

Further Action taken report filed by the District Collector, Kakinada District, Kakinada before the Hon'ble National Green Tribunal (SZ), Chennai in OA No.89/2020, dt.03.08.2022.

It is submitted that this application is filed by the applicant Sri Sunkara Swamy Naidu Welfare Organisation, Represented by its President Sunkara Karthik alleging illegal closure of Nallah in Sunkarapalem (V) of Tallarevu (M) of Kakinada District of Andhra Pradesh. According to the applicant the Nallah passes through Sunkarapalem village of Tallarevu mandal of Kakinada District and also Yanam, Puducherry Union Territory.

It is submitted that the Hon'ble National Green Tribunal, SZ, Chennai in orders dt.03.08.2022 has been pleased to observe that the area now falls under the Newly formed District of Dr.B.R.Ambedkar Konaseema District and hence the District Collector concerned has to file a further action taken report instead of former District Collector i.e., District Collector, Kakinada on whose Jurisdiction this area was included earlier.

In this connection, it is respectfully submitted that the area, soon after restructuring of the Districts, fallen under Kakinada District and Yanam of Puducherry, Union Territory but not in Dr. B. R. Ambedkar Konaseema District.

I therefore, submitting the further action taken report as follows.

1. Pursuant to the orders of the Hon'ble National Green Tribunal, SZ, Chennai a detailed survey has been conducted over the Sy.Nos.123 & 125 of Sunkarapalem village of Tallarevu mandal for finding encroachments around the Nallah in the said survey numbers and noticed 11 encroachments in R.S.No.125 and 22 encroachments in R.S.No.123. The encroachers were issued notices as per Land Encroachment Act, 1905. Among the encroachers one Smt. Guthula Manga Devi, W/o Veera Venkata Satyanarayana approached the Hon'ble High Court of A.P. by filing W.P.No.14216/2022 which was disposed on 04.05.2022 with a direction to the petitioner to file his objection to the Tahsildar and the Tahsildar to dispose the same within three weeks with a speaking order. Accordingly, the objection was disposed on 20.06.2022 by the Tahsildar, Tallarevu with a speaking order.
2. As submitted previously, 130 number of coconut trees, several other temporary and permanent sheds erected in the Nallah have to be removed out of which 130 coconut trees standing in the drain course and also sheds and other thatched houses erected in the drain poramboke in R.S.No.125 of Sunkarapalem village of Tallarevu mandal were removed by incurring an expenditure of Rs.1,47,000/-.
3. Further action to remove the permanent houses constructed in R.S.No.123 of Sunkarapalem village are being taken up. As the people belongs to BPL category and residing in the said poramboke by constructing dwelling houses for the last 30 years and as the encroachments existing on either sides of the Nallah in R.S.No.123 of Sunkarapalem village and also as these are concrete structures, it has to be entrusted to the concerned Engineering Departments and it involves detailed estimations and expenditure to execute the works and this action is being carried out.

4. In the meanwhile, the removal of weed and water hyacinth has been taken up by the Panchayat Raj and Revenue Authorities manually by engaging labour continuously. In the meanwhile, several obstructions took place due to cyclones, heavy floods to Godavari etc., the removal of weed and water hyacinth was completed and the left part of the bridge at Sunkarapalem village and the right side of the bridge is being taken up and will be concluded shortly.
5. As reported by the Revenue Divisional Officer, Kakinada, among the encroachers, 22 individuals who are residing in the structures since long time are found to be BPL category. These encroachers are identified as eligible for providing house sites under Navaratnalu Pedalandariki Illu (NPI) / 90 days house sites programme (Flagship programme of Government). In this connection, suitable land has already been identified for these encroachers along with other beneficiaries under BPL category at Gadimoga, Hamlet of Polekurru village of Tallarevu mandal for allotment of house sites. The identified land is to be levelled, roads have to be formed and lay out to be developed so as to accommodate these encroachers in the lay out at Gadimoga village. Since, these encroachers comes under BPL category the eviction of encroachments could not be taken up immediately and the eviction will be concluded as soon as the lay out is developed. All these encroachers will be removed from the Nallah duly following the procedure by showing them alternate house site plots because they come under BPL category.

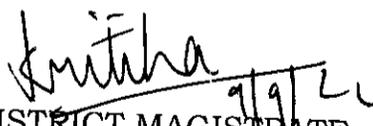
I submit herewith the copies of the reports of the District Panchayat Officer, Kakinada and the Revenue Divisional Officer, Kakinada along with the Photographs for kind perusal.

It is respectfully submitted that the encroachments will be removed shortly and the delay is due to the floods to Godavari, and also due to the frequent heavy rains on account of cyclone and other climatic conditions. The delay is also due to the proposal to accommodate them in the alternate house sites before evicting them because they fallen under BPL category.

Therefore, it is prayed that this Hon'ble National Green Tribunal, SZ, Chennai may be pleased record this further action taken report and pass appropriate orders in this matter.

This is submitted for kind information.

Signed at Kakinada on this the 09th day of September, 2022.


COLLECTOR & DISTRICT MAGISTRATE,
KAKINADA DISTRICT, KAKINADA

MOST URGENT/NGT

Government of Andhra Pradesh, Revenue Department
Revenue Divisional Office, Kakinada

File No.H/1002/2020

Date. 09.09.2022

From
Sri.B.V.Ramana, M.A., B.L.,
Revenue Divisional Officer,
Kakinada.

To
The District Collector,
Kakinada District,
Kakinada.

