

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

OA No 57 OF 2023

IN THE MATTER OF:

GAREEB GUIDE (NGO)

..... Applicant

Vs

STATE OF ANDHRA PRADESH AND OTHERS

.... Respondents

REPORT FILED BY THE DISTRICT COLLECTOR R2

DATE- 26.07.2024



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

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

ORIGINAL APPLICATION NO.57 OF 2023(SZ)

IN THE MATTER OF:

Gareeb Guide (NGO)

Rep. by its President, 7/41,
Bahar, Sahara States, Mansoorabad, Hyderabad,
Telangana State, 500068, Phone: 8688122222,
E-Mail: gareebguide@gmail.com,

..... Applicant

VS

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

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

Date: 02.08.2023

**DETAILED REPORT ON THE ORDERS DATED 03.07.2023 PASSED BY THE
HON'BLE NGT(SZ) CHENNAI IN O.A.No. 57 of 2023 (SZ) & I.A.56 of 2023 (SZ).**

MOST RESPECTFULLY SHOWETH AS FOLLOW:

1. It is respectfully submitted that, the contention of the Applicant Gareeb Guide Organization (NGO), Hyderabad is, as per the Revenue Records the lands in Sy.No.18/1 Purushothanagar Colony of Borigivalasa and Sy.No.219 of Gottipalli Village are classified as Gram Kantam and Rajula Cheruvu (Water source) of Narasannapeta (Panchayat & Mandal) of Srikakulam District (AP) therefore requested to take immediate action to evict the illegal constructions which are being made in the above Survey Numbers, in view of the Hon'ble High Court orders passed on 19.02.2020 in W.P.No.1631 of 2020. **(ANNEXURE-1)**
2. In this connection, it is respectfully submitted that, after filing a legal notice by the Counsel for the applicant herein, requesting to take necessary action for eviction of encroachments in Rajula Cheruvu of Narasannapeta (Panchayat & Mandal) of Srikakulam District (AP), the Tahsildar, Narasannapeta in this office letter Rc.No.1687/2022-E4, Dt.15.10.2022 has been requested to conduct detailed enquiry into the contents of legal notice and submit the report through the Revenue Divisional Officer, Srikakulam. **(ANNEXURE-2)**
3. While the matter is under enquiry, the applicant has filed Original Application No.57 of 2023 (SZ) before the Hon'ble National Green Tribunal and the Hon'ble Tribunal on 03.07.2023 has passed the following orders in Original Application No.57 of 2023 (SZ) & I.A.No.56 of 2023 (SZ).
 1. ***Mrs.Madhuri Donti Reddy, the learned counsel accepts notice on behalf of Respondents No.1 & 2.***
 2. ***From the additional documents filed by the learned counsel for the applicant, it appears that there is already a communication from the District Collector - Srikakulam to the Tahsildar - Narasannapeta dated 15.10.2022 to take necessary action to evict encroachments in Survey No.219 which had classified as "Gramakantam" and 'Rajula Cheruvu' as these lands are already occupied by some grabbers and illegal constructions are made.***
 3. ***Let the report, be filed by the authorities after making the spot inspection.***
 4. ***Post the matter on 01.08.2023. (ANNEXURE-3)***

4. It is submitted that, in obedience to the orders of the Hon'ble National Green Tribunal, (1) the District Panchayat Officer, Srikakulam, (2) the Revenue Divisional Officer, Srikakulam and (3) the Tahsildar, Narasannapeta in this office letter Rc.No.1687/2022-E4/Dt.20.07.2023 have been directed to conduct enquiry at ground level and submit the detailed report in this regard. **(ANNEXURE-4).**

5. The Revenue Divisional Officer, Srikakulam vide letter Rc.No.1093/2023/F/Dt.24.07.2023 has reported that, as per the Revenue Records of Gottipalli Revenue Village, the Sy.No.219/1B1 is classified as "Gramakantam". The subject land i.e., "Rajula Cheruvu" is located in Grama Kantam Village site and the specific boundaries and extent not mentioned in the Revenue Records of Gottipalli Revenue Village, Narasannapeta Mandal, Srikakulam District (AP). Powers on Gramakantam Lands are vested with Gram panchayat only, as per the judgment passed by the Hon'ble High Court in W.P.No. 3428 of 2022 and the revenue authorities have no jurisdiction to interfere in the properties vested with the Grama Panchayat and even for encroachments it is for the Grama Panchayat to initiate action, but not by the revenue authorities.

