

**BEFORE THE NATIONAL GREEN TRIBUNAL, SITTING
AT CHENNAI**

ORIGINAL APPLICATION NO. 92 OF 2020

(Under Section 18(1) r/w Section 19(1) of the National Green Tribunal Act, 2010)

IN THE MATTER OF:

Gareeb Guide (NGO) Rep. by its President, 7/41, Bahar, Sahara States, Mansoorabad, Hyderabad-500068, Phone: 8688122222, E-Mail: gareebguide@gmail.co,

.....APPLICANT

VERSUS

1. State of Andhra Pradesh Rep. by its Chief Secretary to Govt, Department of General Administration, Building No. 1, I Floor, Interim Government Complex, Secretariat, Velagapudi, Guntur, Andhra Pradesh. Phone: N.A., E-Mail: cs@ap.gov.in

2. Collector, Srikakulam District, O/O Collectorate, Srikakulam. Phone: 08942-222565, E-Mail: Collector.sklm@gmail.com

.....RESPONDENTS

THE HUMBLE ADDL AFFIDAVIT OF THE APPLICANT ABOVENAMED FILED AS PER THE ORAL DIRECTION, DATED: 08.02.2023 OF THIS HON'BLE TRIBUNAL

MOST RESPECTFULLY SHOWETH:

Date	Event
27.12.2017	M/s Gareeb Guide i.e the applicant filed an application, dated: 27.12.2017 before the Respondent No. 2 as per the procedure in GO 571, dated: 14.09.2012 seeking allotment of 10 acres to construct Gareeb Guide Heaven in the interest of public and collected acknowledgement for the same. The Govt of AP allotted 11 acres to

	Nandamuri Basava Tarakam Foundation, 12.5 Acres to LV Prasad Hospital, 20 acres to BR Ambedkar Smrithi Vanam, 40 acres to KIMS Hospital, 30 acres to Xaviewrs School, 12 acres to Gopiochand academy since 2017 but did not take any decision on the application, dated: 27.12.2017 filed by the Gareeb Guide (NGO).
05.02.2020	The local revenue officer i.e Tahsildar allowed 58 th annual celebrations of Sri Sri Sri Lakshminarasimha Swamy Temple in Kakarla Pond on payment of bribe (Details filed by the organizers before the Police in FIR 116 of 2021 registered U/s 406 and 420 IPC at Jalumuru PS is enclosed)
06.05.2020	M/s Gareeb Guide i.e the applicant filed WP vide 8493 of 2020 before the Hon'ble High Court with the following Main Prayer – “..... It is therefore prayed that this Hon'ble Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondent Nos 4 & 5 in not allotting land to the Petitioner for public purpose as illegal, arbitrary, violation of GO Ms 571, dated: L4.09.2012, Revenue (Assignments-I) Dept and this Hon'ble High Court order, dated: 21.01.2014 passed in WP 31764 of 2013 and article 21 of Constitution of India and pass such other order or orders may deem fit and proper in the circumstances of the case” However, with the following interim Prayer – “..... Pending disposal of the above writ petition, it is also just and necessary that this Hon'ble Court may be pleased to direct the Respondent No 5 to allow the petitioner for temporary constructions for public purpose in the said premises until further orders of this Hon,ble Court and pass such other order or orders may deem fit and proper in the

