

## Statement of Cherukuri Sridhar

### Statement of Witness / Victim

In crime No.14/CID-EOW/2020, U/Sec.420, 506 r/w 120(B) IPC, Sec.3(1)(q) & 3(2). (Va) of SCs & STs (POA) Amendment Act 2015 & Sec 7 of A.P. Assigned Lands (Prohibition of Transfer) Act 1977 & Sec.13(2) r/w 13 (1) (c) (d) of Prevention of Corruption Act of 1988.

Section 164 of Cr.P.C statement of witness Viz, **Cherukuri Sreedhar, IAS** S/o. Venkat Raju, N/o. Jangareddygudem, West Godavari District, **Former Commissioner of AP CRDA**, Vijayawada now th **Commissioner of Rehabilitation & Resettlement, Water Resource Department**, Vijayawada recorded by Smt. M. Indira Priyadarshini, Principal Junior Civil Judge, Guntur in Cr.No.14/CID-EOW/2020 U/Sec. 420, 506 r/w 120 (B) IPC, Sec.3(1) (q) & 3 (2), (va) of SCs & STs (POA) Amendment Act 2015 & Sec 7 of A.P. Assigned Lands (Prohibition of Transfer) Act 1977 & Sec.13(2) r/w 13 (1) (c) (d) of Prevention of Corruption Act of 1988 of CID Police Station, AP, Mangalagiri on **30.07.2022** after precautions that no police is present within the vicinity of the witness, Oath is administered as per the Oaths Act, 1969 and proceed to record the statement under Section 164 of Cr.P.C.

As the witness is aged about 55 years at present as stated by him, as such in the interest of Justice this court posted preliminary questions to the witness, he understand as such, to know the mental condition of the witness and whether he is able to give rational answers for the questions posed by the Court in this case regarding the facts of this case.

### Statement of Cherukuri Sridhar

Q.1. What is your name?

Ans: Cherukuri Sridhar

Q.2. What are you doing?

Ans: Commissioner, Rehabilitation & Resettlement, Govt of AP

Q.3. How old are you?

Ans: 55 Years

Q.4. Whre you stay?

Ans: Mangalagiri, Guntur District

Q.5. What is your father's name?

Ans: Venkat Raju

Q.6. Do you understand English?

Ans: Yes

Q.7. Why do you come to the court?

Ans: To give statement in the above case

Q.8. Where are you at present? You came to the Court voluntarily or by force?

Ans: At Court. **Voluntarily I came**

Q.9. Do you know who am I? I disclosed my identity?

Ans: Yes

Q.10. Are you induced or threatened by anybody to give this statement?

Ans: No

Q.11. Are you pressurized by the police to give this statement? Is there any police near by you?

Ans: No

Q.12. Are you giving the statement voluntarily?

Ans: Yes

I joined as Joint Collector Guntur District on 3.10.2014 and discharged my duties up to 27.7.2016. During my tenure as a Joint Collector I was looking after the subjects of Revenue, Land administration, civil supplies and others as delegated by the Government and the district collector. During the above tenure, the Government as announced Amaravati as capital city for the uniform state of Andhra Pradesh. The Government as declared four mandals including Tulluru, Mangalagiri and Tadepally witness again say three mandal not four mandals on 31.12.2014. Before the declaration of capital city, the Government as asked several information including the details of patta lands, government lands and other details by above

mandals through a series of communications. The district collector, Guntur as provided relevant information from time to time to the Government and also the committee of ministers constituted by the Government to identify the capital city area and to work out the modalities. I received a call from my district collector namely, Mr. Kantilal Dande informing me that he got a call from D. Sambasiva Rao, Principal Secretary, IAS, MAUD department, Govt of AP informing that to send copies of village revenue records of Thulluru, Mangalagiri and Tadepalli mandals so as to place the above information before the group of ministers. He further directed me to set the records by directing the DRO Mr. Nagababu to send the relevant records from the field offices, Tahashildar of Tadepalli, Mangalagiri and Thulluru mandals. Immediately I directed the district revenue officials and the D'Superintendent to Collectorate to send the village records for the Tadepalli, Mangalagiri and Thulluru mandals and to take copies of the said records in three sets and to be sent one attested copy to the government. Meanwhile I also got a call from Sri D. Sambasiva Rao, Prl Secretary, MAUD Department, informed me that he spoke to the district collector and directed me to send the copies of village revenue records, to the government immediately by evening he also received the written instructions from the Government through a memo. The district collector further directed to provide all the requested information immediately to the government. Basing on the directions of the government and the district collector I directed the DRO to collect the village records prepare three sets and attest them and to send one copy to the government as directed in the said memo. Accordingly the DRO has called the concerned tahasildars to send the village revenue records such as I-B registered adangals for previous three years and team of officers in the collectorate has supervised the collection of the records and making Xerox copies of each records and attested by the consent tahasildars. As directed by the government and the district collector one set of records which were attested was sent to the government through a special messenger and the acknowledgements are available in the collectorate. The remaining two sets were available in the collectorate, one out of which was in the joint collector office and another is kept in the Record Room of the collectorate. The government wide above said memo directed the district collector to take three sets of village records and to send one set to the government as there were no instructions about the remaining two sets they were kept in the collectorate, waiting for further directions. I was told by the DRO and the D'Superintendent that they have returned the original records back to the concerned tahasildars. I inform that I never gave any directions nor collected village revenue records from any officer informally or otherwise. The entire records is

