

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

**In**

Original Application No. 92 of 2020 (SZ) &

I.A. No. 45 of 2020 (SZ)

**IN THE MATTER OF**

Gareeb Guide (NGO)

...Applicant (s)

*Versus*

State of Andhra Pradesh,

Through its Chief Secretary and others.

---Respondents

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Date: 05.07.2022



(Dr. Suresh Babu Pasupuleti)  
Scientist ‘D’

Ministry of Environment, Forest and Climate Change,  
Integrated Regional Office, Vijayawada

**Report of the Joint Committee in the matter of Original Application No. 92 of 2020 (SZ) & I.A. No. 90 of 2022 (SZ) Titled as Gareeb Guide (NGO) Vs State of Andhra Pradesh, through its Chief Secretary and Others in compliance of Hon'ble NGT order dated 12.11.2021 and 24.05.2022.**

**1. Preamble**

The Gareeb Guide (NGO) filled an application regarding unauthorised encroachment into "Kakarla Pond" in Sy. No. 59 in Chinnadugam Village in Jalumuru Mandal of Srikakulam District (D) in the State of Andhra Pradesh. The Hon'ble NGT, Southern Bench, Chennai in the matter of Original Application No. 92 of 2020 (SZ) & I.A. No. 45 of 2020 (SZ) vide order dated 02.07.2020 has constituted a Joint Committee to inspect the unit in question and submit a factual and action taken report, if there is any violation found.

In view of the above, the joint committee consists of the following members:

1. Shri J. Nivas, I.A.S., District Collector, Srikakulam District.
2. Dr. R. Sridhar, Scientist 'D', MoEF&CC, Regional Office, Chennai.
3. Lake Protection Committee, Hyderabad (Nomination of senior officer has not received)

The Joint Committee inspected the site Kakarla Pond in Sy.No.59 of Chinnadugam Village, Jalumuru Mandal on 20.01.2021 and submitted the Joint Committee report in front of Hon'ble NGT, Southern Bench, Chennai on 01.02.2021 (Copy Enclosed as **Annexure – I**)

In response to the Joint Committee report, the petitioner has filed objections vide affidavit dated 12.11.2021. The Hon'ble NGT vide Order dated 12.11.2021 (Copy Enclosed as **Annexure – II**) and 24.05.2022 (Copy Enclosed as **Annexure – III**) has issued the following directions:

*“ 9. The District Collector, Srikakulam District and the Joint Committee are directed to file the further action taken reports as directed by this Tribunal as per order dated 12.11.2021 on or before 07.07.2022 by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules.”*

In this regard, the Ministry of Environment, Forest and Climate Change (MoEF&CC), Integrated Regional Office (IRO), Vijayawada vide letters dated 15.06.2022, 23.06.2022 and 04.07.2022 has requested the Lake Protection Committee, Hyderabad for nomination of a senior officer for the Joint Committee and filing of action taken report against objections raised by the petitioner. The Lake Protection Committee (Hyderabad) so far, has not nominated any senior officer from their Office.

As the Ministry of Environment, Forest and Climate Change vide Gazette of India Notification No. 1-5/2013-ROHQ dated 13.08.2020 has established the Integrated Regional Office (IRO), Vijayawada with the jurisdiction of Andhra Pradesh State, it is humbly submitted that the following Joint Committee is submitting the Action Taken Report against the objections raised by the Petitioner:

1. Shri Shrikesh B Lathkar, I.A.S., District Collector, Srikakulam District.
2. Dr.Suresh Babu Pasupuleti, Scientist 'D', MoEF&CC, Integrated Regional Office, Vijayawada.
3. Senior Officer of Lake Protection Committee, Hyderabad (Nomination of senior officer has not received)

## 2. Action Taken by the Joint Committee

- i. The Petitioner i.e. Gareeb Guide (Voluntary organization) is registered under A.P. Societies Registration Act, 2001 vide No: 1122/2007. This organization is accredited by the Telangana State Legal Services Authority vide No: 01/ TSLSA /ACRDT /RR / 2015, Dated: 12.03.2015, approved U/s 80 G (5)(vi) of the Income Tax act 1961 vide F.No: CIT(E)/Hyd/118(12)/80(G)/2014-15, Dated: 30.06.2015 and also registered under Foreign Contribution (Regulation) Act, 1976 vide No: 368140007 under social nature. (Registration Certificate enclosed, other documents will also be submitted if the Hon'ble NGT directs)
- ii. In the last week of September 2016, the then Panchayat Secretary named Mr N Mohana Rao approached the management of M/s Gareeb Guide (NGO) and he informed the following to its management that –
  - A. He constructed a holy temple of Sri Naga Devatha in Sy. No 59 of Chinnadugam (V), Jalumuru (M), Srikakulam (D) and consecration ceremony for the holy idol was held on 05.05.2003 as well as he has constructed a house for the utilization of temple administration.
  - B. But, due to his ill health as well as he has no children, it become very difficult to him to take care of the maintenance of the said temple
  - C. He further said that he is willing to handover the said temple and the said house to the management of M/s Gareeb Guide (NGO).
- iii. The Management of M/s Gareeb Guide informed him that the legal head of M/s Gareeb Guide will visit the temple premises immediately and then the management of M/s Gareeb Guide will take a decision.
- iv. On 30.09.2016 & 01.10.2016, the Legal Team of M/s Gareeb Guide visited the Temple Premises in Sy No. 59 of Chinnadugam (V), Jalumuru (M), Srikakulam (D) as well as enquired with the then local officer local elders etc along with founder of the said temple Sri N Mohana Rao.
- v. As per the said local revenue officers, house site pattas were issued to many people including Sri N Mohana Rao in Sy No. 59 of Chinnadugam (V), Jalumuru (M), Srikakulam (D) in 1988. However, the said local revenue officers further informed that many of the houses were constructed 25 years back and MPPE School was constructed 25 years back as well as Sri Naga Devatha Temple and the said house was constructed by Sri N Mohana Rao 18 years back in Sy No. 59 of Chinnadugam (V), Jalumuru (M), Srikakulam (D).

- vi. On 01.10.2016, Sri N Maohana Rao handed over the said temple and the said house in Sy. No 59 of Chinnadugam (V), Jalumuru (M), Srikakulam (D) to the management of M/s Gareeb Guide through the will, dated: 01.10.2016 in the presence of witness. *(Copy of will, dated: 01.10.2016 will be submitted if the Hon'ble NGT directs)*
- vii. Unfortunately, Sri N Mohana Rao died with ill health on 24.10.2016.
- viii. Then the management of M/s Gareeb Guide brought the said temple under its management immediately as per the said will, dated: 01.10.2016 and had been paying the salaries to the staff of the temple, taking care of maintenance and administration, and conducting annual celebrations since 2016-17 (Electricity Bills in the name of Gareeb Guide, Bank Statements of Gareeb Guide enclosed, and more evidence will be submitted, if the Hon'ble Tribunal directs)

**Reply to Paras:i- viii:**

**In reply to the objections at paras i to viii, it is respectfully submitted that, these paras relates to the personal topics of the Applicant herein. Hence, no remarks.**

- ix. In the month of Oct' 2017, the local revenue authorities brought it to the notice of the management of M/s Gareeb Guide through its representative that the Govt of AP is willing to allot land for the public purpose to the NGOs in view of G.O.571, dated: 14.09.2012.
- x. Hence M/s Gareeb Guide filed an application, dated: 27.12.2017 as per the procedure in G.O 571, dated: 14.09.2012 seeking allotment of 10 acres to construct Gareeb Guide Heaven in the interest of public and collected acknowledgement for the same.

