

**STATUS REPORT SUBMIT BY THE DISTRICT COLLECTOR, ERODE
DISTRICT, AND AS THE 3RD RESPONDENT OF THIS CASE.**

I, H. Krishnanunni, I.A.S., Son of K. Harikumar aged about 33 years, now working as District Collector, Erode District, do hereby solemnly affirm and sincerely state as follows :

It is respectfully submitted that on the 28th day of May 2021 the Erode Edition of Dinamalar Newspaper has published the news under the headline "Neem Trees dies as Acid poured in Kodumudi" that "Five well grown Neem Trees stood in front of a Private Hospital near Kodumudi Old Bus Stand were appeared lush and green on one side of the road. While the patients come to take treatment at this hospital used to sit under the tree to breathe air from these trees. Small fruit sellers used to park their Vans for selling fruits. Passenger who waits for buses used to wait under the shade of these trees, few used to park their two wheelers while going out for their personal work. In this situation, ten days before some anti-social elements have poured Acid on the roots of these four Neem Trees and killed those trees. Behalf of this all four trees are pathetic as they charred completely. When public reported about this, they said we worship Goddess Mariyamman in the form of Neem tree. When Corona pandemic surge topple every city, we pray Goddess Mariyamman by keeping Neem leaf at the entrance of the every house. Those who have committed such a crime should be arrested. They requested that officials of Highways Department should inspect those affected trees and should find the criminals. Not only taking action against criminals and they should also plant more number of trees and should take care of them".

Based on the news published by the Dinamalar Erode Edition dated 28.05.2021, the occurrence was arrived as "*GIST - It is highlighted in the news paper that acid was poured into the roots of 4 well grown neem trees which appeared lush and green has resulted in charring to its death completely. It was requested by the environmentalists that the anti-social elements associated with this be nabbed to prevent such reoccurrence*".

On the occurrence of the crime, a case has been Suo Motu registered by the Honorable National Green Tribunal Southern Zone,

Chennai in Original Application No.131 of 2021 (SZ) (Through Video Conference) and the following officials were impleaded the Secretary to Government of Tamil Nadu, Department of Environment, Forests & Climate Change, Chennai (1), The Principal Chief Conservator of Forests & Head of Forest Force, Chennai (2), The District Collector, Erode District (3), The District Forest Officer, Erode Forest Division, Erode (4), The Divisional Engineer, Highways Projects Division, Erode (5) and Kodumudi Town Panchayat, Rep. by its Executive Officer, Kodumudi (6) as respondents no.1 to 6 respectively. The case was posted for hearing on 24.06.2021 and the Honorable National Green Tribunal, Southern Zone, Chennai has ordered as follows:

1. The above case has been Suo Motu registered by this Tribunal on the basis of the news paper report published in Dinamalar Erode Edition dated 28.05.2021 under the caption “கொடுமுடியில் ஆசிட் ஊற்றியதால் கருகிய வேப்பமரங்கள்” “Neem Trees dies as Acid poured in Kodumudi”.
2. It is alleged in the newspaper report that five well grown Neem Trees standing in front of a Private Hospital near Kodumudi Old Bus Stand which were providing shade for the people who are coming there apart from being used as a medicinal plant, were destroyed by pouring acid by certain anti social elements. On account of the same, these trees almost charred and in pathetic condition.
3. On going through the allegations made in the newspaper report, we are satisfied that there arises a substantial question of environment which requires the interference of this Tribunal as trees lay a great role in protecting environment as per the natural producers of oxygen in the atmosphere. Further this Tribunal in several cases where issue of cutting of trees was raised, directed re-plantation of multiple number for trees for each tree cut so as to protect green cover in that area. So, the applications admitted.
4. When the matter came up for hearing for admission today through Video Conference, Mr. Arun represented Mr. C. Harsharaj counsel for respondents 1 to 5.
5. Issue notice to the respondent by Registered post with acknowledgment due, and also by e-mail immediately along with the copy of the newspaper report and gist of the Suo Motu proceedings with full cause title.

6. The District Collector, Erode District with the assistance of District Forest Officer, Erode Forest Division is directed to look into the issue and submit a report regarding the issue, action taken, as on date the mechanism evolved for preventing such incidents in future and the measures taken for rejuvenating the partly damaged trees on account of the incident and submit a report to this Tribunal on or before 26.07.2021 by e-mailing in the form of searchable PDF / OCR Support of PDF and not in the form of Image PDF along with necessary hardcopies to be produced.
7. The Registry is directed to communicate this order to the official respondents immediately through e-mail along with the copy of the news paper report and the gist of the Suo Motu proceedings with full cause title so as to enable them to comply with the direction and for filing their independent response regarding the allegations in the news paper report.
8. For appearance of parties, submitting their independent responses and also for consideration of report, post on 26.07.2021.

