

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE  
BENCH AT CHENNAI**

**ORIGINAL APPLICATION No 195 OF 2020**

**IN THE MATTER OF:**

**Putta Sudhakar Yadav S/o. PuttaSubbaiah**

Aged about 56 years

Ex. Chairman, T.T. Devasthanams Board,

D.No.3/483, Y.M.R. Colony, Park Road, Proddatur,

Kadapa District, Andhra Pradesh.

**... Applicant(s)**

**AND**

**The Chief Secretary ,**

State of Andhra Pradesh

Building #1, 1st Floor, Interim Government Complex,

A.P. Secretariat, Velagapudi, Guntur,

Andhra Pradesh – 522 503 and 07 others

**.....Respondents**

**COMPLAINANCE AFFIDAVIT FILED BY THE DISTRICT  
COLLECTOR KAKINADA 5<sup>TH</sup> RESPONDENT**

**DATE- 28-10-2023**



**M/s MADHURI DONTI REDDY  
ADVOCATE**

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It is certified that all the documents contained in the above annexure are true copies.

Date: 14 -10-2023

IN THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE,  
CHENNAI

Original Application No 195/2020

Between:

Putta Sudhakar Yadav S/o. PuttaSubbaiah  
Aged about 56 years  
Ex. Chairman, T.T. Devasthanams Board,  
D.No.3/483, Y.M.R. Colony, Park Road, Proddatur,  
Kadapa District, Andhra Pradesh.

... Applicant(s)

AND

The Chief Secretary ,  
State of Andhra Pradesh  
Building #1, 1st Floor, Interim Government Complex,  
A.P. Secretariat, Velagapudi, Guntur,  
Andhra Pradesh – 522 503 and 07 others

.....Respondents

AFFIDAVIT FILED BY THE RESPONDENT NO.5

I, V. Vijay Rama Raju, S/o V. JayakrishnaVara Prasada Raju, aged about 36 years, working as District Collector, YSR District, Kadapa do hereby solemnly affirm and sincerely state on oath as follows:

1. I submit that I am the 5<sup>th</sup> respondent herein in the above original application and as such I am well acquainted with the facts of the case.
2. It is submitted that, after adjudication, the Hon'ble National Green Tribunal, Chennai has disposed the case bearing No O.A No 195/2020 vide its orders dated 02.09.2022 and the operative part of the said order reads thus :

DEPONENT  
DISTRICT COLLECTOR  
Y.S.R. Dist.

- I. *We hold that the allotment of land or grant of temporary patta by the District Administration to the persons in Survey Nos. 506/B and 507 of*
- II. *Nandyalampet Village, S. Mydukur Mandal, Y.S.R. District, State of Andhra Pradesh which is shown as "Forest" in the revenue records without getting clearance under the Forest (Conservation) Act, 1980 is not legal.*
- III. *The State of Andhra Pradesh is directed to take appropriate steps to get clearance from the concerned authorities under the Forest (Conservation) Act, 1980, if permissible under law for this purpose and if such application is made, then the concerned authority is directed to consider the following aspects and only thereafter, they can consider the question as to whether the clearance can be granted or not for this purpose.*
  - *Consider the question as to whether conversion of Forest land for non-forest purpose such as agricultural operations is permitted under Section 2 of the Forest (Conservation) Act, 1980;*
  - *Consider the proximity of the impugned lands to "Sri Lankamalleswara Wildlife Sanctuary" (comprising of entire Lankammalla and Lankamalla Extension Reserve Forests)" and also the "Tiger Corridor" which facilitates movement of Tigers from the tiger corridor connected from Nagarjunasagar Tiger Reserve (NSTR), Srisailam to Sri Venkateswara National Park (SVNP), Tirupati (It is reported by the PCCF that the Lankamalleswara Wild Life Sanctuary was included in the tiger corridor connected from Nagarjunasagar Tiger Reserve (NSTR), Srisailam to Sri Venkateswara National Park (SVNP), Tirupati). So, conversion of this area for agricultural purposes is likely to enhance the possibility of man-animal conflicts and this aspect must be considered;*
  - *Take into account the current tiger population and trends of tiger population growth and assess whether there is any need for expanding the Sanctuary area and widening of the corridor in the near future to meet growing needs of tiger population and facilitate the unhindered movement of the Tigers and prevent any possible exposure of the Dharkhast Pattadars and the animals, likely to be engaged during agricultural operations, to the Tigers during their movement in the area;*

DEPONENT  
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- *Take into account the recent orders of Hon"ble Supreme Court that every National Park and Wildlife Sanctuary in the country shall have a mandatory eco-sensitive zone (ESZ) of at least one kilometre starting from its demarcated boundaries.*
- IV. *The Forest Department is directed to conduct a detailed study, including wildlife experts in the team, on the need for expanding the area of the Sanctuary and the Tiger Corridor before making a recommendation either to reject or accept the proposal for conversion, if the matter is referred to them by the Revenue Department. Pending decision on the issue of conversion of the land, the occupation of the forest land is to be treated as persons in possession of the land against law.*
- V. *The Revenue authorities should also verify whether the lands are in the possession of the original allottees, who were displaced due to the said reservoir project. In case the allottees have sold the said lands or not in possession, which were only allotted temporarily, then take immediate action for restoring the lands to the Government.*
- VI. *If the State of Andhra Pradesh did not want to apply for any clearance as mentioned above, then they are directed to relocate the persons to whom temporary pattas have been granted to another area/land to which the Forest (Conservation) Act, 1980 is not extended and till then, no permanent activity of disturbing the nature of the land in dispute should be carried out by the persons in possession of the same. This must be done at the earliest at any rate within a period of 6 (Six) months from today.*
- VII. *The Principal Chief Conservator of Forest & Head of Forest Force and Chief Wildlife Warden, State of Andhra Pradesh and the District Collector, Y.S.R. Kadapa District are directed to file their compliance report before this Tribunal within a period of 6 (Six) months.*
- VIII. *Considering the circumstances, parties are directed to bear their respective costs in the original application.*

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Y.S.R. Dist.

