

Minutes of the 7th meeting of Maharashtra State Tree Authority held on 16th June 2023

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The Seventh Meeting of the Maharashtra State Tree Authority was held on 16th June 2023 at 4.00 PM under the Chairmanship of the Principal Secretary, Environment and Climate Change Department, GOM, through video conferencing. The list of the Members present for the said meeting is as follows:

1. Mr. Pravin Darade, Chairman, Maharashtra State Tree Authority.
2. Mr. Abhay Pimparkar, Director Environment & Member Secretary MSTTA, Department of Environment & Climate Change
3. Mr. Vaibhav Raje, Expert Member, Maharashtra State Tree Authority.

The Notice of the 7th Meeting of the State Tree Authority was sent to the Principal Secretary Forest and Principal Secretary Environment requesting to join the meeting offline/virtually. But due to some urgent work they could not join the meeting.

The Principal Secretary, Environment and Climate Change Department, GOM, and Chairman of the Maharashtra State Tree Authority welcomed all the members of the Authority for the 7th meeting of the State Tree Authority constituted under sub-section (A-1) of Section 3 of Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975.

The proposals for the 7th meeting had been submitted by the concerned planning authorities by following the due procedure given in the SOP. These details have been taken on record and accordingly, proposals were deliberated.



Chairman



Member Secretary

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Item no.1

Subject – Permission of Cutting/Transplantation of 450 Trees for the construction of the HPCL TT-1 Vashi Terminal, Vashi through Maharashtra Industrial Development Corporation Limited (MIDC)

Project Details –

The Project Proponent Hindustan Petroleum Corporation Limited and their consultant, Green Habitat Consultancy Ltd. presented the details of the project. As per the proposal, 450 trees are to be cut and 52 trees are to be transplanted for the construction of HPCL TT-1 Vashi Terminal. The cumulative age of the trees to be cut is 5064 years.

Maharashtra State Tree Authority Deliberation –

The Maharashtra State Tree Authority after deliberation decided to grant approval for the above-said project subject to compliance to the following conditions:

1. The Project Proponent should find out sufficient space/area for the compensatory plantation purpose as the area of the land allotted for compensatory plantation (1.3 Ha) seems not enough for planting 5064 Trees and also should attach the land allotment permission letter for the same.
2. PP should start the plantation of same variety of (Native/Indigenous) tree species which are to be cut, not being less than 6 feet in height as a part of compensatory plantation under this project within fifteen days from the date of the trees being cut/transplanted.
3. The PP to resubmit the geotagged photos of the trees to be cut/transplanted as the attached photographs have some duplication discrepancies.
4. PP to resubmit the superimposed compensatory plantation layout considering the accurate number of trees to be planted.
5. PP should ensure that the new trees planted as a part of the compensatory plantation should be geo-tagged and monitored using the latest technologies available and ensure that the trees survive for a minimum period of seven years, tree mortality during this period shall be compensated by planting an equal number of new trees.

Decision of Maharashtra State Tree Authority -

After the deliberation, Maharashtra State Tree Authority decided to grant approval to cut/transplant 450 trees subject to compliance with above conditions. As per the proposal, the cumulative age of the trees is 5064 years. Therefore, the PP should plant 5064 new trees of same species (native/indigenous) which are to be cut species as a part of compensatory plantation under this project by following all the due procedures.



Chairman



Member Secretary

Minutes of the 7th meeting of Maharashtra State Tree Authority held on 16th June 2023

Item no.2

Subject – Permission for Cutting/Transplantation of 224 Trees at Sector-19 Sanpada, Turbhe for the construction of Subway through Navi Mumbai Municipal Corporation (NMMC)

Project Details –

The Project Proponent Navi Mumbai Municipal Corporation (NMMC) presented the details of the project. As per the proposal, 192 Trees are to be cut and 32 Trees are to be transplanted for the construction of Subway at Sector-19 Sanpada, Turbhe. The cumulative age of the trees to be cut & transplanted is 6263 years.

Maharashtra State Tree Authority Deliberation –

The Maharashtra State Tree Authority after deliberation decided to grant approval for the above-said project subject to compliance to the following conditions:

1. The Project Proponent should submit a detailed superimposed layout plan including the exact number of trees which are to be cut/transplant.
2. PP should submit detailed superimposed layout plan of the compensatory plantation to plant 6263 indigenous trees.
3. PP to plant new trees of native/indigenous species as part of compensatory tree plantation equivalent to the cumulative age of the trees which are proposed to be cut/transplanted under this project.
4. PP to start the plantation of Native/Indigenous tree species which are not less than 6 feet in height as a part of compensatory plantation under this project within fifteen days from the date of the trees being cut/transplanted.
5. PP should ensure that the new trees planted as a part of the compensatory plantation should be geo-tagged and monitored using the latest technologies available and ensure that the trees survive for a minimum period of seven years, tree mortality during this period shall be compensated by planting an equal number of new trees.

