

1/2018/ENV

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 489/2014
(M.A. No. 803/2014 & M.A. No. 934/2015)

Indian Institute of Sustainable Development

Vs.

U.O.I. & Ors.

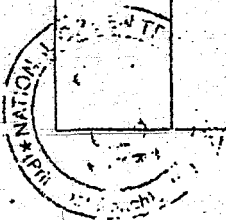
CORAM:

HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER

Present:

Applicant/Appellant(s)	: Ms. Sharadha Karol, Adv with Dr. Srikanta K. Panigrahi DG, IISD
State of Meghalaya	: Ms. Aprajita Mukerjee, Adv
State of UP	: Mr. Utkarsh Sharma, Adv
State of Arunachal Pradesh	Mr. Anil Srivastava, Ms. Sujaya Bardhan, Adv
State of Tamil Nadu	: Mr. R. Rakesh Sharma, adv and Mr. V. Mowli, Adv.
State of Kerala	: Mr. G. Prakash with Mr. Jishnu M.L. Adv
State of Tripura	Mr. Gopal Singh and Mr. Rituraj Biswas, Advs.
State of Goa	Mr. Ruchira Gupta Adv. Mr. Anurag Sharma Adv.
MoEF	Mr. Rahul Pratap Adv. Mr. Rahul Verma AAG and Mr. Jaswant Singh Adv.

Date and Remarks	Orders of the Tribunal
Item No. 92 October 09, 2017	<p>We have heard the Learned Counsel appearing for the parties.</p> <p>In the present O.A. the applicant prays that there should be ban on charcoal as a fuel raw material in the industry.</p> <p>It is further prayed that the respondents be directed to forthwith prepare a Forest Management Plan to implement the same.</p> <p>It is also prayed that appropriate action should be taken against the defaulter and illegal felling of trees in India.</p> <p>During the pendency of the present application under the directions issued by the Tribunal Indian Institute of Forest Management has prepared a detailed</p>



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report and guidelines they were submitted to the MoEF &CC. The ministry has approved the same. However the applicant submits that they have certain suggestions which would serve the cause of the environment and protection of the forest and appropriate regulation on use of charcoal as a fuel.

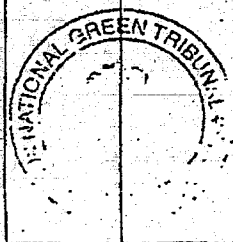
The same has been taken on record and copy thereof has been provided to the Learned Counsel for MoEF.

We direct that within four weeks from today the MOEF shall consider the suggestion made by the applicant and examine if it requires, if any amendments as suggested by the applicant, the required amendment be made as per the guidelines.

Keeping in mind that the protection of the forest and stoppage of illegal felling of trees for the purpose of its use as fuel. After appropriate amendments are incorporated MoEF shall notify the same and put on its website and it shall also be placed on the website of all the Forest Department of the respective States /Union Territories for its implementation.

With the above directions the O. A. No. 489/2014 stands disposed of with no order cost.

M. A. No. 803/2014 and M. A. No. 934/2015 do not survive for consideration as the main application itself stand disposed of.



.....,CP
(Swatanter Kumar)

.....JM
(Dr. Jawad Rahim)

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	JM (R. S. Rathore)
	EM (Bikram Singh Sajwan)



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2018 (B) F & C/UMB/ENVT (B)

F. No. 8-1/2015-FPD (Pt.)
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Protection Division)

5th Floor, Agni Wing,
Indira Paryavaran Bhawan,
Jor Bagh, Lodhi Colony,
New Delhi - 110003
Dated: 5th February, 2018

To

The Chief Secretary,
Government of all States / UTs.

Sub: O. A. No. 489/2014, in the matter of Indian Institute of Sustainable Development vs Union of India & others - advisory for strengthening forest protection and monitoring system to check illegal felling of trees for charcoal making and exploring the possibilities of use of alternatives for wood based charcoal - regarding.

Sir / Madam,

The Indian Institute of Forest Management (IIFM), Bhopal in its study in the above mentioned subject inter-alia recommended to address any instances of alleged deforestation due to charcoal production, the forest protection and monitoring system may further be strengthened and the possibilities of use of alternatives for wood based charcoal may be explored (some of the industry wise alternatives as suggested by IIFM Bhopal is given in the annexure).

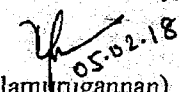
2. In the light of above, the State Forest Departments are requested to be more vigilant and enhance the forest protection and monitoring system especially in the areas of charcoal industries in an effort to prevent any illegal felling of trees for the purpose of charcoal making. It is also requested to monitor the source of wood for charcoal industries.

3. Further, it is also requested that the States/UTs may take up the matter with all industries using wood- charcoal to explore possibilities of adopting the alternatives suggested by IIFM in their report. (The industry wise alternatives suggested by the IIFM, Bhopal is given in the Annexure).

4. States/ UTs also should ensure that the process of wood- charcoal making and the industries using wood- charcoal do not violate any prescribed environmental regulations/ norms.

Encl: (as above).

Yours sincerely,


(S. Elamurugannan)

Asst. Inspector General of Forests (FPD)

fpdmoef@gmail.com

Tel. No. 011-24695459.

Copy for information and with request to upload in your official websites to:

1. Chairman, Central Pollution Control Board.
2. Principal Chief Conservator of Forests (HoFF), Government of All States / UTs.
3. Chairman, State Pollution Control Boards, all States / UTs.

Annexure

Industry wise alternatives of wood charcoal

S. No.	Industrial application	Alternatives of the Wood Charcoal	Suggested Policy Regime
1	Pharmaceutical, Purification/Filters (Water/Air), Hotel Industry, Carbon Black Industry	Agro-Charcoal	Mandatory use of pollution free charcoal production technology, FDCs as nodal agency of charcoal supply chain (with known wood source)
2	Ferro Alloy Industry, Steel Industry	Pet Coke, Agro Charcoal	Utilization of degraded land, Private land for the production of sustainable wood based charcoal
3	Carbon DiSulphidemanufacturing, Textile	Natural gas	Fixed period to convert the old charcoal based plants into natural gas based plant.
4	Carbon Black manufacturing, Rubber, Aggarbatti making	Carbon Black Feed Stock (CBFS), Agro Charcoal	Mandatory use of CBFS by large scale carbon black manufacturers