IX. *The Registry is directed to communicate this order to the District Collector – Y.S.R. Kadapa District, Divisional Forest Officer, Proddatur (WL) Division, Principal Chief Conservator of Forests & Head of Forest Force, the Special Chief Secretary to Government, Department of Environment, Forests, Science and Technology and the Chief Secretary to Government, State of Andhra Pradesh for their information and compliance of directions.*

X. *As and when the report is filed, the Registry is directed to place the same before the Bench for consideration and also for issuing further directions (if any) required in this regard. With the above observations and directions, this Original Application is disposed of.*

3. In this connection, it is humbly submitted that in compliance to the aforementioned orders of this Hon'ble Tribunal, concerned revenue and survey authorities have been instructed to conduct a detailed enjoyment survey of the lands in situated Survey No. 506-B Ext 38.94 Acres and Sy No 507 Ext 267.56, Nandyalampeta Village, Mydukur Mandal to find out whether the original temporary patta holders are in possession & enjoyment, whether the assignees have sold the allotted lands, and the present socioeconomic status of the temporary patta holders.

DEPARTMENT  
DISTRICT COLLECTOR  
Y.S.R. Dist.

Accordingly, the Tahsildar, Mydukur has conducted survey along with concern forest officials and it is noticed that the original temporary patta holders are not in possession & enjoyment over the lands in dispute. Immediately, in compliance to aforementioned orders of this Hon'ble Tribunal, the Tahsildar, Mydukur has resumed the lands to the government duly cancelling the temporary pattas by following due process of law vide **Ref No: B/854/2020, Dated: 06.03.2023.**(Copy enclosed for kind perusal).

4. Further it is submitted that as a result of the said inquiry, it transpired that land to an extent of 282.13 acres out of 306.50 acres in Sy Nos 506-B and 507 of Nandyalampet is vacant without encumbrances, while remaining 24.32 acres is under encroachment by way of mango gardens and mixed horticultural crops without any entitlement. Meanwhile, it is decided not to allow any non-forest activities including agricultural activities in the subject lands in compliance to the aforementioned orders of this Hon'ble Tribunal.

5. Further it is submitted that the subject lands were kept in land bank eventually to transfer the same to the Forest Department towards Compensatory Afforestation so as to restore the ecological sensitive of the lands.

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DEPONENT  
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Y.S.R. Dist.

For the reasons stated above, it is therefore prayed that this Hon'ble Tribunal may be pleased to consider the compliance report and pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.

Solemnly and sincerely affirmed before me on this the 14 day of October, 2023 and signed his name in my presence.

DEPONENT  
DISTRICT COLLECTOR  
Y.S.R. Dist.

### VERIFICATION STATEMENT

I, V. Vijay Rama Raju, S/o V. Jaya krishnaVara Prasada Raju, aged about 36 years, working as District Collector, YSR District, Kadapa, the 5<sup>th</sup> Respondent herein do hereby verify that the contents of above paras are true to the best of my knowledge, belief, information and as per records. Hence, verified on this the 14 day of OCT 2023.

DEPONENT  
DISTRICT COLLECTOR  
Y.S.R. Dist.

**PROCEEDINGS OF THE DISTRICT COLLECTOR, YSR DISTRICT, KADAPA.**  
**PRESENT: SRI VIJAY RAMA RAJU V, I.A.S.,**

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**Dated:20.05.2023.**

**Ref. No. E6/2161/2020**

Sub:- Court Cases - National Green Tribunal Southern Zone, Chennai- O.A No 195 of 2020 filed by Sri Putta Sudhakar Yadav- Orders passed on 02.09.2022 by the Hon'ble NGT- land to an extent of Ac. 306.50 cents in Sy. Nos. 506-B & 507 of Nandyalampet Village of Mydukur Mandal kept in land bank towards Compensatory Afforestation orders-issued - Regarding.

Read:- Revenue Divisional Officer, Badvel Ref. No. E/162/2023, Dated: 04.05.2023 received on 11.05.2023

& & &

**ORDERS:-**

In the reference read above, Revenue Divisional Officer, Badvel has submitted a report that in compliance to the orders of the Hon'ble National Green Tribunal, Chennai in O.A No 195/2020 dated 02.09.2022, the Tahsildar, Mydukur has resumed the land to an extent of Ac.159.58 cents out of 306.50 Acres situated in Sy.No. 506-B & 507 of Nandyalampet Village of Mydukur Mandal duly cancelling the temporary DKT pattas issued therein and finally it is requested to place the subject lands in the land bank eventually to transfer the subject lands to the Forest Department towards Compensatory afforestation so as to restore the ecological sensitivity of the subject lands.

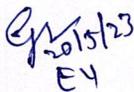
After careful examination of the proposal of the Revenue Divisional Officer, Badvel and in the light of orders of the Hon'ble National Green Tribunal, Chennai in O.A No 195/2020 dated 02.09.2022, it is hereby ordered to place the land to an extent of 306.50 Acres situated in Sy. No. 506-B & 507 of Nandyalampet Village of Mydukur Mandal in Land Bank for eventual transfer of the subject lands to the Forest Department towards Compensatory afforestation in due course.

**(Under the Note orders of the District Collector, YSR District)**

**Sd/- G.Gangadhara Goud**  
For Collector.

//t.c.b.o//

  
Superintendent

  
E4

To  
The Tahsildar, Mydukur.  
The Revenue Divisional Officer, Badvel.