	circumstances of the case”
07.05.2020	<p>The Hon’ble High Court passed the interim order, dated: 07.05.2020 to get the instructions from the government as well as recorded in its order that learned counsel for the Petitioner further submits that in the event of the concerned authorities are not inclined to grant assignment in terms of GO 571, they would remove the temporary structures immediately without making any claim, what so ever, after the purpose of providing service to the needy people in the light of the pandemic situation is accomplished.</p> <p>Then the local revenue officer i.e Tahsildar submitted his report vide RC No. 197/2020, dated: 07.05.2020 as that presently, there is no tank in Sy. No. 59. Details are as that total Land in Sy. No. 59 which is classified as Tank Poramboke admeasuring Ac. 12.75 out of that Sri Sri Nagadevatha Temple constructed 15 Yrs ago in Ac. 0.40, Govt School in Ac. 0.30, Gram Panchayat Office in Ac. 0.10, Houses for Poor constructed by Govt in Ac. 6.05 and area grabbed for shops is Ac. 0.50 and area grabbed by others for unauthorized cultivation is Ac. 5.40.</p>
13.05.2020	<p>The Respondent No. 2 submitted the following before the Hon’ble High Court in WP 8493 of 2020 in his instructions vide Rc No. 943/2020-E-1, dated: 13.05.2020:</p> <p>a. The matter has got enquired by the Tahsildar, Jalumuru and it is revealed that the land requested by the Petitioner is Kakarla Pond in Sy No. 59 which is</p>

	<p>classified as Tank Poramboke of Chinnadugam (V) in Jalumuru (M), Srikakulam (D) which is prohibited for assignment / alienation as rules in force.</p> <p>b. In this connection it is to inform you that there are specific instructions from the Government and the Chief Commissioner of Land Administration & Special Chief Secretary about restriction on allotment of water body/ tank poramboke lands in his reference No. B1/1543/2012, Dt: 18.03.2013.</p> <p>c. As per para (g) of the above reference, Govt. Memo No. 33571/Assn,I(2), Revenue (Assn.I) Dept., Dt: 14.09.2012, as per para - 3(a) (ii) at page No.6 says that, only waste and dry lands should be proposed for alienation and wet, irrigated lands should not normally be considered for such as, tank beds, river beds, hillocks with afforestation etc., shall not be alienated or allotted. Further, as per para 3(c) (viii) at page-8, the ban non change of classification of tank bed lands shall be strictly enforced.</p>
28.05.2020	<p>The Respondent No. 2 in his proceedings vide Rc No. 1035/2020/E4, dated: 28.05.2020 directed the Tahsildar, Jalumuru to take necessary action for eviction of encroachments in Sy. No. 59 of Chinnadugam (V), Jalumuru (M), Srikakulam (D) and issued a memo to the VRO concerned for his failure in preventing the encroachments.</p>
25.06.2020	<p>Hence, M/s Gareeb Guide i.e the applicant OA 92 of 2020 filed before the Hon'ble NGT</p>

	on 25.06.2020 even though M/s Gareeb Guide (NGO) has spent Rs 24.43 lakhs for various activities in Sy. No. 59 of Chinnadugam (V) and Hon'ble NGT appointed the Joint Committee to file the Final Report.
13.08.2020	But the same Respondent No. 2, sanctioned the compound wall for MPP school with 11 lakhs and did not take any action against one Anganwadi Worker who constructed compound wall for her personal house in Sy. No. 59 of Chinnadugam (V).
09.04.2022	The applicant filed a representation before the Respondent No. 2 seeking permission to conduct 19 th annual celebrations & consecration of holy idol (marble) at Shri Mata Mansa Devi Temple, Chinnadugam (V), Jalumuru (M), Srikakulam (D).
16.04.2022	The Respondent No. 2 rejected the application of the applicant seeking permission to conduct 19 th annual celebrations & consecration of holy idol (marble) at Shri Mata Mansa Devi Temple, Chinnadugam (V), Jalumuru (M), Srikakulam (D) on the ground that mere the case(s) are pending before the court(s), even though there is neither injunction nor status quo. Hence, OA 90 of 2022 is filed. Unfortunately, this IA 90 of 2022 is dismissed with cost and the applicant complied with the order of the Hon'ble NGT.
02.08.2022	The Respondent No. 2 in his Report, dated: 02.08.2022 prayed this Hon'ble NGT that, there are age old encroachments in Kakarla Pond which can not be evicted now. Further

