

**BEFORE THE NATIONAL GREEN TRIBUNAL  
(SOUTHERN ZONE AT CHENNAI)**

O.A. No. 89 of 2020(SZ)

IN THE MATTER OF:

Sri Sunkara Swamy Naidu Welfare Organization,  
Represented by its President Sunkara Karthik,  
No. 4-5-6, K-Junction, Pillaraya Street, Yanam - 533464 ... Petitioner

Vs.

The Union Territory of Puducherry,  
Rep. by its Chief Secretary to Govt. Of Puducherry  
And others. ... Respondents

**ACTION TAKEN REPORT IN CONTINUATION TO THE ACTION TAKEN  
REPORT SUBMITTED EARLIER BY THE REGIONAL ADMINISTRATOR -  
CUM- DEPUTY COLLECTOR(REVENUE), YANAM DATED 06-10-2021 ON  
BEHALF OF GOVERNMENT OF PUDUCHERRY**

I, AMAN SHARMA, S/o Shri Shiv Kumar Sharma, Hindu, aged 33 years, Regional Administrator-cum- Deputy Collector(Revenue), Yanam, Government of Puducherry, having my office at Office of the Regional Administrator -cum -Deputy Collector (Revenue), Govt. Road, Yanam do hereby solemnly affirm and sincerely state as follows:

2. I humbly submit to state that this respondent has already filed action taken report dated 06-10-2021 stating all action initiated with respect of this case and submitting this action taken report in continuation to the above report as directed by the Hon'ble NGT.

3. I humbly submit to state that as per the revenue records, the drainage channel (Nallah) under consideration runs for length of 249.8 metres in Yanam region is located at T.S.No. C/7/1 of Kanakalapeta Revenue Village with remarks as "ODAI", of Union Territory of Puducherry with its width varying between 21 Metres at starting point and 41.6 Metres at its ending point in Yanam region after which it continues in the state of Andhra Pradesh.

4. However, as pointed out by Joint Committee appointed by the Hon'ble National Green Tribunal to submit the state on ground report with reference to the Nallah, the present width of the Nallah has been reduced compared to its original extent as per revenue record. It is pertinent to point out here that in the year 1996 free land sites (LGR Pattas) were granted to poor landless families in portion of the land falling within the limits of Nallah when Yanam region was hit by historic super cyclone that made many people houseless and caused huge life loss. Also to provide necessary easement right to patta holders and agricultural land besides the drainage channel, a portion of the land within the Nallah limits has been utilized for constructing public pathway. These LGR Pattas issued around 25 years ago and subsequent constructions have led to reduction in effective width of the drainage channel.

5. I humbly submit that the detailed survey has been conducted by the Revenue and Survey Department officials to identify the encroachments beyond the land allotted for LGR pattas issued by the Government during 1996 and initially 15 no.s of encroachments were found later on subsequent survey 23 No.s of encroachments were found for which detailed list and Map is enclosed.

6. The Revenue Department and Survey Department officials have made demarcation of line of encroachment for facilitating to issue eviction notices to the encroachers by Executive Engineer, PWD who happens to be Estate Office in this case to remove all encroachments as per the provision of Public Premises (Eviction of Unauthorized Occupants) Act, 1971.

7. The Executive Engineer, Public Works Department, Yanam has served Eviction Notice-A to the above said encroachers under Section (5) of the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 to evict the said encroached land within 15 days failing which action will be initiated to remove encroachments departmentally.

8. I submit that in turn, the residents of the above said encroachments had submitted objections dated 05-05-2022 to this administration stating that they have made construction at the site under consideration based upon LGR patta issued by Govt. Of Puducherry in the past and requested not to disturb their peaceful existence.

9. Based on the objections raised by the residents, officials from survey department have once again conducted the survey of above land to find veracity of the objections raised by them and demarcated such areas where construction has happened beyond the LGR pattas issued by Government . Based on the re-survey, a final report has been forwarded to Executive Engineer, PWD for further action.

10. The Executive Engineer, Public Works Department, has again served Eviction Notice-A dated 28-06-2022 and Eviction Notice- B dated 30-06-2022 to the encroachers to evict the said encroached land within 15 days failing which action will be initiated to remove encroachments departmentally and copies of the same is enclosed herewith for your kind perusal.

