



ఆంధ్రప్రదేశ్ రాజ పత్రము
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

W.No.28

AMARAVATI, WEDNESDAY, JULY 15, 2026

G.270

**PART I - NOTIFICATIONS BY GOVERNMENT, HEADS OF DEPARTMENTS
AND OTHER OFFICERS**

--X--

NOTIFICATIONS BY GOVERNMENT

**TRIBAL WELFARE DEPARTMENT
(LTR.A2)**

Sri DESALA CHITTIBABU, S/o. LATE APPARAO AND OTHERS, R/o. GEDALAPALEM VILLAGE, GOKAVARAM MANDAL, ALLURI SEETHARAMARAJU DISTRICT ERSTWHILE EAST GODAVARI DISTRICT HAS FILED A REVISION PETITION BEFORE THE GOVERNMENT OF AP., AGAINST THE ORDERS OF THE ADDITIONAL AGENT TO THE GOVERNMENT, RAMPACHODAVARAM, ALLURI SEETHARAMARAJU DISTRICT ERSTWHILE EAST GODAVARI DISTRICT IN CMA No.01/2019, DATED:28.03.2022 IN RESPECT OF LAND ADMEASURING Ac.3.36 Cents (Hec.1.36) IN Sy.No.445/5 OF INDUKURU VILLAGE, DEVIPATNAM MANDAL, ALLURI SEETHARAMARAJU DISTRICT - DISMISSED.

(G.O.Ms.No.27, Tribal Welfare (LTR.A2), 14th July, 2026.)

Read the following:-

1. Revision Petition filed by Sri Desala Chittibabu, S/o. Late Apparao and others, R/o. Gedalapalem Village, Gokavaram Mandal, Alluri Sitharamaraju District erstwhile East Godavari District before the Government, Dt.25.04.2022 along with its enclosures.
2. Para-wise remarks received from the Additional Agent to Government cum Project Officer, ITDA, Rampachodavaram, Alluri Seetharamaraju District letter No. Revision in CMA No.01/2019, Dt.01.07.2023.

*** **

ORDER:

In the references read above, Sri Desala Chittibabu, S/o. Late Apparao and others, R/o. Gedalapalem Village, Gokavaram Mandal, Alluri Sitharamaraju District erstwhile East Godavari District has filed the present Revision Petition under the provisions of the A.P. Scheduled Areas Land Transfer Regulation, 1959 against the orders of the Additional Agent to Government, Rampachodavaram, East Godavari District, passed in CMA No.01/2019, Dt.28.03.2022, setting aside the orders of the Special Deputy Collector (TW), Rampachodavaram passed in LTRP No.139/2007, dated.19.04.2012 in respect of land admeasuring Ac.3.36 cents (Hec. 1.36) in Sy.No.445/5 of Indukuru Village, Devipatnam Mandal, Alluri Sitharamaraju District.

2. The above said Revision Petition has been posted for hearing before the Hon'ble Revision Authority on several dates and finally 22.03.2025 duly informing the same to the petitioner and defendants. During the course of the hearing and on perusal of the connected records/relevant materials and parawise remarks submitted by the Additional Agent to Government cum Project Officer, ITDA, Rampachodavaram and written arguments filed by both parties counsels, the Revision Authority has observed that:

Brief facts of the subject case:

- i. The Special Deputy Tahsildar (Tribal Welfare), Devipatnam Mandal, filed a complaint under Section 3(1) of the A.P. Scheduled Areas Land Transfer Regulation, 1959 as amended by Regulation 1 of 1970, before the Special Deputy Collector (Tribal Welfare), Rampachodavaram, seeking restoration of petition schedule land admeasuring Ac.3.36 cents (Hec.1.36) in Sy.No.445/5 of Indukuru Village, Devipatnam Mandal, after evicting the non-tribal occupants, namely Sri Desala Chittibabu, S/o. Late Apparao and others, residents of Gedalapalem Village, Gokavaram Mandal.
- ii. After due enquiry, the Special Deputy Collector (Tribal Welfare), Rampachodavaram, passed orders in LTRP No.139/2007 dated 19.04.2012, holding that the occupation of the petition schedule land by non-tribals in a Scheduled Area was in violation of the provisions of APSALTR, 1959 as amended, and accordingly ordered ejectment of the non-tribal respondents and restoration of the land to the Government for assignment to eligible tribal beneficiaries, directing the Tahsildar to implement the orders.
- iii. Aggrieved by the said orders, Sri Desala Chittibabu and others preferred an appeal before the Additional Agent to Government, Rampachodavaram, under Rule 8 of the Andhra Pradesh Scheduled Areas Land Transfer Rules, 1969, challenging the orders passed in LTRP No.139/2007.
- iv. The appeal was taken up as C.M.A. No.01/2019, and after examination of the records and material available, the Additional Agent to Government, Rampachodavaram, by order dated 28.03.2022, upheld the orders of the Special Deputy Collector (TW), Rampachodavaram, confirming that the occupation of Scheduled Area land by non-tribals without valid authority is null and void under APSALTR, 1959 as amended.

