



# Light and Twilight of Tribal Empowerment

## *Sakti's Legal Advocacy for Tribal Land Rights and Justice in Andhra Pradesh*

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**Abstract :** This paper examines the pioneering legal advocacy of *Sakti*, a grassroots organization working in the Scheduled Areas of Andhra Pradesh since 1985, to safeguard tribal land rights and justice. Drawing on landmark cases, legislative frameworks, and grassroots interventions, it highlights how *Sakti* has used public interest litigation to combat land alienation, non-tribal encroachments, environmental degradation, and atrocities against tribal communities. The study situates *Sakti's* interventions within the broader constitutional and statutory framework, including the Fifth Schedule, APSALTR, FRA, and PESA, while analyzing judicial precedents that established its legitimacy to represent tribal interests. Case studies reveal how *Sakti* bridged the gap between rights on paper and their enforcement, amplifying the role of tribal women, securing bail for activists, and countering fraudulent land claims. The paper also foregrounds structural challenges such as bureaucratic inertia, criminalization of activism, and judicial limits in monitoring executive compliance. By integrating legal analysis with grassroots narratives, it argues that *Sakti's* model of litigation and advocacy offers a powerful example of civil society-driven tribal empowerment, advancing both social justice and ecological protection in India's Scheduled Areas.

**IndexTerms - Tribal land rights, Public interest litigation (PIL), Sakti, Andhra Pradesh, APSALTR.**

### I. INTRODUCTION

When British colonial rule started in the eastern hill tracts, the erstwhile local republics, known as *Ganarajyas*, where rulers respected local customs, boundaries, dispute councils, and oral traditions, were classified as "scheduled areas" (Avargal 1931; Bose 2023, 39). To manage these areas, the British required maps of the forests, their resources, and land records (Bose 2023, 43). Forest and revenue officials were put to the task of creating these maps and records for use across departments. This line of flight towards new tools of governance posed numerous problems for the tribals that continue to persist. Despite the establishment of a widespread education system, tribal forest dwellers were not taught about these rules, maps, or records. As a result, only government officials held this knowledge, leaving tribals unable to challenge the erasure of their community identity, sustainable practices, and ecological wisdom.

In the Scheduled Areas of Andhra Pradesh, where the *adivasis*, i.e., tribals face systemic marginalization, the non-governmental organization *Sakti* has emerged as a formidable advocate for tribal rights. Founded in 1985 and initiated in Rampachodavaram, East Godavari District, *Sakti*, under the leadership of Dr. P. Sivarama Krishna, has leveraged public interest litigation to combat land alienation, environmental degradation, and atrocities against tribals. Through landmark cases, including *V. Shankar Reddy vs. State of A.P.* (W.P. No. 11136 of 1990) and *Sakti vs. State of A.P.* (AIR 2009 SC (Supp) 2086), *Sakti* has challenged bureaucratic inertia, non-tribal encroachments, and state complicity in tribal exploitation.

After laying down a brief overview of the relevant legislations, this essay examines *Sakti's* legal journey across nine dimensions, drawing on judicial precedents and the organization's grassroots efforts to protect tribal land rights, ensure justice, and preserve ecological balance. By integrating legal analysis of both reported and unreported judgements with historical context, it underscores *Sakti's* role as a model for civil society-driven tribal empowerment in India. Keeping in mind the context and length of the article, the extent of judgements under consideration is limited and not exhaustive in any way.

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## II. LEGISLATIVE AND REGULATORY FRAMEWORK

This part outlines key legislative and regulatory measures designed to protect tribal land rights, while highlighting their limitations and mis-implementation.

### 3.1 The 5<sup>th</sup> Schedule and Tribal Advisory Council (TAC)

KSE-The tribal areas of Andhra Pradesh are governed under the 5th Schedule of the Indian Constitution, which establishes the Tribal Advisory Council (TAC) as a "mini-assembly" comprising tribal legislative members from Scheduled Areas (Constitution of India, Article 244). The TAC has the authority to review and modify policies affecting Scheduled Areas, with its recommendations requiring approval from the Governor and the President of India. The Andhra Pradesh Scheduled Area Land Transfer Regulation (APSA LTR) of 1959, amended in 1970 (1/70 regulation), is a key regulation under this framework. It prohibits land transfers from tribals to non-tribals and, under the 1970 amendment, presumes all land in Scheduled Areas as tribal land, requiring non-tribals to prove their legal possession before Land Transfer Regulation (LTR) authorities (Sivarama Krishna, p. 3).

