
Government of India
National Commission for Scheduled Tribes
(A Constitutional Commission set up under Art. 338A
of the Constitution of India)

SPEEDY

File No. KRP/1/2016/STGAP/DELAAL/RU-IV

25.10.2016

To,

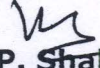
1. The Principal Secretary (Revenue),
Government of Andhra Pradesh,
New Secretariat
Velagapudi,
Thullur Mandal, Amaravathi
Guntur.
2. The District Collector,
Visakhapatnam,
(Andhra Pradesh)
3. The Commissioner of Police,
Visakhapatnam,
(Andhra Pradesh)

**Sub: Representation of Smt. Kondru Rajeswari (Alias) Parvathi,
Gambhiram Villagae, Visakhapatnam Dist. (AP) regarding land
alienation.**

Sir,

I am directed to enclose a copy of the Proceedings of the Sitting held in the National Commission for Scheduled Tribes on 31.08.2016 on the above mentioned subject for necessary action and to send the action taken report to the Commission at an early date.

Yours faithfully,


(V.P. Shahi)
Assistant Director

7357-60
27/10/16
जारी किया
ISSUED

Copy to:-

Smt. Kondru Rajeswari (Alias) Parvathi,
W/o (late) Kondru Appanna,
Gambhiram ST Colony,
Gambhiram Village,
Visakhapatnam (AP).

o/c

Proceedings of the Sitting taken by the Vice-Chairperson, NCST on 31.08.2016 in the matter of Smt. Kondru Rajeswari (Alias) Parvathi, Gambhiram Village, Visakhapatnam District (AP) regarding land alienation.

Date of sitting: 31.08.2016

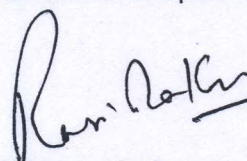
List of the officers present: (Annex I)

Representation received from Smt. Kondru Rajeswari (alias) Parvathi, Gambhiram Village, Visakhapatnam district (A.P.) regarding land alienation.

1) Brief of her representation :-

- a) Her husband, Shri Kondru Appanna was discharged from defense services on October 31st, 1976. He was given 5.00 Acre of land at Gambhiram village as ex-servicemen quota.
- b) People misguided her husband and grabbed the land with fabricated and forged papers, in connivance with the Revenue Department and the Police Department.
- c) Her husband died in 2008.
- d) That the land grabbers are P.V.Ramani and Pinnamraju Satyanaraya Raju.
- e) That the then Hon'ble member, NCST, Smt. K.Kamala Kumari Garu went to Vishakhapatnam and gave orders to the Collector, Vishakhapatnam and RDO, Vishakhapatnam to address her grievances.
- f) That the RDO, Vishakhapatnam had given an order to MRO Anandapuram to vacate the land from the land grabbers but this did not happen.

2) In view of the above representation received in the Commission, a sitting notice was sent to the Principal Secretary, Revenue Department,


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उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Govt. of Andhra Pradesh and the District Collector, Vishakhapatnam on 06/06/2016 to hear the case.

3) A reply was received from the Collector's office that the Tahsildar, Anandapuram was deputed to conduct an enquiry and that the Tahsildar had submitted his report.

4) On 16/06/2016 the respondents were absent. The Collector stated vide letter dated 03/06/2016 that the case was subjudice and that his personal presence may be dispensed with.

5) Therefore another sitting was called 4/7/2016. However this sitting was postponed by the Hon'ble Vice Chairperson , and the next sitting was fixed on 28/07/2016 at 4.00 p.m.

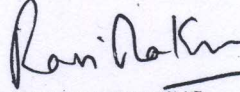
6) Since nobody from the AP Government attended the hearing on 28/07/2016 a Summon was issued. Principal Secretary(Revenue), the District Collector and the Police Commissioner, Vishakhapatnam district were asked to appear for a hearing on 31/08/2016.

7) Vide fax dated 07/07/2016 the Commissioner of Police informed that since he was engaged in the headquarters his personal presence may be dispensed with.

8) The sitting was held on 31/08/2016. In it, the Commission was informed that the government land measuring Ac. 5 was assigned to Shri. Kondru Appanna, husband of Smt. Kondru Rajeswari vide. DR.No.287/85/03 on 19/11/1980. The Government rule was that the assignee could sell the land only after 10 years.

9) The assignee Shri Kondru Appanna had given GPA on his land in favour of Shri J. Premchand for the land measuring Ac. 2.

10) Then Shri J. Premchand sold away the land to Smt. Guddati Padmavathi. Then Kondru Appanna himself sold away the remaining part of the land to Shri. Pothina Ramana. Then, M/S Biraja Agro Tech Pvt. Ltd. Represented by the Director, Smt. P.V.Ramani, wife of P.S.R. Raju had


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purchased the land from Smt. Guddati Padmavathi and Shri Pothima Ramana.

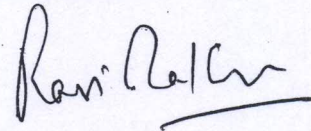
11) The respondent informed that he assignee had sold off the land within 10 years of getting the land from the government whereas the government rule is that the assignee could sell the land only after 10 years of being granted the land. Within 10 years the assignee cannot sell the land and in case of violation of patta, the government can give a notice and take back the land.

12) The case is subjudice before the Hon'ble High Court of Andhra Pradesh as Smt. P.V. Ramani had filed a W.P. No. 14604/2013.

13) Secondly, in the family tree submitted by the RDO Vishakapatnam it is stated that Rajeswari is not the legally wedded wife of the assignee. Further she has been impersonating as Parvathi which is the name of the wedded wife of Kondru Appanna affixing the word 'alias'. Though the assignee died some years ago she never filed a legal heir certificate and it is not known how many legal heirs are there to the deceased assignee. Further, Sri Kondru Srinu said to be the son of Kondru Appanna, the assignee has also filed a W.P. 6128/2014 which is pending before the Hon'ble High Court claiming that his name should be incorporated in the revenue records in place of his father.

14) The Commission noted that the as case is subjudice, the Commission cannot interfere in a matter which is subjudice before a Court.

15) The respondent maintained that the Court will find out whether the land was sold off by the assignee within 10 years. And the Commission also wanted to know if Kondru Srinu was the legal heir at the earliest .



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NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure-1

File No. KRP/1/2016/SRGAP/DELAAL/RU-IV

List of participants

NCST

1. Shri Ravi Thakur, Hon'ble Vice Chairperson (In chair)
2. Mrs. K.D. Bhansor, Director
3. Ms. N. Singsit, Assistant Section Officer

Officers of Government of Andhra Pradesh

1. Shri Pravin Kumar, Collector, Vizag
2. Shri Navin Gulati, DCP L & O, Vizag

Petitioner