The Revenue Divisional Officer, Srikakulam has further reported that, as per the Revenue Records of Gottipalli Village of Narasannapeta Mandal, Srikakulam District, the details of Sy.No.219 are as follows:

Sy.No.	Extent in Acres	Classification
219/1A	5.35	Women's College
219/1B1	124.42	Gramakantam (Narasannapeta Village site)
219/1B2	0.03	Homeo Dispensary
219/2	0.20	Panchayat Daily Market
Total :	Ac.130.00	

The Revenue Divisional Officer, Srikakulam has further reported that, the District Collector, Srikakulam has directed the Revenue Divisional Officer, Srikakulam, the District Panchayat Officer, Srikakulam and the Tahsildar, Narasannapeta to conduct joint survey of the alleged land/tank and identify the encroachments, if any, in the subject land and submit the Joint Survey report

together with sketches, Google maps etc., before 22.07.2023 to their office for taking further necessary action in the matter.

The Revenue Divisional Officer, Srikakulam has further reported that, according to the instructions of the District Collector, the Revenue Divisional Officer, Srikakulam along with the Tahsildar Narasannapeta, Mandal Surveyor, Narasannapeta, Executive Officer, Narasannapeta Grama Panchayat conducted Joint Survey on Dt.21.07.2023 at Gottipalli Revenue Village, Narasannapeta Mandal, Srikakulam District in Sy.No.219 of Rajula Cheruvu and there is no nomenclature as Rajula Cheruvu mentioned/recorded in the Revenue Records, but, it is locally called as Rajula Cheruvu.

The Revenue Divisional Officer, Srikakulam has further reported that, after surveying the total Rajula Cheruvu existing boundary in Sy.No.219/1B1 which is Grama kantam land in Gottipalli village, it is found that the total area of Rajula cheruvu comes to an extent of Ac.13.58 cents which covered with water and after surveying the built up area as alleged by the petitioner, there are 395 structures i.e. slabbed houses, temporary sheds, Temple, Sulab complex, Church, Schools, Anganwadi center, Vegetable market sheds etc., are covered in an extent of Ac.4.31 cents which are in Sy.No.219/1B1 classified as Grama kantam Village site of Gottipalli Revenue Village, Narasannapeta Mandal, Srikakulam District.

(ANNEXURE-5)

6. The District Panchayat Officer, Srikakulam has reported that, the Executive Authority and Panchayat Secretary, Narasannapeta Gram Panchayat has stated that, as per the Revenue Records of Gottipalli Revenue Village, the Sy.No.,219/1B1 is classified as Grama Kantam and the subject land i.e., Rajula Cheruvu is located in Grama Kantam and the specific boundaries and extent are not mentioned in the Revenue Records of Gottipalli Village, Narasannapeta Mandal.

The District Panchayat Officer, Srikakulam has further reported that, the nomenclature as Rajula Cheruvu is not at all mentioned/recorded in the Revenue records, but locally it is called as Rajula Cheruvu and as per the revenue records of Gottipalli Village of Narasannapeta Mandal, the details of Sy.No.219 are as follows:

Sy.No.	Extent in Acres	Classification
219/1A	5.35	Women's College
219/1B1	124.42	Gramakantam (Narasannapeta Village site)
219/1B2	0.03	Homeo Dispensary
219/2	0.20	Panchayat Daily Market
Total :	Ac.130.00	

The District Panchayat Officer, Srikakulam has further reported that, after surveying the total Rajula Cheruvu existing boundary in Sy.No.219/1B1 which is Grama Kantam land of Gottipalli Village and it comes to an extent of Ac.13.58 which covered with water and after surveying the built up area as alleged by the petitioner, it comes to an extent of Ac.4.31 cents which are in Survey No.219/1B1 classified as Gram Kantam village site of Gottipalli village, Narasannapeta Mandal by way of structures and taxes have been imposed and collected from the structures taken place in the built up area by the Gram Panchayat, Narasannapeta and the details of structures located in the built up area of Ac.4.31 cents i.e., Grama Kantam land are as follows:

S. No	Details of structures	Nature of the structure	No. installed/constructed
1		Wooden Houses	56
		Tin Shops	124
		Thatched Sheds	03
		R.C.C. Shop	01
		Sub Total	184
	Houses in built up area	Houses	198
	Other constructions in built up area	Other structures	13
	Grand Total		395

