

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE  
BENCH AT CHENNAI**

**ORIGINAL APPLICATION NO.09 OF 2023(SZ)**

IN THE MATTER OF:

**FORUM OF SOCIAL JUSTICE & ANTI CORRUPTION (NGO)**

Rep. by its General Secretary Door No.58-14-87/2B,  
Marripalem, Vuda Colony,  
Visakhapatnam – 530 01.

.....Applicant

VS

**1. STATE OF ANDHRA PRADESH**

Rep. by its Chief Secretary to Government,  
Department of General Administration,  
Building No.1, I Floor, Interim Government Complex,  
Secretariat, Velagapudi,  
Guntur, Andhra Pradesh and others

... Respondents

**FINAL REPORT FILED BY THE 2<sup>ND</sup> RESPONDENT THE  
DISTRICT COLLECTOR SRIKAKULAM IN O.A NO. 9 OF 2023**

**Date-26-04-2023**



**M/S MADHURI DONTI REDDY  
ADVOCATE**

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE  
BENCH AT CHENNAI**

**ORIGINAL APPLICATION NO.09 OF 2023(SZ)**

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**INDEX**

Sl.No.	Date	Description of the Document	Page No.
1.	18-03-2023	<b>2<sup>ND</sup> Respondent Final Report</b>	1 to 11
2.	03-02-2023	<b>Annexure -1</b> Order In O.A 09 Of 2023 Dated 03-02-2023	12 to 14
3.		<b>Annexure -2</b> Joint Committee has been constituted Dated. 21.02.2023	15 to 16
4.		<b>Annexure -3</b> Sub Division Sketch FMB and patta of Sy.No.360 & 353	17 to 18
5.	15.09.2014	<b>Annexure -4</b> Statement of the Village elders, D.Dis.No.528/2014, KRC, Dt.15.09.2014	19 to 21
6.		<b>Annexure-5</b> Entrepreneurs Memorandum Given By The General Manager, DIC, Srikakulam,	22
7.	23.02.2023	<b>Annexure-6</b> Report of the applicant	23
8.	07.04.2023	<b>Annexure-7</b> orders of the District Collector (I/c), Srikakulam on hearing conducted in this case	24 to 31

It is certified that all the documents contained in the above annexure are true copies.

Date: 16.04.2023

**FINAL REPORT FILED BY THE 2<sup>ND</sup> RESPONDENT THE DISTRICT  
COLLECTOR SRIKAKULAM IN O.A NO. 9 OF 2023**

1. It is submitted that the applicant Forum for Social Justice & Anti-Corruption (NGO) Rep. by its General Secretary, Door No.58-14-87/2B, Marripalem, Vuda Colony, Visakhapatnam-530018 has filed an application O.A No. 9 of 2023 before the Hon'ble National Green Tribunal (SZ) Chennai and it is alleging that, since this Respondent is acting in the interest of grabbers by allowing constructions like private buildings in Sy.No.360 of Kummarigunta Village, Anganwadi building in Sy.No.452-2 of Thogiri Revenue Village, cutting down 10 trees more than the age of 150 years etc, in Ralla Gutta (Hill Lock/ Corridor Area) in Saravakota Mandal, Srikakulam District in the state of Andhra Pradesh in the name of construction of Anganwadi building is adversely affecting the ecosystem and the overall ecology of the area, and thus there is substantial question relating to environment, wherein the community at large is affected by the environmental consequences, which needs to be decided by this Hon'ble Tribunal.

2. It is submitted that this Hon'ble NGT on 03.02.2023 has passed the following order in Para No's 3 to 6 read as follows ;

***3, Admittedly, the 10 number of trees have already been cut and removed from the said survey numbers and the photographs also revealed that some constructions are already been made.***

***4, The only objection is that they should not have cut the trees and should not have allowed the private buildings to come up in the hillock area viz., 'Ralla Gutta.***

***5, In this regard, we direct the 2<sup>nd</sup> respondent namely, the District Collector - Srikakulam to enquire into the matter after***

  
**COLLECTOR  
SRIKAKULAM**

***affording an opportunity of hearing to the applicant herein and pass appropriate orders, considering the above said issue of cutting of trees.***

***6, Let this exercise be completed within 4 (Four) weeks time and the compliance report may be filed by the District Collector – Srikakulam on 06.03.2023.” (ANNEXURE-1)***

3. In view of the above circumstances, it is submitted that a Joint Committee has been constituted on 21.02.2023 with the following officers and the applicant in this O.A, with a direction to conduct the joint inspection in this matter and submit the detailed report in this matter.

1. The Joint Collector, Srikakulam
2. The Sub-Collector, Tekkali
3. The Superintending Engineer, Panchayat Raj, Srikakulam
4. The Tahsildar, Saravakota
5. The applicant, i.e., Forum for Social Justice & Anti-Corruption (NGO)  
Rep. by its General Secretary, Door No.58-14-87/2B, Marrisipalem,  
Vuda Colony, Visakhapatnam-530018 ( **Annexure-2**)

4. It is submitted that the Sub-Collector, Tekkali has conducted the Joint Inspection along with the Superintending Engineer, Panchayat Raj, Srikakulam, the Tahsildar, Saravakota, and the Applicant, i.e., Forum for Social Justice & Anti-Corruption (NGO) Rep. by it's General Secretary, Dr.No.58-14-87/2B, Marrisipalem, Vuda Colony, Visakhapatnam, 530018 on dt.23.02.2023. The Joint Collector, Srikakulam has gone through the report of the joint committee meticulously and arrived the following observations regarding the claims made by the applicant.

  
**COLLECTOR  
SRIKAKULAM**

**Claim No.1: Constructions of Private Building in Sy.No.360 of Kummarigunta Revenue Village of Saravakota Mandal**

**Observation:** With the help of Revenue Records, i.e., SLR, RVM and FMBs, it has been observed that, the private building which has been claimed to have been constructed in Sy.No.360 of Kummarigunta Revenue Village of Saravakota Mandal is actually situated in Sy.No.353. The Mandal Surveyor along with Village Surveyor has conducted survey to identify the boundaries of Sy.No.360, which is classified as Konda Poramboke as per SFA with an extent of Ac. 123.47.

It is submitted that, the applicant stated that, the Cutting and polishing unit is situated in Sy.No.360 and it is a Government land which was encroached. But during the inspection, it is revealed that, the Cutting and Polishing unit is in Sy.No.353 precisely in Sub Division 353-3, 4 of Kummarigunta Revenue Village of Saravakota Mandal. The Sub Division Sketch and FMB of Sy.No.360 & 353 are enclosed as **(Annexure-3)**. Hence it is clearly established that, the contested land i.e., Sy.No.353 is purely a Zeroyat land, and the owner Sri Varudu Devi Prasad is having Pattadar passbook for that land and he got the NALA conversion proceedings vide D.Dis.No.528/2014, KRC, Dt.15.09.2014 of the Revenue Divisional Officer, Palakonda for that land.

**Claim No.2: Cutting of 10 tamarind trees aged about 150 years to construct Anganwadi Building**

**Observation:** During the field inspection, it has been observed that, four (04) tamarind trees were cut down. The trees were of old age and the branches are about to fall due to damages during cyclone and



**COLLECTOR  
SRIKAKULAM**

thunderstorms. The trees were situated in the premises adjacent to the site where Anganwadi Center is proposed. It is observed that, **the foundations were laid down for the above said Anganwadi building leaving a clear space of 4 feet from the outside columns to the nearest tree.** Further, it is observed that, the Eighteen (18) Tree Tax Pattas were given to four members of Aludu Village of Saravakota Mandal vide Rc.No.33/88/B, Dt.28.03.88 of the then Mandal Revenue Officer, Saravakota. The trees have thin canopy and foliage as they were damaged during cyclone & thunderstorms and the trees were cut down by the local Villagers without any permission to facilitate the way or path with the consent of tree patta holders. It is observed that only four (4) trees were cut down for which no permission was given by the local authorities.