available in the collectorate was collected on the directions of the government and the district collector under proper acknowledgment only and they are available in the collectorate. In the capacity of joint collector or in individual capacity I never directed any Tahasildar including that of Sri Venkateswarlu the then Tahasildar of Thulluru nor kept any record in my personal custody. I informed my successor Smt. Kritika Sukla the joint collector of Guntur about the availability of two copies of village records in the collectorate and the joint collector's office. Later I came to know that the entire records were shifted to the record room of the district collector under proper registers are maintained. I further inform that all the acts and deeds done by me as a joint collector on the instructions of the district collector and government only. I further inform that during the consultation process by the government the farmers land pooling scheme the then minister Shri P. Narayana, Hon'ble Minister for Municipal Administration, Sri P. Pulla Rao Hon'ble Minister for Agriculture and Hon'ble Minister for Social Welfare Sri Kishore Babu visited the villages in Thulluru, Mangalagiri and Tadepalli mandals and interacted with the farmers by conducting village level meetings. The farmers in various meetings informed ministers and other officials as us that their issues and the expectations on the package for land pooling. The farmers during the interaction as specifically brought to the notice of the Hon'ble Ministers about package for the assigned lands, POT lands, encroachment of Government lands, etc. and sought for specific package for these lands. It is further submitted that the government has announced land pooling package for the patta lands and there was no mention about the assigned, POT lands and the encroachments in the government lands. Later during the month of July 2015, the Commissioner APCRDA Sri Nagulapati Srikanth has conducted a meeting on the various land issues where government decisions are discussed and requested the district collector and the joint collector to attend the meeting. On the directions of the district collector I attended the meeting. The said meeting was headed by Sri P. Narayana, Hon'ble Minister for Municipal Administration and attended by Sri Nagulapalli Srikanth, Commissioner, APCRDA, Sri Mohan Rao, Director Estates, APCRDA, Sri Channa Kesava Rao, Director land compensation and land pooling unit, the farmer representations and other officials. During the meeting I informed to all the meeting that the issues about assigned land, ex-service man lands, freedom fighters land and the encroachments in the government lands, I further informed that some of the assigned lands were sold are transferred to others and necessary action has to be taken on those lands. I specifically inform where ever assigned lands are sold or transferred to others, attracts provisions of AP POT Act 1964 and necessary action has to be taken as per the Act. After discussions the

Hon'ble Minister announced that as the assigned lands were transferred to others under cultivation by others for a quite long time, they shall also be paid compensation as ex-gratia. I again informed to the Hon'ble Minister and others in the meeting that paying any compensation to the purchasers of assign land violates AP POT Act, 1964. The minutes of the meeting where it was recommended to give a package to the various class of lands including the purchasers of the assigned land before 2014 are communicated two days after said meeting the commissioner APCRDA has called the district collector to send the proposal in accordance with the decisions taken by the Hon'ble Minister in the meeting and as per the meeting committed. Accordingly, the proposal was sent by the district collector to the commissioner, APCRDA after three months, the Government issued GOs providing package to various class of assigned land and shojamadors, the people who purchased and in occupation of assigned lands. I further inform that during the course of time when ever Hon'ble Minister Sir P. Narayana, Hon'ble Minister for MAUD visits the capital city, I saw people or persons by name Madala Rajandra, Husband of the ZPTC Member and her husband Sri Narendra ZPTC Thulluru, Jaya Narasimha Rao of Tadepalli village, Bobby of Ramakrishna Venuzia are to accompany the Hon'ble Minister further Sri Pulla Rao was accompanied by S Sumbu. During the course of time I submit that the Tahasildar Mangalagiri and Thullur asked for clarifications about the availability of assigned records to make a decision on the POT cases before 1954. On that the collectorate has communicated to the Tahasildars as the said record was very old they shall verify the collectorate record rooms, RDO, old tahasildar record and the archives department based on the availability of such records directed to enquire and take necessary action as per the ESO-15 and ROR Acts. I further informed that as per the DSO, Assigned Act and ROR Act, it is the Tahasildar who is competent and authority to take action. I never gave any directions to any of the officers to work in violation of any of the Acts including that of POT Act and ROR Act. The clarification given for the joint collector officer to find out connected records from various sources including collectorate record room, RDO, and Tahasildar record room and State archives and by paper publilcity. Further the records which were taken from the Tahasil officer as directions of the Government is only a copy of record and the originals are with the Tahasildar only. The said records does not include the assigned records which were always available with the Tahasildar or never asks them to take to the collectorate. The clarification which as given to search various record rooms is on the records which were belongs to the periods before 1954. The records which were called from the Tahasildar offices to take to the Government a copy belongs to the years 2013, 2012, and 2010.

Further, all these records are digitalized and are available in the webland and in the public domain. Further as per the ROR Act it is the Tahasildar to make any changes in the village revenue records either in I-B or in Adangal. The joint collector has no authority or access to do any change in the village records and during my tenure any such act or deed was never done. Further I joined a Commissioner, APCRDA on 28.07.2016 during the course of period discharging my duties as a commissioner APCRDA I came to think the records where I state the M/s the Surbana Jurang' was appointed as the master plan consultant and they provided the prospective plan for the capital region and the master plan for the capital city. Sri Anjani Kumar @ Baby of Ramakrishna Venuzia was also accompany the then Hon'ble Minister Sri P Narayana during his visits to the capital city and in the meeting held with the farmers. During the period from the declaration of capital city i.e., GO MS No. 1 and issue of GO Ms. No. 41 various private people purchased lands from the assignees who are original. As there was a delay in announcing the package to the assigned land holders and to other class of land holders such as ex-service men, political sufferers the farmers are under distress and the farmers distress was taken advantage by some of the people. Immediately after issue of GO Ms. No. 41 before implementation I told Hon'ble Minister Sir P. Narayana in a meeting that the said GO Ms No. 41 may be in violation of POT Act on that he categorically informed that the GO was issued after considering all the issues and the legalities and directed me to implement the GO. I further inform that while discharging the duties as Joint Collector Guntur district or commissioner APCRDA, I acted as per the statutes and as per the directions given by the government from time to time and I never indulged any activity which is confrontation to the responsibilities bestowed on me.