(ANNEXURE-6)

7. It is respectfully submitted that, there is no mention of tank Rajula Cheruvu with a specific extent of tank bed in any revenue records of Gottipalli Village, Narasannapeta Mandal, Srikakulam District. It has been dug later on in the Grama Kantam land in Sy.No.219/1B1 which comes to an extent of Ac.13.58 now. Necessary steps are being taken to protect the tank by constructing a safety wall around the tank to prevent from occupations in the tank bed of the said Rajula cheruvu. During the joint survey conducted by the Revenue and Panchayat Officials, 395 temporary/permanent structures which are constructed from the year 1993 onwards have been identified in Sy.No.219/1B1 classified as Grama Kantam land of Gottipalli Village, Narasannapeta Gram Panchayat & Mandal, Srikakulam District and the Gram Panchayat, Narasannapeta has also levying the taxes on the constructed structures. Therefore, separate action is being taken to

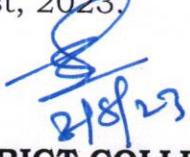
obtain necessary permission from the Government to regularize or to evacuate the eligible occupations which are in Grama kantam land, as per the Government norms.

Prayer

It is respectfully submitted that, all possible steps are being taken by the District Administration to protect the tank bed of the said Rajulu Cheruvu which is situated in Sy.No.219/1B1 of Grama kantam land of Gottipalli Revenue Village, Narasannapeta Mandal, Srikakulam District (AP).

It is humbly prayed the Hon'ble National Green Tribunal to consider the above facts and kindly drop further action in this matter.

Dated at Srikakulam on this the day of August, 2023.


**DISTRICT COLLECTOR,
SRIKAKULAM,**



Delhi – Hyderabad – Chennai - Amaravathi

From:
Dr. D.V.Rao,
Advocate, Supreme Court of India
Office: 49-B, III Floor, Adchini, New Delhi-16.
Residence: 7/41, Bahar, Sahara States, Mansoorabad,
Hyderabad-68. Ph: 8688122222
E-Mail: drdvraolawyer@gmail.com

To

- 1. The Collector & District Magistrate,**
Srikakulam District, Srikakulam
- 2. District Panchayat Officer,**
Srikakulam District, Srikakulam
- 3. DISTRICT TOWN & COUNTRY PLANNING OFFICER,**
1st Floor VUDA Bhavan, Palakonda Road,
Balaga, SRIKAKULAM-532001.

Dated: 11.10.2022

MOST URGENT
NOTICE BEFORE FILING PUBLIC INTEREST LITIGATION / OA BEFORE HON'BLE NGT (IF NEEDED)
(Through Electronic Mode)

Sub: Evict the illegal constructions which are being made in Sy. No. 18(1) and Purusothanagar Colony of Borigivalasa, Sy No. 219 of Gottipalli etc of Narasannapeta (P), Narasannapeta (M), Srikakulam (D) i.e Gram Kantam and Rajula Cheruvu (Water Source) etc in view of Hon'ble High Court of Andhra Pradesh order, dated: 19.02.2020 passed in WP 1631 of 2020 and etc - Notice -Reg

Ref:

- i. I-B record of Sy No. 18(1) and Purusothanagar Colony of Borigivalasa, Sy No. 219 of Gottipalli of Narasannapeta (P), Narasannapeta (M), Srikakulam (D)
- ii. Hon'ble High Court order, dated: 19.02.2020 passed in WP 1631 of 2020

Sir(s)/Madam,

I act for and under instructions of my client M/s Gareeb Guide (NGO), Regional Office: Shri Mata Manasa Devi Temple Compound, Chinnadugam (V), Jalumuru (M), Srikakulam (D) and Head Office: 7/41, Bahar, Sahara States, Mansoorabad, Hyderabad-68 (my client(s) for brevity) and issue this notice to you all as hereunder:

That my client(s) states that,

- i. As per the Revenue Records the lands in Sy No. 18(1) and Purusothanagar Colony of Borigivalasa and Sy No. 219 of Gottipalli classified as Gram Kantam and Rajula Cheruvu (Water Source). But few of the grabbers occupied the said gram kantam lands and Rajula Cheruvu (Water Source) and being made illegal constructions in the said lands. Even after SUDA came into force vide **GO No. 63, dated: 12.02.2019, Municipal Administration & Urban Development (H) Dept.**
- ii. It is in your aware that unless gram kantam lands are de-notified by issuing notification in terms of section 58(2) of the AP Panchayat raj Act, 1994 divesting the land from gram panchayat and vesting the same on the government, the same cannot be assigned even as house sites etc. However, no constructions shall be permitted in gram kantam lands other than for public purpose. In a similar case, Hon'ble High Court of Andhra Pradesh in WP 1631 of 2020 declared that the action of the Respondents in taking steps to assign/allot house site pattas in Gram Kantam, Poramboke lands in Sy No. 914-1 to an extent of Ac. 2.27 cents and in Sy No. 942 to an extent of Ac 2.09 cents situated at Ramaannapalem (V), Mogalthuru (Revenue Village), Mogalthuru (M), WG (D) as illegal and arbitrary. However, directed the Respondents not to assign the said lands except by following the procedure in the order, dated: 19.02.2020 in WP 1631 of 2020.
- iii. The order, dated: 25.11.2019 in Civil Appeal No. 5109 of 2019 passed by the Apex court is as follow:
"For the reasons stated above, we allow the appeal and set aside the impugned order passed by the NGT, The allotment of all water bodies (both ponds and canals), including Khasra Nos 552 and 490 to Respondent No. 6, or any other similar third party in village Saini, Tehsil Dadari, District Gautham Budh Nagar is held to be illegal and the same is hereby quashed. Since the court has on 15.07.2019 already directed the parties to maintain status quo, Respondent 1 to 5 shall restore, maintain and protect the subject water bodies in village Saini. Respondents are further directed to remove all obstructions from the catchment area through which natural water accumulates in the village ponds, all within a period of three months".
- iv. The order, dated: 26.11.2002 passed by this Hon'ble Court in a writ petition (2005 (1) ALT 550) is as follow:
"The writ petition is accordingly disposed of directing the Respondents to take steps to remove the encroachments duly following the procedure prescribed by law, if necessary, by taking the assistance of revenue authorities. This exercise shall be completed within a period of three months from the date of receipt of this order".
- v. But there is no action by the authorities till date against the illegal constructions as well as against the grabbers in Sy No. 18(1) and Purusothanagar Colony of Borigivalasa and Sy No. 219 of Gottipalli etc classified as Gram Kantam and Rajula Cheruvu (Water Source) of Narasannapeta (P & M) of Srikakulam (D).

Now, therefore I call upon you all through this notice to forthwith to take immediate action on or before **15.10.2022** to evict the illegal constructions which are being made in **Sy No. 18(1) and Purusothanagar Colony of Borigivalasa and Sy No. 219 of Gottipalli classified as Gram Kantam and Rajula Cheruvu (Water Source) of Narasannapeta (P & M) of Srikakulam (D)**, in view of Hon'ble High Court of Andhra Pradesh order, dated: 19.02.2020 passed in WP 1631 of 2020 and etc, under intimation to my client(s). Failing the above, my client will be constrained to file Public Interest Litigation/OA before NGT (if needed) without any further notice.

Encl: As above & Copy to all concerned

Sincerely

(Dr DVRao)

Rc.No.1687/2022/E4/Dt: 15/10/2022 Collector's Office, Srikakulam.

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

To
The Tahsildar,
Narasannapeta.

Sir,
Sub: Encroachments - Gottipalli Village- Narasannapeta Mandal- Srikakulam
- District - Request to take necessary action against the encroachers of
Government Land - Action taken report - Called for - Reg.
Representation of Dr. D.V. Rao, Advocate, Supreme Court of India.

Ref:-

&*&*&

It is informed that, in the reference cited, Dr. D.V. Rao, Advocate, Supreme Court of India, while forwarding the Representation, wherein the petitioner has stated that, the Government lands in Sy.No. 18(1), in Purusotham Colony of Borigivalasa & Sy.219 of Gottipalli Village, Narasannapeta Mandal, which are classified as Grama Kantam and Rajula Cheruvu and these lands were occupied by some grabbers and made illegal constructions and also stated that the Hon'ble Court has passed orders to remove the encroachments within a period of three(03) months from the receipt of the order and that the advocate through the notice has requested to take immediate action to evict the illegal constructions in view of the Hon'ble High Court of Andhra Pradesh order, dated.19.02.2022 passed in W.P.No. 1631 of 2020 and etc., under intimation to the applicant and in failing the above, the applicant will be constrained to file Public Interest Litigation/ OA before National Green Tribunal.