Decision of Maharashtra State Tree Authority -

After the deliberation, Maharashtra State Tree Authority decided to grant approval to cut 192 Trees subject to compliance with above conditions. As per the proposal, the cumulative age of the trees is 6263 Years. Therefore, the PP should plant 6263 new trees of native/indigenous species as a part of compensatory plantation under this project by following all the due procedures.



Chairman



Member Secretary

Minutes of the 7th meeting of Maharashtra State Tree Authority held on 16th June 2023

Item no.3

Subject- Permission for Cutting One Heritage Tree for construction and development purpose at Naupada, Thane (West) through Thane Municipal Corporation (TMC)

Project Details –

The Project Proponent Thane Municipal Corporation presented the project details. As per the proposal, One Heritage Tree is to be cut for construction and development purpose. The cumulative age of the heritages tree to be cut 60 years.

Maharashtra State Tree Authority Deliberation –

1. The Project Proponent should submit the details of the land allotted for compensatory plantation within the jurisdiction of Thane Municipal Corporation along with the Land Allotment Letter, Area of the Land, undertaking for 7 Years Maintenance.
2. PP to submit a detailed superimposed layout highlighting the location of the Heritage Tree to be Cut.
3. PP should submit a detailed superimposed layout for the compensatory plantation of 60 Trees as denoted in the proposal.
4. PP to plant new trees of native/indigenous species as part of compensatory tree plantation equivalent to the cumulative age of the trees which are proposed to be cut/transplanted under this project.
5. PP to start the plantation of Native/Indigenous tree species which are not less than 6 feet in height as a part of compensatory plantation under this project within fifteen days from the date of the trees being cut/transplanted.
6. PP to ensure that the new trees planted as a part of the compensatory plantation should be geo-tagged and monitored using the latest technologies available and ensure that the trees survive for a minimum period of seven years, tree mortality during this period shall be compensated by planting an equal number of new trees.

Decision of Maharashtra State Tree Authority -

After the deliberation, Maharashtra State Tree Authority decided to grant approval to cut the One Heritage Tree subject to compliance with above conditions. As per the proposal, the cumulative age of the trees is 60 Years. Therefore, the PP should plant 60 new trees of native/indigenous species as a part of compensatory plantation under this project by following all the due procedures.


Chairman


Member Secretary

Minutes of the 7th meeting of Maharashtra State Tree Authority held on 16th June 2023

Item no.4

Subject – Proposal of Cutting/Transplantation of 313 Trees, including One Heritage Tree for the construction of road from Vijay Lawns to Waghbil Village, Ghodbunder Road, Thane through Thane Municipal Corporation (TMC).

Project Details –

Tree Officer, Thane Municipal Corporation presented the project details. As per the proposal, 313 Trees including One Heritage Tree are to be cut/transplanted for the construction of road from Vijay Lawns to Waghbil Village, Ghodbunder Road, Thane. The cumulative age of the trees to be cut is 4591 years.

Maharashtra State Tree Authority Deliberation –

The Maharashtra State Tree Authority after deliberation decided to grant approval for the above-said project subject to compliance to the following conditions:

1. The Project Proponent should submit the details of the land allotted for compensatory plantation which should be in the jurisdiction of Thane Municipal Corporation along with the Land Allotment Letter, Area of the Land, undertaking for 7 Years Maintenance.
2. PP to submit a detailed superimposed layout highlighting the location of the Heritage Tree to be Cut.
3. PP should submit a detailed superimposed layout for the compensatory plantation of 4591 Trees as denoted in the proposal.
4. PP to explore an alternate plan for saving the Heritage Tree to be cut as per the submitted proposal and submit revised proposal for the same.
5. PP to plant new trees of native/indigenous species as part of compensatory tree plantation equivalent to the cumulative age of the trees which are proposed to be cut/transplanted under this project.
6. PP to start the plantation of Native/Indigenous tree species which are not less than 6 feet in height as a part of compensatory plantation under this project within fifteen days from the date of the trees being cut/transplanted.
7. PP to ensure that the new trees planted as a part of the compensatory plantation should be geo-tagged and monitored using the latest technologies available and ensure that the trees survive for a minimum period of seven years, tree mortality during this period shall be compensated by planting an equal number of new trees.