### 3.2 Ryotwari Settlement Regulations

The Andhra Pradesh Muttas (Abolition and Conversion into Ryotwari) Regulation, 1969 (1/69 regulation), and the Andhra Pradesh Scheduled Areas Ryotwari Settlement Regulation, 1970 (2/70 regulation), facilitated the conversion of lands in erstwhile Mutta, Mahal, and estate villages into Ryotwari tenure, granting individual property rights. However, these settlements often favored non-tribals, particularly in irrigated lower areas and forested interior regions, where lands were allocated to timber merchants (Sivarama Krishna, p. 3). This biased settlement process exacerbated tribal land alienation.

### 3.3 Forest Rights Act (FRA) and PESA

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (FRA), implemented from 2008, recognizes individual and community rights within traditional customary boundaries. The Panchayat Raj Extended to Scheduled Areas Act, 1996 (PESA), enforced in 2011, empowers Gram Sabhas (village assemblies) to govern land and resource issues based on homogeneity and proximity of habitations. The Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, mandates updating land records in consultation with Gram Sabhas before land acquisition, though decision-making power rests with the Mandal Praja Parishat, often undermining tribal authority (Sivarama Krishna, p. 4).

## II. SAKTI'S LEGAL ADVOCACY FOR TRIBAL LAND RIGHTS AND JUSTICE IN ANDHRA PRADESH

### 4.1 Establishing Locus Standi: Sakti's Legitimacy in Court

The threshold question in Sakti's legal battles was whether a civil society organization, led by a non-tribal director, could represent tribal communities in court. This issue of *locus standi* was critical, as opponents frequently challenged Sakti's authority, dismissing it as an outsider's interference in local tribal affairs.

In *V. Shankar Reddy vs. State of A.P.* (W.P. No. 11136 of 1990, decided April 3, 1992), Sakti sought to halt tree felling in Chintalapudi village's forests, which threatened tribal livelihoods and ecological balance. Non-tribal pattadars and their representative, V. Shankar Reddy, contested Sakti's standing, arguing it lacked a direct stake. The Andhra Pradesh High Court, however, recognized Sakti's extensive work in ecological restoration, tribal training programs, and advocacy for preventing illegal land transfers to non-tribals.<sup>4</sup> Citing Articles 48-A and 51-A(g) of the Indian Constitution, which mandate environmental protection, and Supreme Court precedents like *S.P. Gupta vs. President of India* and *Rural Litigation & Entitlement Kendra vs. State of U.P.* (1989 Supp 1 SCC 504), the Supreme Court held that sincerity and purpose trump formal tribal identity when constitutional values are at stake. Sakti's locus standi was thus affirmed, enabling it to further tribal and environmental causes.

This legitimacy was further tested in *Non-tribals vs. Sakti and Settlement Officer, Kovvuru* (W.A. No. 1011 of 1997). Non-tribal appellants again questioned Sakti's role, but the court reiterated that the social voluntary organization was created to protect interests of the communities and thus it can legitimately represent their interests. Far from undermining legal fairness, Sakti's representation ensured that marginalized tribal voices were further amplified.

In *WPMP No. 3751 of 2001*, bureaucratic resistance surfaced when officials refused to consider evidence submitted by Sakti. The Court intervened, ordering authorities to accept and review Sakti's materials, reinforcing its credibility as a tribal advocacy group. These rulings collectively established Sakti as a legitimate voice, strengthening the way for its substantive legal interventions.

