

**BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE BENCH  
AT CHENNAI**

**ORIGINAL APPLICATION NO. 226 OF 2021**

**IN THE MATTER OF:**

Gollapalli Bhaskar Reddy,  
S/o Late G. Narayana Reddy,  
Aged about 60 years, R/o D.No. 26-4-1198 A,  
R.P.G.T. Colony, Hindupur – 515 201  
Ph: 9108901769,  
Email : [bhaskareddy87030@gmail.com](mailto:bhaskareddy87030@gmail.com)

.....Applicant

**-vs-**

TheState of Andhra Pradesh,  
RepbyitsChiefSecretary,  
Secretariat, Velagapudi,  
GunturDistrict, AndhraPradesh–522237  
Ph:0863-2441024, Email: [cs@ap.gov.in](mailto:cs@ap.gov.in)  
and 4 others

**ADDL COUNTER AFFIDAVIT FILED BY THE <sup>3rd</sup> RESPONDENT**

Date- 26-03-2022



**M/S MADHURI DONTI REDDY  
ADVOCATE  
STANDING COUNCIL FOR GOVERNMENT OF  
ANDHRA PRADESH  
A.P. POLLUTION CONTROL BOARD  
T.T.D. SUPREME COURT OF INDIA  
#S2, Royal Castle, 26, Gill Nagar Extension, Choolaimedu,  
Chennai – 600 094. Mobile: 98407 98460 / 6383121322  
COUNSEL FOR <sup>3rd</sup> RESPONDENT**

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

**ORIGINAL APPLICATION NO.226 OF 2021**

Gollapalli Bhaskar Reddy,  
S/o Late G. Narayana Reddy,  
Aged about 60 years,  
R/o D.No.26-4-1198 A,  
RPGT Colony, Hindupur – 515201,  
Ananthapuramu District,  
Andhra Pradesh Ph : 9108901769  
Email : [bhaskareddy87030@gmail.com](mailto:bhaskareddy87030@gmail.com)

... Applicant

-VS-

The State of Andhra Pradesh,  
Rep by its Chief Secretary,  
Secretariat, Velagapudi Guntur District,  
Andhra Pradesh – 522237, Ph:0863-2441024  
Email: [cs@ap.gov.in](mailto:cs@ap.gov.in). and 5 others

.....Respondents.

**INDEX**

| <b>Sl.No.</b> | <b>Date</b> | <b>Description of the Document</b>   | <b>Page No.</b> |
|---------------|-------------|--|-----------------|
| 1.            | 08-03-2022  | 3 <sup>rd</sup> Respondent Addl Counter                                    | 1-4             |
| 2.            | 02.03.2022  | Report of the Sub- Collector,<br>Penukonda in Rc.2609/2021/K               | 5-22            |
| 3.            | 02.03.2022  | Report of the District Forest Officer,<br>Ananthapuramu in Rc.1580/2021/G8 | 23-28           |

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

Date: 08.03.2022

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE  
BENCH AT CHENNAI  
ORIGINAL APPLICATION NO.226 OF 2021**

**IN THE MATTER OF :**

**BETWEEN:**

Gollapalli Bhaskar Reddy,  
S/o Late G. Narayana Reddy,  
Aged about 60 years,  
R/o D.No.26-4-1198 A,  
RPGT Colony, Hindupur – 515201,  
Ananthapuramu District,  
Andhra Pradesh Ph : 9108901769  
Email : [bhaskareddy87030@gmail.com](mailto:bhaskareddy87030@gmail.com)

... Applicant

-VS-

1. The State of Andhra Pradesh,  
Rep by its Chief Secretary,  
Secretariat, Velagapudi Guntur District,  
Andhra Pradesh – 522237, Ph:0863-2441024  
Email: [cs@ap.gov.in](mailto:cs@ap.gov.in).
2. The State of Andhra Pradesh,  
Rep by its Principal Secretary,  
Environment & Forests  
Secretariat, Velagapudi,  
Guntur District, A.P. 522237.  
Ph: 0863-2444438,  
Email: [splcs\\_efst@ap.gov.in](mailto:splcs_efst@ap.gov.in).
3. The District Collector,  
Collectorate, Ananthapuramu District,  
Andhra Pradesh-515001  
Ph: 9493188801,  
Email: [collector\\_antp@ap.gov.in](mailto:collector_antp@ap.gov.in)
4. The District Forest Officer,  
Ananthapuramu District,  
Andhra Pradesh – 515001  
Ph:9440810112,  
Email: [dfoantp@gmail.com](mailto:dfoantp@gmail.com).
5. The Union of India, Rep by its Secretary,  
Ministry of Environment & Forest,  
Jor bagh, Lodhi Colony,  
New Delhi -110003  
Email: [secy-moef@nic.in](mailto:secy-moef@nic.in)
6. The Agro Corporation Landbase Pvt Ltd.,  
C/o Ayan Nagpal,  
Rep by Sri L.S Nowshad,  
Lepakshi Village & Mandal,  
Ananthapur District- 515331,  
Corporate Office At: No. 90,  
Bellary Road, NH-44, Byatarayanapura,  
Bengaluru-560092,  
Ph: 9555261111.  
Email : [info@agrpcorpglobal.com](mailto:info@agrpcorpglobal.com).

