

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI
Original Application No. 97 of 2024 (SZ)**

IN THE MATTER OF:

SUO MOTU

....Applicant(s)

Vs

Department of Environment,
Forests, Science and Technology and Ors.

...Respondent(s)

REPORT OF THE FOREST DEPARTMENT RESPONDENT-3

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Counsel for 3rd Respondent
Mrs.H.Yasmeen Ali

Date: 12-11-2024
Place: Chennai

REPORT OF THE DISTRICT FOREST OFFICER, HYDERABAD DATED : 12-09-2024 IN O.A NO.130 OF 2024 IN SUO MOTO MATTER IN RE: NEWS ITEMS APPEARING IN THE TIMES OF INDIA DT.06-01-2024 ENTITLED "SECUNDERABAD COMPLEX FINED FOR FELLING TREES"

It is kindly submitted that, The Hon'ble National Green Tribunal has taken up Suo Moto Matter in re: News items appearing in the Times of India dt.06-01-2024 entitled "Secunderabad Complex fined for felling Trees" OA No. 97 of 2024

In this regard the following is submitted:

1. Basing on a complaint Forest staff inspected the Manasarovar Heights Co-operative Society, Manovikasnagar, Bowenapally, Secunderabad.
2. It was noticed that, (3) trees were felled inside the campus of Manasarovar Heights Co-operative Society, Manovikasnagar, Bowenapally, Secunderabad, Felled trees were planted and grown by the Manovikasnagar society.
3. The residents of Manovikasnagar society informed that, felled trees were obstructing the CCTV Cameras as well as blocking the drainage system in the said society. Hence, the society members have felled the trees to clear the obstruction of CCTV and to stop the blocking of drainage system etc.
4. There is a procedure to fell the trees under WALTA 2002 & Rules 2024 and Telangana Forest Act, wherever it is required. The society members have not obtained prior permission from the competent authority for felling of trees.
5. A case was registered against the society for felling of trees without prior permission from the competent authority and levied a penalty of Rs.15228/-The Housing society has paid Rs.15,228/- vide Challan No.6303825659 dt.06-01-2024
6. The trees were existing in between the boundary wall and the apartment building of Manasarovar Housing Society which is a group of multistoried apartments and these trees were planted and maintained by the Housing society. Hence the case was compounded for Rs.15228/-

In view of the above it is submitted that, the Housing society has paid Rs.15,228/- vide Challan No.6303825659 dt.06-01-2024 which itself is environment compensation amount.

The Official Respondent will adhere to the any directions issued by the Hon'ble National Green Tribunal.

Date: 12.09.2024
Place: Hyderabad


District Forest Officer
Hyderabad

NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH
FARIDKOT HOUSE, COPERNICUS MARG
NEW DELHI- 110001

By Email

Date: - 01.02.2024

To,

➤ District Collector /District Magistrate, Hyderabad
(040-23202833, collector_hyd@telangana.gov.in)

Law Office

OK

Subject: - Notice of hearing in Suo Motu matter In re: News item appearing in The Times of India dated 06.01.2024 entitled "Secunderabad complex fined for felling trees".

NOTICE

Take notice that OA No. 130/2024 (Copy enclosed) Titled "Secunderabad complex fined for felling trees" will be listed before the Hon'ble Tribunal at Faridkot House, Copernicus Marg, New Delhi-110001 on 09th February, 2024 through Physical Hearing (With Hybrid Option), when you may appear before the Hon'ble Tribunal either in person or by a pleader duly instructed, with your report.

Urgent

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3/02/24

Take further notice that in default of your appearance on the date above mentioned, the said Application will be heard and determined in your absence.

Given under my hand and the seal of this Tribunal, on this 01st February, 2024.

Note: (For Orders, Cause Lists & other information, please visit our website www.greentribunal.gov.in)

Encl. As Above

(Arvind Kumar)
Deputy Registrar
National Green Tribunal
Principal Bench, New Delhi



GOVERNMENT OF TELANGANA
REVENUE DEPARTMENT

OFFICE OF THE COLLECTOR, HYDERABAD DISTRICT.

Lr. No. B2/427/2024

Dated:03-02-2024

To
The District Forest Officer,
Aranya Bhavan
Hyderabad District.



Sir,

Sub: National Green Tribunal – Notice of hearing Suo Moto Matter in re: News item appearing in the Times of India dated:06.01.2024 entitled “ **Secunderabad Complex fined for felling trees**” – Requested to submit detailed report immediately – Regarding.

Ref: Notice from Deputy Registrar, National Green Tribunal, Principal Bench, dated: 01.02.2024.

Attention is invited to the subject and reference cited, wherein a notice of hearing in Suo Moto matter in News Item appeared in the Times of India dated:6.1.2024 entitled “**Secunderabad Complex fined for felling tress**” taken up in O.A.No.130/2024, has been issued stating that the matter is listed before the Hon’ble Tribunal at Faridkot House, New Delhi on 09.02.2024 through physical hearing with report.

