

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE BENCH AT CHENNAI

ORIGINAL APPLICATION NO 173 /2023

IN THE MATTER OF:-

RODDA RAVI KUMAR

PETITIONER

VERSUS

STATE OF TELANGANA & ORS

RESPONDENTS

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DATE 12/05/2024

PLACE Devapur

APPLICANT
 Through *TS y*
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COUNSEL FOR THE APPLICANT

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**REJOINER ON BEHALF OF APPLICANT FOR COUNTER
AFFIDAVIT FILLED BY RESPONDENT NO. 7 & 8**

APPLICANT RESPECTFULLY SUBMITTED THAT:-

It is respectfully submitted that all the averments and allegations raised by the 4th respondent in Paragraphs No. 65 to 70 are not true and denied.

1. That the content of para 3 is wrong hence denied that applicant is not a bonafide applicant as he is aggrieved by the untreated water discharge from the respondent no.7 company , it is also denied that original application filled to arm twist the Respondent no. 7 into providing employment to him but instead the application file to prevent the untreated water discharge from the company, also respondent no.7 falsely alleged that Applicant filled aforementioned application to get employment . It is partially accepted that Rodda Ramesh, an erstwhile landowner, whose land was acquired in 1980 under section 41 of the Land Acquisition Act 1894 by the Government of Andhra Pradesh for the benefit of Respondent no. 7 to setup the Company with effect from 03.09.1980. It is partially accepted that applicants father retired from service on dated. 30.09.2020, it is denied that Applicant made several oral requests to the respondent no. 7 seeking employment with company on hereditary grounds . That it is denied that on 28.02.2023 Applicant made a written request to the respondent no. 7 Company to provide him employment, that no signature found on the annexure R7/2 (Colly), That Applicant never seeks any employment in the Respondent no. 7 Company. That the wrong particular is added to mislead the Hon'ble Tribunal from Original facts that the untreated water discharged in Nala which is the violation of Water Act 1974.

2. That para 4 is wrong hence it is denied that Respondent no. 7 Company did not give employment to the applicant, since it was not obliged to give employment to the dependents of the tribals, the Applicant made frivolous complaints against Respondent no. 7 Company to various authorities. That the Applicant only concerns about the consequences of the untreated water discharged in to the Nala.

(a) That it is accepted that an RTI moved to the Divisional Forest Office, Bellampally asking whether permission to cut tress has been granted to the Respondent no.7 Company whether 40% green belt been provided by the Company and whether afforestation has done, As the Respondent no. 7 Company continuously violating the permission and discharged untreated water into the Nala. Further matter of fact. Further fact mentioned in this point is not pertinent to ths case.

(b) That it is accepted that the Applicant through his Advocate vide letter dated 13.09.2023 written to the mines department called upon them collect royalty from Respondent no. 7 Company @90 per tonne, and other as the Respondent no. 7 Company continuously violating the norms.

(c) That it is accepted that vide letter dated 19.09.2023, the applicant wrote to the Revenue Divisional Officer, Bellampally, alleging that there is no access road to go to and from the premises of Respondent no. 7 Company to the residence/banks/schools of the local people staying in and around the area, which is a causing difficulty for locals employed with the Respondent no. Company and others who are authorized to collect pension. That at the time of vide letter dated 19.03.2023 roads were not in proper condition and access denied to the localities.

(d) That it is accepted that on dated 05.10.2023 the Applicant filed an application with RTI with Forest Range Officer asking whether the Respondent no.7 Company has permission to install conveyor belt. That filling RTI is not amount to harassing someone, purpose of filling RTI is to collect the information whether they are complying the norms or not.

(e) That para (e) is denied whatever Applicant has stated in the newspaper that is truthiness' about the employment in local area. That this facts are not relevant as the matter of fact is that Respondent no.7 Company discharged untreated water from their premises.

3. Para 5 is wrong hence denied that email dated 28.10.2023 sent by the applicant to the respondent no.7 Company stating the reason for filling the present Original Application. In this email, the applicant stated that “ The main reason I filled the case was HR Sessa Srinivasa Hyderabad”. That the applicant sent mail to the Respondent no. 7 Company not for rejection of employment but instead the applicant in past orally asked the HR to repair the broken wall and to prevent the discharge of the untreated water from Company premises and HR made false promise to applicant so that he file case against respondent,

That there is nothing contained in sent email related to that applicant seeking any job or any other kind of employments from the respondent no.7 Company.