A copy of the representation as received in the reference cited, is enclosed for reference.

It is therefore, requested to enquire into the contents of the representation and to take necessary action to evict the encroachments as per the rules in force, if any found in the enquiry as alleged and intimate the same directly to the complainant and also to submit the detailed report through the Revenue Divisional Officer, Srikakulam to this office at an early date.

Yours faithfully,

Rajeswari Manda

District Revenue Officer

for Collector, Srikakulam.

Copy to the Revenue Divisional Officer, Srikakulam for information and necessary action.

Copy to Sri Dr. D.V. Rao, Advocate, Supreme Court of India, Dr.No.7/41, Bahar, Sahara States, Mansoorabad, Hyderabad-68. Pin 500068

Item No.3:-**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI***(Through Video Conference)***Original Application No.57 of 2023 (SZ) &
I.A. No.56 of 2023 (SZ)**

IN THE MATTER OF:

Gareeb Guide,
Hyderabad.

...Applicant(s)

State of Andhra Pradesh
Represented by its Chief Secretary to Govt.,
Andhra Pradesh and Anr.

...Respondent(s)

Date of hearing: 03.07.2023.

CORAM:

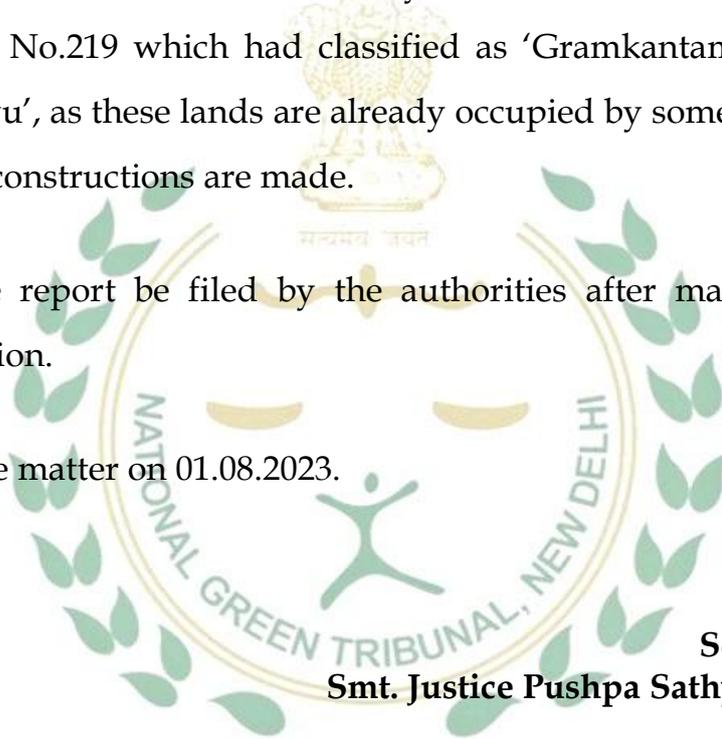
HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER**HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

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

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

ORDER

1. Mrs. Madhuri Donti Reddy, the learned counsel accepts notice on behalf of Respondents Nos.1 & 2.
2. From the additional documents filed by the learned counsel for the applicant, it appears that there is already a communication from the District Collector - Srikakulam to the Tahsildar - Narasannapeta dated 15.10.2022 to take necessary action to evict encroachments in Survey No.219 which had classified as 'Gramkantam' and 'Rajula Cheruvu', as these lands are already occupied by some grabbers and illegal constructions are made.
3. Let the report be filed by the authorities after making the spot inspection.
4. Post the matter on 01.08.2023.

**Sd/-****Smt. Justice Pushpa Sathyanarayana, JM****Sd/-****Dr. Satyagopal Korlapati, EM**

O.A. No.57/2023 (SZ)

I.A. No.56/2023 (SZ)

03rd July 2023. Mn.

Rc.No.1687/2022/E4/Dt:20.07.2023

Collector's Office, Srikakulam.

From

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

To

1. The District Panchayat Officer,
Srikakulam.
2. The Revenue Divisional Officer,
Srikakulam
3. The Tahsildar, Narasannapeta.

Sir,

Sub:- Encroachments - Gottipalli Village- Narasannapeta Mandal- Srikakulam District - Request to take necessary action against the encroachers of Government Land - Joint Survey report - Called for - File submitted for orders - Reg.

