

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 152/2024

News item titled "**Over 5000 hectares of forest land in Kerala under encroachment State forest dept report**" Appearing in the Deccan Herald dated 08.01.2024

Date of hearing: 21.02.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

ORDER

1. This Original Application has been registered on the basis of the news item titled "Over 5000 hectares of forest land in Kerala under encroachment State forest dept report" published in Deccan Herald dated 08.01.2024.

2. The news item reveals that as per the Kerala Forest Department, annual administrative report 2021-22 over 5000 hectare of forested land in the State has been encroached upon. News item further reveals that of 5024.535 hectares of forest land encroached upon, the large chunk of 1998.03 hectares is in the Kottayam High Range Circle which includes the Kothamangalam, Kottayam, Munnar, Marayoor and Mankulam divisions. It also reveals that the second highest portion i.e. 1599.61 hectare of encroached forest land is in the Palakkad Eastern Circle and that the third is the Kannur Northern Circle with 1085.67 hectare under encroachment.

3. The news item raises substantial issue relating to compliance of environmental norms.

4. Power of the Tribunal to take up the matter in suo-motu exercise of power has been recognized by the Hon'ble Supreme Court in the matter of "Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors." reported in 2021 SCC Online SC 897.

5. We implead the following as respondents in this original application:

- 1) Principal Secretary, Environment and Forest Department
Karnataka.
- 2) Principal Chief Conservator of Forest, Kerala Forest Department.
- 3) Chief Wildlife Warden, Kerala Forest Department.

6. Let notice be issued to the above respondent for filing their response before the appropriate Bench of the Tribunal.

7. Since the matter relates to the Southern Zonal Bench of the Tribunal, therefore, the Original Application is transferred to the Southern Zonal Bench, Chennai for further action. Let the original record be transferred to Southern Zonal Bench.

8. List before the Southern Zonal Bench at Chennai on 12th April, 2024.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

February 21, 2024
O.A No. 152/2024
HB