



2026 INSC 605

**REPORTABLE
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO(S). 6395-6397 OF 2025

**A. JOHN KENNEDY
AND OTHERS** **....APPELLANT(S)**
VERSUS
**STATE OF TAMIL NADU
AND OTHERS** **...RESPONDENT(S)**

ORDER

Mehta, J.

1. Heard in part.
2. The instant appeals involve two diverse issues concerning **(i)** preservation of Reserve Forests, Wildlife Sanctuaries and Tiger Reserves in the State of Tamil Nadu, and **(ii)** the claim of the appellants, being displaced tea estate workers, claiming rehabilitation pursuant to their eviction from an erstwhile tea estate, the Bombay Burma Trading Corporation Limited (BBTCL) located in Singampatti, Tamil Nadu, after the same was declared to be a Reserved Forest, Wildlife Sanctuary and Tiger Reserve under the provisions of the Wild Life (Protection) Act, 1972.

3. While considering the larger issue relating to ecological preservation and protection of wildlife habitats in the Agasthyamalai landscape, this Court *vide* order dated 24th March 2025 issued the following interim directions: -

“27. In view of the submissions noted above and as an interim measure, to initiate the process of restoration of the pristine forest areas and to protect the tiger habitats/wildlife reserves/sanctuaries falling under the Agasthyamalai landscape, we hereby direct the CEC to conduct an extensive survey of the entire Agasthyamalai landscape, which would include Periyar Tiger Reserve, Srivilliputhur Grizzled Squirrel Wildlife Sanctuary, Meghamalai and Thirunelveli Wildlife Sanctuaries. The CEC shall indicate in its report all instances of non-forestry activities going on in these areas contrary to the statutory provisions viz, the Forest Conservation Act, 1980, the Wild Life (Protection) Act, 1972, etc.

28. Comparative data pertaining to the forest cover as it existed earlier vis-à-vis the current position shall also be provided so as to gauge the extent of depletion/degradation in the forest area.

29. The CEC shall also recommend measures for restoration of (a) the reserved forests, (b) the tiger habitats, and (c) elephant corridors and (d) other wildlife reserves (sanctuaries) in and around the Agasthyamalai landscape, including the abovementioned sanctuaries/reserves. For this purpose, the CEC may employ all scientific procedures including Remote Sensing Satellite Imagery, Geo Mapping etc., so that the process of survey can be expedited.”

I. CEC REPORT NO. 33 OF 2025 DATED 10th JULY, 2025 (INTERIM REPORT)

4. Pursuant to the aforesaid directions, the CEC submitted its Interim Report dated 10th July, 2025, wherein it was observed that the Agasthyamalai Ecological Landscape covers 3,500.36 square kilometers, encompassing the following districts in Tamil Nadu: Tirunelveli, Tenkasi, Kanyakumari, Theni and Dindigul; and in Kerala: Thiruvananthapuram, Kollam, Pathanamthitta and Idukki. The CEC conducted field visits to the Agasthyamalai Landscape from 23rd June, 2025 to 26th June, 2025 covering key Protected Areas including the Kanyakumari Wildlife Sanctuary (KWS), Kalakad-Mundanthurai Tiger Reserve (KMTR), Srivilliputhur-Megamalai Tiger Reserve (SMTR), and Periyar Tiger Reserve.

5. In respect of the Srivilliputhur-Megamalai Tiger Reserve (SMTR), the CEC observed that it is the most ecologically vulnerable area, which forms the upper catchment of the Vaigai River, a critical water source for five downstream districts. It was further observed that data on encroachments and land use is scarce, official records are incomplete or inconsistent, and

field-level efforts and inter-departmental coordination toward enforcement and restoration remain minimal. Significantly, despite specific and time-bound directions from this Court for the removal of encroachments, the State district administration continues to extend facilities and amenities such as infrastructure support, welfare schemes, and subsidies to the encroachers at par with law-abiding citizens.

6. As per official records of 2020, around 4,595 individuals are encroaching upon 5,071.27 hectares of Reserved Forest land spread across key ranges like Varusanadu, Megamalai, Gandamanur, and Chinnamanur. The CEC noted that these encroachments are old, many involving permanent cultivation of crops such as silk cotton, cardamom, and beans, and that in spite of clear orders of the Madras High Court to remove the encroachments, no significant progress has been made so far.

7. As per the report submitted by the District Magistrate of Theni District, a total of 4,601 encroachers have occupied 5,072.653 hectares of land in Reserved Forests across Theni district. Thus far, only 1.8% of the total encroached forest land has

been reclaimed. A total of 116 government and public utility structures have been constructed inside forest lands without prior approval under the Forest (Conservation) Act 1980. There are also serious violations of the Tamil Nadu Hill Areas (Preservation of Trees) Act, 1955, by cultivation of silk cotton, cardamom, lemon grass, cashew, beans, and other tree crops on forested hill slopes across over 5,000 hectares.

8. Alarmingly, a total of 118 individuals listed as encroachers have been identified as serving or retired government employees, including personnel from the Army, Police, CRPF, Forest Department, Revenue Department, Electricity Board, Anganwadi, School Education, Panchayats, Survey Department and other services.

9. Although directions were issued by the Madras High Court *vide* order dated 17th March, 2022¹ to the Superintendent of Police, Theni, to form a special task force to assist in forest eviction, thus far, no FIRs or criminal cases have been registered for forest

¹ W.P.(MD) Nos. 6994, 6998, 10566 of 2021 and 22146 of 2017, along with W.M.P.(MD) Nos. 5370, 5372, 8226 of 2021, 1839 of 2022, and 13360, of 2021

encroachment; no encroacher arrests have been made; and no special unit deployment had occurred as of 25th June, 2025.

10. With regard to the Kanyakumari Wildlife Sanctuary (KWS), the CEC reported that there is sizeable encroachment and various issues of non-availability of verified maps of the reserve forest. An area of 427.40 hectare has been covered under various encroachments in Kanyakumari Forest Division, in which an area of 237.09 hectare is involved in litigation. Law and order issues have arisen whenever the Forest Department has attempted to evict encroachers, and a joint effort of the Survey, Revenue, Police, and Forest Departments was found to be necessary.

