

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL (SOUTH ZONE)
AT CHENNAI
O. A. No. 195 of 2020 (SZ)**

Between

Sri Putta Sudhakar Yadav,
Ex - TTD Board Chairman,
Proddatur, Kadapa District.

... **Applicant**

AND

1. The Chief Secretary,
State of Andhra Pradesh,
Building #1, 1st Floor,
Interim Government Complex
AP Secretariat, Velagapudi,
Guntur, Andhra Pradesh - 522503.
2. The Special Chief Secretary,
EFS & T, Govt. of Andhra Pradesh,
Aranya Bhavan, K. M. Munshi Road,
Nagarampalem, Guntur -522004
Andhra Pradesh.
3. The Principal Chief Conservator of Forests
(Head of Forest Force)
State of Andhra Pradesh,
Aranya Bhavan, K. M. Munshi Road,
Nagarampalem, Guntur - 522 004
Andhra Pradesh.
4. The Principal Secretary,
Revenue Department
State of Andhra Pradesh,
AP Secretariat, Velagapudi,
Guntur, Andhra Pradesh - 522503.
5. The District Collector, YSR District,
Kadapa Andhra Pradesh-516 001
6. The Divisional Forest Officer,
Proddatur (WL) Division,
Forest Complex, Yerraguntla Road,
Proddatur, YSR Kadapa District - 516 360
7. The Mandal Revenue Officer,
Mydukur Mandal, Mydukur - Badvel Road;
S.Mydukur, Andhra Pradesh - 516 172
8. Union of India,
Ministry of Environment and Forests (EF &CC),
Indira Paryavaran Bhavan,
Jorbagh Road, New Delhi - 110003

.... **Respondents**

COUNTER AFFIDAVIT FILED BY 3rd RESPONDENT

I, N.Prateep Kumar, S/o N.Kondala Rao, aged about 57 years, working as Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Guntur, do hereby solemnly, affirm and sincerely state on oath as follows.


ATTESTOR
Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.


DEPONENT
Principal Chief Conservator of Forests
(Head of Forest Force)
Andhra Pradesh, Guntur

1. It is submitted that, I am working as Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh and I am the 3rd Respondent herein and as such I am well acquainted with the facts of the case and I am filing this counter affidavit on behalf of respondent 2nd also. I have perused the affidavit filed by the applicant and I deny all the allegations made therein except those that are specifically admitted hereunder.
2. It is further submitted that, the lands in Survey no. 506-B and 507 situated at Nandyalampet village are classified as Forests as per RSR of Nandyalampet Village, Mydukur Mandal. As per adangal downloaded from Meebhoomi portal, the above lands are shown as Reserve Forest. These are not notified forests. These survey numbers are not part of notified Reserve Forest in Nagasanipalli Beat of Proddatur Range, Proddatur (WL) Division and hence they are not under the control of Forest Department for its protection and conservation. (Enclosed copy of adangal downloaded from Meebhoomi portal and RSR for Survey no. 506-B and 507 of Nandyalampet Village **(Annexure - I & II)**).
3. It is submitted that the lands in question are under the control of Revenue Department, which have to initiate necessary remedial measures.
4. It is further submitted that, the Survey no. 506-B and 507 of Nandyalampet Village do not fall under notified forest lands. A joint survey by Forest, Revenue and Survey & Land Records is proposed to be taken up to assess the status as these lands are adjacent to Lankamalla Reserve Forest notified under Section 16 of Madras Forest Act 1882 (Annexure-IV) and Machupalli Forest Block under Section 4 of A.P. Forest Act 1967 (Annexure-V).

I therefore pray that this Hon'ble Tribunal may be pleased to dismiss the above application as the same is devoid of merits and pass such other orders as deemed fit in the interest of justice.

Solemnly affirmed at A.P on
this the 18th day of November 2020
and signed here name in my
presence
Before me


DEPONENT
Principal Chief Conservator of Forests
(Head of Forest Force)
Andhra Pradesh, Guntur


ATTESTOR
Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.

VERIFICATION

I, N. Prateep Kumar, I.F.S., S/o N. Kondal Rao, aged about 57 years, Occ: Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Guntur do hereby verify and state that the contents set out in the above Affidavit are based on records and are believed to be true and correct. Hence, verified at Guntur, on this 18th Day of November, 2020.


ATTESTOR,

Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.