### 4.2 From Recognition to Enforcement: Upholding Tribal Land Rights

The Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 (APSA LTR), prohibits non-tribal land acquisitions in Scheduled Areas to protect tribal land rights. However, as discussed in prior analyses of tribal land alienation, implementation

<sup>4</sup> Unless otherwise specified, all the Orders from the High Court for the State of Andhra Pradesh.

has been inconsistent due to bureaucratic delays and non-tribal resistance. Sakti's litigation focused on enforcing existing legal commitments, addressing systemic gaps in governance (Dodda, Chandra Babu).

In *W.P. No. 8009 of 1997*, Sakti supported tribal petitioners seeking procedural fairness during land surveys. The High Court issued a directive mandating the presence of tribals or their representatives during survey operations, with all objections recorded and addressed in writing. This ensured transparency and tribal participation in processes critical to their land claims.

Non-compliance with this directive prompted Sakti to initiate a contempt petition in *P. Gangamma vs. Vasudha Misra* (CC No. 1381 of 1997 in *W.P. 8009 of 1997*). The Court acknowledged that government efforts were often symbolic, lacking tangible outcomes. To address this, it issued several guidelines, including establishing District Level Committees, chaired by the District Collector and including NGO and political representatives, to oversee survey and settlement processes in Scheduled Areas, enhancing accountability.

Similarly, in *W.P. No. 14677 of 1999*, Sakti-supported petitioners, who had received government land assignment orders (No. ROC 607/97/C dated 31-12-1997) but not possession, sought enforcement. The Court directed the administration to execute these orders, emphasizing the state's obligation to fulfil commitments despite administrative delays or disputes. These cases highlight Sakti's role in bridging the gap between legal rights and their practical realization.

In *W.P.M.P. No. 16662 of 2001*, tribal petitioner Madakam Lakshmi, backed by Sakti, sought consolidated land survey and title verification records essential for asserting land claims. The court ordered prompt provision of these public documents, facilitating tribal access to critical evidence.

The import of such judgements can be best demonstrated from the impact it generates and percolates down to the grassroots level. The story of Tellam Ademma, a tribal woman, cultivator and owner of 6.37 acres of land, who detected a gross in the land records pertaining to her own land in the year 1999 is very telling. Being one of the 26 people that SAKTI trained to read and understand various revenue records, Ademma found out that only 1.37 acres of land was on her name and the rest of the land was in the title of the non-tribals (Tribals trained in Land Survey, 1999).

#### 4.3 Non-Tribal Opposition to Tribal Land Claims

As Sakti's advocacy strengthened tribal land rights enforcement, non-tribal interests mounted opposition, a recurring challenge in the context of land alienation. Non-tribals sought to undermine APSALTR through legal and administrative manoeuvres.

In *W.P. No. 7337 of 1992* and connected petitions, non-tribal petitioners attempted to exclude their villages from Scheduled Areas to bypass APSALTR's prohibition on land transfers to non-tribals and other restrictions on land transfers. This is one of the most resorted to strategies to obtain land in the scheduled areas. The High Court dismissed these petitions as premature, noting that only the Governor, under the Fifth Schedule of the Constitution, holds authority to alter Scheduled Area boundaries. By vacating the existing bundle of interim reliefs and directing petitioners to pursue administrative channels instead of judicial channels, the court preserved APSALTR's protective framework.

Administratively, non-tribals sought land titles through fraudulent means. In *CCLA Ref. No. L3/175/2000*, before the Commissioner of Land Revenue, the non-tribal appellants challenged the lower judicial authority's Order setting aside the pattas obtained by them as being obtained by fraudulent means. Before the lower judicial authority, Sakti challenged pattas issued based on tampered documents exhibiting overwriting and interpolated dates and obtained a relief in its favor. The appellate judicial authority rejected the non-tribal appeals, citing the absence of authentic records and evident fabrication, dismissing them for lack of merit. These cases underscore Sakti's vigilance in countering non-tribal encroachments, protecting tribal land rights.

#### 4.4 Addressing Atrocities and Criminalization Against Tribals and Activists

Tribal communities and Sakti activists faced violence and criminalization, often as retaliation for asserting tribals' right to land. Sakti's litigation sought to protect victims and curb harassment, aligning with broader efforts to enforce the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

In *B. Madhusudhan Reddy vs. State of A.P.* ((1997) ALD 811), prompted by newspaper reports of police crackdowns, the Court responded swiftly to allegations of tribals being "beaten up mercilessly." It deployed a Judicial Magistrate to inspect prisons and ensure medical aid for victims. The final judgment issued a six-point directive, ordering the government to deliver undisputed lands to tribals, expedite pending cases, and close non-serious criminal cases to restore community trust.

