

Minutes of the joint meeting of the Tree Authorities of North & South Goa Districts held under the Chairmanship of Shri Puneet Kumar Goel, IAS, Principal Secretary (Forests) on 2nd Sept., 2021 at 3.00 p.m. in the Main Conference Hall, Secretariat, Porvorim-Goa

The list of participants is at Annexure.

While welcoming members of the Tree Authorities of North & South Goa Districts, Chairman asked PCCF to brief the agenda points including the directions of the Hon'ble High Court of Bombay at Goa dated 8th July, 2021 in case of PIL Writ Petition. No. 08/2021 (Living Heritage Foundation Vs State of Goa & others).

PCCF briefed the committee about the directions of the Hon'ble Court and informed that a compliance report in respect of some of the directions and initial status report in case of others has to be filed by the concerned Member Secretaries of the two Tree Authorities. Thereafter, committee deliberated at length on each of the directions of the Hon'ble Court. Following points were discussed and decision taken:

SN	Direction of Hon'ble High Court	Discussion Held / Necessary Action to be taken
1	The Tree Authority are directed to meet at least once in every three months as mandated by Section 4(1) of GPTA, 1984	Committees noted the direction and asked the Member Secretaries of the two tree authorities to ensure compliance in letter and spirit. Action: Member Secretaries of Tree Authorities
2	The Tree authorities are directed to consider the Co-option of up to 3	The Tree Authorities of the North Goa and South Goa Districts discussed the names of three non-official members proposed by Forest Department. Committee was

	<p>representatives of Non-Official Organization's having knowledge or practical experience in the preservation of trees.</p>	<p>informed that all three non-official members proposed are of good reputation and work in the domain of Plant Science / Forestry / Mangroves, Coastal Vegetation Mapping of Panaji, Biodiversity study of City Corporation of Panaji, Environment Science etc. The authorities unanimously recommended that following three representatives of the Non-Official / Government Organizations may be co-opted in the Tree Authorities for a two-year period and directed Forest Department to seek approval of Government accordingly:</p> <ol style="list-style-type: none"> i. President, Botanical Society of Goa ii. President, Mangrove Society of India, Goa Chapter. iii. Shri Sujeet Kumar Dongre, Scientist, Centre for Environment Education, Goa State. <p style="text-align: right;">Action: DCF (P&S)</p>
3	<p>The Tree Authorities, consistent with the provisions of Section 7(b) of the Trees Act, are directed to carry out a census of the existing trees and obtaining, whenever considered necessary, declarations from all the owners or occupants about the number of trees in their lands. The Tree Authorities to consider using modern technology such as RFID and geo-tagging for this purpose.</p>	<p>Hon'ble High Court has directed to take up census of entire state except for Government forests under the control of the Forest Department, a forest or forest land notified under the Indian Forest Act, 1927 having regard to the provisions of Section 30 of the Trees Act.</p> <p>Committee was informed that as per India State of Forests Report-2019 (latest) the Green Cover of Goa is approximately 68.0% (2,509 Sq Kms) of its Geographical Area (GA) i.e. 3,712 Sq kms. Green Cover includes Forest Cover and Tree Cover which are 60.43% (2,237.49 Sq Kms) and 7.34% (272 Sq Kms) respectively of the GA.</p> <p>In light of the provision envisaged in our National Forest Policy of 1988 to achieve national goal of 33% of GA of the country under forest and tree cover, it is pertinent to mention that, Goa is number one in terms of percentage</p>