DEPONENT

Principal Chief Conservator of Forests
(Head of Forest Force)
Andhra Pradesh, Guntur

ఆంధ్ర ప్రదేశ్ ప్రభుత్వము, రెవిన్యూ శాఖ
భూమి రికార్డుల వివరములు
పట్టాదారుని అడంగలు

జిల్లా పేరు కడప		మండలం పేరు యస్. ప్రొద్దుటూరు													
గ్రామం పేరు నంద్యాలంపేట		విస్తీర్ణం యూనిట్లు ఎకరములు / సెంటు													
వరుస సంఖ్య (1)	సర్వే నెం (2)	పూర్తి విస్తీర్ణం (3)	సాగుకు పనికి రాని విస్తీర్ణం (4)	సాగుకు పనికి వచ్చు విస్తీర్ణం (5)	భూమి స్వభావం (6)	శిస్తు (రూ.) (7)	భూమి వివరణ (8)	జలాధారము (9)	అయకట్టు విస్తీర్ణం (10)	ఖాతా నెంబరు (11)	పట్టాదారు పేరు (తండ్రి/భర్త పేరు) (12)	అనుభవ దారు పేరు (తండ్రి/భర్త పేరు) (13)	అనుభవ విస్తీర్ణం (14)	అనుభవ స్వభావం (15)	రిమార్కులు (16)
1	506-B	38.9400	38.9400	0.0000	రిజర్వ్ ఫార్మేషన్	0.00	ఫార్మేషన్	వర్ణం	0.0000	20000401	ఫార్మేషన్ (ఫార్మేషన్)	ఫార్మేషన్ (ఫార్మేషన్)	38.9400	ప్రభుత్వము	

ఈ రెవిన్యూ రికార్డు ను మీ భూమి వెబ్ సైట్ నుండి 02/11/2020 17:04:04 IP number : 43.249.227.226 ద్వారా ప్రింట్ చేయబడినది.

The information contained made available through this web site is for information only and cannot be utilised 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.

Attended

5-8-20

Divisional Forest Officer
Proddatur (w/o) Division

Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests

ఆంధ్ర ప్రదేశ్ ప్రభుత్వము, రెవిన్యూ శాఖ
భూమి రికార్డుల వివరములు
పట్టాదారుని అడంగలు

జిల్లా పేరు కడప
గ్రామం పేరు నంద్యాలపేట

మండలం పేరు యస్ మైదుకూరు
విస్తీర్ణం యూనిట్లు ఎకరములు / సెంట్లు

1	507	267.5600	0.00000	267.5600	రిజర్వ్ పార్సెల్	0.00	పార్సెల్	వర్గం	0.00000	20000401	పట్టాదారు పేరు (తండ్రి/భర్త పేరు)	పార్సెల్ (పార్సెల్)	అనుభవ దారు పేరు (తండ్రి/భర్త పేరు)	పార్సెల్ (పార్సెల్)	267.5600	ప్రభుత్వము	రిమార్కులు

ఈ రెవిన్యూ రికార్డు ను మీ భూమి వెబ్ సైట్ నుండి .02/11/2020 17:04:51 IP number : 43.249.227.226 ద్వారా ప్రింట్ చేయబడినది.

Color indicates dispute survey numbers Color indicates Digitally authenticated Color indicates Notional Khata's Color indicates Court Cases
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.

(Handwritten Signature)

Divisional Forest Officer
Proddatur (WL) Division

(Handwritten Signature)
5-9-20

Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.

Non-jampana, No. 11/1, Proddatur Taluk, Cuddapah District.

Re-Survey and Re-Settlement Register of ...

