

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****OA No. 20/2025**IN THE MATTER OF:

News Item titled: "Assam's forests shrink by 83.92 sq. km in just two years Report" appearing in the Assamtribune.com dated 22.12.2024

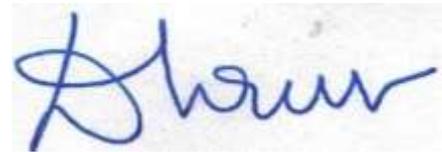
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DETAILED REPORT SUBMITTED BY AMICUS CURIAE

1. APPOINTMENT AND SCOPE OF THE REPORT

This Hon'ble Tribunal, vide its order dated 07.08.2025, in view of the serious environmental questions involved, was pleased to appoint the undersigned as Amicus Curiae in the present matter to assist in the just and fair adjudication of the issues raised. The instant proceedings were initiated suo motu based on a news report highlighting significant forest cover loss in the State of Assam and other North-Eastern states.

This report compiles and analyzes the information submitted by the respondent states of Assam, Arunachal Pradesh, Mizoram, and Tripura and presents a summary of the key issues and recommendations for the consideration of this Hon'ble Tribunal.

2. BASIS OF THE PROCEEDINGS: THE NEWS REPORT

The trigger for these proceedings is the news article published in The Assam Tribune on 22.12.2024. The article, citing the India State of Forest

Report (ISFR) 2023, made the following primary allegations:

- North-Eastern Region: The region collectively lost 327.30 sq. km of forest cover in the same period.
- Arunachal Pradesh: The region has experienced significant forest cover loss with recording the highest loss of 1084 sq.Km.
- Assam: Recorded a forest cover loss of 83.92 sq. km between 2021 and 2023. The loss within the "recorded forest area" was 86.66 sq. km.
- Mizoram: Experienced the highest decrease in the region with a loss of 178.42 sq. km.
- Tripura: The report highlighted environmental concerns regarding the large-scale conversion of natural forests into monoculture rubber plantations, posing a threat to biodiversity.

3. STATE-WISE ANALYSIS OF FOREST COVER AND RESPONSES

The Global Forest Watch (GFW) data provides an overview of the long-term changes in tree cover, while the affidavits filed by the states offer crucial on-ground context and justifications.

Each respondent state has submitted a detailed affidavit presenting its data, the reasons for any discrepancy or loss, and the remedial actions taken.

I. The State of Assam

Allegation: A net loss of 83.92 sq. km between 2021 and 2023.

State's Response: In its affidavit filed on September 11, 2025, Assam acknowledges the ISFR 2023 finding of an 86.66 sq. km decrease inside its Recorded Forest Area (RFA)/Green Wash. However, the State presents a crucial counter-point:

1. Decadal Gain: As per the same ISFR 2023 report, Assam has witnessed a net gain of 748.65 sq. km in forest cover since 2013, representing a 2.72% increase over the decade.
2. Reasons for Recent Loss: The affidavit provides a district-wise breakdown of the factors contributing to the recent biennial loss, which is as follows:
 - Dima-Hasao District: This district is the primary contributor, where loss is attributed to the traditional practice of Jhum Cultivation in Unclassed State Forest (USF) areas over which the Forest Department has no administrative control. Additionally, 95.55 sq. km (9555.497 Ha) of forest land was diverted for developmental works between 2020 and 2025.

- Cachar and Hailakandi Districts: The loss here is attributed to severe encroachment from across the inter-state border with Mizoram.
- Chirang District: Encroachment by local indigenous communities is cited as the cause, with the State Government currently in the process of eviction.

Conclusion of the State: Assam contends that since the State Government has cleared over 10,000 Ha (100 sq. km) of forest area from encroachment which is yet to regenerate, the "actual forest loss is very minimal or non-existent".

II. The State of Mizoram (Counter filed in OA No. 555/2024)

Allegation: Highest forest loss in the region (178.42 sq. km) as per the news report.

State's Response: Mizoram, in its compliance affidavit dated 28.02.2025, presents data that directly contradicts the allegation of net loss. The State submits that:

1. Net Increase in Forest Cover: Between 2001 and 2023, the state's forest cover has increased from 17,494 sq. km (82.98% of GA) to 17,990.46 sq. km (85.34% of GA).

2. Increase in Tree Cover: The tree cover has also shown a substantial increase from 95 sq. km in 2001 to 567.80 sq. km in 2023.
3. Reasons for Localized Loss: The affidavit acknowledges that some forest areas have been diverted for infrastructure development projects, but clarifies that this has been compensated through the creation of Compensatory Afforestation on non-forest lands.

Actions Taken: The State credits the net increase in green cover to the rigorous implementation of several schemes, including the Green India Mission, National Afforestation Programme, Green Mizoram Programme, and CAMPA.

