

BEFORE THE NATIONAL GREEN TRIBUNAL, SZ, CHENNAI

(Under Section 18(1) read with Sections 14, 15 of National Green
Tribunal Act, 2010)

I.A .No.77 of 2021 IN

APPLICATION NO. 105 of 2021

Yanati Srinivasalu Reddy
S/o. Ramachandra Reddy
Nelatur Village & Post
Muthukur Mandal
SPSR Nellore District
A.P. – 524 344.
Phone: 9989773399

Magunta Krishna Reddy
S/o. Subbarami Reddy
Rep. by his Special Power of Attorney
Yanati Srinivasalu Reddy

... APPLICANTS /APPLICANTS

VERSUS

1. The Chief Secretary
Govt. of Andhra Pradesh
Secretariat, Velagapudi, Amaravathi
Andhra Pradesh
Ph: 0863 2440631
Email Id: cs@ap.gov.in
2. Union of India
Rep. by The Secretary
Ministry of Environment, Forest & CC
1st Floor Jal Block
Indira Paryavaran Bhavan,
Jorbagh Road, New Delhi – 110 003.
Phone: 011-24695329
Email ID: mefcc@gov.in, prakash.j@sansad.nic.in
3. Central Pollution Control Board
Rep. by its Chairman
Parivesh Bhawan, CBDCum Office Complex
East Arjun Nagar, Delhi.
Phone: 22307233, Mail : ccb.cpcb@nic.in
4. The Secretary
Ministry of Power, Govt. of India,
Shram Shakti Bhavan, Rafi Mag,
New Delhi. Ph: 91-11-23710271
Email: secy-power@nic.in


Attestor
Administrative Officer
COLLECTOR'S OFFICE
Sri Potti Sriramulu Nellore District.

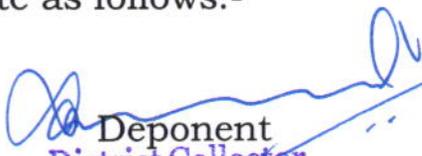

Deponent
District Collector
SRI POTTI SRIRAMULU NELLORE DISTRICT

5. The Secretary (Environment)
Forests and Environment Dept.,
Amaravathi, Andhra Pradesh
Ph: 0863-2444438
Email: splcs-efst@ap.gov.in
6. The District Collector
Nellore, SPSR Nellore (Dt)
Ph: 0861-2324374
Email: nlr@ap.gov.in
7. The Chairman
Electricity Authority
Sewa Bhavan, R.K. Puram
New Delhi. Ph: 91-11-26752222
Email: chair@nic.in
8. The Chairman
Andhra Pradesh Pollution Control Board
D.No.33-26-14/D2, Near Sunrise Hospital
Pushpa Hotel Center, Chalamvari Street
Kasturibaipet Vijayawada
Andhra Pradesh – 520010.
Mail: chairman@apcc.gov.in
9. The Director
Sri Damodaram Sanjeevaiah Thermal
Power Plant
M/s.A.P. Power Development Company Ltd.,
(A subsidiary of APGENCO & Govt. of A.P. undertaking)
Nelatur (V), Mutthukur (M), SPSR Nellore (Dt)
Ph: 0861-23586063
Email: sdstps.co@apgenco.gov.in
10. The Director
Thermal Power Tech Corporation India Ltd., (TPCIL)
SPSR Nellore (Dt)
Ph: 0861-23586063
Email: cs.india@sembcorp.com ... **RESPONDENTS** / Respondents

COUNTER AFFIDAVIT FILED BY THE 6th RESPONDENT

I, Sri K.V.N.Chakradhar Babu, I.A.S., S/o Sri K. Bhaskar Rao ,
Hindu, aged about 37 years, holding the post of Collector &
District Magistrate, Sri Potti Sriramulu Nellore District, Andhra
Pradesh do hereby solemnly affirm and sincerely state as follows:-


Attestor
Administrative Officer
COLLECTOR'S OFFICE
Sri Potti Sriramulu Nellore District.