Sd/-

## Statement of Kantilal Dande

1. What is your name?

A. Kanthilal Dande

2. Have you received your summons?

A. I received and read the summons.

3. Why do you come to the court?

A. To give evidence as prosecution witness in Cr. No. 14/2020 of CID Police Station, Mangalagiri, AP

4. Are there any police present here?

A. No Police were present.

Description of the incident:

I was posted as District Collector, Guntur on July, 2014 and worked till April 2017. As State got bifurcated the residuary state of Andhra Pradesh, the then Chief Minister Sri Nara Chandra Babu Naidu resolved to bring a new capital, 'Amaravati' by taking over nineteen villages of Thullurmandal of Guntur revenue. It is proposed to take over these lands through land pooling process instead of land acquisition. In land pooling process the losers of the land will become the partners in development duly getting their share of residential/commercial plots in view of the lands surrendered to the Government. Initially it was proposed to give thousand square yards of residential plots, four hundred square yards of commercial plots for one acres of irrigated surrendered land. Accordingly, eight hundred square yards and 200 square yards are proposed for one acre of dry land surrendered respectively. For speedy taking over of those lands government has instituted Capital Region Development Authority (CRDA) under Municipal Administration Department. The CRDA is headed by the Commissioner. Later the Government deployed around thirty six deputy collectors with an objective to pool the lands required for the construction of the capital in the fixed time period. These special units for land pooling were assisted by the revenue staff and surveyors drawn from various districts of the state. In the Guntur District as the District Collector I was assisted by the Joint Collector, the District Revenue Officer and we focused on various aspects of land pooling and the Government issues directions to pool the lands, on field the

District Administration faced many revenue issues pertaining to assigned lands, ex-service men lands, Government lands, encroached Government lands and transferred assigned lands. The whole land pooling process is to be monitored and guided by the then Minister for Municipal Administration and Urban Development Sri Narayana. Hon'ble Minister Narayana held series of meetings with land owners, land pooling special deputy collectors and district administration on various occasions. The issues of compensating assigned lands and assigned lands where there are violations of ownership were brought to the notice of Hon'ble Minister. Hon'ble Minister held one meeting at CRDA office at Vijayawada was attended by the farmers representatives, CRDA officials and the district administration, Guntur represented by the joint collector, Guntur. I did not attend that meeting and on the following day the joint collector put forth a letter to CRDA through me on the deliberations took place on previous day's meeting about compensation to be paid to various categories of lands as deliberated and decided in the meeting. Later we received the Government orders on scale of compensation to be adopted in the land pooling process for various categories of lands and accordingly the district administration went ahead and pooled the lands duly following the provisions of land pooling process guided by the CRDA. In the district administration the district collector is the overall head of executive and generally looks after the developmental administration. Whereas the joint collector is revenue head, land acquisition officer and the district relief officer. Entire land administration is under the control of the joint collector. Accordingly, in the land pooling process taken up for the construction of the new capital was closely supervised by the joint collector. The Joint Collector, Guntur is to coordinate all aspects of land pooling duly coordinating with Municipal Administration Department. We have strictly adhered to the processes and procedures prescribed as per the statute and have not given any scope for any misrepresentation of the facts or malpractices in whole land pooling exercise and compensating the eligible land losers.

Sd/-

KantilalDande

04.08.2022

The oath is administered to the complainant / Victim in accordance with prosecution on act 44 of 1969

The following preliminary questions are posed to the Complainant / Victim.

1. మీ పేరు ఏమిటి ?

జ. Ajay Jain

2. మీ వయస్సు ఎంత?

జ. 55 Years

3. మీ తల్లిదండ్రుల పేర్లేంటి?

జ. S.P. Jain, Rajeswari Jain

4. మీరు ఏమి చేస్తున్నారు?

జ. Spl. Chief Secretary, Housing, Govt. of AP

5. మీరు ఇప్పుడు ఎక్కడ ఉన్నారో తెలుసా?

జ. Court

6. నేను ఎవరో తెలుసా?

జ. Judge

7. కోర్టుకి ఎందుకు వచ్చారు?

జ. To Give Statement

I am satisfied with the cogent answers given by the victim/complainant.

Hence, I started recording his statement.

"I joined in service in 1991. Since then I have been working in various capacities. I worked as Secretary, Energy, 1 & I & CRDA from August, 2015 to June, 2019. G.O,Ms.No.41 dated 17.02.2016 was issued by the Government as per procedure and I signed the G.O as Principal Secretary, AP Capital Region Development Authority, MA & UD based on the final proposal received from Commissioner. AP Capital Region Development and due legal vetting by Law department with due approval of the then Hon'ble Minister (MA&UD)' Sri P. Narayana. Regarding this case, the investigation Officer made the attested copies of the related note files and correspondences available to me and I am disposing my statement prepared by referring to these files.

The then Commissioner of the AP Capital Region Development Authority, Sri N. Srikanth, IAS had proposed certain Amendments to the AP Capital City LPS Rules, 2015 in order to amicably settle certain issues that are coming up during implementation of Land Pooling Scheme in Capital City area. He sent a letter stating that the Collector, Guntur has reported that the then Hon'ble Minister for MA & UD i.e. Sri P. Narayana has held a meeting with the Commissioner of AP Capital Region Development, Jt. Collector, Guntur and with the Members of the Village Committees in Amaravati City area regarding the issues that were coming in the implementation of LPS scheme and the Jt. Collector and Village Level Committee members have raised certain issues and suggested solutions. The Village level committees were an informal arrangement and they were neither elected bodies nor appointed by the AP Capital Region Development Authority on the Government. They were made up of village level political leaders. The Commissioner of AP Capital Region Development Authority, further stated that District Collector, Guntur was requested to give his recommendations on the solutions suggested by the Village Level Committee. The District Collector in his letter dated 14.12.2015 has proposed certain amendments to the LPS Rules and the Commissioner of AP Capital Region Development Authority requested the Government to issue necessary amendments in the matter.