... Respondents

**ADDITIONAL COUNTER AFFIDAVIT FILED BY THE 3<sup>rd</sup> RESPONDENT**

I, Ms. Nagalakshmi.S, I.A.S., D/o S.Selvarajan, age 32 years, working as District Collector, Ananthapuramu District, do hereby solemnly affirm and sincerely state as follows ;

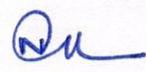
  
ATTESTOR

Administrative Officer  
Collectorate  
ANANTHAPURAMU

  
DEPONENT  
District Collector  
Ananthapuramu.

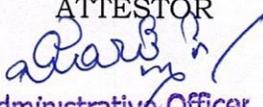
1. I am the 3<sup>rd</sup> respondent herein and as such I am well acquainted with the facts of the case.
2. This respondent denies each and every averment made in the affidavit filed in support of the application, as false and incorrect except those that are specifically admitted herein in this counter affidavit.
3. It is submitted that, the Sub Collector, Penukonda has submitted report vide Rc.No.2609/2021/K, dated:02.03.2022, stating that the Tahsildar, Lepakshi has conducted discrete enquiry and reported that as per the Village Diglot (Settlement Register) of Lepakshi village, the lands in Sy. No. 427-1 measuring extent Ac. 1.06 cents and Sy. No. 432-1 measuring extent Ac. 2.16 cents are classified as "ThopuPoramboke". Later, the lands were transferred from Tope to AW as per Collector, Ananthapur R. Dis. No. 963/34 dt. 7-3-34. As per Dharkast record of these survey numbers, the darkastdar has credited the value of the trees in the lands Rs. 215-13-0 (two hundred fifteen rupees, thirteen annas) in Challan No. 434/24-1-34 before proposals for transfer to AW were submitted.
4. It is submitted that after transferring the classification of Sy. No. 427-1 measuring extent Ac. 1.06 cents and Sy. No. 432-1 measuring extent Ac. 2.16 cents from "Thopu Poramboke" to AW as stated above, the lands were assigned to one Abdul Kareem Sahebgari Yacub Sab vide D.A. Dis. No. 117/43 dated: 26-08-1935. Subsequently, these lands which were notified under Sec. 22 A of Registration Act 1908 prohibiting from sale, were deleted from the prohibited property list notified in Annexure -I U/s. 22 A (1) (a) vide Collector Ananthapuramu orders R. Dis.E2/3114/2021 dated: 11-12-2021.
5. It is submitted that the Condition No. 3 of the grant, the land was assigned to the darkasthdar **on alienable condition. There is no mention of trees made in the patta form.** The above assigned lands have been inspected by Tahsildar, Lepakshi. It is noticed that, there are 55 Tamarind trees and two wood apple trees existing in the above lands.
6. It is submitted that the Sy.No. 427-1 extent Ac. 1.06 cents, it is submitted that an extent of Ac. 0.53 cents out of Ac. 1.06 cents of Sy. No. 427-1 was sold by the legal heirs of the assignee to one T.V. Rathnamma W/o Reddappa and the remaining land is in the name of assignee's legal heir Noushad S/o Iqbal Saheb. There are 55 Tamarind trees and two wood apple trees in the above assigned lands and one bore well exist in Sy.No. 427-1 extent Ac. 0.53 cents. A black top road is existing in the 0.53 cents, which is passing from Lepakshi-Chilamathur main road to Somireddipalli road.
7. It is submitted that the Sy. Nos. 427-3 extent Ac. 2.56 cents and Sy.No. 432-2 extent Ac. 11.16 cents, as per Diglot of Lepakshi village, these are patta lands as per Patta No. 406 stand in the name of Abdul Saheb gari Yakub Saheb. There are 226 Tamarind saplings in these lands. These lands are abutting the assigned lands. The legal heirs of the assignee sold away the lands in Sy. Nos. 427-3 extent Ac. 2.56 cents and 432-2 extent Ac. 11.16 cents to M/s. Agro Crop land base pvt. Ltd., the land is fenced by the purchasers and is in their possession.

