



W.P.(MD)No.16485 of 2015, WP.No.3075 of 2017 and WP.(MD) No.14699 of 2015

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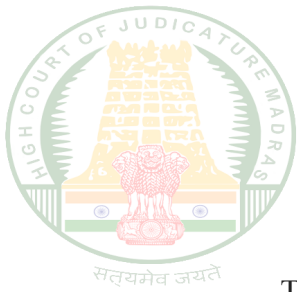
N.SATHISH KUMAR, J.
AND
D.BHARATHA CHAKRAVARTHY, J.

Order dated: 02.11.2022

Status Report filed by the Forest Department in respect of the removal of Seemai Karuvelam it is indicated that the Forest Department is proposed to remove Seemai Karuvelam for an extent of 1325 Ha., in various forest divisions in 27 Districts under the RDF-NABARD Scheme for the year 2022-23 and so far they have removed 281.50 Ha., out of which Seemai Karuvelam has been removed in 140 Ha. The Seemai Karuvelam in the remaining areas will be removed in due course.

2. The Report filed by the Commissioner of Rural Development and Panchayat Raj Department indicates that various guidelines have been issued to the District Collectors to eradicate seemai karuvelam trees spread across the rural areas, which are as follows:

“Following instructions is issued to eradicate seemai Karuvel trees spread across the rural areas like Panchayat Pormpoke/MI



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Tanks/ponds/oorannies and lands belonging to Rural Local Bodies (RLBS).

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- * In the available seemai Karuvel, it is likely that the density of Jungle may vary from Heavy dense jungle to Light dense Jungle at site.
- * Based on the reports received from the above Districts, the practical method for the removal and uprooting of seemai Karuvel was analyzed.
- * In this regard, all the District Collectors are instructed to take necessary action to remove the total available seemai Karuvel along with uprooting immediately by following due procedures as given below:

Assessment:

The density of Seemai karuvel available in each Tank/Pond/other water bodies and also in common poromboke areas shall be assessed by a team of officers not below the rank of BDO, from Forest, Revenue and RD&PR Department in the District.

IEC Activities:

Wide publicity should be made through whatever-possible means so as to sensitize the general public about the ill effects of Seemai karuvel trees.

Involvement of NGOs:

Moreover, Students NGOs, Voluntary Organizations, Self Help Groups and Social Workers should be roped in for conducting the camps so as to spread the evils of Seemal Karuvel Trees among the Public.

Removal from public areas:

This Teams shall assess the quantity of wood in MT per acre available in the rural areas in their District and accordingly fix the rate per acre based on market condition for cutting and removal of seemai Karuvel with Uprooting for both Heavy Dense Jungle and Light Dense Jungle.



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The Prevailing market rate should be taken into consideration while fixing the rate per acre for arriving the upset price for auction.

After fixing the rate per acre by the Team members, the District Collector may authorize BDO(VP) for auctioning and removal of seemai Karuvel through wide publicity. The auction shall be finalized and the revenue thus generated has to be deposited in the concerned rural local body Bank account (Account No.1 of Village Panchayats in respect of areas other than MI Tanks or General Fund of Block Panchayats concerned in respect of MI Tanks). After remitting the auction amount, the bidder has to cut and remove the seemai Karuvel jungle at his own cost.

Removal from private land areas:

With respect to Seemai Karuvel trees available in the Private lands, proper intimation should be given to the owners of private lands to remove Seemai Karuvel trees within a stipulated period as per the Tamil Nadu Panchayat Act 1994.

Monthly reporting:

The Seemai Karuvel is to be removed completely with uprooting in the entire rural areas including revenue lands in a phased manner and the monthly compliance report shall be submitted to this Directorate without fail.

Committee at the field level:

For this purpose, a committee should be constituted comprising Zonal Deputy BDO of concerned Zone, zonal Deputy Thasildar, Assistant Engineer and BDO (VP) to remove the seemai Karuvel trees. This should be ascertained by Block Zonal Officer in the cadre of Assistant Director (RD).

The amount required for removal of these valueless seemai karuvel trees should be properly assessed by Assistant Engineer and BDO(VP). The residues of the cut trees should be stacked and disposed of properly without causing any harm to the environment.

Replantation:



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The places where seemai karuvel trees are uprooted and removed from the public and poromboke lands suitably replanted with the plantation of other trees which are environment friendly. These places should be identified and mapped by the concerned field functionaries, the massive tree plantation under MGNREGS may be undertaken in this places.

Hence, the district Collectors are suitably instructed to take necessary for eradicating the Seemai Karuvel trees by adhering the instructions given above.

Since the Honourable Madural Bench of Madras High Court has been passing orders periodically with respect to removal of Seemai Karuvel Trees, the District Collectors are instructed to comply the orders and act accordingly.”

We are of the view that the guidelines issued by the Commissioner has to be followed scrupulously. As per the above guidelines, the Collectors of respective Districts should constitute a committee as suggested in the guidelines referred above within a period of 15 days and file a further report in this regard, post the matter on 24.11.2022.

3. The Status Report filed by the Engineer-in-Chief, Water Resources Department discloses the fact that they have identified around 1,93,030.43 hectare infested with Seemai Karuvelam Trees. However, only around 3715.43 ha. have been removed from 01.04.2022 to 31.10.2022.



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4. We are of the view that once the nature of encroachment of the invasive species identified in the water bodies and the Government has also taken a policy decision to remove the invasive species in the entire area and also decided to go for public auction by calling for tender, there is no reason as to why only small areas have been removed so far.

5. In such a view of the matter we direct the Government to go for public auction for the entire area identified in the water bodies, so that the water bodies can be restored and preserved for future generation. For initiating steps and for filing Report post the matter on 24.11.2022.

6. List connected W.P.No.3075 of 2017 and W.P.(MD) No.14699 of 2015 also on 24.11.2022.

(N.S.K.,J.) (D.B.C.,J.)
02.11.2022

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