

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
(PRINCIPAL BENCH AT NEW DELHI)**

**Replication to Respondent No. 3 in O.A. No. 739 of 2023
by way of short reply.**

IN

Environment Protection Society (Regd.) and Anr.

Versus

Ministry of Environment, Forest and Climate Change, Govt. of
India & Ors.

Respectfully Showeth:

1. That in reply affidavit dated 17.09.2024 of Respondent No. 3, estimation and valuation of full grown green trees has been given by the Resident Director, ICFRE.
2. That the applicant is submitting the comparative table for value of full grown green tree compiled by taking data from (i) Five Member Committee formed by Hon'ble Supreme Court of India, (ii) Prof. T.M. Dass (a Biologist) and (iii) the Resident Director, ICFRE as below:-

DESCRIPTION	COST PER FULL GROWN GREEN TREE PER YEAR (in INR)		
	As per Five member Committee constituted by Hon'ble Supreme Court	As per TM Dass Report	As per Resident Director ICFRE
Cost of Micro Nutrient (Carbohydrates, fat and protein)	8,000/-	Not considered	58/-
Cost of Compost	1,500/-	Not considered	Not considered
Cost of Bio Fertilizers	20,000/-	Not considered	Not considered
Cost of Oxygen	45,000/-	10,500/-	406/-
Cost of Carbon	Not considered	3,000/-	58/-
Cost of ecosystem maintained by full grown green trees. (Recycling of water, controlling humidity & Air Temperature)	Can't be measured in terms of money.	1,54,560/-	$(49244.50+60764.85)/65.35 = 1683/-$
Timber, Fodder, Fuel Wood	Not considered	Not considered	156/-
PM 2.5, PM 10 removal	Not considered	Not considered	26/-
Soil Conservation (Soil erosion & Soil Fertility)	Not considered	10,000/-	1/-
Sheltering of birds, squirrels & insects	Not considered	1,29,700/-	Not considered
Removal of SPM, CO ₂ , SO ₂ from air	Not considered	4,02,500/-	Not considered
Climate regulation, air pollution abatement, water conservation, provisioning food, fiber, water, cultural: spiritual, recreational, supporting-pollination & soil	Not considered	Not considered	Under study

formation			
Total	74,500/- per full grown green tree per year	7,10,260/- per full grown green tree per year	2,388/- per full grown green tree per year
Total cost of full grown green tree for balance life of 50 years	74,500 * 50 = 37,25,000/-	7,10,260 * 50 = 3,55,13,000/	2388 * 50 = 1,19,400/-

3. That there is wide variation in estimation of services of full grown green tree and the cost of each service rendered by a full grown green tree.
4. That vide the reply of Resident Director , ICFRE, the value of soil conservation comes out to be Rupee one only for one year meaning thereby that cost of soil conservation comes to 0.27 paise per day which is onerous.
5. That in a similar way, the cost of oxygen generated by a full grown green tree per year is Rs. 406/- , i.e. Rs. 1.11 (Rupees One and Paise Eleven) per day which seems to be incorrect.
6. (a) That the value of a full grown green tree evaluated by Resident Director , ICFRE is just 3.20% of value of a full grown green tree as evaluated by Five Member Committee constituted by Hon'ble Supreme Court of India.
- (b) That the value of a full grown green tree evaluated by Resident Director, ICFRE is just 0.33% of value of a

full grown green tree as evaluated by Prof. T.M. Dass in papers published in *Indian Biologist*, Vol. 44(1), pp13-17 (2012).

7. That despite wide variation in computing the value of a full grown green tree by various authorities, the value as Rs. 3,745/- taken by Respondent No. 5 is not tenable from any stretch of imagination.
8. That it is pertinent to mention here that the value of a full grown green tree is not just a timber value but it contains the value of elements concerning and affecting the environment.
9. That the relevant part of Order dated 08.01.2024 of the Hon'ble Tribunal is being reproduced below for ready reference:-


"4. Prima facie, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010."
10. That the Hon'ble Tribunal has the jurisdiction over all civil cases where substantial question relating to environment is involved.

Place: Mohali
Date: 09.10.2024

Through Counsel



President Applicant
Environmental Protection Society (Regd.)
S.A.S. Nagar


(SHRI KANT RATTAN)
ADVOCATE