Decision of Maharashtra State Tree Authority -

After the deliberation, Maharashtra State Tree Authority decided to grant approval to cut/transplant 313 Trees including One Heritage Tree subject to compliance with above conditions. As per the proposal, the cumulative age of the tree is 4591 years. Therefore, the PP should plant 4591 new trees of native/indigenous species as a part of compensatory plantation under this project by following all the due procedures.


Chairman


Member Secretary

Minutes of the 7th meeting of Maharashtra State Tree Authority held on 16th June 2023

Item no.5

Subject – Proposal of Cutting 35 Heritage Trees for widening of the existing road from Shivaji Chowk to Old Nagar Parishad, Daryapur through Daryapur Nagar Parishad.

Project Details –

Tree Officer and Chief Officer, Daryapur Nagar Parishad presented the project details. As per the proposal, 35 Heritage Trees are to be cut for the construction of road from Shivaji Chowk to Old Nagar Parishad, Daryapur. The cumulative age of the heritage trees to be cut is 2833 Years.

Maharashtra State Tree Authority Deliberation –

1. The Project Proponent should submit a justified reason to cut 35 Heritage Trees as the existing road width seems adequate to the MSTA.
2. PP should submit a Detailed Traffic Study Report consisting of 2/3/4 Wheelers and the Traffic Density in the particular area where the Trees are to be Cut and get this document vetted from a Traffic Study Expert.
3. PP should seriously consider the chances of saving maximum number of trees from the 35 Heritage Trees as mentioned in the proposal.
4. PP to explore possibilities to conserve maximum trees as mentioned in the proposal and submit details along with the alternate probabilities considered for the same.

Decision of Maharashtra State Tree Authority -

After the deliberation, MSTA decided to defer the proposal for submission of the above details from the Daryapur Nagar Parishad.


Chairman


Member Secretary

Minutes of the 7th meeting of Maharashtra State Tree Authority held on 16th June 2023

Item no.6

Subject – Proposal of Complete Removal of 33 Heritage Trees for construction purposes at Warje-Karvenagar, Kothrud, Pune through Pune Municipal Corporation (PMC).

Project Details –

The Project Proponent Garden Superintendent, Pune Municipal Corporation presented the details of the proposal. As per the proposal, 33 Heritage Trees are to be cut for construction purpose at Warje-Karvenagar, Kothrud, Pune. The cumulative age of the trees to be cut & transplanted is 2164 years.

Maharashtra State Tree Authority Deliberation –

The Maharashtra State Tree Authority after deliberation decided to grant approval for the above-said project subject to compliance to the following conditions:

1. The Project Proponent should resubmit the proposal considering conservation of maximum Heritage Trees which are to be cut as per the proposal.
2. The PP to avoid cutting of the Heritage Trees which fall in the boundary of the layout of the proposed construction as per layout submitted by the project proponent.
3. PP to consider transplantation of maximum number of Heritage Trees which are to be cut as per the given proposal.
4. PP to plant new trees of native/indigenous species before Tree Cutting as part of compensatory tree plantation equivalent to the cumulative age of the trees which are proposed to be cut/transplanted under this project.
5. PP to start the plantation of Native/Indigenous tree species which are not less than 6 feet in height as a part of compensatory plantation under this project within fifteen days from the date of the trees being cut/transplanted.
6. PP to ensure that the new trees planted as a part of the compensatory plantation should be geo-tagged and monitored using the latest technologies available and ensure that the trees survive for a minimum period of seven years, tree mortality during this period shall be compensated by planting an equal number of new trees.

Decision of Maharashtra State Tree Authority -

After deliberation, Maharashtra State Tree Authority decided to grant approval to cut 33 Heritage Trees subject to compliance with above conditions. As per the proposal, the age of the trees is 2164 Years. Therefore, the PP should plant 2164 Trees of native/indigenous species as a part of compensatory plantation under this project by following all the due procedures.


Chairman


Member Secretary

Minutes of the 7th meeting of Maharashtra State Tree Authority held on 16th June 2023

Item no.7

Subject – Proposal for cutting of 6 Heritage Trees for construction purpose at Kothrud-Bavdhan zonal office through Pune Municipal Corporation (PMC).

Project Details-

The Project Proponent Garden Superintendent, Pune Municipal Corporation presented the details of the proposal. As per the proposal 6 Heritage Trees are to be Cut for construction purpose at Kothrud-Bavdhan zonal office. The cumulative age of the trees to be cut & transplanted is 394 Years.