In *W.P. No. 15598 of 1997*, Sakti highlighted severe police harassment of tribal women in Buttaigudem and Jeelugumilli mandals, including verbal abuse, beatings, and stripping. The High Court directed the Special Judge for SC/ST Courts in Eluru to prioritize these cases, setting a six-month resolution timeline to ensure justice for victims.

In *W.P. No. 11543 of 1999*, Sakti sought protection for tribals facing violence in West Godavari mandals, invoking Section 21 of the SC/ST (Prevention of Atrocities) Act. The petition requested the appointment of a senior officer to oversee prosecutions, provide legal aid, and recognize tribal land restoration campaigns as protected activities. This plea echoed the Supreme Court's crucial directive in the complex case of *Sakti vs. State of A.P.* (2009), which mandated officer appointments under the same Act to protect tribals in the same region, highlighting Sakti's consistent advocacy.

Sakti and its coordinators faced criminalization through multiple FIRs (e.g., Nos. 106/96, 23/97, 55/93) at Jeelugumilli Police Station, aimed at disrupting their work. In related writ petitions, the High Court granted interim suspensions of proceedings,

though these were later vacated, leaving petitioners to navigate ongoing legal challenges (Sivaramakrishna). These cases are an example of the strategic use of criminalization to suppress tribal activism.

#### 4.5 Reports by NHRC and institutional failures

While Sakti continued its legal advocacy, civil society actors such as the Committee of Concerned Citizens (CCC) played a crucial role in highlighting the broader institutional failures in the enforcement of tribal land rights. In a letter dated 30 July 2001, addressed to the National Human Rights Commission (NHRC), S.R. Sankaran, Convenor of the CCC, responded to a complaint concerning police brutality against Dalits in the Scheduled Areas of West Godavari District. Though outside the Committee's core focus on Naxalite-related violence in Telangana, Sankaran used the opportunity to frame the situation in West Godavari not as a policing issue, but as a failure of land governance.

The letter underlined the legal protections applicable to the lands in Jeelugumilli, Buttayagudem, and Polavaram mandals under laws such as the Madras Act I of 1917 and the Andhra Pradesh Scheduled Areas Land Transfer Regulation (APSALTR) of 1959 and its 1970 amendment. Despite these provisions, large-scale encroachments by non-tribals had gone unchecked. Instead of upholding the law, the State had chosen to criminalize tribal assertion reflected in the filing of 118 criminal cases against 2,175 tribals. The Committee noted the superficial and biased nature of the police report and the failure of the NHRC to seek a more credible assessment from the State Government or District Collector. In this context, it recommended that the NHRC initiate a ground-level inquiry by a special officer and summon both the District Collector and the Superintendent of Police. Alternatively, the Commission could summon senior state officials, including the Chief Secretary and the Director General of Police, to New Delhi along with all case records. It urged the NHRC to ensure the enforcement of land regulations and judicial orders, facilitate the release of tribals still in custody, withdraw pending cases, and take disciplinary action against officials responsible for harassing tribals.

These concerns were further substantiated by the findings of K.R. Venugopal, IAS (Retd.), Special Rapporteur of the NHRC, who conducted a detailed field visit across Buttayagudem, Jeelugumilli, and Polavaram mandals in September 2001. His report, prompted by complaints from a CPI(M) functionary, detailed the widespread misuse of police powers, including indiscriminate FIRs, custodial violence, and intimidation of tribals demanding land rights enforcement. In several cases, hundreds of tribals were named in a single FIR, and jail was used as a tool of coercion. Even women testified to repeated police harassment. The report concluded that the tribals were being criminalized for exercising their legally protected rights under APSALTR.