	<p>there is a law & order problem in the village in respect of the subject land.</p> <p>There was direction to the Respondent No. 2 to identify and restore the inlet and outlet of the Kakarla Pond after removing the encroachment thereupon and to restore the tank. But the report filed by the Respondent No. 2 subsequent to that does not mention about the opening of the inlet and outlet. It only states that at present there is no tank appearance on the ground and there are no inlet and outlet canals in the Kakarlavani Cheruvu, but the outlets are on the northern side of the Kakarlavani Tank bund.</p>
01.12.2022	This Hon'ble NGT once again directed the Respondent No. 2 to clear the encroachments, restore the inlets and outlets to the water tank and file a report along with the revenue records relating to the same viz D-Sketch and also Photographs and posted it on 10.01.2023.
10.01.2023	The Respondent No. 2 even did not comply with the Order, dated: 01.12.2022 of this Hon'ble NGT. Hence, this Hon'ble NGT passed the order, dated: 10.01.2023 that the report of the Respondent No. 2 will be received on payment of cost before the next date of hearing and posted it on 08.02.2023.
01.02.2023	The local revenue officer i.e Tahsildar allowed 61 st annual celebrations / Banned Cock Fights / Illegal Lotteries etc of Sri Sri Sri Lakshminarasimha Swamy Temple in

	Kakarla Pond on payment of bribe as one lakh per day (Photographs are below)
08.02.2023	The Respondent No. 2 again did not comply with the Order, dated: 01.12.2022 of this Hon'ble NGT. Hence, this Hon'ble NGT posted this matter on 17.02.2023

PHOTOGRAPHS SHOWING THAT 61st ANNUAL CELEBRATIONS / BANNED COCK FIGTS / ILLEGAL LOTTORIES ETC WERE ALLOWED IN KAKARLA POND FROM 01.02.2023 TO 05.02.2023. (IF THIS HON'BLE NGT DIRECTS, VIDEO RECORDINGS ALSO WILL BE SUBMITTED)



GROUND

1. Because the Respondent No. 2 rejected the application of the applicant seeking permission to conduct 19th annual celebrations & consecration of holy idol (marble) at Shri Mata Mansa Devi Temple, Chinnadugam (V), Jalumuru (M), Srikakulam (D) on the ground that mere the case(s) are pending before the court(s), even though there is neither injunction nor status quo due to the applicant refused to pay bribe to the local revenue officer i.e Taahsildar.
2. Because the details filed by the organizers before the Police in FIR 116 of 2021 registered U/s 406 and 420 IPC at Jalumuru PS and Photographs are showing that the local revenue officer i.e Tahsildar allowing annual celebrations / Banned Cock Fights / Illegal Lotteries etc in Kakarla Pond on payment of bribe.
3. Because the Respondent No. 2 mislead the Hon'ble Tribunal with false reports as well as intentionally, willfully and deliberately not implementing the order of the Hon'ble NGT (ie. not clearing the encroachments, not restoring the inlets and outlets to the water tank i.e Kakarla Pond and not filing a report along with the revenue records relating to the same viz D-Sketch and also Photographs etc)
4. Because as per the leading newspaper i.e Orissa Post, dated: 20.01.2020, in a similar case Hon'ble NGT, EZ issued notice of contempt as well as imprisonment waring to the Khurda Collector.
5. Because as per the Hon'ble High Court of Andhra Pradesh, the Andhra Pradesh High Court has the highest number of contempt cases because of the casual approach of officials towards court orders.

PRAYER

It is therefore prayed that, pending disposal of the above Original Application, this Hon'ble Tribunal may be pleased to receive the additional affidavit and take action against the Respondent No. 2 for intentionally, willfully and deliberately not implementing the order of the Hon'ble NGT (ie. not clearing the encroachments, not restoring the inlets to the water tank i.e Kakarla Pond and not filing a report along with the revenue records relating to the same viz D-Sketch and also Photographs etc) and also for misleading this Hon'ble Tribunal with false reports because the local revenue officer i.e Tahsildar allowing annual celebrations / Banned Cock Fights / Illegal Lotteries etc in Kakarla Pond on payment of bribe.

