

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**SOUTHERN ZONE, CHENNAI.**

**ORIGINAL APPLICATION NO.17 OF 2022**

**IN THE MATTER OF:**

Permandlla Kiran Kumar,  
Gajularamaram (V), Shapurnagar,  
Jeedimwetla, Quthubullapur (M),  
Medchal- Malkajgiri District.

.... Applicant

-versus-

The State of Telangana,  
Rep by its Secretary Public,  
Govt of Telangana & 15 Others

.... Respondent(s)

**INDEX**

S.No	Particulars	Page No.
1.	Counter affidavit filed by the 3 <sup>rd</sup> Respondent	1-7



**Mrs. H. YASMEEN ALI  
COUNSEL FOR THE 3<sup>RD</sup> RESPONDENT.**

**Date: 14.03.2024**

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE,  
CHIENNAI.

ORIGINAL APPLICATION No. 17 OF 2022 (S.Z).

Between:

Sri Perumandla Kiran Kumar,  
H. No. 2-28, Gajularamram Village,  
Shapurnagar Jeedimetla,  
Quthubullapur Mandal,  
Medchal Malkajiri District,  
Hyderabad, Telangana-500055.

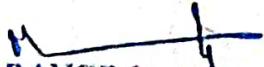
(Petitioner)

AND:

1. The State of Telangana,  
Rep. by its Secretary Public,  
5<sup>th</sup> Floor, B.R.K. Bhavan,  
NH 44, Hill Fort,  
Adarsh Nagar, Hyderabad,  
Telangana-500063.
2. The Government of India,  
Represented by its Secretary,  
Ministry of Environmental and forests,  
New delhi-110003.
3. Telangana forest Department,  
Aranya Bhavan, Saifabad,  
Hyderabad-500004
- 4 to 14. Other Respondents.

(Respondents)

ATTESTOR

  
FOREST RANGE OFFICER  
DULLAPALLY

~~DEPONENT~~  
District Forest Officer  
Medchal

PARAWISE REMARKS & COUNTER AFFIDAVIT FILED ON  
BEHALF OF THE RESPONDENT NO. 3 TO THE EXTENT OF  
MATTER RELATES TO FOREST DEPARTMENT.

I Mamidi Janakiram, S/o. Mamidi Venkata Swamy, aged: 58 Years, Occu" District Forest Officer, Medchal Malkajigiri District, Telangana, do hereby solemnly and sincerely state as follows:

1. In reply to the averments paras 1 to 3 of the affidavit ,No Remarks

2. In reply to the averments at paras 3 to 19 of the affidavit, It is most respectfully submit the brief facts of the case are that Gajularamaram Forest Block has been notified under Section 29 of Hyderabad Forest Act 1355 Fasli including the entire area of Sy. 19 admeasuring of Ac. 471.14 Guntas of Gajularamaram Village. As such the entire area of Sy. No. 19 of Gajularamram Village which has been declared as Reserve Forest is belongs to the Forest Department since more than six decades having been fixed with boundary pillars along the entire boundary of the Forest Block.

3. It is further submit that in pursuance to the orders of the Hon'ble NGT, the Regional Deputy Director, S&LR, Hyderabad and his team has taken up the joint survey of land situated in Sy. No. 19 of Gajularamaram Village.

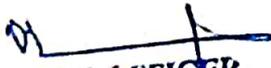
ATTESTOR

  
FOREST RANGE OFFICER  
DULLAPALLY

  
DEBONENT  
District Forest Officer  
Medchal

As per the joint survey of Sy. No. 19 situated in Gajularamaram Forest Block done by the Regional Deputy Director, Survey & Land Records, Hyderabad and as reported by him, the total area of Sy. No. 19 of Gajularamaram Village is Ac. 471-14 guntas as per the Pahani (1958-59), while the area as per Village map (1957 AD) is Ac. 437-00 guntas. But as per physical possession of Forest in Sy. No. 19 is Ac. 442-00 guntas. He has also further declared that private persons are in encroachment in Sy. 19 belongs to Forest Department which is worked out to be Ac. 16-21 guntas while others land (except Sy. No. 19) to the extent of Ac. 35-03 guntas is in occupation of Forest Department in the field. Further despite of our repeated requests made, the RDD, S&LR, Hyderabad and his team has not taken up the survey commencing from Try-junction and By-junctions. This point of our observation is also mentioned in the spot panchanama conducted.