5. It is submitted that the Joint Collector, Srikakulam has enclosed the report of the Sub-Collector, Tekkali, report of the Superintending Engineer, Panchayat Raj, Srikakulam, report of the Tahsildar, Saravakota, copies of Pattadar Passbook of Sri Varudu Devi Prasad, FMB of Sy.No.452 of Thogiri Village, extract of SFA of Thogiri Village, FMB of Sy.No.353 of Kummarigunta Village, Rc.No.33/88/B, Dt.28.03.88 of the then Mandal Revenue Officer, Saravakota, photographs prior and after the construction of Anganwadi building, statement of the Village elders, D.Dis.No.528/2014, KRC, Dt.15.09.2014 **(Annexure-4)** of the then Revenue Divisional Officer, Palakonda, entrepreneurs memorandum given by the General Manager, DIC, Srikakulam, GST registration certificate, VAT registration certificate,



**COLLECTOR  
SRIKAKULAM**

certificate of registration, license to work factory given by Inspector of Factories, Srikakulam for M/s Devi Granites, Aludu Village, Saravakota Mandal, Srikakulam District. **(Annexure-5)**

6. It is submitted that, soon after the joint field inspection by the joint committee constituted in this case on Dt.23.02.2023, Sri K.V.Srinivas, General Secretary, Forum for Social Justice & Anti-Corruption (NGO), Door No.58-14-87/2B, Marripalem, Vuda Colony, Visakhapatnam-530018 has submitted an objection petition **(Annexure-6)** and also made unwarranted allegations on the members of the joint committee and requested the District Collector, Srikakulam to consider the present status of the illegal and un-authorized constructions in Sy.No.360 of Kummarigunta (R) & Sy.No.452/2 of Thogiri (R), Saravakota (M) and to instruct the concerned officials to take immediate action against the illegal and un-authorized constructions in Sy.No.360 of Kummarigunta (R) & Sy.No.452/2 of Thogiri (R), Saravakota (M) and the persons/officials who cut down 10 trees having age of more than 150 years in Sy.No.452/2 of Thogiri (R), Saravakota (M).

7. It is submitted that, in view of the orders dt.03.02.2023 of the Hon'ble National Green Tribunal, Chennai in I.A. No.13 of 2023(SZ), in O.A.No.09 of 2023(SZ), an hearing has been conducted in this case with the members of the joint committee constituted in this case and the applicant in this case on **Dt.07.04.2023 @11:00 AM** at the Collector's Office, Srikakulam and the following members have attended the hearing.

- a. Sri T.Rahul Kumar Reddy, I.A.S., Sub-Collector, Tekkali
- b. Sri V.Satyanarayana Murthy, Superintending Engineer, Panchayat Raj, Srikakulam



**COLLECTOR  
SRIKAKULAM**

c. Smt. K.Pravallika Priya, Tahsildar, Saravakota

d. Sri K.V.Srinivas, General Secretary, Forum for Social Justice & Anti-Corruption (NGO), Visakhapatnam

8. It is submitted that, at the outset of the hearing, the applicant has been requested to submit his arguments in this case, but Sri K.V.Srinivas, General Secretary, Forum for Social Justice & Anti-Corruption (NGO), Visakhapatnam has informed that, he is not willing to offer any arguments in this case, as the District Collector, Srikakulam is not conducting this hearing, but the Joint Collector, Srikakulam, is conducting this hearing, who is a member of the committee constituted in this case and also not attended the field inspection on 23.02.2023.
9. In this connection, the District Collector, Srikakulam (Incharge) has informed the applicant that, in the capacity of the District Collector, he is conducting the hearing and requested the applicant to offer his arguments, if any, but the applicant has denied for offering any remarks other than what he has already submitted in writing.
10. It is submitted that, during the hearing, the Sub-Collector, Tekkali, the Superintendent Engineer, Panchayat Raj, Srikakulam and the Tahsildar, Saravakota have been requested to offer remarks and they have informed the following
- Joint field inspection has been done at the subject lands in Kummarigunta and Thogiri Villages of Saravakota Mandal, Srikakulam District on 23.02.2023 in presence of the applicant, Sri K.V.Srinivas, General Secretary, Forum for Social Justice & Anti-Corruption (NGO), Visakhapatnam and the following have been observed.

**COLLECTOR  
SRIKAKULAM**

- The Sy.No.452-2 with an extent of Ac.2.73 of Thogiri Village of Saravakota Mandal, Srikakulam District is classified as Taram Kattani (unassessed waste) and "Ralla Gutta", which is a Government Poramboke land and the Sy.No.360 with an extent of Ac.123.47 of Kummarigunta Village of Saravakota Mandal is classified as Poramboke Konda.
- An extent of Ac.0.03 covered by Sy.No.452-2 of Thogiri Village of Saravakota Mandal has been allotted for construction of Angawadi building for Aludu Village of Saravakota Mandal which is vacant on ground and no trees are existing in the proposed site and that no trees were cut down during the construction of the Anganwadi building. The proposed site is an hillock site without afforestation and hence, it is an unobjectionable Government land.
- Eighteen (18) Tree Tax Pattas were given to four members of Aludu Village of Saravakota Mandal vide Rc.No.33/88/B, Dt.28.03.88 of the then Mandal Revenue Officer, Saravakota. Out of 18 trees, 7 trees were already fallen down during the Titli and Hud-Hud cyclones and 7 trees are standing and in lively condition but the remaining 4 trees situated in the premises adjacent to the proposed Anganwadi Center and had thin canopy and foliage as they were damaged during the cyclone & thunderstorms and that the four trees were cut down by the local Villagers, so as to facilitate the pathway for themselves with the consent of tree patta holders. No permission was given by the local authorities concerned to cut down the trees.
- With the help of field functionaries, i.e., Mandal Surveyor, Village Surveyor, Village Revenue Officer, Kummarigunta Village, the boundaries of the Sy.No.360 of Kummarigunta Village of Saravakota

  
**COLLECTOR  
SRIKAKULAM**

Mandal have been demarcated and found that, the alleged private building, i.e., Cutting and Polishing unit is situated in Sy.No.353 precisely in Sub Division 353-3, 353-4 of Kummarigunta Revenue Village of Saravakota Mandal and the contested land i.e., Sy.No.353 is purely a Zeroyat land and the owner Sri Varudu Devi Prasad is having Pattadar passbook for that land and he got the NALA (Non Agricultural and Land Assessment) conversion proceedings vide D.Dis.No.528/2014, KRC, Dt.15.09.2014 of the Revenue Divisional Officer, Palakonda and got permission from the General Manager, District industries Center, Srikakulam.

11. The Superintendent Engineer, Panchayat Raj, Srikakulam has informed that, no trees were existed in the allotted land for construction of Anganwadi center at Sy.No.452-2 in an extent of Ac.0.03 of Thogiri Village of Saravakota Mandal, but the local villages have cut down the 4 trees those are damaged by the Hud-Hud and Titli cyclones and are on the side of pathway to the nearest SC colony and may cause of apprehend danger to fall at any time on the villagers passing through the pathway.

12. It is submitted that, in view of the above circumstances, the following have been observed with respect to the claims made by the applicant.

1) Claim of the applicant: As per the Revenue Records, a hill named Aludhu Konda is extended in Sy.No.360 of Kummarigunta (R) & Sy.No.452/2 of Thogiri (R), Saravakota (M)

Finding: The Sy.No.452-2 with an extent of Ac.2.73 of Thogiri Village of Saravakota Mandal is classified as Taram Kattani (unassessed waste)

  
**COLLECTOR**  
**SRIKAKULAM**

and "Ralla Gutta", which is a Government Poramboke land and the Sy.No.360 with an extent of Ac.123.47 of Kummarigunta Village of Saravakota Mandal is classified as Poramboke Konda.

2) Claim of the applicant: As per the FMB, Granite Cutting & Polishing (Private) Building is in Sy.No.360 of Kummarigunta (R), Saravakota (M).

Finding: The Cutting and Polishing unit is situated in Sy.No.353 precisely in Sub Division 353-3 and 353-4 of Kummarigunta Revenue Village of Saravakota Mandal and the Tahsildar, Saravakota has submitted the FMB of Sy.No.353 duly marking the area of the said Cutting and Polishing unit.

3) Claim of the applicant: The Owner of the said Granite Cutting & Polishing (Private) Building in Sy.No.360 of Kummarigunta (R), Saravakota (M) said that he has obtained construction permission from the Asst Director (Mines), Srikakulam. But the fact is the Asst Director (Mines), Srikakulam is not competent authority to grant construction permission for Granite Cutting & Polishing (Private) Building. It is clear that the said Granite Cutting & Polishing (Private) Building in Sy.No.360 of Kummarigunta (R), Saravakota (M) has no construction permission from the respective Gram Panchayat.

Finding: The owner of the cutting and polishing unit, i.e., Sri Varudu Devi Prasad is having Pattadar passbook for that land and he got the NALA conversion proceedings vide D.Dis.No.528/2014, KRC, Dt.15.09.2014 of the Revenue Divisional Officer, Palakonda and entrepreneurs memorandum given by the General Manager, DIC, Srikakulam, GST registration certificate, VAT registration certificate, certificate of registration, license to work factory given by Inspector of

  
COLLECTOR  
SRIKAKULAM

Factories, Srikakulam for M/s Devi Granites, Aludu Village, Saravakota Mandal, Srikakulam District.

4) Claim of the applicant: 10 trees having age of more than 150 years were cut down in Sy.No.452/2 of Thogiri (R), Saravakota (M).