Sir,

Sub Hon'ble National Green Tribunal - OA No.89 of 2020 (SZ) - Andhra Pradesh - Kakinada District - Kakinada Division - Tallarevu Mandal - Sunkarapalem Village - Application filed by Sri Sunkara Swamy Naidu, Welfare Organisation, Yanam alleging illegal closure of Nallah in Survey No.123, 125 in Sunkarapalem Village of Tallarevu Mandal - Orders issued by the Hon'ble National Green Tribunal, Southern Zone, Dated.3.8.2022- Implementation of Orders - Further report submitted - Reg.

- Ref :-
1. Orders of the Hon'ble National Green Tribunal, Southern Zone, Chennai in O.A No.89 of 2020 (SZ),Dt. 30.06.2020.
 2. Ref. A/81/2020 DE: 07.11.2021 of the Tahsildar,Tallarevu
 3. Zoom conference held by the Hon'ble National Green Tribunal, Southern Zone, Chennai, dated: 18.08.2020
 4. Ref: A/81/2020, dt: 25.08.2020, of the Tahsildar,Tallarevu
 5. Orders of the Hon'ble Green Tribunal, Southern Zone, Chennai, in OA. No.89/2020/SZ). dE: 06.07.2021.
 6. This Office, Ref.H/1002/2020, dt:19.7.2021
 7. Ref A/81/2020 Dt. 24.07.2021, of the Tahsildar,Tallarevu
 8. Ref A/81/2020 Dt. 22.10 2021, of the Tahsildar,Tallarevu
 9. Ref A/81/2020 Dt. 07.11.2021, of the Tahsildar,Tallarevu
 10. This Office, Ref.H/1002/2020, dt:6.12.2021
 11. Ref A/81/2020 Dt. 13.12.2021, of the Tahsildar,Tallarevu
 12. Ref A/81/2020 Dt. 24.04.2022, of the Tahsildar,Tallarevu
 13. Roc No. PS/2022, dated: 09.05.2022 of the Panchayath Secretary, Sunkarapalem.
 14. Ref. H/1002/2020, dt: 16.05.2022 of the RDO, Kakinada
 15. Lr. No: DB/A.T.O/File, 12 Rev, dt:18.5.2022, Executive Engineer, Water Resource Dept. Officer, Drainage Division, Pragathi Bhavan, Kakinada.
 16. Orders of the Hon'ble Green Tribunal, Southern Zone, Chennai, in OA. No.89/2020 (SZ) dt: 27.05.2022.Sr.
 17. This Office, Ref.No. H/1002/2020, dt:6.6.2022
 18. Ref: A/81/2020 Dt. 14.06.2022, of the Tahsildar,Tallarevu
 19. Orders of the Hon'ble Green Tribunal, Southern Zone, Chennai, in OA. No.89/2020 (SZ) dt:3.8.2022 (received on 05.09.2022 through what's app` & Telegram).
Report of Revenue Inspector Dt.05.09.2022.
 20. This Office, Ref.No. H/1002/2020, dt:19.7.2021
 21. Ref: A/81/2020, dt: 06.09.2022, of the Tahsildar,Tallarevu

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I invite kind attention to the above references cited.

in the reference 1st cited above, the Tahsildar, Tallarevu has submitted to Sri Sunkara Swamy Naidu, Welfare Organisation, Yanam has filed OA No.89 of 2020 (SZ) before the Hon'ble National Green Tribunal, Southern Zone, Chennai alleging illegal closure of Nallah at Sunkarapalem Village, Tallarevu Mandal.

Wherein the reference 5th cited, the Hon'ble National Green Tribunal issued orders dated: 06.07.2021 as follows:

"The State of Andhra Pradesh as well as the Union Territory of Puducherry are directed to submit their action plan with short term and long term measures and compliance report of removal of the garbage in the Nallah and strengthening of its bunds within existing available width before the next hearing date and also directed to submit the action plan and compliance report to this Tribunal on or before 05.03.2021."

Wherein the reference 6th cited, accordingly the Tahsildar, Tallarevu has been directed to implement the orders of the Hon'ble National Green Tribunal and to restore the Nallah at Sunkarapalem Village of Tallarevu Mandal to its original position and remove the encroachments in coordination with Irrigation Department.

Wherein the reference 9th cited, the Tahsildar, Tallarevu has submitted the interim report stating that steps have been taken up for removal of Horse shoe / weed which is obstructing the irrigation sewer with the aid of machinery such as JCB's and also engaged Boats and Labour for removal of Horseshoe and other obstructions. Further submitted that this task was very hectic as the Horseshoe is re-emerging; very quickly and submit that the entire Horseshoe which is clogging the Drain. Now was removed several times resulting in uninterrupted flow of drainage and met an expenditure of an amount of an Rs.1,24,800/- by the Tahsildar, Tallarevu.

Also the Tahsildar, Tallarevu has submitted that, the Mandal Surveyor, Tallarevu reported that as per the orders of the Hon'ble National Green Tribunal, Chennai a detailed survey has been conducted over the Sy.No.123 and 125 of Sunkarapalem Village of Tallarevu Mandal for finding encroachments around the Nallah in the said survey number and noticed 11 encroachers in R.S No:125 and 22 encroachments in R.S No: 123 have been identified and issued notices as per the Land Encroachment Act, 1905. Among the encroachers one Smt Guthula Mangadevi w/o Veera Venkata Satyanarayana approached Hon'ble High court of Andhra Pradesh and filed W.P No:14216/2022 dt:04.05.2022 for not to evict.

He has submitted detailed report to this Office, vide 12th cited, stating that there are 130 number of coconut trees and several other temporary and permanent sheds erected in the said Nallah Poramboke have to be evicted and by duly entrusting the said eviction work to Gram Panchayath, Sunkarapalem as per G.O.M.S No. 188, Panchayath Raj and Rural Development dt: 21.07.2011 and also requested the Executive Engineer, Drainage division, Kakinada to extend necessary support by providing required machinery and labour for removal of Encroachments in the said Drain Poramboke. But, the Executive Engineer, Drainage division, Kakinada in the ref.15th cited, stated that the drainage at Sunkarapalem does not comes under purview of Drainage and Irrigation Dept.