Deponent
District Collector
SRI POTTI SRIRAMULU NELLORE DISTRICT

1. I am the deponent 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 except those that are specifically admitted herein.
3. With regard to the averments made in paragraph 1 & 2 of the affidavit they are not related to this respondent and hence there are no remarks.
4. With regard to the averments made in paragraph 3 (i to xviii) of the affidavit are not related to this respondent and hence there are no remarks.
5. With regard to the averments made in paragraph 4 (i to vii) of the affidavit is not related to this respondent and hence there is no remark.
6. With regard to the averments made in paragraph 5 of the affidavit is not related to this respondent and hence there is no remark.
7. With regard to the averment made in Paragraph 6 of the affidavit, it is denied as false. In reply to this para, it is submitted that the 1st applicant is having Ac.21.98cents of Agricultural land in Nelaturu, Pynampuram and Pidathapoluru Village including house at Nelaturu and getting an annual income of Rs.734000/- and 2nd applicant is having Ac.9.70 cents i.e., Ac.5.00 cents Aqua culture and Ac.4.70 cents Dry land in Pynampuram Village and getting annual income of Rs.2.00 lakhs on the agricultural produce. Moreover the applicants do not come under the Below Poverty Line (BPL) category. Hence the contents raised by the applicants are baseless and are far away from the truth.

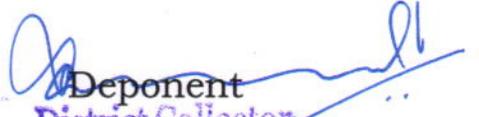

Attestor
Administrative Officer
COLLECTOR'S OFFICE
Sri Potti Sriramulu Nellore District.


Deponent
District Collector
SRI POTTI SRIRAMULU NELLORE DISTRICT

8. With regard to the averments made in paragraph 7 of the affidavit, it is not related to this respondent and hence there are no remarks.

9. 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 dismiss the above I.A.No.77 in Application No.105 of 2021 and pass such further orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.


Deponent
District Collector
SRI POTTI SRIRAMULU NELLORE DISTRICT

Solemnly affirmed at Nellore,
Andhra Pradesh on this the 13th
day of June, 2021 and
signed his name in my presence

Before me


Attestor
Administrative Officer
COLLECTOR'S OFFICE
Sri Potti Sriramulu Nellore District.

VERIFICATION

I, Sri K.V.N.Chakradhar Babu, IAS, S/o Sri K.Bhaskar Rao, Aged 37 years, Collector & District Magistrate, Sri Potti Sriramulu Nellore District, do hereby verify that the contents of the above paras are true to the best of my knowledge, belief, information and as per records. Hence, verified on this^{13th} day of June, 2021.


Deponent
District Collector
SRI POTTI SRIRAMULU NELLORE DISTRICT

Rc. B. 119 /2021

O/o the Tahsildar, Muthukur
Dated :06.06.2021.

From:
Sri B. Somla Naik,
Tahsildar,
Muthukur.

To:
The District Collector,
Nellore.

(Through Revenue Divisional Officer, Nellore)

Respected Sir,

Sub:- APPCB - RO - SPSR Nellore District - Muthukur Mandal - Memorandum of Appeal No.105/2021 (SZ) filed by Sri. Yanati Srinivasulu Reddy & Sri. Magunta Krishna Reddy, R/o. Nelatur Village Muthukur Mandal before the Hon'ble National Green Tribunal, Chennai - financial status of petitioners - Regarding.

- Ref:- 1. Phone Massage received from District Collectorate, Nellore received on 05.06.2021.
2. Report of the Village Revenue Officer, Nelatur and Painampuram dt.05.06.2021.

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I invite kind attention to the references cited. In the reference above cited I was directed to submit financial Status report of Sri. Yanati Srinivasulu Reddy & Sri. Magunta Krishna Reddy, R/o. Nelatur Village Muthukur Mandal.

In this connection it is submitted that as per village records Sri. Yanati Srinivasulu Reddy having agriculture lands as mentioned below.

Sl.No.	Name of the Village	Sy.No.	Extent	Crop
1.	Nelatur	47-D2	0.11	Paddy
2.	"	38-1	0.30	"
3.	"	44-2B	0.33	House
4.	"	129-1-1	0.36	Paddy
5.	"	44-1	0.64	House
6.	"	46	0.70	Paddy
7.	"	130-1-3	0.79	"
8.	"	64-3	0.94	"
9.	"	64-1	1.48	"
10.	"	131-1	1.50	"
11.	"	131-2	1.75	"
12.	"	39-1A	1.79	"
13.	"	118B	1.84	"
14.	"	63	2.07	"
15.	"	121-1	2.62	"
16.	"	121-2	2.80	"
17.	Painampuram	271	0.88	"
18.	Pidathapoluru	219-2	1.18	"
Total:-			21.98	

The value of the above land is Rs.4,39,60,000/- (Rupees four crores thirty nine lakhs sixty thousands only) and he is getting annual income of Income of Rs.7,34,000/- on the said lands.