**Reply to Paras: ix - x:**

**In reply to the objections at paras ix - x, it is respectfully submitted that, the Applicant herein has requested to alienate the land to an extent of Ac.10.00 in Sy.No.59 of Chinnadugam Village, Jalumuru Mandal, Srikakulam District which is classified as "Kakarla Pond". But, the G.O.Ms.No.571, Revenue (Assignment-I) Department, Dt.14.09.2012 says that, environmentally sensitive and fragile areas such as, tank beds, river beds, hillocks with aforestation etc., shall not be alienated or allotted. Hence, the allegations are not correct.**

- xi. The Govt of AP allotted 11 acres to NandamuriBasavaTarakam Foundation, 12.5 Acres to LV Prasad Hospital, 20 acres to BR Ambedkar SmrithiVanam, 40 acres to KIMS Hospital, 30 acres to Xaviewrs School, 12 acres to Gopiochand academy since 2017 but did not take any decision on the application, dated: 27.12.2017 filed by the Gareeb Guide (NGO).

**Reply to Para: xi:**

**In reply to the objection at Para xi, it is respectfully submitted that, the Govt.of A.P. might have been alienated the above mentioned lands in unobjectionable poramboke lands, whereas, in this case, the Gareeb Guide (NGO) i.e., the applicant herein has**

requested to alienate the land in Sy.No.59 of Chinnadugam Village, Jalumuru Mandal, Srikakulam District which is classified as “Kakarla Ponda” and an objectionable land for alienation. If the applicant choose any unobjectionable land at anywhere in Srikakulam District, the administration shall examine with reference to the G.O.Ms.No.571, Revenue (Assignment-I) Department, Dt.14.09.2012 and submit the proposals to the Government for consideration. Hence, the allegations are not maintainable.

- xii. M/s Gareeb Guide (NGO) has spent Rs 24.43 lakhs for dais, annual celebrations of Sri Mata Mansa Devi Temple, Public Toilets, Staff Salaries, Staff Quarters, Temple, Administrative Office, HomaKundam, Prasadam Counter, Plantation, Mandapam for Sri Naga Devatha, New Marble Statues, CC cameras, Other Misc constructions etc between 2016-20 in Sy. No. 59. However, Police Bandhouast had been providing at Shri Mata Mansa Devi Temple, Chinnadugam (V) on call of M/s Gareeb Guide since 2017. (Mee Seva Receipts etc enclosed)

**Reply to Para: xii:**

**In reply to objection at Para xii, It is respectfully submitted that, this para relates to the personal topics of the Applicant herein. Hence, no remarks.**

- xiii. However, M/s Gareeb Guide (NGO) paid House Tax to the Panchayat Secretary of Chinnadugam (P) vide Receipt No. 88, dated: 02.03.2020 for the year 2020 and vide Receipt No. 38, dated: 31.03.2021 for the year 2021. But, intentionally not included in the list of beneficiaries in the final report, dated: 01.02.2021.
- xiv. The Local Revenue Officer informed the management of M/s Gareeb Guide through its representative that allotment of land shall be possible only on payment of bribe to the higher officials of Srikakulam District. But, the management of M/s Gareeb Guide refused to do so.

**Reply to Paras: xiii & xiv:**

**In reply to the objections at Paras xiii & xiv, it is respectfully submitted that, the allegations are baseless and the petitioner should have to put strict proof of his allegations against the revenue officials.**

- xv. M/s Gareeb Guide filed WP vide 8493 of 2020 before the Hon'ble High Court with the following Main Prayer –

*It is therefore prayed that this Hon'ble Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent Nos 4 & 5 in not allotting land to the Petitioner for public purpose as illegal, arbitrary, violation of GO Ms 571, dated: 14.09.2012, Revenue (Assignments-I) Dept and this Hon'ble High Court order, dated: 21.01.2014 passed in WP 31764 of 2013 and article 21 of Constitution of India and pass such other order or orders may deem fit and*

*proper in the circumstances of the case*

However, with the following interim Prayer –

*Pending disposal of the above writ petition, it is also just and necessary that this Hon'ble Court may be pleased to direct the Respondent No 5 to allow the petitioner for temporary constructions for public purpose in the said premises until further orders of this Hon'ble Court and pass such other order or orders may deem fit and proper in the circumstances of the case.*

- xvi. The Hon'ble High Court passed the interim order, dated: 07.05.2020 to get the instructions from the government as well as recorded in its order that learned counsel for the Petitioner further submits that in the event of the concerned authorities are not inclined to grant assignment in terms of GO 571, they would remove the temporary structures immediately without making any claim, what so ever, after the purpose of providing service to the needy people in the light of the pandemic situation is accomplished. (Copy of Order, dated: 07.05.2020 is enclosed)

**Reply to Paras: xv& xvi:**

**In reply to the objections at Paras xv & xvi, it is respectfully submitted that, in compliance to the orders of the Hon'ble High Court and Hon'ble NGT, the occupations by way of agricultural encroachments have been got evicted from the scheduled land and a caution board stating that the land belongs to Govt. and the occupants are liable for punishment has also been erected on the said land. Further, there are 89 age old residential houses of BPL category people, one MPP School, Rythu Bharosa Kendram (Panchayat Office), CC road from Narasannapeta-Pathapatnam road to Chinadugam Village, Field channel, Nagadevata temple etc., are existing in the scheduled land and hence, the Govt. through the Chief Commissioner of Land Administration, Mangalagiri has requested to examine the present ground reality and to issue suitable instructions to proceed further in this matter. (copy enclosed as Annexure - IV).**

- xvii. Then the local revenue officer i.e Tahsildar submitted his report vide RC No. 197/2020, dated: 07.05.2020 (Copy of Report enclosed) as that presently, there is no tank in Sy. No. 59. Details are as follow:

<b>Total Land in Sy. No. 59 which is classified as Tank Poramboke (In Acres)</b>	12.75
SriSriNagadevatha Temple constructed 15 Yrs ago (In Acres)	0.40
Govt School (In Acres)	0.30
Gram Panchayat Office (In Acres)	0.10
Houses for Poor constructed by Govt (In Acres)	6.05
Grabbed for shops (In Acres)	0.50
Grabbed by Others for unauthorized cultivation (In Acres)	5.40
<b>Total (In Acres)</b>	<b>12.75</b>