Obedient to the order in the para-6 of the above, the District Collector, Erode District has called for the reports from the concerned officials and obtained the reports from them. The excerpts of the reports are given below:

(1) Report of the Executive Officer, Town Panchayat, Kodumudi Selection Grade Town Panchayat :

The Executive Officer, Town Panchayat, Kodumudi Selection Grade Town Panchayat has submitted a report dated 05.07.2021 that "I have perused the order passed by the Green Tribunal Southern Zone, Chennai in Original Application no.131 of 2021 (SZ) hence I am herewith submit my report as known by me.

(a) I have received information through our subordinates before on 28th May 2021 that about "Neem Trees dies" at Nearby Old Bus Stand and in front of the private hospital at Kodumudi. Another information received by me through news published in Thina Malar News paper on 28th May 2021. "Neem Trees die as Acid poured in Kodumudi". Immediately after received the said information about that incident I have visited that place at that

time only I known fact that the said Neem Trees is belong and maintained by the Kodumudi Highways Department.

(b) I further submit that nearby our office, Assistant Director of Highways Department, Executive Engineer of Highways Department office is situated. Hence I have immediately informed orally to the highways department about that incident and they given assurance to me to take action immediately.

(c) I further submit that I have recently received the order passed by the National Green Tribunal Southern Zone, Chennai in original application N.131 of 2021 (SZ). Therefore I am herewith submit that I will be ready to assist the Highway Department, Kodumudi regarding of this incident and also further. I am submit that I will be ready to obey the order passed by the National Green Tribunal Southern Zone, Chennai regarding that issue.

(2) Report of the The Divisional Engineer, Highways, Construction and Maintenance, Erode:

The Divisional Engineer, Highways, Construction and Maintenance, Erode has reported to the District Collector, Erode District, Erode in the Ka.No. 868 / 2021 / A1 dated 09.07.2021 that the department has come to understand that the four numbers of Neem Trees situated at 36/8 kms on the right side along the Erode - Karur Highways (SH) Road and the branches of the trees were cut by some persons dried up the trees by peeled the crust in the roots of the trees on 24.04.2021. When on enquiry conducted to the neighbors by the officials of the department, nobody came forward to tell the information about the persons those who damaged of the trees. Hence the Assistant Divisional Engineer, Highways, Construction and Maintenance, Kodumudi has lodged a complaint vide letter no. Na.Ka. 6 / 2020-2021 / Oo.Po. dated 24.04.2021 before the Inspector of Police, Kodumudi Police Station and the Police Department assure to nab the culprit for damaging the Government's trees and take criminal action. The Inspector of Police has issued a Receipt No.49 / 2021 dated 26.04.2021 to the Assistant Divisional Engineer, Highways, Construction and Maintenance, Kodumudi for having received the complaint.

In these circumstances, it was known from the letter no. 13280 / 2021 dated 25.06.2021 of the District Collector, Erode, a case has been Suo Motu registered by the Honorable National Green Tribunal based on the newspaper report published in Dinamalar Erode Edition dated 28.05.2021 in respect of the above incident occurred. It is to inform that since the powers are vested with the Revenue Divisional Officer to take action on the persons involved in damaging the alive trees of the Government, necessary report would be sent to the Revenue Divisional Officer after identified and confirmed the criminals.

Further, the report has been sought from the Police Department enable to submit the reports before the Honorable National Green Tribunal since the Honorable National Green Tribunal has registered the case on the above incident. After getting the reply from the Police Department necessary report would be sent.

(3) Report of the Revenue Divisional Officer, Erode and the Tahsildar, Kodumudi:

The Revenue Divisional Officer, Erode has submitted the report in the Na.Ka. 2284 / 2021 / B3 dated 13.07.2021 that "the land bearing R.S. No.262 with an extent of 0.33.5 Hectare is recorded in the village accounts of Kodumudi 'A' Village, Kodumudi Taluk, Erode District as "Road". The Road is under the maintenance of High Ways Department and State Highways Road leads from Erode to Karur (SH 84). The enquiry reveals that the Neem Trees are situated on the right side of the Erode - Karur Road at 36/8 km (in front of PP Hospital). The branches of the trees were cut by some persons dried up the trees by peeled the crust in the roots of the trees on 24.04.2021. Since the road is under the administration of the Highways Department, a complaint was lodged by the the Assistant Divisional Engineer, Kodumudi at the Police Station on 24.04.2021 and the receipt bearing no.49/2021 dated 26.04.2021 for having received the complaint. With regard to the complaint, the report has been called for from the Assistant Divisional Engineer, Kodumudi and the Inspector of Police, Kodumudi". The Tahsildar, Kodumudi has also

submitted the similar report in the Na.Ka. 926 / 2021 / B1 dated 12.07.2021.