<p>This exercise to cover areas comprising the entire State of Goa except for Government forests under the control of the Forest Department, a forest or forest land notified under the Indian Forest Act, 1927 having regard to the provisions of Section 30 of the Trees Act. This exercise is to be completed within a maximum period of one year from today i.e 27/07/2021</p>	<p>of GA of state under forest cover, barring some of the Hilly States of North East. Further in terms of percentage of GA, we also have the highest percentage of Trees Outside Forest [TOF] next to Kerala.</p> <p>Despite on being fast track of development, State has been able to maintain balance between conservation and development required for protection and conservation of our rich nature and natural resources. As per ISFR-19 the Forest Cover of Goa has increased from 60.21 % to 60.43% in comparison to ISFR-17.</p> <p>However, in so far as carrying out census of trees is concerned, Committee was apprised that Forest Survey of India has been carrying out two-stage stratified sampling for creating national level inventory of TOF. The FSI has been carrying out inventory of trees in rural and urban areas using high resolution (LISS-IV Mx) remote sensing data having spatial resolution of 5.8 metres for classification of TOF resources into block, linear and scattered data. FSI assess the tree cover using the remote sensing technology and no enumeration is done.</p> <p>The committee was apprised that the total Recorded Forest in Goa is 1,225 Sq km which is 33.09% of GA of state i.e 3,712 Sq. km. So, Census of trees will have to be carried out in 3712-1225 Sq Km = 2487 Sq. Km area (Approx.), which is a huge task. In light of above facts and circumstances the committees observed that, to plan and carry out census of trees over approximately 2487 Sq. Km area will be a huge and voluminous exercise / project large number of technical / skilled man power, logistics, IT equipment's, funds etc.</p> <p>Therefore, Department was of the view that, with the given</p>
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		<p>information and complexity involved it is not feasible to ascertain, at this stage, the number of trees and time required to conduct the tree census of different age class and species spread over entire state in various landscapes and under different ownerships.</p> <p>Committee based on the information available observed that:</p> <ul style="list-style-type: none">• No state in the country is carrying out tree census of the entire state.• For the purpose of management of trees outside forest areas, the biennial report of FSI provides necessary information.• Considering the voluminous exercise in case of Goa time required cannot be ascertained at this stage.• Wherever, any one applies for tree felling permissions, the tree enumeration is carried out for that area in question which includes taking measurements of trees (girth etc.) and listing of species. Measures are being taken by the forest department and after careful examination of each case bare minimum trees are permitted for felling.• Various actions are being taken by forest department to encourage and promote tree plantation on private land to improve and increase the tree cover outside forest.• Further, the Forest Department is carrying out enumeration of trees in case of all project proposals involving felling of trees.• The situation in Goa is unique since the State falls
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4	The Tree Authorities, consistent with the provisions of Section 7(c) of the Trees Act must specify standards	The committee was informed that forest department takes up plantation in forest and available non – forest land and based on site specific requirements accordingly the suitable saplings of different species of grass, herb, shrub and tree are planted. Hon’ble High Court has given direction that as

<p>regarding the number and kind of trees which each locality, type of land, and premises shall have and which shall be planted subject to a minimum of five trees per hectare in the case of rural areas.</p>	<p>per section 7(c) of the Goa (Preservation of Trees) Act, 1984 to specify standards and number of trees which each locality, type of land, and premises shall have. Tree Authorities while considering this fact that, land use is diverse and ownership of land is multiple - Government, private, Comunidade, corporations, institutions/ organizations and others - opined that, to have a holistic view on the matter to issue guidelines to all concerned a technical committee may be constituted which after considering all aspects, in consultation with stakeholders, may submit a report which may inter- alia include details and types of species suitable for plantation on different types of land and other measures required for compliance. The report will be provided to all concerned for information / compliance. Following composition of the technical committee was considered and recommended by the Authorities:</p> <ol style="list-style-type: none"> a) Dr. Pradip Sarmokadam, Member Secretary, GSBB – Chairman b) Deputy Director, Dept of Agriculture, Goa - Member c) Representative of Head of Department, Botany Department, Goa University, - Member. d) Town Planner, Town & Country Planning Department, Goa– Member e) Executive Engineer, Public Works Department, Goa - Member f) Executive Engineer, Water Resource Department, Goa – Member g) Sub Divisional Forest Officer, Mapusa – Member h) Sub Divisional Forest Officer, Quepem – Member i) Representative of Wetland Authority of Goa –
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5	<p>The Tree Authorities, consistent with the provisions of 50 PIL WP NO.8-2021 Section 7(g) of the Trees Act must take appropriate measures for planting and maintaining such number of trees as may be considered necessary according to the prescribed standards on roads, in public parks, and gardens and on the banks of rivers or lakes or seashores</p>	<p>The committee was informed that forest department and other concerned Departments / Organizations take up plantation of suitable species as per site requirement. The choice and number of saplings to be planted is carefully decided. In the gardens maintained by forest department a mix of herb, shrub (hedges) and trees are planted.</p> <p>Hon’ble High Court has given direction to take appropriate measures for planting and maintaining such number of trees as may be considered necessary according to the prescribed standards on roads, in public parks, and gardens and on the banks of rivers or lakes or seashores.</p> <p>In this case also Tree Authorities while asking forest department to issue an advisory circular to all concerned to take necessary action and to standardize the plantation norms along road, river etc. The above-mentioned technical committee may also take up this work and after studying all aspects, guidelines/norms, case studies of different states, may submit a comprehensive report by 30th Nov, 2021.</p> <p style="text-align: right;">Action: DCF (P&S), Member Secretaries of Tree Authorities</p>