The file was processed in the MA & UD (AP Capital Region Development Authority) section and the file was sent to Revenue (Assignments) Department to offer their remarks on the proposal of the Commissioner, AP Capital Region Development Authority. The remarks of Revenue Department are as follows :

“The proposed amendment to the AP Capital City LPS Rules, 2015 are to remove the difficulties in the LPS scheme in the Capital City area. Therefore, whatever amendment is made to the LPS Rules will be limited to that scheme only. Further, as the issues are similar to the issues which have arisen in respect of some of the Revenue Enactments like POT Act, 1977 and the policies relating to Ex-Servicemen/Freedom Fighters, there will be indirect implications on such Revenue enactments and policies. Therefore, a conscious decision may be taken in the matter. Otherwise, there is no objection from the Revenue Department side in the matter”

The file was then sent to Law Secretary, who requested to examine the proposal with reference to the remarks of the Revenue Department in the first instance and then send the file to the Law Department. Accordingly, the then Commissioner of AP Capital Region Development Authority, who is the competent Authority for land pooling as per section 55 of the CRDA Act, was directed to offer his remarks on the observations made by the Law and Revenue Departments. The Commissioner of AP Capital Region Development Authority has furnished the letter duly examining the remarks of the above Departments. Accordingly, the proposal of Commissioner, AP Capital Region Development Authority was again sent to Law Department. The Law Department has stated that the issue in the instant case relates to the packages for the land pooled under LPS scheme of CRDA Act. The LPS scheme issue under CRDA is based on the voluntary and consequential process of Land Pooling mechanism merely adopted for development of Capital City area in public interest. The Law Department has mentioned that Hon’ble Supreme Court of India in the State of UP and others Vs Chowdhary Ranabeer Singh and another (2008)5 SCC 550 have held that in matters of policy decisions the scope of interference is extremely limited. **The policy decisions must be left to the Government as it alone can decide which policy should be adopted after considering of relevant aspects from different angles in matters of policy decisions or exercise of discretion by the Government.** So long as the infringement of Fundamental Right has not shown, our will have no occasion to interfere and the Court will not and should not substitute its own Judgment for the judgment of the Execution in such matters. In assessing the propriety of a decision of the Government, the Court cannot interfere even if a second view is possible from that of the Government. In view of the above judgment of the Supreme Court of India in policy matters, the Executive is the best judge to take policy decisions. However, amendments proposed to the said CRDA Rules must have a specific mention that the packages specified are under special circumstances and should not be a precedent for the other cases.

As the Law Department had opined that as per orders of Hon'ble Supreme Court of India in above case quoted, this is a policy issue in which Executive is the best judge to take policy decisions. The Commissioner, AP Capital Region Development Authority who is the Competent Authority for land pooling under the Act, was requested to examine the remarks of the Law Department and submit comprehensive proposal for issue of Government order. The Commissioner, AP Capital Region Development Authority, after duly examining the Law Department remarks, has furnished final amendment to the LPR Rules. The Draft amendments to LPS Rules as suggested by Commissioner, AP Capital Region Development Authority was placed before the then Hon'ble Minister, MA & UD for approval. After due approval by the Hon'ble Minister Sri P. Narayana, the draft notification was prepared and it was sent again to Law Department for scrutiny /vetting of the draft notification. The draft notification was duly vetted by the Law Department and then the section has proposed for issue of final Government orders.

The Special Secretary Sri Rahul Pandey, IFS had mentioned that in view of urgency the draft G.O. may be approved and further file may be circulated to the then Hon'ble CM for approval after issue, During the pendency of the file with me, Hon'ble Minister, MA & UD Sri P. Narayana had telephoned to me and directed to issue the orders and circulate the file for post approval by CM through Minister, MA & UD stating that the GO is urgently required to facilitate field level execution in CRDA jurisdiction in the interest of administration. He further directed me that earlier also when Mr. A. Giridhar, IAS was the Principal Secretary, MA & UD many GOs have been issued by the Prl. Secretary to the proposals of Commissioner, AP Capital Region Development and post approval of Hon'ble CM through Minister, MA & UD was taken. In this case, he further informed that since he has already approved the proposal and the G.O. has been vetted by the Law Department, the same may be issued immediately and then file may be sent to CM through Minister for approval after issue. Further, he informed that he will inform the then Hon'ble Cm regarding the above and approval after issue will be given as in precedent similar cases.

Accordingly, as per the telephonic instructions of the then Hon'ble Minister Sri P. Narayana and since his approval was already obtained and as there were many precedences as seen from the files earlier during the issue of G.O. 43 date 9.3.2015, G.O. 61 dated 24.3.2015, Gos 52, 58, 73, 74, 75 etc issued the period, the same procedure was followed and G.O. was issued and circulated to the then

Hon'ble CM through Minister Sri P. Narayana for approval after issue which was duly approved.

The proposal of the Commissioner, AP Capital Region Development Authority was processed in the Section through ASO, Sri Prasad, SO Nagabhushan Rao, DS, Sri Mohan Jayaram Naik and Spl. Secretary Sri Rahul Pandey, IFS. The G.O. was issued with due approval by Hon'ble Minister Sri P. Narayana based on the final proposal of the Commissioner, AP Capital Region Development Authority who has duly examined the remarks of the Revenue and Law Departments and then the draft G.O. was vetted by the Law Department and **it was issued and the then Hon'ble CM and Hon'ble Minister have approved after the issue of the GO.** It is the prerogative of the Hon'ble CM and Hon'ble Ministers to place any matter before Council of Ministers. In the present case as well as in the earlier G.Os which were issued for draft amendments to the AP Capital City Rules 2015. The Hon'ble CM and Minister did not pass any orders to place the issue before the Cabinet and hence the subject matter in this case like in other similar cases were not placed before the Cabinet.

The file was sent to the Law Department for final vetting of the G.O. before issue and the **Law Department had not advised that the Rules made under this Act shall be laid immediately before the State Legislature.** Similarly, Commissioner, AP Capital Region Development Authority had also not recommended to place the Rules before the Legislature while sending the proposal. The Section and Middle level officers of secretariat also had not proposed that as per the Act, the rules made shall be laid before the State Legislature. In the earlier cases also when the Rules were made Hon'ble CM / Hon'ble Minister did not pass any orders to place the Rules before the State Legislature. Hence, as per the precedences and as there was no advice from the Commissioner, AP Capital Region Development Authority or the Section or the Law Department, the rules made in this case also were not ordered to be laid before the Legislature.

**To the best of my knowledge, there is no mention in the Act which states that the Rules. If not placed before the State Legislature would be illegal.** In earlier similar cases also when the Rules were made for issuing draft amendments to the AP Capital City Rules 2015, it was not ordered to be laid before the State Legislature.