(4) Report of the District Forest Officer, Erode District, Erode Divisional Forest, Erode:

The District Forest Officer, Erode District, Erode Divisional Forest, Erode has sent a report in Ku / 3913 / 2021 dated 16.07.2021 that when on the inspection it was found that the four Neem Trees as detailed below are situated at 36/8 km in Erode - Karur Highways Road:

Number assigned for Tree	Height of the tree (in metre)	Radius of the tree	Age of the tree
1a	6	0.58	6 to 7
1b	6	0.475	6 to 7
2	7	0.725	6 to 7
3a	7	0.76	6 to 7
3b	7	0.27	6 to 7
3c	7	0.26	6 to 7
4	6	0.46	6 to 7

The trees are also situated at the distance of 4.3 km from the Kodumudi Conservation Land. The trees are not under the control of the Forest Department and the trees are under the control of the Highways Department. Also it is found from the inspection that the crust of the roots of the trees were peeled and poured the acid and activities are with an aim to destroy the trees and it is not possible to restore the trees to the previous natural condition. The enquiry revealed that the action was taken by the Highways Department concerned by filing the complaint in the Police Department.

(5) The Inspector of Police, Kodumudi Police Station, Kodumudi, Erode District has submitted the enquiry report dated 16.07.2021 as follows:

1. Details of the petition: On 26.04.2021 at 15.00 hours, the Assistant Divisional Engineer, Highways Department, Kodumudi has lodged a complaint that the trees owned to the Highways Department situated at 36/8 km in Erode-Karur Road nearby the P.P. Hospital and the trees were deteriorated by some bodies on pouring the acid and in the complaint the Highways Department has apprised to take appropriate action on the criminals involved and the case filed vide Petition Receipt No.49/2021 and the receipt was given by the Thiru Shriraman, Sub Inspector of Police and the complaint petition was tabled before me for investigation.

2. Result on the Enquiry: This complaint petition was taken by me for the spot enquiry and enquired the witnesses viz. (1) Syed Mustaba, (2) Rajkumar, (3), Mohamed Kalibullah, (4) Parthiban, (5) Chellamuthu, (6) Marimuthu and (7) Vadivel and registered their statements from them and known from the enquiry that someone who is working in the P.P. Hospital has poured the poisonous acid on the bottom of the root of the four Neem trees. It is known from the enquiry that the P.P. Hospital has destroyed the trees by pouring poisonous acid. Hence, the administration of the P.P. Hospital is held responsible for the criminal activities for having destructed the four Neem trees belonged to the Highways Department situated in front of the P.P. Hospital in this connection, action would be taken to find the culprit who was involved in the offence and appropriate action would be taken on the criminal.

On the above reports of the officials concerned, it is concluded that the four numbers of well grown Neem trees aged about 6 to 7 years (determined by the Forest Department) situated on the right side of the Erode-Karur State Highways Road at 36/8 km in front of one private hospital viz. P.P. Hospital have been destroyed by some who working in the above private hospital by pouring poisonous acid on the bottom of the root of the trees resulting charred. On the inspection of the trees, the Forest Department has opined that it is not possible to rejuvenate them or restore to the previous natural condition. Since the above trees are under the control of the Highways Department, the official concerned of the Highways Department has lodged a complaint before the Inspector of Police, Kodumudi on 24.04.2021 that too before the news published in the Dhinamalar of Erode Edition dated 28.05.2021 on the offence occurred. It is known from the enquiry report of the Inspector of Police concerned, the above P.P. Hospital is only the responsible for the above criminal offence and the Police Department is searching the particular culprit / culprits involved in the offence to nab him / them.

As in the above conclusion, the District Collector, Erode has sent a letter vide Na.Ka. 13280 / 2021 / K4 dated 19-07-2021 to the Inspector of Police, Kodumudi to speed up the action to find the particular culprit / culprits and to file the First Information Report under Cr.P.C.

The Assistant Divisional Engineer, Highways Department, Kodumudi is also instructed to contact the Inspector of Police, Kodumudi then and there for necessary action.

Herewith I submit the status report along with the copies of the relevant documents in supporting of the above averments for necessary orders.

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22/7/21
**DISTRICT COLLECTOR,
ERODE DISTRICT,
ERODE.**

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