

IN THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO.147 OF 2014

IN THE MATTER OF:

LEGAL AID COMMITTEE, NGT

BAR ASSOCIATION.

..APPLICANT

VERSUS

MINISTRY OF ENVIRONMENT, FOREST AND

CLIMATE CHANGE & ORS.

..RESPONDENTS

ACTION TAKEN REPORT ON BEHALF OF MINISTRY OF
ENVIRONMENT, FOREST AND CLIMATE CHANGE

1. That the Hon'ble Tribunal vide order dated 20.11.2019 constituted a committee to conduct the exercise of finalisation of report with reference to the database of year 1999 and submit the final report within three months.
2. That this Ministry in compliance of the directions of the Hon'ble Tribunal convened a meeting on 13.02.2020 at Indira Paryavaran Bhawan, New Delhi.(Copy of the minutes of meeting dated 13.02.2020 are annexed as "Annexure RA1").
3. That thereafter the decision of the meeting were conveyed to all the stake holders and were also duly informed of the schedule of the second meeting to be held on 02.03.2020.
4. That the second meeting was held on 02.03.2020 at Indira Paryavaran Bhawan, New Delhi, whereby certain directions were given to National Remote Sensing Centre, State of Haryana, Forest Survey of India ,

Handwritten signature and date
18.03.2020

बृजेन्द्र स्वरूप/BRIJENDRA SWAROOP
उप मुख्य कार्यकारी
Dy. Chief Executive Officer
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
M/o Environment, Forest and Climate Change
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi

National Capital Region Planning Board(“NCRPB” for short) and the MoEF&CC. It was further decided that a meeting will be held on 19.03.2020 for thorough deliberation on the basis of information provided by the stakeholders as directed vide this meeting. (Copy of the minutes of the meeting held on 02.03.2020 are annexed as “Annexure RA 2”).

5. That the exercise for finalisation of report would require more time as the complete information and data is yet to be received from all the stake holders.
6. That the answering respondent prays this Hon’ble Tribunal to grant three months time for finalization of report in the interest of justice. The Ministry will apprise the Hon’ble Tribunal by way of an interim report on the developments in the case after the third meeting as duly scheduled on 19.03.2020 is conducted.


18-03-2020

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**Minutes of 1st Meeting in pursuance of order dated
20.11.2019 of Hon'ble NGT, Principal Bench, New Delhi, in
Review Application No. 41/2018 in MA No. 1375 of 2018 in
O.A No. 147 of 2014**

Date: 13th February 2020

Time: 12:00 pm

Venue: Kaveri Hall, Ground Floor, Jal Wing,
Indira Paryavaran Bhawan, New Delhi

Participants: List annexed at Annexure I

At the outset Director General, Forest Survey of India, Dehradun welcomed all the members of the Committee represented by the National Capital Region (NCR) constituent States, MoEF&CC, FSI and NRSC. He also gave a brief background of the recent order of the Hon'ble NGT by which the new committee has been constituted by MoEF&CC, Govt. of India vide order dated 15th January, 2020. After the round of introduction of participants, a power point presentation was made by the Deputy Inspector General of Forest (Forest Conservation) on brief background of the issue, genesis, recommendations contained in previous report submitted and chronology of the events. Another power point presentation regarding various area of NCR, land use classes constituting Natural Conservation Zone (NCZ) and other technical issues was made by the Assistant Director, Forest Survey of India, Dehradun.

Inspector General of Forest (Forest Conservation), who was a special invitee in the meeting provided issues relevant for the deliberation in the committee and to work out the modalities to achieve the para 11 and para 12 of the order dated 20.11.2019.

Record of the discussion held in the meeting and decisions of the Committee are as follows:

- (i) First point for deliberation was terms of reference (ToR) accorded to the Committee as per Hon'ble NGT's order dated 20.11.2019. It was decided that though the order is not explicit on ToR but it is in

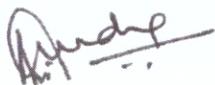


continuation to the order issued on 07.08.2018 with two paramount issues of submission of final report and the exercise to be conducted with reference to database of 1999. It was decided in the deliberations that National Remote Sensing Centre (NRSC) whose comparison of 2005 and 2012 satellite data since comparison of the land use mapping shrinkage/reduction observed in the Natural Conservation Zone shall revisit both data sets and provide detailed reasons for shrinkage, limitations of such analysis/exercise due to technical reasons along with issues of limited ground truthing. Members of the committee were of the opinion that the NRSC will be requested to carry out this analysis and a report will be furnished within two week time. **(Action: NRSC)**

- (ii) In the meeting, it was also deliberated and agreed upon that members from National Capital Region Planning Board (NCRPB) and Delhi Development Authority (DDA) being major repository of land parcels in National Capital Territory (NCT) of Delhi shall be co-opted in the committee. **(Action: MoEF&CC)**
- (iii) The Committee members were of the view that to get a realistic assessment of change in NCZ within the NCR a fresh exercise using satellite data of comparable spatial resolution and season should be undertaken wherein land use map showing NCZ on the same scale can be analysed. Members were of the view that NRSC or other ISRO institutions may be requested to undertake the exercise. **(Action: NRSC)**

This analysis will require adequate time and entail extension of time frame mandated to the Committee. Therefore, Hon'ble NGT be requested for changes in the base year as well as extension of timeline. **(Action: MoEF&CC)**

- (iv) The issue of 75% ground truthing as per recommendation of previous report submitted to Hon'ble NGT and 100% ground truthing reported from the State of Haryana was also discussed threadbare. The Chairman and member NRSC were of the view that ground truthing in remote sensing is different from physical verification carried out in the



State of Haryana. A report on methodology followed regarding ground truthing or physical verification will be submitted by the Government of Haryana. **(Action: State Government of Haryana)**

- (v) Next date of meeting is fixed on 02.03.2020 at 11:30 AM in Indira Paryavaran Bhawan, New Delhi.

