

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, SOUTH ZONE AT CHENNAI

O.A NO. 226 OF 2021

Between:

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...Applicant

-vs-

1 The State of Andhra Pradesh,
Rep by its Chief Secretary,
Secretariat, Velagapudi,
Guntur District, AndhraPradesh-522237
Ph:0863-2441024,Email: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

3. The District Collector,
Collectorate, Ananthapuramu District,
Andhra Pradesh-515001
Ph:949318880,Email:collector_antp@ap.gov.in

4 The District Forest Officer,
Ananthapuamu District,
Andhra Pradesh-515001
Ph:9440810112, Email:dfoantp@gamil.com

5 The Union of India,
Rep by its Secretary,
Ministry of Environment & Forest,
Jorbagh, Lodhi Colony, New Delhi -110003
Email: 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

For AGROCORP LANDBASE (P) LTD

Authorised Signatory

ADDITIONAL REPLY STATEMENT FILED BY THE 6th RESPONDENT AS PER THE

ORDER DATED 04.04.2022

1. It is submitted that the 6th Respondent herein is filing the present statement pursuant to the order dated 04.04.2022 passed by this Hon'ble Tribunal. The reply statement dated 14.12.2021 filed by the 6th Respondent herein may be read as part and parcel of this additional reply statement.
2. It is submitted that vide order dated 04.04.2022, this Hon'ble Tribunal had directed the 6th Respondent herein to file a detailed statement for granting permission to pruning of trees. Vide the said order dated 04.04.2022, this Hon'ble Tribunal had also directed the 6th Respondent herein to file a detailed statement on the extent of land presently in their possession and the extent of land which is covered by Tamarind Trees and if the proposed cultivation could be possible excluding the area covered by Tamarind trees and by intercropping among the Tamarind Trees.
3. As per the directions of this Hon'ble Tribunal, the 6th Respondent herein submits as follows:

NEED FOR PRUNING OF TAMARIND TREES

4. It is submitted that the 6th Respondent herein operate as a green development company engaged in undertaking setup of agriculture and horticulture farms in an organized manner and also enabling the general public to undertake farming to increase the overall green cover of the country by engaging in agricultural activities, which includes setup and maintenance of vegetable plants, horticultural plants, endemic trees; improvement/enrichment of soil quality, adapting water conservation measures and efficient management of water which include drip irrigation, rainwater harvesting, storage and

For AGROCORP LANDBASE (P) L.

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groundwaterrecharging to resuscitate the water table in the area.As the nature of 6th Respondent's operation is rooted with sustainable agriculture, there can be no apprehension of any kind of environmental damage due to any of its activities.

5. It is pertinent to highlight that the 6th Respondent herein has already planted and is actively maintaining more than One Lakh tree saplings in Ananthapuramu District alone; amongst which some of the tree sapling species have already grown up to be over 25 feet tall on an average and improved the bio-diversity of the area by making it a home for various bird species.
6. As regards the case in hand, it is submitted that the tamarind trees present on the lands belonging to the 6th Respondent were originally planted by the original owners of the land/pattadars for tamarind produce, but unfortunately were not looked after.
7. It is submitted that there has absolutely been no maintenance of the tamarind trees for many years due to which majority of them are frail, unhealthy and has not achieved much growth. The said tamarind trees are also causing hindrance to the growth of present surrounding flora and also the flora that can be had.In fact, the tree stumps of the tamarind tress are hampering the provision of uniform sunlight to all the plants surrounding the said trees.
8. It is pertinent to state that due to the aforementioned site conditions, the 6th Respondent herein is seeking permission of pruning of trees with the sole intention of ensuring a more balanced ecosystem for more efficient use of theexisting land area, sustainable farming and increased the tree cover in the said lands.

EXTENT OF LAND PRESENTLY IN THE POSSESSION OF THE 6th RESPONDENT

9. It is submitted that the lands belonging to the 6th Respondent herein are all private patta lands with a total area of 14 Acres and 84 cents. The details of

For AGROCORP LANDBASE (P) LTD.,

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land records of the company in Sy Nos. 432-2c2, 432-2a, 427-3, 432-2b 432-2c1, 427-1 and 432-1 clearly reflect the same and these documents are already filed as Annexure R1 along with the Reply statement dated 14.12.2021.

EXTENT OF LAND COVERED BY TAMARIND TRESS

10. As regards the extent of land covered by tamarind trees, it is submitted that in the total area consisting of 14 Acres and 84 cents, there are approximately around 370 tamarind trees. The said tamarind trees are spread across the land and have not been planted in a planned manner and some of them are as close as 5 feet from each other.

WHETHER THE PROPOSED CULTIVATION IS POSSIBLE EXCLUDING THE AREA COVERED BY TAMARIND TRESS OR BY INTERCROPPING OF TAMARIND TREES

11. As stated in the preceding paragraphs, since the tamarind trees have not been looked after for many years, the majority of them have become frail, unhealthy and has not achieved much growth. The said tamarind trees are also causing hindrance to the growth of present surrounding flora and also the flora that can be had. In fact, the tree stumps of the tamarind tress are hampering the provision of uniform sunlight to all the plants surrounding the said trees.
12. It is submitted that 6th Respondent has installed irrigation system and has also completed planting activities. Since the tamarind trees are not spread uniformly across the entire land and since the tamarind trees are also hampering the uniform sunlight to the plants which is necessary for growing of vegetable and fruit garden, the 6th Respondent herein is unable to carry out sustainable farming in the area covered by tamarind tress. Hence, the 6th Respondent herein seeks permission to prune the tamarind trees which is hampering the growth of surrounding flora and fauna.
13. It is submitted that the 6th Respondent has paid heavy consideration and purchased private lands without flouting any rules and has also followed all

For AGROCORP LANDBASE (P) LTD.,

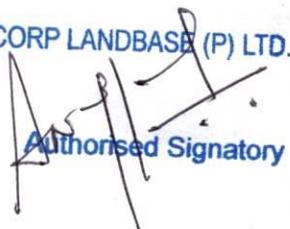
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procedures for applying and seeking permission of the competent authorities for cutting and pruning trees.

14. It is submitted that since the 6th Respondent's operation is rooted with sustainable agriculture, there can be no apprehension of any kind of environmental damage due to any of its activities. It is submitted that the ownership of the said lands will be purposeless when benefits such land cannot be enjoyed. Hence, in the interest of justice, this Hon'ble Tribunal ought to allow atleast pruning of the tamarind trees.

In view of the foregoing submissions, it is therefore, most respectfully prayed that the this Hon'ble Tribunal may grant permission for pruning of trees and pass such further order or orders as this Hon'ble Tribunal may deem fit, in the interest of justice and equity.

For AGROCORP LANDBASE (P) LTD.,


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VERIFICATION

I, Mr. Ayan Nagpal, S/o T. Nagpal Aged about 31 years, Director, Agrocrop Landbase Pvt. Ltd., 6th Respondent; do hereby verify and affirm that the contents of this statement from para 1 to 14 are true to the best of my knowledge, belief and information.

Verified at BENGALURU on this 13th day of April 2022

Date:

For AGROCROP LANDBASE (P) LTD.,

(-Authorised Signatory-)

DEPONENT/ 6TH RESPONDENT