Finding: Eighteen (18) Tree Tax Pattas were given to four members of Aludu Village of Saravakota Mandal vide Rc.No.33/88/B, Dt.28.03.88 of the then Mandal Revenue Officer, Saravakota. There is no proof to establish the fact that the trees are of 150 years of age old. Out of 18 trees, 7 trees fell down during the Titli and Hud-Hud cyclones, 7 trees are standing on ground but the remaining 4 trees situated in the premises adjacent to the proposed Anganwadi building were cut down by the local Villagers with the consent of tree patta holders, as the 4 trees are damaged due to cyclones and thunderstorms and caused apprehend danger to the passengers on that pathway. No permission was given by the local authorities concerned to cut down the trees.

5) Claim of the applicant: As per Para 3(a)(ii) of the G.O.Ms.No.571, Revenue (Assignment-I). Dept., Dated: 14.09.2012, 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), the ban on change of classification of tank bed lands shall be strictly enforced. Hence, it is illegal to construct Anganwadi Building in Sy.No.452/2 of Thogiri (R), Saravakota (M).

Finding: The Sy.No.452-2 with an extent of Ac.2.73 of Thogiri Village of Saravakota Mandal is classified as Taram Kattani (unassessed waste) and "Ralla Gutta", which is a Government Poramboke land. Out of which, an extent of Ac.0.03 is proposed for construction of Anganwadi



**COLLECTOR  
SRIKAKULAM**

center for Aludu Village of Saravakota Mandal and no trees are existed in the proposed site and no afforestation as alleged by the applicant and hence it is an unobjectionable Government land.

13. Accordingly, proceedings are drawn and issued to the applicant in O.A. No.9 of 2023 of the Hon'ble National Green Tribunal, Chennai and to the Tahsildar, Saravakota vide in this office proceedings Rc.No.2176/2022/E1; Dt.07.04.2023. Hence, the orders Dt.03.02.2023 of the Hon'ble National Green Tribunal, Chennai in the I.A. No.13 of 2023(SZ), in O.A.No.09 of 2023(SZ) are complied with.
14. It is submitted that, in view of the above position, it is learnt that, the allegations made by the applicant, i.e., Sri K.V.Srinivas, General Secretary, Forum for Social Justice & Anti-Corruption (NGO), Visakhapatnam, are absolutely false, baseless and found not genuine and therefore, the above said compliant petition deserves no consideration.
15. It is submitted that, orders have been issued directing the Tahsildar, Saravakota to take necessary action to create awareness in the people on the implementation of A.P. Water, Land and Trees Act, 2002 (APWALTA, 2002) and rules of APWLATA, 2002 for planting the trees for ecological balance. **(Annexure-7)**

In the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to record this report and dismiss the above **O.A. No.9 of 2023** and pass such further or other orders, as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.

Dated at **Srikakulam** on this the 16<sup>th</sup> day of April 2023.



**District Collector,  
Srikakulam  
COLLECTOR  
SRIKAKULAM**

**Item No.01:**

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

*Friday, the 03<sup>rd</sup> day of February 2023.*

*(Through Video Conference)*

**Original Application No.09 of 2023(SZ) &  
I.A. No.13 of 2023 (SZ)**

**IN THE MATTER OF:**

**Forum of Social Justice & Anti Corruption (NGO)**  
Rep. by its General Secretary सत्यमेव जयते  
Door No.58-14-87/2B,  
Marripalem, Vuda Colony, Visakhapatnam - 530 018.

...Applicant(s)

*Versus*

- 1) **State of Andhra Pradesh**  
Rep. by its Chief Secretary to Government,  
Department of General Administration,  
Building No.1, I Floor,  
Interim Government Complex,  
Secretariat, Velagapudi,  
Guntur, Andhra Pradesh.

- 2) **The Collector**  
Srikakulam District  
O/o. Collectorate, Srikakulam.

...Respondent(s)

For Applicant(s): Mr. D.V. Rao.

For Respondent(s): Mrs. Madhuri Donti Reddy for R1 & R2.

**CORAM:**

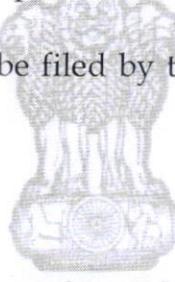
**HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER**

**HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

ORDER

1. The prayer in this Original Application is to direct the 1<sup>st</sup> Respondent who is the Chief Secretary to Government, Department of General Administration to take legal action against the concerned authorities who are allowing constructions like private buildings in Survey No. 360 of Kummarigunta Village, and Anganwadi building in Survey No. 452/2 of Thogiri Revenue Village, Saravakota Mandal, Srikakulam District by cutting down 10 trees aged about 150 years old in 'Ralla Gutta' and also to remove all the illegal constructions like private buildings, etc. in the above said survey numbers. The applicant seems to have added the 2<sup>nd</sup> respondent who is the District Collector - Srikakulam District as a party.
2. The learned counsel Mrs. Madhuri Donti Reddy accepts notice on behalf of Respondent No. 1 & 2.
3. Admittedly, the 10 number of trees have already been cut and removed from the said survey numbers and the photographs also revealed that some constructions are already been made.
4. The only objection is that they should not have cut the trees and should not have allowed the private buildings to come up in the hillock area viz., 'Ralla Gutta'.

5. In this regard, we direct the 2<sup>nd</sup> respondent namely, the District Collector - Srikakulam to enquire into the matter after affording an opportunity of hearing to the applicant herein and pass appropriate orders, considering the above said issue of cutting of trees.
6. Let this exercise be completed within 4 (Four) weeks time and the compliance report may be filed by the District Collector - Srikakulam on 06.03.2023.



सत्यमेव जयते

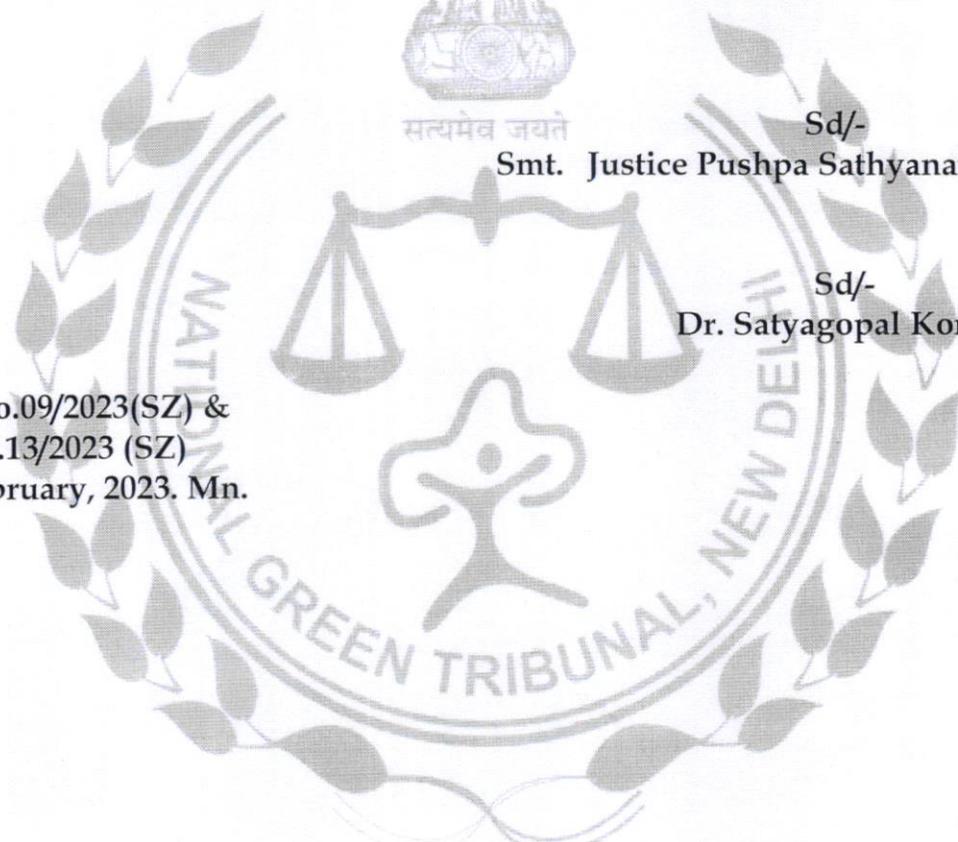
Sd/-

Smt. Justice Pushpa Sathyanarayana, JM

Sd/-

Dr. Satyagopal Korlapati, EM

O.A. No.09/2023(SZ) &  
I.A. No.13/2023 (SZ)  
03<sup>rd</sup> February, 2023. Mn.