Further, the approval 'after issue' is as good and valid as approval only and has the same sanctity as approval before issue. Had the Hon'ble CM not agreed, the G.O. would have been duly cancelled.

It is the Commissioner, AP Capital Region Development Authority who is the competent authority as per section 55 under the CRDA Act who has sent final proposal duly examining the remarks of Revenue and Law Departments and it is for this reason that the remarks of Law and Revenue Departments were communicated to the CRDA, Commissioner, AP Capital Region Development Authority being a senior IAS officer, has submitted the final proposal duly examining the remarks of law and Revenue Departments and since Revenue Department has stated that there is no objection from the side of the Revenue Department and Law Department had stated that as per Hon'ble Supreme Court orders this is a policy decision to be taken by the Executive and Commissioner, AP Capital Region Development Authority had duly submitted the final draft amendment, the file was processed for approval of Hon'ble Minister.

Under the various Revenue acts, including the AP Assignments POT Act, 1977, the Revenue Department is the competent authority for proposal of amendments. The District Collector, Guntur, who is the highest Revenue Official at the district level, had proposed certain packages for various categories of lands and he had not mentioned that the proposed package is in violation of POT Act, 1977. He has mentioned that the assigned lands are deemed to have been resumed to Government and the farmers who are cultivating the lands as Sivai Jamedars are losing livelihood, it may be considered as a gracious grant of package as they are cultivating the lands for more than 15 years and became Sivai jamedars. As per Assignment policy all the Sivai Jamedars are eligible for assignment. Hence, he had proposed for resuming the land at first instance for violation of conditions and to extend minimum package under LPS for Sivai jamedars. Similarly, he had stated that Government vide G.O.Ms.No.243, Revenue Department dated 27.3.2010 have issued orders for payment of exgratia for the eligible encroachers in the government lands. The District Collector had sent proposals duly examining various Revenue acts including POT Act for which he is the competent authority. Similarly, Commissioner, AP Capital Region Development Authority had recommended the above proposal. The Revenue Department which is the nodal department had also not advised against the above amendments and in fact had stated that there is no objection from the Revenue department side. It is the primary duty of the Collector, Guntur being the competent authority under the Revenue Acts to check any violation of the Revenue Acts before sending any proposal to the Government.

In fact, the entire land pooling exercise was led by the Hon'ble Minister, MA&UD along with Commissioner, AP Capital Region Development Authority, Collector and Joint Collector, Guntur, who used to tour the Villages for land pooling. I was not a part of there meetings and I never visited any village during the period for the purpose of land pooling.

The Commissioner, AP Capital Region Development Authority was requested to examine the remarks of the Law Department and Revenue Department and submit comprehensive proposals for issue of Government orders as he is the competent authority under the Act and is a senior IAS officer. It is totally false and baseless allegation that I had pressurized him to send the draft over telephone. I had specifically written to Commissioner, AP Capital Region Development Authority to examine the remarks of the Law and Revenue Departments and submit comprehensive proposals for issue of Government orders being the competent authority under the Act. I had not pressurized him to send the proposal in particular manner. Commissioner, AP Capital Region Development Authority being the competent authority and examined the remarks of the Law and Revenue Departments and submitted final amendments to the LPS Rules for approval. The same has been recorded in the file. In fact no change has been made in the final proposals submitted by the Commissioner at my level. In fact, the proposal was originated by the District collector and duly recommended by the Commissioner after taking into consideration the remarks of Revenue and Law Departments and after due approval by the Hon'ble Minister and with vetting of Law Department the G.O. was issued and post approval by the then Hon'ble Chief Minister through Hon'ble Minister was obtained 'after issue'. I had only forwarded the proposal received from the competent authority. i.e Commissioner, CRDA for orders and approval of the Hon'ble Minister. The proposal was not originated from me nor approved at my level. I had only forwarded the proposal received form Commissioner, AP Capital Region Development Authority duly examining the remarks of Law and Revenue Departments and the proposal of Collector, Guntur and with due approval of Competent authority the G.O. was issued. There was no change at my level.

The G.O. was issued by the Government, Government means the Minister not by me and I only signed the G.O. as Prl. Secy, CRDA

Further, he told me that he would inform Hon'ble CM and approval after issue will be obtained from CM and told me to act accordingly. In good and bonafide faith

and as no foul play was suspected by me and as it was mentioned by Hon'ble Minister that the proposal is in the interest of Capital City works, the G.O. was issued and approval of Hon'ble CM was obtained after issue as in other precedent similar cases.

There was no reason for me to believe that the final proposal of Commissioner, CRDA after due examination of the remarks of the Revenue and Law Departments by CRDA and based on the proposal of the Collector, Guntur, the G.O. was issued is against the Act. Moreover, it was mentioned that the proposal is to amicably settle certain issues that are coming during implementation of Land pooling scheme in capital city area. Commissioner, AP Capital Region Development Authority settle certain issues that are coming during implementation of Land pooling scheme in capital city area. Commissioner, AP Capital Region Development Authority being the competent authority under the CRDA Act, for land pooling and District Collector being the top person at the district level of Revenue Department and the two main functionaries responsible for implementation of Land pooling for the capital city and since both of them had recommended the proposal mentioning that the proposal is to amicably settle certain issues that are coming up in the implementation of land pooling scheme in the capital city area. I had not overruled the recommendations of Commissioner, AP Capital Region Development Authority and forwarded the proposal to the Hon'ble Minister for necessary approval and only after his approval and legal vetting the G.O. was issued.

Once, the Commissioner, AP Capital Region Development Authority recommends a proposal and after duly examining the remarks of revenue and law departments also, based on the proposals from the collector and he mentions that the proposal is required in the interest of execution of the capital city works, I have to forward the proposal to the competent authority for orders. I have to process the file and I cannot hold back the file and Hon'ble Minister was continuously following up the land pooling scheme. In earlier cases also, Many GOs were issued. Therefore, we have forwarded the proposal to Hon'ble Minister and after obtained the approval it was sent to the law department for scrutiny and then only with the approval of the then Minister and CM, the GO was issued.

