

1

**BEFORE THE NATIONAL GREEN TRIBUNAL, SETTING
AT CHENNAI**

Application No 19 of 2022

BETWEEN

Satish P

House no 143/2, Kombady,
Nellekatte, Moodubele post, Udupi Dist-576120
Phone: Phone:91-6360043586
Email:sathrd19@gmail.com

...Applicant

-AND-

1. Mr.B Nagaraj Kamath (Mahesh Cashews)
S/o Rama Kamath
Mahesh Cashews, Survey no 144/2, Nellikatte,
Near Jnana Ganga PU College Moodubelle,
Karnataka 576120
Phone: 096327 26463 AND OTHERS

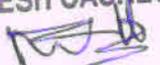
- Respondents

ADDITIONAL AFFIDAVIT FILED BY THE 1ST RESPONDENT

Dated at Chennai on this 17th day of may 2022.

COUNSEL FOR 1ST RESPONDENT

For MAHESH CASHEWS


Managing Partner

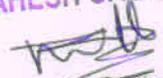
BEFORE THE NATIONAL GREEN TRIBUNAL, SETTING AT CHENNAI**Application No 19 of 2022****BETWEEN****Satish P**

House no 143/2, Kombady,
Nellekatte, Moodubele post, Udipi Dist-576120
Phone: Phone:91-6360043586
Email:sathrd19@gmail.com

...Applicant**-AND-**

1. Mr.B Nagaraj Kamath (Mahesh Cashews)
S/o Rama Kamath
Mahesh Cashews, Survey no 144/2, Nellikatte,
Near Jnana Ganga PU College Moodubelle,
Karnataka 576120
Phone: 096327 26463
2. Karnataka State Pollution Control Board
Chairman
"Parisara Bhavan", # 49,
Church Street, Bangalore-560001
Email: chairman@kspcb.gov.in /ho@kspcb.gov.in
3. Union of India
Ministry of Environment, Forest and Climate Change.
Joint Director
3rd Floor, Prithvi-Block
Indira Paryavaran Bhawan, Jor Bagh Road, NewDelhi110003
Email: sudheer.ch@gov.in
Landline Telephone No.: 011-24695294
4. Central Pollution Control Board
Chairman, (Sh. Tanmay Kumar)

For MAHESH CASHEWS


Managing Partner

Parivesh Bhawan, East Arjun Nagar, Delhi-110032
Phone +91-11-22307233
E-mail: ccb.cpcb@nic.in

5. Government of Karnataka
Deputy Commissioner
Udupi District Administration Office
Shivalli, Rajatadri, Manipal, Karnataka 578104
[Email:deo.udupi@gmail.com](mailto:deo.udupi@gmail.com)
Phone: 0820 257 4924
6. MANGALORE ELECTRICITY SUPPLY COMPANY LIMITED
Managing Director
1st Floor, MESCOM Bhavan, Corporate Office,
MESCOM, Kavoor Cross Road, Bejai, Mangalore-575.004.
mdmescom@rediffmail.com/md@mesco.in

- Respondents

ADDITIONAL AFFIDAVIT FILED BY 1ST RESPONDENT

1.The Applicant have filed the above application, praying for:

"Declaration that the running Cashews Industries / beeja factory by Respondent No. 1 illegal, violation of environmental law and shutdown with immediate effect

- a. Direction to Respondent no 5 to take immediate action to Removal of all pipe line illegally installed by respondent no 1, for disposing waste water to nearby land and all cost of work bared by respondent no 1.
- b. Cancellation of all Licence / permission granted to run Beeja Factory Respondent No. 1.
- c. Issue direction to competent authority / Respondent no 2,3,4,5 to Cancellation of Environmental Board consent order no 89/PCB/RO UDP/EO/WPC&APC/2012-13/486 DATED 18-7-2012, same is acquired without technical due diligence / Illegally by Respondent No. 1