11. On the basis of the information gathered and preliminary observations, the CEC issued the following interim recommendations:-

“a) A time-bound, division-wise encroachment eviction plan shall be prepared and implemented as a matter of priority, with clear timelines, measurable milestones, and designated officer-level responsibilities.

b) The plan shall include strategies for physical, eviction, rehabilitation where applicable, legal action. against willful, violators, and post-eviction restoration to ensure that reclaimed forest lands

are not reoccupied. Failure to act in accordance with the approved plan shall invite administrative accountability at the highest level.

c) A dedicated Forest Protection and Encroachment Eviction Task Force shall be constituted and operationalized by the District Police, with clearly defined lines of accountability, jurisdictional coordination, and time-bound targets for enforcement and eviction.

d) The State Law Department shall monitor the progress of the proceedings of various cases filed by or against the encroachers in district courts for their early disposal.

e) Disciplinary and legal action shall be initiated against all identified government servants found to be encroachers, under Rule 3 of the Tamil Nadu Government Servants' Conduct Rules, 1973.

f) A blanket moratorium shall be placed on all welfare schemes, public utilities, and infrastructure support in encroached forest land areas, to prevent incentivizing illegal occupation.

g) There shall be a blanket moratorium on all new non-forestry activities within forest areas, pending the dismantling of infrastructure constructed in violation of the provisions of the Forest (Conservation) Act, 1980, or the grant of post-facto approvals for such works strictly as per guidelines of the Central Government.

h) Adequate budgets shall be allotted by the State Government to the Forest Department for the immediate restoration and protection of the area freed from encroachment.

i) The progress of eviction of all encroachments and restoration of forest area freed from encroachment shall be reviewed by the Chief Secretary, Government of Tamil Nadu, on a monthly basis,

with a copy of the minutes of each review meeting submitted to the CEC.”

12. Thereafter, in continuation of its earlier exercise and upon further monitoring of the situation on the ground, the CEC submitted its second report (Report No. 02 of 2026) dated 16th January, 2026.

II. CEC REPORT NO. 02 OF 2026 DATED 16th JANUARY, 2026 (SECOND REPORT)

13. In this report, the CEC submitted that despite continued monitoring and repeated directions, complete and duly verified records of land ownership and encroachments from the District Authorities of the Megamalai and adjoining forest divisions are yet to be furnished. The CEC noted that gaps continue in receiving crucial inputs including final comparative forest cover analysis, geospatial data from the Forest Survey of India (FSI), and verified records on land ownership and encroachments from the District Authorities of Megamalai and adjoining forest divisions.

14. In respect of the Kalakad-Mudanthurai Tiger Reserve (KMTR), the CEC reported that the total extent of encroachment is 10.16 hectares by 99

families. In the Papanasam area, the encroachers are workers for the construction of the Papanasam Upper and Lower Dams, who later settled in the forest area. Eviction notices were issued on 11th November, 1996 and 18th November, 1996, but the eviction could not be carried out as the Tahsildar refused to sign the eviction mahazar and left the site. The matter was deferred, pending identification of alternative sites for rehabilitation. In 2004, the Tahsildar, Ambasamudram, forwarded 216 pattas for an alternative site at Aladiyur village for the encroachers and Kani tribals. While the Kani tribals subsequently received titles under the Forest Rights Act, 2006, the encroachers refused to accept the pattas and vacate the forest land. Thereafter, by Proceeding dated 23rd September, 2021, the Sub-Collector, Cheranmahadevi allotted alternative land at Vellanguzhi village, which was also rejected. In a further attempt, 21 families agreed to relocate upon issuance of pattas and accordingly free pattas were issued on 29th May, 2025 for land in Vikramasingapuram Municipality, Ambasamudram Taluk. Even thereafter, the encroachers refused to

vacate and began demanding construction of free houses.

15. Notwithstanding the absence of any legal right to remain within the Tiger Reserve, the encroachers continue to enjoy electricity, drinking water, voter identity cards and access to facilities meant for Kani tribal communities. They have also defied notices to remove cattle from forest areas, thereby frustrating every lawful attempt at eviction despite adequate offers of rehabilitation.

16. With regard to Lease Rent Payable by Bombay Burmah Trading Corporation Limited (BBTCL) in respect of KMTR, the Madras High Court, by an order of 18th August, 2025 passed in W.A. No. 1435 of 2024, adjudicated and disposed of the pending disputes between the BBTCL and the State Government. The lease rent payable by BBTCL, with interest and penal interest for the period from 1958 up to 31st August, 2025, has been computed year-wise, amounting in total to Rs.4,655,24,33,533.21 (Rupees Four Thousand Six Hundred Fifty-Five Crore Twenty-Four Lakh Thirty-Three Thousand Five Hundred Thirty-Three and Paise Twenty-One only).

17. In respect of the Kanyakumari Wildlife Sanctuary (KWS), the CEC reported that there are 553 encroachers, occupying an area of 427.404 hectares. Trial in civil cases in respect of 230.61 hectares of forest land, by 47 encroachers, is in progress. No original maps for these reserve forests are available, and only attested copies are available.

18. With regard to the Srivilliputhur Megamalai Tiger Reserve (SMTR), despite the preparation of an Action Plan in 2022 for removal of encroachments in SMTR, implementation has been slow. Phase-I of the programme covers only 81 encroachers, of whom 66 have been relocated so far, and an extent of 52.86 hectares of forest land have been recovered. Even in respect of these 66 cases, the process of taking over cultivation, buildings and other assets has not been fully completed and continues to remain pending, thereby permitting continued illegal use of forest land.

19. The CEC further submitted that no comprehensive, time-bound plan has been implemented to address the large number of other encroachments that continue to exist within the Tiger Reserve and its core forest areas. The functioning of

the Special Task Force constituted by the District Collector, Theni has also been confined largely to paperwork and coordination meetings, with its activities primarily limited to updating databases, verifying survey numbers, and identifying government services extended to encroachers. There is no evidence of any decisive, field-level enforcement or accelerated eviction drive being undertaken through the Task Force.

20. A Special Police Team headed by the Deputy Superintendent of Police, Andipatti Sub-Division, has been constituted for SMTR, however, its role has remained largely confined to maintaining law and order during surveys and eviction attempts. The CEC states in its report that there is no indication of any proactive enforcement, initiation of criminal proceedings, or sustained field operations by the said team either for the removal of encroachments or for prosecuting the violators under the Forest (Conservation) Act, 1980.

21. The CEC also noted that on account of protests and obstructions, the boundary fixation exercise continues to remain fragile, fragmented and grossly inadequate to secure the forest lands of this critical

tiger landscape from continuing illegal occupation. Further, the State admits that schools, Anganwadi centers and Public Distribution System (PDS) outlets continue to function within encroached forest hamlets. Instead of being closed or relocated outside the forest, these facilities have merely been “reduced” or kept in limited operation. The State has not vacated any functioning government building from forest land and has, instead, adopted a policy of slow and gradual withdrawal, thereby allowing the continued physical presence of government infrastructure which has the effect of legitimizing and sustaining the illegal occupation on forest lands.