Pass any such other or further order as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

For GAREEB GUIDE
 G. Bhargavi
 President

APPLICANT**VERIFICATION**

I Bhargavi Gundeti, President, Gareeb Guide (NGO), 7/41, Bahar, Sahara States, Mansoorabad, LB Nagar, Hyderabad-500068 do hereby verify that the contents of paras of this Addl Affidavit believe to be true on legal advice and that I have not suppressed any material fact.

Date: 09.02.2023

Place: Hyderabad



For GAREEB GUIDE
 G. Bhargavi
 President

APPLICANT

శ్రీ లక్ష్మీ నరసింహాస్వామి

58వ వార్షికోత్సవం

1 వ రోజు	- బుర్రడబ్బ	- 2000
2 వ రోజు	- డాండామణి	- 23,000
3 వ రోజు	- సాంఘిక నాటకం	- 46,500
4 వ రోజు	- హరిశ్చంద్ర	- 24,000
5 వ రోజు	- ఈవెన్స్ (భాస్కర్) (1,50,000)	- Nil
6 వ రోజు	- డాన్స్ Programme	- 21,000
		<hr/>
		1,16,500

సాయంత్రం PROGRAMMS

2 వ రోజు	- వీరలాంగులు (1000 + 2000) = 3000
4 వ రోజు	- తర ప్రధానారాధన (పద్మదూగం) = 3,500

మైక్ సెట్

పల్ల వేణు 1,015,000 లో Ad:- 71,000

Electrical డీజీ	- 5000
Lineman + staff	- 1000
Police permission	- 3700

Total → 2,03,700

కల్పాణం విరులు

1. పూజ, సామానులు -	3,600
	Nil
2. గార పంతులు -	1000/-
3. భీమాశాస్త్రి పంతులు -	2000/-
4. చక్కణ మేళం (తెలూరు రషీ) -	1200/-
5. మన కిరీ మంతులు -	500
6. కల్పాణంలో కౌర్చిడానికి చాపలు -	Nil
7. దేవుని వస్త్రాలు (క్రీసు) -	1800
8. శతమానం, డండము -	2000
9. 1వ రోజు గుడి అలంకారానికి పూల చండలు -	600
10) గుడి కడగడానికి షేన -	Nil
11) కల్పాణం చేసిన వారికి టిఫిన్ (నశ్య రాములు) -	
12) లైటింగ్ కట్టిన వారికి భోజనాలు (వేలు) →	
13) పవర్క్ ఎంజిన్ డానికి, మిటంగ్ పెట్టడానికి (మంత్రి, సోషిటీ) -	400
	200
14) తెలంగాణి చాన్సరు -	500
15) 5 రోజులు గుడి మరియు చుట్టు Clean -	
14800	14800
దాసరి. ముత్తాపా	Table

1. యంత్ర papers printing	-	2,850
2. విరాళాలు బుక్స్	-	500
3. టికెట్స్ బుక్స్	→	900
4. గుడి Q-line కర్రల పొతడానికి మరియు చుట్టు ప్రదేశాల Cleaning కి	→	2,400
5. విప్పడానికి, అంపుబిప్పడానికి	→	2000
6. Baners కట్టడానికి * కుప్పలు వేయడానికి కుప్పాల్లకి	-	1000
7. Generator Oil (వేలు-2500+1500)	-	4,000
8. JCB Cleaning కి	-	1000
9. అన్నదానం గురించి చెప్పడానికి క్రాఫ్ట్	-	1000
10. పల్లి రమ్య్ షేక్ సెట్	-	1000
11. అన్నదానం చెప్పడానికి వెళ్లిన కుప్పాల్లకి	-	500
12. 5వ రోజు programme వారికి వాటర్ bottles (Packets + Bottles)	-	400
13. 5వ రోజు programme వారికి Meals	-	1,200
14. బుద్ధల బాస్కెట్ రావ్ సన్మాణం సామాన్లు క్ర. భదినారాయణి " "	-	4800
15. పల్లి వేణు తెచ్చిన Electrical కుప్పాల్లకి మామిళ్లు	-	1500