It is further submitted that basing on the instructions from District Authorities the Tahsildar, Tallarevu have taken immediate steps for removal of Horse shoe by engaging boats and labour. Also removed 120 number of coconut trees standing in the drain course, also the sheds and other thatched houses erected in the drain Poramboke in R.S No.125 of Sunkarapalem village by incurring an expenditure for an amount of Rs.1,47,000/-. Further reported that there are certain permanent houses have been constructed in R.S. No.123 of Sunkarapalem village and people belongs to BPL category are residing for more than 30 years in the said Poramboke. These encroachments are covered on

either sides of the Nallah in R.S No.123 of Snkarapalem Village. It is not possible to engage suitable machinery and contractors for execution of eviction of the encroachments alone.

Further in the reference 18th cited, the Tahsildar, Tallarevu has submitted a detailed report stating that as per the directions of the National Green Tribunal in OA No. 89 of 2020 for eviction of all the entire encroachments including the concrete structures standing in the drain Pormaboke and requested the District Administration to kindly entrust the said work to concerned Engineering Department for preparation of detailed estimations, so as to meet the expenditure by the concerned departments.

It is also submitted that, the District Collector has issued orders Vide ref: L1/NGT/01/2020, dt.05.07.2022 to the Executive Engineer, Drainage Division, Kakinada to remove the weed manually as per the rules in force before 13.07.2022 and report compliance and also directed the District Panchayat Officer, Kakinada to take necessary action with regard to removal of encroachments in consideration with Tahsildar, Tallarevu and see that encroachments are removed immediately and to submit report by 13.07.2022.

In consideration with the estimation proposals submitted by the Executive Engineer, Drains, Kakinada orders have been issued vide Ref: H/1002/2020, 06.07.2022 for an amount of Rs.97,000/- towards the purpose of clearing of water hyacinth from Sunkarapalem Drain in Tallarevu Mandal and the EE, Drains was requested to execute the work within 07 days (ie., 13.07.2022). The entire weed removed by the Panchayat Secretary, Gram Panchayat, Sunkarapalem from 12.07.2022 to 17.07.2022 in coordination with the Revenue Officials.

Further, submitted that in WP No 14216 of 2022 filed by Smt. Guthula Mangadevi before the Hon'ble High Court of Andhra Pradesh, the Hon'ble Court has issued orders on 13.06.2022 are as follows:

"The learned counsel for the petitioner states that to the notice, dated 23.02.2022, the petitioner has given a reply on 16.04.2022. He submits that even though the reply was given after a stipulated period, the respondents have received the same but no final orders are passed. He submits that due to the legal illiteracy etc., of the petitioner, she could not submit the explanation within the stipulated time and prays for an order to the respondents to consider the same.

The learned Government Pleader does not really oppose the submissions made by learned counsel for the petitioner. Since, a reply dated 16.04.2022 is given to the show-cause notice, and directed the 3rd respondent (ie., Tahsildar), **the petitioner should not be evicted forcefully from the premises.** There shall be no order as to costs. As a sequel, the miscellaneous petitions, pending if any, shall stand closed.

Further submitted that, in the reference 19th cited the Hon'ble National Green Tribunal issued orders dated: 03.08.2022 as follows:

1. Though encroachments were found, removal of encroachments were not completed and in some cases, it was mentioned by the learned counsel appearing for the State of Andhra Pradesh that Pattas have been granted earlier and they will have to be rehabilitated, for which, action is being taken by the State of Andhra Pradesh.

2. The applicant also filed a memo stating that reports filed by respondents is only an eyewash of taking some steps and in fact, no effective steps have been taken for removal of encroachments and he had also produced certain photographs to prove this aspect.
3. Both the State of Andhra Pradesh and Union Territory of Puducherry is directed to consider the objection along with the photographs produced by the applicant and incorporate the genuineness or action (if any) taken in respect of the same when they are filing the reports.
4. We feel it is better to give one more opportunity to the State of Andhra Pradesh and Union Territory of Pondicherry to file further action taken reports mentioning about the steps taken by them for removal of encroachment and if any rehabilitation process is under Process, what is its stage and what are all the steps taken by them for rejuvenating the water body by removing water hyacinth and other weeds.
5. They are directed to file the report to this Tribunal on or before 12.09.2022 along with necessary hardcopies to be produced as per Rules, failing which, this Tribunal will be compelled to dispose of the matter on the basis of the materials available on record by giving appropriate directions.
6. For consideration of further reports and hearing, post on 12.9.2022.

In this Connection, the Tahsildar, Tallarevu has submitted that, as per the orders of the Hon'ble National Green Tribunal the entire Horse shoe in drain Poramboke in R.S. No. 123 of Sunkarapalem Village has been removed by the Gram Panchayat, Sunkarapalem in coordination of Revenue Officials (photographs are enclosed) and also removed 120 number of coconut trees standing in the drain course, also the sheds and other thatched houses erected in the drain Poramboke in R.S No.125 of Sunkarapalem village of Tallarevu Mandal. Further it is submitted that there are certain permanent houses have been constructed in R.S. No.123 of Sunkarapalem village and people belongs to BPL category are residing for more than 30 years in the said Poramboke. These encroachments are covered on either sides of the Drain Poramboke in R.S No.123 of Sunkarapalem Village.

