

**ANDHRA PRADESH POWER GENERATION CORPORATION LIMITED
ABSTRACT**

APGENCO - Dr.NTTPS - Regularization of Encroachments in the land of extent Ac 17.46 Cents acquired for Dr.NTTPS (formerly known as VTPS) situated in R.S.No.462 /2, 479, 480/1,2 and 483/2 - Approval- Accorded

G.O.O. No. 433/CE/Civil/Thermal/2018

Date. 02.01.2019

Read the following:

1. MOM of 115th Board meeting, Dt:27.03.2012
2. MOM of 117th Board meeting, Dt:21.07.2012
3. MOM of 128th Board meeting, Dt:02.02.2014
4. MOM of 163rd Board meeting, Dt:13.12.2018

ORDER:

01) The Chief Engineering/O&M/Dr.NTTPS has furnished the proposal for Regularization of encroachments in urban areas at Dr.NTTPS in R.S.No.462/2, 479, 480/1,2 and 483/2 of Kondapalli village, Ibrahimpatnam Mandal, Krishna dist vide Lr.No.CE/O&M/Dr.NTTPS/F.VL/D.No.445/09,Dt.30-09-2009.

02) With reference to the above proposal, the Chief Engineer/O&M/Dr.NTTPS was requested to arrange the clarification for the following:

- The details of land i.e Government/Patta land/Assigned land along with acquisition details.
- Latest land value as per the present market and register of Sub-Registrar,.
- Furnish the proposals and specific recommendations duly considering the guidelines as specified in the GOO.No. 213/ Chief Engineer/ Civil/ Thermal/2012, Dt 04-08-2012.

03) In response, the Chief Engineer/O&M/Dr. NTTPS has stated as follows vide Lr.No.CE/O&M/ Dr.NTTPS /SE/C/Envf/F.No.9B/D.No.304/13, Dt.25-05-2013.

- The extent of Land in R.S.No. 462/2, 479, 480/1&2, 483/2 of Kondapalli village were acquired by APGENCO (erstwhile APSEB), vide award No. 6/75, Dt 01-03-1975, are detailed below.

S.No.	R.s.No	Extent (Ac. Cents)
1.	462/2	3.81
2.	479	3.45
3.	480/1&2	1.20
4.	483/2	9.00
	Total extent	Ac. 17.46 Cents

- The proposal for Regularization of encroachments in the said R.S.Nos are furnished in accordance with the GOO.No. 213/ Chief Engineer/ Civil/ Thermal/2012, Dt 04-08-2012.
- Sri Deveneni. Umamaheswara Rao, MLA, Mylavaram Constituency, in his representations addressed to the Collector. Krishna Dist., requested repeatedly for regularization of encroachments in the lands acquired by Dr. NTPS situated in Sramikanagar on the left side of Ibrahimpatnam, Tiruvuru Road in R.S.Nos 462/2, 479, 480/1&2, 483/2.
- The Collector and District Magistrate, Krishna in his Lr.No. Rc E5/747/ 2011, Dt 24-11-2011 addressed to the MD/APGENCO has requested to furnish consent to regularize the encroachments in the scheduled lands by about 655 families. The Collector and District Magistrate, Krishna in his Lr.No. Rc E5/747/ 2011, Dt 27-05-2013 has also addressed a letter to the Chief Engineer/C/General Services/VS/Hyderabad and requested to furnish consent to regularize the encroachments situated in an extent of Ac. 3.81 cents, Ac. 3.45 cents, Ac. 1.20 cents and Ac. 9.00 cents in R.S.No. 462/2, 479, 480/1&2, 483/2 respectively by the residents of Sramikanagar consisting of 655 families (approx.) as the scheduled lands were acquired in favour of VTPS vide award No. 6/75, Dt 01-03-75 for construction of VTPS quarters to its employees. Also the Collector and District Magistrate, Krishna has stated that the residents of Sramikanagar have filed applications requesting to issue house site pattas for the land occupied by them.
- There are no further plans to take up any construction activities in the scheduled lands, as it is very difficult to clear the encroachments at this stage.
- There are no structures belonging to APGENCO in the scheduled lands.
- The re-conveyance/handing over the scheduled lands will no way interfere with the future expansion of the project.
- The Collector, Krishna Dist., has requested to give consent for regularization of the encroachments only. No option was given by the Collector, Krishna Dist., for any alternative lands.
- It is noted that there are no problems related to 'Right of Way'.
- The present market value of the scheduled land is Rs. 15 lakhs per acre, as furnished by the Sub-Registrar in his letter Dt. 21-05-2013.
- Obtaining of statutory permissions/renewals does not arise in this issue.