For MAHESH CASHEWS


Managing Partner

- d. Impose exemplary cost / Penalty for noncompliance of environmental law and *causing Pollution under Polluter pay rule to Respondent No. 1*
- e. Recovery of Litigation Cost/ Legal charges/ Fees from Respondent 1
- f. Direction to Respondent no 5, initiate Criminal proceeding (U/s 133 of Crpc) against respondent no 1.
- g. Direction to Respondent no for cancellation of Power supply connection and Generator licence granted to Respondent no 1
- h. For grant of such other further relief as this Honourable Tribunal deems fit under the circumstances of the case. "
2. It is submitted that on 10.05.2022 this Respondent had already filed the counter affidavit, and the same may be taken up as part and parcel of the present affidavit.
3. It is submitted that the 2nd Respondent, during the visit in March 2022, had suggested erection of "*new flue gas stack with pollution check nozzle, cyclone type dust collecting system along with induced draft fan and necessary flue gas ducting*". Following which, on 03.03.2022, orders was placed to M/S. VINAYAKA ENGINEERING WORKS and the same is also now installed in the 1st Respondent industry and the same is operational now.

It is therefore prayed that this Hon'ble National Green Tribunal may be pleased to take the present affidavit on record and dismiss the above application and thus render justice.

Dated at Chennai on this 17th day of may 2022.

COUNSEL FOR 1ST RESPONDENT

For MAHESH CASHEWS

 Managing Partner

RESPONDENT

VERIFICATION

I, Mr.B Nagaraj Kamath S/o Rama Kamath, no.144/2, Nellikatte, Near jnana Ganga PU college Moodubelle, Karnataka 576120. The Respondent herein, do hereby state that the contents of the above affidavit in the above paragraphs are true and correct and that no material has been concealed there from.

Dated at Chennai on this 17th day of may 2022.

COUNSEL FOR 1ST RESPONDENT

For MAHESH CASHEWS


Managing Partner

RESPONDENT

**BEFORE THE NATIONAL GREEN TRIBUNAL, SETTING AT
CHENNAI**

Application No 19 of 2022

BETWEEN

Satish P

House no 143/2, Kombady,
Nellekatte, Moodubele post, Udupi Dist-576120
Phone: Phone:91-6360043586
Email:sathrd19@gmail.com

...Applicant

-AND-

1. Mr.B Nagaraj Kamath (Mahesh Cashews)
S/o Rama Kamath
Mahesh Cashews, Survey no 144/2, Nellikatte,
Near Jnana Ganga PU College Moodubelle,
Karnataka 576120
Phone: 096327 26463
2. Karnataka State Pollution Control Board
Chairman
"Parisara Bhavan", # 49,
Church Street, Bangalore-560001
Email: chairman@kspcb.gov.in /ho@kspcb.gov.in
3. Union of India
Ministry of Environment, Forest and Climate Change.
Joint Director
3rd Floor, Prithvi-Block
Indira Paryavaran Bhawan, Jor Bagh Road, NewDelhi110003
Email: sudheer.ch@gov.in
Landline Telephone No.: 011-24695294
4. Central Pollution Control Board
Chairman, (Sh. Tanmay Kumar)

For MAHESH CASHEWS

Managing Partner

Parivesh Bhawan, East Arjun Nagar, Delhi-110032
 Phone +91-11-22307233
 E-mail: ccb.cpcb@nic.in

5. Government of Karnataka
 Deputy Commissioner
 Udupi District Administration Office
 Shivalli, Rajatadri, Manipal, Karnataka 578104
 Email: deo.udupi@gmail.com
 Phone: 0820 257 4924
6. MANGALORE ELECTRICITY SUPPLY COMPANY LIMITED
 Managing Director
 1st Floor, MESCOM Bhavan, Corporate Office,
 MESCOM, Kavoor Cross Road, Bejai, Mangalore-575.004.
mdmescom@rediffmail.com/md@mesco.in

- Respondents

AFFIDAVIT

I, Mr.B Nagaraj Kamath S/o Rama Kamath, no 144/2, Nellikatte, Near Jnana Ganga PU College Moodubelle, Karnataka 576120. The Respondent herein, do hereby solemnly affirm and sincerely stat as under:-

That I am the 1st Respondent in the above mentioned Affidavit and as such am conversant with the facts and circumstances of the case and am competent to sweat to this affidavit.

I state that the contents of paragraphs of the accompanying application are true and correct to the best of my Knowledge and belief.

