

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

OA No 09 OF 2017

IN THE MATTER OF:

M/s. Y.V. PRATAP REDDY

..... Applicant

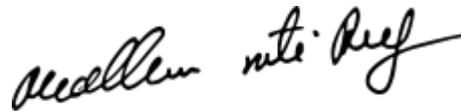
Vs

THE SECRETARY, UNION OF INDIA & OTHERS

.... Respondents

COMPLIANCE REPORT FILED BY THE PCCF R6

DATE- 01.05.2024



**M/s MADHURI DONTI REDDY
ADVOCATE**

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

#26, S2, Royal Castle, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.

Mobile: 98407 98460 / 63831 21322,

Email: reddymadhuri09@gmail.com

COMPLIANCE REPORT

FILED BY THE PRL. CHIEF CONSERVATOR OF FORESTS & HEAD OF FOREST FORCE, ANDHRA PRADESH IN O.A NO.09 OF 2017 BEFORE THE HON'BLE NATIONAL GREEN TRIBUINAL SOUTH ZONE CHENNAI ITS FINAL ORDER DATED 19.04.2022.

I respectfully submit that, the Hon'ble Tribunal in their orders dt. 19.04.2022 in O.A.No.09 of 2017 have allowed the O.A. in part and disposed the application with the following directions, and the compliance thereof is submitted here under:

Point No.1:- The area comprised in Sy.No.1036/1 of Mallela Village is a deemed forest for the purpose of Forest (Conservation) Act, 1980 and any activity done without obtaining prior clearance under the Forest (Conservation) Act, 1980 is illegal.

The Hon'ble Tribunal agreed with the classification in Revenue records as "Forests" and use of the land without approval under FC Act is treated as illegal.

Point No.2:- The establishment of windmill by Respondents No.8 & 9 in that land without obtaining clearance under the Forest (Conservation) Act, 1980 is in violation of Forest (Conservation) Act, 1980 and as such, they are liable to pay a compensation of Rupees Fifty Lakhs in favour of the Principal Chief Conservator of Forests, Head of Forests Force and Chief Wildlife Warden, State of Andhra Pradesh within a period of 2 (Two) months and if the amount is not paid within that time, then the Principal Chief Conservator of Forests, Head of Forests Force and Chief Wildlife Warden, State of Andhra Pradesh is directed to take action for recovery of the amount in accordance with law.

The amount of Rs.50 lakhs has been received on 10.06.2022 and after getting the approvals, an amount of Rs.25,27,100/- is allotted to DFO,

Ananthapur vide Ref.No.5219-SFDA-3 dt.20.09.2023 for taking up plantation in Kanumpalli RF of Ananthapur Range.

Point No.3:- If the amount is deposited or recovered, then the Principal Chief Conservator of Forests, Head of Forests Force and Chief Wildlife Warden, State of Andhra Pradesh is directed to utilize the amount for environment friendly activities of protecting environment and establishing green cover by planting trees and other activities, after framing a scheme in consultation with the Secretary for Environment and Forests, State of Andhra Pradesh and after getting necessary approval from the State of Andhra Pradesh either near the forest area or at any place which they feel that it required to control the global warming and arrest the effect of greenhouse gases on environment.

As directed by the Hon'ble Tribunal, the planting in 10 ha is taken up in Ananthapur Range

Point No.4:- The State of Andhra Pradesh is directed to notify the entire area in Sy. No.1036/1 of Mallela Village as Reserve Forest and hand over the same to the Forest Department under their management within a period of 4 (Four) months, as decided by them in the High Power Committee appointed by this Tribunal for considering these aspects.

The land in Sy.No.1036/1 of Mallela Village with an extent of Ac.1537.52 cents (Classified as Forest Reserve) and Sy.No.1174 to 1185 (used by M/s. Esteem Energy Pvt.Ltd.) with an extent Ac.30.00 cents were handed over by Tahsildar, Thondur Mandal on 24.02.2023 to Forest Range Officer, Muddanur Range of YSR Kadapa Division. The Notification process is taken up under Section 4 of Andhra Pradesh Forest Act,1967. It was also suggested to CCF/CF, Kurnool to send proposals under section 24 to start with, as the Government land can be notified with ease..