- Ref:-
1. Representation dt.11.10.2022 of Dr. D.V. Rao, Advocate, Supreme Court of India.
 2. This Office Rc.No.1687/2022/E4,dt.15.10.2022 to the Tahsildar, Narasannapeta.
 3. OA No.57/2023(SZ) & IA No.56/2023(SZ) in the Hon'ble National Green Tribunal, Chennai.
 4. Rc.No.186/2023/A,dt.05.06.2023 of the Tahsildar, Narasannapeta.
 5. Rc.No.1093/2023/F, dt.10.07.2023 of the Revenue Divisional Officer, Srikakulam.

&&&

I inform that, in the reference 1st cited, one Dr. D.V. Rao, Advocate, Supreme Court of India has stated that, the Government lands in Sy.No. 18(1), in Purusotham Colony of Borigivalasa & Sy.219 of Gottipalli Village, Narasannapeta Mandal, which are classified as Grama Kantam and Rajula Cheruvu and these lands were occupied by some grabbers and made illegal constructions and also stated that the Hon'ble Court has passed orders to remove the encroachments within a period of three(03) months from the receipt of the order and that the advocate through the notice has requested to take immediate action to evict the illegal constructions in view of the Hon'ble High Court of Andhra Pradesh order, dated.19.02.2022 passed in W.P.No. 1631 of 2020 and etc., under intimation to the applicant and in failing the above, the applicant will be constrained to file Public Interest Litigation/ OA before the Hon'ble National Green Tribunal.

In this connection, in the reference 2nd cited, the Tahsildar, Narasannapeta has been requested to enquire into the contents of the Complaint petition and submit the detailed report through the Revenue Divisional Officer, Srikakulam at an early date.

In the mean while, in the reference 3rd cited, the applicant has filed an OA No.57of 2023(SZ) & IA No.56 of 2023 in the Hon'ble National Green Tribunal, Chennai and the Hon'ble National Green Tribunal while posting the OA No.57 of 2023(SZ)& IA No.56 of 2023(SZ) to 01.08.2023, has passed the following orders on 03.07.2023.

1. **Mrs. Madhuri Donti Reddy, the learned counsel accepts notice on behalf of Respondents Nos.1 & 2.**
2. **From the additional documents filed by the learned counsel for the applicant, it appears that there is already a communication from the District Collector – Srikakulam to the Tahsildar – Narasannapeta dated 15.10.2022 to take necessary action to evict encroachments in Survey No.219 which had classified as 'Gramkantam' and 'Rajula Cheruvu', as these lands are already occupied by some grabbers and illegal constructions are made.**
3. **Let the report be filed by the authorities after making the spot inspection.**
4. **Post the matter on 01.08.2023.**

In the references 3rd & 4th cited, the Tahsildar, Narannapeta and the Revenue Divisional Officer, Srikakulam have submitted their reports stating that, the alleged tank is in Grama Kantam land of Gottipalli Village, Narannapeta Mandal.

I, therefore, request that, all the address entry officers are requested to conduct Joint Survey of the alleged land/ tank and identify the encroachments if any, in the subject land and submit the Joint Survey report together with sketches, Google maps etc., before **22.07.2023** to this Office for taking further necessary action in this matter.

Yours faithfully,
Sd./-P.Murali Krishna
District Revenue Officer
for Collector, Srikakulam.

//t.c.f.b.o//

Superintendent-E

Praka
20/7/2023
EA

Rc.No.1093/2023/F, dt:24.07.2023

O/o Revenue Divisional Officer, Srikakulam.

From

To

Smt. B. Santhi, M.A.,
Revenue Divisional Officer,
Srikakulam.
Sir,

The District Collector,
Srikakulam.

Sub: Encroachments in Gramakantam Lands – Sirkakulam Division- Narasannapeta Mandal – Gottipalli – Request to take necessary action against the encroachers of Gramkantam lands – Detailed report submitted- Reg.

Ref: 1.Rc. No.1687/2022 E4, Dt 15.10.2022 of District Collector Srikakulam.
2.Rc.No.186/2023/a, dt:05.06.2023 of the Tahsildar, Narasannapeta.
3.This office Rc.no.1093/2023/A, dt:10.07.2023.
4.Rc.No.1687/2022/E4, dt:20.07.2023 of the District Collector, Srikakulam.
5.Rc.No.185/2023/A, dt:22.07.2023 of the Tahsildar, Narasannapeta.

@@@

Kind attention is invited to the references cited.