22. With regard to Protected Areas in Kerala, since the CEC’s report of 10th July, 2025, there has been no material change in the encroachment in protected areas in Kerala. Approximately 700 non-tribal inhabitants live in the core area of the Periyar Tiger Reserve, and 1.3354 hectares are encroached in Kattilapara and Rosemala settlements in the Shendurney Wildlife Sanctuary. These encroachments have not thus far been removed.

23. The Forest Survey of India (FSI) submitted a preliminary report indicating a declining trend in

forest cover and quality, and water and soil fertility over time. Certain non-forest activities resulting in fragmentation of forest are overtly visible on satellite images in the form of agriculture, plantations, buildings, linear infrastructure, and other features. Protected areas are also surrounded by high human density villages and are exposed to anthropogenic effects. Hilly forest patches only exist today as fragmented isolated islands in a sea of human-dominated landscape, which hinders the dispersal of native species and may have aided in the spread of invasive species further degrading forest quality.

24. In its Second Report, the CEC made the following additional recommendations:-

“(i) A time-bound, division-wise encroachment eviction plan shall be prepared and implemented as a matter of priority, with clearly defined timelines, measurable milestones and designated officer-level responsibilities.

(ii) The plan shall include physical eviction, rehabilitation where applicable, legal action against willful violators, and post-eviction ecological restoration, so that reclaimed forest land is not re-encroached. Failure to adhere to the approved plan shall attract administrative accountability at the highest level.

(iii) A dedicated Forest Protection and Encroachment Eviction Task Force shall be constituted at the district level under the leadership of the concerned Divisional Forest

Officer, with the support of the District Magistrate and the Superintendent of Police.

(iv) The State Law Department shall monitor all cases relating to encroachments pending before district courts and take steps for their expeditious disposal.

(v) Disciplinary and legal action shall be initiated against all identified government servants found to be encroachers in SMTR, under Rule 3 of the Tamil Nadu Government Servants' Conduct Rules, 1973 and other applicable laws.

(vi) A blanket moratorium shall be imposed on all welfare schemes, public utilities and infrastructure support in encroached forest areas, so that illegal occupation is not incentivised or legitimised.

(vii) The Central Government shall not approve any proposal for diversion of forest land in the entire Agasthyamalai landscape, for non-forestry purposes under the provisions of the Forest (Conservation) Act 1980, until all encroachments are removed and illegal infrastructure dismantled or regularised strictly in accordance with the Forest (Conservation) Act, 1980.

(viii) Strict penal action shall be initiated against all officials and Heads of Departments who commenced or permitted illegal infrastructure works within Megamalai Wildlife Sanctuary in violation of the Forest (Conservation) Act, 1980, and a status report shall be filed within three months.

(ix) All Government facilities within the Srivilliputhur-Megamalai Tiger Reserve shall be stopped, relocated and removed from forest land, and all unauthorised infrastructure shall be dismantled and removed within three months.

(x) All bus services to and from encroached forest areas shall be stopped forthwith in accordance with the recommendations of the Special Committee.

(xi) All illegal resorts operating in the Megamalai area shall be made non-operational forthwith and shall be removed.

(xii) All electricity connections to illegal resorts and encroached areas shall be disconnected forthwith, and all unauthorised electricity transmission lines within forest areas shall be removed.

(xiii) The Forest Survey of India, under the MoEFCC, shall survey and digitise the entire boundary of SMTR and Kanyakumari Wildlife Sanctuary within six months.

(xiv) There should be rigorous evaluation of the KMTR and SMTR within next six months as per the management effectiveness and security audit framework institutionalized by the NTCA.

(xv) The State Government of Tamil Nadu shall recover all dues from BBTC Ltd., including lease rent, penalties and costs, in accordance with the orders of the Hon'ble Madras High Court.

(xvi) The Chief Secretary, Government of Kerala, shall ensure that all original maps, survey records and land records of Kanyakumari Wildlife Sanctuary in Kerala's custody are transferred to the Tamil Nadu Forest Department within three months. The Chief Secretary, Tamil Nadu shall coordinate with Chief Secretary, Kerala to get it expedited.

(xvii) All court cases relating to encroachments in Kanyakumari Wildlife Sanctuary pending in Kerala shall be transferred to the competent courts in Kanyakumari District, Tamil Nadu.

(xviii) The respective State Government shall provide adequate budgetary support to the Forest Department for the restoration and protection of lands freed from encroachment.

(xix) The Chief Secretaries of the concerned States shall review eviction and restoration progress every month, and the minutes of each review meeting shall be submitted to the CEC.

(xx) The representative from NTCA and IRO, MoEFCC shall conduct inspection of SMTR, KMTR and Kanyakumari Wildlife Sanctuary on quarterly basis and submit report on the observations with respect to the status of encroachment and

restoration of areas freed from encroachment to the CEC.

(xxi) As this issue require continuous monitoring before the matter can be comprehensively addressed, the CEC proposes to submit periodic reports before the Hon'ble Court till the matter is fully resolved.

(xxii) Any other order that this Hon'ble Court may pass.”

III. REPLY AFFIDAVIT OF THE STATE OF TAMIL NADU

25. Pursuant to the submission of the aforesaid reports by the CEC, this Court directed the State of Tamil Nadu to file its response with regard to the observations and recommendations contained therein. In compliance with the said directions, the State of Tamil Nadu has filed a detailed reply affidavit responding to both the CEC Reports and setting out the steps undertaken by the State authorities in relation to encroachment removal, restoration measures, rehabilitation efforts and protection of the forest and wildlife areas within the Agasthyamalai landscape. The State has expressed its commitment to implementing the CEC's recommendations in letter and spirit, while acknowledging the challenges highlighted therein. The relevant points emerging from the reply affidavit are set out hereunder.

