

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)
IN
ORIGINAL APPLICATION NO. 45/2020 (SZ)**

**COMPLIANCE REPORT ALONG WITH ACTION TAKEN REPORT FILED
BY CHIEF SECRETARY, KERALA AND PRINCIPAL SECRETARY,
DEPARTMENT OF FORESTS & WILDLIFE/ 1ST RESPONDENT**

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Dated at Chennai on this the 13th day of May, 2022.

M/s. E.K.KUMARESAN

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench

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Compliance report along with action taken report in Judgement dated 26.08.2020 in OA No.45/2020 of Hon'ble NGT(SZ) submitted on behalf of the Chief Secretary,Kerala and the Principal Secretary, Department of Forests & Wildlife(1st Respondent), Kerala

The National Green Tribunal, Southern Zone, Chennai while disposing the Original Application No.45 of 2020(SZ) regarding the occurrence of a forest fire in Kerala that claimed the lives of three Forest Watchers had directed the Principal Chief Conservator of Forests & Head of Forest Force (PCCF&HoFF),Kerala to provide the status of implementation of the National Action Plan on Forest Fire (NAPFF) in Kerala, identifying gaps in implementations and steps taken to rectify the same. The Hon'ble NGT have accepted the report submitted by the PCCF&HoFF and directed the Chief Secretary, and Principal Secretary of Department of Forest, State of Kerala to consider the recommendations mentioned in the conclusion portion of the report and if there is any infrastructure facilities to be provided, they are directed to look into the matter and provide necessary assistance to the Kerala Forest Department to meet the situation, as forest is a natural resource protecting environment.

In this connecton the Action Taken Report on judgment of the Hon'ble Nationanl Green Tribunal is submitted herewith.

1. **Developing user-friendly firefighting tools and equipment:** It is a fact that most of the fire beaters we have in the market at present are heavy,inconvenient to carry while trekking and hence not of much practical use. It is time to develop user-friendly



firefighting tools that is of practical utility in the field. Since this would involve considerable experimentation with different kinds of materials available, it would be of help if any of the premier research institutions is entrusted with this task under the overall guidance of MoEF&CC. The Principal Chief Conservator of Forests and Head of Forest Forces has flagged this issue in his letter No.E&TW3-103065/2019 dated 20.02.2021 addressed to DGF&SS, MoEF&CC and requested for guidance and further necessary action from MoEF&CC.

2. **Estimation of the extent of area affected by fire and the assessment of loss:** As of now, neither the extent nor the methodology for assessment of loss in forest fire is standardized in the country. Further, there is a need for sharing the latest satellite imageries along with ground-truthing of the fire affected areas with organizations like Forest Survey of India (FSI) for standardizing the assessment of loss. PCCF&HoFF has requested the guidance and support of MoEF&CC in this matter vide letter No.E&TW3-103065/2019 dated 20.02.2021 addressed to DGF&SS, MoEF&CC.
3. **Developing safety gears for forest fire fighters:** The third issue is one of personal safety, where the staff involved in firefighting are to attempt the task at hand with hardly any protective gear to save them in the case of an eventuality. There aren't many ready made protective gears available in the market which can help the fire-fighters in the forests. Most of those available are tailor-made for use in Fire & Rescue operations in the human environment. Most of the methods in practice with the Fire & Rescue Services Department are also not much of field value in the forests. Since this is an aspect of critical importance development of safety gear could be one of those frontier areas of research for premier institutes under the guidance of MoEF&CC. This issue has been flagged and requested for guidance and further necessary action from MoEF&CC letter No.E&TW3-103065/2019 dated 20.02.2021 addressed to DGF&SS, MoEF&CC.
4. **Enhanced Budget provisions for forest Fire Protection :** The

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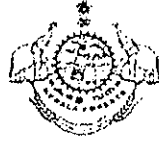
dedicated central scheme on Fire Prevention and Management Scheme (FPMS) offers very little in terms of finances for the State Forest Departments to embark on anything substantial on the work front. The exclusive head of account for forest fire protection is the Centrally Sponsored (60:40) Scheme - Forest fire Prevention Management Scheme (FPMS). During the financial year 2020-21, though a proposal for Rs. 19.86 crore was submitted to MoEF&CC during July, 2020, only the unspent amount of 2019-20 amounting to Rs. 1.03 crore was revalidated. This non-release of allocation of 2020-21 is affecting the planning of fire protection activities in the current fire season. This issue needs urgent necessary action from the part of Government of India. Though it faces crucial financial crisis, Government of Kerala is to positively consider the proposal for fire protection whenever received from PCCF and HoFF.