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Re-survey Number	Old Survey Number and letter, if any	Government or Private	Area in Acres	Area in Cents	Area in Guntas	Area in Annas	Area in Paces	Area in Feet	Area in Inches	Area in Lines	Area in Points	Area in Squares	Area in Cubic Feet	Area in Cubic Yards	Area in Cubic Meters	Area in Hectares
486	486	G 1	...	...	...	...	...	...	...	...	...	...	...	...	...	...
487	487	D 1	...	...	...	...	...	...	...	...	...	...	...	...	...	...
488	488	D 2	...	...	...	...	...	...	...	...	...	...	...	...	...	...
489	489	D 3	...	...	...	...	...	...	...	...	...	...	...	...	...	...
490	490	D 4	...	...	...	...	...	...	...	...	...	...	...	...	...	...
491	491	D 5	...	...	...	...	...	...	...	...	...	...	...	...	...	...
492	492	D 6	...	...	...	...	...	...	...	...	...	...	...	...	...	...
493	493	D 7	...	...	...	...	...	...	...	...	...	...	...	...	...	...
494	494	D 8	...	...	...	...	...	...	...	...	...	...	...	...	...	...
495	495	D 9	...	...	...	...	...	...	...	...	...	...	...	...	...	...
496	496	D 10	...	...	...	...	...	...	...	...	...	...	...	...	...	...
497	497	D 11	...	...	...	...	...	...	...	...	...	...	...	...	...	...
498	498	D 12	...	...	...	...	...	...	...	...	...	...	...	...	...	...
499	499	D 13	...	...	...	...	...	...	...	...	...	...	...	...	...	...
500	500	D 14	...	...	...	...	...	...	...	...	...	...	...	...	...	...
501	501	D 15	...	...	...	...	...	...	...	...	...	...	...	...	...	...
502	502	D 16	...	...	...	...	...	...	...	...	...	...	...	...	...	...
503	503	D 17	...	...	...	...	...	...	...	...	...	...	...	...	...	...
504	504	D 18	...	...	...	...	...	...	...	...	...	...	...	...	...	...
505	505	D 19	...	...	...	...	...	...	...	...	...	...	...	...	...	...
506	506	D 20	...	...	...	...	...	...	...	...	...	...	...	...	...	...
507	507	D 21	...	...	...	...	...	...	...	...	...	...	...	...	...	...
508	508	D 22	...	...	...	...	...	...	...	...	...	...	...	...	...	...
509	509	D 23	...	...	...	...	...	...	...	...	...	...	...	...	...	...
510	510	D 24	...	...	...	...	...	...	...	...	...	...	...	...	...	...

246-80
 See detailed list...
 Altered
 Assistant Conservator of Forests (PMU-II)
 O/o Principal Chief Conservator of Forests
 Aranya Bhavan, Guntur, A.P.
 Divisional Forest Officer
 Proddatur (WL) Division

Copy of

Notification of Lankamala RF under Section 16
of Madras Forest Act 1882

Board of Revenue (Land Revenue) 14th January 1893, Forest No. 13

PROCEEDINGS OF THE BOARD OF REVENUE (LAND REVENUE)

Read :- the following Government order, dated 6th December 1892, Nos. 1214, 1214A, Revenue

Read :- Proceedings of the Board of Revenue (Land Revenue) dated 1st November 1892, Forest No. 607.

ABSTRACT :- Submitting to Government, for approval and publication, a draft notification under section 16 of Act V of 1882 for constituting the Lankamalai Block in the Cuddapah District as a reserved forest, and another under section 4 for constitution of its extension as a proposed reserved forest.

ORDER :- Dated 6th December 1892, No. 1214 Revenue, Forest No. 297

The draft final notification of the Lankamalai block and the initial notification under section 4 for the constitution of its are approved and will be published in the Fort. St. George and Cuddapah District Gazette, the 30th March 1893 being entered as the date from which the reservation of the forest block shall take effect.

(True extract)

(Signed) C. A. GALTON
Secretary to Government.

To

The Commissioner of land Revenue, with a map
The Superintendent, Government Forests, with notifications.

No. 1214-A.

Copy to Government of India, Revenue and Agricultural Department

(Signed) C. A. GALTON
Secretary to Government.

ATTESTED

Assistant Conservator of Forests (PMU-II)
Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.

Divisional Forest Officer
Proddatur (WL) Division

Attested
J.P.S.
Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.

Board of Revenue (Land Revenue) 14th January 1893, Forest No. 13

NOTIFICATION

His Excellency the Governor in Council is pleased to notify, under the provisions of section 4 of the Madras Forest Act (V of 1882) that, it is proposed to constitute the areas, the boundaries of which are described in the schedule given below, reserved forest under the Act.

SCHEDULE

Name of the District	Name of the Taluk	Name of the Villages	Number and name of the Block	Boundaries
Cuddapah	Proddatur Badvel Sidhout and Cuddapah	Nandilampet, Regulakunta, Konarajupalli, Gopalapuram, Agraharam, Vanampalli, Verapalli, Tippanapalli, Venkatasettipalli, Razupalem, Yerrapalle, Tummalagondi, Gopalapuram, Venkatapuram Agraharam, Kondur, Atlur, Varikunta. Maddur, Tudur, Upputur, Chenduvayye, Velugupalli, Jangalapalli, Siddavattam, Rajampet, Vonthitadepalli, Joti, Ponnaivol, Kanuperti, Devalatpuram agraharam, Biyanapalli, Chamullapalli, Pattur, Pullur and Nagasanipalli and Machupalli	Lankamalai	

North :- Starting from the junction of the roads from Proddatur and Cuddapah to Badvel, the South margin of the Proddatur – Badvel road to the north-west corner of survey No. 536 of Regulakunta.