NGT

Rc.No.2176/2022/E1, Dt.21.02.2023

Collector's Office, Srikakulam

**PROCEEDINGS OF THE DISTRICT COLLECTOR, SRIKAKULAM  
PRESENT:: SRI SHRIKESH LATHKAR, I.A.S.,**

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**Sub:** Suits - Srikakulam District - O.A. No.9 of 2023 of the Hon'ble National Green Tribunal, Chennai - Tekkali Revenue Division, Saravakota Mandal, Thogiri Village - Sy.No.452-2 of Thogiri Village - Appointment of Joint Committee - Orders issued.

**Read:** 1. O.A. No.9 of 2023 of the Hon'ble National Green Tribunal, Chennai filed by the Forum for Social Justice & Anti-Corruption (NGO) Rep. by its General Secretary, Door No.58-14-87/2B, Marrisalem, Vuda Colony, Visakhapatnam-530018  
2. Orders Dt.03.02.2023 of the Hon'ble National Green Tribunal, Chennai in I.A. No.13 of 2023(SZ), in O.A. No.9 of 2023(SZ)

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**ORDER:**

In the reference 1<sup>st</sup> read above, the Forum for Social Justice & Anti-Corruption (NGO) Rep. by its General Secretary, Door No.58-14-87/2B, Marrisalem, Vuda Colony, Visakhapatnam-530018 has filed an application before the Hon'ble National Green Tribunal, Chennai impleading the following as respondents

1. State of Andhra Pradesh Rep. by its Chief Secretary to Government, Department of General Administration, Building No.1, I Floor, Interim Government Complex, A.P.Secretariat, Velagapudi, Guntur, A.P.
2. District Collector, Srikakulam.

The petitioner in the above application has stated that, since the Respondent No.2 is acting in the interest of grabbers by allowing constructions like private buildings in Sy.No.360 of Kummarigunta Village, Anganwadi building in Sy.No.452-2 of Thogiri Revenue Village, cutting down 10 trees more than the age of 150 years etc, in Ralla Gutta (Hill Lock/ Corridor Area) in Saravakota Mandal, Srikakulam District in the State of Andhra Pradesh in the name of construction of Anganwadi building is adversely affecting the ecosystem and the overall ecology of the area, and thus there is substantial question relating to environment, wherein the community at large is affected by the environmental consequences, which needs to be decided by this Hon'ble Tribunal.

The petitioner has prayed the Hon'ble National Green Tribunal, Chennai that

- a. Pending final decision on the application, the Hon'ble Tribunal may be pleased to direct the Respondent No. 1 or appoint joint committee to submit the detailed report on all illegal constructions like private buildings in Sy.No.360 of Kummarigunta Village, Anganwadi building etc, in Sy.No.452-2 of Thogiri Revenue Village i.e., Ralla Gutta (Hill Lock/ Corridor Area) in Saravakota Mandal, Srikakulam District in the state of Andhra Pradesh and details of authorities who are acting in the interest of grabbers, cutting down 10 trees more than the age of 150 years in the name of construction of Anganwadi Building etc, and action taken report etc.,
- b. Pass any such other or further order as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

In the reference 2<sup>nd</sup> cited, the Hon'ble National Green Tribunal, Chennai has passed the following order on 03.02.2023 in I.A. No.13 of 2023(SZ), in O.A.No.09 of 2023(SZ).

**"The learned counsel Mrs. Madhuri Donti Reddy accepts notice on behalf of Respondent No. 1 & 2.**

**Admittedly, the 10 number of trees have already been cut and removed from the said survey numbers and the photographs also revealed that some constructions are already been made.**

**The only objection is that they should not have cut the trees and should not have allowed the private buildings to come up in the hillock area viz., 'Ralla Gutta'.**

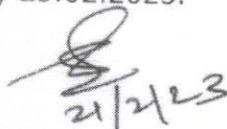
**In this regard, we direct the 2<sup>nd</sup> respondent namely, the District Collector - Srikakulam to enquire into the matter after affording an opportunity of hearing to the applicant herein and pass appropriate orders, considering the above said issue of cutting of trees.**

**Let this exercise be completed within 4 (Four) weeks time and the compliance report may be filed by the District Collector - Srikakulam on 06.03.2023."**

In view of the above circumstances, a Joint Committee consisting with the following officers and the applicant in this O.A. is appointed.

1. The Joint Collector, Srikakulam
2. The Sub-Collector, Tekkali
3. The Superintending Engineer, Panchayat Raj, Srikakulam
4. The Tahsildar, Saravakota
5. The applicant, i.e., Forum for Social Justice & Anti-Corruption (NGO) Rep. by its General Secretary, Door No.58-14-87/2B, Marrisipalem, Vuda Colony, Visakhapatnam-530018

The Joint Committee is hereby directed to conduct the joint inspection in this matter and submit the detailed report to the undersigned by 23.02.2023.

  
21/2/23  
**District Collector,  
Srikakulam**

**TO**

The Joint Collector, Srikakulam.

The Sub-Collector, Tekkali.

The Superintending Engineer, Panchayat Raj, Srikakulam.

The Tahsildar, Saravakota.

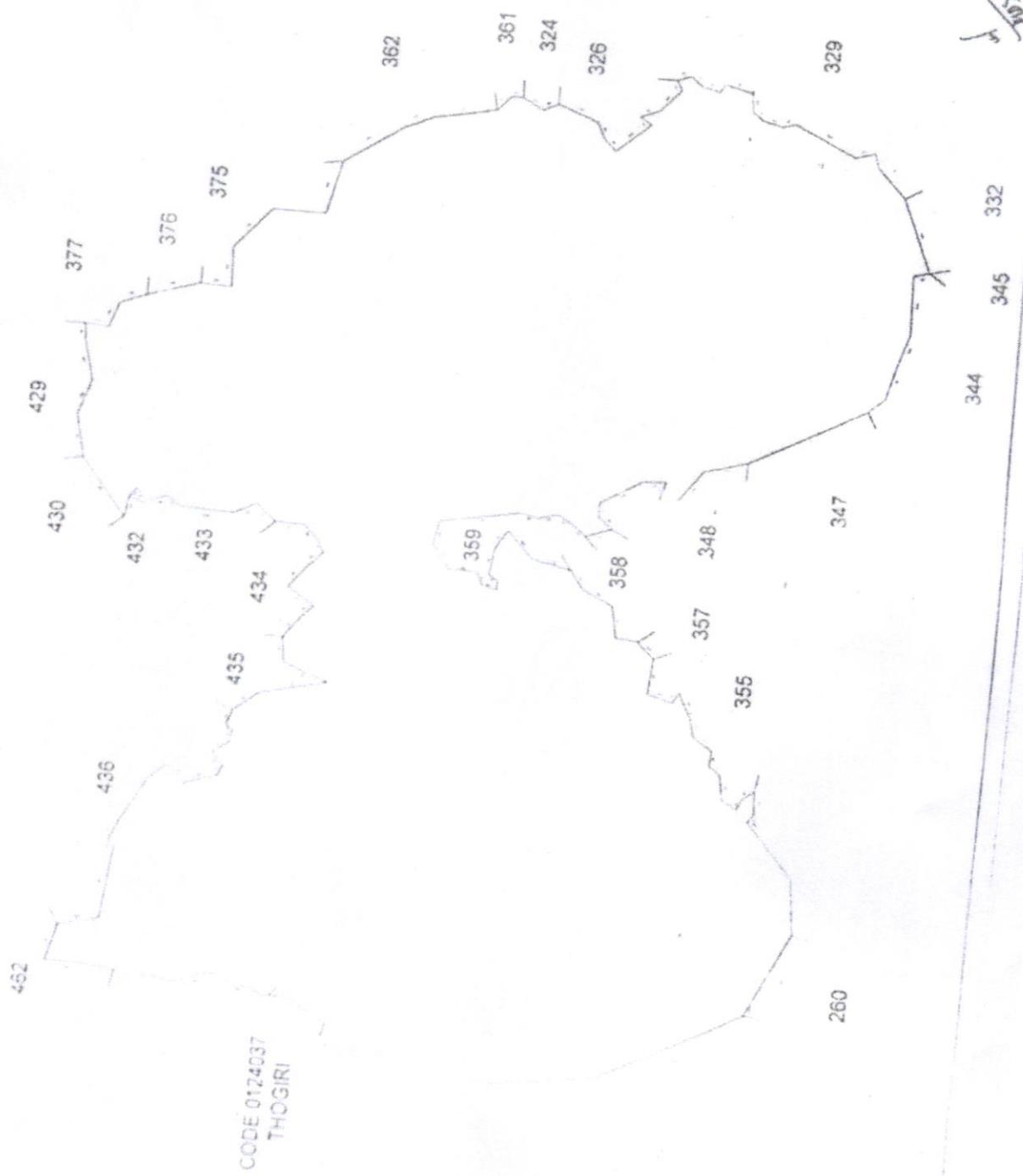
The General Secretary, Forum for Social Justice & Anti-Corruption (NGO), Door No.58-14-87/2B, Marrisipalem, Vuda Colony, Visakhapatnam-530018.