In addition, the report found significant failures within the revenue administration. Thousands of land transfer cases had been disposed of in favor of non-tribals without proper verification. In one case, over 10,000 acres were restored to non-tribals on the sole ground that the land had been mortgaged to banks, without judicial inquiry into the original title. The Collector's office lacked basic data management systems, and land restoration orders in favor of tribals were often not followed by physical possession or title delivery. Despite 10,292 LTR cases being disposed of since 1970, less than one-fourth had resulted in relief to tribals, and even fewer had led to restoration in practice.

Venugopal's recommendations included immediate withdrawal of unjust cases, appointment of neutral officers in biased jurisdictions, full public restoration of land, and accountability of both revenue and police officials. The report warned that unless the State acted decisively within five weeks, the NHRC should hold it accountable for failure to protect constitutional and legal rights of tribals.

Together, these interventions underscored that the challenges to APSALTR were not limited to direct legal or administrative evasion by non-tribals. The systemic denial of justice through official complicity, misuse of law enforcement, and administrative neglect, posed equally severe threats to tribal land rights. They affirmed Sakti's position that tribal land protection could not be meaningfully realized without simultaneous reform of governance and protection from criminalization.

#### 4.6 Tribal Women Leading the Struggle

After Tribal women, often at the forefront of land rights activism, faced unique challenges, as evidenced by Sakti-supported cases emphasizing their resilience and leadership in confronting systemic oppression.

In *W.P.M.P. No. 18899 of 2000*, T. Krishnaveni, a tribal woman from West Godavari, sought access to land survey and title verification records. The Court ruled that these public documents must be provided, as withholding them served no legitimate purpose, empowering Krishnaveni to pursue her land claim despite significant risks.

In *W.A. No. 21692 of 1999*, Naram Alivelu sought Rs. 5,00,000 compensation for her husband's disappearance from police custody in T. Narasapuram, alleging state negligence. Her petition, requesting interim relief of Rs. 2,00,000, highlighted the personal dangers tribal women faced in challenging authorities, underscoring their courage.

In *W.P. No. 15598 of 1997*, P. Sarada Devi, a Sakti coordinator, detailed collective police violence against tribal women, including physical and verbal abuse. The court's directive to prioritize these cases in SC/ST courts protected women informants and witnesses, recognizing their critical role in advocacy.

In *WPMP No. 16778 of 1998* within *W.P. No. 13933 of 1998*, Kalimikota Rajulamma, pursuing a 15-year land dispute against a non-tribal with superior resources, sought suspension of an adverse order. The court's consideration of her petition highlighted structural barriers, including limited access to legal support, faced by tribal women.

#### 4.7 Bail as Protection for Tribal Activists

Sakti's leaders and tribal activists faced repeated criminal charges designed to stifle their advocacy, necessitating judicial intervention through bail to safeguard their freedom and continue their work.

In *Crl.P. No. 2633 of 1997*, P. Siva Ramakrishna and P. Sarada Devi sought anticipatory bail against serious charges. The High Court granted bail, observing that they were “*not criminals in the sense normally understood*” but social activists working for tribal welfare. The Court distinguished their political agitation from criminal intent, affirming their societal contributions.

In *Crl.P. No. 645 of 2001*, the Court noted a pattern of repeated FIRs against Sakti activists, included in an “omnibus manner.” Recognizing prior bail grants in similar cases, it approved bail, acknowledging the strategic use of criminalization to suppress activism.

Similar relief was extended in *Crl.P. No. 3655 of 1999* (for over 30 tribals from T. Narasapuram), *Crl.P. Nos. 4371 of 2000 and 4243 of 2000*, and *Crl.P. No. 930 of 2001* (for Tellam Krishnaveni and Chintam Pullarao). These consistent bail grants reflect judicial recognition of the broader context of legal harassment targeting tribal movements, ensuring activists could continue their work.

#### 4.8 Judicial Monitoring of Tribal Land Rights Implementation

Sakti's litigation often sought systemic reforms to address governance failures, a theme resonant with discussions on judicial oversight of tribal rights. The organization pushed for courts to monitor implementation, given persistent bureaucratic delays.