  
ATTESTOR  
Administrative Officer  
Collectorate  
ANANTHAPURAMU

  
DEPONENT  
District Collector  
Ananthapuramu.

8. It is submitted that, as per revenue records, **there is no record available to show that these trees were planted under" VanaSamrakshana" Scheme by utilizing the Government fund.**
9. It is submitted that the District Forest Officer, Ananthapuramu in Rc.No.1580/2021/G8, dated 02.03.2022 has reported that with regard to Sy. No. 427-1, 432-1, 432-2 and 247 -3 of Lepakshi village and mandal of Ananthapuramu District, the land in Sy. No.427 -1 measuring an extent of 1.06 areas and Sy. No. 432-1, measuring an extent of 2.16 acres of Lepakshi village and Mandal are assigned lands and assigned in favour of one Abdul Saheb gari yakoob sab.
10. It is submitted that, the land in Sy. 427-3 extent of 2.56 acres and Sy. No. 432-2 extent of 11.06 acres are patta lands, which stands in the name of Abdul Saheb gari yakoob Sab. The legal heirs of Abdul Saheb gari yakoob sab have sold away lands to M/s Agrocrop Lands base Private Limited. At present the land is kept waste and under the possession of M/s M/s Agrocrop Lands base Private Limited.
11. It is submitted that the Sy. No. 427-3 and Sy. No. 432-2 are patta lands from the beginning and Sy. 427-1 and 432-1 are assigned lands which were G.P (Thopu) before the year, 1934 and transferred from "Thopu to A.W.in the year, 1934. The felling permission is allowed in Sy. No. 427-3 and 432-2 and only trimming permission was given for Sy. No. 427-1 and 432-1 which has a total area of only 2.69 acres.
12. It is submitted that the District Forest Officer, Ananthapuramu vide Rc.1580/2021/G8 dated 02.03.2022, has reported that no information, regarding who planted tamarind saplings in the above survey numbers and date of plantations and year of plantations, is available with the Revenue Department. And, with regards to the trees planted in this area by the Vana Samrakshana Samithi (VSS) scheme as alleged by the applicant, the following information is submitted for favour of perusal;

**Brief History of Formation of VSS:-The National Forest Policy, 1988 emphasized people's involvement in the development and protection of forests. Accordingly, the Government of Andhra Pradesh in their G.O. Ms. No. 218, E.F.E.S.&T.(For.VI) Department dated 28.8.1992, have issued orders for implementation of Joint Forest Management' (JFM) programme in all the districts of the State. As per the orders, the local village community will be constituted into a "Vana Samrakshana Samithi" (VSS) to plan and carry out the forest development programmes jointly with the Forest department. Certain rules and guidelines were also issued to facilitate implementation. The earlier orders of Government on JFM was partially modified in G.O.Ms.No.173, EFS&T (For.II) Department, dated 7.12.1996 and in G.O.Ms.No.115, EFS&T.(PMU), Department, dated 25.9.1997.**

ATTESTOR  
  
Administrative Officer  
Collectorate  
ANANTAPURAMU

  
DEPONENT  
District Collector  
Ananthapuramu.

**The Government with an idea to encourage the involvement of the VSS communities to protect and develop the degraded forest, the VSS people are permitted to share the usufruct benefits on a sustainable basis. The Joint Forest Management in A.P. State started with the launch of A.P. Forestry Project, totally 272 VSS were formed in Ananthapuramu Division with an involvement of people to protect and develop 53,912 Ha. of degraded forest area.**

13. It is submitted Further, the District Forest Officer, Ananthapuramu reported that the Adepalli VSS which is the nearest VSS to the said Sy. No. is formed as per G.O. Ms. No. 218, E.F.E.S.& T (For.VI) Department, dated 28.8.1992, i.e after the year 1992. Adepalli VSS has given resolution dated. 02.12.2021 stating that the VSS members have not done any plantation in Sy. No.432-1, 427-1,427-3 and 432 -2.

14. It is submitted that this respondent craves leave of this Hon'ble Tribunal to raise additional counter in the course of proceedings, if required

In the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to pass an approbate order in ORIGINAL APPLICATION NO.226 OF 2021 and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.

Solemnly affirmed  
Ananthapuramu on  
this the 8<sup>th</sup> day of march,2022  
and signed his name in my presence

**BEFORE ME**

Advocate

**VERIFICATION**

I, Ms. Nagalakshmi.S, I.A.S., D/o S.Selvarajan, age 32 years, working as District Collector, Ananthapuramu District, do hereby declare that what is stated in the above paragraphs are true to the best of my knowledge, belief and information and the contents of the same are believed to be true.

Hence, verified on this the 8<sup>th</sup> day of March, 2022.

  
DEPONENT  
**District Collector**  
**Ananthapuramu.**