DIST SRIKAKULAM  
MANDAL SARAVAKOTA

FIELD NO 360

REVENUE VILLAGE: KUMMARIGUNTA  
AREA: 123.47 AC



Statement Recorded from village elders of Aludu village  
Sarevkatamandal dt 23.2.23

-o-

మేము సారవకాట మండలం, అలదు  
 గ్రామం SC మలవధికి చెందినవారము. మేము SC కులముకు  
 చెందిన వారము. ఈ SC వధికి చెందిన పిల్లలకు గ్రామంలో  
 కేంద్రము వేరు. ఈ గ్రామస్తులు, వధి వారు గ్రామంలో కేంద్రం  
 కు భరణము చేసుకున్నాము. మకు సంఖ్య 452-2 అ  
 గు 2.73 సె. విస్తీర్ణం భూమి (ఎబ్బులై తాళు సుద్దగా  
 కుండు. గండుల సుమారు 0.03 సె. స్థలం గ్రామంలో  
 కేంద్రం కు కేటావించారు. ఆ స్థలం కు 10 గండుల  
 దూరం లు 11 చింత చెట్లు కలవు గండుల 4 చెట్లు  
 మాత్రమే SC వధి మంది స్త్రీ కలనకి వెళ్ళుటకు వారి  
 సయ్యోగం మరియు మా పిల్లల గ్రామంలో కేంద్రం కు  
 వచ్చేటటువంటి వారి చాలా సంవత్సరాల మంది ఉన్న చెట్లు  
 కాలం మన మా పిల్లలకు వాడైనా (ఎవరూ  
 జరుగుతుంది భయం గండుల 4 చెట్లు మాత్రం  
 మా గ్రామస్తులు మరియు మా వధి వారు (అభివృద్ధి)  
 4 చెట్లను తిరిగి చూడం జరిగినది.  
 ప్రతివారములు యివారము  
 వదలగా విన్న వాళ్ళు సమ్మతి చేశారు

అంకితము

1. K. Hindumathi
2. S. Sechi
3. Y. Sar HA
4. S. Anula
5. M. Swamy
6. S. Laxmi
7. K. NEMALATHA
8. B. Dhanalaxmi

- 9. S. S. S. S.
- 10. M. S. S. S.
- 11. K. S. S. S.
- 12. S. S. S. S.
- 13. Y. S. S. S.
- 14. Y. S. S. S.
- 15. D. S. S. S.
- 16. D. S. S. S.
- 17) J. S. S. S.
- 18) S. S. S. S.
- 19) A. S. S. S.

- 169 20) P. S. S. S.
- 21) S. S. S. S.
- 22) S. S. S. S.
- 23. S. S. S. S.
- (24) - P. S. S. S.
- (25) S. S. S. S.
- 26) K. S. S. S.
- 27) A. S. S. S.

Statement recorded by ae  
 Phobany  
 HOD  
 23/2/23

S. S. S. S.  
 SARPANCH  
 GRAMPANCHAYAT  
 ALUDU  
 SARAVAKOTA (MANDAL)

D Dis.No. 528 /2014,KRC, Dt. 15. 09.2014.

Revenue Divisional Office, Palakonda.

Annexure-C(See Rule-7)

PROCEEDINGS OF THE COMPETENT AUTHORITY &amp; REVENUE DIVISIONAL OFFICER, PALAKONDA.

PRESENT : SRI TEJ BHARATH NAMBURI B.E.(HONS.)

-00o-

Sub: A.P. Land (conversion for Non Agricultural purpose) Act-2006- Palakonda Division -Saravkota Mandal Kummargunta Village - conversion of Agricultural land for an Ac. 1.12 cents in Sy.No.353/3,4,6,8,9,10,11 of Kummargunta Village Saravkota Mandal into Non Agricultural purpose-Reg.

Read:- 1) A.P. Land (Conversion for Non Agricultural purpose) Act.-2006.  
2) G.O.Ms.No.396/ Rev/ (LR) Dept, Dt. 19-06-2012.  
3) Application of Sri Varudu Devi Prasad S/o Babjee Rao of Aludu village.  
4) Rc.No.61/2008. A dated 12.09.2014 of the Tahsildar Saravkota

-oOo-

ORDER:-

In the reference 3<sup>rd</sup> read above Sri Varudu Devi Prasad S/o Babjee Rao of Aludu village has applied for conversion of Agricultural land, for an extent of Ac. 1.12 cents in Sy.No.353-3,4,6,9,10,11 of Kummargunta village Saravkota Mandal into Non Agricultural land purpose. The request of the applicant is found to be consistent with the provisions of the Act.

Hence, permission is hereby accorded for conversion of the Agricultural land to Non-Agricultural purpose on the following terms and conditions.

- 1) The permission is issued on the request of the Applicant and she is solemnly responsible for the contents made in the application.
- 2) The grant of permission cannot be construed that the contents of the application are ratified or confirmed by the authorities under the Act.
- 3) The permission confirms that the conversion fee has been paid under the Act in respect of above Agricultural lands for the limited purpose of conversion into Non- Agricultural purpose.
- 4) It does not enter any right title or ownership to the applicant over the above agricultural lands.
- 5) This permission does not preclude or restrict any authority or authorities or any person or persons or any individual or individuals or others collectively or severally for initiating any proceedings under any law for the time being in force.
- 6) The conversion fee paid will not be returned or adjusted otherwise under any circumstances.
- 7) The authorities are not responsible for any incidental or consequential actions or any loss occurred to anybody or caused otherwise due to or arising out of such permission granted on any false declaration, claim or deposition made by the applicant.
- 8) The authorities reserves the right to cancel the permission if it is found that the permission is obtained by fraud, misrepresentation or by mistake of fact.

SCHEDULE

No	Sy No.	Classification	Extent in Acres	Basic value issued by the sub Register per Acre	Realistic value of the total land purchased in Rs.	G O Ms.no.396 Rev(LR) Dept. Dt.19.06.2012 10% of Realistic value of the total land for Rs.	Regestred. Doc. No. and date.	Remarks
1	2	3	4	5	6	7	8	9
1	353/3	Dry	0.43	70,000	30,100	3,010	6/2007 dt. 04.01.2007	Rs.8781/- vide Challan No.4892 dated 23.01.2011 remitted at Sub Treasury, Pathapatnam.
2	353/4	Dry	0.17	70,000	11,900	1,190		
3	353/6	Dry	0.13	70,000	9,100	910		
4	353/8	Dry	0.03	70,000	2,100	210		
5	353/9	Dry	0.07	70,000	4,900	490		
6	353/10	Dry	0.05	70,000	3,500	350		
7	353/11	Dry	0.24	70,000	16,800	1,680		
	Total		1.12	70,000	78,400	7,440		

*Tej Bharath*  
Revenue Divisional Officer,  
Palakonda

To  
The individuals (through the Tahsildar, Rajam.  
Copy to the Tahsildar, Rajam  
Copy submitted to the District Collector, Srikakulam.  
Copy to the Regional Vigilance and Enforcement Officer, Srikakulam for information.  
Copy to the District Engineer, Srikakulam.

File No.684/A2/2008

Form No. 00027

**PART - II**  
**ACKNOWLEDGEMENT**

M/S DEVI GRANITES, ALUDU VILLAGE AND POST, SARAVAKOTA MANDAL, SRIKAKULAM DISTRICT has filed memorandum for a GRANITE CUTTING AND POLISHING Manufacturing / Service enterprise at the address S.NO. 353-3 to 11, KELAVALASA VILLAGE, SARAVAKOTA MANDAL, SRIKAKULAM DISTRICT the item / items indicated below and the activity has commenced from the (Date) 20.03.2009 as stated in FORM NO. 00027 and allocated entrepreneurs memorandum No. as below.

**DETAILS OF ITEMS TO BE MANUFACTURED / SERVICES TO BE PROVIDED**

Sl.No. Items of manufacture / type of service to be rendered	Capacity in case of manufacture
01. GRANITE CUTTING AND POLISHING	3.60 lakhs Sq.Ft / PA

**NOTE:** The issue of this Acknowledgement does not bestow any legal right, the Enterprise is required to seek requisite clearance licence / permit required under statutory obligation stipulated under the laws of Central Government / State Government / UT Administrations / Court orders.