In the important case of *W.P. No. 7916 of 1997*, Sakti alleged government inaction in distributing identified tribal lands in Jeelugumilli, Buttaigudem, and Polavaram mandals. The petition requested an independent committee to investigate and oversee land distribution, alongside protection for Sakti members. The High Court initially adopted a proactive supervisory role, appointing the Secretary of the A.P. Legal Services Authority to report on the situation and later naming retired judge K. Taranath as Court Commissioner to monitor compliance. It also ordered police officer transfers, a permanent District Collector's appointment, and a stay on Settlement Court operations to prevent prejudice.

However, in *Pusuluri Srihari vs. Sakti* (W.A. No. 244 of 2000), the Division Bench reconsidered and overturned this approach. While acknowledging the issues' gravity, it held that detailed directions—restructuring committees, reopening settlements, and overseeing administration—exceeded the scope of Article 226 of the Constitution. The court set aside the supervisory orders, assigning implementation to statutory authorities, highlighting judicial limits in monitoring executive functions. This ruling underscores the tension between judicial intervention and administrative autonomy in tribal governance.

#### 4.9 Contesting Tribal Status

The status as a tribal is the fulcrum for accessing land rights and protections under APSALTR and other laws and therefore disputes over this status pose significant challenges. Sakti's litigation aimed to ensure authentic recognition of tribal identity.

In another case, the Supreme Court seized the opportunity to address and settle the law on fraudulent tribal status claims. In *Kumari Madhuri Patil vs. Addl. Commissioner* (1995 AIR 94), the Supreme Court, addressing fraudulent tribal status claims, established a 15-point verification framework involving local inquiries, scrutiny committees, and anthropological “affinity tests” to assess cultural markers like rituals and customs. This standard balanced protection for genuine tribals with prevention of misuse.

In *Sakti Through Its Director vs. R.K. Ragala* ([1995] 4 SCR 795), Sakti challenged a suspicious tribal status certificate. Although the respondent had by then retired, the Supreme Court reinforced the framework from its *Madhuri Patil* precedent, allowing future investigations into such claims and correcting the High Court's premature halt of verification, ensuring robust scrutiny. Such judicial orders solidify precedents and have deeper effects on the State.

In *W.P. No. 979 of 1999*, Seetharapu Nukaraju contested authorities' inconsistent treatment of his Konda Kammari community, recognized as a Scheduled Tribe but denied certificates. Sakti's petition sought fair recognition, highlighting bureaucratic arbitrariness in tribal status determinations.

In *W.P. No. 1695 of 2001*, Sakti represented Suntru Kasulamma from the Kondakapu community, denied a tribal certificate despite relatives' recognition. The Court took on record the assurance of the state respondents that as and when applications are received, the competent authorities will initiate action and issue community certificates after due enquiry and disposed of the petition. The case underscores the need for transparent genealogical inquiries to ensure equitable access to tribal rights.

#### 4.10 Mining and Forest Rights

Sakti's advocacy extended to protecting tribal forest lands from mining and ensuring recognition of pre-existing rights, aligning with ecocentric principles discussed in the context of tribal livelihoods and environmental justice.

In one of the judgements that had a direct and detrimental impact on the Kondareddi tribals' sourcing of minor forest produce and fodder for the K, i.e., W.P.M.P. No.6021 of 1995 dated 06.09.1995, SAKTI achieved a significant legal victory. SAKTI intervened in the Government's grant of permission to carry out felling out mango trees bearing fruits and challenged the permission. Consequently, the Court ordered a stay on felling of these trees for non-forest purposes and held that prior approval of the Union Government is necessary to fell such trees in the forest, a significant legal proposition that would feature only later in the landmark Supreme Court decision in the TN Godavarman Case (Writ Petition (C) No. 202 of 1995).

In *M/S Hyderabad Abrasives & Minerals (P) Ltd. vs. State of A.P.* (AIR Online 1997 SC 697), Hyderabad Abrasives and Minerals, a company engaged in mining operations, became embroiled in a prolonged legal dispute when it sought to initiate mining in a reserved forest area within the Peddamaredimille Reserve Forest in East Godavari district. Though the company had been granted a mining lease for 318 acres by the Andhra Pradesh government in 1974 under the Mines and Minerals (Development and Regulation) Act, 1957, it had not commenced operations for years. In 1982, it sought permission to clear 849 trees from a 12.5-hectare portion of the leased area to begin mining, triggering ecological concerns and a series of escalating administrative reviews.

