

Email

Judicial Section

Subject :- Order dated 29/05/2023 passed in Original Application No. 357/2023 P.S. Saboo Applicant Versus Union Territory of Andaman & Nicobar Islands Respondent for your kind perusal & necessary action.

From : saboo aicro <saboo.aicro@gmail.com>

Thu, Jun 22, 2023 05:49 PM

Subject : Subject :- Order dated 29/05/2023 passed in Original Application No. 357/2023 P.S. Saboo Applicant Versus Union Territory of Andaman & Nicobar Islands Respondent for your kind perusal & necessary action.

1 attachment

To : Judicial Section <ngtjudicial-kolkata@gov.in>

Respected Sir,

In response to your mail I am sent some information is attached herewith .

Thanking You,
With Regards
P.S.SABOO
ANDAMAN.

National Green Tribunal - 2023.docx

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To,
Hon'ble Mr. Justice Adarsh Kumar Goel,
Present Chairperson,
National Green Tribunal
Faridkot House, Copernicus Marg, New Delhi - 110 001.

Subject:- Grievous complaint / legitimate grievances against the ruthless, adamant and arrogant devastation of the Ecological Biosphere/ green environment, comprising of centuries old green belt and various plantations, executed by the forest department, for the past several years, involving precious funds, granted by the Ministry of Environment & Forests/MHA/Central/All Developmental Schemes/Smart City Project, etc from the year 2017 some of the officials are being deputed/transfer from New Delhi to these precious Islands namely Shri. Chetan B Sanghi (IAS) & Shri. Jitendra Narain, IAS Ex - Chief Secretaries, A & N Islands, Shri. Suneel Anchipaka (IAS), Ex- Deputy Commissioner, South Andaman as well as Ex-Secretary, Municipal Council, Port Blair on the above official tenure period highly made damages to our A & N Islands for obtaining high level corruption without obtaining environmental clearance, as a requisite procedure for execution of undertaking any developmental construction activities, thereby damaging the fragile ecosystem, in the highly sensitive coastal regulation Zone, in utter violation to the Master Plan, as well as the instruction and directives of the GOI and the Hon'ble Supreme Court of India, towards preservation of the fragile Ecosystem – Reg.

Hon'ble Sir,

With reference to the above mentioned subject it is highly ridiculous, ironical, pathetic, disgusting, abysmal and disasterous to observe that although there is huge cry and revolt all over the world towards preservation of the fragile ecosystem of the Mother Nature, the reverse is happening in these remote islands, endowed with pristine Mother Nature.

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In this context it is completely disheartening to observe that the A & N Administration, in the name of development, is completely ruining the pristine mother nature, out of lust and greed, in the name of development, by completely destroying the evergreen fragile ecosystem and the declared biosphere, of these Islands, wherein a huge amount of evergreen trees as well as the vegetation, has been destroyed and devastated ruthlessly, without obtaining necessary environmental procedural clearances from the Ministry of Environment and Forest and the Govt. of India.

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Thus under the prevailing circumstance, your kind intervention into the matter of destruction, devastation and destroying of the evergreen vegetation in the highly restricted CRZ Biosphere Reserve, needs to be condemned, depicting the previously existing evergreen cover and the devastated present position. Hence I am mentioning herewith an examples of illegal activities occurs in the period or tenures of officials namely Shri. Chetan B Sanghi (IAS) & Shri. Jitendra Narain, IAS Ex - Chief Secretaries, A & N Islands, Shri. Suneel Anchipaka (IAS), Ex- Deputy Commissioner, South Andaman as well as Ex-Secretary, Municipal Council, Port Blair had been made their own will & wish without obeying any Hon'ble Courts orders and submitting a few facts for Hon'ble Sir for kind information with the request to pass necessary directions / orders to the authority concerned for a proper impartial inquiry in a time bound manner. Some details & Photographs are given below as point wise.

Point No. 1:-

It is to inform you that the A & N Islands as No doubt the Government of India provides sufficient money for the development of Andaman and Nicobar Islands but still the peoples of Andaman are denied basic facilities. And the reason behind is the high rate of corruption in the Andaman and Nicobar administration.