In view of the above circumstances, it is noticed that (22) encroachers belongs to BPL category have been residing since long back in the said Poramboke. These encroachers are identified as eligible for providing house sites under Navaratnalu Pedalandariki Illu (NPI)/90 days House Sites programme (flagship programme). In this connection, identified suitable site at Gadimoga H/o Polekurru Village in Tallarevu Mandal for allotment of House Sites to the above enroachers, and Pattas will be given and they will be accommodated at allotted layouts in Gadimoga soon after completion of Land levelling and lay out preparation. Further, they will be evicted from the present (GP) Drain encroachment at Sy.No.123 of Sunkarapalem Village by following due process of law.

I submit herewith the report of the Tahsildar, Tallarevu along with the following connected documents.

Encls:

01. Photographs of weed removal (before and after removal)
02. Report of the then Village Revenue Officer, Sunkarapalem.
03. Proceedings of the District Collector, Kakinada Dt.5.7.2022.
04. Proceedings of the Revenue Divisional Officer, Kakinada dt.6.7.2022
05. Report of the Panchayath Secretary, Sunkarapalem.
06. Report of the Mandal Revenue Inspector, Tallarevu dt.5.9.2022.
07. Report of the Village Revenue Officer, Sunkarapalem dt.5.9.2022.
08. Orders of the Hon'ble High Court of AP in WP 14216/2022.

Yours faithfully


Revenue Divisional Officer
Kakinada

Copy to Tahsildar, Tallarevu.

Ref/A/81/2020 Dt.06.09.2022

Tahsildar's Office, Tallarevu

From

Sri S. Pothuraju,
Tahsildar,
Tallarevu.

To

The Revenue Divisional Officer,
Kakinada.

Sir,

Sub: Hon'ble National Green Tribunal - OA No.89 of 2020 (SZ) - Andhra Pradesh - Kakinada District - Kakinada Division - Tallarevu Mandal -Sunkarapalem Village - Application filed by Sri Sunkara Swamy Naidu, Welfare Organisation, Yanam alleging illegal closure of Nallah in Survey No.123, 125 in Sunkarapalem Village of Tallarevu Mandal - Orders issued by the Hon'ble National Green Tribunal, Southern Zone, Dated.3.8.2022- Implementation of Orders - Further report submitted - Reg.

- Ref
1. Orders of the Hon'ble National Green Tribunal, Southern Zone, Chennai in O.A No.89 of 2020 (SZ),Dt. 30.06.2020.
 2. This Office Ref. A/81/2020 DE: 07.11.2021
 3. Zoom conference held by the Hon'ble National Green Tribunal, Southern Zone, Chennai, dated: 18.08.2020
 4. This Office Ref: A/81/2020, dt: 25.08.2020
 5. Orders of the Hon'ble Green Tribunal, Southern Zone, Chennai, in OA. No.89/2020/SZ). dE: 06.07.2021.
 6. Ref.H/1002/2020, dt:19.7.2021 of the RDO., Kakinada.
 7. This Office Ref A/81/2020 Dt. 24.07.2021
 8. This Office Ref A/81/2020 Dt. 22.10 2021
 9. This Office Ref A/81/2020 Dt. 07.11.2021
 10. Ref.H/1002/2020, dt:6.12.2021 of the RDO., Kakinada.
 11. This Office Ref A/81/2020 Dt. 13.12.2021
 12. This Office Ref A/81/2020 Dt. 24.04.2022
 13. Roc No. PS/2022, dated: 09.05.2022 of the Panchayath Secretary, Sunkarapalem.
 14. Ref. H/1002/2020, dt: 16.05.2022 of the RDO, Kakinada
 15. Lr. No: DB/A.T.O/File, 12 Rev, dt:18.5.2022, Executive Engineer, Water Resource Dept. Officer, Drainage Division, Pragathi Bhavan, Kakinada.
 16. Orders of the Hon'ble Green Tribunal, Southern Zone, Chennai, in OA. No.89/2020 (SZ) dt: 27.05.2022.Sr.
 17. File No. H/1002/2020, dt:6.6.2022 of the RDO., Kakinada.
 18. This Office Ref: A/81/2020 Dt. 14.06.2022
 19. Orders of the Hon'ble Green Tribunal, Southern Zone, Chennai, in OA. No.89/2020 (SZ) dt:3.8.2022 (received on 05.09.2022 through what's app & Telegram).
 20. Report of Revenue Inspector Dt.05.09.2022.

I invite kind attention to the above references cited.

I submit that in the reference 1st cited, Sri Sunkara Swamy Naidu, Welfare Organisation, Yanam has filed OA No.89 of 2020 (SZ) before the Hon'ble National Green Tribunal, Southern Zone, Chennai alleging illegal closure of Nallah at Sunkarapalem Village, Tallarevu Mandal.

Wherein the reference 5th cited, the Hon'ble National Green Tribunal issued orders dated:06.07.2021 as follows:

"The State of Andhra Pradesh as well as the Union Territory of Puducherry are directed to submit their action plan with short term and long term measures and compliance report of removal of the garbage in the Nallah and strengthening of its bunds within existing available width before the next hearing date and also directed to submit the action plan and compliance report to this Tribunal on or before 05.03.2021."

Wherein the reference 6th cited, the Revenue Divisional Officer, Kakinada has issued instructions for implementation of orders of the Hon'ble National Green Tribunal and to restore the Nallah at Sunkarapalem Village of Tallarevu Mandal to its original position and remove the encroachments in coordination with Irrigation Department.

Wherein the reference 9th cited, submitted the interim report stating that steps have been taken up for removal of Horse shoe / weed which is obstructing the irrigation sewer with the aid of machinery such as JCB's and also engaged Boats and Labour for removal of Horseshoe and other obstructions. Further submitted that this task was very hectic as the Horseshoe is re-emerging; very quickly and submit that the entire Horseshoe which is clogging the Drain. Now was removed several times resulting in uninterrupted flow of drainage and met an expenditure of an amount of an Rs.1,24,800/- by the Tahsildar, Tallarevu and the bills are presented to the Revenue Divisional Officer, Kakinada to reimburse the same.

