

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

Original Application No. 641/2024

News Item titled "Chunk of India's forests, missing, after 27-year-delay to file reports Analysis" appearing in The Hindu dated 28.04.2024

Date of hearing: 31.07.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Shubham Bhalla & Ms. Ragini Sharma, Advs. for State of Arunachal Pradesh  
Mr. Shubham Bhalla & Ms. Ragini Sharma, Advs. for Environment Deptt., Chandigarh

**ORDER**

1. This original application is registered *suo-motu* on the basis of the news item titled "Chunk of India's forests, missing, after 27-year-delay to file reports Analysis" appearing in The Hindu dated 28.04.2024.

2. News item relates to 'missing' Indian forests due to delay in filing of reports by the State Expert Committees (SEC). The news item states that the various SECs were to file reports regarding the status of unclassified forests in the country. The news item highlights that with the enactment of Forest (Conservation) Amendment Act, 2023 (PCAA), those unclassified forests, which have legal protection under the landmark case T.N. Godavaran Thirumalpad (2016) would lose the protection, leading to their inevitable diversion.

3. The news item further highlights that the SEC reports were to be prepared in pursuance of the order, which specified 'forests' as per dictionary meaning and all categories of forest irrespective of ownership and notification status would be included under the ambit of the Forest

(Conservation) Act, 1980. As a result, unclassified forests, also known as deemed forests, would also require the Central government approval in case a project proponent sought to divert that land for non-forest use, after multiple other layers scrutiny. It states that unclassified or deemed forests may belong to forests, revenue, railways and other government entities, community forests or those under private ownership, but are not notified.

4. As per the news item, twenty-three (23) states have submitted their reports, however, only seventeen (17) out of them comply with the directions given by the Supreme Court. The news item also states that it is clear from the limited reports that they were hastily put together as these reports use incomplete information unverified data collected from readily available records. The news item further alleges lack of diligence on the part of these state governments as the primary reason for this kind of negligence. Almost none of the States or Union Territories have specified the geographic locations of forests. Identifying geographic information of forest land, wherever given, pertains to reserve or protected forest. However, this information is already available with the Forest Departments. The SEC reports are also in conflict with the Forest Survey of India which happens to be the only government agency to survey and assess forests in India. The news item also states that as there is no baseline data from 1996-97, it cannot be assessed as to how much unclassified forests have been lost. The news item further alleges that the treatment of SECs without on-ground verification has resulted in large-scale deforestation of forests in the country.

5. The news item highlights that there are seven (7) states - Goa, Haryana, Jammu & Kashmir, Ladakh, Lakshadweep, Tamil Nadu, and

West Bengal who appear not to have constituted the expert committee at all.

6. The news item raises substantial issue relating to compliance of provisions of Forest (Conservation) Act, 1980 and the Environment Protection Act, 1986.

7. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha &Ors.*" reported in 2021 SCC Online SC 897.

8. We also find that since the issue involves all the States and Union Territories across the country, hence, Additional Chief Secretary/Principal Secretary of Environment & Forests of all the States and Union Territories are to be impleaded as respondents as under:-

- (1) Secretary, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi – 110 003
- (2) Commissioner-cum-Secretary, Environment and Forest, Room No. 102, Secretariat, Andaman & Nicobar administration, Port Blair
- (3) Spl. Chief Secretary, Environment, Forest, Science and Technology Department, 4<sup>th</sup> Block, Ground Floor, Room No. 268, A.P Secretariat Office, Velagapudi, Andhra Pradesh
- (4) Principal Secretary, Department of Environment & Forest, Government of Arunachal Pradesh, Secretariat, Itanagar – 791 111
- (5) Additional Chief Secretary, Environment and Forest Department, A-Block, 4<sup>th</sup> Floor, Assam Secretariat, Dispur, Guwahati – 781 006
- (6) Principal Secretary, Environment and Forest Department, Sichai Bhawan, Post Office – Old Secretariat, Patna – 800 015

- (7) Secretary, Department of Environment and Forests, Room No. 411, 4<sup>th</sup> Floor, Delux Building, UT Secretariat, Sector – 9, Chandigarh – 160 009
- (8) Principal Secretary, Forest, Department of Forest, Government of Chhattisgarh, Secretariat, Raipur – 492 001
- (9) Secretary/Chief Conservator of Forests, Dadra & Nagar Haveli and Daman & Diu, Department of Personnel & Administrative Reforms, Ground Floor, Secretariat, Fort Area, Moti Daman, Daman (U.T) – 396 220
- (10) Principal Secretary, Environment & Forest, Environment Department, 6<sup>th</sup> Level, C-Wing, IP Estate, Delhi Secretariat, Delhi – 110 002
- (11) Secretary, Environment, Government of Goa, 2<sup>nd</sup> Floor, IT Hub, Altinho, Panaji, Tiswadi, Goa – 403 001
- (12) Additional Chief Secretary, Forest and Environment Department, Government of Gujarat, 14<sup>th</sup> Block, 8<sup>th</sup> Floor, Sachivalaya, Gandhinagar
- (13) Additional Chief Secretary to Government of Haryana, Environment & Climate Change Department, R.No. 406, 4<sup>th</sup> Floor, 5<sup>th</sup> Floor, New Secretariat, Sector 17, Chandigarh – 160 017
- (14) Additional Chief Secretary, Environment, Science & Technology, Government of Himachal Pradesh, Department of Personnel, H.P. Secretariat
- (15) Commissioner/Secretary to the Government, Department of Forest, Government of Jammu & Kashmir, Srinagar
- (16) Additional Chief Secretary, Department of Forest, Environment & Climate Change, Nepal House, Doranda Ranchi, Jharkhand – 834 002