Total → 25,050

ಬೆನಕೆ

1	ಬೆನಕೆ	10 x 10	ಬೆನಕೆ	
2	ಬೆನಕೆ	10 x 10	photos	
3	ಬೆನಕೆ	10 x 12	photos	
4	ಬೆನಕೆ	10 x 10	photos	
5	ಬೆನಕೆ	20 x 4		
6	ಬೆನಕೆ	10 x 3		
7	ಬೆನಕೆ	10 x 20		
8	ಬೆನಕೆ	4 x 4		
9	ಬೆನಕೆ	4 x 4		
1	ಬೆನಕೆ			8500
2	ಬೆನಕೆ GUM Bottles			350
3	ಬೆನಕೆ ಕೆಲಸ ಅಂಚೆ (ಕೆಲಸ)			5000
4	ಬೆನಕೆ			7000
5	Police Station			54,000
6	ಬೆನಕೆ ಕೆಲಸ ಕೆಲಸ (ಕೆಲಸ)			1000
7	ಬೆನಕೆ ಕೆಲಸ			1900
8	Police Station ಕೆಲಸ			1200
9	Circle officer			1500
10	DSP office (Guards) 2			300
11	ಬೆನಕೆ ಕೆಲಸ			300
12	ಬೆನಕೆ ಕೆಲಸ ಕೆಲಸ			1500
Total				79,080

ದೊಡ್ಡ

1a.	SRINU. (Raminidepota)	-	1000
ng.	SURAYANA RANA, "	-	1000
a.	VENKATASH - "	-	1000
2.	Ramakrishna. (Basavada)	-	1000
TAR.	SRINU - (Takalapadu)	-	3000
ada.	KRISNA. (ARMY - (CH))	-	2000
ada.	SIMALU. (Takalapadu)	-	5000
lamala.	gopi SANTABOMAI	-	5000
h.	RamaChandrao (CH)	-	2000
angi	MURALI. (GOTVADA)	→	5000
unda.	Sudhasamma. (CH)	→	1000
avada.	MALASH - (CH)	→	11000
	Simmayya (nimata)		2000
			40,000
		Total →	40,000

అవకాశాలు

1.	కాల్ కే విరావతి అకౌంట్ రుణాలు	= 60,000
2.	ఫోన్ విరావతి అకౌంట్ రుణాలు	= 6,800
3.	వినియోగం	= 3,13,900
4.	1 వ కేసు రుణాలు	= NIL
5.	2 వ కేసు రుణాలు	= 34,800
6.	3 వ కేసు రుణాలు	= 32,900
7.	4 వ కేసు రుణాలు	= 19,000
8.	5 వ కేసు రుణాలు	= 33,100
9.	6 వ కేసు రుణాలు + కేసులు	= 39,200
10.	అవకాశాలు	= 3,700

TOTAL = 5,43,400

అకౌంట్ - 5,43,400

కేసులు - 3,22,630

Balance → 2,20,770

అవకాశాలు - 40,000

NET: 1,80,770

TRUE TRANSLATION / NEAT COPY

05.02.2020

Yatra Expenditure**Sri Lakshminarasimha Swamy 58th Annual Celebrations**

1 st day	Cultural Activity	Rs 2,000/-
2 nd day	-do-	Rs 23,000/-
3 rd day	-do-	Rs 46,500/-
4 th day	-do-	Rs 24,000/-
5 th day	-do- (Rs 1,50,000/- paid by Mr Buddala Bhaskar)	Nil
6 th day	Dance	Rs 21,000/-
Total		Rs 1,16,500/-

Evening Programmes

2 nd day (For handicapped)	Rs 3,000/-
4 th day (To Mr Tarra Adinarayana)	Rs 3,500/-
For Mikeset (Palli Venu: Total Rs 1,15,000)	Rs 71,000/- (Advance)
Electrical DD	Rs 5,000/-
Line man + Staff	Rs 1,000/-
Police Permission	Rs 3,700/-
Total	2,03,700/-