East :- Then a straight line to the most western point of survey No. 361 of Verapalli; then the west boundary of Khandam 6 of Verapalli, to its southern point; then to the south-west angel of survey No. 250 of Tippanapalli; then south to the junction of the path from varikunta to Gopalaswami temple, a

ATTESTED


Divisional Forest Officer
Proddatur (WL) Division

Attested
J.R.S.
Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.

stream and the north west corner of Khandam 1 of Varikunta and then to the South-west corner of survey No. 602 of Upputur; then to the south west corner of survey No. 236 of Chenduvoyya; then to the north - west corner of survey No. 63, and then a straight line south passing through the most western point of survey No. 60 to the left bank of the Pennar river.

South :- Then along the bank of the river and the north boundary of khandam 1 of Jangalapalli as far as the Badvel road, then a straight line to north-west corner of khandam 1 of Rajampet; thence to the north-east corner survey no. 22 of Joti, and thence to the north-east corner No. 16 of Ponnivol; then the north boundaries of khandams 1,2,4,5 to the bank of the Pennar river; then the bank of the above river, the east, north and west boundaries of khandam 8 of Gurrampadu; then again the river bank.

West :- Then the east boundary of khandam 9 of Gurrampadu to its north-west corner then a straight line to the east margin of the kunta of survey No. 470 of Kanuparti, and then to the north-west corner of survey No. 489 of Kanurpati; then the northern boundaries of khandams 6,4,3 of Kanuparti to the north-west corner of the latter; then a straight line to the north-west corner of survey No. 94 of Biyanapalli and then to the south-west corner survey No. 479 of Chemullapalle; then the east boundary of khandam 12 of Chemullapalle to its north east corner; then the southern boundary of khandam 27 of Kottur to its eastern extremity; then a straight line to the north-east corner of survey No. 723 of Pattur and then to the south-east corner of khandam 12 of the same village; then east and north boundaries of its khandam (Survey No. 758 being including in the reserve) to its most northern point; then a straight line northern most point of survey No. 767; then the north boundary of the khandams 13 and 14 of Pattur to the northern most corner of survey No. 569; then a straight line to the south-east corner of No. 564 of Pullur then a straight line passing through the khandam stone on the east boundary of survey No. 499 to the south edge of the path from Pattur to Kottapalli, hamlet of Nagasanipalli; then the south margin of this path till across the west boundary of khandam 6 of Nagasanipalli village; then the west, south and east boundaries of this khandam, the south-east extremities of survey No. 302 and 300 being

ATTESTED

[Signature]
 Divisional Forest Officer
 Proddatur (WL) Division

[Signature]
 Assistant Conservator of Forests (PMU-II)
 O/o Principal Chief Conservator of Forests
 Aranya Bhavan, Guntur, A.P.

included in the reserve then the east boundary of khandam 5 and south-east boundary of khandam 4 to its south east corner; then a straight line due east for one mile and then a straight line due north to the starting point of the north boundary

Note :- This area includes the already settled Lankamalai Reserve.

2. His Excellency the Governor in Council for the pleased under clause (e) of said section 4 to appoint Mr. W. C. Murrari to be the Forest Settlement Officer who shall inquire into and determine the existence, nature and extent of any rights claimed by alleged to exist in favour of, any person in or over land comprised within such limits, or to any forest produce of such land, and to deal with the same as provided in Chapter-II of the said Act: and the District Forest Officer, Cuddapah, for the time being, to attend on behalf of Government during the inquiry.

3. His Excellency the Governor in Council is further pleased, under the authority vested in him by Section 14 of the said act to appoint the Collector of the district to be the Officer of the Revenue Department who shall hear appeals from any orders passed by the Forest Settlement Officer under Sections 11, 12 and 13 of the said Act.

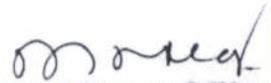
Board of Revenue (Land Revenue) 14th January 1893, Forest No. 13

His Excellency the Governor in Council is pleased to declare, under the provisions of Section 16 of the Madras Forest Act (V of 1882) that, from 30th March 1893 the area, the boundaries of which are set forth in the schedule appended to this notification shall be constituted a Reserved Forest.

(True Copy)

Sd/-
 Divisional Forest Officer
 Proddatur

ATTESTED


 Divisional Forest Officer
 Proddatur (WL) Division

Attested
J.P.S.

Assistant Conservator of Forests (PMU-II)
 O/o Principal Chief Conservator of Forests
 Aranya Bhavan, Guntur, A.P.