Further it is submitted that, the Mandal Surveyor, Tallarevu reported that as per the orders of the Hon'ble National Green Tribunal, Chennai a detailed survey has been conducted over the Sy.No.123 and 125 of Sunkarapalem Village of Tallarevu Mandal for finding encroachments around the Nallah in the said survey number and noticed 11 encroachers in R.S No:125 and 22 encroachments in R.S No: 123 have been identified and issued notices as per the Land Encroachment Act, 1905. Among the encroachers one Smt Guthula Mangadevi w/o Veera Venkata Satyanarayana approached Hon'ble High court of Andhra Pradesh and filed W.P No:14216/2022 dt:04.05.2022 for not to evict.

A detailed report has been submitted to the Revenue Divisional Officer, Kakinada in the ref. 12th cited, stating that there are 130 number of coconut trees and several other temporary and permanent sheds erected in the said Nallah Poramboke have to be evicted and by duly entrusting the said eviction work to Gram Panchayath, Sunkarapalem as per G.O.M.S No. 188, Panchayath Raj and Rural Development dt: 21.07.2011 and also requested the Executive Engineer, Drainage division, Kakinada to extend necessary support by providing required machinery and labour for removal of Encroachments in the said Drain Poramboke. But, the Executive Engineer, Drainage division, Kakinada in the ref.15th cited, stated that the drainage at Sunkarapalem does not comes under purview of Drainage and Irrigation Dept.

Further the Revenue Divisional Officer, Kakinada has directed to answer several points and also directed to complete the eviction of encroachments standing in the water course which are obstructing the water flow and to remove the Horse shoe which is causing clogging of drain flow.

In pursuance of the above directions of the Revenue Divisional Officer, Kakinada steps have been taken for removal of Horse shoe and engaging boats and labour. Also removed 120 number of coconut trees standing in the drain course, also the sheds and other thatched houses erected in the drain Poramboke in R.S No.125 of Sunkarapalem village and met with an expenditure for an amount of Rs.1,47,000/-. Further it is submitted that there are certain permanent houses have been constructed in R.S. No.123 of Sunkarapalem village and people belongs to BPL category are residing for more than 30 years in the said Poramboke. These encroachments are covered on either sides of the Nallah in R.S No.123 of Snkarapalem Village. It is not possible to engage suitable machinery and contractors for execution of eviction of the encroachments alone.

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It is further submitted that, in the reference 18th cited, a detailed report have been submitted stating that as per the directions of the National Green Tribunal in OA No. 89 of 2020 for eviction of all the entire encroachments including the concrete structures standing in the drain Poramboke and requested the District Administration kindly entrust the said work to concerned Engineering Department for preparation of detailed estimations, so as to meet the expenditure by the concerned departments. Since the drainage poramboke is vested with Grama Panchayath, Sunkarapalem. Therefore the Panchayat Administration have to supervise the entire process of work hence the District Panchayat Officer, Kakinada may be directed to monitor the work closely until the completion of the work. Therefore a District level meeting may be convened with the District Officers of the following departments.

1. Superintending Engineer, Irrigation Circle, Dowlaiswaram.
2. Executive Engineer, Drainage Division, Kakinada.
3. District Panchayat Officer, Kakinada.

Further it submitted that, the District Collector has issued orders Vide ref: L1/NGT/01/2020, dt.05.07.2022 to the Executive Engineer, Drainage Division, Kakinada to remove the weed manually as per the rules in force before 13.07.2022 and report compliance and also directed the District Panchayat Officer, Kakinada to take necessary action with regard to removal of encroachments in consideration with Tahsildar, Tallarevu and see that encroachments are removed immediately and to submit report by 13.07.2022.

Further the Revenue Divisional Officer, Kakinada has also issued orders vide Ref: H/1002/2020, 06.07.2022 consideration of estimated proposals submitted by the Executive Engineer, Drains, Kakinada sanction has been accorded for an amount of Rs.97,000/- towards the purpose of clearing of water hyacinth from Sunkarapalem Drain in Tallarevu Mandal and the EE, Drains was requested to execute the work within 07 days (ie., 13.07.2022). Hence, the action taken report for eviction of horse shoe/weed removal may be obtained from the Executive Engineer, Drainage Division, Kakinada as the District Collector and the Revenue Divisional Officer, Kakinada are entrusted the work to him. The entire weed removed by the Panchayat Secretary, Gram Panchayat, Sunkarapalem from 12.07.2022 to 17.07.2022 in coordination with the Revenue Officials. The proposals has been submitted to the Revenue Divisional Officer, Kakinada for sanction of funds to the GP, Sunkarapalem for the above said work.

Further, submitted that in WP No 14216 of 2022 filed by Smt. Guthula Mangadevi before the Hon'ble High Court of Andhra Pradesh, the Hon'ble Court has issued orders on 13.06.2022 are as follows:

"Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The learned counsel for the petitioner states that to the notice, dated 23.02.2022, the petitioner has given a reply on 16.04.2022. He submits that even though the reply was given after a stipulated period, the respondents have received the same but no final orders are passed. He submits that due to the legal illiteracy etc., of the petitioner, she could not submit the explanation within the stipulated time and prays for an order to the respondents to consider the same.

The learned Government Pleader does not really oppose the submissions made by learned counsel for the petitioner. Since, a reply dated 16.04.2022 is given to the show-cause notice, and directed the 3rd respondent (ie., Tahsildar), **the petitioner should not be evicted forcefully from the premises.** There shall be no order as to costs. As a sequel, the miscellaneous petitions, pending if any, shall stand closed. Accordingly, an endorsement has been given to the writ petitioner and other encroachers.