NATURE OF ACTIVITY  
(MANUFACTURING-1, SERVICES-2)

1

CATEGORY OF ENTERPRISE  
(MICRO-1, SMALL-2, MEDIUM-3)

2

ENTREPRENEURS MEMORANDUM  
NUMBER  
PART - II

2 8 0 1 1 1 2 0 0 0 2 7

DATE  
PLACE: SRIKAKULAM

D D M M Y Y Y Y  
2 7 0 4 2 0 0 9



GENERAL MANAGER  
DIC, SRIKAKULAM  
27/4/09

**Report of the General Secretary, Forum for Social Justice & Anti-Corruption (Member of Joint Committee) in the matter of OA 9 of 2023 titled as "Forum for Social Justice & Anti-Corruption Vs State of Andhra Pradesh" in compliance of Hon'ble NGT Order, dated: 03.02.2023 as well as the Proceedings, dated: 21.02.2023 vide RC No. 2176/2022/E1 of the Collector & District Magistrate, Srikakulam District.**

It is Respectfully Submitted that

1. The Proceedings, dated: 21.02.2023 vide RC No. 2176/2022/E1 of the Collector & District Magistrate, Srikakulam District communicated to the the General Secretary, Forum for Social Justice & Anti-Corruption on 22.02.2023, 7.15 PM.
2. As per the Proceedings, dated: 21.02.2023 vide RC No. 2176/2022/E1 of the Collector & District Magistrate, Srikakulam District, a Joint Committee consisting of the Joint Collector, Srikakulam, The Sub-Collector, Tekkali, Superintendent Engineer, PRD, Srikakulam, Tahsildar, Saravakota and the General Secretary, Forum for Social Justice & Anti-Corruption is appointed and directed by the Collector & District Magistrate, Srikakulam District to conduct the joint inspection in the matter of OA 9 of 2023 and to submit the detailed report by 23.02.2023 to the Collector & District Magistrate, Srikakulam District.
3. **Attendance:** The Joint Collector, Srikakulam (**Absent**), The Sub-Collector, Tekkali (**Present at 11.30am**), Superintendent Engineer, PRD, Srikakulam (**Present at 11.15 am**), Tahsildar, Saravakota (**Present at 10.45 am**) and the General Secretary, Forum for Social Justice & Anti-Corruption (**Present at 10.30 am**) on 23.02.2023 at Sy No. 360 of Kummarigunta (R), Saravakota (M)
4. **Action:** Four Member Joint Committee observed the following facts:
  - a. As per the Revenue Records, a hill named Aludhu Konda is extended in Sy No. 360 of Kummarigunta (R) & Sy No. 452/2 of Thogiri (R), Saravakota (M)
  - b. As per the FMB, **Granite Cutting & Polishing (Private) Building is in Sy No. 360 of Kummarigunta (R), Saravakota (M).**
  - c. The Owner of the said Granite Cutting & Polishing (Private) Building in Sy No. 360 of Kummarigunta (R), Saravakota (M) said that he has obtained construction permission from the Asst Director (Mines), Srikakulam. But **the fact is the Asst Director (Mines), Srikakulam is not competent authority to grant construction permission for Granite Cutting & Polishing (Private) Building.**
  - d. It is clear that **the said Granite Cutting & Polishing (Private) Building in Sy No. 360 of Kummarigunta (R), Saravakota (M) has no construction permission from the respective Gram Panchayat.**
  - e. **10 trees having age of more than 150 years were cut down in Sy No. 452/2 of Thogiri (R), Saravakota (M)**
  - f. As per Para 3(a)(ii) of the G.O. Ms No. 571, Revenue (Assignment-I). Dept., Dated: 14.09.2012, 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), the ban on change of classification of tank bed lands shall be strictly enforced. **Hence, it is illegal to construct Anganwadi Building in Sy No. 452/2 of Thogiri (R), Saravakota (M).**
5. **Special Observations by the General Secretary, Forum for Social Justice & Anti-Corruption:**
  - a. The Sub-Collector, Tekkali & The Superintendent Engineer, PRD, Srikakulam acted in the interest of the Owner of the said Granite Cutting & Polishing (Private) Building in Sy No. 360 of Kummarigunta (R), Saravakota (M).
  - b. The Sub-Collector, Tekkali & The Superintendent Engineer, PRD, Srikakulam acted to protect the Tahsildar, Saravakota.
  - c. The Sub-Collector, Tekkali & The Superintendent Engineer, PRD, Srikakulam left the inspection in the middle at 1 PM. Hence, this inspection remains incomplete.
  - d. The Sub-Collector, Tekkali & The Superintendent Engineer, PRD, Srikakulam refused to record the observations of the General Secretary, Forum for Social Justice & Anti-Corruption.
6. **Conclusion:** In view of the above position, the Collector & District Magistrate, Srikakulam District may consider the present status of the illegal and un-authorized constructions in Sy No. 360 of Kummarigunta (R) & Sy No. 452/2 of Thogiri (R), Saravakota (M). However, 10 trees having age of more than 150 years were cut down in Sy No. 452/2 of Thogiri (R), Saravakota (M). Hence, the Collector & District Magistrate, Srikakulam District may instruct the concerned officials to take immediate action against the illegal and un-authorized constructions in Sy No. 360 of Kummarigunta (R) & Sy No. 452/2 of Thogiri (R), Saravakota (M) and the persons/officials who cut down 10 trees having age of more than 150 years in Sy No. 452/2 of Thogiri (R), Saravakota (M).

Report submitted to the Collector & District Magistrate, Srikakulam District on 23.02.2023 at 10 PM through Electronic Mode.

General Secretary K.V. SRINIVAS

Rc.No.2176/2022/E1, Dt.07.04.2023Collector's Office, Srikakulam

**PROCEEDINGS OF THE DISTRICT COLLECTOR, SRIKAKULAM (I/c)**  
**PRESENT:: SRI M.NAVEEN, I.A.S.,**

\*\*\*\*\*

**Sub:** Suits - Srikakulam District - O.A. No.9 of 2023 of the Hon'ble National Green Tribunal, Chennai - Tekkali Revenue Division, Saravakota Mandal - Sy.No.452-2 of Thogiri Village & Sy.No.360 of Kummarigunta Village - Hearing conducted on 07.04.2023 at @11:00 AM at Collector's Office, Srikakulam - Orders - issued.

**Read:** 1. O.A. No.9 of 2023 of the Hon'ble National Green Tribunal, Chennai filed by the Forum for Social Justice & Anti-Corruption (NGO) Rep. by it's General Secretary, Door No.58-14-87/2B, Marrisalem, Vuda Colony, Visakhapatnam-530018.  
 2. Orders Dt.03.02.2023 of the Hon'ble National Green Tribunal, Chennai in I.A. No.13 of 2023(SZ), in O.A. No.9 of 2023(SZ).  
 3. This Office Proceedings in Rc.No.2176/2022/E1, Dt.21.02.2023.  
 4. Rc.No.211/2023/A, Dt.23.02.2023 of the Sub-Collector, Tekkali.  
 5. Representation Dt.23.02.2023 of Sri K.V.Srinivas, General Secretary, Forum for Social Justice & Anti-Corruption (NGO), Door No.58-14-87/2B, Marrisalem, Vuda Colony, Visakhapatnam-530018.  
 6. Rc.No.2176/2022/E1, Dt.10.03.2023 of the Joint Collector, Srikakulam.  
 7. This office Notice in Rc.No.2176/2022/E1, Dt.21.02.2023 to the members of the joint committee and applicant.

@@@

**ORDER:**

In the reference 1<sup>st</sup> read above, the Forum for Social Justice & Anti-Corruption (NGO) Rep. by it's General Secretary, Door No.58-14-87/2B, Marrisalem, Vuda Colony, Visakhapatnam-530018 has filed an application before the Hon'ble National Green Tribunal, Chennai impleading the following as respondents

1. State of Andhra Pradesh Rep. by its Chief Secretary to Government, Department of General Administration, Building No.1, I Floor, Interim Government Complex, A.P.Secretariat, Velagapudi, Guntur, A.P.
2. District Collector, Srikakulam.

The petitioner in the above application has stated that, since the Respondent No.2 is acting in the interest of grabbers by allowing constructions like private buildings in Sy.No.360 of Kummarigunta Village, Anganwadi building in Sy.No.452-2 of Thogiri Revenue Village, cutting down 10 trees more than the age of 150 years etc, in Ralla Gutta (Hill Lock/ Corridor Area) in Saravakota Mandal, Srikakulam District in the state of Andhra Pradesh in the name of construction of Anganwadi building is adversely affecting the ecosystem and the overall ecology of the area, and thus there is substantial question relating to environment, wherein the community at large is affected by the environmental consequences, which needs to be decided by this Hon'ble Tribunal.