3. Aggrieved by the orders passed by the Additional Agent to Government, Rampachodavaram, East Godavari District in C.M.A. No.01/2019, dated 28.03.2022, whereby the orders of the Special Deputy Collector (Tribal Welfare), Rampachodavaram passed in LTRP No.139/2007, dated 19.04.2012, in respect of the land admeasuring Ac.3.36 cents (Hec.1.36) in Sy.No.445/5 of Indukuru Village, Devipatnam Mandal, East Godavari District, directing ejectment of non-tribals and restoration of the land to the Government, were confirmed, Sri Desala Chittibabu, S/o. Late Apparao and others, R/o. Gedalapalem Village, Gokavaram Mandal, have filed the present Revision Petition dated 25.04.2022 before the Government, seeking to set aside the said appellate orders and to grant appropriate relief in their favour.

4. The Additional Agent to Government cum Project Officer, ITDA, Rampachodavaram, has been requested to furnish detailed para-wise remarks along with connected records in respect of the Revision Petition filed by Sri Desala Chittibabu, S/o. Late Apparao and another, R/o. Gedalapalem Village, Gokavaram Mandal, so as to enable disposal of the Revision Petition at Government level. Accordingly, the Additional Agent to Government cum Project Officer, ITDA, Rampachodavaram, has submitted para-wise remarks along with connected records vide his letter dated 01.07.2023, enclosing copies of the orders passed by the Special Deputy Collector (Tribal Welfare), Rampachodavaram in LTRP No.139/2007, dated 19.04.2012, and the orders of the Additional Agent to Government, Rampachodavaram passed in C.M.A. No.01/2019, dated 28.03.2022, together with remarks on the Revision Petition filed by the Revision Petitioners.

5. The said Revision Petition was posted for hearing before the Hon'ble Revision Authority. On careful consideration of the records connected with the case, including the para-wise remarks and connected records submitted by the Project Officer, ITDA, Rampachodavaram cum Additional Agent to Government, and the other material available on record, the Hon'ble Revision Authority has observed as follows:

- i. The Memorandum of Revision Petition has been filed by Sri Desala Chittibabu, S/o. Late Apparao and others, R/o. Gedalapalem Village, Gokavaram Mandal, being aggrieved by the orders passed by the Additional Agent to Government, Rampachodavaram in C.M.A. No.01/2019, dated 28.03.2022, whereby the orders of the Special Deputy Collector (Tribal Welfare), Rampachodavaram passed in LTRP No.139/2007, dated 19.04.2012, relating to the petition schedule land admeasuring Ac.3.36 cents (Hec.1.36) in Sy.No.445/5 of Indukuru Village, Devipatnam Mandal, were confirmed, seeking interference by the Government under Section 6 of the A.P. Scheduled Areas Land Transfer Regulation, 1959 as amended by Regulation 1 of 1970.
- ii. It is seen from the records that proceedings were initiated by the Special Deputy Tahsildar (Tribal Welfare), Devipatnam Mandal, by filing a complaint under Section 3(1) of the APSALTR, 1959 as amended by Regulation 1 of 1970, before the Special Deputy Collector (Tribal Welfare), Rampachodavaram, alleging unauthorised occupation of petition schedule land by non-tribals, namely Sri Desala Chittibabu, S/o. Late Apparao and others, in respect of land admeasuring Ac.3.36 cents (Hec.1.36) in Sy.No.445/5 of Indukuru Village, Devipatnam Mandal, and seeking restoration of the land.