Further submitted that, in the reference 19th cited the Hon'ble National Green Tribunal issued orders dated:03.08.2022 as follows:

1. Though encroachments were found, removal of encroachments were not completed and in some cases, it was mentioned by the learned counsel appearing for the State of Andhra Pradesh that Pattas have been granted earlier and they will have to be rehabilitated, for which, action is being taken by the State of Andhra Pradesh.
2. The applicant also filed a memo stating that reports filed by respondents is only an eyewash of taking some steps and in fact, no effective steps have been taken for removal of encroachments and he had also produced certain photographs to prove this aspect.
3. Both the State of Andhra Pradesh and Union Territory of Puducherry is directed to consider the objection along with the photographs produced by the applicant and incorporate the genuineness or action (if any) taken in respect of the same when they are filing the reports.
4. We feel it is better to give one more opportunity to the State of Andhra Pradesh and Union Territory of Pondicherry to file further action taken reports mentioning about the steps taken by them for removal of encroachment and if any rehabilitation process is under Process, what is its stage and what are all the steps taken by them for rejuvenating the water body by removing water hyacinth and other weeds.
5. They are directed to file the report to this Tribunal on or before 12.09.2022 along with necessary hardcopies to be produced as per Rules, failing which, this Tribunal will be compelled to dispose of the matter on the basis of the materials available on record by giving appropriate directions.
6. For consideration of further reports and hearing, post on 12.9.2022.

In this connection, it is submitted that, as per the orders of the Hon'ble National Green Tribunal the entire Horse shoe in drain Poramboke in R.S. No. 123 of Sunkarapalem Village has been removed by the Gram Panchayat, Sunkarapalem in coordination of Revenue Officials (photographs are enclosed) and also removed 120 number of coconut trees standing in the drain course, also the sheds and other thatched houses erected in the drain Poramboke in R.S No.125 of Sunkarapalem village of Tallarevu Mandal. Further it is submitted that there are certain permanent houses have been constructed in R.S. No.123 of Sunkarapalem village and people belongs to BPL category are residing for more than 30 years in the said Poramboke. These encroachments are covered on either sides of the Drain Poramboke in R.S No.123 of Sunkarapalem Village.

:: 5 ::

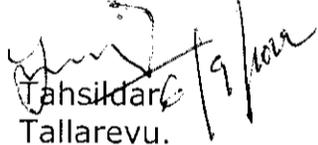
In view of the above circumstances, it is found that (22) encroachers belongs to BPL category are residing for more than 30 years in the said Poramboke. These people are identified as eligible for providing house sites under Navaratnalu Pedalandariki Illu (NPI) 90 days HS (flagship programme) and identified suitable site in Gadimoga H/o Polekurru Village of Tallarevu Mandal for allotment of House Sites. The Pattas will be given and they will be accommodated at allotted layouts in Gadimoga after completion of Land levelling and lay out preparation. They will be evicted from the present (GP) Drain encroachment in Sy.No.123 of Sunkarapalem Village by following due process of law.

I enclose herewith the following connected documents.

Encls:

01. Photographs of weed removal (before and after removal)
02. Report of the then Village Revenue Officer, Sunkarapalem.
03. Proceedings of the District Collector, Kakinada Dt.5.7.2022.
04. Proceedings of the Revenue Divisional Officer, Kakinada dt.6.7.2022
05. Report of the Panchayath Secretary, Sunkarapalem.
06. Report of the Mandal Revenue Inspector, Tallarevu dt.5.9.2022.
07. Report of the Village Revenue Officer, Sunkarapalem dt.5.9.2022.
08. Orders of the Hon'ble High Court of AP in WP 14216/2022.

Yours Faithfully,


Tahsildar
Tallarevu.

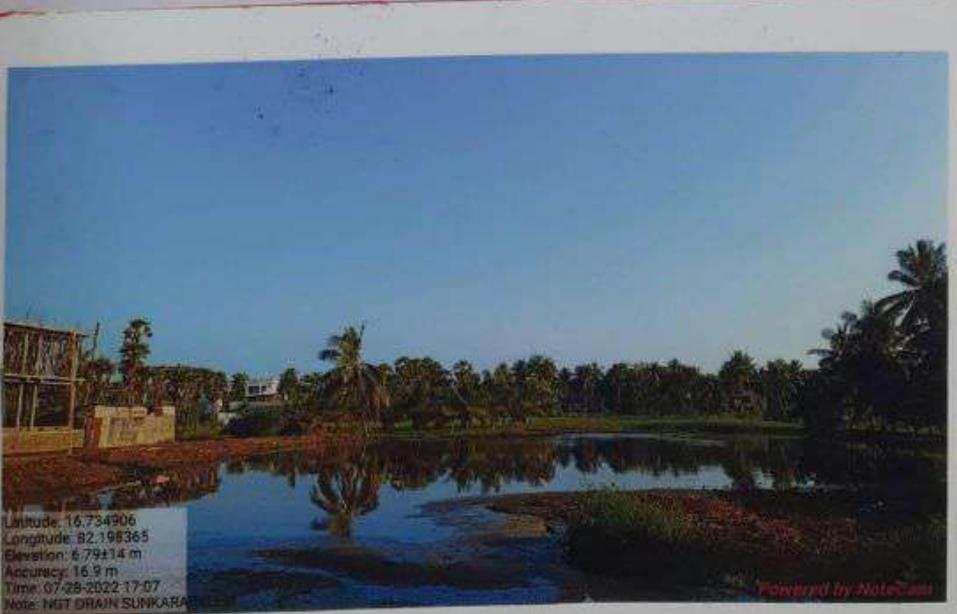


Copy submitted to the District Collector, Kakinada for favour of information.