The petitioner has prayed the Hon'ble National Green Tribunal, Chennai that

- a. Pending final decision on the application, the Hon'ble Tribunal may be pleased to direct the Respondent No.1 or appoint joint committee to submit the detailed report on all illegal constructions like private buildings in Sy.No.360

of Kummarigunta Village, Anganwadi building etc, in Sy.No.452-2 of Thogiri Revenue Village i.e., Ralla Gutta (Hill Lock/ Corridor Area) in Saravakota Mandal, Srikakulam District in the state of Andhra Pradesh and details of authorities who are acting in the interest of grabbers, cutting down 10 trees more than the age of 150 years in the name of construction of Anganwadi Building etc, and action taken report etc.,

- b. Pass any such other or further order as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

In the reference 2<sup>nd</sup> read above, the Hon'ble National Green Tribunal, Chennai has passed the following order on 03.02.2023 in I.A. No.13 of 2023(SZ), in O.A.No.09 of 2023(SZ).

**"The learned counsel Mrs. Madhuri Donti Reddy accepts notice on behalf of Respondent No.1 & 2.**

**Admittedly, the 10 number of trees have already been cut and removed from the said survey numbers and the photographs also revealed that some constructions are already been made.**

**The only objection is that they should not have cut the trees and should not have allowed the private buildings to come up in the hillock area viz., 'Ralla Gutta.**

**In this regard, we direct the 2<sup>nd</sup> respondent namely, the District Collector - Srikakulam to enquire into the matter after affording an opportunity of hearing to the applicant herein and pass appropriate orders, considering the above said issue of cutting of trees.**

**Let this exercise be completed within 4 (Four) weeks time and the compliance report may be filed by the District Collector - Srikakulam on 06.03.2023."**

In the references 3<sup>rd</sup> and 4<sup>th</sup> read above, the District Collector, Srikakulam has been pleased and issued orders constituting a Joint Committee with the following officers and the applicant in this O.A. with a direction to conduct the joint inspection in this matter and submit the detailed report to the undersigned by 23.02.2023.

1. The Joint Collector, Srikakulam
2. The Sub-Collector, Tekkali
3. The Superintending Engineer, Panchayat Raj, Srikakulam
4. The Tahsildar, Saravakota
5. The applicant, i.e., Forum for Social Justice & Anti-Corruption (NGO) Rep. by its General Secretary, Door No.58-14-87/2B, Marrisipalem, Vuda Colony, Visakhapatnam-530018

In the reference 6<sup>th</sup> read above, the Joint Collector, Srikakulam has reported that, the Sub-Collector, Tekkali has conducted the Joint Inspection along with the Superintending Engineer, Panchayat Raj, Srikakulam, the Tahsildar, Saravakota, and the Applicant, i.e., Forum for Social Justice & Anti-Corruption (NGO) Rep. by its General Secretary, Dr.No.58-14-87/2B, Marrisipalem, Vuda Colony, Visakhapatnam, 530018 on dt.23.02.2023 and submitted the detailed report with the observations of

the committee regarding the claims made by the applicant. The Joint Collector, Srikakulam has also informed that, he has gone through the report of the Joint Committee meticulously and arrived the following observations.

**Claim No.1: Constructions of Private Building in Sy.No.360 of Kummarigunta Revenue Village of Saravakota Mandal**

**Observation:** With the help of Revenue Records, i.e., SLR, RVM and FMBs, it has been observed that, the private building which has been claimed to have been constructed in Sy.No.360 of Kummarigunta Revenue Village of Saravakota Mandal is actually situated in Sy.No.353. The Mandal Surveyor along with Village Surveyor has conducted survey to identify the boundaries of Sy.No.360, which is classified as Konda Poramboke as per SFA with an extent of Ac. 123.47.

It is submitted that, the applicant stated that, the Cutting and polishing unit is situated in Sy.No.360 and it is a Government land which was encroached. But during the inspection, it is revealed that, the Cutting and Polishing unit is in Sy.No.353 precisely in Sub Division 353-3, 4 of Kummarigunta Revenue Village of Saravakota Mandal. The Sub Division Sketch and FMB of Sy.No.360 & 353 are enclosed. Hence it is clearly established that, the contested land i.e., Sy.No.353 is purely a Zeroyat land, and the owner Sri Varudu Devi Prasad is having Pattadar passbook for that land and he got the NALA conversion proceedings vide D.Dis.No.528/2014, KRC, Dt.15.09.2014 of the Revenue Divisional Officer, Palakonda for that land.

**Claim No.2:** Cutting of 10 tamarind trees aged about 150 years to construct Anganwadi Building

**Observation:** During the field inspection, it has been observed that, four (04) tamarind trees were cut down. The trees were of old age and the branches are about to fall due to damages during cyclone and thunderstorms. The trees were situated in the premises adjacent to the site where Anganwadi Center is proposed. It is observed that, **the foundations were laid down for the above said Anganwadi building leaving a clear space of 4 feet from the outside columns to the nearest tree.** Further, it is observed that, the Eighteen (18) Tree Tax Pattas were given to four members of Aludu Village of Saravakota Mandal vide Rc.No.33/88/B, Dt.28.03.88 of the then Mandal Revenue Officer, Saravakota. The trees have thin canopy and foliage as they were damaged during cyclone & thunderstorms and the trees were cut down by the local Villagers without any permission to facilitate the way or path with the consent of tree patta holders. **It is observed that, only 4 trees were cut down for which No permission was given by the local authorities.**

The Joint Collector, Srikakulam has finally reported that, the above said compliant petition deserves no consideration.

However, in the reference 5<sup>th</sup> read above, Sri K.V.Srinivas, General Secretary, Forum for Social Justice & Anti-Corruption (NGO), Door No.58-14-87/2B, Marripalem, Vuda Colony, Visakhapatnam-530018 has submitted a report stating that,

- a. As per the Revenue Records, a hill named Aludhu Konda is extended in Sy.No.360 of Kummarigunta (R) & Sy.No.452/2 of Thogiri (R), Saravakota (M)
- b. As per the FMB, Granite Cutting & Polishing (Private) Building is in Sy.No.360 of Kummarigunta (R), Saravakota (M).
- c. The Owner of the said Granite Cutting & Polishing (Private) Building in Sy.No.360 of Kummarigunta (R), Saravakota (M) said that he has obtained construction permission from the Asst Director (Mines), Srikakulam. But the fact is the Asst Director (Mines), Srikakulam is not competent authority to grant construction permission for Granite Cutting & Polishing (Private) Building.
- d. It is clear that the said Granite Cutting & Polishing (Private) Building in Sy.No.360 of Kummarigunta (R), Saravakota (M) has no construction permission from the respective Gram Panchayat.
- e. 10 trees having age of more than 150 years were cut down in Sy.No.452/2 of Thogiri (R), Saravakota (M)
- f. As per Para 3(a)(ii) of the G.O.Ms.No.571, Revenue (Assignment-I). Dept., Dated: 14.09.2012, 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), the ban on change of classification of tank bed lands shall be strictly enforced. Hence, it is illegal to construct Anganwadi Building in Sy.No.452/2 of Thogiri (R), Saravakota (M).

The applicant has also made unwarranted allegations on the members of the joint committee and requested the District Collector, Srikakulam to consider the present status of the illegal and un-authorized constructions in Sy.No.360 of Kummarigunta (R) & Sy.No.452/2 of Thogiri (R), Saravakota (M) and to instruct the concerned officials to take immediate action against the illegal and un-authorized constructions in Sy.No.360 of Kummarigunta (R) & Sy.No.452/2 of Thogiri (R), Saravakota (M) and the persons/officials who cut down 10 trees having age of more than 150 years in Sy.No.452/2 of Thogiri (R), Saravakota (M).

In view of the orders dt.03.02.2023 of the Hon'ble National Green Tribunal, Chennai in I.A. No.13 of 2023(SZ), in O.A.No.09 of 2023(SZ), a notice has been issued to the members of the Joint Committee constituted in this matter and with the petitioner in this case, i.e., Sri K.V.Srinivas, General Secretary, Forum for Social Justice & Anti-Corruption (NGO), Visakhapatnam to attend before the District Collector, Srikakulam on **Dt.07.04.2023 @11:00 AM** at the Collector's Office, Srikakulam for hearing in this case.

Accordingly, the following members have attended the hearing on **Dt.07.04.2023 @11:00 AM** at the Collector's Office, Srikakulam.

1. Sri T.Rahul Kumar Reddy, I.A.S., Sub-Collector, Tekkali
2. Sri V.Satyanarayana Murthy, Superintending Engineer, Panchayat Raj, Srikakulam
3. Smt. K.Pravallika Priya, Tahsildar, Saravakota
4. Sri K.V.Srinivas, General Secretary, Forum for Social Justice & Anti-Corruption (NGO); Visakhapatnam

At the outset of the hearing, the applicant has been requested to submit his arguments in this case.

Sri K.V.Srinivas, General Secretary, Forum for Social Justice & Anti-Corruption (NGO), Visakhapatnam has informed that, he is not willing to offer arguments in this case, as the District Collector, Srikakulam is not conducting this hearing, but the Joint Collector, Srikakulam, is conducting this hearing, who is a member of the committee constituted in this case and also not attended the field inspection on 23.02.2023.