Maharashtra State Tree Authority Deliberation –

The Maharashtra State Tree Authority after deliberation decided to grant approval for the above-said project subject to compliance to the following conditions:

1. The Project Proponent should resubmit the proposal considering conservation of maximum Heritage Trees which are to be cut as per the proposal.
2. The PP to avoid cutting of the Heritage Trees which fall in the boundary of the layout of the proposed construction as per layout submitted by the project proponent.
3. PP to consider transplantation of maximum number of Heritage Trees which are to be cut as per the given proposal.
4. PP to plant new trees of native/indigenous species before cutting of any tree as part of compensatory tree plantation equivalent to the cumulative age of the trees which are proposed to be cut/transplanted under this project.
5. PP to start the plantation of Native/Indigenous tree species which are not less than 6 feet in height as a part of compensatory plantation under this project within fifteen days from the date of the trees being cut/transplanted.
6. PP to ensure that the new trees planted as a part of the compensatory plantation should be geo-tagged and monitored using the latest technologies available and ensure that the trees survive for a minimum period of seven years, tree mortality during this period shall be compensated by planting an equal number of new trees.

Decision of Maharashtra State Tree Authority -

After deliberation, Maharashtra State Tree Authority decided to grant approval to cut 6 Heritage Trees subject to compliance with above conditions. As per the proposal, the cumulative age of the trees is 394 Years. Therefore, the PP should plant 394 new trees of native/indigenous species as a part of compensatory plantation under this project by following all the due procedures.


Chairman


Member Secretary

Minutes of the 7th meeting of Maharashtra State Tree Authority held on 16th June 2023

Item no.8

Subject – Proposal for Cutting/Transplantation of 424 Trees for the construction and development of the Wastewater Treatment Facility (WWTF) at Dharavi G-North Sector, Sion through Brihanmumbai Municipal Corporation (BMC).

Project Details–

The Project Proponent Garden Superintendent, Brihanmumbai Municipal Corporation (BMC) presented the details of the proposal. As per the proposal 271 Trees are to be Cut and 132 Trees are to be transplanted for the construction and development of the Wastewater Treatment Facility (WWTF). The cumulative age of the trees to be cut/transplanted is 5823 Years.

Maharashtra State Tree Authority Deliberation –

The Maharashtra State Tree Authority after deliberation decided to grant approval for the above-said project subject to compliance to the following conditions:

1. As per the Amendment of the Maharashtra (Urban Areas) Preservation of Trees Act 1975, Maharashtra Act IX of 2021, Section 7 of the Principal Act (2) (j), “Ensuring that the compensatory plantation is to be carried out and survival of trees, including the compensatory plantation, in all lands within the jurisdiction of the urban local authority”. Therefore, BMC should identify a new land for Compensatory Plantation along with Land Allotment Letter, Superimposed Compensatory Plantation Plan, undertaking for 7 Years Maintenance and Area of the Land.
2. PP to consider saving maximum number of Vulnerable Trees from the list of trees being cut with reference to the proposal submitted.
3. PP to plant new trees of native/indigenous species before cutting of any tree as part of compensatory tree plantation equivalent to the cumulative age of the trees which are proposed to be cut/transplanted under this project.
4. PP to start the plantation of Native/Indigenous tree species which are not less than 6 feet in height as a part of compensatory plantation under this project within fifteen days from the date of the trees being cut/transplanted.
5. PP to ensure that the new trees planted as a part of the compensatory plantation should be geo-tagged and monitored using the latest technologies available and ensure that the trees survive for a minimum period of seven years, tree mortality during this period shall be compensated by planting an equal number of new trees.

Decision of Maharashtra State Tree Authority -

After deliberation, Maharashtra State Tree Authority decided to grant approval for cutting of 271 Trees and transplanting 132 Trees to compliance with above conditions. As per the proposal, the cumulative age of the trees is 5823 Years. Therefore, the PP should plant 5823 Trees of native/indigenous species as a part of compensatory plantation under this project by following all the due procedures.


Chairman


Member Secretary

Minutes of the 7th meeting of Maharashtra State Tree Authority held on 16th June 2023

Item no.9

Subject – Proposal of Cutting/Transplantation of 613 Trees for constriction of road along the Ambazari Dam to Swami Vivekananda Memorial through Nagpur Municipal Corporation (NMC)

Project Details –

The project proponent Municipal Commissioner, Nagpur Municipal Corporation and Garden Superintendent, Nagpur Municipal Corporation presented the project details. As per the proposal, 613 trees are to be cut (including 60 Heritage Trees) for the construction of road along the Ambazari Dam to Swami Vivekanand Memorial, Nagpur. The cumulative age of the trees to be cut & transplanted is 21,392 Years.