I am surprised why the local media and local leaders don't raise their voices against corruption. Many corruption cases are either pending in the Anti-

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corruption unit of Andaman and Nicobar administration or pending in the office of CVO i.e. Chief Vigilance Officer. Till date I have not heard either the Anti-corruption unit or the office of the CVO taken action against any bureaucrats.

Almost in each and every department under Andaman and Nicobar administration large scale corruption is taking place. People who obey the rules and who are honest are being harassed and the people who violate rules do corruption are pampered by this administration. The bureaucrats are very easily in nexus with broker's brake and frame law. Encroachment is done under the nose of revenue development but no action. Whenever complaints are given regarding enchantment revenue development including DC, Tehsildar, RI, Patwari turns a blind eye. Overall I want to say development is impossible till the corruption in Andaman and Nicobar islands is not curbed. Government of India should give preference to all the representation given by the general public regarding the issue of corruption or else the crocodile of corruption in nexus with brokers of corruption will not allow development in Andaman and Nicobar islands.

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Necessary documentary is given below

A&N Administration draws up ambitious plan for investment of Rs. 33,500 crore to develop Islands

Airways, Seaways, Roadways, Ports, Bridges, Power, Transport, Tourism, Fishery sectors set to witness discernible progress

Social infrastructural projects in Health, Agriculture, Community Development & Housing to be executed to improve ease of living

Port Blair, And N
 The Hon'ble Prime Minister, Shri Narendra Modi in his Independence Day speech 2020 has highlighted that Rs. 100 lakh crore would be invested in infrastructure over the next five years.
 The Andaman and Nicobar Administration has drawn up an ambitious plan to develop the Islands with an investment of Rs. 33,500 crore in infrastructure projects by 2025 which will change the face of the Island Territory and improve ease of living significantly in the Islands.
 An amount to the tune of Rs. 2000 crore will be invested to improve air connectivity in the Islands. It is proposed to construct two Comaircraft Airports, one at Port Blair and the other at Campbell Bay. The runway at Shillpur Airport is being extended for operation of larger flights to Imphal and other of the New Terminal Building at VNI Airport Port Blair is progressing fast and will be completed by mid-2021. Apart from this, water aerobics will be set up at different tourist destinations in the Islands. The Administration has also submitted proposal for augmentation of helicopter fleet with higher seating capacity for the Government of India. Helicopters will also be acquired to facilitate better connectivity.
 The UT Administration has also planned to develop shipping infrastructure with acquisition of new vessels including solar powered boats and conversion of Diesel boats into electrical propulsion system. Further, modernization of Dry Dock has been planned for repairs and maintenance. An estimated amount of Rs. 1700 crore will be pumped in shipping sector.
 A major investment of Rs. 5000 crore has been projected for establishing Transshipment Port (TTP) Phase II South Bay in Great Nicobar Island under PPP Mode. Tender has been invited for setting up a Vadh Marina at Hat Bay. Various other Ports in Port Blair will also be developed and upgraded. An investment of Rs. 1400 crore will be made under this sector.