A. Kalakad Mundanthurai Tiger Reserve (KMTR) - Papanasam Area

26. The total extent of encroachment in KMTR is 10.16.00 hectares, comprising around 99 families who had worked during the construction of the Papanasam Upper Dam (Karaiyar Dam) and Lower Dam in 1942. During the construction of the Servalar dam in 1986, a few of them moved there and settled. Several attempts have been made by the Forest Department for eviction, the first attempt resulting in the filing of W.P. No. 5242-5248 of 1963 by the encroachers, wherein the Madras High Court *vide* order dated 3rd July, 1998, directed the encroachers to be evicted by providing them alternative sites. *Vide* proceedings dated 30th September, 2004, the Tahsildar, Ambasaamudram had allotted 216 free pattas in Aladiyur Village for the encroachers and Kani tribals. The Kani tribals subsequently received titles under the Forest Rights Act, 2006 whereas the encroachers refused to accept the pattas and vacate forest land. A second attempt was made to evict the encroachers based on proceedings dated 23rd September, 2021 by the Sub-Collector, Cheranmahadevi allotting alternative land in

Vellanguzhi village. However, the encroachers did not vacate the forest land. A third attempt has also been made on 29th May, 2025 by allotting 21 families, free patta in Ambasamudhram Taluk. However, the encroachers are not vacating forest land for want of constructed accommodation in the allotted alternative land.

27. The State has submitted that though notices were issued directing the encroachers to relocate their cattle outside the forest, the matter was politicized and no desirable outcome was achieved. The said issue has also been included in the District Encroachment Steering Committee, a body responsible for identifying, enumerating, and evicting illegal occupations on government land, water bodies, and public property, but no significant progress has been achieved. The State has further submitted that these encroachers have been in occupation of the subject land for more than eight decades and therefore, in view of the long duration of such occupation and the attendant socio-economic considerations including sentimental and emotional attachment to the place of residence as expressed by

the occupants, it is proposed to adopt a phased approach in carrying out the eviction process.

28. On the question of rehabilitation, the State has submitted that the Forest Department, along with the District Administration, are committed to providing house sites outside the reserve under any suitable scheme and necessary steps are also being taken to identify and allot suitable alternative lands for rehabilitation.

B. Bombay Burma Trading Corporation Limited (BBTCL)

29. The State has submitted that out of the 8373.57 acres of leased land under the possession of M/s BBTCL, an area of 8152.13 acres has already been handed over to the Forest Department on 8th May, 2025, which amounts to 97.35% of the leased area. With regard to the balance area of 221.44 acres spread over five places at Manjulai, Kakkachi, Nalumukku, Oothu and Kuthiravetti, there are factories, offices, schools, common places with shops, weigh bridges, residential bungalows, labour lines, religious structures etc. Presently, the Manjulai factory has been completely dismantled, whereas dismantling process is going on at Manimuthar and

Oothu factories and it is estimated that the dismantling will be completed shortly. **However, all other buildings, infrastructures, offices, bungalows, labour houses, religious structures etc. belonging to the BBTC management are planned to be left as they are.**

30. As regards rehabilitation of BBTCL workers, the plantation workers have been given 2 years' salary as part of the VRS package offered by BBTCL and as on 15th March, 2026, 210 workers have received 100% of the VRS amount, which was deposited in the office of the Assistant Labour Commissioner, Nagercoil. The estate workers have also been provided houses free of cost and at present, 90 families have been provided with Apartments under the Tamil Nadu Urban Habitat Development Board in Pappankulam and Reddiarpatti and 59 houses have been constructed under the Kalignar Kanavu Illam Scheme through the District Administration in their own lands at different places. Out of the five areas, entire labour population from Kakachi and Kuthiraivetti area has moved out. However, a few estate workers are still intermittently residing within the estate premises and as per field verification and

daily data taken, approximately 140 individuals are now staying within three estate areas *i.e.* Manjolai, Nalumukku and Oothu. Essential public service institutions such as post offices, schools and fair price shops have already been relocated outside the estate areas.

31. Since the election process in Tamil Nadu has just been completed, it is proposed to initiate and carry out the eviction proceedings in a time-bound manner, in coordination with the District Administration.

C. Kanyakumari Wildlife Sanctuary (KWS)

32. The State has submitted that the Kanyakumari District was covered under the Erstwhile Travancore Cochin Forest Act, and owing to the language and system of forest administration, though the forests that were handed over to Tamil Nadu State after annexation were re-notified under the Tamil Nadu Forest (Amendment) Act, 1965, there were challenges in recognizing the boundaries. The forest boundaries were altered or defaced or tampered by the encroachers from time to time resulting in ambiguous recognition of the forest boundary. A re-survey is yet to be conducted to accurately delineate the forest

boundary, which step is described as crucial for precise boundary identification prior to initiating the eviction of encroachers. A total extent of 427.404 hectares of forest land is under encroachment, distributed across various forest ranges. A phased eviction plan has been formulated in accordance with the provisions of the Tamil Nadu Forest Act, 1882 and the Wildlife (Protection) Act, 1972, and priority has been accorded to ecologically sensitive areas and core wildlife habitats. It has also been proposed to undertake comprehensive Differential Global Positioning System (DGPS) survey to help resolve disputes regarding forest boundary demarcation and facilitate the eviction of encroachers.

D. Srivilliputhur-Megamalai Tiger Reserve (SMTR)

33. The State has submitted that the SMTR, situated in Theni District, plays a crucial ecological role as part of the Agasthyamalai landscape and serves as a critical corridor connecting the Periyar Tiger Reserve in Kerala. Megamalai, being home to a rich biodiversity, is a significant catchment for the Vaigai river system and other water bodies. Presently, there are no active plantation leases in the forest lands of SMTR. As per official records, around 4601

individuals have encroached upon 5072.653 hectares and the range-wise extent of such encroachment is as follows:-

| Range | Number of Encroachers | Encroachment Area (Ha) |
|--------------|------------------------------|-------------------------------|
| Gandamanur | 1725 | 510.902 |
| Megamalai | 344 | 720.735 |
| Varusanadu | 2523 | 3758.481 |
| Chinnamanur | 9 | 82.535 |
| Total | 4601 | 5072.653 |

34. The issue of encroachment has been under litigation before the Madras High Court, wherein several directives have been issued by the High Court to address and curb the problem, and it had accordingly directed the setting up of a Special Police Team/Special Task Force (STF) to assist the Wildlife Warden of Megamalai Range and other forest officials for carrying out the eviction exercises.

35. With regard to the eviction plan, the State submitted that eviction measures are being undertaken through rehabilitation and resettlement. During identification of the encroached areas, it was found that the survey covered agricultural fields, private lands, hilly terrain and wildlife regions. Public agitation led to serious law-and-order concerns and

disturbance to wildlife movement, requiring careful handling. Consequently, a phase-wise drone survey was initiated, with the first phase conducted between 24th February, 2026 and 27th February, 2026. The Assistant Director (Survey), Theni District, reported that the drone survey progresses at approximately 3 sq. km per day, with 210.07 sq. km still remaining to be surveyed. The aerial survey itself is expected to take at least six months, followed by field demarcation and boundary fixation before a comprehensive eviction plan can be finalized.

