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Activists challenge Goa govt's Tree Act in Bom HC

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Panaji, May 3 (PTI) State-based heritage activist and two other NGOs have filed a writ petition in the Bombay High Court challenging Laxmikant Parsekar-led government's recent move to amend the Act re-classifying the coconut tree as palm.

The petition which was filed before the bench in Goa recently has sought to stop the state government from proceeding on the Act which no longer accords 'tree' status to the coconut tree.

Heritage activist Prajal Sakhardande, NGOs--Goa For Giving and Mumbai based Vanashakti-- has termed the amendment to the Goa Preservation of Trees Act, 1984 as "illegal".

The petition seeks to restrain the respondents from proceeding on the basis that coconut trees are not 'trees' under the Goa Preservation of Trees Act, 1984.

The petitioners have said the amendment expressly removes the extended protection given to the 'coconut tree' under the Act.

The consequence is that coconut trees that do not conform to the width/height requirements can now be felled indiscriminately without applying for permission from the tree authority.

"It modifies the definition of 'tree' protected under the Act to exclude trees that have a trunk/body less than 10 centimetres in diameter at a height of one meter from ground level. It may be noted that earlier, the qualification was that the trunk was required to have a diameter of 5 centimetres at a height of 30 centimetres from the ground level," the petition states.

"As a result any tree that does not meet the ten centimetre criteria can be felled indiscriminately without applying for permission from the tree authority," it adds.

The petitioners have said The Goa Preservation of Trees Act, 1984 was enacted for the purpose of preserving trees in the territories of Goa, Daman, and Diu.

To that end, the Act created a mechanism to prevent indiscriminate felling of trees, and encourage planting of trees.

Pointing out the environmental impact of this Act the petitioners have said in the present environmental scenario, given that the decreased amount of water reaching the sea from river, the land near the coast will become more saline in a process that is called 'salinity intrusion'.

"As a consequence, land along the coast will be rendered barren and useless of cultivation. This process has already begun causing untold damage in other parts of India such as Gujarat," they said.

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