Copy of

**Notification of Machupalli Forest Block under Section 4
of AP Forest Act 1967**

G. O. Ms. No. 410, Food and Agriculture (Forest-III), 10th March 1970.

NOTIFICATION

In exercise of the powers conferred by section 4 of the Andhra Pradesh Forest Act 1967 (Act 1 of 1967) the Governor of Andhra Pradesh hereby declares that it is proposed to constitute the land within the boundaries specified in the schedule below as a Reserved Forest under the said Act, and appoints the Forest Settlement Officer, Chittoor to be the Forest Settlement Officer in regard to the said land to consider the objections if any and to enquire into and determine the existence, nature and extent of any rights claimed or alleged to exist in favour of any person in or over any land comprised within such limits or to any forest produce of such land and to deal with the same as provided in Chapter-II of the said Act.

SCHEDULE

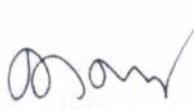
Name of the District	:	Cuddapah
Name of the Division	:	Proddatur
Name of the Taluk	:	Cuddapah
Name of the Range	:	Proddatur
Name of the Block proposed to be reserved.	:	Machupalli
Area of the block proposed to be Reserved	:	1085 acres or 439.24 hectares

Boundaries

North :- Starting from the trijunction stone of Nagasanipalli and Machupalli Villages of Cuddapah Taluk and Nandyalampeta of Proddatur Taluk and this trijunction on touches survey No. 111 of Nagasanipalli Village and 506/A of Nandyalampeta Village and the line runs generally in and eastern direction with the following magnetic bearings and distances to station No. 14.

ATTESTED

*Attested
J.P.S.*
Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.


Divisional Forest Officer
Proddatur (WL) Division

Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.

Survey Station		Magnetic bearing in degrees	Distances in links
From	To		
(1)	(2)	(3)	(4)
1	2	61	656
2	3	101	765
3	4	102	1083
(1)	(2)	(3)	(4)
4	5	96	3113
5	6	92	667
6	7	85	1455
7	8	98	1421
8	9	91	1589
9	10	101	1306
10	11	120	1161
11	12	76	1958
12	13	115	1037
13	14	91	963

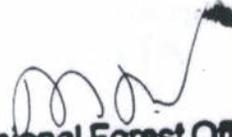
East :- Thence the boundary runs along the eastern boundary of Lankamalla Reserve Forest to Station No. 17 with the following magnetic bearings and distances.

Survey Station		Magnetic bearing in degrees	Distances in links
From	To		
(1)	(2)	(3)	(4)
14	15	172	4330
15	16	170	960
16	17	173	3628

Attested
J.P.S.

Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.

ATTESTED


Divisional Forest Officer
Proddatur (WL) Division

Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.

South :- Thence the boundary runs along the said Lankamalla Reserve Forest to Station No. 26 with the following magnetic bearings and distances.

Survey Station		Magnetic bearing in degrees	Distances in links
From	To		
(1)	(2)	(3)	(4)
17	18	270	2713
18	19	269	1148
19	20	269	1319
20	21	268	1123
21	22	269	1096
22	23	270	841
23	24	310	578
24	25	274	1412
25	26	286	508

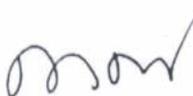
West :- Thence the boundary runs in generally north westerly direction with the following magnetic bearings and distances.

Survey Station		Magnetic bearing in degrees	Distances in links
From	To		
(1)	(2)	(3)	(4)
26	27	341	2504
27	28	293	1786
28	29	307	1658
29	30	32	289
30	31	306	815
31	32	286	628
32	33	314	436
33	34	50	376
34	35	354	646

Attested

J.P.S.
Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.

ATTESTED


Divisional Forest Officer
Proddatur (WL) Division

35	36	291	327
36	37	351	437
37	38	21	690
38	39	267	776
39	40	279	176
40	41	279	517
41	42	309	898
42	1	321	991

Remarks :-

- A. There are no enclosures to be admitted within the block.
- B. The following right of way is proposed to be admitted within the block.
- Road** :- Khajipet - Badvel Road is admitted for a width of one chain for favour of general public, cattle, cart and vehicles. It enters the block between stations 42 and 1 at a point 8 chains from station No. 42 generally for a distance of 13 chains and exists at Station No. 3.

Sd/- GULAM AHMED.
Deputy Secretary to Government.

ATTESTED

Attested
J.P.S.

Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.

[Signature]
Divisional Forest Officer
Proddatur (WL) Division

Assistant Conservator of Forests (PMU-II)
O/o Principal Chief Conservator of Forests
Aranya Bhavan, Guntur, A.P.