

Item No. 01

Court No. 1

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

(By Video Conferencing)

Original Application No. 748/2022

In re: news item published in the Newspaper The Hindu dated 02.10.2022 titled **“Over 6,000 trees illegally cut for tiger safari project in Corbett Reserve, says FSI report”**

Date of hearing: 21.10.2022

**CORAM: HON’BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON’BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON’BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Anoop Singh, Director General, Forest Survey of India
Dr. Samir Sinha, PCCF, Wildlife with Mr. Abhishek Attrey, Advocate for
the State of Uttarakhand

ORDER

1. The matter has been taken up *suo motu* by the Tribunal in the light of captioned media report to the effect that 600 trees have been illegally cut in Corbett Tiger Reserve in Kalagarh Tiger Reserve Division in Uttarakhand. It is further stated that the Forest Survey of India (FSI) was asked to assess the status of illegally felled trees.

2. In pursuance of notice dated 11.10.2022 about listing of the matter today, Director General, FSI - Shri Anoop Singh, IFS has entered appearance in person. PCCF, Uttarakhand has also entered appearance by VC with learned counsel - Mr. Abhishek Attrey. We have heard them and proceed to dispose of the matter.

3. Shri Anoop Singh, DG FSI has provided the Tribunal a copy of report dated 06.09.2022 submitted by the FSI titled “Illegal felling of trees for the establishment of Pakhrau Tiger Safari, Uttarakhand.” He has also filed a copy of letter dated 19.10.2022 from him to the PCCF (HoFF), Uttarakhand in response to letter of Forest Department, Uttarakhand dated 01.10.2022 and comments of the Forest Department dated 08.10.2022, clarifying the position.

a. We have perused the report. Relevant extracts therefrom are:

“objective of study

- **To assess the status of illegal felling in and around Pakhrau Tiger Safari, estimate the number of trees felled in the illegally cleared areas based on the expertise and technology available at FSI.**
- *To scan the area in and around Pakhrau Tiger Safari for any illegal felling.*
- *To document/ analyze whether any area within Kalagarh Tiger Reserve Division is seen to be exhibiting forest cover change.”*

“RESULTS AND DISCUSSION

S. No.	Category	Outer Polygon Area (ha)	Area excluded due to Tree Canopy (ha)	Area excluded due to Raod/Fire line before clearance (ha)	Balance area (ha)
1.	<i>Permitted by IRO & MoEF&CC and Executed elsewhere</i>	8.64	0.07	1.68	6.89
2.	<i>Permitted by UKFD*</i>	3.18	0.62	0.44	2.12
3.	<i>Not permitted by UKFD*</i>	1.98	0.57	0.00	1.41
4	<i>Extra Polygon which are not permitted by IRO & MoEF&CC</i>	10.20	4.39	0.02	5.79
Total Area in ha		24.00	5.65	2.14	16.21

Part 1: Area cleared The following area was deduced as cleared category wise and its summary is given in the table below:

** Permitted or not needs to be confirmed by UKFD*

Part 2: Estimated no. of Trees clear-felled

The area of clear felling at different sites has been calculated using the GPS survey done by the GIS team of FSI and the Google Earth imagery. The number of trees observed per hectare from all the inventory plots when multiplied with the area figures of a particular site, gives the number of estimated trees felled at that particular site. By adding the estimated trees at different sites, total estimated number of trees felled are arrived in the study area. The standard error of estimates has come out to be 10.31 trees, which is within the acceptable limit. The standard error percentage has been calculated as 2.72 %, which is quite low and acceptable. The standard error has been used for calculation of 95% confidence limit for the estimated number of trees felled. The site wise area of clear felling and estimated number of trees felled are given in Annexure. The summary of the results has been given in table below. A Powerpoint presentation having these polygons overlaid on latest and older satellite imageries and photographs of the area has also been prepared.

S. No.	Category	Area cleared (ha)	Estimated no. of trees cleared
1.	Permitted by IRO & MoEF&CC and Executed elsewhere	6.89	2561
2.	Permitted by UKFD*	2.12	804
3.	Not permitted by UKFD*	1.41	534
4	Extra Polygon which are not permitted by IRO & MoEF&CC	5.79	2194
Total		16.21	6093

* Permitted or not needs to be confirmed by UKFD

The area cleared is estimated as 16.21 ha. The trees estimated on this cleared area are 6093 in no. with lower bound of 5765 and upper bound of 6421 with 95% confidence interval and 2.72% Standard Error.”

4. From the above, it is seen that illegality in cutting of trees is clearly acknowledged. Thus, accountability needs to be fixed for such violations and damage to environment restored, following due process of law
5. Accordingly, we constitute a three-Member Committee comprising DG, Forest Department, ADG, Wildlife Department and ADG, Project Tiger to identify the violators and the steps required for restoration of environment. Its report with specific recommendations may be furnished to the Secretary, MoEF&CC within one month and steps for further course of action in the matter be finalised within next one month. Till then the Project may not be allowed to proceed.

6. The action taken report be filed by the MoEF&CC on or before 31.1.2023 before the Registrar General of this Tribunal by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. If any further direction appears to be necessary, the Registrar General, NGT may place the matter before the Bench for further direction.

The application is disposed of.

A copy of this order be forwarded to the Secretary, MoEF&CC, Chief Secretary Uttarakhand, FSI, DGs/ADGs, Forest Department, Wildlife Department and Project Tiger, MoEF&CC, GoI by email for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

October 21, 2022
O.A. No. 748/2022
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