6	<p>The Tree Authorities, consistent with the provisions of Section 7(e) of the Trees Act must take appropriate measures for planting and transplanting of trees necessitated by the construction of buildings, new roads or widening of existing roads, or replacement of trees which have failed to come up along roads or for safeguarding danger to life and property.</p>	<p>Forest Department apprised Tree Authorities that while examining any tree felling proposal only bare minimum trees are proposed for felling and user agency has to plant three saplings in lieu of each tree felled.</p> <p>Measures are already being taken and same may be further strengthened and feasibility of using the mechanical tree transplanter for effective transplantation of tall trees can be explored. User Agencies may be advised to carry out tree transplantation, to the extent feasible considering all criteria's including Age, Height, Girth, edaphic factors, root development etc. The transplantation has to be invariably carried out through the expert agency / company who have experience in the relevant field to ensure that transplantation is carried out with minimum damage to tree and survival percentage is maximum.</p> <p>Committee also considered that, to compensate the loss of each tree in shortest feasible time, the practice of planting small saplings generally followed by the user agencies, may be discouraged. To compensate the loss at an early date user agency may be advised to plant tall saplings with good endurance with minimum 8-10 feet height and 10 cm diameter at one meter height from ground. If this could be implemented in letter and spirit then as per definition of tree defined in the Act a tree will be considered planted. To ensure that, correct species as per site requirement is planted, user agencies may seek guidance and advice of Forest Department.</p> <p>Committee directed Member Secretaries [Tree Officer North & South Goa Forest Division] of the tree authorities to include this condition in their tree felling permission letter henceforth issued to any user agency / private person</p>
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7	<p>The Tree Authorities, consistent with the provisions of Section 7 (i) of the Trees Act to undertake a critical study of the proposals of various Government Departments and private bodies for construction of buildings, roads, factories, irrigation works, laying out of</p>	<p>To undertake a critical study of the proposals of various Government Departments and private bodies for construction of buildings, roads, factories, irrigation works, laying out of electric, telephone, telegraphic and other transmission lines with regard to the protection of existing trees and planting of more trees, wherever possible: Department submitted that the present dispensation of approval of Tree felling is as under;</p> <ul style="list-style-type: none"> i. Sub Divisional Forests Officer –Two trees ii. DCF / SDM (Tree Officer) – up to 50 trees iii. More than 50 Trees – Tree Officer issues the

