

**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 AND  
18-07-2022 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 and 18-07-2022 stating all action initiated with respect of this case and submitting this action taken report in continuation to the above reports 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. 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 between years 1996 to 2010 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.

5. 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.

6. The Executive Engineer, Public Works Department, Yanam has served Eviction Notice-A dated 21-04-2022 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.

7. 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.

8. 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.

9. 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.

10. It is pertinent to mention that last date for above issued notices were on 12/07/2022,14/07/2022 and 26-08-2022 after which Executive Engineer, PWD has to initiate action for removal of encroachments if already not removed by the defaulter themselves.

11. However, the Estate officer has stated that due to unprecedented floods in river Gowthami Godavari first in month of July and again in August, 2022 entire PWD staff were engaged with flood prevention, mitigation damage assessment and rehabilitation measures in full swing. Due to continuous floods that occurred for extended period this year, further action based on the issue of notices to the encroachers in Jammubadava area of Kanalapeta village could not be completed.

12 **However, the Estate officer has issued 24 Hours Eviction Notice dated 09-09-2022 to the encroachers and informed them to remove the encroachments within time by themselves otherwise the encroachments beyond the LGR pattas issued earlier by Government will be removed departmentally on 12-09-2022.** The copies of the same is enclosed for your kind perusal. 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. Further, it is hereby submitted that LGR pattas issued in this channel dates back to period between year 1996 to 2010. After that, residents have constructed pucca houses and public amenities have been provided by the Government departments. 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 said water 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**, periodic 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.

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

  
REGIONAL ADMINISTRATOR  
YANAM

Encl: As above.

Place: Yanam  
Date: 11-09-2022