

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

**ORIGINAL APPLICATION NO. 38 OF 2022
POOLA SURESH**

Son of Adhinarayana Poola

3-155, Sree Varu Mettu Road,

Srinivasa Manga Puram, Chandragiri,

Chitoor, Andhrapradesh- 517102

.....

Applicant

-vs-

1. UNION OF INDIA,

Through the Environment Secretary

Ministry of Environment and Forest Government of India.

CGO Complex, Lodhi Road, New Delhi-1100

Paryavaran Bhavan, and 4 others

.....Respondents

REPORT FILED BY THE 5TH RESPONDENT DISTRICT COLLECTOR

TIRUPATI

DATE-31-01-2023



**M/s MADHURI DONTI REDDY
ADVOCATE**

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A.P. POLLUTION CONTROL BOARD
T.T.D. SUPREME COURT OF INDIA**

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INDEX

Sl.No.	Date	Description of the Document	Page No.
1.	31-01-2023	5th RESPONDENT REPORT	1-9

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

Date: 31-01-2023

REPORT FILED BY THE DISTRICT COLLECTOR, TIRUPATI 5th
RESPONDENT IN O.A.NO.38 OF 2022 BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL , SOUTHERN ZONE, CHENNAI

1. It is submitted that the applicant Poola Suresh S/O Adhinarayana, D.No.3-155, Sree Varu Mettu Road, Srivasa Manga Puram, Chandragiri Mandal has filed O.A. No.38 of 2022 before the National Green Tribunal, Southern Zone, Chennai aggrieved by the activities of the 3rd Respondent who has been Constructing Underground Railway Bridge at Railway Gate NO.96 on Srivarimettu Road, Chandragiri Mandal, Tirupati District. The Applicant contends that the preparation and manufacturing of materials like Frames for underground work are being carried and the Construction of project might lead to cutting down of around 20 *Tamarindus Indica* trees which exists along the road on both sides of Railway track.

2. It is submitted that this Hon'ble National Green Tribunal, Southern Zone, Chennai has issued orders dated 03.11.2022 the District Collector, Tirupati has impleaded Suo Motu as additional 5th respondent and to file report on the said complaint before the Hon'ble National Green Tribunal.

3. It is submitted that I have inspected the site on 29.01.2023 in question along with the Revenue Divisional Officer, Tirupati, the Assistant Divisional Engineer, South Central Railways, Tirupati, the Executive Engineer, Roads & Buildings, Tirupati and the Tahsildar, Chandragiri. **(Photo copy enclosed)** The following facts have come up during the inspection:

- a. The level crossing gate is busy gate with TVUS (Train Vehicle Units) of 53896 as devotees of Lord Balaji are regularly using this way for reaching Tirumala (TVUS – Train Vehicle Units)
- b. It is further submitted that the Superintending Engineer, R&B, Tirupati has stated that the said road i.e., Srinivasamangapuram - Srivarimettu road does not come under the jurisdiction of R&B Department and the road is being maintained by Tirumala Tirupati Devasthanams, Tirupati.

- c. The District Collector, Chittoor has permitted to close the said level crossing gate after construction of RUB vide Collector's Office, Chittoor Lr. No. Roc.C1/REV-CSECOMIS(RAIL)/2/2018 DT. 09.12.2018.
- d. The Level Crossing Gate is sanctioned for RUB and required pre-cast boxes are casted for launching.
- e. During field inspection, it is noticed that while construction of RUB approach road, 18 number of Tamarind trees which are at the aged about 40 years are in existence in Sy No. 756, 757 of Mittapalem Revenue Village, Chandragiri Mandal which are noted as "Railway A-class" in RSR and they will get affect and may requires to fall during the execution of the work.
- f. It is found that there is no other alternate way to divert the said RUB approach road.
- g. It is submitted that, except the 18 number tamarind trees which exists on both sides of road which shall have to be invariably removed, no other green belt will be affected. For the affected trees also it is pertinent to submit that **A.P.WALTA Act, 2002** stating that, ***"The permission to fell a tree may be granted subject to the condition that the owner of the premises shall plant another two trees of the same or suitable species on the same site or other suitable place, within thirty days from the date the tree is felled."***
- h. As against this the Railway department consented that, they will plant two trees for each tree which fell down of the same or suitable species at Chandragiri Railway Station within thirty days from the date of the tree fell.
- i. The cutting down of only 18 tamarind trees is not at all pose any threat to the environment since the Railway Department has already consented to plant compensate number of trees as per A.P.WALTA Act, 2002.

- j. While removing trees, the Railway Department will adopt latest technology to avoid sound, dust pollution.
- k. It is also submitted that there are no residential houses that situated very nearer to the place where the trees need to be remove.

In the circumstances reported that there is no other alternate way for the large number of pilgrims who regularly travel through this gate towards Srivarimettu to reach Tirumala and the construction of Railway Under Bridge (RUB) is critically needed for the safe thorough passage of pilgrims.

It is submitted that, the facts may kindly be brought to the notice of the Hon'ble Green Tribunal for kind consideration.

Dated at Tirupati on this the 31st day of January 2023.

WSP
31/1/23
Collector & District Magistrate.,
DISTRICT COLLECTOR
Tirupati
TIRUPATI



Latitude: 13.612999
Longitude: 79.325998
Elevation: 204.2±5 m
Accuracy: 4.0 m
Time: 01-29-2023 12:59





Latitude: 13.612999
Longitude: 79.325998
Elevation: 204.2±5 m
Accuracy: 4.0 m
Time: 01-29-2023 12:59