- As no structures are susceptible for damage, collection of security deposit does not arise.
- It is opined that the scheduled lands can be handed over to Revenue Department by obtaining compensation suitably.

04) A letter dated 20.05.2013 was also received from the Hon'ble Chief Minister's office for examination of the subject issue and sending file to the Government for taking necessary action, on the request letter dated 05.05.2013 of Sri L. Raja Gopal, M.P that regularization of above APGENCO scheduled lands which are under occupation by the local villagers by constructing houses. It is also requested to update the action taken on the subject issue in the web site i.e <http://pms.cmo.ap.gov.in>.

05) In view of the above, a note was circulated to place subject matter before the Board for taking decision on giving consent to hand over of lands of extent Ac 17.46 Cts to Revenue department duly obtaining compensation at the rate of Rs. 15 lakhs per acre is Rs. 2,61,90,000.00 lakhs (Rupees Two crores sixty one lakhs and ninety thousand only) as per the market value guide lines furnished by the Sub-Registrar, Ibrahimpatnam.

06) On the circulated note, the Law Attache has remarked that "under section 44.A of the land acquisition act, no company for which land is acquired shall be entitled to transfer these lands or any part there of by sale, mortgage, gift, lease or otherwise except with previous sanction of the Government. Since, the Collector has approached the APGENCO, there is no objection to place the matter before the Board for approval as proposed in para no. (05) above.

07) On the note circulated, the FA&CCA (Audit) has also remarked certain comments on the subject issue and the following replies were submitted to the remarks of FA&CCA (Audit) on the subject note.

- All the station heads will be addressed to initiate requisite steps to safeguard the land of APGENCO.
- Revenue authorities will be insisted for payment of the compensation inline with the methodology adopted for payment of the compensation while acquiring the lands for APGENCO or to insist for the allotment of the compensatory land inlieu of the subject land while communicating consent of APGENCO.

08) Approval was accorded by Director (Technical), Joint Managing Director & Managing Director/APGENCO to place the note before the board for finalization of subject matter.

09) Accordingly, a Note was placed before the Board for taking decision on giving consent to hand over lands of extent Ac 17.46 Cts to Revenue department duly obtaining compensation at the rate of Rs. 15 lakhs per acre is Rs. 2,61,90,000.00 lakhs (Rupees Two crores sixty one lakhs and ninety thousand only) as per the market value guide lines furnished by the Sub-Registrar, Ibrahimpatnam.

10) As per the Minutes of 128th Board Meeting communicated by Company Secretary vide his letter dated 02-02-2014, Board has perused the information and accorded it's 'in principle approval' to the proposal of Chief Engineer. Further, the Board has requested the Managing Director to take necessary action as per G.O.Ms.No.571.

11) G.O.Ms.No.571, Dt. 14-09-2012 was issued on Government land allotment policy for various purposes to different Government departments and private organizations both in terms of extent and rate. Under clause 3(b) (vii) of G.O.Ms.No.571, dtd 14-092012, the Government lands may be given free of cost to State Government departments for welfare and development purposes. Lands for houses for below poverty line families may also be given free of cost.

12) Accordingly, a letter was addressed to the Collector & District Magistrate, Krishna District, Machilipatnam from Managing Director, APGENCO vide Lr.No.CCL 431/Dr. NTPPS/F.Encroachments/ D.No.86/14, dt 22-04-2014 where in the following was informed.