- xviii. The District Collector, Srikakulam submitted the following before the Hon'ble High Court in WP 8493 of 2020 in his instructions vide Rc No. 943/2020-E-1, dated: 13.05.2020:
- A. The matter has got enquired by the Tahsildar, Jalumuru and it is revealed that the land requested by the Petitioner is Kakarla Pond in Sy No. 59 which is classified as Tank Poramboke of Chinnadugam (V) in Jalumuru (M), Srikakulam (D) which is prohibited for assignment / alienation as rules in force.
- B. In this connection it is to inform you that there are specific instructions from the Government and the Chief Commissioner of Land Administration & Special Chief Secretary about restriction on allotment of water body/ tank poramboke lands in his reference No. B1/1543/2012, Dt: 18.03.2013.
- C. As per para (g) of the above reference, Govt. Memo No. 33571/Assn,I(2), Revenue (Assn.I) Dept., Dt: 14.09.2012, as per para - 3(a) (ii) at page No.6 says that, only waste and dry lands should be proposed for alienation and wet, irrigated lands should not normally be considered for such as, tank beds, river beds, hillocks with afforestation etc., shall not be alienated or allotted. Further, as per para 3(c)(viii) at page-8, the ban non change of classification of tank bed lands shall be strictly enforced.
- xix. Hence, M/s Gareeb Guide filed OA 92 of 2020 before the Hon'ble NGT on 25.06.2020 even though M/s Gareeb Guide (NGO) has spent Rs 24.43 lakhs for various activities in Sy. No. 59 of Chinnadugam (V) and Hon'ble NGT appointed the Joint Committee to file the Final Report.
- xx. All the members have not inspected the area and only one of the members has inspected the area and other(s) have clandestinely signed the final report and submitted the final report, dated: 01.02.2021 before the Hon'ble NGT.

**Reply to Paras: xvii- xx:**

**In reply to the objections at Para Nos.xvii to xx, it is respectfully submitted that, as per the orders dated 02.07.2020 in O.A.No.92 of 2020 (SZ) & I.A.No.45 of 2020 (SZ), among the 3 Joint Committee Members, one Dr.R. Sridhar, Scientist 'D', MoEF&CC, Regional Officer, Chennai and the Executive Engineer, A.P.Pollution Board, Regional Office, Srikakulam on behalf of the District Collector, Srikakulam have jointly inspected the scheduled land with the local revenue officials on 20.01.2021 and submitted the detailed Joint Inspection report on 01.02.2021 in front of Hon'ble National Green Tribunal, Chennai.**

- xxi. On one hand –
- A. The District Collector, Srikakulam in his proceedings vide Rc No. 1035/2020/E4, dated: 28.05.2020 directed the Tahsildar, Jalumuru to take necessary action for eviction of encroachments in Sy. No. 59 of Chinnadugam (V), Jalumuru (M),

Srikakulam (D) and issued a memo to the VRO concerned for his failure in preventing the encroachments. (Copy of Proceedings enclosed)

- B. The District Collector, Srikakulam in his proceedings vide Rc No. 943/2020/E3, dated: 21.01.2021 directed the Tahsildar, Jalumuru to take necessary action for eviction of encroachments in Sy. No. 59 of Chinnadugam (V), Jalumuru (M), Srikakulam (D) and to submit the same to Hon'ble NGT. (Copy enclosed)

**Reply to Paras: xxi A & B:**

**In reply to the objections at Paras xxi A & B, it is respectfully submitted that, as per the directions of the District Administration, the Tahsildar, Jalumuru has carried out the eviction of encroachments which are made by way of agricultural fields in Sy.No.59 of Chinadugam Village, Jalumuru Mandal, Srikakulam District, except the other age old buildings/structures, which needs specific orders from the Govt. The Govt.has also been requested to examine matter and to issue suitable instructions in the matter in order to avoid law and order problem.**

xxii. On the other hand –

- A. As per a leading News Paper, dated: 01.12.2020, the same District Collector of Srikakulam assured TridandiChinnaJeeyar Swamy of handing over a site for construction of a Vedic university at Tarlikonda of Kotabommali (M). The Collector said that 209.84 acres of Hill/Government Poramboke in Sy. No. 36 (1 to 11, 15) and 1B-1 at Tarlipeta (V)), Kotabommali (M) would be physically handed over to the university authorities very soon after a survey.

**Reply to Paras: xxii A:**

**In reply to the objections at Para xxii A, it is respectfully submitted that, the Government of Andhra Pradesh vide G.O.Ms.No.446 Revenue (Assignment-I) Department, Dt.14.10.2016 has alienated an extent of Ac.209.84 in Sy.No.36/1 which is classified as “Konda Poramboke” in Tarlipeta Village, Kotabommali Mandal, Srikakulam District in favour of “Srimath Ubhaya Vedantacharya Peetham” for establishment of “Vedic University” on payment of market value, since the land in question is an unobjectionable poramboke.**

- B. However, the same District Collector of Srikakulam likely to be allotted 17.59 acres of Hill/Government Poramboke land in Sy. No. 156 in Kothaddapanasa @ Kotturu (V), Saravakota (M) for the construction/development of Shri Ayyappa Temple. Because, the construction of the said temple has started and 25% is already completed and there is no action by the District Collector.

**Reply to Paras: xxii A:**

**In reply to the objections at Para xxii B, it is respectfully submitted that, no land was allotted for construction of Shri Ayyappa Temple in Kothaddapanasa @ Kotturu (V), Saravakota Mandal, Srikakulam District, hence the allegations are baseless.**

- xxiii. However, the District collector in his proceedings vide RC No. 943/2020-E3, dated: 16.03.2021 defamed M/s Gareeb Guide (NGO). However, he did not look into the facts and did not conduct proper enquiry and did not apply his mind as well as did not follow the procedure as per the law. (Copy of the Proceedings enclosed)
- xxiv. Even at the above circumstances, the same District Collector sanctioned compound wall for MPPE School etc in Sy No. 59 of Chinnadugam (V) on 13.08.2020 and the construction work started and completed in December' 2020 (Sanction order enclosed). Due to his action is willful disobedience of Order of Hon'ble NGT, M/s Gareeb Guide issued notice, dated: 21.05.2021 before filing contempt to him through its counsel. (Copy of the Notice enclosed).

**Reply to Paras: xxiii & xxiv:**

**In reply to the objections at Paras xxiii & xxiv, it is respectfully submitted that, the District Administration submitted that, even now itself, it is open to the applicant to file a requisition for alienation of un-objectionable Govt.land at anywhere in Srikakulam District for the purpose of which they are intended to, will be examined as per the G.O.Ms.No.571 Revenue (Assignment-I) Department, Dt.14.09.2012.**

**3. Prayer**

It is respectfully submitted that, the District Administration has taken necessary action for eviction of agricultural encroachments made in the tank and in process of taking necessary action against permanent structures as per the Government norms in force. It is humbly requested that the Hon'ble NGT may consider the present status of the pond and kindly issue necessary instructions.