11. It is pertinent to mention that last date for above issued notices were on 12/07/2022 and 14/07/2022, after which Executive Engineer, PWD has to initiate action for removal of encroachments if already not removed by the defaulter themselves.

12. However, Yanam region got stuck by unprecedented floods in river Gowthami Godavari with effect from 11/07/2022 leading to wide scale inundation in low lying areas. Accordingly, entire administration got busy with flood prevention, mitigation and rehabilitation measures in full swing. Hence, the estate officer could not spare time to verify the status of removal of encroachments based on the notices issued by him and initiate further action to remove any such encroachments which have

by him and initiate further action to remove any such encroachments which have not been removed in spite of notices being issued. Keeping in mind unprecedented flood situation presently in Yanam region, it is requested to kindly grant three weeks time for completing encroachment removal exercise. The soon after removal of encroachments action will be initiated further to construct balance portion of boundary wall to protect the nallah from future encroachments / damages.

13. It is also submitted that as per report received from PWD, for past 25 years there is no history of flooding due to water logging in the channel. The present flood situation has also not affected this nallah in any way. Also to ensure uninterrupted and free flow of the storm and drain water, yearly desilting work has been carried out by PWD, Yanam. It is further submitted that e-tender process for engaging agency for door to door collection of solid waste has been completed there by dumping of waste inside the nallah by the residents of nearby vicinity has been greatly reduced and water is flowing freely without any hindrance( Photos enclosed).

14. In the last, it is once again humbly submitted that the actions proposed / taken as mentioned above shall enable this respondent to comply with all the directions issued by the Hon'ble National Green Tribunal with regard to restoration of Nallah under consideration. It is also assured that outmost care shall be exercised to ensure no more encroachments are permitted in areas recorded as water body/ water channel in Revenue records, in the future.

  
REGIONAL ADMINISTRATOR  
YANAM

Encl: As above.

Place: Yanam  
Date: 18-07-2022



Register Post with  
Acknowledgement

GOVERNMENT OF PUDUCHERRY  
PUBLIC WORKS DEPARTMENT  
YANAM

No. 476 /PW/YD/DB/YNM/2022-23

Date: 28-06-2022

**EVICITION NOTICE - A**

Sub:- PW-YD- Removal of Encroachments in Government land along the water body/Nallah (Jammu Baduvva) from Kanakalapeta to Sunkarapalem border -Reg

Ref :- Lr.No.40/STOY/Survey/2022-23, dated 20-06-2022 from the Deputy Tahsildar ( Revenue), Yanam.

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You have encroached the Government site and constructed of RCC Building with asbestos sheet roof at Jammu Baduvva drainage channel for an extent of H0-A00-CA69 in Kanakalapeta village, Yanam.

Hence, you are here by instructed to evict the above said Government site within 15 days i.e., on or before 12-07-2022 otherwise action will be initiated to remove the encroachment departmentally.

  
Estate Officer  
(Executive Engineer)  
P.W.D., YANAM.

  
To.  
16. Smt.Gali Kumari,  
W/o. Suryanarayana,  
Jammu Baduvva,  
Kanakalapeta,  
Yanam.

Copy submitted to: The Regional Administrator, Yanam, for favor of information please.

Copy to: 1.The Station House Officer, Yanam Police Station, Yanam for information.  
2. The Assistant Engineer, Sub-Division-I, PWD, Yanam for information and follow-up action.



**Register Post with  
Acknowledgement**

GOVERNMENT OF PUDUCHERRY  
PUBLIC WORKS DEPARTMENT  
YANAM

No. 477/PW/YD/DB/YNM/2022-23

Date: 28-06-2022

**EVICITION NOTICE - A**

Sub:- PW-YD- Removal of Encroachments in Government land along the water body/Nallah (Jammu Baduvva) from Kanakalapeta to Sunkarapalem border -Reg

Ref :- Lr.No.40/STOY/Survey/2022-23, dated 20-06-2022 from the Deputy Tahsildar ( Revenue), Yanam.