- APGENCO is willing to transfer the survey No land of 462/2, 479, 480/1&2 and 483/2 to an extent of Ac. 17.46 cnts occupied by the residents of Shramik nagar to the Revenue department subject to depositing the cost of land to APGENCO as fixed by the Revenue authorities to enable the District Collector & Magistrate to issue the pattas to the occupants.
- The present market value of the scheduled land is Rs. 15 lakhs per acre as per the market value guide lines furnished by the Joint Sub-Registrar, Ibrahimpatnam.
- To take necessary action for depositing the amount as fixed by the Revenue authorities to enable APGENCO to transfer the lands.

13) Considering the above, the Chief Engineer/O&M/Dr. NTPPS has requested the District Collector & Magistrate to take necessary action for depositing the amount as fixed by the Revenue authorities to enable APGENCO to transfer the lands vide Lr.No.CE/O&M/SE/Civil/Envt/Dr. NTPPS/F.No.Dkt/D.No.1320/15, Dt 15-12-2015. **But, the Revenue authorities did not deposit any amount till November'2017.**

14) Subsequently, the Chief Engineer/O&M/Dr. NTPPS has stated the following vide Lr.No.CE/O&M/SE/C/Envvt/Dr. NTPPS/F.Dkt/D.No.699/17, dt 08-11-2017.

- Now the residents of Shramik Nagar, Kondapalli have submitted a representation dated 31-10-2017 requesting to cooperate to issue the house site pattas for the land occupied by them.
- The Joint Sub Registrar, Ibrahimpatnam was requested to intimate the present market value of the land and the Joint Sub Registrar, Ibrahimpatnam has informed that the present market value of the land is Rs. 30 lakhs per acre.
- Requested to examine the issue and to intimate the value (Rs. 15 lakhs/Rs. 30 lakhs per acre) on which the Collector & District Magistrate is to be addressed to deposit the amounts to enable APGENCO to transfer the lands.

15) Accordingly, a letter was addressed to the Collector & District Magistrate, Krishna, Machilipatnam from Managing Director, APGENCO duly informing that APGENCO is willing to transfer the land in survey nos. of 462/2, 479, 480/1 & 2 and 483/2 to an extent of Ac. 17.46 Cts occupied by the residents of Shramika Nagar to the Revenue Department subject to depositing the cost of land to APGENCO as fixed by the Revenue authorities (The present market value of the scheduled land is Rs.30 lakhs per Acre as per the market value guide lines furnished by the Jt.Sub-Registrar, Ibrahimpatnam, dt.02-11-2017) to enable APGENCO to transfer the lands.

16) Meanwhile, the Chief Engineer/Civil/Hydel, G.S and C & I (vide U.O No.CE/C/Hydel, GS and C&I/SE/C&I/EE/C/ID&AM/VS/VJA/D.No.37/18, dt.26-06-2018) O&M has furnished the letter received from the Collector & District Magistrate, Krishna vide File No.RC.E5.146/2017,dt. 06-2018 where in the District Collector stated the following.

- The Revenue Divisional Officer, Vijayawada has reported that an extent of Ac 26.22 Cts in R.S.No. 462/2, 479, 480/1,2 of Kondapalli Village of Ibrahimpatnam Mandal were acquired for VTPS vide Award No.6/75, dated 01-03-1975 for construction of VTPS quarters to its employees. Out of which an extent of Ac 17.46 Cts in R.S.Nos.462/2, 479, 480/1,2 and 483/2 were encroached by the residents of Shramika Nagar, Kondapalli consisting of 655 families by way of raising permanent dwelling structures.