- iii. It is further seen that, after due enquiry, the Special Deputy Collector (TW), Rampachodavaram, by order dated 19.04.2012 in LTRP No.139/2007, held that the occupation of the petition schedule land by non-tribals in a Scheduled Area was in violation of the provisions of the A.P. Scheduled Areas Land Transfer Regulation, 1959 as amended by Regulation 1 of 1970, and accordingly ordered ejectment of the non-tribal occupants and restoration of the land to the Government for onward assignment to eligible tribal beneficiaries, directing the Tahsildar concerned to implement the orders.
 - iv. It is also noted that, aggrieved by the said order, Sri Desala Chittibabu and others preferred an appeal before the Additional Agent to Government, Rampachodavaram, under Rule 8 of the Andhra Pradesh Scheduled Areas Land Transfer Rules, 1969, which was numbered as C.M.A. No.01/2019.
 - v. It is seen from the appellate records that the Additional Agent to Government, Rampachodavaram, by order dated 28.03.2022 in C.M.A. No.01/2019, after examination of the records and material available on record, upheld the orders of the Special Deputy Collector (TW), Rampachodavaram, confirming that the occupation of Scheduled Area land by non-tribals without valid authority is null and void under the provisions of APSALTR, 1959 as amended.
 - vi. It is further noted that, aggrieved by the orders passed by the Additional Agent to Government, Rampachodavaram in C.M.A. No.01/2019, dated 28.03.2022, whereby the orders of the Special Deputy Collector (Tribal Welfare), Rampachodavaram in LTRP No.139/2007, dated 19.04.2012, directing ejectment of non-tribals and restoration of the land to the Government, were confirmed in respect of land admeasuring Ac.3.36 cents (Hec.1.36) in Sy.No.445/5 of Indukuru Village, Devipatnam Mandal, Sri Desala Chittibabu, S/o. Late Apparao and others, have filed the present Revision Petition dated 25.04.2022 before the Government, seeking to set aside the said appellate orders and to grant appropriate relief in their favour.
6. The main contentions put forth by the Revision Petitioners, Sri Desala Chittibabu, S/o. Late Apparao and others, are the proceedings initiated under the A.P. Scheduled Areas Land Transfer Regulation, 1959, in respect of the petition schedule land admeasuring Ac.3.36 cents (Hec.1.36) in Sy.No.445/5 of Indukuru Village, Devipatnam Mandal, are legally unsustainable and based on incorrect appreciation of facts. It is contended that the petitioners and their predecessors have been in continuous possession and enjoyment of the land from several decades, having derived valid title through lawful means.
7. It is further contended that late Desala Mahalaxmamma purchased the subject land from Sri Badireddy Nagaraju through a registered sale deed dated 20.04.1960, and that the said land was subsequently correlated to Sy.No.445/5 through patta No.15-A pursuant to orders passed by the Settlement Officer in Case No.3018/1977 dated 26.06.1996. The Revision Petitioners have asserted that the Settlement Officer, after elaborate enquiry and verification of revenue records, granted Settlement Patta in their favour, and that the said order has attained finality as no appeal was preferred against it.
8. The Revision Petitioners have also submitted that after abolition of estates, the Settlement Officer, Director of Settlements and the Commissioner of Survey, Settlements and Land Records consistently upheld their rights under the Andhra

Pradesh Scheduled Area Ryotwari Settlement Regulation, 1970. It is contended that once a Settlement Patta is granted under the said Regulation, proceedings under Section 3 of the APSALTR, 1959 are not maintainable, and that the lower authorities erred in invoking the provisions of the Land Transfer Regulation ignoring the binding settlement proceedings.

9. It is further contended that the impugned orders were passed without proper verification of material records such as registered sale deeds, settlement orders, pattadar pass books, adangals and tax receipts filed by the petitioners. The Revision Petitioners have alleged that the authorities below mechanically concluded that the land is Government land classified as "banjar", without appreciating the settlement history and documentary evidence on record, thereby rendering the findings arbitrary and perverse.

10. The Revision Petitioners have also contended that the appellate authority confirmed the orders of the Special Deputy Collector (Tribal Welfare) without independent application of mind, and in violation of the principles of natural justice. Relying upon settled legal principles that once patta is granted under the Ryotwari Settlement Regulations, proceedings under the APSALTR cannot be sustained, the Revision Petitioners have prayed that the orders passed in C.M.A. No.01/2019 dated 28.03.2022 be set aside and appropriate relief be granted in their favour.