Dr. Suresh Babu Pasupuleti,  
Scientist 'D',  
MoEF&CC, Integrated Regional  
Office, Vijayawada.



Shri Shrikesh B Lathkar, I.A.S.,  
District Collector,  
Srikakulam District.

Senior Officer of Lake Protection  
Committee, Hyderabad  
(Nomination of senior officer has  
not received)

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Date: 1-2-2021

(Dr.R.Sridhar)  
Scientist 'D'

MoEF&CC, Regional Office, Chennai

**Final Report of the Joint Committee in the matter of Original Application No. 92 of 2020 (SZ) & I.A. No. 45 of 2020 (SZ) Titled as Gareeb Guide (NGO) Vs State of Andhra Pradesh, through its Chief Secretary and Others in compliance of Hon'ble NGT order dated 2-7-2020 and 4-1-2021**

**1. Background**

The Hon'ble NGT, Southern Bench in the matter of OA No. 92 of 2020 (SZ) & I.A. No. 45 of 2020 (SZ) vide order dated 2-07-2020 (ANNEXURE-1) has constituted a Joint Committee to inspect the unit in question and submit a factual and action taken report, if there is any violation found. The directions of NGT are reproduced below:

"16. In order to ascertain the present status, we feel it appropriate to appoint a Joint Committee comprising of a Senior Officer of Ministry of Environment, Forests and Climate Change (MoEF& CC), Regional Office, Chennai, a Senior Officer of Lake Protection Committee, Hyderabad and the District Collector, Srikakulam to inspect the area in question and submit a factual and action taken report, if there is any violation found."

"17. The committee is also directed to examine the revenue records of this area to find out as to whether there existed any pond in that area earlier and what is the nature of the pond and its use at that time and when the encroachments started and what are the steps taken by the state authorities to remove the encroachment to protect the water body."

"18. They may also suggest and give recommendation as to what are all the steps to be taken to protect the water bodies."

"19. The District Collector who has been made as the member of the committee is directed to cooperate with the committee in carrying out the directions of this Tribunal for the purpose of inspection and preparation of the report as directed."

"20. Ministry of Environment, Forests and Climate Change (MoEF&CC), Regional Office, Chennai will act as nodal agency for co-ordination and for providing necessary logistics for this purpose."

"21. The committee is directed to submit the report to this Tribunal within a period of two months i.e., on or before 15.09.2020 through e-mail or e-filing at [ngtszfiling@gmail.com](mailto:ngtszfiling@gmail.com)."

The Hon'ble NGT vide order dated 4-1-2021 has given directions to the committee as well as the respondents to submit the report as well as the independent responses on or before 03.02.2021 (ANNEXURE-2)

## 2. Joint Committee

The MoEF&CC, Regional Office, Chennai, as the nodal agency, vide letter dated 13-7-2020 requested the Lake Protection Committee (Hyderabad) and the District Collector (Srikakulam) for the nomination of a senior officer for the joint committee and site inspection. The Lake Protection Committee (Hyderabad) so far, has not nominated any senior officer from their office and no response was received from the Lake Protection Committee (LPC) upon reminders sent on 20-7-2020 & 3-8-2020. A copy of the MoEFCC's letter dated 13-7-2020 issued to the Chairman, Lake Protection Committee (LPC) Hyderabad and remainder email dated 20-7-2020 and 3-8-2020 are at ANNEXURE-3. The District Collector (Srikakulam) nominated the Environmental Engineer (EE), AP Pollution Control Board, Regional Office, Srikakulam as Nodal Officer to co-ordinate for conducting site inspection. In view of the above, the joint committee consists of the following members:

1.	Shri J. Nivas, I.A.S. District Collector, Srikakulam
2.	Dr. R. Sridhar, Scientist 'D', MoEF&CC, Regional Office, Chennai
3.	Lake Protection Committee, Hyderabad (Nomination of senior officer has not been received)

## 3. Joint Committee's observation

(1) The Joint Committee inspected the site 'Kakarla pond' in Sy.No.59 of Chinnadugam Village, Jalumuru Mandal on 20-1-2021. Revenue department officials also joined the inspection. Copy of the Attendance sheet given at ANNEXURE-4. Photos taken during the site inspection are given at ANNEXURE-5.

(2) The Subject tank was locally called as "Kakarla Vani tank". The nature of the subject alleged tank was verified with Settlement Fair Adangal, FMB and VAno.3 of Chinnadugam Village and it is revealed that the total extent of the tank is covering an extent of Ac.12.75 cents with Permanent Structures and encroachments covered with 39 members of Agricultural occupations.

(3) During the inspection it was revealed by Revenue Dept Officials that, there are 89 families residing by construction of houses in Sy.No.59. and that house site pattas were issued from 1988 onwards. Out of 89 families, only 32 families are having house site pattas and the remaining 57 families said to have been misplaced and house site patta register is not available in the office of the Tahsildar, Jalumuru, but in accordance with the "Potti Adangal" available, 24 individuals only covered as house site pattas beneficiaries.

(4) The details of construction/occupation by way of encroachments, extent covered and year of occupation in the area of Kakarla pond are given at **ANNEXURE-6**.

(5) List of Beneficiaries/encroachers in S.No.59 of Chinnadugam Village of Jalumuru Mandal is given at **ANNEXURE-7**

(6) List of agriculture occupations in Sy.No.59 of Chinnadugam Village of Jalumuru Mandal is given at **ANNEXURE-8**

(7) The Executive Engineer, Water Resource Department has stated that, the subject tank was an abounded tank and it was not covered in the list of tanks handed over by the Panchayat Raj Department to Water Resource Department in the year 2005 and there was no ayacut covered under this tank and after formation of Narasannapeta Branch canal (NBC) under Vamsadhara Project in the year, 1978, the tank was remained as abandoned and that the tank was not useful for recharging the drinking water and it was not a percolation tank. The Environmental Engineer, Pollution Control Board, Srikakulam has stated that, there are no remarks from their side on the alleged tank as there is no pollution aspects involved in the subject tank.

**(8) The following are the observations made by the team of officials comprising from Pollution Control Board, Survey & Land Records, Revenue Divisional Officer (Tekkali), Irrigation Division (Narasannapeta) and Tahsildar, Jalumuru about Kakarla Pond in Sy.No.59 of Chinnadugam (V), Jalumuru (M) in Srikakulam District:**

- (i) The tank known as "Kakarla Pond" which is covered in Sy.No.59 is an abandoned Tank. There is no ayacut covered under this tank. After formation of Narasannapeta Branch Cannel (NBC) under Vamsadhara Project in the year 1978, the tank was remained as abandoned.
- (ii) The tank was not useful for recharging the drinking water and it was not a percolation tank.
- (iii) There was no tank appearance on ground.