 The Hon'ble Prime Minister has already directed the Chennai, Andaman and Nicobar (CAN) Submarine Cable on 10.06.2020. Redundant Submarine Optical Fiber Cable for CANI-NOC connecting Shillpur and Port Blair is also in the pipeline. An amount of Rs. 2000 crore will be invested in this sector.
 A part from upgradation of NHs and construction of new bridges over Middle Strait and Humprey Strait progressing at an estimated cost of Rs. 1600 crore, the Administration has planned Rs. 1400 crore investment in the road sector including construction of flyovers, under passes and Andaman Advise Bridge connecting Port Blair to North Bay with a bridge at Mirchakhat.
 To develop the Islands as Green and Clean, the Administration has planned for Decarbonization from 9% to 97%. A 20 MW Solar Power Plant has been established at Port Blair. NHK has been signed with REE for setting up of 5.7 MWp Solar Rooftop Plant in all Government Buildings at North & Middle Andaman to be completed by March, 2021. In addition to this, a 50MW Laxi Plant is proposed to be established at Haveli Town. A total investment of Rs. 2700 crore is proposed in this sector upto 2025.
 The Administration has prepared roadmap for setting up a smart island and villages will be launched in these Islands. 72 e-Vehicles have been inducted in Government Engineering, NHK has been signed with NTPC for installing 20 AC electric buses for public transport and 20 more will be procured under Smart City Mission. An investment to the tune of Rs. 400 crore will be made.
 An investment of Rs. 900 crore has been planned for Water supply augmentation and distribution, which includes development of Sweet Water Lake at Hat Bay and Sirighat.
 Laying of submarine pipeline for Rural water supply projects has been awarded at an estimated cost of Rs. 4000 Cr. and is expected to be completed by June, 2021.
 Area based feasibility request for sewage system in Port Blair Municipal Area is under preparation. Feasibility report for 4 Wards (Ward No. 2, 3, 4 & 5) out of 24 Wards has been prepared at project cost of approx. Rs. 200 crore.
 In order to boost branding and highest tourism in the Islands, IPAC/STC, REE and Commissioner's Agreement for four Eco tourism projects costing Rs. 600 crore has been submitted to Government of India and on approval, REE will be invited to the identified developer. Two new projects have been identified with project cost of Rs. 1000 crore. In addition, tourism infrastructure of Rs. 1000 crore has been planned.
 An investment of Rs. 300 crore has been projected for development of Fisheries infrastructure which includes Deep Sea Fishing Harbor and acquisition of Deep Sea Fishing Vessels.
 An Integrated Command & Control Centre (ICCC) will be established under Smart City. Project of an estimated cost of Rs. 100 crore and various other projects will be taken up under Smart City which includes multi-level parking, development of markets, way side amenities, green spaces to the tune of Rs. 400 crore.
 Infrastructural Projects for future development and full sufficiency of the Andaman & Nicobar Islands have been planned, which include Smart City & Intelligent Traffic Management System (ICTMMS) and T-View (e-provide Mechanism/Smart Tourist Police System/Smart Communication Architecture (SCA) etc. Apart from this, coastal security is being strengthened. The total investment anticipated is Rs. 3700 crore.
 Various other social infrastructural projects to the tune of Rs. 600 crore in Health, Agriculture, Community Development and Housing will be executed during this period to improve ease of living, a great vision from A&N Administration said.