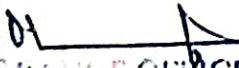
ATTESTOR

  
FOREST RANGE OFFICER  
DULLAPALLY

  
DIPOMENT  
District Forest Officer  
Medchal

4. It is also further submit that no Nalas and water bodies existing the Reserved Forest Block, Gajularamram have been affected by the encroachers and they are remained in tact. Water during rainy season is flowing and storing in the Nalas and water bodies existing inside the R.F. Block, Gajularamaram. The Nala which is claiming by the Petitioner as disturbed/affected is existing outside the R.F. Block which is in the jurisdiction of Irrigation Department and said authorities have also been made Respondents in this O.A.

5. It is further respectfully submit that certain areas inside the Reserve Forest Block, Gajularamaram have been encroached by certain people illegally against whom suitable action for eviction has been initiated and notices have been issued to (21) persons by the GHMC., Hyderabad as per the list enclosed. Further in (2) cases the parties have approached the Hon'ble High Court for the State of Telangana at Hyderabad and filed W.P. Nos. 4741/2020 and 11082/2021 in which Counter Affidavits have also been filed through the Government Pleader. Both the cases are pending with the Hon'ble High Court. The copies of both the WPs, Counter Affidavits and its relevant papers are appended.

ATTESTOR  
  
FOREST RANGE OFFICER  
DULLAPALLY

  
DEPONENT  
District Forest Officer  
Medchal

5(i) It is further submitted that since there are discrepancies in the survey reports submitted by the ADSLR, the Regional Deputy Director, Survey, Settlements & Land Records, Telangana State Hyderabad was requested to conduct survey, accordingly the survey was completed on 04.03.2023 demarcating the boundaries of Sy.No.19 of Gajularamaram village and noting encroachment details in Sy.No.19 and other surrounding survey numbers & vice versa, a self explanatory location sketch was also prepared. The details are as follows:

Sy.No.	Classification	Extent as per Pahani (1958-59)	Extent obtain as per village map 1957 AD	As per Physical Possession of Forest in Sy.No.19
19	Gairan	Ac.471.14gts	Ac.437.00gts	Ac.442.00gts

ATTESTOR

  
FOREST RANGE OFFICER  
DULLAPALLY

DEPONENT

*District Forest Officer*  
Medchal

(iii) Further the Regional Deputy Director, Survey and Land Records was requested to provide Geo coordinates of the Survey report. Accordingly on 26.04.2023 the RDD has provided the Geo coordinates of the Survey report. The Forest Range Officer, Dulapally has gone for verification of the survey report and it is found that the Geo coordinates are not tallying with the survey stations fixed by the RDD, SLR. Again the RDD was requested to provide correct Geo Coordinates and depute concerned staff for verification and fixing the survey points.

(iv) Once the RDD provides correct Geo Coordinates as per the survey report, the boundary of Sy.No.19 of Gajularamaram Forest Block will be demarcated and process will be initiated for eviction of private persons who are in possession of Forest land in Sy.No.19.

(v) It is further submitted that there is short fall in the area since long back and there are no fresh encroachment and the forest department is in possession of the forest land as per the proposal prepared under section 4 and boundary pillars are already constructed and they are intact.

For the reasons stated above , the petition is liable to be dismissed.

Solemnly and sincerely affirmed  
this     day of March, 2024.

ATTESTOR  
  
FOREST RANGE OFFICER  
DULLAPALLY

DEPONENT  
District Forest Officer  
Medchal