- (17) Principal Secretary, Forest, Environment & Ecology Department, Karnataka Government Secretariat, Room No. 709, 7<sup>th</sup> Floor, 4<sup>th</sup> Gate, M.S. Building, Bangalore – 56000
- (18) Additional Secretary, Directorate of Environment & Climate Change (DoECC) 4<sup>th</sup> Floor, K.S.R.T.C Bus Terminal, Thampanoor, Thiruvananthapuram – 695 001, Kerala
- (19) Secretary, Department of Environment & Forest, Animal Husbandry, and Labour Employment & Training, 1<sup>st</sup> Floor, Paryavaran Bhavan, U.T. of Lakshadweep, Kavaratti
- (20) Additional Chief Secretary, Department of Forest, planning, Economics and Statistics, Government of Madhya Pradesh, Mantralaya, Bhopal
- (21) Principal Secretary, Revenue & Forest Department, Government of Maharashtra, 4<sup>th</sup> Floor, Mantralaya, Mumbai – 400 032
- (22) Additional Chief Secretary, Forest and Environment Department, Government of Manipur, Secretariat, Imphal – 705 001
- (23) Principal Secretary (Forest), Forest and Environment Department, Government of Meghalaya, Room No. 315, Additional Secretariat, Shillong – 793 001
- (24) PCCF and Principal Secretary (Forest), Department of Environment, Forest & Climate Change, Government of Mizoram, Secretariat, Aizawl – 796 001
- (25) Principal Secretary, Department of Environment, Forest & Climate Change, New Secretariat, Kohima, Nagaland
- (26) Additional Chief Secretary, Department of Forest & Wildlife, Government of Odisha, Kharbel Bhawan, Secretariat, Bhubaneswar – 751 001
- (27) Secretary, Science, Technology & Environment, IIIrd Floor, PHB Building, Anna Nagar, Puducherry

- (28) Secretary, Science, Technology & Environment, Government of Punjab, Academic Block, Mahatama Gandhi State Institute of Public Administration/Adjacent Sacred Heart, School, Sector - 26, Chandigarh
- (29) Principal Secretary (Forest and Environment), Government of Rajasthan, Vaniki Path, Near Secretariat, Jaipur – 302 005
- (30) PCCF cum Additional Chief Secretary, Forest and Environment Department, Government of Sikkim, Forest Secretariat, Deorali – 737 102 Gangtok, East Sikkim
- (31) Additional Chief Secretary, Environment and Forest Department, Government of Tamil Nadu, Namakkal Kavignar Maaligai, Fort St. George, Chennai 600 009
- (32) Spl. Chief Secretary, Environment, Science & Technology, Tankbund, Basheer Bagh Near NTR Gardens, Opposite Lumbini Park, Telangana – 500 022
- (33) Principal Secretary, Department of Science, Technology & Environment, Vigyan Prajukti O Paribesh Bhawan, P.N. Complex, Gorkhabasti, Agartala, West Tripura – 799 006
- (34) Principal Secretary, Forest Department, Government of Uttar Pradesh, Room No. 601, Bapu Bhawan, Secretariat, Vidhan Sabha Marg, Lucknow – 226 001
- (35) Principal Secretary, Department of Forest and Environment, Government of Uttarakhand, Subhash Road, Dehradun – 248 006
- (36) Principal Secretary, Department of Environment, 5<sup>th</sup> Floor, Pranisampad Bhawan, Block LB-II, Salt Lake, Sector III, Bidhannagar, Kolkata – 700 106
- (37) Commissioner/Secretary, Health & Medical Education/Forest, Ecology & Environment, Civil Secretariat, Leh, Ladakh – 194 101

(38) Director General, Forest Survey of India, Ministry of Environment,  
Forest and Climate Change, Kaulagarh Road, P.O. IPE Dehradun –  
248 195, Uttarakhand

9. Let notices be issued to above respondents.

10. Respondents may file their response within two months by e-mail  
at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR  
Support PDF and not in the form of Image PDF.

11. List on 11.11.2024 along with OA No. 129/2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. SenthilVel, EM

July 31, 2024  
Original Application No. 641/2024  
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