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You have encroached the Government site and constructed of two stored RCC Building at Jammu Baduvva drainage channel for an extent of H0-A00-CA69 in Kanakalapeta village, Yanam.

Hence, you are here by instructed to evict the above said Government site within 15 days i.e., on or before 12-07-2022 otherwise action will be initiated to remove the encroachment departmentally.

  
Estate Officer  
(Executive Engineer)  
P.W.D., YANAM.

To.  
17. Smt. Kona Baby Sarojini,  
D/o.Sattiyya Naidu ,  
Jammu Baduvva,  
Kanakalapeta,  
Yanam.

Copy submitted to: The Regional Administrator, Yanam, for favor of information please.

Copy to: 1.The Station House Officer, Yanam Police Station, Yanam for information.  
2. The Assistant Engineer, Sub-Division-I, PWD, Yanam for information and follow-up action.

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28/6/22



**Register Post with  
Acknowledgement**

GOVERNMENT OF PUDUCHERRY  
PUBLIC WORKS DEPARTMENT  
YANAM

No.478 /PW/YD/DB/YNM/2022-23

Date: 28/6/2022

**EVICTIION NOTICE - A**

Sub:- PW-YD- Removal of Encroachments in Government land along the water body/Nallah (Jammu Baduvva) from Kanakalapeta to Sunkarapalem border -Reg

Ref :- Lr.No.40/STOY/Survey/2022-23, dated 20-06-2022 from the Deputy Tahsildar ( Revenue), Yanam.

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You have encroached the Government site and constructed of two portions in a RCC building with asbestos sheet at Jammu Baduvva drainage channel for an extent of H0-A00-CA80 in Kanakalapeta village, Yanam.

Hence, you are here by instructed to evict the above said Government site within 15 days i.e., on or before 12-07-2022 otherwise action will be initiated to remove the encroachment departmentally.

  
Estate Officer  
(Executive Engineer)  
P.W.D., YANAM.

To.  
18. Smt. Sadanala Vijaya Lakshmi,  
W/o. S. Surya Balaram ,  
Jammu Baduvva,  
Kanakalapeta,  
Yanam.

Copy submitted to: The Regional Administrator, Yanam, for favor of information please.

Copy to: 1. The Station House Officer, Yanam Police Station, Yanam for information.  
2. The Assistant Engineer, Sub-Division-I, PWD, Yanam for information and follow-up action.

GOVERNMENT OF PUDUCHERRY  
PUBLIC WORKS DEPARTMENT  
YANAM  
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No. 487 /PW/EE/DB/YNM/2022-23

Date: 30/6/2022

**EVICTIION NOTICE - B**

Subj: PW-YD- Removal of Encroachments in Government land along the water body/Nallah (Jammu Baduvva) from Kanakalapeta to Sunkarapalem border -Reg

Ref :-Eviction Notice -A Lr.No.42/PW/YD/DB/YNM/2022-23,  
Dt.21.04.2022

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You have encroached the Government site and constructed the RCC building aside Jammubadava drainage channel for an extent of H0-A00-Ca80 in Kanakalapeta village, Yanam.

Hence, you are here by instructed to evict the above said Government site within 15 days i.e., on or before 14-07-2022 otherwise action will be initiated to remove the encroachment departmentally. (After considering your petition).

  
Estate Officer  
(Executive Engineer)  
P.W.D., YANAM

To,

2.Marredi Mani,  
S/o. M.Prakasa Rao,  
D.No.10-8-074, Rajababu colony,  
Jammubadava, Kanakalapeta,  
Yanam.

Copy submitted to: The Regional Administrator, Yanam, for favour of information please.

Copy to: 1.The Station House Officer, Yanam Police Station, Yanam for information.  
2.The Assistant Engineer, Sub-Division-I, PWD, Yanam for information and follow-up action.