11. Upon perusal of the para-wise remarks submitted by the Additional Agent to Government cum Project Officer, ITDA, Rampachodavaram, along with the connected records, it is observed by the Revision Authority as follows:

- i. It is observed that the petition schedule land admeasuring Ac.3.36 cents (Hec.1.36) in Sy.No.445/5 of Indukuru Village is classified as "Banjar" Government land situated in a Scheduled Area, and the occupation of such Government land by non-tribals squarely attracts the prohibitions contained under Section 3(1)(a) read with Section 2(g) of the A.P. Scheduled Areas Land Transfer Regulation, 1959 as amended by Regulation 1 of 1970.
- ii. It is further observed that the Revision Petitioners failed to establish how the land devolved upon their predecessors, as there is no material evidence on record to show lawful origin of title prior to 1917 or otherwise, and mere claim of ancestral possession without supporting documentary proof cannot confer any legal right over Government land in Scheduled Areas.
- iii. It is noted that the settlement patta and revenue records relied upon by the Revision Petitioners do not override the provisions of the Land Transfer Regulation, and pattadar passbooks, adangals or tax receipts, even if issued, do not validate a transfer or occupation that is otherwise void under the APSALTR, as consistently held by the Hon'ble High Court of Andhra Pradesh.
- iv. It is also observed that the Special Deputy Collector (TW), Rampachodavaram, after detailed enquiry in LTRP No.139/2007, rightly held that the occupation of the land by non-tribals was illegal and ordered eviction and restoration of the land to the Government, and the Additional Agent to Government, Rampachodavaram, in C.M.A. No.01/2019, correctly upheld the said findings after examining the entire material on record.

12. On careful scrutiny of the entire material available on record, including the orders passed by the Special Deputy Collector (Tribal Welfare), Rampachodavaram in LTRP No.139/2007 dated 19.04.2012, the orders of the Additional Agent to Government, Rampachodavaram in C.M.A. No.01/2019 dated 28.03.2022, the grounds raised in the Revision Petition, the written arguments submitted by the Revision Petitioners, the para-wise remarks and connected records furnished by the Project Officer, ITDA, Rampachodavaram cum Additional Agent to Government, and upon hearing the parties, the following question arises for consideration:

Whether the Revision Petitioners, Sri Desala Chittibabu, S/o. Late Apparao and others, have established any legal right, valid title or lawful possession over the petition schedule land admeasuring Ac.3.36 cents (Hec.1.36) in Sy.No.445/5 of Indukuru Village, Devipatnam Mandal, East Godavari District, so as to warrant interference under Section 6 of the A.P. Scheduled Areas Land Transfer Regulation, 1959 as amended by Regulation 1 of 1970, with the orders passed by the Additional Agent to Government, Rampachodavaram in C.M.A. No.01/2019 dated 28.03.2022.

13. On careful examination of the records, it is observed as follows:

The subject land admeasuring Ac.3.36 cents (Hec.1.36) in Sy.No.445/5 of Indukuru Village, Devipatnam Mandal, is situated in a Scheduled Area and is classified as "Banjar" Government land, thereby squarely attracting the provisions of the A.P. Scheduled Areas Land Transfer Regulation, 1959 as amended by Regulation 1 of 1970. Being land located in a Scheduled Area and recorded as Government land, any occupation or dealing with the said land is governed strictly by the provisions of the Land Transfer Regulation.

The Revision Petitioners are admittedly non-tribals, and therefore the statutory presumption under Section 3(1)(a) read with Section 2(g) of the Regulation squarely applies. Consequently, the burden of proof lies upon the Revision Petitioners to establish that their occupation of the Scheduled Area land is lawful and not hit by the prohibitions contained in the Regulation. However, the Revision Petitioners have failed to discharge the mandatory burden cast upon them under the statute.

A perusal of the records does not disclose any assignment order, lawful grant, or valid statutory title issued by a competent authority in favour of the Revision Petitioners or their predecessors in respect of the petition schedule Government land. Mere reliance on settlement pattas, pattadar passbooks, revenue entries or tax receipts does not confer ownership or validate possession when such possession is contrary to the express provisions of the Land Transfer Regulation applicable to Scheduled Areas.