III. The State of Arunachal Pradesh (Counter filed in OA No. 555/2024)

Allegation: A substantial forest cover loss of 1,084 sq. km over the years, as noted in the news report.

State's Response: The affidavit from the Principal Chief Conservator of Forests highlights the state's strong position in terms of forest resources while explaining the recent changes:

1. High Forest Cover: The state has the second-highest forest cover in the country at 65,881.57 sq. km, which is 78.67% of its geographical area. It also has the highest Very Dense

Forest (VDF) cover and the highest carbon stock (1021.16 mega tonnes) in India.

2. Biennial Change: ISFR 2023 recorded a net loss of 91.17 sq. km of forest cover compared to ISFR 2021, but concurrently, the tree cover increased by 38.68 sq. km. The decadal fall since 2013 is only 1.62%.
3. Reason for Loss: The primary reason for the reduction is the diversion of 29.718 sq. km of forest land for non-forestry developmental activities between 2021 and 2023.

IV. The State of Tripura

Allegation: Large-scale conversion of natural forests to monoculture rubber plantations.

State's Response: Tripura's status report acknowledges the pressures on its forest cover and provides specific reasons:

1. Shifting Cultivation: This traditional practice is cited as a primary reason for changes in forest cover.
2. Diversion of Forest Land: A total of 64.11 sq. km has been diverted for various purposes over the last 20 years.
3. Rubber Plantations: An area of 90.19 sq. km of forest land is used for rubber plantations. The felling of old trees for

replanting has temporarily accounted for a reduction in forest cover.

4. Forest Rights Act (RoFR): An area of 1,868.19 sq. km has been allocated as forest patta to 131,564 families. On these lands, forestry crops are often replaced by rubber trees for livelihood, contributing to the loss of natural forest cover.

4. SYNTHESIS OF ISSUES AND CORE CHALLENGES

The responses from the states reveal several complex, recurring challenges in forest management in the North-Eastern region.

The core challenges identified are:

1. Biennial Data vs. Decadal Trends: Assam and Arunachal Pradesh have highlighted that while the short-term (2-year) data may show a decline, the long-term (10-year) trend is one of stability or net gain. This raises the issue of interpreting satellite data without contextualizing it with long-term trends and on-ground realities.
2. Development vs. Conservation: The diversion of forest land for infrastructure is a common thread in Arunachal Pradesh, Mizoram, and Assam. The challenge lies in ensuring that compensatory afforestation is not just a procedural formality but results in the creation of robust, native ecosystems.

3. Administrative and Jurisdictional Gaps: Assam's submission highlights its lack of administrative control over Unclassed State Forests (USF) and its inability to manage forest areas affected by inter-state border disputes. These jurisdictional gray areas are a significant impediment to conservation.
4. Livelihood and Land Use Change: Tripura's affidavit clearly links forest cover loss to livelihood compulsions, be it through shifting cultivation or the preference for economically lucrative rubber plantations on RoFR lands over natural forestry crops.

5. RECOMMENDATIONS

In light of the above analysis, the following targeted recommendations are humbly submitted:

For the State of Assam:

1. This Hon'ble Tribunal may direct the formation of a joint committee comprising representatives from the MoEF&CC, the Survey of India, and the Forest Departments of Assam and Mizoram to investigate the issue of forest loss due to inter-state border encroachment and suggest a mechanism for its resolution and prevention.

2. A specific policy framework for bringing Unclassed State Forests (USF) under a sustainable management plan, in consultation with local autonomous councils, may be directed.

For the State of Tripura:

1. Directions may be issued to the State to conduct a comprehensive Ecological Impact Assessment of large-scale monoculture (rubber) plantations on the region's biodiversity and hydrology.
2. The State may be asked to formulate guidelines under the Forest Rights Act to encourage and incentivize agroforestry models that integrate native species and biodiversity, rather than solely promoting monocultures on RoFR lands.

For All Respondent States:

1. To direct a robust audit mechanism for Compensatory Afforestation projects, focusing on the survival rates, species selection (prioritizing native flora), and ecological functionality of the newly planted areas.
2. To strengthen support for communities practicing shifting cultivation by providing them with sustainable agricultural alternatives and livelihood support to reduce dependency on forest clearing.

3. A Vision for India's Greener Future: Protecting and expanding our forests isn't just a policy goal; it's about securing our future. To get there, we need a blend of big-picture ambition, smart technology, and a deep connection with the communities who live in and around our natural spaces.

4. The Foundation of Upholding a National Promise: At the heart of this vision is the commitment we made with the National Forest Policy back in 1988. The goal is straightforward but ambitious: bring 33% of our country's land under forest and tree cover, with an even higher target of 66% for our vital hilly regions. This isn't just about planting saplings; it's about building a life-support system that enhances livelihoods, absorbs carbon, and secures our ecological foundation.