The meeting ended with vote of thanks to the chair and all members present in the meeting.



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**Minutes of 2nd Meeting in pursuance of order dated
20.11.2019 of Hon'ble NGT, Principal Bench, New Delhi, in
Review Application No. 41/2018 in MA No. 1375 of 2018 in
O.A No. 147 of 2014**

Date: 02nd March, 2020

Time: 11:30 am

Venue: Narmada Hall, Ground Floor, Jal Wing,
Indira Paryavaran Bhawan, New Delhi

Participants: List annexed at Annexure I.

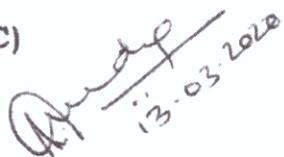
At the outset Director General, Forest Survey of India, Dehradun welcomed all the members of the committee represented by National Capital Region (NCR) constituent States of Haryana, Delhi and MoEF&CC, FSI and NRSC. He also gave a brief background regarding issues deliberated and decided in the last meeting held on 13/02/2020.

Record of the discussion and decisions taken in the meeting are as follows:

(i) On the main issue of shrinkage of Natural Conservation Zone (NCZ) it was informed by the representative from NRSC that the first exercise by NRSC in 1999-2001 was carried out for preparation of Regional Plan – 2021 of NCRPB. The objective of exercise was not to map or assess NCZ per se. The NRSC, Hyderabad has prepared of Regional Land Use of National Capital Region (NCR) on 1:50,000 scale using single season IRS 1D 23.5 m multispectral satellite data of March-April 1999. The second land use mapping was done by NRSC in 2013-14 using IRS P6 LISS IV data of 5.8 m resolution. Since the scale and satellite data of the two exercise was different, the land use change statistics between 1999 and 2012 are only indicative and are not suitable for any ground based comparison and measurements for any revenue survey purpose.

DG, FSI, Dehradun requested representative from NRSC to provide a detailed note in this regard within seven days-time to apprise the Hon'ble NGT through an affidavit later.

(Action: NRSC)


13.03.2020

(ii) In the meeting it was decided that to redress the issue of shrinkage in Natural Conservation Zone as mandated through the order of Hon'ble NGT, NRSC will submit a preliminary project proposal of Change Assessment of Natural Conservation Zones in NCR Region to the committee latest by 12th March, 2020. The proposal should include the satellite data to be used for both the periods and its availability, timeline for project completion, indicative costs, deliverables and limitations of the study etc.

(Action: NRSC)

(iii) It was decided in the previous meeting that a fresh mapping exercise of NCR Region is to be carried out by NRSC using Very High Resolution satellite data. The member from NRSC explained that the use of very high resolution satellite data for change analysis of historical imageries of VHR satellite data will not be available for the year 1999. Resourcesat LISS-IV data having 5.8 m resolution can be used for the study as data is available from year 2005 onwards. So the base year for analysis may be 2005 instead of 1999.

(Action: NRSC)

(iv) A minor correction in last Minutes of Meeting under para (i) was mentioned by representative of NRSC where it is mentioned that 2005 satellite data instead of 1999. DG, FSI, Dehradun requested Member Secretary of the committee DIGF (FC) for necessary rectification/modification.

(Action: MoEF&CC)

(v) It was decided in the meeting that in the light of Hon'ble NGT order, Hon'ble NGT shall be requested to shift baseline data from 1999 to 2005 and allow usage of LISS IV data.

(Action: MoEF&CC)

(vi) It was also decided that Secretary, Revenue Department, Government of Haryana should be requested to provide copy of ground truthing report including methodology submitted by the State Government of Haryana to Hon'ble NGT.

(Action: State Government of Haryana)

Handwritten signature and date: 13-03-2020

(vii) It is also decided that National Capital Region (NCR) constituent States has prepared a sub-regional plan with the Regional plan of National Conservation Zone (NCZ). During this period the area of NCZ has changed significantly duly incorporating new districts of constituent States except NCT of Delhi. So it is proposed that the sub-regional plan should be evaluated by MoEF&CC once the new exercise proposed by NRSC vide Para (ii) is completed. There after checking Sub Regional Plans of constituent States are consistent with Regional Plan of NCR of Delhi. This will be the basis of framing new guidelines for future.

(Action: NCRPB and Committee)

(viii) Criteria adopted in the past by Forest Survey of India for delineating the boundary of Aravalli Hills in Rajasthan as per the Hon'ble Supreme Court orders, it was decided that the similar criteria may be adopted for incorporating hilly features in all the constituent States regarding proposed study as contained in para (iv). Hills as geomorphic unit for delineation will be in place of Aravalli of NCZ.

(Action: FSI and NRSC)

(ix) It is decided that the representative from Town Country Planning from State Government of Haryana shall also be invited as special invitee for providing input on ground truthing carried out by the State of Haryana.

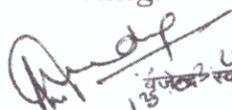
(Action: MoEF&CC)

(x) It was noted by the committee that there was no representation from NCRPB, DDA, Secretary, Revenue Department, Government of Rajasthan, Uttar Pradesh, Haryana, Delhi and from PCCF/HoFF, State Forest Department, Rajasthan and Uttar Pradesh in the meeting. It was decided that a separate communication shall be sent to the heads of the organisations for participation of the members as their representatives in future meetings.

(Action: MoEF&CC)

(ix) Next date of meeting is fixed on 19-03-2020 at 11:30 AM in Indira Paryavaran Bhawan, New Delhi.

The meeting ended with the vote of thanks to the chair and all members present in the meeting.



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