BEFORE WEED REMOVAL



AFTER WEED REMOVAL



**GOVERNMENT OF ANDHRA PRADESH
PANCHAYAT RAJ DEPARTMENT
OFFICE OF THE DISTRICT PANCHAYAT OFFICER, KAKINADA.**

From
Sri S.V.Nageswara Naik, B.Tech.,
District Panchayat Officer,
Kakinada Dist., Kakinada.

To
The District Collector,
Kakinada District,
Kakinada.

Rc.No.340332/2022-A3, Dt.08-09-2022.

Sir,

Sub: NATIONAL GREEN TRIBUNAL - Implementation of Orders passed by NGT Court in removal of Horse's hoof (GURRAPU DEKKA) in S.No.125 of Sunkarapalem Gr.Pt., Tallarevu mandal - Submission of report - Reg.

Ref: 1. Orders passed by NCT Court in OA No.89/2020, Dt.27-05-2022.
2.Lr.DB/ATO/File.25 Rev.J4,Dt.28-06-2022 of Executive Officer, Drainage Division, Kakinada.
3. Orders Dt.05-07-2022 of the District Collector, Kakinada.
4. Oral instructions of the D.P.O., Kakinada.
5. This Office Lr.No. 340332/2022 -A3, Dt : 15.07.2022.
6. Lr.Dt. 07.09.2022 of the Panchayat Secretary, SunkarapalemGr.Pt., Tallarevu mandal.

** **

I invite kind attention to the references cited.

It is submitted that as per the instructions received vide ref 2nd cited, agency was identified to remove the water hyacinth in the canal situated in Sy No. 125 of Sunkarapalem (V) of Tallarevu Mandal for free flow of drain water.

It is submitted that, the work was commenced on 11th July 2022 onwards and as per the estimation made by the agency.

I submit that as per the report received from the Panchayat Secretary, Sunkarapalem Gr.Pt.,Tallarevu mandal in the ref.6th cited, it is submitted that as a part of implementation of the Orders passed by the National Green Tribunal Court, the work i.e., removal of Horse's Hoof (GURRAPU DEKKA) in S.No.125 has been taken up on emergency basis by the Contractor viz., Smt Perni Venkatalakshmi by engaging 24 labour continuously for a period of 07 days i.e from 11.07.2022 to 17.07.2022 under the supervision by the Divisional level, Mandal level and Gr.Pt. level Officers and completed left part of bridge at Sunkarapalem Gram Panchayat.

The remaining work i.e, removal of Horse's Hoof (GURRAPU DEKKA) in Right side of the bridge is getting delayed due to lack of labour, and heavy rains, speedy steps are being taken and to be completed within a short period.The photographs of the work undertaken so far are submitted for kind perusal of the District Collector.

This is submitted for kind information of the District Collector.

Encl: Copy of ref.6th cited along with Photographs.

Yours faithfully,

S.V.N. Naik
District Panchayat Officer,
Kakinada District, Kakinada.

K
08.09.2022

నుండి
శ్రీమతి M వరలక్ష్మి
పంచాయతి కార్యదర్శి,
గ్రామ పంచాయతి ,
సుంకరపాలెం
అయ్యూ,

నకు
శ్రీ జిల్లా పంచాయతి అధికారి
కాకినాడ జిల్లా వారికి.

విషయం: గౌరవ NGT కోర్టు వారి ఉత్తర్వులు కాకినాడ జిల్లా తాళ్ళరేవు మండలం సుంకర పాలెం గ్రామం లో గల సర్వే నెంబర్ 125 లో పేరుకుపోయిన గుర్రపు డెక్కను తొలగించుటకు అదేశించుట-నివేదిక సమర్పించుట గురించి.

- సూచిక:** 1. గౌరవ NGT కోర్టు వారి ఉత్తర్వులు OANO :89'2020 DATE:27.05.2022
2.కార్యనిర్వాహక అధికారి , డ్రైనేజ్ డివిజన్ , కాకినాడ వారి లేఖ సంఖ్య , డిబి / ఎ.టి.ఓ / పైలు 25 Rev. J4.28.06.2022
3. శ్రీయుత జిల్లా కలెక్టరు వారి ఉత్తర్వులు తేదీ .05.07.2022
4. శ్రీ జిల్లా పంచాయతి అధికారి వారి మౌఖిక ఆదేశాలు.

&&&

గౌరవ NGT కోర్టు వారు కాకినాడ జిల్లా , తాళ్ళరేవు మండలం , సుంకరపాలెం గ్రామములో సర్వే.నెం .125లో పేరుకుపోయిన గుర్రపుడెక్కను తొలగించమని పై1వ సూచిక ద్వారా ఆదేశించియున్నారు.

తాళ్ళరేవు మండలం సుంకర పాలెం గ్రామంలో సర్వే నెంబర్ 125 లో గల వివిధ ఆక్రమణలో భాగంగా పోరంబోకు భూమిలోగల మురుగుడ్రైనేజిలో పేరుకు పోయిన గుర్రపుడెక్క పేరుకు పోయినదని సదరు గుర్రపుడెక్క తొలగించవలసినదిగా నేషనల్ గ్రీన్ ట్రిబ్యునల్ కోర్టు వారు పై 1వ సూచిక ద్వారా వారి ఉత్తర్వుల ప్రకారం ఆదేశించి యున్నారు.