Maharashtra State Tree Authority Deliberation –

The Maharashtra State Tree Authority after deliberation decided to grant approval for the above-said project subject to compliance to the following conditions:

1. The Project Proponent to submit the report from NEERI, CSIR NGRI, CSIR SERC which were the authority raising concerns over the structural safety of the Dam.
2. PP to submit a detailed superimposed layout plan mentioning the number and location of the Trees to be cut/transplanted.
3. The PP to submit detailed superimposed layout for the compensatory plantation of 21,392 Trees as mentioned in the proposal.
4. PP to explore the option of conservation of maximum Heritage Trees and submit details.
5. PP to plant new trees of native/indigenous species before cutting of any tree as part of compensatory tree plantation equivalent to the cumulative age of the trees which are proposed to be cut/transplanted under this project.
6. PP to start the plantation of Native/Indigenous tree species which are not less than 6 feet in height as a part of compensatory plantation under this project within fifteen days from the date of the trees being cut/transplanted.
7. PP to ensure that the new trees planted as a part of the compensatory plantation should be geo-tagged and monitored using the latest technologies available and ensure that the trees survive for a minimum period of seven years, tree mortality during this period shall be compensated by planting an equal number of new trees.

Decision of Maharashtra State Tree Authority -

After the deliberation, Maharashtra State Tree Authority decided to grant approval to cut 613 trees subject to compliance with above conditions. As per the proposal, the cumulative age of the trees is 21,392 years. Therefore, the PP should plant 21,392 new trees of native/indigenous species as a part of compensatory plantation under this project by following all the due procedures.



Chairman



Member Secretary

Item no.10

Subject- Proposal for Cutting of 249 Trees for the construction of Parking Space near Nagpur Metro Station at Ajni Chowk, Wardha Road, Nagpur through Nagpur Municipal Corporation (NMC).

Project Details –

The Project Proponent Municipal Commissioner and Garden Superintendent, Nagpur Municipal Corporation presented the project details. As per the proposal, 249 trees are to be cut for the construction of Parking Space near Nagpur Metro Station at Ajni Chowk, Wardha Road, Nagpur. The cumulative age of the trees to be cut & transplanted is 4945 years.

Maharashtra State Tree Authority Deliberation –

The Maharashtra State Tree Authority after deliberation decided to grant approval for the above-said project subject to compliance to the following conditions:

1. The Project Proponent should reply to the 387 Objections received against the given proposal and submit the compliance report for the same.
2. The PP to submit a detailed superimposed layout plan mentioning the total number of Trees to be cut/transplant.
3. PP to submit a detailed superimposed layout plan for the compensatory plantation of 4945 Trees as mentioned in the proposal.
4. As per the statement of the Municipal Commissioner, Nagpur Municipal Corporation which said about the saving of Heritage Trees. Therefore, the PP to resubmit the plan of cutting/transplantation of trees which will consider saving of the 3 Heritage Trees which are to be cut as per the proposal.
5. PP to plant new trees of native/indigenous species before cutting of any tree as part of compensatory tree plantation equivalent to the cumulative age of the trees which are proposed to be cut/transplanted under this project.
6. PP to start the plantation of Native/Indigenous tree species which are not less than 6 feet in height as a part of compensatory plantation under this project within fifteen days from the date of the trees being cut/transplanted.
7. PP to ensure that the new trees planted as a part of the compensatory plantation should be geo-tagged and monitored using the latest technologies available and ensure that the trees survive for a minimum period of seven years, tree mortality during this period shall be compensated by planting an equal number of new trees.

During deliberation, it was observed that, a Public Interest Litigation PIL No. 15/2021 Swacch Association-versus- State of Maharashtra is filed in the Hon. High Court of Judicature at Bombay, Nagpur Bench, Nagpur and issued an order dated 25/04/2023. The paragraph no. 7 of the order reads as below;

“It is directed that till the returnable date, respondent no. 3 shall not cut/fell any tree at the project site refred to the herein-above in absence of any permission to do so. The respondent no.3 to be served by adopting all permissible modes”.

Decision of Maharashtra State Tree Authority -

In the view of above mentioned litigation, after deliberation the Maharashtra State Tree Authority has decided to defer the proposal till the final verdict from the Hon. High Court of Judicature at Bombay, Nagpur Bench, Nagpur is obtained in the matter.



Chairman



Member Secretary