

Item Nos.1 & 9:-

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

(Through Video Conference)

**Executive Application No.03 of 2023 (SZ) in
Original Application No. 92 of 2020(SZ)
AND
Original Application No. 92 of 2020(SZ)**

IN THE MATTER OF:

Gareeb Guide (NGO).

...Applicant(s)

State of Andhra Pradesh,
Through its Chief Secretary & Anr.

...Respondent(s)

Date of hearing: 17.04.2023.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

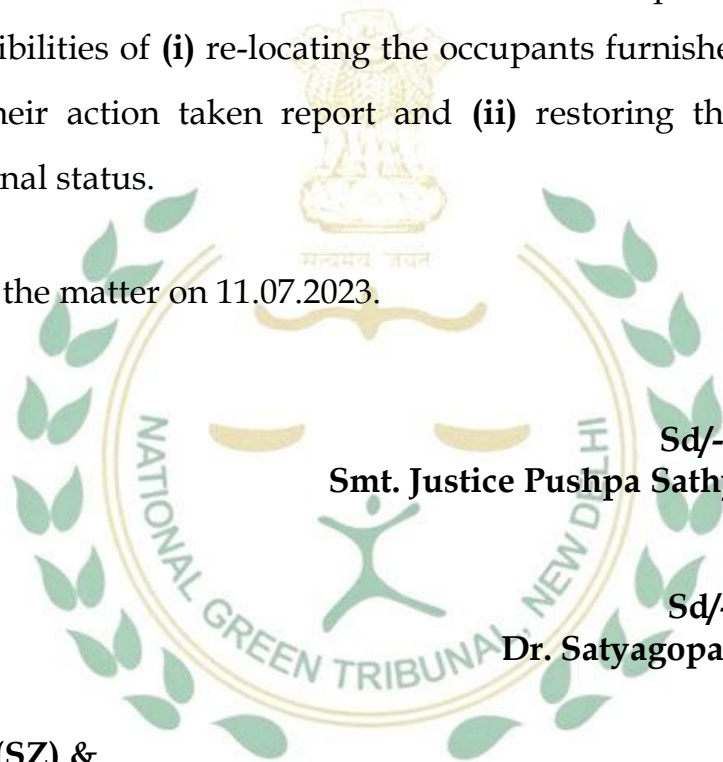
For Applicant(s): Mr. D. V. Rao.

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

ORDER

1. The Execution Application [E.A. No.03 of 2023 (SZ)] is connected to the Original Application No.92 of 2020 (SZ) in which the above Execution Application is filed.
2. On 01.12.2022, this Tribunal had passed an order directing the District Collector – Srikakulam to clear the encroachments, restore the inlets to the water tank and a file report along with the revenue records relating to the same with respect to Survey No.59.
3. According to the applicant, the District Collector has not obeyed the said order. Hence, he has filed this Executive Application.
4. However, today, the District Collector – Srikakulam has filed a response stating that in Survey No.59, an extent of 12.75 Acres is classified as Tank Poramboke viz., Kakarla Pond. Further, they have furnished a tabular column, in which, the details of the nature of construction/structure, extent and duration of occupation/ construction are furnished. The above structures are there in existence between 10 and 42 years. Of the 12.75 Acres, an extent of 7.68 Acres which were in occupation of individual agricultural farmers and the vacant land for Sri Lakshmi Narasimha Swamy Yatra purpose are said to have been restored by evicting the encroachers. Similarly, it is the duty of the District Collector to restore the rest of the extent of the pond also.

5. It is also now stated that the said Kakarla Pond is extended to another Survey No.48. If that is so, let the District Collector find out the total extent of the area available for the purpose of the Kakarla Pond to ensure that they are encroachment free with the inlets and outlets cleared. As it is stated that even if any of the water bodies are put to disuse, it will not take away the character of the same and should be retained only as a water body.
6. Let the District Collector file an additional report exploring the possibilities of (i) re-locating the occupants furnished in Para (10) of their action taken report and (ii) restoring the pond to its original status.
7. Post the matter on 11.07.2023.



Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Satyagopal Korlapati, EM

E.A. No.03/2023 (SZ) &
O.A. No.92/2020(SZ)
17th April, 2023. AD.