

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL(SZ),
CHENNAI

I.A.No.35/2022

in

Original Application No.148 of 2021

D. CHANDRAMOULESWARA REDDY

AND 8 OTHERS...APPLICANTS

VS

UNION OF INDIA AND 5 OTHERS

...RESPONDENTS

AFFIDAVIT FILED BY THE CHIEF SECRETARY TO
GOVERNMENT, STATE OF TELANGANA

I, Somesh Kumar, Son of S.N. Sinha, aged 58 years, Designation: Chief Secretary to Government, State of Telangana, Hyderabad, R/O Hyderabad do hereby solemnly and sincerely affirm and state on oath as follows:

1. I am the Chief Secretary to Government, State of Telangana, Hyderabad and as such I am well acquainted with the facts of the case.
2. I have gone through the affidavit filed in support of I.A.No.35/2022 in O.A.No.148/2021 and I submit that it contains many incorrect allegations and such of the allegations which are not specifically admitted here under are here by denied.
3. I respectfully submit that the order dated 25.2.2022 in O.A.No.148/2021, I.A.No.35/2022, and in O.A.No.212/2021 was brought to my notice and a copy of the same is made available to me on 4.3.2022 evening, after it was uploaded in the website of this Hon'ble Tribunal. This Hon'ble Tribunal at para.8 of the order directed me to file an affidavit regarding the allegations made in I.A. filed by the State of Andhra Pradesh. The relevant portion of the said order reads asunder:


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Hyderabad 500 003.

“In the meantime, the Chief Secretary – State of Telangana is directed to file an affidavit regarding the allegations made in the interlocutory application for the prosecution of violating the interim order of this Tribunal, apart from the individual persons who are responsible for executing the work, as it is the responsibility of the head of the Government to implement the directions issued by this Tribunal and if there are any laches, the nit will tell upon him for the consequences to follow.”

4. I respectfully submit that pursuant to the order dated 25.2.2022, I have called for a meeting with all the concerned Officers including the Special Chief Secretary, Irrigation & CAD Department, State of Telangana and I have been appraised about the proceedings of the subject matter in detail.

5. I submit that this Hon'ble Tribunal has passed order dated 29.10.2021 and operative portion of the order reads thus:

“119.The 5th respondent is restrained by an interim order of injunction from proceeding with the Palamuru Rangareddy Lift Irrigation Scheme(PRLIS)without obtaining Environment Clearance for which they have already applied for and pending consideration by MoEF&CC.”

6. I respectfully submit that on receipt of the order dated 29.10.2021, the Chief Engineers who are incharge for execution of PRLIS have addressed letter dated 1.11.2021 and 6.11.2021 to the Superintending Engineers to comply with the order dated 29.10.2021duly bringing the ongoing works to a safe level. Accordingly, the works relating to PRLIS have been stopped on different dates incompliance with the order dated 29.10.2021. The details of stoppage of works have been mentioned in the affidavit filed by the Special Chief Secretary to Government, Irrigation & CAD Department, State of Telangana.



**Chief Secretary
Govt. of Telangana
Hyderabad 500 003.**

7. I respectfully submit that the Field Engineers who are involved in the execution of PRLIS have informed that certain works were executed beyond 29.10.2021 only in order to bring them to a safe level and in order to comply with the order of this Hon'ble Tribunal. The allegations in the I.A. filed for prosecution of the individuals who are responsible for execution of works in violation of the orders of this Hon'ble Tribunal are incorrect. As stated supra, the works which were carried on beyond few weeks after 29.10.2021, as they were required to be brought to a safe level. The order of this Hon'ble Court have been fully complied with. The other allegations made in the affidavit under reply are incorrect and hence denied.

8. For the reasons stated above, it is prayed that this Hon'ble Court may be pleased to dismiss the I.A. and pass such other or further orders as are deemed fit and proper.

Solemnly affirmed at Hyderabad Before me
this the 5th day of March, 2022
and signed his name in my presence.


Deponent
Chief Secretary
Govt. of Telangana
Hyderabad 500 033.


Advocate, Hyderabad
B. RAMULU
ADVOCATE
Flat No: 401, Prathima Residency
Opp. Bharathiya Vidhya Bhavan,
King Koti Road, Hyderabad-500 029

VERIFICATION

I, Somesh Kumar, Son of S.N. Sinha, aged 58 years, Designation: Chief Secretary to Government, State of Telangana, Hyderabad, R/O Hyderabad the deponent herein do hereby state the contents of the above paras 1 to 7 are true to the best of my knowledge and belief.

Verified on this the 5th day of March, 2022 at Hyderabad.


Chief Secretary
Deponent
Govt. of Telangana
Hyderabad 500 033.

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AFFIDAVIT FILED BY
THE CHIEF SECRETARY TO GOVERNMENT, STATE OF TELANGANA

Mr. SANJEEV KUMAR
H. YASMEEN ALI
COUNSELS FOR THE STATE OF TELANGANA