5. Smarter Farming, Healthier Forests: A huge part of protecting our forests is reducing the pressure on them. This is where agroforestry comes in—it's a smarter way of farming that works with nature, not against it. By integrating trees with crops and livestock, farmers can improve their soil, boost their income, and create a rich tapestry of biodiversity on their own land. The more we encourage this, the less need there will be to depend on our natural forests for resources. It's a true win-win that needs to become a grassroots movement.

6. Protecting What We Have with Modern Tools: It's heartbreaking to see decades of growth wiped out by a forest fire. We need to be more proactive, and today's technology can help. Instead of just reacting, we can use satellites and AI to monitor our forests in real-time and predict where fires are most likely to break out. By integrating these early-warning systems into our national disaster management framework, we can act faster and save our precious ecosystems. The same goes for monitoring forest health; with drones and GIS mapping, we can keep a constant eye on everything from illegal logging to the spread of invasive species, ensuring our forests stay healthy.

7. Conservation is a Community Effort: Ultimately, forest conservation can't be a top-down effort. The people who live closest to our forests are their best guardians. We need to empower local communities by making them true partners in this mission. Through programs like Joint Forest Management (JFM) and by creating opportunities in eco-tourism, we can ensure that they see direct benefits from a thriving forest. Giving them a stake in carbon credit programs is another powerful way to link their prosperity with the health of the ecosystem. When communities are invested, conservation becomes a part of their culture.

8. Bringing Nature into Our Cities: Finally, our cities can't be concrete jungles cut off from nature. We need to weave green spaces into the very fabric of our urban life. This

means planning for mandatory green belts, encouraging rooftop gardens, and supporting citizen-led planting drives. Greener cities are not just more beautiful—they help fight air pollution, reduce temperatures, and improve our overall well-being. It's about bringing the forest's benefits home to everyone.

For the MoEF&CC and Forest Survey of India (FSI):

1. The FSI may be directed to supplement its biennial reports with a decadal change analysis to provide a more holistic picture of forest cover trends, thereby avoiding potential misinterpretations based on short-term fluctuations.

6. NATIONAL POLICY MEASURES FOR FOREST CONSERVATION

Several national policies and schemes are in place to address forest conservation, which the concerned states must be directed to implement with renewed vigor:

1. National Mission for a Green India (GIM): One of the eight missions under the National Action Plan on Climate Change (NAPCC), it aims to increase forest cover, restore degraded ecosystems, and enhance carbon sequestration with community participation.

2. Compensatory Afforestation Fund Management and Planning Authority (CAMPA): Manages funds collected for compensatory afforestation when forest land is diverted for non-forest purposes, ensuring that regeneration and conservation activities are carried out.
3. Forest Fire Prevention and Management Scheme (FPM): The only centrally funded program specifically dedicated to assisting states in managing forest fires through early warning systems, capacity building, and community involvement.
4. Nagar Van Yojna (NVY): A scheme to develop urban forests across India to create green spaces, conserve biodiversity, and improve the quality of urban life.

7. RELEVANT LEGAL FRAMEWORK

The legal framework for forest protection in India is robust and is guided by constitutional mandates.

Relevant Acts:

- The Forest (Conservation) Act, 1980
- The Environment (Protection) Act, 1986
- The National Green Tribunal Act, 2010
- The Biological Diversity Act, 2002

Constitutional Provisions:

1. Article 48A: Mandates the State to protect and improve the environment and safeguard forests and wildlife.
2. Article 51A(g): Imposes a fundamental duty on every citizen to protect and improve the natural environment including forests.

8. GUIDING LEGAL DOCTRINES

The jurisprudence evolved by the Hon'ble Supreme Court of India provides key doctrines that guide environmental governance:

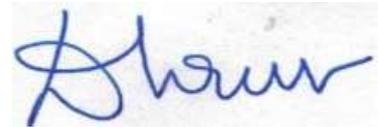
1. Public Trust Doctrine: This doctrine obligates the government to act as a trustee of natural resources, including forests, for the benefit of present and future generations. The State has a duty to prevent deforestation and regulate the sustainable use of forests as part of its fiduciary responsibility.
2. Precautionary Principle: This principle obligates the state to act cautiously when granting clearances for projects that involve deforestation or the diversion of forest land, especially in the absence of scientific certainty regarding their environmental impact.

3. Polluter Pays Principle: This principle establishes the legal obligation of those who harm the environment, including through deforestation, to bear the cost of restoration and environmental compensation.

This report is submitted for the kind consideration of this Hon'ble Tribunal.

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Respectfully Submitted,



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