In this connection, the District Collector, Srikakulam (Incharge) has informed the applicant that, in the capacity of the District Collector, he is conducting the hearing and requested the applicant to offer his arguments, if any, but the applicant has denied for offering any remarks other than what he has already submitted in writing.

The Sub-Collector, Tekkali, the Superintendent Engineer, Panchayat Raj, Srikakulam and the Tahsildar, Saravakota have been requested to offer remarks and they have informed the following,

- Joint field inspection has been done at the subject lands in Kummarigunta and Thogiri Villages of Saravakota Mandal, Srikakulam District on 23.02.2023 in presence of the applicant, Sri K.V.Srinivas, General Secretary, Forum for Social Justice & Anti-Corruption (NGO), Visakhapatnam and the following have been observed.
- The Sy.No.452-2 with an extent of Ac.2.73 of Thogiri Village of Saravakota Mandal, Srikakulam District is classified as Taram Kattani (unassessed waste) and "Ralla Gutta", which is a Government Poramboke land and the Sy.No.360 with an extent of Ac.123.47 of Kummarigunta Village of Saravakota Mandal is classified as Poramboke Konda.
- An extent of Ac.0.03 covered by Sy.No.452-2 of Thogiri Village of Saravakota Mandal has been allotted for construction of Angawadi building for Aludu Village of Saravakota Mandal which is vacant on ground and no trees are existing in the proposed site and that no trees were cut down during the construction of the Anganwadi building. The proposed site is an hillock site without afforestation and hence, it is an unobjectionable Government land.
- Eighteen (18) Tree Tax Pattas were given to four members of Aludu Village of Saravakota Mandal vide Rc.No.33/88/B, Dt.28.03.88 of the then Mandal Revenue Officer, Saravakota. Out of 18 trees, 7 trees were already fallen down during the Titli and Hud-Hud cyclones and 7 trees are standing and in

lively condition but the remaining 4 trees situated in the premises adjacent to the proposed Anganwadi Center and had thin canopy and foliage as they were damaged during the cyclone & thunderstorms and that the four trees were cut down by the local Villagers, so as to facilitate the pathway for themselves with the consent of tree patta holders. No permission was given by the local authorities concerned to cut down the trees.

- With the help of field functionaries, i.e., Mandal Surveyor, Village Surveyor, Village Revenue Officer, Kummarigunta Village, the boundaries of the Sy.No.360 of Kummarigunta Village of Saravkota Mandal have been demarcated and found that, the alleged private building, i.e., Cutting and Polishing unit is situated in Sy.No.353 precisely in Sub Division 353-3, 353-4 of Kummarigunta Revenue Village of Saravakota Mandal and the contested land i.e., Sy.No.353 is purely a Zeroyat land and the owner Sri Varudu Devi Prasad is having Pattadar passbook for that land and he got the NALA (Non Agricultural and Land Assessment) conversion proceedings vide D.Dis.No.528/2014, KRC, Dt.15.09.2014 of the Revenue Divisional Officer, Palakonda and got permission from the General Manager, District industries Center, Srikakulam.

The Superintendent Engineer, Panchayat Raj, Srikakulam has informed that, no trees were existed in the allotted land for construction of Anganwadi center at Sy.No.452-2 in an extent of Ac.0.03 of Thogiri Village of Saravakota Mandal, but the local villages have cut down the 4 trees those are damaged by the Hud-Hud and Titli cyclones and are on the side of pathway to the nearest SC colony and may cause of apprehend danger to fall at any time on the villagers passing through the pathway.

In view of the above circumstances, the following have been observed with respect to the claims made by the applicant.

- 1) Claim of the applicant: As per the Revenue Records, a hill named Aludhu Konda is extended in Sy.No.360 of Kummarigunta (R) & Sy.No.452/2 of Thogiri (R), Saravakota (M)

Finding: The Sy.No.452-2 with an extent of Ac.2.73 of Thogiri Village of Saravakota Mandal is classified as Taram Kattani (unassessed waste) and "Ralla Gutta", which is a Government Poramboke land and the Sy.No.360 with an extent of Ac.123.47 of Kummarigunta Village of Saravakota Mandal is classified as Poramboke Konda.

- 2) Claim of the applicant: As per the FMB, Granite Cutting & Polishing (Private) Building is in Sy.No.360 of Kummarigunta (R), Saravakota (M).

Finding: The Cutting and Polishing unit is situated in Sy.No.353 precisely in Sub Division 353-3 and 353-4 of Kummarigunta Revenue Village of Saravakota Mandal and the Tahsildar, Saravakota has submitted the FMB of Sy.No.353 duly marking the area of the said Cutting and Polishing unit.

- 3) Claim of the applicant: The Owner of the said Granite Cutting & Polishing (Private) Building in Sy.No.360 of Kummarigunta (R), Saravakota (M) said that

he has obtained construction permission from the Asst Director (Mines), Srikakulam. But the fact is the Asst Director (Mines), Srikakulam is not competent authority to grant construction permission for Granite Cutting & Polishing (Private) Building. It is clear that the said Granite Cutting & Polishing (Private) Building in Sy.No.360 of Kummarigunta (R), Saravakota (M) has no construction permission from the respective Gram Panchayat.

Finding: The owner of the cutting and polishing unit, i.e., Sri Varudu Devi Prasad is having Pattadar passbook for that land and he got the NALA conversion proceedings vide D.Dis.No.528/2014, KRC, Dt.15.09.2014 of the Revenue Divisional Officer, Palakonda and entrepreneurs memorandum given by the General Manager, DIC, Srikakulam, GST registration certificate, VAT registration certificate, certificate of registration, license to work factory given by Inspector of Factories, Srikakulam for M/s Devi Granites, Aludu Village, Saravakota Mandal, Srikakulam District.

4) Claim of the applicant: 10 trees having age of more than 150 years were cut down in Sy.No.452/2 of Thogiri (R), Saravakota (M).

Finding: Eighteen (18) Tree Tax Pattas were given to four members of Aludu Village of Saravakota Mandal vide Rc.No.33/88/B, Dt.28.03.88 of the then Mandal Revenue Officer, Saravakota. There is no proof to establish the fact that the trees are of 150 years of age old. Out of 18 trees, 7 trees fell down during the Titli and Hud-Hud cyclones, 7 trees are standing on ground but the remaining 4 trees situated in the premises adjacent to the proposed Anganwadi building were cut down by the local Villagers with the consent of tree patta holders, as the 4 trees are damaged due to cyclones and thunderstorms and caused apprehend danger to the passengers on that pathway. No permission was given by the local authorities concerned to cut down the trees.

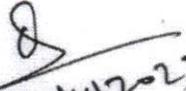
5) Claim of the applicant: As per Para 3(a)(ii) of the G.O.Ms.No.571, Revenue (Assignment-I). Dept., Dated: 14.09.2012, only waste and dry lands should be proposed for alienation and wet, irrigated lands should not normally be considered for such as, tank beds, river beds, hillocks with afforestation etc shall not be alienated or allotted. Further, as per Para 3(c) (viii), the ban on change of classification of tank bed lands shall be strictly enforced. Hence, it is illegal to construct Anganwadi Building in Sy.No.452/2 of Thogiri (R), Saravakota (M).

Finding: The Sy.No.452-2 with an extent of Ac.2.73 of Thogiri Village of Saravakota Mandal is classified as Taram Kattani (unassessed waste) and "Ralla Gutta", which is a Government Poramboke land. Out of which, an extent of Ac.0.03 is proposed for construction of Anganwadi center for Aludu Village of Saravakota Mandal and no trees are existed in the proposed site and no afforestation as alleged by the applicant and hence it is an unobjectionable Government land.

In view of the above position, it is learnt that, the allegations made by the applicant are absolutely false, baseless and found not genuine. The applicant, i.e., Sri K.V.Srinivas, General Secretary, Forum for Social Justice & Anti-Corruption (NGO), Visakhapatnam has no respect towards the institution and therefore, the above said compliant petition deserves no consideration.

The Tahsildar, Saravakota is directed to take necessary action to create awareness in the people on the implementation of A.P. Water, Land and Trees Act, 2002 (APWALTA, 2002) and rules of APWLATA, 2002 for planting the trees for ecological balance.

  
District Collector (I/c),  
Srikakulam

  
7/4/2023  
Supd E

**To**

Sri K.V.Srinivas, General Secretary,  
Forum for Social Justice & Anti-Corruption (NGO),  
Door No.58-14-87/2B, Marrisipalem, Vuda Colony,  
Visakhapatnam-530018.

Copy to the Tahsildar, Saravakota.

Copy to the Sub-Collector, Tekkali for information.

Copy to the Superintending Engineer, Panchayat Raj, Srikakulam for information