4. That para 6 is wrong and denied, that Respondent no. 7 Company has not only contractually employed the applicants as a vendor at its Company where it has hired the applicant’s school bus under contractual agreement but also provided employment but has also provided employment to his sibling Mr. Rodda Praveen Kumar bearing Emp. ID. 9619 who is working with Respondent no.7 Company, that above mentioned details is not pertinent to the case and matter of fact that the untreated waste water has been continuously discharged from the Respondent no.7 Company.

That there is no contentions related to the employment of seeking any job from Respondent no.7 Company , that the fact is that untreated water is discharged and there is no action taken by Respondent no.7 company .

5. That para no.7 is matter of fact and also Respondent no.7 Company currently employs 1950 persons, has invested huge sums of money but it denied that applicant’s that Original Application was filled to tarnish the image of the Respondent no.7 Company. That applicant has not filled frivolous application the fact is that the application filled after violation of norms and Water Act 1974.
6. That para 8 is wrong and denied , that respondent wrongly submitted that the only allegations with respect to environment raised by Applicant is that the company is discharging effluents into a Nallah adjacent to the Applicant’s house because of which ground water has been polluted. The Applicant’s in support of his application has only produced certain photographs from which it is not clear that there is pollution being caused or if it is then whether the same is caused due to the activities carried on by Respondent no.7 Company is not causing ant water pollution .That the boundary wall of Respondent no. 7 Company is still broken and discharging untreated water from its premises continuously .

(Annexure A5 page 58-62) That the application filled to prevent the discharge of untreated water from Respondent no.7 .

7. That Para no. 9 is denied as the reports were added to misleads the Hon'able Tribunal , that reports mentioned are not relevant to the fact that wall is broken and water is continuously discharging from the premises of Respondent no.7 Company, and it is also contrary that from where the water is collected from the Nallah, the complaint is of untreated water discharge , as from where the samples were taken from the alleged Nallah is taken ,that the Respondent no. 7 Company not repairing the wall instead misleading the Honble Tribunal.
8. In para no. 10,11,12,13,14,15,16,17,18,19 are false hence denied , these facts are presented by Respondent no, 7 & 8 just to mislead the hon'ble tribunal from present case and divert the issues.That above mentioned para's are not relevant to the case but to delay in proceeding , that the fact is that Applicant filled the complaint to prevent the untreated water discharge from Respondent no.7 Company premises
9. **Reports of the joint committee suffers from factual inaccuracy.**

Joint committee failed to consider the fact that wall of cement plant is broken and company discharging untreated into Nala. Further which meet to river, attached latest photographs of broken walls clearly showing that deliberately wall is broken just to discharge untreated water in the Nala.

SPECIAL FACT

That after filing present petition , respondent no 7,8 stop discharging untreated water into nala but it is apprehension that further they will discharge the untreated water into nala, until concrete wall not construct surrounding area of plant , they will continuously discharge untreated water

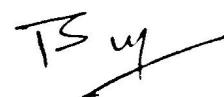
PRAYER

Hon'ble Tribunal may be pleased **to allow prayer of** original application and also maybe directed to Respondent no. 7 & 8 to construct a concrete wall surrounding area of cement plant premises , so that further untreated water cannot be discharged outside the plant.

Date 12/5/2024

Applicant

Through



Prakash Pandey

Counsel For The Applicant

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AFFIDAVIT

I **RODDA RAVI KUMAR** S/O RAMESH, AGED 38 YEARS R/O 11-69, MADDI MADA, WARD NO 11, DEVAPUR, CEMENT WORKS, ADILABAD, TELANGANA, 504218 do hereby solemnly affirm on oath as under

1. That ,I am the applicant in the instant case and fully conversant with the facts of the case , hence, competent to swear on this affidavit.
2. That ,i am filing rejoinder against respondent no 7 &8 and joint committee with Annexure before the Hon'ble Tribunal the Contents from Para 1 to last have been drafted on my instruction and the same have been explained to me by my counsel.
3. That ,i have been read and understood the contents and based on the documents filed along with the rejoinder.

[Signature]
DEPONENT

VERIFICATION

I, The above named deponent do hereby verify that the contents of the paras above are true and correct and no material fact has been concealed.