Solemnly affirmed on this the : BEFORE ME

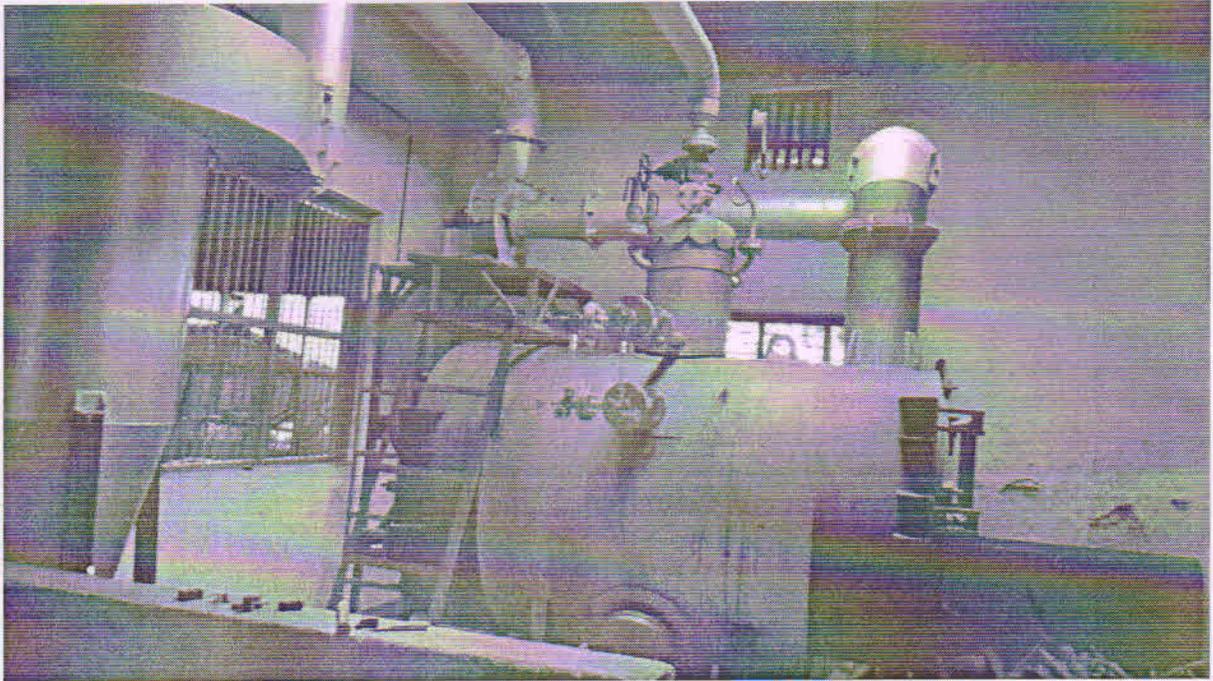
17th day of May 2022 :

And signed his name in my presence. :