The Special Secretary Sri Rahul Pandey wrote on the file that in view of urgency the GO may be issued and sent for approval after issue. I asked him, as to what was the urgency. He told me that peshi of the then Hon'ble Minister Sri P. Narayana informed that the Go may be issued immediately as was done in other

cases. Following this then the Minister Sri P. Narayana phone me and told that the capital works were being effected and asked me to issue the Go Immediately and then to send the file to the CM for approval after issue. He said I have approved the GO. I asked him what about the Hon'ble CM. He said he will talk to the CM. As a Minister Who is closely moving with the CM for capital City, he said that he will take his post approval as was done in earlier cases. There was no reason for me to disbelieve and then the Go was issued and it was immediately sent to the Minister and the CM approved it. Had it not been approved, If it was done without information, the then CM would not have given post facto approval. If the approval were not done, the Go would have been withdrawn. The Govt. means the Minister/CM's approval. It is their decision and we had issued the GO as per their approval.

I had already mentioned that not only this file, the Minister Sri P. Narayana used to follow up all the files, as he was driving the Capital City form land pooling to land acquisition. He used to tour in the villages along with the Commissioner, AP Capital Region Development Authority. We were operating from Hyderabad at that time in 2016 and the Minister and the CM were often touring the villages in Amaravati.

We are the processing Department. Whatever the proposal we had received were sent to the revenue and law departments for their remarks. I had no reason to believe that there is some foul play against the existing laws. Once a senior officer recommends certain proposal to the Commissioner, AP Capital Region Development Authority and he is forwarding on behalf of the APCRDA authority which is headed by the then Hon'ble CM and Hon'be Minister Sri P. Narayana as Vice Chairman, my presumption was that he had taken approval of the authority. Under the Act, the authority had some powers. There was no reason to suspect the proposal and accordingly it was processed for the approval of the then Hon'ble CM and the then Minister Sri P. Narayana

The above statement is read over to him for which he admitted to be true and correct and signed before me.

Ajai Jain, date: 22.07.2022

Sub Registrar, Mangalagiri

Section Cr.P.C. State of the Witness (LW 62)

Arduru Gopal, S/o. Tirupaiah, 45 years, C/ Yanadi, Koruturu Village and Post, Indukuripeta Mandal, Nellore District. Sub Registrar, formerly worked at Mangalagiri not at SRO of Nallapadu, Guntur District (LW.62)

This Court issued summons to the witness on 23.07.2022 directing the witness to attend before the court on 30.07.2022 for recording the statement of the witness/LW.62. Hence, witness Lw.62 came to court on 30.07.2022 after receipt of the summons. Oath is administered to witness. He expressed his voluntariness to give the statement. Proceedings commented at 04.15 PM on 30.07.2022

1) What is your name ?

Ans. **Arduru Gopal**

2) What is your Father Name ?

Ans. Tirupalaiah

3) How old are you ?

Ans. 45 years

4) Why do you come to Court?

Ans. I came to court to give statement.

5) Who brought you to Court?

Ans. I received court summon.

6) Are you giving statement voluntarily?

Ans. I am satisfied about the witness/(Lw.62) he stated voluntarily and also satisfied that witness/Lw.62 is understanding the nature of the

questions and giving rational answers. Hence, I proceeded to record further statement of Witness/Lw.62

7) What Happened?

Ans. నేను మంగళగిరి సబ్ రిజిస్ట్రార్ గా అక్టోబర్ 1వ తేదీన 2014న చార్జ్ తీసుకొన్నాను. అప్పటి నుండి విధులు నిర్వహిస్తుండగా జనవరి నెల 2015 నాకు ఒక నలుగురు వ్యక్తులు వచ్చి మేము హైకోర్టు లాయర్ లము అని పరిచేయం చేసుకొన్నాము. తర్వాత రిజిస్ట్రేషన్ కు సంబంధించి కొన్ని సర్వే నెంబర్ లు ఒక పేపరు మీద నాకి వ్రాసియిచ్చారు. వాటిని నేను తీసికొని సిస్టమ్ కార్డ్ లో పరిశీలించగా ఆ సర్వే నెంబర్లు అన్ని అసైన్డ్ లాండ్ క్రింద నమోదు అయివున్నాయి. అప్పుడు నేను వాళ్ళకు చెప్పాను. అవి అసైన్డ్ లాండ్స్ గా నమోదు అయి ఉన్నాయి కాబట్టి రిజిస్ట్రార్ చేయుటకు వీలు లేదు అని చెప్పాను. తర్వాత వాళ్ళు ఇవి 1954కు ముందు సంబంధించిన లాండ్స్ డాక్యుమెంట్లు ఇవి అసైన్డ్ ల్యాండ్స్ కు సంబంధించినవి కాదు అని అన్నారు కాని నేను మాకు ఇచ్చిన ఎమ్మార్వో లిస్ట్ ప్రకారం అవి అసైన్డ్ ల్యాండ్స్ లగా నమోదు అయినవి కాబట్టి అవి రిజిస్ట్రార్ చేయడానికి వీలు లేదు అని చెప్పాను. తర్వాత వాళ్ళు మేము డాక్యుమెంట్లు తయారు చేసి చలానా కట్టి తీసికొని వస్తే ఏం చేస్తారు అని అడిగారు. అప్పుడు నేను రిజిస్ట్రేషన్ యాక్ట్ ప్రకారం మాకు ఏ డాక్యుమెంట్ ఇచ్చినా రిసీవ్ చేసుకోవాలి. నంబర్ బాగా ఉంటే రెగ్యులర్ చేస్తాను లేకపోతే రెగ్యులర్ ఆర్డర్ పాస్ చేస్తాను. As per regularization Act అని చెప్పాను. నాలుగు రోజుల తర్వాత వాళ్ళు కొన్ని సేల్ డీడ్స్ తీసుకుని వచ్చారు. చాలానాలు కట్టి సేల్ డీడ్ ని నాకు సబ్మిట్ చేశారు. తర్వాత నేను వాటిని తీసుకొని మొత్తం ప్రోసెస్ చేస్తాను, పెండింగ్ నెంబర్ నిచ్చెను. తర్వాత అవి అసైన్డ్ లాండ్స్ కాబట్టి వాళ్ళకు ప్రొసిడింగ్స్ రిజిస్ట్రార్ పోస్టులో పంపిస్తారు. వాళ్ళు ఆ లెటర్ తీసుకుని మా దగ్గరికి వచ్చినప్పుడు అప్పటికే మేము డాక్యుమెంట్ రిగ్యులర్ చేయాల్సి ఉంటుంది. నెంబరు ఇచ్చివుంటాము. మేము పంపిన లెటర్ వారు తీసికొని వచ్చినప్పుడు దాని మీద రిసిప్ట్ సైన్ తీసుకొంటాము. రిగ్యులర్ చేయబడిన ఒరిజినల్