- (iv) There were permanent structures located on the subject land i.e., MPP School Building, Housing Colony, Panchayat Office, Temple Stage. Regarding House Site Pattas issued from the year 1988 onwards, house site pattas are available with 32 beneficiaries and the remaining 57 families have been residing there and said to be misplaced their house site pattas. Therefore, it is obtained as per MRI, Jalumuru Mandal and VRO Chinnadugam reports, there are total of 89 individual / families are residing in the Sy.No.59 for an extent of Ac.4.02 and that Ac.7.24 of agricultural land was occupied by the 39 individuals of Chinnadugam Village in Jalumuru Mandal.
- (v) There were encroachments noticed on the subject tank occupied by some persons covered by cultivation.
- (vi) It is revealed that the Survey Number 59 is in chinadugam village, as per revenue records, it is classified as Government poramboke (Kakarla vani tank). But after formation of Narasannapeta Branch canal, the tank gradually encroached and housing colony was constructed. school and Gram Panchayat office buildings were also constructed and CC road was formed from Narasannapeta R&B road to Chinadugam village. 32 house site pattas were issued to 32 beneficiaries and the remaining 57 families have been residing there, but house site pattas were misplaced and no tank exists on ground.
- (vii) A copy of map of Kakarla Pond with explanatory sketch prepared by the District Revenue Department is given at **ANNEXURE -9**.
- (9) It was informed to the Committee that, the Government in their Memo No.65961/Assn.I(1) 97-11, Revenue Department, Dt 08/02/1999, has issued instructions to all the Collectors that, the Government have been very rarely relaxing the ban orders where the tank bed lands are required for a public purpose like construction of houses for weaker sections and provision of lands for public weaker sections and provision of land for public institutions/ organizations, when no tank exist on ground due to silting, breached bund and no ayacut exists since a long time or when the catchments area as well as the ayacut itself were converted by the land owners into a built up area and tanks are not receiving water and have ceased to serve the purpose or when tanks were abandoned or have been defunct due to non - receipt of water or due to formation of channel system. A copy of the above- mentioned Govt Memo dated 8-2-1999 is given at **ANNEXURE - 10**

In view of the above position, the Hon'ble NGT may consider the present status of the pond and kindly issue necessary instructions regarding the house sites that are existing in the said abandoned tank land from a long time. Regarding the agricultural encroachments made in the tank bed land, the Tahsildar, Jalumuru, the Sub-Collector, Tekkali and the local Panchayat officials are being instructed to take necessary action for eviction of encroachments as per the Government norms in force. A letter dated 21-1-2021 in this regard issued by the District Collector (Srikakulam) is given at ANNEXURE -11



Dr. R. Sridhar  
Scientist 'D'  
Regional Office,  
MoEF&CC, Chennai



Shri J. Nivas, I.A.S.  
District Collector  
Srikakulam

Lake Protection Committee-LPC  
Hyderabad  
*(Nomination has not  
been received from LPC)*

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Item No.3:-

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

Original Application No. 92 of 2020 (SZ)

(Through Video Conference)

IN THE MATTER OF:

Gareeb Guide (NGO)

... Applicant(s)

Versus

State of Andhra Pradesh,  
Through its Chief Secretary and Ors.

...Respondent(s)

Date of hearing: 12.11.2021.

CORAM:

HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE Dr. K. SATYAGOPAL, EXPERT MEMBER

For Applicant(s):

Mr. D.V. Rao.

For Respondent(s):

Mrs. Madhuri Donti Reddy for R1, R2.

ORDER

1. As per order dated 03.02.2021, this Tribunal had considered the final report submitted by the Joint Committee dated 01.02.2021 which was extracted in Para 4 of the order and then, passed the following order:-

*"5. It is seen from the report that there are certain encroachments and steps have to be taken in this regard. When this*

*was pointed out, the learned counsel appearing for the respondents submitted that they will file action taken report on the basis of the observations made by the committee. The learned counsel relied on the portions which are dealing with the same. The learned counsel also submitted that they will file a detailed reply statement to the allegations made in the application. The learned counsel also submitted that they will produce the annexure said to have been annexed to the Joint Committee Report of the Nodal Agency. The learned counsel wanted six weeks time for submission of the action taken report. So the respective departments, which have been mentioned in the report through the District Collector, are directed to submit their independent response and also action taken report pursuant to the observations made by the Committee appointed by this Tribunal. The applicant is also at liberty to file objection if any, to the same by serving copy to the counsel appearing for the respondents and the members of the committee within ten days so that the same also can be considered by them while filing the further action taken report. They are granted time till 17.3.2021 for the purpose of filing reply statement to the allegations made and also further action taken report in the application by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.*

*6. The Registry is directed to communicate this order to the Members of the committee and the official respondents by e-mail immediately so as to enable them to comply with the directions of this Tribunal."*

2. The case was posted to 17.03.2021 for filing action taken report and completion of pleading. Thereafter, the matter has been adjourned from time to time by successive notifications and lastly, it was adjourned to today by notification dated 06.10.2021.
3. The applicant has filed their objection dated 03.02.2021 to the Joint Committee report.
4. The Joint Committee is directed to consider the objections filed by the applicant and then, submit the further report in this aspect. The State of

Andhra Pradesh is also expected to file a further action taken report in this regard.

5. It was time and again reiterated by the Hon'ble Apex Court as well as various Hon'ble High Courts including the Hon'ble High Court of Andhra Pradesh and also by the Tribunal that merely because due to the negligence on the part of the State authorities, if any water body has become abandoned or disused, it is not a ground to make that water body available for other purposes than restoring the same to its original position. If any construction has been made against their own notification issued on the guise of abandonment that will not survive. They are expected to revisit those aspects and also ascertain as to whether any illegal permission has been given for such activities and even take action against those persons who are responsible for making the water bodies disappearing on account of the reason it is being abandoned or disused due to various reasons.
6. None availability of water in the pre existing water bodies may be due to non-maintenance of inlets and outlets which are bringing water to the water body by allowing people to construct buildings or other constructions in those areas and this will have to be identified and they are expected to restore the inlets and outlets of the said water body so as to make it a live water body which was serving earlier with lot of water. Merely because some canal has been constructed to divert the