The matter gained legal complexity following the enactment of the Forest (Conservation) Act, 1980, which mandated that no forest land could be diverted for non-forest use without prior approval from the Central Government. While the company claimed vested rights under the original lease, its request for forest clearance post-1980 raised the key legal issue: whether operations under a pre-1980 lease could proceed without new environmental clearance.

In response to bureaucratic delays, the company filed a writ petition in 1985, arguing that its lease terms permitted limited tree felling without additional permissions. However, the government maintained that the Forest (Conservation) Act applied to all clearances post-enactment, regardless of lease dates, especially given the ecological sensitivity of the hilly forest land involved.

The High Court sided with the government, emphasizing that Section 2 of the Forest (Conservation) Act, 1980 barred any forest clearance for non-forest purposes without Central approval. It held that the relevant date was the request for clearance, not the lease grant. In doing so, the Court cited the Supreme Court's decision in *State of Bihar v. Banshi Ram* (1985 AIR 814), which clarified that even lessees under pre-existing leases required fresh permissions for new forest clearances.

Ultimately, while the Supreme Court later partially reversed the High Court ruling by holding that APSALTR did not apply to government-issued leases, it reaffirmed the applicability of the Forest (Conservation) Act to such cases. This ensured that environmental protections under the 1980 Act remained intact. The case set an important precedent: that environmental law takes precedence over contractual or commercial claims in forest areas, reinforcing the principle of ecological primacy in Scheduled Areas.

A similar issue arose in *Bairisetti Subbaraju and Ors. vs. Commissioner of Survey, Settlements and Land Records* (AIR 1985 AP 329), where non-tribal petitioners had obtained Ryotwari pattas in forest-abutting land within the Kota Mutta area of East Godavari district, allegedly based on fabricated claims of cultivation. The patta grants were made without proper inspection or notification to forest authorities, and despite the land being steep, forested, and unfit for agriculture. When the forest department raised objections years later, the Commissioner initiated **suo motu revision proceedings** under the A.P. Muttas Abolition Regulation, 1969. The High Court upheld this action, holding that revisional powers extended to both administrative and quasi-judicial orders and could be exercised even after a lapse of time if public interest and forest protection warranted it. The Court noted that the land, covering over 360 acres, was rich in 75-year-old forest growth, had a gradient exceeding 10%, and showed no signs of prior cultivation—making the patta grants patently illegal. This judgment affirmed the State's continuing responsibility to correct administrative illegality in ecologically sensitive zones, reinforcing environmental safeguards and limiting exploitative land regularization.

In *W.P. No. 20936 of 2002*, Sakti sought legal recognition for tribals cultivating forest land before the Forest Conservation Act, 1980 cut-off date. The petition requested a halt to evictions, claim regularization, and adherence to a 1990 government circular. On October 24, 2002, the High Court stayed evictions, protecting thousands of tribal families and acknowledging their historical rootedness in forest lands, a critical step toward reconciling occupancy with legal title.

#### IV. CONCLUSION

Sakti's legal advocacy has profoundly shaped the landscape of tribal rights in Andhra Pradesh, addressing land alienation, atrocities, and environmental degradation through strategic litigation. Cases like *V. Shankar Reddy vs. State of A.P.* (1992) and *Sakti vs. State of A.P.* (2009) established Sakti's locus standi and compelled enforcement of protective laws like APSALTR and the SC/ST (Prevention of Atrocities) Act. By supporting tribal women, securing bail for activists, and challenging fraudulent practices, Sakti has bridged the gap between legal frameworks and grassroots realities. However, judicial limits, as seen in *Pusuluri Srihari* (2000), and persistent bureaucratic challenges highlight the ongoing struggle. Sakti's work remains a powerful model for civil society-driven tribal empowerment, offering lessons for advancing justice and equity in India's Scheduled Areas.

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