సదర విషయంపై గ్రామపంచాయతీ పై 2వ సూచిక ద్వారా సదరు గుర్రపుడెక్క ఉన్న సర్వే నెం.124డ్రైనేజ్ డిపార్ట్మెంట్ కు చెందియున్నదని జిల్లా పంచాయతి అధికారి వారికి తెలియపరుచు కొనగా వారి మౌఖిక ఆదేశాలు ప్రకారం అత్యవసరంగా కాంట్రాక్టర్ శ్రీమతి పేర్ని వెంకటలక్ష్మి గారి ద్వారా రోజుకి 24మందితో 7

రోజుల్లో సుమారు 168 మందితో సదర్ గుర్రపుడెక్క తొలగించు పనిని గ్రామపంచాయతి ద్వారా చేయించుట జరుగుచున్నది.



సదరు పనిని గ్రామపంచాయతీ ఆధ్వర్యంలో మండల స్థాయి జిల్లా స్థాయి అధికారుల సమక్షంలో సదరు గుర్రపుడెక్క తొలగింపు కార్యక్రమము-11.07.2022తేది నుండి- 17.07.2022 తేది వరకు గ్రామపంచాయతి ద్వారా పూర్తిచేయడం జరిగియున్నది. సదరు సర్వే నెం.124లో సుంకరపాలం నుండి బ్రిడ్జి కి ఎడమవైపు పూర్తిగా గుర్రపుడెక్క తొలగించుట జరిగియున్నది.



మురుగు కాలువ నందు గుర్రపు డెక్క తొలగించిన ఎడమ వైపు భాగము

ఇంకను సుంకరపాలెం నుండి బ్రిడ్జికి కుడివైపున గల గుర్రపు డెక్క తొలగించ వలసి యున్నది. సదరు పనిని ప్రారంభించుట జరిగినది. కొంతమేర పని పూర్తి అయినది ప్రస్తుతము వర్షములు అధికముగా ఉండుట వలన, నీరునిలువ అధికముగా ఉండుట వలన, నీరుపోవు టకు మార్గము లేనందున, సదరు పనిని చేయుటకు కూలీల కొరత ఉండుట వలన సదరు పనిని తాత్కాలికంగా నిలుపు చేయుట జరిగినది. త్వరలోనే సదరు పనిని పూర్తి చేయగలమని తమకు తెలియపరుచుకొనడమైనది.



మురుగు కాలువ నందు గుర్రపు డెక్క తొలగించవలసిన కుడివైపు భాగము

కావున కాకినాడ జిల్లా, తాళ్ళరేవు మండలంలోని సుంకరపాలెం గ్రామపంచాయతి లోని సర్వే నెం.124లో గుర్రపుడెక్క తొలగింపు కార్యక్రమంపై శ్రీ తహసీల్దార్ తాళ్ళరేవు మండలంవారు శ్రీ రెవిన్యూ డివిజనల్ అధికారి కాకినాడ వారిచే మరియు శ్రీ కార్య నిర్వాహక ఇంజనీర్, డ్రాయినేజ్ డివిజన్ కాకినాడ వారికి పంపిన లేఖలను ఇందుతో జతపరచి తమకు సమర్పించు కొనడమైనది.

తమ విశ్వసనీయ

N. V. K.
 Panchayat Secretary
 Gramapanchayat
 SUNKARAPALEM
 Tallarevu Mandal

from

Smt M Varalakshmi
Panchayat Secretary,
గ్రామ పంచాయితీ,
సుంకరపాలెం

to me

Sri Sri Zilla Panchayat Officer
Kakinada District,

oops,

Subject: Orders of the Hon'ble NGT Court directing the removal of horse hoof accumulated in Survey No. 125 of Sunkara Palem Village, Talarevu Mandal, Kakinada District- Regarding submission of report.

INDEX: 1. HONORABLE NGT COURT'S ORDER OANO 89'2020 DATE: 27.05.2022

2. EXECUTIVE OFFICER, DRAINAGE DIVISION, KAKINADA LETTER NO • DB / A.T.O.
/ File 25 Rev. J4.28.06.2022

3. Orders of Shri District Collector dated 05.07.2022 4.

Verbal orders of Shri District Panchayat Officer.

&&&

Hon'ble NGT Court conducted a survey in Sunkarapalem Village, Tallarevu Mandal, Kakinada District. No. 125 has been ordered by the 1st index to remove the accumulated horseshoe.

As part of the various encroachments in Survey No. 125 in Sunkara Palem village of Thalreву Mandal

The horseshoe is said to have been lost in Porambo's underground drainage system.

The Court of National Green Tribunal ordered to be removed as per their order vide index 1 above are



Mate Tall Mandal

Regarding the matter, the District Panchayat Officer informed them that

through the 2nd index of the Gram Panchayat, the survey No. 124 belonging to the Drainage Department, as

per their verbal instructions, urgently through the contractor Mrs. Venkatalakshmi, 24 people per day with 7

The gram panchayat is doing the work of removing sadar horse hoofs with about 168 people in a day.



The said work has been completed by the gram panchayat under the auspices of the gram panchayat in the presence of mandal level district level officials. In the said survey no. 124, the bridge from Sunkarapalem to the left of the bridge has been completely removed.



Latitude 16.234906
Longitude 82.198365
Elevation 670.14m

Time: 07-28-2022 17:07

Note: NGT DRAIN SUNKARAPALEM

Powered by NoteCase

The left side of the horse's hoof removed from the sewer

Also, the horse hoof on the right side of the bridge from Sunkarapalem has to be removed. The work was started. Some of the work has been completed but due to heavy rains, water level is high, there is no way to drain the water, and there is a shortage of labor to do the work. They were told that they would be able to complete the work soon.



మురుగు: The horse's hoof in the canal is the right part to be removed

Therefore, the letters sent by Mr. Revenue Divisional Officer Kakinada and Mr. Executive Engineer, Drainage Division Kakinada on the removal of horseshoe paddy program in Survey No. 124 in Sunkarapalem Gram Panchayat of Thalreva Mandal, Kakinada District are attached herewith.

Their trust