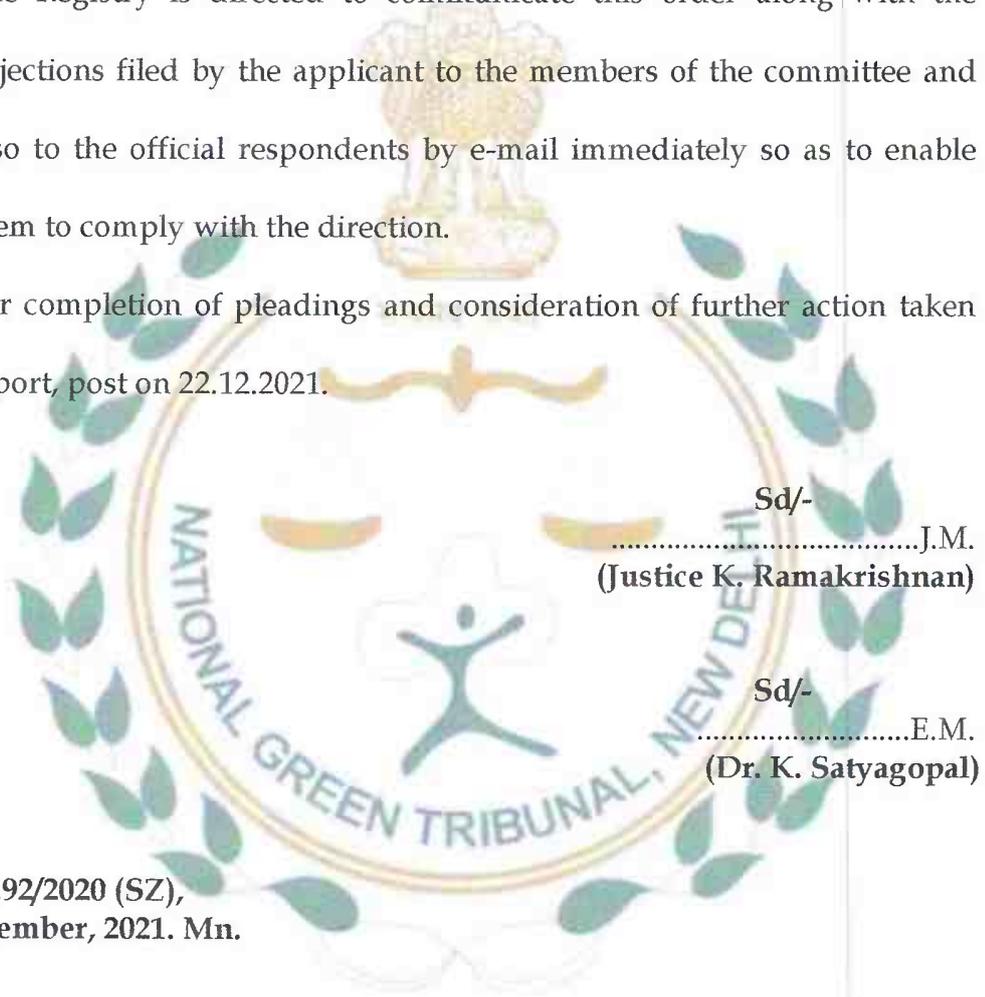
water, is not a ground to make the existing water body to an abandoned or disused one. There is a responsibility cast on the Government to maintain those water bodies so as to improve the ground water level in those areas, apart from maintaining the water body to promote the water conservation policy as well.

7. The learned counsel appearing for the State of Andhra Pradesh submitted that if some time is granted, they may be able to file the action taken report.
8. The applicant as well as the State Government are also directed to file the present status of the Writ Petition said to have been filed by the applicant to allot a portion of the land in the water body for some construction purpose and what is the nature of counter that has been filed by the State Departments before the Hon'ble High Court.
9. The Joint Committee is also directed to ascertain the genuineness of the objections raised by the applicant in their objection to the Joint Committee report and mention about the action taken, if the allegations are true in this regard.
10. The applicant is directed to serve the copy of the objections filed before this Tribunal to the members of the committee within a week, so as to enable them to comply with the directions of this Tribunal.
11. The respective State departments including the District Collector and the Joint Committee members are directed to file the further action

taken report and the further report as directed on or before 22.12.2021 by e-filing in the form of Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.

12. The Registry is directed to communicate this order along with the objections filed by the applicant to the members of the committee and also to the official respondents by e-mail immediately so as to enable them to comply with the direction.

13. For completion of pleadings and consideration of further action taken report, post on 22.12.2021.



Sd/-

.....J.M.  
(Justice K. Ramakrishnan)

Sd/-

.....E.M.  
(Dr. K. Satyagopal)

O.A. No.92/2020 (SZ),  
12<sup>th</sup> November, 2021. Mn.

Item No.02:Court No - 1

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

Original Application No. 92 of 2020 (SZ) &  
I.A. No. 90 of 2022 (SZ)  
(Through Video Conference)

## IN THE MATTER OF

Gareeb Guide (NGO)

....Applicant(s)

Versus

State of Andhra Pradesh,  
Through its Chief Secretary and others.

....Respondent(s)

Date of hearing: 24.05.2022.

## CORAM:

HON'BLE Mr. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s):

Dr. D.V. Rao

For Respondent(s):

Mrs. Maduri Donti Reddy for R1 &amp; R2

ORDERI.A. No. 90 of 2022 (SZ):

1. This is an application filed by the applicant seeking the following Interim prayer.

Interim Prayer:

- a. Pending final decision on the application, the Hon'ble Tribunal may be pleased to direct the Respondent No. 1 or appoint a committee to submit the detailed report on who grabbed Ac. 12.75 Cents and since with their

*details, the details of the authorities who are acting in the interest of the grabbers of "Kakarla Pond" in sy. No. 59 of Chinnadugam (V), Jalumuru (M) of Srikakulam (D) in the State of Andhra Pradesh and the action taken report etc.*

2. This Tribunal is not the authority to grant any permission for conducting any festival of any temple. It is for the authorities to consider those aspects taking into account, the law and order situation that is likely to arise and what are all the nature of precautions to be taken for the purpose of conducting such function and the necessity of conducting such function. If any application has been filed for such permission and if it is rejected, then they will have to approach the appropriate forum and that forum is not the National Green Tribunal.
3. As regards, the construction of a compound wall by Anganwadi worker within their property, the Tribunal cannot grant an Interim order as prayed for in the application as it is a dispute between the temple authorities and the Anganwadi worker if at all that will have to be resolved by filing a Civil Suit and not by filing an application before this Tribunal.
4. We have received a report from the Tahsildar stating that the Anganwadi worker has been constructing new compound wall in Sy. No. 59 i.e. "Kakarla Pond" of Chinnadugam Village without any permission from the Tahsildar and she has agreed to remove the same after completion of the new compound wall.
5. The authorities are directed to verify as to whether even the new compound wall constructed in outside the pond area or within the pond area and whether it is blocking the inlet and outlets to the water body.
6. It is nothing but a mischievous application filed by the applicant before this Tribunal. We feel that there is no merit in the application and the same will have to be dismissed with heavy cost of Rs. 10,000/- (Rupees

Ten Thousand Only) to be paid by the applicant to the Andhra Pradesh Pollution Control Board (APPCB) and this amount will have to be utilised by the Andhra Pradesh Pollution Control Board for imparting environmental education to the local people and also tree plantation. If the amount is not paid by the applicant within one (1) month, then the Andhra Pradesh Pollution Control Board is directed to realise the amount from the applicant in accordance with law. With the above observations and directions, **I.A. No. 90 of 2022 (SZ)** is dismissed with cost and disposed of accordingly.