డాక్యుమెంటును పార్టీకి తిరిగి ఇచ్చేస్తాము. పొత్తరుకి చెందిన ఆళ్ళ వెంకట సుబ్బయ్య, సిటీ క్యాష్ ఎండి అయిన సాయిబాబు,

డాక్యుమెంటుతో పాటు పర్మనెంట్ వాల్యూమ్ బుక్ లో కూడా వివరాలన్ని నమోదు చేస్తాము ఎందుకు రెఫ్యూజల్ చేస్తాము అని వివరంగా వ్రాస్తాము. ఆ కాపీని సర్టిఫై చేసి, రెఫ్యూజల్ డాక్యుమెంటు పాటు ఈ కాపీని కూడా జత చేసి పార్టీలకు ఇస్తాము. అలా పార్టీలు తీసుకొని వెళ్ళిన తర్వాత 30 రోజుల్లో District Registrar, Guntur వారికి వాళ్ళు అప్పీలు చేసుకోవాలి. తరువాత మరికొద్ది మంది వచ్చారు. **వాళ్ళ పేర్లు బాబి వెనుజుమి కనస్ట్రక్షన్ ఎండి, వాళ్ళ మేనేజర్ జగదీష్ గారు, మంగళగిరి ప్రాంతానికి చెందిన బ్రహ్మానంద రెడ్డి, విజయవాడకు శ్రీ ప్రియ కనస్ట్రక్షన్ ఎండి చెరుకూరి రవి ప్రసాద్ అతని పార్ట్ నర్ కి చెందిన మొడి ప్రోల్ ప్రసాద్ గారు వైజాగ్ కు చెందిన అతను, విజయవాడకు చెందిన గుమ్మడి సురేష్ అతను ప్రత్తిపాటి పుల్లారావుకు సంబంధించిన వ్యక్తి అదే విధంగా చిలకలూరిపేటకు చెందిన చల్లా విజయకుమార్, నిమ్మగడ్డ శాంతకుమారి, వాళ్ళతో పాటు రావెళ్ళ కిషోర్ బాబు భార్య అయిన శాంతి, గుంటూరుకు చెందిన సకవాశి బసవ రామయ్య వీళ్ళు అందరూ డాక్యుమెంటును చేసుకొని మరియు జిపివీ డాక్యుమెంటును తయారు చేయించుకుని, చలానాలు కూడా కట్టుకుని సేల్స్ డీడ్స్ పైన చెప్పిన అందరూ కూడా దశల వారీగా నా దగ్గరకు వచ్చారు. వాటిని నేను తీసుకుని పరిశీలించి చూడగా ఇవి కూడా అసైన్డ్ ల్యాండ్స్ బిల్ లో ఉన్నందున ఈ డాక్యుమెంటును కూడా ప్రొసెస్ చేసి పెండింగ్ నెంబర్లు ఇచ్చి రెఫ్యూజల్ ఆర్డర్స్ పాస్ చేస్తాను. ఆ డాక్యుమెంటుతో పాటు బుక్-2 లో అనగా.....వాల్యూమ్ లో నమోదు చేసి, ఈ బుక్ - 2 లో కూడా సర్టిఫై చేసి రెఫ్యూజల్ ఆర్డర్స్ తో పాటు బుక్ - 2 కాపీ కూడా సంబంధిత పార్టీలకు ఇచ్చి రిసీప్ట్ సైన్ తీసుకుంటాము. తర్వాత కొల్లి శివరాం, మాగొట్టి శ్రీకాంత్, నేలమతి రవి కిరణ్, ప్రసాద్ మంగళగిరికి చెందిన శేఖర్ బాబు, పురిగల్లుకు చెందిన కట్టెపోగు చక్రవర్తి, వీళ్ళు అందరూ బ్రహ్మానందరెడ్డికి సంబంధించిన వ్యక్తులము మేము అని నా దగ్గర ఏరి చేయ చేసుకున్నారు. తర్వాత కొన్ని డ్యాక్యుమెంటు సేల్**

డీడ్స్, జిపిఎ డాక్యుమెంట్లు, చలానాలు గవర్నమెంటు కి కట్టి నాకు సబ్మిట్ చేశారు. పై చెప్పిన అందరూ, అప్పుడు నేను అవి రిసీవ్ చేసుకుని చూడగా అవి కూడా అసైన్డ్ ల్యాండ్ కి నమోదు అయి ఉన్నాయి. తర్వాత ప్రొసెస్ చేసి పెండింగ్ నెంబరం ఇచ్చి రెఫ్యూజల్ ఆర్డర్స్ పాస్ చేసి, ఆ డాక్యుమెంట్లతో పాటు బుక్ నెం.2లో అనగా .... వాల్యూమ్ లో నమోదు చేసి, ఈ బుక్ నెం.2 కూడా సర్టిఫై చేసి, రెఫ్యూజల్ ఆర్డర్స్ తో పాటు కాపీ ఆఫ్ బుక్ నెం.2 సంబంధిత పార్టీలకు ఇచ్చి రిసీవ్ సైన్ వాళ్ళ దగ్గర నుండి తీసుకొన్నాను.. తర్వాత, మాదాల రాజేంద్ర. ఇతను అంతకు ముందు టిడిపి తరపున ఎంపీగా కంటెస్ట్ చేశారు. ఇతని తాలుకా వ్యక్తులు కొన్ని డాక్యుమెంట్లని రిజిస్టర్ చేయమని వచ్చారు. అవి పరిశీలించగా అవి కూడా అసైన్డ్ ల్యాండ్ గా నమోదు అయినందు వాటిని ప్రొసెస్ చేసి పెండింగ్ నెంబర్ ఇచ్చి రెఫ్యూజల్ ఆర్డర్స్ పాస్ చేసి ఆ డాక్యుమెంట్లతో పాటు బుక్ నెం.2లో నమోదు చేసి, ఈ బుక్ నెం.2 కూడా సర్టిఫై చేసి, రెఫ్యూజల్ ఆర్డర్స్ తో పాటు, బుక్ నెం.2 కాపీని కూడా సంబంధిత పార్టీలకు ఇచ్చి రిసీవ్ సైన్ వాళ్ళ దగ్గర నుండి తీసికొన్నాను.