GOVERNMENT OF PUDUCHERRY  
PUBLIC WORKS DEPARTMENT  
YANAM  
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No. 488/PW/EE/DB/YNM/2022-23

Date: 30/6/22

**EVICITION NOTICE - B**

Sub:- PW-YD- Removal of Encroachments in Government land along the water body/Nallah (Jammu Baduvva) from Kanakalapeta to Sunkarapalem border -Reg

Ref :-Evication Notice -A Lr.No.43/PW/YD/DB/YNM/2022-23,  
Dt.21.04.2022

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You have encroached the Government site and constructed the Two portions with asbestos sheet roof in RCC building and open shed aside Jammubadava drainage channel for an extent of H0-A01-Ca25 in Kanakalapeta village, Yanam.

Hence, you are here by instructed to evict the above said Government site within 15 days i.e., on or before 14-07-2022 otherwise action will be initiated to remove the encroachment departmentally. (After considering your petition).

  
**Estate Officer**  
**(Executive Engineer)**  
**P.W.D., YANAM**

To,

3.Kona Anantha Padmaja Lakshmi,  
W/o. K. Subba Rao (late),  
Rajababu colony,  
Jammubadava, Kanakalapeta,  
Yanam.

Copy submitted to: The Regional Administrator, Yanam, for favour of information please.

Copy to: 1.The Station House Officer, Yanam Police Station, Yanam for information.  
2.The Assistant Engineer, Sub-Division-I, PWD, Yanam for information and follow-up action.

JOINT REPRESENTATION SUBMITTED BY THE RESIDENTS  
(VICTIMS) OF JAMMUBADAVA AREA OF KANAKALA PETA,  
YANAM REGION

To

Date: 05-05-2022

✓  
The Regional Administrator-cum-  
Deputy Collector (Revenue),  
Yanam-533464.

Sir,

Sub: Removal of encroachments in Water body (Nalla Jammu Badava) of  
Kanakalapeta - Request for redressal of grievances - Submitted - Reg.  
Ref: 1) Eviction Notice No/PW/YD/D3/YNM/2022-23, dated.21.04.2022 of  
Executive Engineer, PWD, Yanam  
2) Lr.No.89/D3/NGT/2021-22, dated.11.01.2022 from the Regional  
Administrator, Yanam

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EE PWD  
for us  
Signature

We, the under signed residents (Victims) of Jammu Badava of Kanakalapeta village respectfully submit the joint representation requesting for redressal of our grievances to the Regional Administrator-cum-Deputy Collector (Revenue) is as follows:

1) The Executive Engineer, PWD, Yanam in the status of Estate Officer has served eviction Notices to the residents of Jammu Badava (Nalla) of Kanakalapeta village as per references (1) cited to all the residents numbering about 15 members with instructions to evict the so called encroachments made in the Jammu Badava of drainage channel. For which, we all acknowledge the receipt of the notices and also submitted our replies with a similar copy to the Office of the Regional Administrator, Yanam in compliance to the letter (2) cited

2) In this connection, we sincerely submit that, it is an established fact that Yanam region including Kanakalapeta Village had badly affected by a severe cyclone in the year 1996 and devastated so many people and made several homeless. And also many people have lost their lives. The situation which established during the year 1996 is a recorded evidence as per the Revenue Department, Yanam and also your good Office. Taking into the consideration the grave situation Government of Pondicherry was kind enough and assigned house pattas to the victims of the cyclone devastation. Besides, Government has also gave financial assistance for construction of the houses because of the economical distress of the people that suffered heavily. Since then, we have constructed the houses in the Jammu Badava area which is the most lowest place and filled the ground with soil at our own cost, wherein, houses have been constructed and residing peacefully there itself.

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Signature  
P.W.D.

3) We further submit, that among the 15 residents 3 of them namely (1)M. Yedukondalu (2) Kanakala Vijayalakshmi and (3) Polisetty Satyavathi have purchased house sites from other land owners and got the sites registered with the Office of the sub-Registrar, Yanam and respective copies of the documents of the site have also submitted to the Estate Officer, Executive Engineer, PWD, Yanam along with others in response to their eviction notice.

