

BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE BENCH AT CHENNAI

ORIGINAL APPLICATION No.187 of 2020

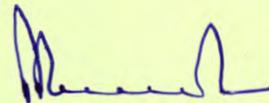
IN THE MATTER OF:

1. DEMOCRATIC TRADITIONAL FISHERS' WOKERS FORUM (DTFWF)
Through its General Secretary,
Sri D. Pal, S/o. S.R. Pal,
Aged about 52 years,
R/o. Saikrishna Nagar, near Sambhunagar Flyover,
Alcot Gardens, Rajahmundry,
East Godavari District, Andhra Pradesh-533 101,
Ph: 81055 21754.
Email: sharan.balakrishna@gmail.com
2. SHRI DOMA ADINARAYANA, S/o. Sri Venkanna,
Aged about 62 years,
R/o. Vasalarevu Village, H/o. Kota,
K. Gangavaram Mandal,
East Godavari District,
Andhra Pradesh-533 306.
Ph: 81055 21754
Email: sharan.balakrishna@gmail.com

.....Applicants

Versus

1. Union of India,
Through its Secretary,
Ministry of Environment, Forests and Climate Change,
Indira Paryavaran Bhawan, Jor Bagh Road,
New Delhi-110 003.
Email: secy.moef@nic.in
Ph: 011 24645586
2. State of Andhra Pradesh
Through its Chief Secretary,
Building No.1, 1st Floor, Interim Government Complex,
AP Secretariat Office,
Velagapudi, Andhra Pradesh-522 503.
Email: cs@ap.gov.in
Ph: 0863 2441024.
3. Andhra Pradesh State Environmental Impact Assessment Authority
Through its Member Secretary,
D. No.33-26-14 D/2, Near Sunrise Hospital,
Pushpa Hotel Centre, Chalamalavari Street,
Kasturibaipet, Vijayawada,
Andhra Pradesh-520 010
Email: balasubramanyamsarasa@yahoo.com
Ph: 040 23400969.



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Regional Office, KAKINADA

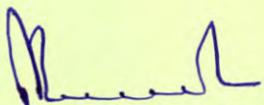
4. Andhra Pradesh Mineral Development Corporation
Through its Chairman,
R/o. 294/ID. 100 Ft. Road,
Kanuru Village, Penamaluru Mandal,
Vijayawada, Andhra Pradesh-521137.
Email: secy_mines@ap.gov.in
Ph: 0866 242 999
5. Water Recourses Department, Andhra Pradesh
Through its Secretary,
D.No.14-7-29, 3rd Floor, Vyshya Bhavan,
Namboori Gopal Rao Street,
Hanumanpet, Vijayawada,
Andhra Pradesh-520 003.
Email: splcs-wrd@ap.gov.in
Ph: Not available.
6. Andhra Pradesh Coastal Zone Management Authority
Through its Member Secretary,
D.No.33-26-14 D/2, Near Sunrise Hospital,
Pushpa Hotel Centre, Chalamalavari Street,
Kasturibaipet, Vijayawada,
Andhra Pradesh-520 010.
Email: membersecy@appcb.gov.in
Ph: 0866 2463204
7. Andhra Pradesh Pollution Control Board
Through its Member Secretary,
D. No.33-26-14 D/2, Near Sunrise Hospital,
Pushpa Hotel Centre, Chalamalavari Street,
Kasturibaipet, Vijayawada,
Andhra Pradesh-520 010.
Email: membersecy@appcb.gov.in
Ph: 0866 2463204
8. District Collector, East Godavari District
District Collectorate Office,
Andhra Pradesh-533 001
Email: collector_egd@ap.gov.in
Ph: 0884 2365424.

.....Respondents

COUNTER AFFIDAVIT FILED BY THE 7th RESPONDENT

I, Appikonda Ramarao Naidu, Son of late Satyam Naidu aged about 52 years, holding the post of Environment Engineer, Andhra Pradesh Pollution Control Board (APPCB), Regional Office at Ramanayyapeta, Kakinada, Andhra Pradesh, do hereby solemnly affirm and sincerely state as follows:

2. I am the 7th respondent herein and as such I am well acquainted with the facts of the case and competent to swear to this counter affidavit. I have been authorized to file this counter affidavit on behalf of the 7th respondent.


ENVIRONMENTAL ENGINEER
A.P POLLUTION CONTROL BOARD
Regional Office, KAKINADA

3. This respondent denies each and every averment made in the affidavit filed in support of the application as false and incorrect except those that are specifically admitted herein in this counter affidavit.

4. With regard to the averments made in paragraphs 2 and 8 of the affidavit, it is submitted that as per GO Ms.No.70 dated. 04.09.2019 the Government introduced new sand policy, 2019 to effectively regulate the extraction, transportation and disposal of River Sand and decided to undertake sand quarrying and supply of sand to the public by appointing M/s. APMDC Ltd. as an agent to operate on behalf of Govt.

5. With regard to the averments made in other paragraphs of the affidavit, they are not connected with this Department and hence no remarks are submitted.

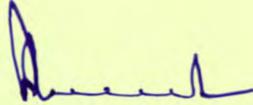
6. It is submitted that the Hon'ble Tribunal in its order dt. 29.09.2020 constituted a joint committee comprising of a Senior Officer from MoEF&CC, Regional Office (RO) Chennai; a Senior Officer from CPCB, RO, Chennai; a Senior Scientist from State Environment Impact Assessment Authority, AP; a Senior Officer from AP Coastal Zone Management Authority; the Assistant Director of Mines and Geology, East Godavari and District Collector, East Godavari and directed to submit a factual as well as action taken report, if there is any violation found including assessment of environmental compensation. The MoEF&CC, RO, Chennai is the nodal agency.

7. It is submitted that this respondent craves leave of this Hon'ble Tribunal to raise additional counter in the course of proceedings, if required.

In the above said circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above Original Application No.187 of 2020 and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.

Dated at -----on this the day of March, 2021.

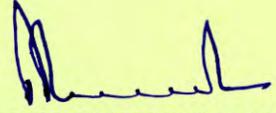
COUNSEL FOR 7th RESPONDENT


SEVENTH RESPONDENT
ENVIRONMENTAL ENGINEER
A.P POLLUTION CONTROL BOARD
Regional Office, KAKINADA

VERIFICATION

I, Appikonda Ramarao Naidu, Son of late Satyam Naidu aged about 52 years, holding the post of Environment Engineer, Andhra Pradesh Pollution Control Board(APPCB), Regional Office at Ramanayyapeta, Kakinada the 7th respondent, do hereby verify that what are all stated above are true and correct to the best of my knowledge, information and belief.

Verified at ----- on this the day of March, 2021.



**SEVENTH RESPONDENT
ENVIRONMENTAL ENGINEER
A.P POLLUTION CONTROL BOARD
Regional Office, KAKINADA**