**O.A. No. 92 of 2020 (SZ):**

7. I.A. No. 90 of 2022 (SZ) is dismissed by an order passed today.
8. As per order dated 12.11.2021, this Tribunal had directed the respective State Departments including the District Collector, Srikakulam District and the Joint Committee members to file the further action taken report on or before 22.12.2021 and posted the case to that date for completion of pleadings and also for consideration of further action taken report. Since, no reports have been filed, the matter has been adjourned from time to time by successive notification. Even today no report has been filed. When this was pointed out, the learned counsel appearing for the State Departments wanted some time to file the further action taken report by the Joint Committee as well as by the respective official respondents.
9. The District Collector, Srikakulam District and the Joint Committee are directed to file the further action taken reports as directed by this Tribunal as per order dated 12.11.2021 on or before **07.07.2022** by e-filing in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF along with necessary hard copies to be produced as per rules. If such reports are not filed, then the members of the committee and the District Collector, Srikakulam District are directed to appear before this Tribunal

in person, without using their Travelling Allowance (TA) and Dearness Allowance (DA) to explain as to why action should not be taken against them for not filing the report in time and why action should not be taken action against them for the non compliance of the directions issued by this Tribunal as contemplated under Section 25 r/w Section 26 & 28 of the National Green Tribunal Act, 2010.

10. The Registry is directed to communicate this order to the members of the committee, official respondents and also to the District Collector, Srikakulam District including the Chief Secretary to Government, State of Andhra Pradesh for their information and compliance of the direction.
11. For consideration of report, completion of pleadings and for hearing, post on 07.07.2022.

.....Sd/ .....J.M.  
(Justice K. Ramakrishnan)

Sd/-  
.....E.M.  
(Dr. Satyagopal Korlapati)

O.A. No. 92/2020 (SZ) &  
I.A. No. 90/2022  
24.05.2022. Sr.

Rc.No.943/2020-E3, Dt.05.07.2022.Collector's Office, Srikakulam.

From  
Sri Shrikesh Lathkar, I.A.S.,  
District Collector,  
Srikakulam.

To  
The Principal Secretary to Government,  
Revenue Department,  
A.P.Secretariat, Velagapudi, Amaravathi,  
Guntur District.

(Through the Chief Commissioner of Land Administration, A.P., Mangalagiri)

Madam,

- Sub:- Suits – Original Application No.92 of 2020 (SZ) & I.A.No.45 of 2020 (SZ) filed by Gareeb Guide (Voluntary Organization) Rep.by its President Ms. G. Bhargavi, Bahar, Sahara States, LB Nagar, Hyderabad, in the Hon'ble Hon'ble National Green Tribunal, Sitting at Chennai – Instructions sought for – Request – Reg.
- Ref:- 1 W.P.No.8493/2020 filed by Gareeb Guide (Voluntary Organization) accredited by the Telangana State Legal Services Authority vide No. 01/TLSA/ACRDT/RR/2015, Dated 12.03.2015 Rep.by its President Ms. G. Bhargavi, Bahar, Sahara States, Mansoorabad, LB Nagar, Hyderabad in the Hon'ble High Court of A.P. at Amaravathi.
- 2 This office Rc.No.943/2020-E1, Dt.07.05.2020.
- 3 Hon'ble High Court orders dated 07.05.2020 in IA No.1/2020 in W.P.No. 8493/2020.
- 4 This office Rc.No.943/2020-E1, Dt.13.05.2020.
- 5 This office Rc.No.943/2020-E1, Dt.18.05.2020.
- 6 Original Application No.92 of 2020 (SZ) & I.A.No.45 of 2020 (SZ) filed by Gareeb Guide (NGO) Rep.by its President Ms. G. Bhargavi, Hyderabad before the Hon'ble NGT, Sitting at Chennai.
- 7 This office brief instructions / facts in Rc.No.943/2020-E1, Dt.01.07.2020 sent to the Government Pleader, NGT, Chennai.
- 8 Orders dated 02.07.2020 in Original Application No.92 of 2020 (SZ) & I.A.No.45 of 2020 (SZ) of the Hon'ble National Green Tribunal, Southern Zone, Chennai.
- 9 EP/12.7/NGT(SZ)/26/2020/AP, Dt.13.07.2020 of the Deputy Director General of Forests (C), Ministry of Environment, Forests and Climate Change, Regional Office (South Easterns Zone), Chennai.
- 10 This office Progs. Rc.No.943/2020-E3, Dt.31.07.2020.
- 11 Rc.No.636/2020/A/Dt.12.09.2020 of the Joint Inspection Committee.
- 12 Rc.No.636/2020/A/Dt.12.09.2020 of the Joint Inspection Committee (revised report received in office on 05.10.2020).
- 13 Orders dated 04.01.2021 in Original Application No.92 of 2020 (SZ) & I.A.No.45 of 2020 (SZ) of the Hon'ble National Green Tribunal, Southern Zone, Chennai.
- 14 Joint Inspection Report received on 28.01.2021 from Dr.R.Sridhar, Nodal Officer.
- 15 Objections dated 12.02.2021 filed the Gareeb Guide (NGO) Rep.its Bahar, Sahara States, Mansoorabad, LB Nagar, Hyderabad.
- 16 Orders dated 12.02.2021 in Original Application No.92 of 2020 (SZ) & I.A.No.15 of 2021 (SZ) & I.A.No.16 of 2021 (SZ) of the Hon'ble National Green Tribunal, Southern Zone, Chennai.
- 17 This office Progs.Rc.No.943/2020-E3, Dt.16.03.2021.
- 18 Orders dated 12.11.2021 in Original Application No.92 of 2020 (SZ) of the Hon'ble National Green Tribunal, Southern Zone, Chennai.
- 19 Fresh objections dt.13.11.2021 filed by the Applicant on the direction dt.12.11.2021 of Hon'ble Tribunal in O.A.92 of 2020.
- 20 Orders dated 24.05.2022 in Original Application No.92 of 2020 (SZ) & I.A.No.90 of 2022 (SZ) of the Hon'ble National Green Tribunal, Southern Zone, Chennai.
- 21 Memo.No.1357/Section.II/2022(1747726), Environment, Forest, Science and Technology (Section-II) Department, Dt.08.06.2022.

I invite kind attention to the references cited.

It is submitted that, M/s. Gareeb Guide (Voluntary Organization) Rep.by its President Ms. G. Bhargavi, Bahar, Sahara States, Mansoorabad, LB Nagar, Hyderabad stated that, the Organization has filed a representation dt.26.12.2017 to the Chief Commissioner of Land Administration, Vijayawada and the District Collector, Srikakulam (the said representation was not received in this office) requesting to alienate the land to an extent of Ac.10.00 in Sy.No.59 of Chinnadugam Village, Jalumuru Mandal, Srikakulam District (AP) for construction of Gareeb Guide's Heaven (Old age home & orphans home) for public purpose at Chinnadugam Village, Jalumuru Mandal, Srikakulam District (AP) as per the G.O.Ms.No.571, Revenue (Assignment-I) Department, Dt.14.09.2012.