The claim of the Revision Petitioners that the land devolved upon them through ancestral possession or purchase is not supported by any credible documentary evidence explaining the lawful origin of title, particularly when the land is admittedly classified as Government land situated in a Scheduled Area. The Revision Petitioners have not produced material evidence to establish how their predecessors acquired valid title over the land in a manner permissible under the Regulation.

The Special Deputy Collector (Tribal Welfare), Rampachodavaram, after conducting due enquiry in LTRP No.139/2007, has rightly held that the occupation of the petition schedule land by non-tribals is illegal and ordered eviction and restoration of the land to the Government. The findings recorded by the original authority are based on proper appreciation of statutory provisions and the material available on record.

Further, the Additional Agent to Government, Rampachodavaram, while disposing of C.M.A. No.01/2019, has examined the entire record and correctly upheld the orders of the Special Deputy Collector (TW), holding that occupation of Government land in Scheduled Areas by non-tribals is null and void under the APSALTR, 1959 as amended by Regulation 1 of 1970.

The contention of the Revision Petitioners that settlement proceedings or pattas issued under the Ryotwari Settlement Regulations confer absolute rights is untenable, as it is well settled that the Land Transfer Regulations prevail over the Settlement Regulations in matters relating to Scheduled Area lands. Settlement pattas granted contrary to the provisions of the Land Transfer Regulation do not bind the authorities under the Regulation.

The Revision Petitioners have failed to establish lawful possession independent of prohibited transfers and have not placed any material on record to rebut the concurrent findings recorded by the lower authorities. The reliance placed on judgments relating to settlement pattas and revenue entries does not advance their case, as such documents cannot validate possession that is otherwise void under the Land Transfer Regulation.

In view of the above, the orders passed by the Additional Agent to Government, Rampachodavaram in C.M.A. No.01/2019 dated 28.03.2022 are found to be based on proper appreciation of facts, statutory provisions and settled legal principles governing Scheduled Area lands and do not warrant interference under Section 6 of the APSALTR, 1959.

In view of the foregoing discussion, and in exercise of the powers conferred under Section 6 of the A.P. Scheduled Areas Land Transfer Regulation, 1959 as amended by Regulation 1 of 1970, the Revision Petition filed by Sri Desala Chittibabu, S/o. Late Apparao and others, R/o. Gedalapalem Village, Gokavaram Mandal, is hereby dismissed.

Accordingly, the order dated 28.03.2022 passed by the Additional Agent to Government, Rampachodavaram, in C.M.A. No.01/2019, confirming the order dated 19.04.2012 passed by the Special Deputy Collector (Tribal Welfare), Rampachodavaram, in LTRP No.139/2007, is hereby upheld.

The concerned authorities are hereby directed to take necessary steps for eviction of the unauthorised non-tribal occupants, restoration of the subject land admeasuring Ac.3.36 cents (Hec.1.36) in Sy.No.445/5 of Indukuru Village, Devipatnam Mandal, to the Government, and for onward assignment to eligible tribal beneficiaries, strictly in accordance with law.

As a sequel, interim orders, if any, passed in the matter shall stand vacated. The Revision Petition is disposed of accordingly.

14. Government after careful examination of the revision petition and the circumstances stated supra and in exercise of the powers conferred under section 3 (1) of the Andhra Pradesh Scheduled Area Land Transfer Regulations 1 of 59 as amended by 1 of 70, the order passed by the Additional Agent to Government, Rampachodavaram, in CMA No.01/2019, Dt.28.03.2022 passed by the Special Deputy Collector (Tribal Welfare), Rampachodavaram, in LTRP No.139/2007 are hereby upheld and the Revision petition filed by Sri Desala Chittibabu, S/o. Late Apparao and others, R/o. Gedalapalem Village, Gokavaram Mandal is hereby dismissed and Interim orders passed if any are hereby vacated in the matter.

15. The Collector & District Magistrate, Alluri Seetharamaraju District (erstwhile E.G. District) is requested to take necessary action in the matter accordingly and acknowledge the receipt of the case records, which are returned herewith to the Additional Agent to Government/Project Officer, Rampachodavaram, Alluri Seetharamaraju District.

16. This order shall be published in apegazette.cgg.gov.in

MUDAVATU. M. NAYAK,
Secretary to Government.

--X--