<p>electric, telephone, telegraphic and other transmission lines with regard to the protection of existing trees and planting of more trees, wherever possible.</p>	<p>permissions with the approval of Government.</p> <p>As per present dispensation tree felling proposals are critically examined and permission for felling of bare minimum number of trees is issued by the respective Tree Officers. Site inspection is carried out and all options including feasibility of change / alteration in alignment, reduction in width of road, minimum RoW as per norms are considered.</p> <p>To ensure that, minimum trees are felled, even in case ‘in-principal’ approval of Government is received for felling of trees coming in the land acquired / identified for the road / transmission line project, the user agency is advised to submit felling plan during the execution of project. User agency is asked to identify bare minimum number of trees, at the time of project implementation, which are falling in the alignment and required to be felled for construction purpose. Accordingly, tree felling permission is issued by the Tree Officer.</p> <p>Department informed that due diligence is being carried out at present by the Tree Officers and after careful scrutiny bare minimum trees are considered for felling. However, tree authorities expressed their deep concern over non-compliance, especially by the Government Departments, by not taking up the plantation to compensate the loss due to tree felling. The Chairman directed Member Secretaries to issue a communication to all concerned Departments to take up backlog compensatory plantations at the earliest without any further delay. A progress report in the matter may be put up during</p>
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		<p>the next meeting for perusal of the tree authorities.</p> <p>Regarding critical study of the projects, after detailed deliberation, the Tree Authorities recommended that, development project proposals involving tree felling of more than 500 trees may be routed through the tree authorities before making recommendation to the Government.</p> <p>Action: DCF (P&S), Member Secretaries of Tree Authorities</p>
8	<p>The Tree Authorities are hereby directed to comply with the obligations cast upon them by Section 4 of the Right to Information Act, 2005 and to upload the information prescribed in the said Section on the website of the Forest Department and even otherwise make available such information in the public domain by other suitable means. The minutes of the meetings of the Tree Authorities and the decisions reflected therein must also be invariably uploaded on such websites and made available in the public</p>	<p>Department apprised that, obligations under Section 4 of the Right to Information Act, 2005 is being complied by the Department. The information prescribed in the said section and Minutes of the Tree Authorities with the decisions is being uploaded in the Departmental website. The Chairman directed the concerned to regularly monitor uploading of such information in website of the Department and suitable platforms.</p> <p>Action: DCF (P&S), DCF/ SDFOs (North/ South Divisions)</p>

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9	<p>The Tree Officers appointed under the Trees Act must dispose of the applications for felling of trees within 60 days as stipulated in Section 9(3) of the Trees Act by giving reasons for the grant or refusal of such permissions. Such decisions must be uploaded by the Tree Officers on the website of the Forest Department and the Tree Officers must consider, making such decisions effective at least 30 days from the date of such publication/uploading on the website.</p>	<p>Department informed that the applications are being disposed within the stipulated period. In case of certain queries/ site inspection period at time may vary. Department informed that, development of a dedicated Online portal, through Goa Electronics Ltd., is in final stage of completion. With this the whole process of tree felling will be online.</p> <p>Department apprised the committee that the permission issued are being uploaded on the department's website on regular basis.</p> <p>Regarding direction of the Hon'ble Court that "Such decisions must be uploaded by the Tree Officers on the website of the Forest Department and the Tree Officers must consider, making such decisions effective at least 30 days from the date of such publication/uploading on the website" Tree Officers highlighted that as per Section 15 of the Act " An appeal shall lie against the order or direction of the Tree Officer or the Deputy Collector, as the case may be under sections 9,10,11,12 & 12 A to the Appellate Authority within a period of thirty days".</p> <p>In the light of provision of appeal against the order of Tree Officer under the Act, the Committee mentioned that thirty days to be counted from the date from which the order is made effective (i.e. 30 days from the date of uploading). Thus, the appellant will get 60 days from the date of uploading. Necessary amendment if required to the Tree Act may be made.</p> <p>Action: Member Secretaries of Tree Authorities</p>

10	<p>The Tree Officers should, unless the Proviso to Section 10 of the Trees Act is being invoked, specify in the order granting permissions to fell trees the details of the kind of and location at which, trees are to be planted/replanted. This is in terms of Section 10 of the Trees Act.</p>	<p>The Tree Authorities directed Member Secretaries to ensure that details of location, trees to be planted in lieu of the trees to be felled should be incorporated in the felling permission order henceforth. Further, the Tree Officers to ensure that plantation is carried out by the user agency / person at the earliest feasible considering the site-specific requirements. The Chairman directed Tree Officers to regularly monitor the same.</p> <p>Committee further, asked Forest Department to examine the feasibility of increasing security amount per tree, which is Rs 2100/- as on date, committee further asked department to refer similar provisions in other States/ UT's and consider other options which may ensure that the user agency complies the provision regarding tree plantation in lieu of trees felled in letter and spirit.</p> <p>Action: DCF (P&S), Member Secretaries of Tree Authorities</p>
11	<p>The State Government is now directed to constitute the "Tree Protection Fund" as mandated by Section 35-A of the Trees Act within a maximum period of six months from today</p>	<p>The matter was discussed and after the deliberations, the Chairman suggested that the Forest Department may submit a proposal in consultation with Directorate of Accounts for Government approval.</p> <p>Action: DCF (P&S)</p>