In view of the above, while enclosing copy of the reference cited, it is requested to submit detailed report immediately, so as to submit the report before Hon’ble Tribunal, as the matter is posted on 09.02.2024.

Yours faithfully,

Sd/-
Additional Collector,
Hyderabad District.

Encl: As above

//Attested//
M. H. H. H.
Superintendent
Collectorate, Hyderabad.

Copy to the Tahsildar, Tirumalgiri Tahsil, with a direction to co-ordinate with the District Forest Officer, Hyderabad and see that the report is submitted to this office immediately

GOVERNMENT OF TELANGANA
FOREST DEPARTMENT

From
Sri M. Joji,
Deputy Conservator of Forests &
District Forest Officer,
Hyderabad

To
The Collector & District Magistrate,
Hyderabad

Re. No. 117/2024-S5, dt. 06-02-2024

Sir,

Sub :- TSFD – National Green Tribunal – Notice of hearing Suo Moto matter in re: News item appearing in the Times of India dt. 06-01-2024 entitled “Secunderabad Complex fined for felling Trees” – Detailed Report submitted – Reg.

Ref :- District Collector, Hyderabad Lr. No. B2/427/2024, dt. 03-02-2024.

It is submitted that, through reference cited, it was requested this office to submit a detailed on the news appeared in Times of India, dt. 06-01-2024 under caption “Secunderabad Complex fined for felling Trees” taken up the NGT Suo Moto. In this regard the detailed report in this case is submitted hereunder for favour of kind perusal.

On receipt of the reliable information on 05-01-2024 regarding felling of some trees in Sanathnagar Section of Hyderabad (West) Range the concerned Deputy Range Officer has proceeded to the spot, on search it is noticed that, at Manasarovar Heights Co-operative Society, Manovikasnagar, Bowenpally, Secunderabad some trees were felled by the Manasarovar Heights Co-operative Society illegally without obtaining any prior permission as required under WALTA Act, 2002 & Protection of Trees & Timber in public premises Rules, 1989. On inquiry with the society members they deposed that, the trees are obstructing the installation of CC Cameras in their Apartments and also obstructing the drainage pipelines etc.

In this regard it is submitted that, the trees felled are identified as Peltophorum, Neredu & Spatodia, the quantity felled in this case is assessed as 1.20 Tonnes of firewood. The society has violated the Rule 3 of Protection of Trees and Timber in public premises Rules, 1989 readwith Section 29 of TS Forest Protection Act, 1967. Hence, the Deputy Range Officer has registered an Forest offence case vide POR No. 52-02/2023-24, dt. 05-01-2024. The accused persons in this case have agreed their guilty and accepted for compounding the case and executed the compounding statement agreeing for payment of compensation if any, imposed by the Forest Department. The Deputy Range Officer has seized the material in this case and taken into her custody. The value of the material involved in this case is Rs. 3045.60 paise i.e. @ Rs. 2538 per metric ton. In this regard it is submitted that, in accordance to the Section 29 of TS Forest Act the case is compoundable. Hence the authorized officer in this case i.e. Forest Range Officer, Hyderabad (West) after conducting thorough inquiry into this case has imposed a penalty of Rs. 15,228/- i.e. 1 value + 4 time compensation which is maximum penalty and released the seized firewood in favour of the accused.

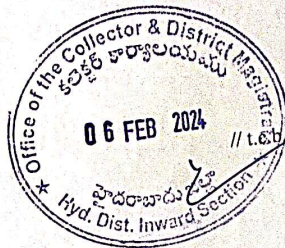
The accused person has paid the penalty of Rs. 15,228/- through challan No. 6303825659, dt. 05-01-2024 and produced to the Forest Range Officer, Hyderabad (West) which is accounted for to the Government. Copies of the case file are submitted herewith for kind perusal. It is requested to kindly apprise the facts to the Hon'ble National Green Tribunal, New Delhi.

This is submitted for favour of kind information and necessary action.

Encl: As Above.

Yours faithfully,

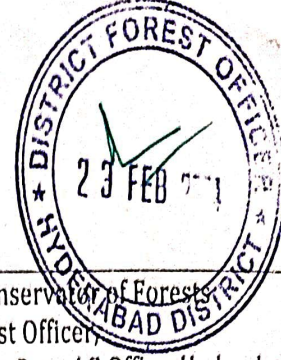
Sd/-
District Forest Officer,
Hyderabad



Superintendent 611124

784
29-2-24

GOVERNMENT OF TELANGANA
REVENUE DEPARTMENT



From Sri Anudeep Durishetty, IAS, Collector & District Magistrate, Hyderabad District.	The Deputy Conservator of Forests & District Forest Officer, Aranya Bhavan, Opp: AG Office, Hyderabad
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Lr.No. B2/ 427 /2024-1, Dated: 21-02-2024

Sir,

Sub: National Green Tribunal - Notice of hearing Suo Moto Matter in re: News Item appeared in the Times of India, dated: 06-01-2024 entitled "Secunderabad Complex fined for felling trees" - Maximum Penalty of Rs.15,228/- (1 value +4 time compensation) imposed and realized vide Challan No.6303825659, dt: 05-01-2024 - As per NGT Order Dt: 09-02-2024 whether environment compensation imposed or recovered - Further Report called for - Reg.