- The details of the extents covered under encroachments are as follow

R.S.No.	Total Extent (in Ac. Cts)	Classification	Extent Encroached (in Ac. Cts.)
462/2	8.05	NTTTPS (APGENCO)	3.81
479	8.60	NTTTPS (APGENCO)	3.45
480/1,2	8.87	NTTTPS (APGENCO)	1.20
483/2	9.30	NTTTPS (APGENCO)	9.00
Total			17.46

- The encroachers were agitating for regularization of the said encroachments last several years, under the provisions of the existing government orders.
- For regularization of encroachments the Revenue Divisional Officer, Vijayawada has informed that the APGENCO authorities have demanding for payment of the present market value of the land @ Rs.30 lakhs per acre for the transfer of VTPS land for its regularization to the encroachers. Taking into consideration of the present value of the land as reported by the Managing Director, APGENCO an amount of Rs.5,22,00,000/- has to be deposited to the APGENCO authorities for taking possession of NTTTPS land for its regularization to the encroachers.
- The Revenue Divisional Officer, Vijayawada has further reported that the Hon'ble Minister for water resources, AP has also requested to initiate action duly addressing a letter to the Managing Director, APGENCO to adjust the amount under CSR policy so as enable to regularize the encroachments and issue pattas to that effect.
- Hence, it is requested to kindly examine the issue in detail and to issue necessary orders adjusting the amount under CSR policy and to transfer the land to the revenue department for regularizing the same under the provisions of existing GO's in favor of the encroachers who are residing in the encroached land by way of dwelling houses.

17) With reference to the request of the District Collector for adjusting the amount of Rs. 5.22 Cr towards extent of land Ac 17.46 Cts under CSR policy, proposal was put up to the Director (Thermal), Director (HR & IR), Director (Finance & Commercial) & Managing

Director, APGENCO for according approval for the following to regularize the encroachments and issue Pattas.

- To consider the request of the Collector & District Magistrate, Krishna (with respect to the directions of Hon'ble Minister for Water Resources Department, Govt. of Andhra Pradesh) to adjust the amount of Rs. 5.22 Cr towards cost of land under CSR Funds and to transfer the land to Revenue Department.

or

- To insist the Collector & District Magistrate, Krishna for depositing the amount as per the prevailing market rate as fixed by the Revenue Authorities to enable APGENCO to transfer the land to Revenue Department.

18) The FA & CCA (AUDIT & TRUST) has remarked the following on the above proposal:

- Whether the subject proposal comes under the scope of "CSR" activities or otherwise is not discussed.
- It may be appropriate to collect the present Market Value of the land, if the Management considers to spare the land for the purpose as discussed.
- Further, it may be appropriate to obtain the details from the concerned station head that the encroachers are fully outsiders or relatives of employees of erstwhile APSEB or APGENCO (i.e., Regular/Retired/Contract/Outsourced) in any manner or otherwise so as to assess the genuinity of the issue.
- If the proposals discussed in the note file are entertained, much more requests may likely to receive from others also citing the present case as a precedent.
- The concerned authorities may strictly be directed to safeguard the lands of APGENCO located at various Power Generating Stations so as to avoid recurrence of matters cited in the note file.
- It may be appropriate to place the proposal before the Board with complete details for perusal and taking a decision, since it is a policy matter.

19) Accordingly, the Chief Engineer/O&M/Dr.NTTPS was requested to furnish the whether the Encroachers in R.S.No.462/2, 479, 480/1,2 and 483/2 are fully outsiders/ relatives of employees of erstwhile APSEB/APGENCO (i.e., Regular/ Retired/ Contract/ Outsourced) vide Letter:APG/ CE-CIV-TH-GS /SE-TH/ EENTTPS/ Dr.NTTPS/ Encroachments/ 1266/18,dt 19-07-2018 and Letter:APG/CE-CIV-TH-GS/SE-TH/EENTTPS/Dr.NTTPS/ Encroachments / 1280/18,dt 30-07-2018.

20) In response of the above, the Chief Engineer/O&M/Dr.NTTPS has furnished the particulars of the encroachments in R.S.No.462/2, 479, 480/1,2 and 483/2 following vide LR.No.CE/SE/C/Envt/EE/Civil/O&MDn-I/Dr.NTTPS/F.Dkt/ D.No.638/ 2018, Dt.20-08-2018 and **the same are enclosed in the Annexure.**

The No. of encroachers are 383 Nos. only.

