

F.No.3(20)/CF/HQ/Transplantation policy of tree/part file-A/2018-19/ 2639

**GOVERNMENT OF NCT OF DELHI
DEPARTMENT OF FORESTS & WILDLIFE
A-BLOCK, 2ND FLOOR, VIKAS BHAWAN, I.P.ESTATE,
NEW DELHI-110002.**

Dated: 03-4-19

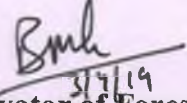
NOTICE

To whom it may concern

Sub :- To promote tree preservation and transplantation in Delhi-reg.

In continuation of Notice No.3(20)/CF/HQ/Transplantation policy of tree/part file-A/2018-19/1805 dated 28.02.2019, the approval of the competent authority is conveyed for extending the time period for sending comments/ views/ suggestions on the said policy upto 30th April, 2019.

The same may be sent on pccfgnctd@gmail.com.


3/4/19
Deputy Conservator of Forests (HQ)

F.No.3(20)/CF/HQ/Transplantation policy of tree/part file-A/2018-19/ 1805

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DEPARTMENT OF FORESTS & WILDLIFE
A-BLOCK, 2ND FLOOR, VIKAS BHAWAN, I.P. ESTATE,
NEW DELHI-110002.**

Dated: 27-02-2019

NOTICE

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Sub :- To promote tree preservation and transplantation in Delhi-reg.

Whereas there has been a significant increase in number of applications received for obtaining tree removal permissions under Delhi Preservation of Trees Act, 1994.

And whereas these applications have arisen due to a sudden increase in the development projects for mitigating the issues related with dense urbanization of city of Delhi.

And whereas considering requests for removal of large number of trees, it is proposed to frame a policy on tree transplantation so that ecological services lost due to loss of trees caused due to these projects /proposal is minimized.

And whereas draft order regarding the revised norms for carrying out compensatory plantation have been drafted along with draft revised norms.

And whereas it has been decided to obtain public comments on the said draft order and draft revised norms.

Now therefore, in view of the above, all citizens/ concerned group of citizens are requested to furnish their views on the attached draft norms to the following e-mail ID by 15th March, 2019:-

pccfgnctd@gmail.com


27/2/19
Deputy Conservator of Forests (HQ)

8/c

ORDER (DRAFT)

In supersession of all previous orders issued by the Department of Forests & Wildlife, GNCTD, regarding the norms for carrying out compensatory plantation under relevant provisions of the Delhi Preservation of Trees Act, 1994 to compensate the loss of greenery in the NCT of Delhi due to developmental activities, the revised norms for compensatory plantation are as follows:

- a) Trees should be properly preserved and no trees should be unnecessarily removed in development projects. Trees that can be prevented from felling or transplantation should be identified in the planning or feasibility stage and should be properly preserved through careful planning, design, implementation and post construction maintenance.
- b) When on-site preservation is not possible, scientific transplantation of all the affected trees shall be the new norm instead of felling of trees. At least 80% of the trees that are affected by developmental activities and cannot be preserved on-site shall be required to be transplanted and adequate maintenance measures should be undertaken at the new site so as to ensure at least 80% of the transplanted trees survive after a year. Detailed rules and procedure for undertaking scientific tree transplantation in Delhi as well as specific exceptions are enclosed in Annexure 1.
- c) While tree transplantation is preferred to tree felling, it may have varying degrees of success and causes an irreversible impact on the local ecology. Hence, the present norm of carrying out compensatory plantation in the component of ten times i.e. 10:1, for every tree affected by developmental activity in NCT of Delhi shall continue, in addition to the requirement for carrying out tree transplantation. The compensatory plantation shall be required to be done for each felled and transplanted tree.
- d) To ensure maximum chances of survival of saplings/trees planted through compensatory plantation, it will be mandatory for all saplings/trees planted to be minimum 8 feet in height and to be geo-tagged.
- e) GNCTD recognizes citizen participation through social audits as the most effective manner to assess the success of compensatory plantation and tree transplantation activities in Delhi. For this purpose, local committees (ward or assembly level) comprising citizen groups, professionals and experts shall be constituted by the Department of Forests & Wildlife within 3 months of this notification. These committees will be responsible for carrying out regular monitoring of all projects involving compensatory plantation or tree transplantation of 100 or more trees/saplings in their local areas and to certify their tree survival rate at the end of one year.

7/c

- f) Department of Forests & Wildlife shall keep a detailed and up to date record on its website every month of every application approved for tree felling under Delhi Preservation of Trees Act, 1994 with the following details:
- a. Applicant details
 - b. Location of affected site
 - c. Number and type of trees felled along with date when felling was completed
 - d. Number and type of trees transplanted along with date when transplantation was completed
 - e. Location of site for compensatory plantation, details such as type, height and geo-tagging of each tree/sapling and date when compensatory plantation was completed
 - f. Agency in-charge of carrying out compensatory plantation
 - g. Location of site for tree transplantation, details such as type, height and geo-tagging of each tree transplanted and date when transplantation was completed
 - h. Agency in-charge of carrying out tree transplantation
 - i. Whether social audit by citizen committee carried out, and if so details of the same

ANNEXURE 1 – Detailed rules and procedure for undertaking tree transplantation in addition to compensatory plantation under relevant provisions of the Delhi Preservation of Trees Act, 1994

1. Definition

'Transplantation' of trees refers to the digging and replanting of trees from one location to a new location while adopting scientific procedures that ensure maximum likelihood of tree survival. Successful transplantation of trees shall not be treated as 'felling of trees' for the purposes of DPTA.