It is submitted that, in the reference 1st cited, the District Collector, Srikakulam while forwarding a representation filed by Dr. D.V. Rao, Advocate, Supreme Court of India, before National Green Tribunal and requested to enquire into the contents of the representation and to take necessary action to findout the encroachments as per the rules in force, if any found in the enquiry as alleged and intimate the same directly to the complainant and also to submit the detailed report through the Revenue Divisional Officer, Srikakulam to this office.

It is submitted that, in the reference 2nd cited, the Tahsildar, Narasannapeta has reported that, the matter has been enquired by Mandal Revenue Inspector Narasannapeta and Mandal Surveyor Narasannapeta , the enquiry report reveals as follows,

The petitioner filed a representation before National Green Tribunal and stated that the Government land in Sy.219 of Gottipalli Village, Narasannapeta Mandal, which is classified as Gramakantam in which Rajula Cheruvu is existing and these lands were occupied by some grabbers and made illegal constructions and also stated that the Hon'ble Court has passed orders to remove the encroachments within a period of three(03) months from the receipt of the order and that the advocate through the notice has requested to take immediate action to evict the illegal constructions in view of the Hon'ble High Court of Andhra Pradesh order, dated 19.02.2022 passed in W.P.No. 1631 of 2020.

The Tahsildar, Narasannapeta has further submitted that as per the Revenue Records of Gottipalli Revenue Village, the Sy.No.219/1B1 is classified as Gramakantam. The subject land i.e Rajula Cheruvu is located in Grama Kantam and the specific boundaries and extent not mentioned in the Revenue Records of Gottipalli Village. Powers on Gramakantam Lands are vested with Gram panchayat only, as per judgment passed by the Hon'ble High Court in WP number 3428/2022 the revenue authorities have no jurisdiction to interfere in the the properties are vested with the Grama

Panchayat and even for encroachments it is for the Grama Panchayat to initiate action but not by the revenue authorities.

It is submitted that, as per the Revenue Records of Gottipalli Village of Narasannapeta Mandal the details of Sy.No.219 is as follows:

Sy.No.	Extent in Acres	Classification
219/1A	5.35	Women's College
219/1B1	124.42	Gramakantam (Narasannapeta Village site)
219/1B2	0.03	Homeo Dispensary
219/2	0.20	Panchayat Daily Market
Total :	Ac. 130.00 cents	

It is submitted that, in the reference 4th cited, it has been directed the Revenue Divisional Officer, Srikakulam, the District Panchayat Officer, Srikakulam and the Tahsildar, Narasannapeta to conduct joint survey of the alleged land/tank and identify the encroachments if any, in the subject land and submit the Joint Survey report together with sketches, Google maps etc before 22.07.2023 to their office for taking further necessary action in the matter.

It is submitted that, as per the instructions of the District Collector, Srikakulam, I myself along with the Tahsildar Narasannapeta, Mandal Surveyor Narasannapeta, Executive Officer, Narasannapeta Grama Panchayat conducted Joint Survey on Dt.21.07.2023 at Gottipalli Revenue Village in Sy.No 219 of Rajula Cheruvu. It is submitted that the nomenclature as Rajula Cheruvu is not at all mentioned/recorded in the Revenue Records. But, locally called as Rajula Cheruvu.

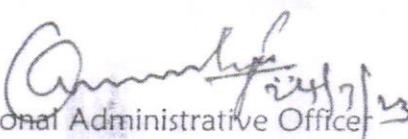
It is submitted that, after surveying the total Rajula Cheruvu existing boundary in Sy.No. 219/1B1 which is Gramakantam land in Gottipalli village, it is found that the total area of Rajula cheruvu comes to an extent of Ac.13.58 cents which covered with water and after surveying the builtup area as alleged by the petitioner, it comes to an extent of Ac.4.31 cents by way of structures which are in Sy.No.219/1B1 classified as Gramakantam Village site of Gottipalli Village in Narasannapeta Mandal.

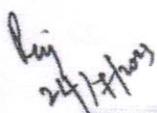
It is submitted that, the Tahsildar, Narasannapeta has also reported that, as per the report of the Executive Officer, Narasannapeta Grama Panchayat, the alleged builtup area having 395 structures i.e. slabbed houses, temporary sheds, Temple, Sulab complex, Church, schools, Anganwadi center, Vegetable market sheds etc are covered in an extent of Ac.4.31 cents in.No.219/1B1 classified as Gramakantam Village site of Gottipalli Village in Narasannapeta Mandal.