Kalyanam Celebrations

For Pooja	Rs 3,600/-
For Poojari (Gara)	Nil
For Bheema Rao Panthulu	Rs 1,000/-
For Drums	Rs 2,000/-
For barbers	Rs 1,200/-
For mats	Rs 500/-
For Pooja cloths (Donor –Srinu)	Nil
For Pooja Material	Rs 1,800/-

For 1 st day decoration	Rs 2,000/-
For cleaning	Rs 600/-
For Breakfast to devotees (Donor N Ramulu)	Nil
For others breakfast (Donor-Venu)	Nil
For meeting etc	Rs 400/-
For Village Asst	Rs 200/-
For 5 th day cleaning to Dasari Muthyalu	Rs 500/-
Total	Rs 14,800/-
For Pamphlets	Rs 2,850/-
For Donation books	Rs 500/-
For Ticket books	Rs 900/-
For cleaning etc	Rs 2,400/-
For labour	Rs 2,000/-
For banners	Rs 1,000/-
For Generator oil	Rs 4,000/-
For JCB	Rs 1,000/-
For Auto publicity	Rs 1,000/-
For Mike set (Palli Ramesh)	Rs 1,000/-
For workers	Rs 500/-
For water bottles	Rs 400/-
For meals	Rs 1,200/-
For Buddal Bhaskar and Tarra Adinarayana Falicitation	Rs 4,800/-
For Electrical workers	Rs 1,500/-
Total	Rs 25,050/-

For Banners (To Syam)	Rs 8,500/-
For gum bottles	Rs 350/-
For Tekkalipadu Yatra	Rs 5,000/-
For News Reporters	Rs 7,000/-
For Police station	Rs 50,000/-
For Pooja material	Rs 1,000/-
For teas etc	Rs 1,900/-
For Police Prasadam	Rs 1,800/-
For Circle Officer	Rs 1,500/-
For DSP (Guards)	Rs 800/-
For Neyyila Narasimhulu	Rs 500/-
For Dunga Papaiah (Cook)	Rs 1,500/-
Total	Rs 79,080/-

Amounts to be paid

For Srinu (Ramin aidupeta)	Rs 1,000/-
For Suryanarayana	Rs 1,000/-
For Venkatesh	Rs 1,000/-
For Rama Krishna (Basivada)	Rs 1,000/-
For Srinu	Rs 3,000/-
For Krishna (Army)	Rs 2,000/-
For Simalu	Rs 5,000/-
For Gopi (Santhabommali)	Rs 5,000/-
For Ramachandra	Rs 2,000/-
For Murali	Rs 5,000/-
For Sudarsanamma	Rs 1,000/-
For Mallesh	Rs 11,000/-
For Simmayya (Nimmada)	Rs 2,000/-
Total	Rs 40,000/-

Receipts

From Tickets on Karthika Yekadasi	Rs 60,000/-
From Tickets on Karthika Yekadasi	Rs 6,800/-
From Donations	Rs 3,13,900/-
From 1 st day through illegal lottery (Attalu)	Nil
From 2 nd day through illegal lottery (Attalu)	Rs 34,800/-
From 3 rd day through illegal lottery (Attalu)	Rs 32,900/-
From 4 th day through illegal lottery (Attalu)	Rs 19,000/-
From 5 th day through illegal lottery (Attalu)	Rs 33,100/-
From 6 th day through illegal lottery (Attalu)	Rs 39,200/-
From Sugarcanes	Rs 3,700/-
Total	Rs 5,43,400/-

Total Receipts: Rs 5,43,400/-

Expenditure: Rs 3,22,630/-

Balance: Rs 2,20,770/-

Hand loans: Rs 40,000/-

Net: Rs 1,80,770/-

Status: Processed

Date	Ref.No.	From A/c	Beneficiary Name	Type
09/02/2023	CTV7878457	00000062455210099	Member Secretary APPCB	Within SBI

Transfer Amount	To A/c
₹ 10000.00 (Ten Thousand Rupees Only)	00000062002714456

Remarks: Cost paid as per direction of NGT in OA 92 of 2020