Handwritten Signature
Administrative Officer
COLLECTOR'S OFFICE
Sri Potti Srimulu Nellore District.

Handwritten Signature

It is further submitted that Sri. Magunta Krishna Reddy, R/o. Nelatur Village Muthukur Mandal having agriculture lands as mentioned below.

Sl.No.	Name of the Village	Sy.No.	Extent	Crop
1.	Painampuram	265	9.70	Ac.5.00 Acqua Culture Ac.4.70 Dry land

The value of the above land is Rs.2,13,40,000/- (Rupees Two Crores thirteen lakhs forty thousand only) and he is getting annual income of Income of Rs.2,00,000/- on the said lands.

It is finally submitted that they are not comes under BPL Category. This is submitted for kind information and further necessary action in this matter.

// By Order //

Yours faithfully


Deputy Tahsildar

Sd/- B.Somla Naik
Tahsildar,
Muthukur.

Copy submitted to the District Collector, Nellore for necessary action.

11 Attn: J 11



Administrative Officer
COLLECTOR'S OFFICE
Sri Potti Sriramulu Nellore District.

R.V.
5/6/2021

6/7/2021

Government of Andhra Pradesh, Department of Revenue
Details of land records
I-B model

District Name:
Nellore
Village Name:
Painampuram

Zone Name: Muthukur

Area Units: Acres / Cent

Serial Number (1)	Graduate Name (2)	Father / Husband Name (3)	Account Number (4)	Survey no. / Sub Division Number (5)	Land Description (6)	Area (7)	How the graduate was infected / cultivated (8)	Date of mutation approval
1	Yanati Srinivasula Reddy	Shri	300323	271	Metta	0.8800		
					Total area	0.8800		

This revenue record was printed from your land website on 07/06/2021 12:41:43 by IP number:
223.238.38.53.

Color indicates dispute survey numbers Color indicates Digitally unsigned records Color indicates Notional Khata's
The information contained made available through this web site is for information only and cannot be utilized as certified / authenticated copy for producing in any court or for enforcing any legal claims etc. under the existing relevant Acts / Rules framed by the Government of Andhra Pradesh in this context.

u Attested

B. ll
DEPUTY TAHILDAR
MUTHUKUR
NELLORE DISTRICT

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u Attested

[Signature]

Administrative Officer
COLLECTOR'S OFFICE
Sri Potti Sriramulu Nellore District.

[Signature]

6/7/2021

Government of Andhra Pradesh, Department of Revenue
Details of land records
1-B model

District Name:
Nellore
Village Name:
Painampuram

Zone Name: Muthukur

Area Units: Acres / Cent

Serial Number (1)	Graduate Name (2)	Father / Husband Name (3)	Account Number (4)	Survey no. / Sub Division Number (5)	Land Description (6)	Area (7)	How the graduate was infected / cultivated (8)	Date of mutation approval
1	Magunta Krishnareddy	Shri	300619	265	Metta	9.7000	Graduate	
Total area						9.7000		

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u. A. H. S. D. U.
B. L.
DEPUTY TAHSILDAR
MUTHUKUR
NELLORE DISTRICT.

1/1

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u. A. H. S. D. U.
P. S. R. M.
Administrative Officer
COLLECTOR'S OFFICE
Sri Potti Sriramulu Nellore District.

R. S. J.
2/10/2021

6/7/2021

Government of Andhra Pradesh, Department of Revenue
Details of land records
1-B model

District Name:
Nellore
Village Name:
Pidathapalur

Zone Name: Muthukur

Area Units: Acres / Cent

Serial Number (1)	Graduate Name (2)	Father / Husband Name (3)	Account Number (4)	Survey no. / Sub Division Number (5)	Land Description (6)	Area (7)	How the graduate was infected / cultivated (8)	Date of mutation approval
1	Yanati Srinivasulu Reddy	Ramachandra Reddy	400165	219-2	Magani	1.1800	Inheritance	
					Total area	1.1800		

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B. L.
DEPUTY TAHSILDAR
MUTHUKUR
NELLORE DISTRICT

1/1

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Attested
[Signature]
Administrative Officer
COLLECTOR'S OFFICE
Sri Potti Sriramulu Nellore District.

[Signature]
21/07/2021