36. A Special Task Force (STF), constituted pursuant to the order dated 1st November, 2018 in WP(MD) No. 22146 of 2017, has been monitoring encroachment classification, coordinating with district authorities, and addressing law-and-order concerns. A Special Police Team was also constituted to assist in maintaining order during the survey operations. While initial surveys were completed without resistance, interior surveys were hampered due to public protests, which were subsequently controlled with police assistance.

37. The State further submitted that government facilities in encroached areas are being gradually

withdrawn to discourage continued occupation. In Bommarajapuram, services such as schools, Anganwadis and PDS facilities have not been expanded, no new buildings or renovations have been approved, and ration distribution has been reduced to once a week at a common location. **Government schemes and beneficiaries are being minimized with the objective of encouraging resettlement outside forest areas. Public demands seeking stoppage of eviction, road renovation, school construction and grant of FRA pattas were rejected as involving unlawful activities, though awareness regarding rehabilitation measures was undertaken. The Animal Husbandry Department's weekly immunization programme in encroached hamlets has also been discontinued.**

38. As of 16th March, 2026, the State had recovered 15 hectares of forest land from Government officials, while eviction proceedings concerning an additional 36.47 hectares were underway. Disciplinary and legal action was proposed against 118 Government servants involved in encroachment. 13 anti-poaching/protection watchers engaged in the Tiger Reserve who were found to have encroached upon

forest land were terminated, and cultivation in such areas was stopped. Notices under Section 68A of the Tamil Nadu Forest Act, 1882 were also issued to 25 Government officials found in illegal possession of forest land. According to the Deputy Director, SMTR Megamalai Division, 16 hectares had already been recovered and eviction from the remaining 29.3 hectares was in progress. Encroachers were systematically categorized, with priority accorded to cases involving Government officials, some of whom voluntarily surrendered possession.

39. The State further reported that 116 Government and public utility structures had been constructed inside forest land without prior approval under the Forest (Conservation) Act, 1980, and action against the responsible agencies and officials was under process. **Regarding illegal resorts, no new development had taken place in Megamalai Division; presently 3 resorts are operational and 3 partially operational out of 12 identified resorts, with regulatory action being taken to reduce ecological impact. Unauthorized cattle grazing has also been strictly prohibited, and 66 forest**

offence cases were registered for illegal grazing between 2017 and 2026.

40. The State Government has formulated a “Resettlement and Rehabilitation Action Plan” by way of which a survey has been conducted in which people have been classified into three categories:-

| Category | Description | Number of Encroachers | Encroachment Area (in Ha) |
|-----------------|--|------------------------------|----------------------------------|
| Category 1 | Have permanent house and livelihood through forest | 1595 | 1679.733 |
| Category 2 | Have temporary house and livelihood in the forest | 233 | 525.204 |
| Category 3 | Only agriculture in the forest | 2773 | 2867.706 |

41. Persons falling under Category 1 will be relocated outside the forest area and 54 such families have already moved to ready-built quarters provided by the State Government. The State Government is in the process of relocating the remaining encroachers as well. Phase I of the resettlement and recovery programme has been successful, and a total of 66

persons have been allocated houses. This has resulted in the successful recovery of 52.86 hectares (130.62 acres) of Forest Land. Further, all administrative and field procedures concerning the handover of assets including former cultivation areas, permanent structures, and associated improvements are now concluded for those 66 individuals, thereby ensuring that the recovered land is fully restored to the jurisdiction of the Forest Department. It has been also pointed out that a total of 111.63.6 ha (275.84 Acre) area has been retrieved from encroachers.

42. A time-bound comprehensive plan is to be devised to address the issue of encroachment in SMTR and the said plan will be submitted to the Government after consultation with all line Departments and stakeholders. Due to the election process in Tamil Nadu, the said consultation and survey process was suspended and will now resume post-election. As the eviction process requires a humanitarian approach and involves significant physical and financial resources, a detailed plan is being prepared, covering all key aspects.

43. In the reply affidavit, the State has candidly acknowledged the following challenges being faced in carrying out the eviction process:-

(a) Resistance from encroachers during eviction often leads to tense situations, necessitating adequate police support and advance planning.

(b) Ongoing court cases, interim orders, contempt petitions, and repeated litigations delay enforcement and require careful legal handling.

(c) Forest personnel involved in eviction are frequently subjected to harassment complaints, private complaints, theft allegations, damage claims, and human rights petitions. Though such cases are often dismissed, they create operational hazards and affect morale, highlighting the need for legal protection and institutional backing.

(d) Eviction does not conclude the issue, as evicted persons often file compensation claims, particularly in cultivation areas, leading to prolonged legal and administrative follow-up.

(e) Many encroachers are landless and economically weaker sections. Demands for alternative land and livelihood considerations necessitate coordination with Revenue authorities and policy-level decisions.

Effective eviction requires synchronized action among Forest, Revenue, and Police Departments, which shall be ensured.

(f) Remote and difficult forest terrains pose logistical challenges in mobilizing manpower, machinery, and ensuring sustained monitoring.

44. Despite the aforesaid challenges, the State has submitted that continuous and coordinated efforts are being undertaken, in consultation with the District Administration and other concerned Departments, to address the observations and recommendations made by the CEC in a time-bound manner. The State has reiterated its commitment towards ensuring restoration of forest land, preservation of ecological integrity and strict compliance with the directions issued by this Court.

IV. ANALYSIS

45. We have heard the submissions advanced by Shri K. Parmeshwar, learned *Amicus Curiae*, and Shri Vijay Narayan, learned Advocate General appearing for State of Tamil Nadu. We have also carefully perused the material placed on record, including the First CEC Report dated 10th July, 2025, Second CEC

Report dated 16th January, 2026, as well as the detailed Reply affidavit filed on behalf of the State of Tamil Nadu. We have given our careful and anxious consideration to the submissions advanced before us and to the facts and circumstances emerging from the record.

46. The present proceedings concern not merely questions of regulatory compliance or administrative accountability, but strike at the very heart of environmental governance and the constitutional obligation of the State to preserve and protect ecologically sensitive regions, fragile ecosystems, and critically endangered wildlife for the benefit of present and future generations.