Point No.5:- Apart from payment of compensation of Rupees Fifty Lakhs, the Respondents No.8 & 9 are directed to meet the expenses for planting native species which are suitable to rocky terrain in the land available in 30 Acres in Sy.No.1036/1 leased to them without affecting the project activities and also in twice the extent of land in Sy. No.1036/1 of Mallela Village i.e. 60 Acres by adopting latest innovative techniques developed by the Research Wing of Tamil Nadu Forest Department in consultation with the Forest Department. They may seek the help of Tamil Nadu Forest Department's Research Wing which developed innovative techniques to grow saplings on the sheet rocks and boulder sites of Anjin Hills of Krishnagiri District. The native species of Banyan, Peepal, Cluster Fig, Neem, Custard Apple which serve as a host to numerous birds and insects may be considered to enhance the biodiversity of the area. The expenses for the same and maintenance of the same for a period of five years has to be borne by Respondents No.8 & 9 who are the project proponents of the project.

As stated by the DFO, Kadapa in his letter no.563/2015/A14 dated 13.09.2023, administrative approval is obtained from PCCF in ref.no.5219/2022-SFDA 3 dated 01.12.2022 with a financial outlay of Rs.200.364 lakhs for raising Rock Afforestation scheme over a period of 7 years from 2023-24 to 2029-2030 including 5 years maintenance in Dy.no.1036/1 of Mallela Village of Thondur Mandal, YSR Kadapa District by adopting techniques developed by Research wing of Tamil Nadu Forest Department. The Useragency i.e., M/s Atria Wind Power Ltd, Bangalore has deposited an amount of Rs.200.364 lakhs into DFO Kadapa Account for Afforestation works.

Point No.6:- The Rock Afforestation programme is directed to be monitored by District Green Committee headed by District Collector and District Forest Officer as Member Secretary along with the experts in the

field. A nominee of the project proponent also may be included in the committee. The State of Andhra Pradesh is directed to endeavour to promote rock afforestation in Sy.No.1036/1 of Mallela Village as far as possible at the rate of at least 50 Acres per year and necessary fund for this purpose be provided to Forest Department over and above the regular budgetary provision.

The District Collector, YSR Kadapa District has constituted the District Green Committee vide his letter no.406/1998/A14 dated 01.04.2023 with the following members:

1. District Collector, Kadapa – Chairman
2. DFO Kadapa - Member Secretary
3. DFO SF Kadapa- Member
4. Sub-DFO,Proddatur – Member
5. FRO , Muddanur – Member
6. Vice President/s Atria Wind Power Private Ltd,Bangalore – Member

The area taken over now with an extent Ac. 1537.52 cents in Mallela Village, Thondur Mandal will be utilized for raising plantations with funds available each year , at 50 acres every year.

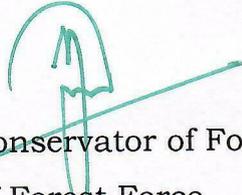
Point No.7:- Half yearly periodical report on this aspect be filed by the Principal Chief Conservator of Forests (CAMPA) and the District Collector to this Tribunal.

The periodical reports as called for from PCCF (CAMPA) will be commenced soon.

This report is submitted to the Hon'ble tribunal in due compliance of the Final Judgment dated 19.04.2022 in O.A. No. 09 of 2017 (SZ). The PCCF A.P will abide by all such directions as this Hon'ble tribunal may deem fit and appropriate.

It is submitted for kind information.

DATED AT MANGALAGIRI ON THIS THE 01st DAY OF NOVEMBER 2023



Principal Chief Conservator of Forests &
Head of Forest Force,
Andhra Pradesh.

File No.EFS02-20026/1/2022-NC - PCCF-Part(1)

**GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT**

F.no:5219/2022-SFDA-3,
Dated:01/12/2022.

O/o the Prl. Chief Conservator of Forests
& Head of Forest Force, A.P., Guntur.

Sri Y.Madhusudhana Reddy, I.F.S.,
Prl.Chief Conservator of Forests
& Head of Forest Force(FAC)

Sub :APFD - Original application No. 9 of 2017 (SZ) filed before the Hon'ble
- National Green Tribunal Southern Zone, Chennai by Mr. Y. V. Pratap Reddy,
Thondur, Kadapa District - Orders of the Hon'ble NGT dated 19-04-2022 -
Rock Afforestation scheme proposals for raising in 90 acres (30 acres & 60
acres) in Sy. No. 1036/1 of Mallela Village, Thondur Mandal in the locality of
Wind mills established by M/s Esteem Energy Pvt. Ltd - Administrative
approval accorded - Reg.- Regarding.