2. Preservation of Trees

Primarily, trees should be properly preserved and no trees should be unnecessarily removed in development projects. Trees that are suitable for preservation should be identified in the planning or feasibility stage and should be properly preserved through careful and proper planning, design, implementation and post construction maintenance. Transplantation or felling of trees should be considered only and only if on-site preservation is not possible.

3. Empanelment of Technical Agencies for Tree Transplantation

GNCTD recognizes that the scientific transplantation of trees is a task requiring specific technical expertise. The Department of Forests & Wildlife, GNCTD, shall empanel qualified transplantation agencies that meet the minimum technical criteria and expertise to carry out tree transplantation work in Delhi.

To carry out tree transplantation from any project site in the NCT of Delhi, the applicant shall be required to select an agency from among the empaneled agencies only that will prepare the technical feasibility report and carry out tree transplantation for the specific project. The empaneled agency shall adhere to all the technical specifications for carrying out tree transplantation in Delhi as issued from time to time by the Department of Forests and Wildlife, GNCTD.

4. Procedure to be followed for Tree Transplantation at any project site

Following procedure shall be followed by any applicant seeking to carry out tree transplantation at any project site:

4.1 Site Tree Report: A site tree survey shall be carried out at the time of project feasibility assessment and site identification to obtain the required information for developing site planning and trees preservation proposals. The site tree report shall include:

- A physical tree count of all trees on site along with the noting of tree girths

- Geo-tagging of all trees
- Tree photographs uploaded online for record of date
- Preliminary assessment of number and type of trees to be transplanted and potential location(s)

In case of government agencies, preparation of Site Tree Report shall be done prior to seeking Expenditure Sanction (E/S) and the estimated costs for the same, based on guidelines issued by Forest Department, GNCTD, should be included in the proposal for E/S. A copy of the Site Tree Report shall be submitted to the concerned Tree Officer for record prior to seeking E/S. However, no approval shall be required from the Tree Officer at this stage.

- 4.2 Appointing a Technical Agency for Tree Transplantation: The applicant shall select one of the technical agencies among the agencies empaneled for carrying out tree transplantation work.

In case of government agencies, this shall be done after receiving E/S and through a competitive bidding process. To ensure that this happens in a time-bound manner, the Department of Forests and Wildlife, GNCTD, shall prepare a model RFP for selection of a technical agency for tree transplantation work.

- 4.3 Preparation and Approval of Tree Preservation Plan: The selected technical agency shall assist the applicant in preparing a Tree Preservation Plan for the site with first priority given to on-site preservation. In a situation where retaining the trees at their existing locations is unfeasible, priority should be given to transplant the affected trees to other permanent locations within the project site where appropriate, so as to increase the tree's survival rate after transplanting and minimize the loss of greenery in the local environ; and if not practicable, transplant the affected trees to suitable permanent location ex-situ. Location of the receptor site should preferably be in proximity to the project site for retention of amenity effect in the vicinity. In any case, a minimum of 80% of trees affected by any developmental activity shall be preserved through tree transplantation.

Following will be the salient features of the Tree Preservation Plan:

- The project outline with respect to trees that can be preserved on-site, trees that will need transplantation and trees that need to be felled
- Identification of tree relocation/ transplantation strategy
- Identification of land/ area where the trees will be transplanted
- Allocation of funds for transplantation
- Assessment of development plan in conjunction with the tree preservation plan with timelines

The Tree Preservation Plan shall be submitted to the concerned Tree Officer along with the application for tree felling, if any. The Tree Officer shall give his/her decision within the time stipulated under DPTA including, for reasons to be recorded in writing, granting a conditional approval subject to making necessary changes in the Tree Preservation Plan. If the Tree Officer fails to communicate his/her permission on request within the stipulated period, the permission shall be deemed to have been granted.

4.4 Implementation of Tree Preservation Plan: The Tree Preservation Plan can be put to implementation only after receipt of approval or deemed approval from the concerned Tree Officer. The technical agency in-charge of tree transplantation will be responsible for all the associated activities as illustrated below:

- a. Pre Conditioning
- b. Hardening
- c. Rhizome consolidation
- d. Refuge site preparation
- e. Transportation
- f. Transplanting at refuge
- g. After care

It is expected that the steps (a) to (f) above will typically take 3-4 months, whereas after care could take anywhere from 3-12 months to ensure that the transplanted trees have successfully adapted to their new habitat. It will be mandatory for all the transplanted trees to be geo-tagged.