A. Overall Assessment of the State's Response

47. At the outset, this Court takes note of the fact that the State of Tamil Nadu has, in its Reply affidavit, candidly acknowledged the challenges highlighted by the CEC in both its reports and has expressed its institutional commitment to implementing the CEC's recommendations in letter and spirit. The Reply affidavit demonstrates that the State is not unmindful of the gravity of the situation and has initiated several concrete measures towards

addressing encroachments, restoring habitats, and strengthening conservation across the Agasthyamalai landscape. The CEC has itself acknowledged the efforts made by the State Government towards the ecological restoration of forest land and has noted that such efforts require to be significantly strengthened, institutionalised, and accelerated. This Court takes note of these measures initiated and shall now proceed to assess their adequacy and efficacy having regard to the scale and urgency of the problem.

48. At the same time, this Court is constrained to observe that the material placed on record, when examined holistically, discloses that the measures initiated by the State, while constituting a step in the right direction, remain significantly below the threshold of response that the gravity and urgency of the situation demands. The issues arising in the present proceedings are not of recent origin. The encroachments within the protected areas of the Agasthyamalai landscape - including the Kalakad-Mundanthurai Tiger Reserve, the Srivilliputhur-Megamalai Tiger Reserve and the Kanyakumari Wildlife Sanctuary have persisted and proliferated

over several decades, notwithstanding specific and time-bound directions issued by the Madras High Court, orders passed by this Court, and repeated recommendations made by expert bodies including the CEC. The CEC has, in both its reports, painstakingly documented the extent of encroachments, the inadequacy of enforcement measures, the slow pace of eviction proceedings, the continued extension of government amenities and facilities to encroachers, the fact that a large number of Government servants, former and present, continue to encroach upon forest lands and the absence of any comprehensive, time-bound and adequately funded plan for restoration of forest land and protection of wildlife habitats within the Agasthyamalai landscape.

49. The reply affidavit filed by the State of Tamil Nadu, while articulating commitments and presenting several measures already undertaken or proposed, also candidly places on record the practical and administrative challenges confronting the State in carrying out eviction operations on a large scale in difficult and ecologically sensitive terrain. The State has attributed the slow pace of progress to factors

such as resistance from encroachers, ongoing litigation, logistical difficulties arising from difficult terrain, the political sensitivity of the issue, and the recent conduct of State elections which necessitated temporary suspension of the survey and consultation process. Thus, evidently the endeavours of the State to remove the encroachments remain in the realm of hollow promises.

50. This Court is not entirely averse to the submissions of State, and it is cognizant of the fact that eviction of thousands of persons who have been resident in forest areas for extended periods, many of whom are economically vulnerable. The task is onerous and one involving considerable administrative, logistical and humanitarian complexity. However, having said that, this Court is equally of the view that the obligation to protect ecologically sensitive regions cannot stand indefinitely deferred on account of such challenges, and that what is required is a structured, time-bound and adequately resourced institutional response that simultaneously addresses the imperatives of environmental protection and human rehabilitation.

B. Steps Taken by the State - Acknowledgment and Assessment

51. Before examining the deficiencies in the State's response, it is appropriate for this Court to take note of the positive steps that have been initiated. In respect of the BBTCL issue within the KMTR landscape, the State has submitted that out of 8,373.57 acres of leased land, an area of 8,152.13 acres, amounting to 97.35% of the total leased area has already been handed over to the Forest Department as of 8th May, 2025, which event is after this Court took cognizance of the issue. Dismantling of factory infrastructure is underway, with the Manjolai factory having been completely dismantled and work in progress at the Manimuthar and Oothu factories. As regards rehabilitation of BBTCL workers, 210 workers have received 100% of their VRS entitlement, 90 families have been provided apartments under the Tamil Nadu Urban Habitat Development Board, and 59 houses have been constructed under the Kalignar Kanavu Illam Scheme. Essential public service institutions including post offices, schools and fair price shops have already been relocated outside the estate areas.

The Court takes note of these measures as demonstrating meaningful progress in the resolution of the BBTCL issue, while also noting that the release of remaining 221.44 acres area and the question of restoration of the handed-over land as a forest require expeditious attention.

52. In respect of SMTR, the State has placed on record that it has formulated a Resettlement and Rehabilitation Action Plan involving a three-category classification of encroachers. Phase I of the resettlement programme has resulted in 66 persons being allocated houses and 52.86 hectares of forest land being successfully recovered. A total of 111.63 hectares has been retrieved from encroachers in aggregate. The State has initiated a drone survey process to facilitate accurate boundary demarcation, with the first phase having been conducted from 24th February, 2026 to 27th February, 2026. Steps have been taken to minimise government services and amenities in encroached areas, PDS services have been reduced to once a week, the Animal Husbandry department's weekly immunization program in encroached hamlets has been stopped, and no new government services or infrastructure have been

sanctioned in such areas. Action has been taken against 13 Anti-poaching Watchers/Protection Watchers engaged through outsourcing agencies who were found to be indulging in encroaching activities. Now they have been terminated and all cultivations covered under their encroachments have been stopped. Notices under Section 68A of the Tamil Nadu Forest Act, 1882 have been issued to 25 government officials verified to be in illegal possession of forest land, and 16 hectares land has been recovered from such officials. The District Collector, Theni has been requested to initiate disciplinary and legal action against 118 government servants identified as encroachers. However, they continue to hold on to the encroached forest areas. These are measures that this Court acknowledges as indicating that the State has begun to engage more seriously with the recommendations of the CEC, and they deserve to be recognised as steps in the right direction.

53. In respect of the Kanyakumari Wildlife Sanctuary, the State has submitted that a phased eviction plan has been formulated in accordance with the provisions of the Tamil Nadu Forest Act, 1882 and

the Wildlife (Protection) Act, 1972, with priority accorded to ecologically sensitive areas and core wildlife habitats. A comprehensive DGPS survey has been proposed to resolve disputes regarding forest boundary demarcation, and a District Level meeting has been requested under the chairmanship of the District Collector for evolving a coordinated inter-departmental strategy for eviction. The State has also acknowledged that certain civil amenities being extended to inhabitants of encroached areas are under review and that a proposal is under consideration to gradually withdraw such facilities in a phased manner.