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Rajesh Kumar Sinha
Principal Secretary
Forest & Wildlife Department

Annexure - 1 (4)

P.K. Kesavan IFS
Principal Chief Conservator of Forests &
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No.E&TW3-103065/2019

Dated: 12-05-2022

To

The Advocate General
Kerala,
Ernakulam.

Sir,

Sub: OA No. 45 of 2020 filed by the Hon'ble National Green Tribunal (South Zone) based on the news appeared in Malayala Manorama Daily (Chennai Edition) dated 17.02.2020 – Compliance Report - reg.

Ref: 1) Judgment dated 26.08.2020 of the Hon'ble National Green Tribunal.
2) That office letter No.SN2-OA-45/2020 dated 26-04-2022.

Attention is invited to the subject and references cited above. The compliance report on the judgement referred 1st above is furnished hereunder for bringing to the kind notice of the Hon'ble Tribunal at the earliest.

The Hon'ble National Green Tribunal, Southern Zone, Chennai while disposing the Original Application No.45 of 2020(SZ) directed the Chief Secretary to Government of Kerala, Principal Secretary, Department of Forests and Principal Chief Conservator of Forests & Head of Forest Force, Kerala to allot necessary funds for implementation of the recommendations mentioned in the conclusion portion of the Joint Committee Report and steps taken for implementation of the recommendations.

As directed by the Hon'ble NGT in its judgment, earnest efforts have been taken by the Department to pool funds for fire-fighting activities. As a result, the State Government had allotted Rs.2500.00 lakh for forest protection including fire protection activities under the 'Budget Head 2406-01-101-81 Forest Protection' during the year 2021-22. Under 'Forest Fire Protection Management Scheme (60:40% CSS)', the Government of India had allotted Rs.400.00 lakh during the year 2021-22. Similarly, funds were also allocated under various other Central and State Schemes like Integrated Development of Wildlife

Habitats, Project Elephant, Green India Mission, Regeneration of Denuded Forests, Non-Wood Forest Produce, Conservation of Biodiversity etc.

During the current financial year (2022-23), Rs.2600.00 lakh has been allotted under the 'Budget Head 2406-01-101-81 Forest Protection' and Rs.600.00 lakh has been allotted under the Fire Protection Management Scheme (60:40% CSS). In addition to the above, Rs.1646.28 lakh is allotted under the Budget Head 'Kerala Forest Development Fund (KFDF) for 'Introducing Innovative Measures in Fire Protection'. Budgetary Provision of Rs.1542.84 lakh and Rs.2115.00 lakh are also approved under the same Budget Head for the financial year 2023-24 and 2024-25 respectively by the State Government.

In addition to the above, Rs.282.27 lakh (2020-21) and Rs.202.99 lakh (2021-22) were allotted under CAMPA exclusively for carrying out fire protection activities in the State. During the year 2022-23, Rs.423.00 lakh has been proposed under the scheme.

These funds are being effectively utilized for combating forest fire, procurement of modern firefighting equipments, trainings and capacity building among the staff and associated activities in the field. This has resulted in reduction of number of fire occurrences in the State during the last fire season, which can be ascertained from the table given below.

Fire Season	Number of fire incidences	Extent affected (Ha)
2019-20	382	716.64
2020-21	166	448.41
2021-22	126*	335.56*

* As on 10-05-2022

On issues like developing user-friendly firefighting tools and equipments, safety gears, estimation of extent of area affected by fire and assessment of loss etc., Ministry of Environment, Forest & Climate Change (MoEF&CC) has been requested for guidance. Copy of the letter is attached. On the directions of MoEFF&CC, Indian Council for Forestry Research and Education (ICFRE) has developed certain prototypes which are under field trial in Eastern Circle, Palakkad.

Encl: As above.

Yours faithfully,

 Principal Chief Conservator of Forests &
 Head of Forest Force

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No.E&TW3-103065/2019

Dated: 20.02.2021

To

Director General of Forests & Special Secretary
Ministry of Environment, Forest and Climate Change
New Delhi

Sir,

Sub: OA no. 45 of 2020 filed by the Hon'ble National Green Tribunal (South Zone) based on the news appeared in Malayala Manorama Daily (Chennai Edition) dated 17.02.2020-reg.