POINT No. 2.:-

It is to bring to your knowledge that High level corruption taking place in Deputy Commissioner Office, South Andaman District under A & N Administration as the

Government of Indian paid huge compassion to the people's whose paddy land gone submerged during 2004 Tusamani.

Now again earth filling is conducted and the revenue department gone blind eyes of the officials of Andaman & Nicobar Administration. In further in case once again unfortunately Tusamani will come again Government will have to pay huge compassion. Very easy to understand about the brain child act.

With the collaboration of Deputy Commissioner Office in between few corrupt officials of revenue department and real estate agents.

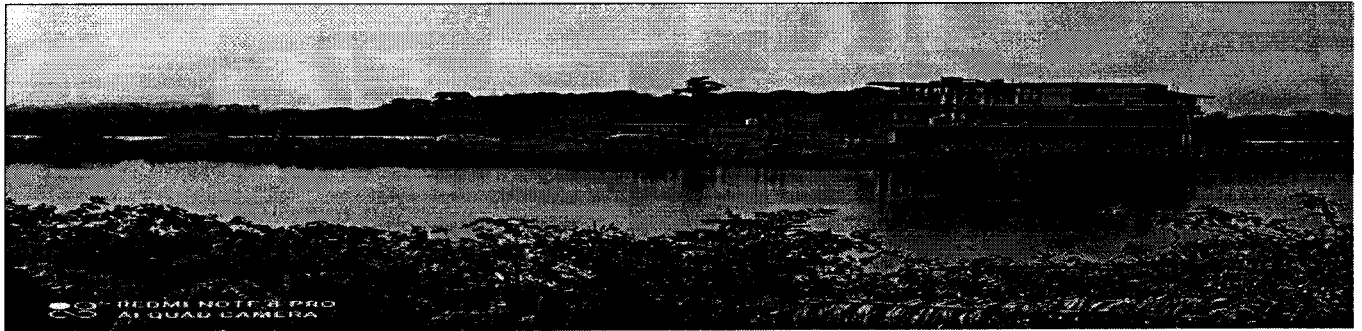
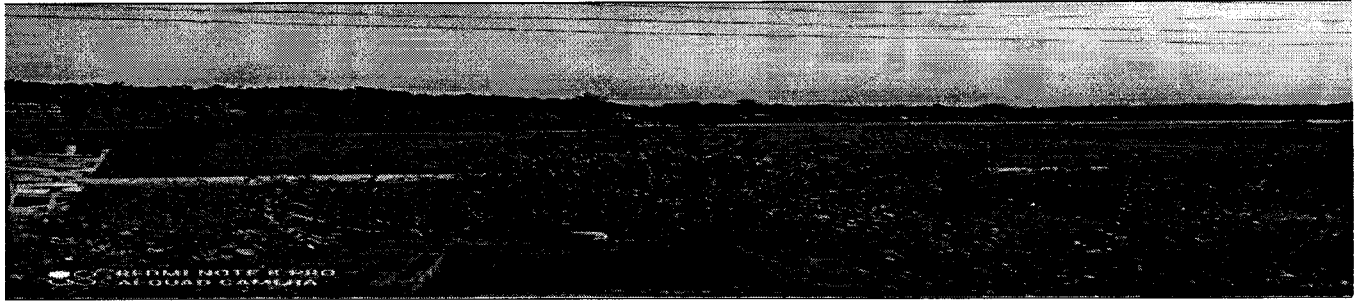
It is our request from the general public of these Isles that the Authority @ should immediately stop such earth cutting and earth filling at Port Blair, Andaman District. So as we can get save our lives in Andaman District.

Necessary some photographs are given below.

Photographs of paddy land gone submerged during 2004 Tusamani Area ways in between Garacharama to Sippighat



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POINT No. 3.:-

It is to bring to your knowledge that High level corruption taking place in Deputy Commissioner Office, South Andaman District by Earth cutting of hilly land and earth filling in natural drain and paddy land for the purpose of converting hilly and paddy land to mass house site is illegal under A & N Administration under A & N Administration. With the collaboration of Deputy Commissioner Office in between few corrupt officials of revenue department and real estate agents.

It is our request from the general public of these Isles that the Authority @ should immediately stop such earth cutting and earth filling at Port Blair, Andaman District. So as we can get save our lives in Andaman District? Some Picture of huge hill cutting under ChouldariPanchayat stop immediately and take action against the responsible people's both in office and real estate agent.



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**POINT No. 4:-**

The great realty scam saga sale, resale of Govt. Land takes menacing shape of rampant encroachment of Panchayat land at Hasmatadvillage under Gram PanchayatWandoor.

Respectfully, I put forward the facts to the interest of general public and belated action taken by officials of A & N Administration under Revenue Department and officials of Gram Panchayat for Rampant encroachment of government land, especially in rural hamlets of the islands is increasingly becoming a challenge for the District Administration as they are struggling to deal with the menace. Despite claims of the Revenue department that regular eviction drives are being carried out, there is no end to the encroachment of government land. While at

one hand, the Revenue department claims to conduct regular eviction drives, sources told to our organization that few officials of the same Revenue department are working hand in glove with the land mafia to first get the government land encroached and then sell the land to poor innocent people. There have been stories roaming all around about illegal encroachments and sale of Panchayat/government land by a land mafia with the support of revenue officials.

One such example of illegal encroachment and sale of government land, Mr. Adhir Das, Pradhan, Gram Panchayat, Wandoor told to our organization that the Wandoor Gram Panchayat has submitted letter to the Chief Secretary of the Administration complaining about one Mr. Gopesh Biswas who has allegedly occupied land belonging to the Wandoor Gram Panchayat in an illegal manner and selling the land to poor innocent people. In his letter, the Pradhan, Gram Panchayat Wandoor has alleged that Mr. Gopesh Biswas, R/o Bhatubasti has illegally occupied massive govt. revenue land at survey No. 100/P under Hasmatabad village under Ferrargunj Tehsil. During the year 2017-18, he has sold the Govt. land to few villagers on the pretext that the land is a private property and he is the lawful occupant of the land and possesses all the valid documents/license of the land.