Ref :Orders of the Hon'ble NGT (SZ), Chennai Dt: 19-04-2022 in OA No. 9 of
-1.2017 (SZ) filed by Mr. Y. V. Pratap Reddy, Thondur, Kadapa District.
2.DFO, Kadapa Rc. No. 563 / 2015 - A14, Dt: 24-11-2022.
3.CF, Kurnool Rc. No. 4590 /2015-TO, Dated: 29.11.2022.

In pursuance of the directions of the Hon'ble NGT (SZ), Chennai, the Rock
Afforestation scheme proposals submitted by the Conservator of Forests, Kurnool
vide reference 3rd cited for raising of plantation in Sy. No. 1036/1 of Mallela
Village with a financial outlay of Rs. 200.364 lakh (i.e., Rs. 28.287 lakh for 6.90
ha and Rs. 142.077 lakh for 24.30 ha) for implementation over a period of 7 years
from 2023-24 to 2029-30 which includes 5 years maintenance has been
examined and based on the recommendations and responsibility of the
Conservator of Forests, Kurnool Administrative approval is here by accorded for
Rs.200.364 lakh.

In this connection, it is also informed that any savings in the components
may be utilized for other components of the approved action plan within the
competency of the Conservator of Forests, Kurnool.

- **Further CF Kurnool and DFO Kadpa are requested to follow the provisions of FSR strictly without any deviation while preparing estimates and taking up the works.**
- **Orders of Honorable NGT (SZ) Chennai Dated 19-04-2022 in OA no. 9 of 2017 to be followed while taking up the works.**
- **In case of any clarification required in adoption of methodology, concerned officials of Tamilnadu Forest Department may be contacted, who are already taking up Rock Afforestation plantations in neighboring Tamilnadu state as reported by Conservator of Forests, kurnool.**

File No.EFS02-20026/1/2022-NC - PCCF-Part(1)

The Conservator of Forests, Kurnool is also requested to instruct the DFO,YSR (T), Kadapa to open a separate account for "**Mallela Village Rock afforestation Scheme**" and also to raise demand with the M/s Esteem Energy Pvt. Ltd for transfer of funds as per the directions of the Hon'ble NGT (SZ), Chennai. The accounts shall be maintained as per extent rules and to be audited regularly. A copy of the scheme furnished in this regard is enclosed here with for taking further action and to report compliance.

Encl:as above

Rahul Pandey I F S,
for Pri.Chief Conservator of Forests
& Head of Forest Force

To
The Conservator of Forests, Kurnool Circle, Kurnool
Copy to the Divisional Forest Officers, YSR (T) Division, Kadapa for information
and necessary action.

File No.EFS02-20026/1/2022-NC - PCCF

**GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT**

From
Sri N.Prateep Kumar, I.F.S.,
Principal Chief Conservator of
Forests
& Head of Forest Force,
Andhra Pradesh,
Aranya Bhavan,
K.M Munshi Road, Nagarampalem,
Guntur - 522 004.

To
The Principal Chief Conservator of Forests &
Head of Forest Force,
Tamil Nadu,
PANAGAL MAALIGAI, 1, Jeeanis Road,
SAIDAPET,
CHENNAI - 600 015
e-mail : tnforest@tn.nic.in

Ref.No. 5219/2022-SFDA-3(i), Dated: 03/06/2022.

Sir,

Sub: APFD - F(C) Act, 1980 - Original Application No.9 of 2017(SZ) filed before the
- Hon'ble National Green Tribunal Southern Zone, Chennai by Mr. Y.V.Pratap
Reddy, Thondur, Kadapa District - Orders of the Hon'ble NGT dated
19.04.2022 - Request to share the technique to grow saplings on sheet rock
and boulders as developed in sites of Anjin Hills of Krishnagiri District-
Regarding.

Ref:-Orders of the Hon'ble NGT, SZ, Chennai dt 19.04.2022 in OA no.09 of
2017(SZ) filed by Mr.Y.V. Pratap Reddy, Thondur, Kadapa District

Kind attention is invited to subject and reference cited.

In the reference cited (copy enclosed), the Hon'ble NGT, SZ, Chennai
in their order dt:19.04.2022 in OA No.09 of 2017 (SZ) filed by Mr.Y.V. Pratap
Reddy, Thondur, Kadapa District has directed to take up afforestation activities in
Sy.No 1036/1 of Mallela Village of YSR Kadapa District by adopting latest
innovative techniques developed by the Research wing of Tamil Nadu Forest
Department {at point no.88(v)} to grow saplings on sheet rocks and boulder
sites of Anjin Hills of Krishnagiri District.

