

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, AT CHENNAI

ORIGINAL APPLICATION NO.190 OF 2021 (SZ)

In the matter of:

S. Sakthivel, Salem.

...Applicant(s)

Versus

MoEF&CC,

Rep. by its Secretary to Govt.,

New Delhi and Ors.

...Respondent(s)

AFFIDAVIT-IN-REPLY ON BEHALF OF THE 25TH RESPONDENT

I, Dr. Mynam Ram Manohar Babu, Son of Mr. Mynam Lingaiah, Aged 67 years, working as Principal in Kamineni Academy of Medical Sciences And Research Centre (25th Respondent) located at L.B. Nagar, Hyderabad, do hereby solemnly affirms and states as under:

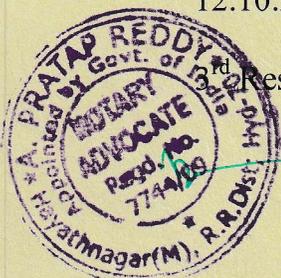
1. That I am authorized signatory of the Kamineni Academy of Medical Science and Research Centre ("KAMSRC") i.e., the Respondent no. 25 in this present matter. I am well conversant with the facts and circumstances of the present case, and competent to swear and depose the present affidavit on behalf of KAMSRC. I state that the contents of the present affidavit are true and correct to my knowledge and belief, based on the records of KAMSRC mentioned in the ordinary course of business.

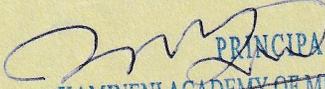

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AND RESEARCH CENTRE



2. The present affidavit -in-reply is being filed on behalf of KAMSRC in response to Original Application no. 190 of 2021 (SZ) filed by the above-named Applicant, pursuant to the order dated 01.12.2021 of this Hon'ble Tribunal.
3. At the outset, KAMSRC denies all the averments made in the application is untenable and without merit insofar as they are contrary to the submission made in the present reply. It is submitted that the contents of the application under reply are denied *in toto* and nothing therein ought to be considered admitted on behalf of the KAMSRC unless the same has been admitted herein below. The present short reply is being filed to bring accurate facts on record and KAMSRC herein fully reserves its right to plead matters of law in its oral arguments. Further, KAMSRC is not repeating undisputed facts already on record, including the Report dated 23.09.2021 of the 3rd Respondent and Report dated 12.10.2021 of the 4th Respondent and craves leave to rely on the records before this Hon'ble Tribunal. The 25th Respondent also craves leave of this Hon'ble Tribunal to file additional reply/affidavit, if the need so arises.
4. The Kamineni Hospital Pvt. Ltd. was established more than twenty-five (25) years ago. Subsequently, the KAMSRC/25th Respondent was created as a medical college and General Hospital attached to the pre-existing hospital, such that it became a teaching hospital. For this creation of 25th Respondent medical college between 2010-2013 and the connected expansion of the pre-existing hospital during this period, the procedure under the 2006 notification was followed and EC were appropriately applied for and obtained:
- Order No. SEIAA/AP/RRD-377/2013 dated 25.10.2013; and
 - Order No. SEIAA/AP/RRD-411/2013 dated 25.10.2013

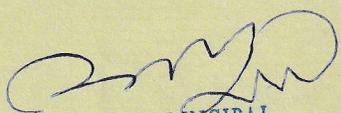
Copies of the above ECs are enclosed with this Reply. Para 4 of the Report dated 12.10.2021 of the 4th Respondent, and Page 2 of the Report dated 23.09.2021 of the 25th Respondent, also confirm the EC approval accorded to the 25th Respondent.




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5. The 25th Respondent has not undertaken any expansion of its hospital component or any part of its campus, above and above what was permitted under the aforementioned EC clearance granted .
6. It is clarified the above ECs were applied for and obtained before the 2014 amendment and the office memorandum clarification dated 09.06.2015.
7. The 25th Respondent has also obtained the required clearance under law, including the Consent to Establish and Operate, under the Air (Prevention and Control of Pollution) Act of 1981, Water (Prevention and Control of Pollution) Act of 1974, and the Hazardous Waste Management Rules, 2016, which is being renewed from time to time in accordance with law. Enclosed with this reply, is the copy of the consent for establishment dated 03.10.2018, and the consent to operate dated 16.08.2021 valid upto 31.03.2025. Also enclosed with this reply, is the recent compliance report dated 17.01.2022
8. It is submitted that the Institution was constructed and is operating legitimately without obstructing any laws. The allegation raised by the Applicant are not based on the facts and apparently the applicant had filed this Application with the *mala fide* intention having vested interests.




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9. In the light of the above, it is humbly prayed that:-

- a) the application under reply to be dismissed with exemplary costs; and
- b) this Hon'ble Tribunal pass any other order as it deems fit in the interest of justice.

Solemnly sworn and signed

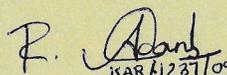
before me on this 10 day of

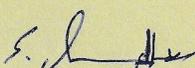
March, 2022 at

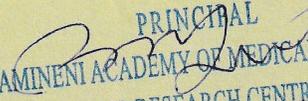
Before me Counsel

Date: 10/3/2022

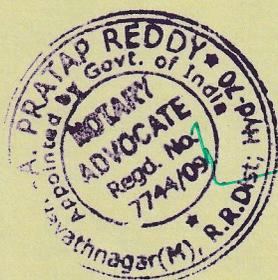
Place: Hyderabad

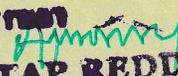

KAR/1237/09
Advocate for 25th Respondent


10/3/2022


PRINCIPAL
KAMINENI ACADEMY OF MEDICAL SCIENCES
AND RESEARCH CENTRE

25th Respondent



ATTEN

A. PRATAP REDDY
B.Com., LL.B.
ADVOCATE & NOTARY
Appointed by Govt. of India
Res: Plot No. 622, H No. 5-6-627/L,
ishna Deveraya Nagar, Vanasthalipuram,
Warangal (Mandal), R.R. Dist: Hyd-70, A.P.

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SOUTHERN ZONE CHENNAI**

O.A.NO:190 OF 2007

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.... Applicant

-VS-

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...Respondents

**AFFIDAVIT-IN-REPLY ON BEHALF OF
THE 25TH RESPONDENT**

Adarsh Ramanujan (KAR/1237/09)
Arvindhasamy S. (MS/5992/21)

COUNSEL FOR 25th RESPONDENTS

8428729716/9999984703