**ఆ విధంగా జనవరి 2015 నుంచి అక్టోబర్ 2015వరకు 505 డాక్యుమెంట్లను ప్రొసెస్ చేశారు.** పైన చెప్పిన వాళ్ళందరూ అయితే నేను విదుల్లో ఉన్నప్పుడు నాకు సబ్మిట్ చేసినా డాక్యుమెంట్లు 333, మరియు నేను సెలవుల్లో ఉన్నప్పుడు నా ఇన్ చార్జ్ దగ్గర అనగా రవీంద్రబాబు దగ్గర 172 డాక్యుమెంట్లు వాళ్ళు సబ్మిట్ చేయడం జరిగింది. మొత్త 505 డాక్యుమెంట్లు సబ్మిట్ చేశారు. ఇవి అని అసైన్డ్ ల్యాండ్లకు సంబంధించిన డాక్యుమెంట్లు వీటితో పాటు మరో రెండు డాక్యుమెంట్లు వాటిని కూడా రెఫ్యూజల్ ఆర్డర్స్ నేను పాస్ చేస్తాను అవి కూడా అసైన్డ్ ల్యాండ్లకు సంబంధించినవి కాబట్టి దాదాపు 507 డాక్యుమెంట్లను నేను రెఫ్యూజల్ చేశాను. అసైన్డ్ ల్యాండ్లకు సంబంధించిన డాక్యుమెంట్లను కూడా నేను రిజిస్ట్రేషన్ చేయలేదు. తేది. 31.12.2015 అప్పటి గుంటూరు రిజిస్ట్రేషన్ కి సంబంధించిన డివిజి సూర్యనారాయణ గారు, నన్ను ఏలాంటి explanation అడుగగా కూడా ఆ రోజు సాయంత్రం నన్ను సస్పెండ్ చేశారు. నేను ఆ రోజు సెలవుల్లో వున్న,

నేను రెప్యూజల్ చేసిన డాక్యుమెంట్లను వాళ్లందరూ హైకోర్టుకి వెళ్ళారు. తర్వాత హైకోర్టు ఆర్డర్స్ ద్వారా గవర్నమెంట్ రెండు జివోలు పాస్ చేసింది. జి.ఓ.ఎం.ఎస్.నెం. 258, తేది. 18.05.2018, జి.ఓ.ఎం.ఎస్.నెం. 58, తేది. 16.11.2018 ఈ జివో లో చాలా క్లారిటీ ఇచ్చింది.

ఇవి prior to 1954కు సంబంధించిన ల్యాండ్ అసైన్డ్ లాండ్లకు కాదా పట్టా ల్యాండ్స్ అని, రిజిస్టర్ చేయమని ఆ రెండు జి.ఓలు గవర్నమెంట్ ఇచ్చింది. ఈ రెండు జి.ఓలను బేస్ చేసి కొన్ని అప్పటి జిల్లా రిజిస్ట్రార్ కె.శ్రీనివాసరావు డి నోటిఫికేషన్ చేశారు. తర్వాత అప్పటి నాగేశ్వరరావు సబ్ రిజిస్ట్రార్, ఇతనితో పాటు అన్నమణి, రిటైర్డ్ సీనియర్ అసిస్టెంట్ మరియు శ్రీకాంత్, ఇన్ చార్జ్ సబ్ రిజిస్ట్రార్ , నీరజా, ప్రస్తుత కాకుమాను సబ్ రిజిస్ట్రార్ గా పని చేస్తున్నారు. పైన చెప్పిన వాళ్లందరూ కూడా based on Go's ద్వారా రీ సబ్మిట్ చేసి రిజిస్టర్ చేయడం జరిగింది. **దాదాపుగా 150 నుంచి 180 డాక్యుమెంట్లు రిజిస్ట్రేషన్ చేయడం జరిగింది.** నన్ను సస్పెండ్ చేసి తర్వాత నా మీద రెగ్యులర్ ఇంక్వయిరీ వేస్తారు. రెగ్యులర్ ఇంక్వయిరీ ఆఫీసర్ గా కిరణ్ కుమార్ అతను అప్పుడు గుంటూరు జిల్లా ఆడిట్ అఫీసర్ గా పనిచేశారు. ఎంక్వయిరీ ఒక డాక్యుమెంట్ కూడా రిజిస్ట్రేషన్ జరగలేదు అని “ Not Proved ” ని రిపోర్టు అతను ప్రభుత్వానికి సబ్మిట్ చేశారు. తర్వాత అప్పటి కలెక్టర్ కాంతిలాల్ దండే గారు 2015 నవంబర్ - డిసెంబర్లో ఒక ఆర్డీఓని పంపించి వెరిఫై చేయమని పంపారు. తర్వాత వెరిఫై చేసిన తర్వాత అన్ని డాక్యుమెంట్లను కూడా .... చేయడం జరిగిందని రిపోర్టు ఇచ్చారు ఏమీ జరగలేదని..

8) ఇంకా ఏమైనా చెప్పేది ఉందా?

Ans : లేదు. ఇంతే..