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But, after a few years, the Tehsildar, Ferrargunj issued notices to all those who have purchased the land from him asking these people to vacate the illegal encroachment of Panchayat and revenue land. It is only after receiving notices from the Teshildar, these people came to know that the land they have purchased from Mr. Gopesh Biswas is actually Panchayat land and they have purchased illegally occupied land. Around 1.00 hectares of land has been allotted in favour of Gram Panchayat Wandoor vide Order No. 1028 dated 13th October 2022. After knowing the facts that they have been duped, 4-5 villages have filed complaints before the Hon'ble Court and subsequently four FIRs have also been registered against Mr. Gopesh Biswas. However, the victims have been complaining that the Humfrygunj Police have been deliberately delaying the investigation process.

Meanwhile, Mr.GopeshBiswas had also approached the Hon'ble Court of Civil Judge (Sr. Division), Port Blair and had filed Title Suit No. 62 of 2022 by suppressing the facts that he hails from a financially poor background having encroached upon a govt. land at Hasmatabad and sought regularization of the encroached land. The Hon'ble Court vide Order dated 21/09/2022 considering the affidavit filed by him directed to maintain status quo over the suit property till disposal of the suit.

Furthermore, the Pradhan, Wandoor has alleged that Mr.GopeshBiswas has been acting as a land mafia and by misguiding and manipulating the innocent people has sold the Govt. land at a price ranging from Rs 2 lakh to Rs 3.5 lakh. Mr.GopeshBiswas obtained a stay-order on the land from the Hon'ble Court and is now himself violating the Court order by constructing structures on the encroached Panchayat land.

In fact, the actual conspiracy is hatched by the Revenue officials and the might of the land mafia is used for just encroachment and fencing of the government land. The Revenue officials on the ground with the blessing of his senior officers would mark the land and land mafia then go ahead encroaching upon the land. They even verbally declare the land as private property so that the land can be sold to innocent people. All those people who have purchased the government land now know that they will never get the patta of the land and have been pleading with the authorities to get their money back.

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PHOTOGRAPHS SHOWS RAMPANT ENCROACHMENT OF PANCHAYAT LAND AT HASMATABAD VILLAGE UNDER GRAM PANCHAYAT WANDOOR



POINT No. 5:-

Invitation to Man Made Disaster and Disaster Looming Large by Rampant hill-cutting exposes hundreds of families in Nayasher region to danger.

Rampant earth-cutting by land dealers engaged in land potting for sale has made the Nayasher region in South Andaman extremely vulnerable to landslides and flooding. This has put the lives of hundreds of families living in low laying areas in this region in danger. What is more bothersome is the encroachments of natural drains leading from the nearby Vasundhara Dam up to the sea. The earth-cutting and filling work has created such a disturbing situation that almost all the natural nallah/drain paths leading from the dam upto the sea have been encroached and levelled. The situation is so alarming that in the event of continuous rain, the water from the overflowing dam is denied its natural flow path to which will result lead to massive flooding.

In this context, it is to be reiterate that Mr. Dulrab Das, Pradhan, Gram Panchayat, Guptapara told our organization that the massive hill-cutting in this region is posing a serious risk of flood-like situation in villages like Manglutang, Humfrygunj, Wandoor and Guptapara. This region is already prone to flooding and during incessant rain the water released from the Vasundra dam combined with incessant rain water leaves the entire low laying region flooded. Now with such a massive earth cutting and encroachment of natural paths (nallah) by the land dealers there is no path left for the water to flow down up to the sea. This will bring a lot of devastation to the nearby villages during incessant rain. The people of these areas

have to face a lot of hardships, even have to be shifted to nearby schools or community halls. During calamity, these land brokers are seen nowhere. They are here just to make profit and once all the plotted land is sold out, they will disappear.