This is submitted for kind perusal and further necessary action in the matter.

Yours faithfully
Sd/- B.Santhi,
Revenue Divisional Officer,
Srikakulam.

//t.c.b.o//


Divisional Administrative Officer


24/7/23

Rc.No.3353/2023/P4, dt: .07.2023 O/o District Panchayat Officer, Srikakulam.

From
Sri V.Ravi Kumar
District Panchayat Officer
Srikakulam

To
The District Collector
Srikakulam

Sir,

Sub: Encroachments in Gramakantam Lands – Srikakulam Division- Narasannapeta Mandal – Gottipalli – Report on encroachments of Government lands – Detailed report submitted- Reg.

- Ref: 1. Common orders issued by the Hon'ble High Court dated.19.02.2020 passed in W.P 1631 of 2020.
2. This Office Rc No.3353/2022 P4 Dt.27.06.2023.
3. Rc No.86/2023/C Dt.21.07 2023 of the Executive authority and Panchayat Secretary, Narasannapeta Gram Panchayat.
4. Rc No.1687/2022/E4 Dt.20.07.2023 of the District Collector, Srikakulam.

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Kind attention is invited to the references cited.

Where in the reference 4th cited, it has been instructed to the undersigned to submit report in connection with encroachments of Government lands in Survey No.219 of Gottipalli village of Narasannapeta Mandal.

In this connection Executive authority and Panchayat Secretary, Narasannapeta was directed vide reference 2nd cited to identify the encroachments and submit report to this Office for taking further necessary action.

It is submitted that the petitioner filed a representation before National Green Tribunal and stated that the Government land in Sy.219 of Gottipalli Village, Narasannapeta Mandal, which is classified as Gramakantam in which Rajula Cheruvu is existing and these lands were occupied by some grabbers and made illegal constructions and also stated that the Hon'ble Court has passed orders to remove the encroachments within a period of three(03) months from the receipt of the order and that the advocate through the notice has requested to take immediate action to evict the illegal constructions in view of the Hon'ble High Court of Andhra Pradesh order, dated 19.02.2022 passed in W.P.No. 1631 of 2020.

The Executive authority and Panchayat Secretary, Narasannapeta Gram Panchayat has further submitted that as per the Revenue Records of Gottipalli Revenue Village, the Sy.No.219/1B1 is classified as Gramakantam. The subject land i.e Rajula Cheruvu is located in Grama Kantam and the specific boundaries and extent not mentioned in the Revenue Records of Gottipalli Village.

Further as per the Revenue Records of Gottipalli Village of Narasannapeta Mandal the details of Sy.No.219 is as follows:

Sy.No.	Extent in Acres	Classification
219/1A	5.35	Women's College
219/1B1	124.42	Gramakantam (Narasannapeta Village site)
219/1B2	0.03	Homeo Dispensary
219/2	0.20	Panchayat Daily Market
Total :	Ac. 130.00 cents	

It is submitted that, as per the instructions of the District Collector, Srikakulam, As per the report submitted by the Panchayat Secretary, Narasannapeta It is submitted that the nomenclature as Rajula Cheruvu is not at all mentioned/recorded in the Revenue Records, but, locally called as Rajula Cheruvu.

It is submitted that, after surveying the total Rajula Cheruvu existing boundary in Sy.No. 219/1B1 which is Gramakantam land in Gottipalli village, it is found that the total area of Rajula cheruvu come to an extent of Ac.13.58 cents which covered with water and after surveying the builtup area, it comes to an extent of Ac.4.31 cents in survey No.219/1B1 classified as Grama Kantam village site of Gottipalli village of Narasannapeta Mandal by way of following structures and taxes have been imposed and collected from the structures taken place in the builtup area by the Gram Panchayat. The details of the structures located in the builtup area of Ac.4.31 cents i.e, in Gramakantam land are as follows.

S.No	Name of the Gram Panchayat	Details of Structures	Name of the Structure	No.installed/constructed
1	Narasannapeta		Wooden Houses	56
			Tin Shops	124
			Thatched sheds	03
			R.C.C Shop	01
			Sub Total	184
		Houses in builtup area	Houses	198
		Other constructions in builtup area	Other constructions	13
		Grand Total		395

This is submitted for kind perusal and further necessary action in the matter.

Yours faithfully


District Panchayat Officer
Srikakulam


24/12/23