C. Areas of Continuing Concern

54. Having taken note of the steps initiated, this Court must now address the areas of continuing concern that emerge from the record. Notwithstanding the measures detailed above, the overall pace and scale of compliance falls significantly short of what the urgency and gravity of the situation demands. In SMTR alone, only 66 out of 4,601 encroachers have been successfully relocated, and even in respect of these 66 cases, the State has acknowledged that the process of taking over

cultivation, buildings and other assets has not been fully completed and continues to remain in suspended animation, thereby permitting continued illegal use of forest land and resources. Only 52.86 hectares out of 5,072.653 hectares under encroachment has been effectively recovered. These meagre figures, when viewed against the massive scale of encroachment and the duration over which this matter has been pending before various fora, reflect a pace of progress that this Court finds difficult to regard as commensurate with the gravity of the situation.

55. The survey process again presents grave concern. The drone survey, which is described by the State as a precondition for the eviction process, progresses at a rate of 3 sq. km. per day, leaving 210.07 sq. km. yet to be covered, with the aerial survey alone estimated to require a minimum of 6 months, after which actual field demarcation will require additional time. While this Court appreciates the logistical challenges involved in surveying difficult forest terrain, and acknowledges that the drone survey represents a methodologically sound approach to accurate boundary determination, it is

necessary to emphasise that such procedural prerequisites, important as they are, cannot serve as justifications for indefinite deferral of eviction action in areas where boundaries are already clearly established and legal proceedings have been concluded in favour of the Forest Department. The State must ensure that eviction operations proceed simultaneously and without delay in such areas even as the survey process continues in others.

56. This Court is also concerned by the material placed on record which indicates that certain government amenities and facilities continue to remain functional within encroached forest areas. The State has itself acknowledged that three PDS shops continue to operate, albeit on a reduced basis, in Arasaradi, Vandiyur and Nariyuthu hamlets, and that six Anganwadi centres remain operational within encroached forest areas. While the State has indicated that a proposal for complete withdrawal of such services is under consideration and that no new services or infrastructure have been sanctioned, this Court is of the view that the continued operation, even on a limited basis, of such facilities within encroached forest areas must be brought to an end

within a defined short timeframe. The extension of government facilities to encroached areas, however limited, inevitably legitimizes illegal occupation and creates disincentives for voluntary relocation.

57. The position regarding government employee encroachers also requires close attention. The CEC has identified 118 serving or retired government employees as encroachers within SMTR. While the State has initiated steps, including issuance of notices and the recovery of 15 hectares from such officials, the proceedings against a significant number remain pending. Government employees occupy a position of public trust, and encroachment upon protected forest land by persons holding such positions constitutes a particularly grave dereliction of duty that warrants the most expeditious and strong institutional response. The State must ensure that disciplinary and legal proceedings against all identified government employee encroachers are pursued and concluded with the urgency that the situation demands, without awaiting the outcome of the broader eviction programme. Further, removal of these encroachments is absolutely essential and must be completed by the next date of listing.

58. In respect of the BBTCL issue, while this Court acknowledges the significant progress made in handing over 97.35% of the leased area to the Forest Department, it cannot overlook the State's disclosure that significant permanent infrastructure, including offices, bungalows, labour houses, religious structures and associated buildings, belonging to the BBTCL management are proposed to be left in place as they are. This Court finds such a proposal difficult to reconcile with the imperative of comprehensive habitat restoration within the KMTR landscape. The continued presence of permanent built infrastructure within a Tiger Reserve, without any concrete plan or timeline for its removal and ecological restoration, is not consonant with the directions of this Court or the recommendations of the CEC.

59. Further, the massive lease rent liability computed against BBTC Ltd. amounting to Rs. 4,655,24,33,533.21 (Rupees Four Thousand Six Hundred Fifty-Five Crore Twenty-Four Lakh Thirty-Three Thousand Five Hundred Thirty-Three and Paise Twenty-One only) remains to be recovered, and the State must take expeditious steps in this regard in accordance with the orders of the Madras High

Court. We expect to receive a compliance report in this regard by next date. Further, we shall consider the partial utilization of this amount towards the Compensatory Afforestation Fund Management and Planning Authority (CAMPA) fund.

D. Legal Framework and Constitutional Obligations

60. This Court has, in a catena of decisions, consistently affirmed that the protection of wildlife, forests and ecological systems constitutes not merely a statutory obligation but a constitutional imperative flowing from Articles 21, 48A and 51A(g) of the Constitution of India. This Court in ***T.N. Godavarman Thirumulpad v. Union of India***², emphasized the approach that conservation must be eco-centric and not anthropocentric, recognising that non-humans too have intrinsic value and that the approach has to be nature centred where humans are a part of nature. The Court further observed, with reference to the principle of restitution and Article 8 of the Convention on Biological Diversity, 1992, that constitutional Courts are duty-bound to ensure not

² (2025) 2 SCC 641

only prevention and mitigation of environmental degradation, but also restoration of damaged ecosystems to the fullest extent possible, while safeguarding against future ecological harm.

61. The Agasthyamalai landscape is not merely another protected area, it is a globally significant biodiversity hotspot, home to flagship species including the tiger, elephant, leopard, Indian Gaur sloth bear, Nilgiri langur, Great Indian Hornbill, and numerous other endangered species. The Srivilliputhur-Megamalai Tiger Reserve has been identified by the National Tiger Conservation Authority as a critically affected tiger reserve, with risks including occupation by the cotton-silk mafia, commercial cattle grazing, and ganja cultivation. The Kalakad-Mundanthurai Tiger Reserve constitutes the critical catchment of the Thamirabarani River, serving millions of people in southern Tamil Nadu, and the CEC has recommended the restoration of natural forest cover in this landscape as imperative for maintaining biodiversity, water security, and ecological balance.

62. The consequences of continued inaction are therefore not limited to wildlife alone but extend to

water security, the livelihoods of millions of people dependent on the river systems and the ecosystem services generated by this landscape, and to India's obligations under international environmental law.

E. Rehabilitation and the Humanitarian Dimension

63. This Court is fully alive to the humanitarian dimension of the issues involved. A significant number of the persons presently in occupation of forest land within the Agasthyamalai landscape are economically vulnerable, many have been resident in these areas for extended periods, in some cases spanning over eight decades, under circumstances that were not entirely of their own making, including dam construction workers who settled in forest areas during infrastructure development activities, and communities that migrated into forest areas during severe drought conditions prevailing in the 1950s and 1960s. The complexity of the rehabilitation task is real and cannot be understated.

64. This Court is also conscious of the fact that rehabilitation and eviction must proceed simultaneously and in a coordinated manner, and

that no person should be displaced without adequate alternative provision being made for their resettlement. The approach of the State in categorising encroachers, distinguishing between those with permanent habitations and forest-dependent livelihoods, those with temporary structures, and those engaged only in agriculture, provides a useful and rational framework for prioritising and sequencing eviction and rehabilitation operations. This Court endorses this approach and expects the State to pursue it with greater speed and rigour.