4.5 Handover of Maintenance of Transplanted Trees: The responsibility of the technical agency in-charge of transplantation will be limited to one year of the completion of tree transplantation to a new site, subject to the following:

- a. Survival assessment report submitted by the technical agency with an assessment of tree survival rate at the new sites, along with a completion certificate signed by the concerned Tree Officer at the receptor site.
- b. The benchmark tree survival rate at the end of one year of tree transplantation shall be 80% or as notified by the Department of Forests and Wildlife, GNCTD, from time to time. The final payment of the technical agency shall be linked to the tree survival rate achieved with a provision for a penalty for tree survival rate below the benchmark rate.
- c. For projects where 100 or more trees have been transplanted, a social audit at the end of one year of completion of tree transplantation shall be carried out to establish the actual tree survival rate and the completion certificate shall be jointly signed by the concerned Tree Officer and a representative of the social audit team.

Subsequent responsibility for maintenance of transplanted trees after handover from the technical agency shall lie with the land owning agency.

4.6 **Social Audit:** GNCTD recognizes citizen participation through social audits as the most effective manner to assess the success of tree transplantation projects. Local committees (ward or assembly level) comprising citizen groups, professionals and experts) shall be constituted by the Department of Forests and Wildlife. These committees will be responsible for carrying out regular monitoring of all projects involving compensatory plantation or tree transplantation of 100 or more trees/saplings in their local areas and to certify their tree survival rate at the end of one year.

5. Land for Tree Transplantation

Ex-situ transplantation of trees shall be facilitated along Delhi PWD roads on first priority subject to availability of land along the roads. In addition, special land banks for tree transplantation will be identified across Delhi by Department of Forests and Wildlife, GNCTD, where replantation can be carried out, for example at government nurseries. In case, such land is not available, it will be responsibility of the applicant to arrange such land to accommodate transplanted tree species in a scientific manner.

6. Exclusions of certain tree species from transplantation

Invasive exotic tree species such as *Leucaena leucocephala*, *Eucalyptus globulus* and *Prosopis juliflora* (vilayati kikar) should not be considered for transplantation and will be excluded from the target of requiring minimum 80% of the trees affected by developmental activity to be transplanted. A negative list of such tree species to be excluded from transplantation shall be regularly updated by the Department of Forests and Wildlife, GNCTD, from time to time.

7. Exemptions from carrying out tree transplantation

As a general rule, it shall be mandatory for all development projects to ensure that a minimum 80% of the affected trees are scientifically transplanted, except for the following cases:

- a) Private organisations or individuals requiring 10 or less trees to be felled.
- b) Project specific exemption granted in exceptional cases by the Tree Authority established under DPTA and for reasons to be recorded in writing.

8. Facilitating scientific tree transplantation in NCT of Delhi

8.1 Tree transplantation is a subject with evolving technology and best practices for successful and scientific transplantation of various tree species found in the agro-

climatic conditions prevailing in NCT of Delhi. A dedicated Tree Transplantation cell shall be established in the Department of Forests and Wildlife, GNCTD, to facilitate and deal with all matters related to tree transplantation in NCT of Delhi.

8.2 The functions of the Tree Transplantation cell shall be as under:

- To prepare and regularly update the technical specifications for tree transplantation to be strictly followed for any tree transplantation activity in the NCT of Delhi
- To carry out empanelment of technical agencies for tree transplantation in Delhi at least once every two years
- To prepare model RFP and other supporting documentation to support government agencies in efficiently adopting and following the established procedure for tree transplantation work in Delhi
- To define the benchmark tree survival rate and update it from time to time keeping evolving scientific trends and data on success factors of tree transplantation in Delhi
- To organize and carry out technical training and capacity building of Tree officers of Forest Department, engineering staff of PWD etc. on the subject of tree transplantation
- To maintain a central repository of all tree transplantation works undertaken in Delhi along with the geo-tagged data of such trees as well as data on success rates of different projects, different tree species, different land owning agencies and technical agencies in-charge of carrying out tree transplantation
- To periodically flag to the Tree Authority those applicants or technical agencies who are unable to achieve the benchmark tree survival rate, and the reasons thereof
- To constitute local committees (ward or assembly level) comprising citizen groups, professionals and experts within 3 months of the notification of this policy for the purpose of carrying out social audits as required under this policy and to specify the norms for carrying out such social audits

8.3 The Tree Authority of Delhi shall be the apex body responsible for regular monitoring of the implementation of the prescribed procedure for tree transplantation, granting any exceptions to this process, and for evolving new norms, mechanisms and best practices to achieve the objective of ensuring successful tree transplantation in Delhi.

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- b. The benchmark tree survival rate at the end of one year of tree transplantation shall be 80% or as notified by the Department of Forests and Wildlife, GNCTD, from time to time. The final payment of the technical agency shall be linked to the tree survival rate achieved with a provision for a penalty for tree survival rate below the benchmark rate.
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