

FURTHER ACTION TAKEN REPORT FILED BY THE DISTRICT COLLECTOR KAKINADA BEFORE THIS HON'BLE TRIBUNAL (SZ) CHENNAI IN ORIGINAL APPLICATION 89 OF 2020 ORDER DATED 27-05-2022

1. It is submitted that this application is filed by the applicant Sri Sunkara Swamy Naidu Welfare Organization, Rep. by its President; Sunkara Karthik has filed an application alleging illegal closure of Nallah in Sunkarapalem Village of East Godavari District of Andhra Pradesh. According to applicant this Nallah passes through two areas, namely one through Sunkarapalem Village in Thallarev 2 Tehsil in East Godavari District of Andhra Pradesh and Yanam of Puducherry Union Territory.

2. It is submitted that in the obedience to the order dated 27-05-2022 of the Hon'ble National Green Tribunal specific directions have been given to the Revenue Divisional Officer, Kakinada to carry out eviction of all the encroachments and to report compliance. Order in para No's 2 to 5 read as folloes

2. When the matter came up for hearing today, we have received a report submitted by the District Collector, Amalapuram District, State of Andhra Pradesh in which they have only mentioned that there were 11 encroachments, 6 of them are residing out of the mandal and far places and they have removed certain coconut trees and some sheds. It will not reveal the extent of encroachment removed and how much width of the encroached nalla has been restored and what are the remaining encroachments which are expected to be removed for which the steps have been taken by them. The main allegation by the applicant is that there are concrete structures constructed by the encroachers both in Andhra Pradesh and Union Territory of Puchucherry in these areas.

3. Quite unfortunately, nothing was mentioned about the same in the report Further, it is quite unfortunate on the part of Union Territory of Puducherry for not filing any report in spite of opportunities given. If they are not coming with the reports regarding the action taken by them to protect the water body and nallah which plays a role for regulating the

storm water to reaches the water bodi s without any obstruction and also avoid flood being caused in those areas.

4. It is the responsibility of the State administration to look in to the issue as they are mandated by the constitutional obligation under Article 48 (A) of the Constitution of India to protect the environment. When this was pointed out, the learned counsel appearing for State of Andhra Pradesh and Union Territory of Puducherry submitted that if some time is granted, they may be able to come with a detailed report. If the reports as directed by the Tribunal are not submitted to the satisfaction of the Tribunal, then the District Collector, Amalapuram District and the District Collector of Union Territory of Puchucherry of the concerned area will have to appear before this Tribunal in person to show cause-as to why action should not be taken against them for non-compliance of the directions issued by this 3 Tribunal as contemplated under Section 25, 26 & 28 of the National Green Tribunal Act, 2010.

5. The Chief Secretaries of both the States of Andhra Pradesh and Union Territory of Puducherry are directed to look into the issue personally and see that the necessary reports are reaching the Tribunal showing the necessary details which were sought for by the Tribunal to enable the Tribunal to dispose of the case in an effective manner.

3. It is submitted that the Revenue Divisional Officer, Kakinada submitted a report stating that the coconut trees existing in the Nallah Poramboke in Sy.No.125 in Sunkarapalem Village of Tallarevu Mandal and that for removal of the concrete structures concerned departmental officials have to take initiation as the lands are vested with those officials i.e., SE, Irrigation, Kakinada, SE, Drains Department, Kakinada and the Panchayath Authorities.

4. It is submitted that a meeting was conducted with all the concerned officials on 25.06.2022 at 11.00 AM in Collector's Office, Kakinada and I have explained the gravity involved in the issue and I instructed them to take immediate appropriate action to comply the orders of the Hon'ble National

Green Tribunal in true spirit. I have issued orders to the E.E., Water resources Department, Kakinada for removal of weed manually as per rules in force and District Panchayath Officer, Kakinada to take necessary action with regard to removal of encroachments in coordination with the Tahsildar, Tallarevu before 13.07.2022 and I permitted to meet the estimated expenses of Rs.97,000/- (Rupees Ninety Seven thousand only).

5. It is submitted that the District Panchayath Officer, Kakinada has submitted his report in the reference 13th cited and reported that an agency was identified to remove the water hyacinth in the canal situated in Sy.No.125 of Sunkarapalem village of Tallarevu Mandal for free flow of drain water and that the work commenced on 11.07.2022 onwards and is going on continuously. He further reported that it would take two to three weeks for complete removal of the weeds in the above survey number and that due to heavy rains, the work is getting delayed. He added that all efforts are being made to complete the work within two weeks and submitted the photographs of the work undertaken so far.

6. It is also submitted that at present, we are encountering heavy Godavari Floods and the entire machinery of Panchayath Raj, Revenue and Drains Departments are diverted to flood relief operations. Due to heavy floods to Godavari the flood water overflowing on Godavari bund at Yanam near Neelapalli village of Tallarevu Mandal and the low laying areas/villages are being submerged in the flood water and in result the work relating to removal of encroachments is stopped for the time being and will continue as and when the situation came to normality and the orders of the Hon'ble National Green Tribunal will be implemented in true spirit at earliest possible time.

It is submitted that the copies of the reports of Revenue Divisional Officer, Kakinada, Tahsildar, Tallarevu and the District Panchayath - Officer, Kakinada are furnished herewith for perusal.

Therefore, it is prayed that this Hon'ble Tribunal may be pleased to record this further action Taken Report and pass appropriate orders in this matter.

This is submitted for kind information.

Dated at Kakinada on this the 16th day of July 2022


COLLECTOR & DISTRICT MAGISTRATE,
KAKINADA

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

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

To
The District Collector & Magistrate,
Kakinada District

Lr.No. 340332/2022 -A3, Dt : 15.07.2022

Sir/Madam

Sub :- Encroachments -Evection of Encroachments-Tallarevu Mandal –Sunkarampalem Orders of the Hon'ble National Green Tribunal – Chennai - Encroachment over the Nallah in Survey No 125 –Clearance of Drain Interim Report Submitted.

Ref : 1.OA No 89/2020 (SZ) Dt 27.05.2022 Orders of the Hon'ble National Green Tribunal Chennai.

2.L-1, NGT/01/2020 dt 05.07.2022 orders of the District Collector & Magistrate, Kakinada

3. Report of the Panchayat Secretary, Sunkarampalem GP, Tallarevu Mandal

I invite kind attention to the references cited.

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

It is submitted that, the work was commenced on 11th July 2022 onwards and as per the estimation made by the agency, it would take 2 – 3 weeks for complete removal of the weeds in the above survey number. It is also submitted that, due to heavy rains, the work is getting delayed, however, all efforts are being made to complete the work within 2 weeks. The photographs of the work undertaken so far is submitted for kind perusal of the District Collector.

Encl: Photographs

Yours Faithfully,

Sri S.V.Nageswar Naik
District Panchayat Officer,
Kakinada District

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15.7.2022

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11-07-2022

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11/07/2022



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14-07-2022



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