65. At the same time, this Court is of the considered view that humanitarian considerations, important as they are, cannot operate as a perpetual justification for indefinite postponement of legally mandated eviction and restoration measures. The obligation to provide adequate rehabilitation is a legitimate and important one, but it must be discharged in tandem with, and not as a substitute for, the discharge of environmental obligations. The approach of treating complex issues in rehabilitation as excuses for deferring eviction operations indefinitely, without any

concrete plan or enforceable timeline, cannot be acknowledged in law.

V. DIRECTIONS

66. In view of the foregoing discussion, this Court is of the opinion that, despite the steps taken by the State, the matter requires a structured, time bound and closely monitored framework to ensure effective implementation and consequences for non-compliance. The assurances and commitments made in the reply affidavit must translate into concrete, measurable and verifiable action on the ground through effective monitoring, institutional accountability and sustained enforcement. Accordingly, we issue the following directions:

- i. A time-bound, division-wise encroachment eviction plan shall be prepared and implemented on priority, with clearly defined timelines, measurable milestones, and designated officer-level responsibilities. The said plan shall be placed before CEC within a period of one month.
- ii. The eviction plan shall include comprehensive measures for physical eviction, rehabilitation wherever applicable, legal action against wilful

violators, and post-eviction ecological restoration, so as to ensure that reclaimed forest land is not re-encroached. Any failure to comply with the approved plan shall invite administrative accountability at the highest level.

- iii. The State Law Department shall continuously monitor all proceedings relating to encroachments pending before district courts and other judicial forums and take appropriate measures for their expeditious disposal. The status of all pending cases relating to the encroachments before various forums shall be submitted for perusal of this Court in a tabular form supported by an affidavit on the next date of hearing.
- iv. Disciplinary and legal action shall be initiated against all identified 118 Government servants found to be encroachers, in accordance with Rule 3 of the Tamil Nadu Government Servants' Conduct Rules, 1973 and other applicable laws. We further direct that the State Government shall consider imposing additional penalties on all present and former Government employees found to be encroachers, and require such

persons to deposit appropriate environmental restitution and restoration charges with the Tamil Nadu State Compensatory Afforestation Fund Management and Planning Authority (CAMPA). The amounts so deposited shall be maintained separately and utilised exclusively for ecological restoration, habitat recovery, afforestation, forest protection and related conservation measures in the affected areas, in accordance with the Compensatory Afforestation Fund Act, 2016 and the Rules framed thereunder.

- v. A blanket moratorium shall be imposed on the extension of welfare schemes, public utilities, transport facilities, electricity supply, and infrastructure support within encroached forest areas, so as to ensure that illegal occupation is neither incentivised nor legitimised.
- vi. There shall be a complete prohibition on approval or commencement of any new non-forestry activity or diversion proposal within the entire Agasthyamalai landscape under the provisions of the Forest (Conservation) Act, 1980, until all encroachments are removed and all illegal

infrastructure is dismantled or otherwise dealt with strictly in accordance with extant law, rules and regulations. Proposal for regularization, if any, shall be placed before the CEC which shall examine the same and submit its opinion to this Court for further directions.

- vii. Stringent disciplinary, penal, and criminal action shall be proposed against all officials, officers, and Heads of Departments who commenced, facilitated, approved, or permitted illegal infrastructure works within the forest areas, specially within the Megamalai Wildlife Sanctuary, and generally within the Agasthyamalai Biosphere in violation of the Forest (Conservation) Act, 1980. A comprehensive status report regarding such action shall be filed with the CEC within three months.
- viii. All Government establishments, facilities, and unauthorised infrastructure situated within forest areas, including within the Srivilliputhur-Megamalai Tiger Reserve, shall be discontinued, relocated, dismantled, and removed from forest land within a period of six months.

- ix. All illegal resorts, commercial establishments, and tourism-related infrastructure operating within the Megamalai area and other forest lands shall be made non-operational forthwith and dismantled in accordance with law and by ensuring minimum disruption to the forest area. All electricity connections and unauthorised transmission lines servicing such encroachments shall also be disconnected and removed forthwith. The aforesaid procedure shall be carried out in the supervision of the CEC.
- x. The Chief Secretary, Government of Kerala, shall ensure that all original maps, survey records, settlement records, and land documents pertaining to the Kanyakumari Wildlife Sanctuary presently in Kerala's custody are transferred to the Tamil Nadu Forest Department within three months. The Chief Secretary, Government of Tamil Nadu, shall coordinate with the Government of Kerala to ensure expeditious compliance.
- xi. The Forest Survey of India (FSI) under the Ministry of Environment, Forest and Climate Change (MoEFCC) shall undertake survey,

demarcation, geo-referencing, and digitisation of the entire boundary of the Kalakkad Mundanthurai Tiger Reserve, Srivilliputhur-Megamalai Tiger Reserve and the Kanyakumari Wildlife Sanctuary within next six months. The FSI will also map the encroachments and submit its report to all concerned including the CEC.

- xii. The State Government in consultation with the CEC shall inspect and take an appropriate decision regarding the utilisation, retention, relocation, or removal of all buildings, infrastructure, offices, bungalows, labour quarters, religious structures, and other establishments belonging to the management of Bombay Burmah Trading Corporation Limited (BBTCL) proposed to be retained within the forest area of Kalakkad Mundanthurai Tiger Reserve.
- xiii. All forest, police, revenue and/or other officials involved in the exercise of survey, demarcation and removal of encroachments pursuant to the aforesaid directions shall be protected from prosecution in relation to *bona fide* actions taken by them during the aforesaid exercise, except in

cases involving *mala fide*, arbitrary action or abuse of authority.

- xiv. In case the State Government fails to ensure compliance with the above directions, the CEC may recommend deployment of paramilitary forces for providing assistance to carry out the exercise of removal of encroachments.
- xv. The States shall submit monthly compliance reports to the CEC. The CEC shall undertake ground verification and submit quarterly status reports before this Court until all directions are fully complied with to the satisfaction of this Court.

67. The CEC shall submit its report in a sealed cover by 28th August, 2026. List as part-heard on 1st September, 2026 for further hearing and consideration.

.....**J.**
(VIKRAM NATH)

.....**J.**
(SANDEEP MEHTA)

NEW DELHI;
MAY 29, 2026.