Ref: Judgment dated 26.08.2020 of the Hon'ble National Green Tribunal

Kind Attention is invited to the subject and reference cited above. The National Green Tribunal, Southern Zone, Chennai while disposing an Original Application No.45 of 2020(SZ) regarding the occurrence of a forest fire in Kerala that claimed the lives of three Forest Watchers had directed the Principal Chief Conservator of Forests & Head of Forest Force (PCCF&HoFF), Kerala to provide the status of implementation of the National Action Plan of Forest Fire (NAPFF) in Kerala, identifying gaps in implementation, and steps taken to rectify the same.

Vide reference cited above, the Hon'ble NGT have accepted the report submitted by the PCCF&HoFF and directed to consider the recommendation so as to improve the forest fire protection situation in the State. In this connection, I may bring the following to your kind attention.

As you are aware, there are still gaps to be bridged which could help us further improve our attempts in handling forest fire with finesse. The first of these is the age old practice of using conventional methods to beat the fire. Most of the fire beaters we have in the market at present are heavy, inconvenient to carry while trekking and hence not of much practical use. It is time we developed user-friendly firefighting tools that is of practical utility in the field. Since this would involve considerable experimentation with different kinds of materials available, it

would be of help if any of our premier research institutions is entrusted with this task under the overall guidance of MoEF&CC.

The second aspect is regarding the estimation of the extent of area affected by fire and the assessment of loss. Neither the extent nor the methodology for assessment of loss is standardized at present. The services of remote sensing agencies of repute could be of great help in arriving at the extent of the area affected by fire with accuracy than depending wholly on the field inputs using ordinary GPS readings. The MoEF&CC could help provide the platform in facilitating liaison between the remote sensing agencies and the State Forest Departments. There could also be an avenue for sharing the latest satellite imageries along with ground-truthing of the fire affected areas with organizations like FSI. There is no scientific method for assessing the loss due to forest fire. The traditional assessment of loss takes note of the value of the timber lost while ignoring the loss due to all other aspects of forests. Such grossly under-reporting of loss ultimately leads to a very low priority in allocation scarce resources. The above platform could also provide help in the assessment of loss. It may also be of considerable help if advance fire warning could be provided by FSI or such other agencies to help focus on such locations with added vigour.

The third reach is one of personal safety, where the staff involved in firefighting are to attempt the task at hand with hardly any protective gear to save them in the case of an eventuality. There aren't many readymade protective gears available in the market which can help the fire-fighters in the forests. Most of those available are tailor-made for use in fire & rescue operations in the human environment. By their very geography and location, forests are a terrain difficult for any of our urban gadgets to be of any practical use. Most of the methods in practice with the Fire & Rescue Services Department are also not much of field value in the forests. Since this is an aspect of critical importance, development of safety gear could be one of those frontier areas of research for our premier institutes under the guidance of the Ministry.

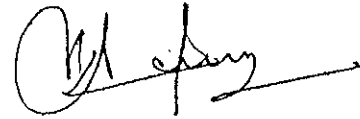
It is a fact that neither the State nor the Central budgets devote much on forest fire. The meagre budgetary provisions are to be fractioned amongst the many general forest protection measures of which fire prevention forms only a part. The dedicated central scheme on Fire Prevention and Management Scheme offers very little in terms of finances for the State Forest Departments to embark on anything substantial on the work front. This needs to be scaled up significantly.

While the NAPFF provides for an overarching framework for managing forest fire, bridging the gaps identified as above, would go a long way in securing our efforts at fire prevention and suppression as envisaged in the NAPFF.

Notwithstanding the operational constraints, it shall be our constant endeavor to see that the risks due to forest fires and the consequent loss of biodiversity are reduced to the minimum by prudent pooling of all the available resources.

While at the State level efforts are on to move out of the traditional methods and use of such tools for fighting, national level interventions in introducing modern techniques for early warning/ prediction, assessing the fire potential of larger landscapes and periodical updation, accurate assessment of the loss due to fire, development of protective gears suitable for field conditions and enhanced financial support will go a long way in perfecting the implementation of the NAPFF in the field and thereby managing our forests in a better way.

Yours faithfully,



Principal Chief Conservator of Forests &
Head of Forest Force, Kerala.