In view of the above, it is requested to share details of the said technique
and issue instructions to the officers concerned to extend all required support to
the Divisional Forest Officer, Proddatur (WL) Division and the Conservator of
Forests, Kurnool Circle, who will co-ordinate on behalf of Andhra Pradesh Forest
Department for this purpose.

Encl:As above

Yours faithfully,
N Prateep Kumar I F S
Principal Chief Conservator of Forests
& Head of Forest Force

Copy to the Conservator of Forests, Kurnool for information and necessary
action.
Copy to the Divisional Forest Officer, Proddatur (WL) for information and
necessary action.

HANDING OVER OF POSSESSION CERTIFICATE

This is to certify that, the following Survey No.1036/1 of Mallela village of Thondur Mandal to an extent of 1567.52 Acres which were transferred to the Forest Department as per the Judgement passed by the Hon'ble National Green Tribunal (SZ) Chennai in O.A. No. 09/2017 dated 19.04.2022 and instructions issued by the Hon'ble District Collector, YSR District, Kadapa in his Ref. No. E6/2847/2016 dt. 12.07.2022, The Tahsildar, Thondur in his Proceedings Ref. No. B/193/2022 dt. 24/02/2023 are handed over to the Forest Department (Muddanur Range of YSR (T) Division, Kadapa .

The details of Survey No.1036/1 land are furnished below.

Sl. No.	Name of the Mandal	Name of the village	Survey No.	Extent of land	Classification	Remarks
1	Thondur	Mallela	1036/1	1537.52 Acres	Forest Reserve	
			1174 to 1185	30.00 Acres		Area is Lease to M/S Esteem Energy Private Ltd, Hyderabad
Total				1567.52		

The above-mentioned Survey No.1036/1 extent of 1537.52 acres and 1174 to 1185 extent of 30 acres total extent 1567.52 acres land is handed over to Forest Department.

Handed Over

TAHSILDAR

Thondur Mandal

Handwritten signature
Mallela Beat

Handwritten signature
FEO
M. Venkatesh

Taken Over

FOREST RANGE OFFICER
MUDDANUR RANGE

Handwritten signature
FOREST RANGE OFFICER
MUDDANUR

**GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT**

From
Sri Y.Madhusudhana Reddy,I.F.S.,
Pr. Chief Conservator of Forests
& Head of Forest Force ,
Andhra Pradesh,Aranya Bhavan,
P.V.S.Land mark,Near APIIC Towers,
Mangalagiri -522 503.
Guntur District.

To
The Branch Manager,
Union Bank of India,
Lakshmipuram Branch,
Guntur -522 007,
Andhra Pradesh.
e-mail: lakshmipuram@unionbankofindia.com

F.no:5219/2022-SFDA-3, Dated: 20/09/2023 .

Sir,

Sub: APFD -"APFD COMPLIANCE OF NGT ORDERS " Scheme - Release of funds from
- A.P SFDA - transfer of Rs.25,27,100/- (Rupees Twenty five lakh twenty seven
thousand and one hundred only) to the to DFO, Ananthapuramu- Request - Regarding.

It is requested to transfer Rs. Rs.25,27,100/- (Rupees Twenty five lakh twenty seven
thousand and one hundred only) as per the details given below from the SB Account
No.409002010582770 :

Name of the Acct Holder	Name of the FDA	Name of the Bank & Branch	IFSC Code	Account Number	Funding being released now in Rs
National Green Tribunal Scheme	DFO, Ananthapuramu	Union Bank of India, Ashok Nagar Branch Ananthapuramu	UBIN 0814776	147712010001034	25,27,100
Rs.25,27,100/- (Rupees Twenty five lakh twenty seven thousand and one hundred only)					25,27,100

Yours faithfully,
Y Madhusudhana Reddy Ifs
Pr. Chief Conservator of Forests
& Head of Forest Force.

Copy to the Circle Head, Ananthapuramu, for information and necessary action.

Copy to the Divisional Forest Officer, Ananthapuramu for information and necessary action.

Digitally Signed by Y
Madhusudhana Reddy Ifs
Date: 20-09-2023 13:19:17
Reason: Approved