Signed and verified on this Day of may 2024 at

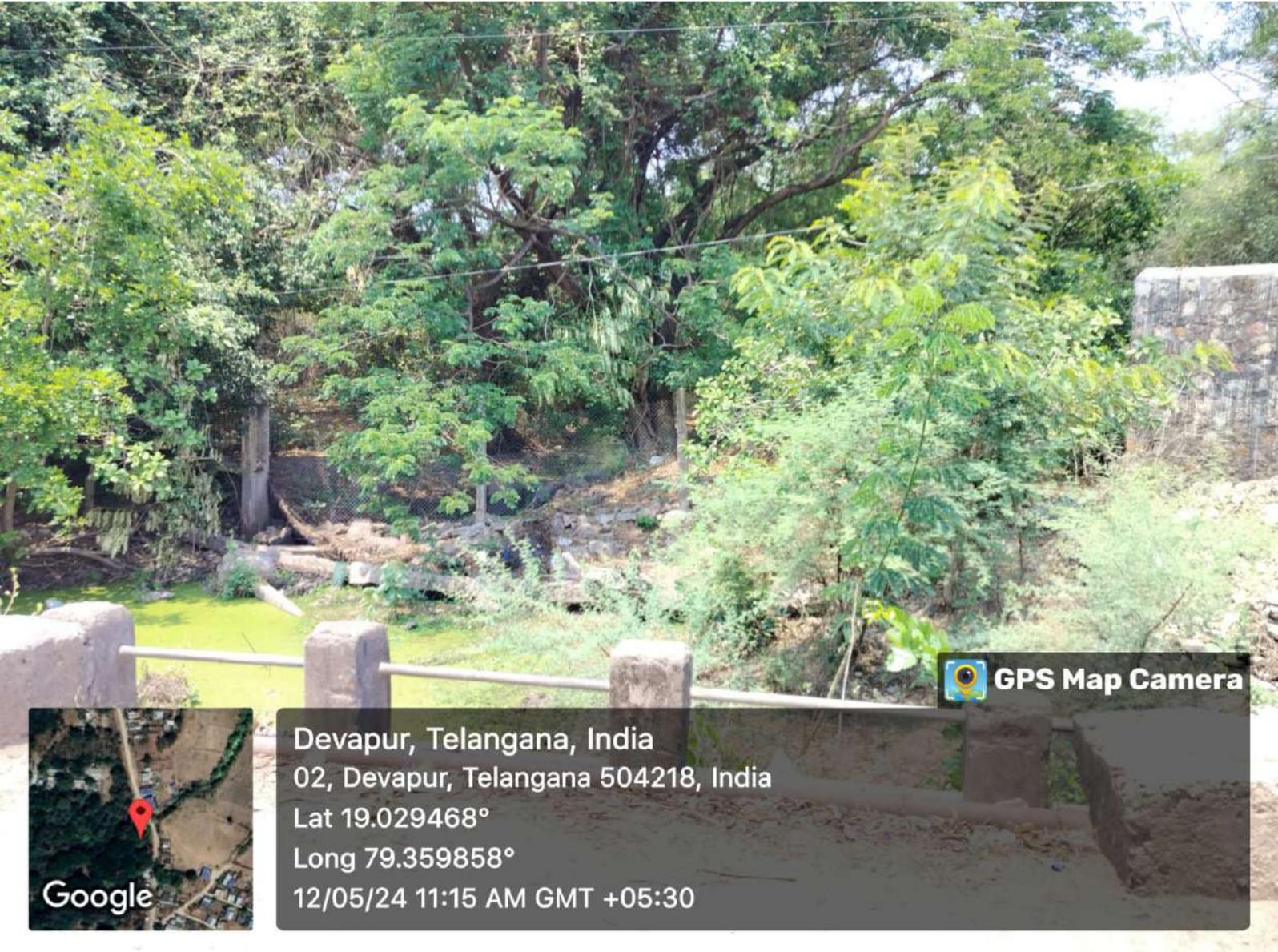
[Signature]
DEPONENT

ATTESTED



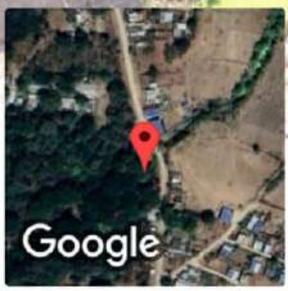
[Signature]
MOHD SAMDANI
MSC, LL.M.
ADVOCATE & NOTARY
Appointed by Govt. of
Telangana, INDIA.





 **GPS Map Camera**

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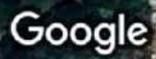


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