The meeting ended with vote of thanks to the Chair.

(Jiss K Varkey, IFS)
Deputy Conservator of Forests

File No. 5-43-GEN-2021-22-FD/

Date: 17.09.2021

Encl: List of participants.

Copy to: -

1. The Hon'ble Mayor, Corporation of the City of Panaji, Panaji Goa.
2. The Hon'ble MLA, Calangute Constituency
3. The Hon'ble MLA, Curchorem Constituency.
4. The Hon'ble MLA, Aldona Constituency.
5. The Hon'ble MLA, Cuncolim.
6. The Adhyaksha, North Goa Zilla Panchayat, Panaji.
7. The Adhyaksha, South Goa Zilla Panchayat, Margao.
8. The Chairperson, Margao Municipal Council, Margao.
9. The Collector, North Goa District-Goa.
10. The Collector, South Goa District- South Goa.
11. The PS to the Principal Secretary (Forests) Secretariat, Porvorim
12. The Commissioner, Corporation of the City of Panaji, Panaji-Goa
13. The Principal Chief Conservator of Forests, Altinho, Panaji-Goa.
14. The Additional Principal Chief Conservator of Forests, Altinho, Panaji-Goa.
15. The Chief Conservator of Forests, Altinho, Panaji-Goa
16. The Conservator of Forests (Conservation), Altinho, Panaji-Goa.
17. The Dy. Conservator of Forests, North Goa/South Goa (Member Secretaries)
18. The Dy. Conservator of Forests (All)
19. Guard file.

Annexure

LIST OF PARTICIPANTS WHO ATTENDED THE JOINT MEETING OF THE TREE AUTHORITY OF NORTH & SOUTH GOA DISTRICTS SCHEDULED ON 02ND SEPTEMBER, 2021 AT 3.00 P.M. IN THE MAIN CONFERENCE HALL, 1ST FLOOR, SECRETARIAT, PORVORIM – GOA.

Chairman

- 1 Shri. Puneet Kumar Goel, IAS Principal Secretary (Forests)

Members

- 2 Shri. Rohit Joe Monserrate Hon'ble Mayor, Corporation of the City of Panaji
- 3 Shri. Glenn S. Ticlo Hon'ble MLA, Aldona Constituency
- 4 Shri. Kartik Kudnekar Adhyaksha, North Goa Zilla Panchayat, Panaji
- 5 Shri. Lyndon F. Pereira, Chairperson, Margao Municipal Council
- 6 Ms. Ruchika Katyal, IAS Collector, South Goa District
- 7 Ms. Mamu Hage, IAS Addl. Collector –II, North Goa District
- 8 Shri. Prem Kumar R, IFS Dy. Conservator of Forests, South Goa Division (Member Secretary)
- 9 Shri. Santosh H Fadte, DCF Dy. Conservator of Forests, North Goa Division (Member Secretary)

Special invitees

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| 10 | Shri. Santosh Kumar, IFS | Principal Chief Conservator of Forests |
| 11 | Shri. Saurabh Kumar, IFS | Chief Conservator of Forests |
| 12 | Shri. Jiss K. Varkey, IFS, | Dy. Conservator of Forests, P&S |
| 13 | Shri. Anand Jadhav | Dy. Conservator of Forests, HQ |
| 14 | Shri. Amar Heblekar | Asst. Conservator of Forests, Legal Cell |
| 15 | Shri. Deepak Pednekar, | Asst. Conservator of Forests, North Goa
Division |