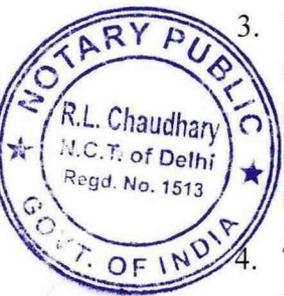
Original Application No. 555/2024

IN THE MATTER OF:

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.

**REPLY ON BEHALF OF THE RESPONDENT No. 1: CENTRAL POLLUTION
CONTROL BOARD (herein after referred as CPCB)**

1. That, Hon'ble NGT vide order 20.05.2024 has sought the reply of CPCB in the instant matter. Thereby, the reply is made in succeeding paragraphs.
2. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and control of Pollution) Act, 1974, The Air (Prevention and control of Pollution) Act, 1981 and The Environment (Protection) Act, 1986.
3. That, it is humbly submitted the news item states about various causes of tree cover loss and importance of the forests mainly in context of emission balance and climate change and quoted data from the Food and Agriculture Organization, which states that the rate of deforestation in India was 6,68,000 hectares per year between 2015 and 2020, the second highest worldwide.
4. That, it is humbly submitted that in the matter i.e. Original Application (hereinafter referred as OA) No. 911/2022 Interlocutory Application (hereinafter referred as I.A.) No. 14/2023 and I. A. No. 16/2023) titled Prof. Dr. Sanjeev Bagai & Ors. Vs Department of Environment, GNCTD & Ors. issues related to illegal act of cutting, felling and pruning of trees were raised, wherein Hon'ble NGT vide order dated 05.04.2024 has constituted a Joint Committee under the chairmanship of Director General Forest & Special Secretary, MoEF&CC for (i)Formulation of policy, enactment of statutory frame work and laying down of guidelines for the growth, protection/preservation, pruning and management of trees in non-forest areas in States/UTs not having the same.(ii) Preparation of SOP/Guidelines for the cutting/felling of the trees in Rural Area, cutting/felling and pruning of trees in Urban Areas.(iii) Preparation of SOP/Guidelines for the Transplantation /Translocation of Trees. (iv) In addition to the above any other relevant aspect which the Committee considers necessary to address the issues.



5. It is humbly submitted that the Joint Committee constituted by the Hon'ble NGT in the above-cited matter deliberated and prepared a draft Model Act covering aspects of cutting/felling, transplantation/translocation, growth, protection/preservation, pruning, and management of trees in non-forest areas in States/UTs. In this matter, the Joint Committee submitted its interim report on 05.08.2024 to the Hon'ble NGT and requested four months' time. The Hon'ble NGT, vide order dated 06.08.2024, has kindly granted three months' time to the Joint Committee.
6. That, the answering respondent craves leave of the Hon'ble Tribunal to file additional reply, in future, if required.
7. That, in light of the above submission, it is respectfully submitted that this Answering respondent i.e. CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble Tribunal in the instant OA.



Sharandeep Singh
Scientist 'E'
Central Pollution Control Board

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

Original Application No. 555/2024

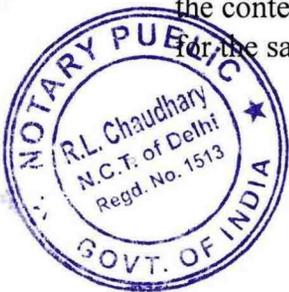
IN THE MATTER OF:

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.

AFFIDAVIT

I, Sharandeep Singh, S/o Charanjeet Singh, aged 44 years, currently working as Scientist 'E' in the Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032, do hereby solemnly affirm and declare as under:

1. That the deponent is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit
3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.



VERIFICATION

Verified at Delhi on this 24 day of AUG 2024, that the contents of the above reply are correct and true on the basis of the record of the cases as mentioned in the day to day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

ATTESTED

NOTARY PUBLIC
GOVT. OF INDIA

24 AUG 2024

Sharandeep

DEPONENT

शरणदीप सिंह / Sharandeep Singh
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Ministry of Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Sharandeep

DEPONENT

शरणदीप सिंह / Sharandeep Singh
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Ministry of Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Item No.04

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 555/2024

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.

Date of hearing: 20.05.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

ORDER

1. This original application is registered *suo-motu* on the basis of 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.

2. The matter relates to the loss of 2.33 million hectares of tree cover since 2000 in India, equivalent to a six per cent decrease in tree cover during this period. The article cites the Global Forest Watch, which tracks forest changes in near real-time using satellite data and other sources. According to its data, the country lost 4,14,000 hectares of humid primary forest (4.1 per cent) from 2002 to 2023, making up 18 per cent of its total tree cover loss in the same period.

3. The news item further alleges that between 2001 and 2022, forests in India emitted 51 million tons of carbon dioxide equivalent a year and removed 141 million tons of carbon dioxide equivalent a year. This represents a net carbon sink of 89.9 million tons of carbon dioxide equivalent a year. It 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. In total, 1.12 gigatons of carbon dioxide equivalent was emitted during this period.

4. The news item further elaborates that forests are both a sink and a source for carbon, removing carbon dioxide from the air when standing or regrowing and emitting it when cleared or degraded. Loss of forests, thus, accelerates climate change. Tree cover loss is not always deforestation, which typically refers to human-caused, permanent removal of natural forest cover. It includes both human-caused loss and natural disturbances. Examples of tree cover loss that may not meet the definition of deforestation include loss from logging, fire, disease or storm damage. The data showed that 95 per cent of the tree cover loss in India from 2013 to 2023 occurred within natural forests.

5. As per the article, The GFW data showed that five states accounted for 60 per cent of all tree cover loss between 2001 and 2023. Assam had the maximum tree cover loss at 324,000 hectares compared to an average of 66,600 hectares. Mizoram lost 312,000 hectares of tree cover, Arunachal Pradesh 262,000 hectares, Nagaland 259,000 hectares, and Manipur 240,000 hectares.

6. The news item quotes data from the Food and Agriculture Organization, which states that the rate of deforestation in India was 668,000 hectares per year between 2015 and 2020, the second highest worldwide.

7. The above matter indicates violation of the provisions of Forest Conservation Act, 1980, Air (Prevention and Control of Pollution) Act, 1981 and the Environment Protection Act, 1986.

8. The news item raises substantial issue relating to compliance of the environmental norms and implementation of the provisions of scheduled enactment.

9. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

10. Hence, we implead the following as respondents in the matter:

- (i). Central Pollution Control Board, through its Member Secretary Parivesh Bhawan, East Arjun Nagar, Delhi-110032
- (ii). Ministry of Environment and Forest, through its Secretary, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi – 110003.
- (iii). Survey of India, through its Director, Hathibarkala Estate, Dehradun, PIN - 248 001,

11. Issue notice to the respondents for filing there response.

12. Respondent No. 3, Director, Survey of India will submit a report showing the position of forest cover in India with specific reference to northeast from the year 2000 onwards with each five year interval covering the period upto March, 2024. Let the report/response be filed at least one week before the next date of hearing.

13. List on 28.08.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

May 20, 2024
OA No. 555/2024
HB