

BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION, THIRUVANANTHAPURAM

**Present: Mr.Justice N.Dhinakar,
Hon'ble Chairperson**

Dated this the 15th May 2008.

H.R.M.P.No.77/2008

Petitioners : M.Nazar,
President, Parent Teachers Association,
Government Lower Primary School,
Nedumangad and 13 others.
Nedumangad.P.O
Thiruvananthapuram .

Respondent :

ORDER

First petitioner Nazar and the Headmaster of Government Lower Primary School, (GLPS) Nedumangad K.Venugopal are present.

The complaint of the Parent Teachers Association of Government Lower Primary School, Nedumangad is that necessary steps should be taken to cut and remove the trees which are standing adjacent to the protection wall of the school as they are posing danger to the students studying in the school. Their further complaint is that the compound wall, which collapsed, is yet to be removed and fresh compound wall has to be constructed.

On the said complaint a report was called for from the Secretary, Nedumangad Municipality. In the report the Secretary has stated that the heavy branches of five trees standing adjacent to the protection wall of the GLPS, Nedumangad were cut and removed and the Municipality had also taken steps to obtain permission of the Divisional Forest Officer, Assistant Conservator of Forest and Social Forestry Department requesting them to fix the face value of the trees and also for granting permission to cut

the trees. In the report the Secretary has assured that steps will be taken to cut and remove the trees after public auction on receipt of permission from the authorities and Municipality will take steps to construct compound wall over the protection wall by obtaining funds after the cutting and removal of the trees.

The contentions of the report are explained to the first petitioner as well as to the Headmaster of the school. The first petitioner and the Headmaster admit before me that the trees were already cut and removed.

The Secretary in the report stated that steps will be taken to construct the compound wall by obtaining funds after cutting and removal of the trees thereby indicating that the amount obtained by way of auction of the trees will be utilized for the construction of the compound wall. As the trees have already been cut and removed the Municipality must have obtained funds by auctioning the trees and therefore the Secretary of the Municipality should take immediate steps to construct the compound wall and if the funds obtained by sale of the trees by auction are not sufficient to construct the compound wall the Municipality should release sufficient funds for the construction of the compound wall. The construction of the compound wall should be taken up and completed in a time bound manner.

With the above direction the petition is closed.

Justice N.Dhinakar,
Chairperson, KSHRC.