21) The Chief Engineer/O&M/Dr.NTTPS (vide Lr.No.CE/O&M/SE/Civil/Envt/ Dr.NTTPS / F.Dkt/D.No.709/18, dt.10-09-2018) has furnished the letter received from the Mandal Revenue Officer, Ibrahimpatnam vide Rc.B/679/2007, dt.20-03-2018 wherein the Mandal Revenue Officer, Ibrahimpatnam has stated the following,

"with regard to the letter of the District Collector, Krishna and connected file available in this office there are about 655 families. But actually on physically verification & survey there are about only 383 families covering an extent of Ac 17.46 Cts and also these encroachers include BPL (Below Poverty Line) categories."

22) A detailed note was submitted to the board for according approval for the following

- To consider the request of the Collector & District Magistrate, Krishna (with respect to the directions of Hon'ble Minister for Water Resources Department, Govt. of Andhra Pradesh) to adjust the amount of Rs. 5.22 Cr towards cost of land of extent Ac 17.46 Cts of under CSR Funds and to transfer the land to Revenue Department.

Or

- To insist the Collector & District Magistrate, Krishna for depositing the amount of Rs.5.22 Cr as per the prevailing market rate of Rs.30.00 lakhs per Acre as per the market value furnished by the Sub-Registrar, Ibrahimpatnam, dtd. 02-11-2017 to enable APGENCO to transfer the land to Revenue Department.

23) After careful consideration, Board has accorded the following approval in 163rd Board Meeting held on 13-12-2018.

- To consider the request of the Collector & District Magistrate, Krishna (with respect to the directions of Hon'ble Minister for Water Resources Department, Govt. of Andhra Pradesh) to adjust the amount of Rs. 5.22 Cr towards cost of land of extent Ac 17.46 Cts of under CSR Funds and to transfer the land to Revenue Department.

24) The Chief Engineer/O&M/Dr.NTTPS is requested to take necessary action accordingly.

25) This order is issued as per minutes of 163rd Board meeting for the year 2018-19 held on Dt:13.12.2018.

(BY ORDER AND IN THE NAME OF THE APGENCO)

**Sd/-XXXXX
CHIEF ENGINEER/CIVIL/THERMAL**

To

The Chief Engineer/O&M/Dr. NTTPS/Ibrahimpatnam/Krishna Dist – 521 456
Chief Engineer/TPC-I &II/ APGENCO/Vidyut Soudha/ Vijayawada
Chief Engineer/Generation-II/ APGENCO/Vidyut Soudha/ Vijayawada
Chief Engineer/Commercial/APGENCO/ Vidyut Soudha/ Vijayawada
FA &CCA/Resources/ APGENCO/Vidyut Soudha/ Vijayawada
Executive Director/Accounts/ APGENCO/Vidyut Soudha/ Vijayawada
FA &CCA/Audit/ APGENCO/Vidyut Soudha/ Vijayawada
GM/IS&ERP/APGENCO/Vidyut Soudha / Vijayawada and requested to keep in APGENCO website
Chief General Manager/Administration/ APGENCO/Vidyut Soudha/ Vijayawada
Superintending Engineer/Civil/ O&M Stage IV/Dr. NTTPS/Ibrahimpatnam/Krishna Dist
SAO/ Dr. NTTPS/Ibrahimpatnam/Krishna Dist – 521 456
SAO/ Pay & Accounts/APGENCO/APGENCO/Vidyut Soudha/ Vijayawada
PS to MD/ APGENCO/Vidyut Soudha/ Vijayawada
SAO to Director (Finance & Commercial)/ APGENCO/Vidyut Soudha/ Vijayawada
Dy. Executive Engineer/Tech to Director/Thermal/ APGENCO/Vidyut Soudha/ Vijayawada
Dy. Executive Engineer /Technical to the Chief Engineer/Civil/Thermal / APGENCO/Vidyut Soudha/ Vijayawada.

Endt.No. APG/CE-CIV-TH-GS/SE-TH/EENTTPS/CD1 /Encroachments / 1365/2018

\\True copy forwarded by order//


Deputy Executive Engineer