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“It is only the PRI members and the local residents of this region who will come forward to help the villagers in distress”, The authorities concerned as per normal practice in the event of overflowing of the dam during raining season, APWD officials alert the nearby villagers before releasing water from the dam, said the Pradhan and requested the administration to involve the Panchayats before issuing clearance to private or government projects in such areas so that the Panchayat can make it sure that the earth-cutting work will have no negative impacts on the villages. Such indiscriminate earth-cutting in the name of development is nothing but inviting man-made disasters, said a distressed Pradhan. Requisite photographs also enclosed for your kind perusal.

PHOTOGRAPHS SHOW DISASTER LOOMING LARGE BY RAMPANT HILL – CUTTING EXPOSE HUNDREDS OF FAMILIES IN NAYASHER REGION TO DANGER.



POINT No. 6:-

Indiscriminate felling of mangrove trees at Mayabunder under N & M Andaman District.

Respectfully, I put forward the facts to the interest of general public and belated action taken by officials of A & N Administration that the indiscriminate cutting of mangrove trees in the Mangrove Interpretation Centre at Mayabunder to lay electric poles has drawn the flak of environment experts. The mangrove trees have been felled by the Department of Electricity department, Mayabunder in N&M Andaman for installing electric lines, right under the nose of the Forest department. According to a local, the Mangrove Interpretation Centre, Mayabunder. Opp. Helipad is a popular tourist spot with scores of tourists visiting this centre to enjoy the greenery and mangroves. But recently, in order to save a few meters of electric lines, the Electricity department laid electric poles to carry electric lines in between mangroves and jungle trees by felling mangroves.

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In this context, it is to be reiterating that a healthy mangrove in the coastline acts as a barrier protecting the shoreline from natural calamities like tsunami & flooding. Mangroves also act as nurseries for a wide range of marine species. Governments throughout the world have been taking extra initiatives to protect mangroves. But unfortunately, for authorities in the islands, protection of mangroves comes as the last priority. Instances of destroying mangroves in the islands have been reported on many occasions in the past, but absence of strict action has encouraged people to destroy mangroves unchecked. The cutting of mangroves for laying of electric lines is one such example; mangroves are being destroyed by encroachers as well as government departments. Our organization has been tried to contact officials of Electricity and Forest departments to seek their comments. But they could not be contacted.

**PHOTOGRAPHS SHOW INDISCRIMINATE FELLING OF MANGROVE TREES
AT MAYABUNDER UNDER N & M ANDAMAN DISTRICT**



Point No. 07 :-

I am submitting a few facts for Hon'ble sir kind information with the request to pass necessary directions / orders to the authority concerned for a proper impartial inquiry in a time bound manner. It is a fact and matter of record that a huge amount (crores of rupees) was incurred in constructing High Mast Flag hoisting (near Govt. Press) no tender / quotation notice was published in the "The Daily Telegram"/Local newspaper for the same. Not got any approval from the environmental concerned. The Secretary PBMC, in violation to the GFR and without taking any prior approval from the Competent authority in regard to sanction of funds

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for constructing the High Mast Flag hoisting (near Govt. Press) had purchased materials and awarded the construction work to the supplier /contractor of his own choice in ex-orbitant rates after an under hand dealing. It is evident from the afore stated facts that the Secretary, PBMC had violated GFR in regard to purchasing of materials for construction of High Mast flag hoisting (near Govt. press). It appears that there was some kind of underhand dealing with Secretary, PBMC / Contractor

/Supplier, which needs proper inquiry to reveal the truth. A through inquiry is to be made in this matter from the agency concerned under the Ministry of MHA/CBI/Others.

Hence to epitomize further, it is requested to intervene into this matter on emergent priority basis, in the best interest of natural justice and initiate appropriate action against the offenders, i.e. the A & N Administration, as early as possible and provide relief to the citizens of these remote and isolated Islands and save them from the atrocities of the higher bureaucrats, who are enforcing restrictions on the general public, whereas they themselves are violating all the directives of the GOI and the Hon'ble Supreme Court of India.

Thanking you in anticipation, for speedy and justified action, for prosperity and safeguarding the fragile eco-system of these beautiful incredible and benevolent Islands.