4) Thirdly, the drainage channel starting from Kanakalapeta, Jammu badava has been running for a distance of 283 mtrs., and merging with the main drain in Sunkarapalem Village, Tallarevu Mandal. In turn, the same drainage channel again crossing the some of the villages and merging at the river Godavari, Mettakur village, Yanam. The drainage channel within the limits of Yanam has been continuously desilting and removing the plastic waste and other materials, if any in the drain have been taken up by the Public Works Department, Yanam. So, as to ensure free flow of rain water as well as drain water and time immemorial there is no single incident of over flowing are sub-merging the neighbouring houses of this Nalla during any rainy season and caused no damage at any time. The Regional Administrator as well as the Executive Engineer, PWD and the Regional Administrator well aware of this fact. We the people on the either side of the drain are also very sincere and not throwing any garbage and plastic waste material to cause any hindrance to free flow of drainage water as well as rain water in all seasons.

5) In light of the above facts, we sincerely beseech your good Office to kindly take into account of the facts stated above and request to kindly not to disturb our peaceful existence and we respectfully requesting the Regional Administrator to kindly appraise the Hon'ble National Green Tribunal at Chennai and see that our poor people are exonerated. We sincerely, repose confidence in your good administration in giving respite to the lives of the poor people.

Be pleased to consider,

Yours faithfully,

K. Srinivas

M. Yedukondalu

K. A. B. Krishna

K. Vijayalakshmi  
M. Polisetty

K. Satyavathi

K. VIJAYALAKSHMI

Polisetty Satyavathi



**Register Post with  
Acknowledgement**

GOVERNMENT OF PUDUCHERRY  
PUBLIC WORKS DEPARTMENT  
YANAM

No. 55 /PW/YD/DB/YNM/2022-23

Date: 21/4/22

**EVICTIION NOTICE - A**

Sub:- PW-YD- Removal of Encroachments in Government land along the water body/Nallah (Jammu Baduvva) from Kanakalapeta to Sunkarapalem border -Reg

Ref :- Lr.No.89/D3/NGT/2021-22, dated 11-01-2022 from the Regional Administrator, Yanam.

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You have encroached the Government site and constructed of toilet block aside Jammu Baduvva drainage channel for an extent of H00-A00-CA62 in Kanakalapeta village, Yanam.

Hence, you are here by instructed to evict the above said Government site within 15 days i.e., on or before 05-05-2022 otherwise action will be initiated to remove the encroachment departmentally.

  
Estate Officer  
(Executive Engineer)  
P.W.D., YANAM.

To.  
15.Saladi Govinda Rajulu,  
S/o. S.Narayana Rao,  
D.No.10-8-059, Jammu Baduvva,  
Kanakalapeta,  
Yanam.

Copy submitted to: The Regional Administrator, Yanam, for favor of information please.

Copy to: 1.The Station House Officer, Yanam Police Station, Yanam for information.  
2. The Assistant Engineer, Sub-Division-I, PWD, Yanam for information and follow-up action.

**Register Post with  
Acknowledgement**



GOVERNMENT OF PUDUCHERRY  
PUBLIC WORKS DEPARTMENT  
YANAM

No. 54/PW/YD/DB/YNM/2022-23

Date: 21/4/22

**EVICTON NOTICE - A**

Sub:- PW-YD- Removal of Encroachments in Government land along the water body/Nallah (Jammu Baduvva) from Kanakalapeta to Sunkarapalem border -Reg

Ref :- Lr.No.89/D3/NGT/2021-22, dated 11-01-2022 from the Regional Administrator, Yanam.

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You have encroached the Government site and constructed Kitchen shed aside Jammu Baduvva drainage channel for an extent of H00-A00-CA88 in Kanakalapeta village, Yanam.

Hence, you are here by instructed to evict the above said Government site within 15 days i.e., on or before 05-05-2022 otherwise action will be initiated to remove the encroachment departmentally.

  
Estate Officer  
(Executive Engineer)  
P.W.D., YANAM.

To.  
14.Marella Kantham  
W/o. M.Kasullu,  
D.No.10-8-058, Jammu Baduvva,  
Kanakalapeta,  
Yanam.

Copy submitted to: The Regional Administrator, Yanam, for favor of information please.

Copy to: 1.The Station House Officer, Yanam Police Station, Yanam for information.  
2. The Assistant Engineer, Sub-Division-I, PWD, Yanam for information and follow-up action.