In this connection, it is submitted that, the land applied for in Sy.No.59 of Chinnadugam Village, Jalumuru Mandal, Srikakulam District (AP) is classified as "Kakarla Pond" i.e., an objectionable Govt. Poramboke, which cannot be alienated or allotted to anybody, as per the orders of the Hon'ble Courts and as well as instructions of the Govt.

Aggrieved by the above, the applicant has filed a W.P.No. 8493/2020 in the Hon'ble High Court of A.P. at Amaravathi, impleading the following as Respondents and prayed the Hon'ble Court to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent Nos.4 & 5 is not allotting land to the petitioner for public purpose as illegal, arbitrary, violation of G.O.Ms.No.571, dated 14.09.2012, Revenue (Assignments-I) Dept., and this Hon'ble Court order dated 21.01.2014 passed in W.P.No.31764 of 2013 and article 21 of Constitution of India and pass such other order or orders may deem fit and proper in the circumstances of the case and also prayed the Hon'ble Court that pending disposal of the above Writ Petition, it is also just and necessary that this Hon'ble Court may be pleased to direct the Respondent No.5 to allow the Petitioner for temporary constructions for public purpose in the said premises until further orders of this Hon'ble Court and pass such other order or orders may deem fit and proper in the circumstances of the case.

1. Union of India Rep.by Prl.Secretary, Ministry of Home Affairs, New Delhi.
2. State of Andhra Pradesh Rep.by its Chief Secretary to Govt., Department of General Administration, Secretariat, Amaravathi.
3. Government of Andhra Pradesh, Rep.by its Prl.Secretary to Govt., Dept of Revenue, Secretariat, Amaravathi.
4. The Chief Commissioner of Land Administration (APLMA), D.No.22-19, Floor-II, Block-A, Jasthi Tower, Saipuram Colony Road, Gollapudi, Vijayawada.
5. Collector, Srikakulam District, Srikakulam.

In this connection, it is submitted that, fair counter affidavits have been submitted to the Hon'ble High Court of A.P. at Amaravathi, in the above Writ Petition and the case is still pending for adjudication.

As the matter stood thus, the same petitioner has filed Original Application No.92 of 2020 (SZ) & I.A.No.45 of 2020 (SZ) in the Hon'ble National Green Tribunal, Southern Zone, Chennai impleading the Chief Secretary to Govt, AP Secretariat and the District Collector, Srikakulam as the Respondents 1 and 2 respectively, challenging the action by Respondent No.2 in acting in the interest of grabbers by allowing constructions like School, Panchayat Office, Temporary houses, unauthorized cultivation etc., in "Kakarla Pond" in Sy.No.59 in Chinnadugam (V) in Srikakulam District in the State of Andhra Pradesh as adversely affecting the ecosystem and the overall ecology of the area and thus there is substantial question relating to environment, where the community at large is affected by the environmental consequences and it is a continuing violation of the provisions of enactment specified in Schedule 1 of the National Green Tribunal Act, 2010.

In this connection, the Hon'ble National Green Tribunal, South Zone, Chennai has appointed a Joint Committee comprising a Senior Officer of Ministry of Environment, Forests and Climate Change (MoEF&CC), Regional Office, Chennai, a Senior Officer of Lake Protection Committee, Hyderabad and the District Collector, Srikakulam to inspect the area in question and submit a factual and action taken report, if there is any violation found.

It is also submitted that, among the 3 Joint Committee Members, one Dr.R. Sridhar, Scientist 'D', MoEF&CC, Regional Officer, Chennai and the Executive Engineer, A.P.Pollution Board, Regional Office, Srikakulam on behalf of the District Collector, Srikakulam have jointly inspected the scheduled land with the local revenue officials on 20.01.2021 and submitted the detailed Joint Inspection report to the Hon'ble National Green Tribunal for kind perusal.

It is also submitted that, as per the revenue records, the Survey Number 59 covering an extent of Ac.12.75 is classified as tank poramboke namely "Kakarla Pond" (Abandoned tank) and the present ground reality of the Survey Number 59 is detailed below:

Sl. No.	Nature of construction/structure	Extent covered (in Acs.)	Duration of occupation/construction	Remarks
1	MPP School	0.12	27 years	
2	Panchayat Office (Now converted as Ryothu Bharosa Kendram)	0.05	10 years	
3	Covered by houses constructed by 89 BPL families	4.02	27 years	
4	Black top road formed from Narasannapeta-Pathapatnam road to Chinnadugam Village	0.55	32 years	
5	Field Channel	0.44	42 years	
6	Occupations by 40 individuals for agricultural operations	7.24	17-32 years	Evictions carried out recently
7	Vacant land for Sri Laxmi Narasimha Swamy Yatra purpose	0.44	42 years	
8	Stage for Sri Laxmi Narasimha Swamy yatra	0.01	42 years	
9	Nagadeveta Temple	0.02	20 years	
	<b>Total</b>	<b>12.75</b>		

It is further submitted that, the encroachments to an extent of Ac.7.68 (i.e., Sl.No.6 & 7 of the above table) covered by agricultural fields, have been evicted recently and a caution board stating that the land belongs to Government and the tress passers are punishable under law, has been erected on the land. In the remaining land, there are age old permanent structures by way of dwelling houses of 89 BPL families, one MPP School, RBK etc., existed in the remaining extent of Ac.5.07 in the abandoned tank "Kakarla pond" of Chinnadugam Village, Jalumuru Mandal, Srikakulam District.

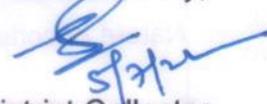
It is submitted that, on the series of complaints filed by the above organization, so far, the occupations for an extent of Ac.7.68, which are feasible for eviction have been get evicted and the age old structures were not evicted so far on the reason to avoid law and order problem. The Hon'ble National Green Tribunal, Chennai is asking to submit further report on each of the objection filed by the organization about the occupations/remaining structures in the tank bed land.

Reports of Joint Committee which are submitted to the Hon'ble National Green Tribunal, Chennai are enclosed for kind perusal.

In view of the circumstances explained above, it is requested that, necessary instructions may be issued regarding the age old permanent constructions i.e., MPP School, Ryothu Bharosa Kendram, Houses of 89 BPL families, Black top road to Chinnadugam Village, Field channel, one stage and Nagadevata temple which are existing from long back in the scheduled land, at an early date.

Copies of interim orders passed by the Hon'ble National Green Tribunal in the references 8<sup>th</sup>, 13<sup>th</sup>, 16<sup>th</sup>, 18<sup>th</sup> and 20<sup>th</sup> cited are enclosed for kind perusal and further instructions in this matter.

Yours faithfully,

  
District Collector,  
Srikakulam.

Copy to the Principal Secretary to Government, Revenue Department, A.P.Secretariat, Velagapudi, Amaravathi, Guntur District.