Ref: 1) DCF & DFO, Hyderabad, RC No.117/2024-S5, dt: 06-02-2024.
2) NGT, New Delhi OA No.130/2024, Dt: 09-02-2024.

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pl. discuss

Attention is drawn to the subject and references cited, wherein vide reference 1st cited it was reported that in response to Notice of hearing in Suo Moto Matter in re: News Item appeared in the Times of India, dated: 06-01-2024 entitled "Secunderabad Complex fined for felling trees" the Maximum Penalty of Rs.15,228/- (1 value +4 time compensation) was imposed on Manasarovar Heights Co-operative Society, Manovikasnagar, Bowenpally, Secunderabad for felling the 1.20 Tonnes of Firewood Trees illegally without obtaining any permission as required under WALTA Act 2002 & Protection of Trees & Timber in Public Premises Rules, 1989 and the same was realized from the default Society vide Challan No. 6303825659, dated: 05-01-2024 for Rs.15,228/-.

The Hon'ble National Green Tribunal in its order dated: 09-02-2024 in OA No. 130/2024 pointed out that "it is not clear as to whether any environment compensation has been imposed or recovered from violators".

Hence, while enclosing a copy of the NGT Order dated: 09-02-2024 it is requested to go through the Order thoroughly and to submit your detailed report in the matter to District Collector, Hyderabad within (03) days so as to enable this office to submit a report to the NGT, New Delhi well in advance on or before the next hearing date.

This may be treated as "Most Urgent" and attended on "Top Priority".

Encl: NGT Order dt: 09-02-2024

// Attested
M. H. H.
B-Section Superintendent,
Tahsildar Cadre,
Collectorate, Hyderabad.

Yours faithfully,
Sd/-
For Collector,
Hyderabad District.

- Copy submitted to the District Registrar, National Green Tribunal, Principal Bench, Faridkot House, New Delhi for favour of kind information.
- Copy submitted to the Advocate on Record for the State of Telangana, 1 Ashok Road, New Delhi-110001, for favour of kind information and necessary action.

GOVERNMENT OF TELANGANA
FOREST DEPARTMENT

From
Sri M. Joji,
Deputy Conservator of Forests &
District Forest Officer,
Hyderabad

To
The Collector & District Magistrate,
Hyderabad

Rc. No. 117/2024-S5, dt. 2 -3 -2024

Sir,

Sub :- TSFD – National Green Tribunal – Notice of hearing Suo Moto matter in re: News item appearing in the Times of India dt. 06-01-2024 entitled “Secunderabad Complex fined for felling Trees” – Detailed Report submitted – Reg.

Ref :- 1) District Collector, Hyderabad Lr. No. B2/427/2024, dt. 03-02-2024.
2) This office Rc. No. 117/2024/S5, dt. 06-02-2024.
3) District Collector, Hyderabad Lr. No. B2/427/2024-1, dt. 21-02-2024.

In continuation to this office reference 2nd cited, it is submitted that, through reference 3rd cited, it is requested this office to submit a detailed report on the NGT orders, dt. 09-02-2024 regarding news item appeared in Times of India, dt. 06-01-2024 under caption “Secunderabad Complex fined for felling Trees” taken up the NGT Suo Moto. In this regard the detailed further report in this case is submitted hereunder for favour of kind perusal.

It is submitted that, during the inspection of the Manasarovar Heights Co-operative Society, Manovikasnagar, Bowenpally, Secunderabad regarding felling of some trees the staff of Hyderabad (West) Range were noticed that, these trees are felled inside the campus of Manasarovar Heights Co-operative Society, Manovikasnagar, Bowenpally, Secunderabad and the trees were planted and grown by the Society earlier. These trees were obstructing the CCTV cameras as well as blocking the drainage system in the said society. Hence, the society members have felled the trees to clear the obstruction of CCTV and to stop the blocking of drainage system etc. In this case the society members have not obtained prior permission from the competent authority for felling of these trees which requires under TS WALTA, 2002 & Rules, 2004. Hence, a case was registered by the concerned staff for violation of Rule 3 of Protection of trees and timber and public premises rules, 1989 r/w section 29 of TS Forest (Protection) Act, 1967 and the penalty of Rs. 15,228/- (i.e. 1 value + 4 times compensation) is imposed against the society and collected as per the TS Forest Act.

In this regard it is submitted that, since the trees are existing inside the premises of the society and these trees are grown up by the society itself. The society has felled the trees without obtaining the permission from the competent authority as required in the rules which attracts violation of WALTA 2002 & Rules 2004 and Rule 3 of Protection of trees and timber in public premises Rules 1989 readwith sec 29 of TS Forest (Protection) Act, 1967 for which an amount of Rs. 15,228/- towards compensation has already been collected for the society members, other than that no any environmental compensation is collected from them.

This is submitted for favour of kind information and necessary action.

Yours faithfully,

District Forest Officer,
Hyderabad