For MAHESH CASHEWS

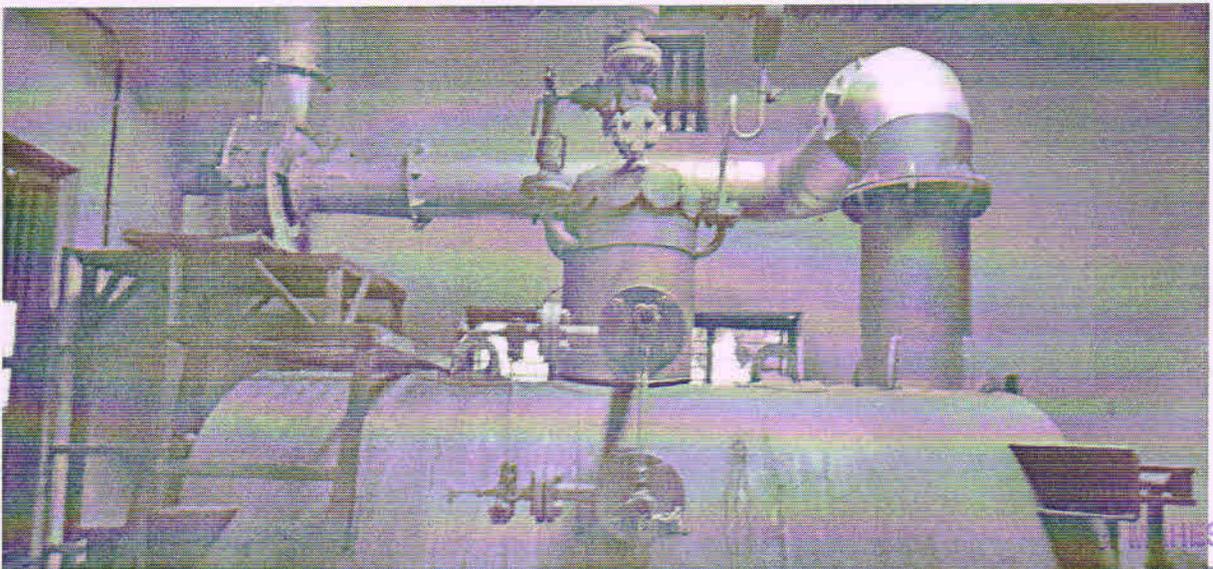

 Managing Partner

(ADVOCATE : CHENNAI)



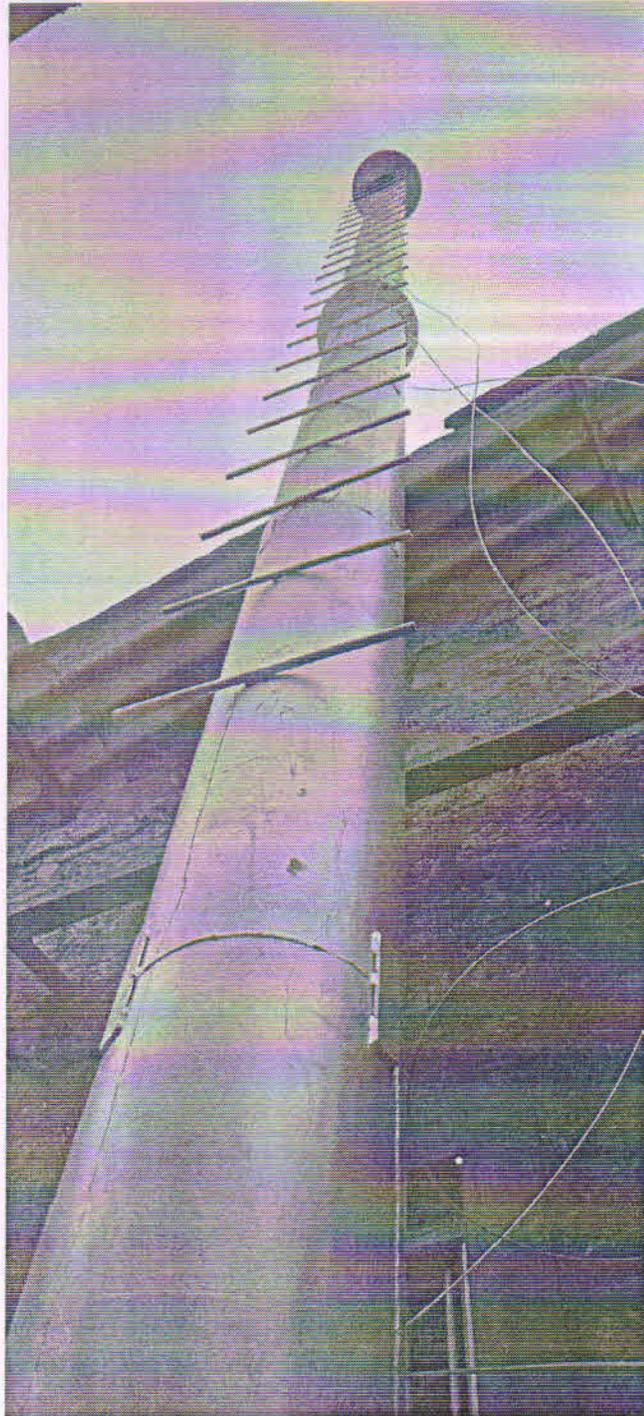
For MAHESH CASHEWS

Managing Partner



MAHESH CASHEWS

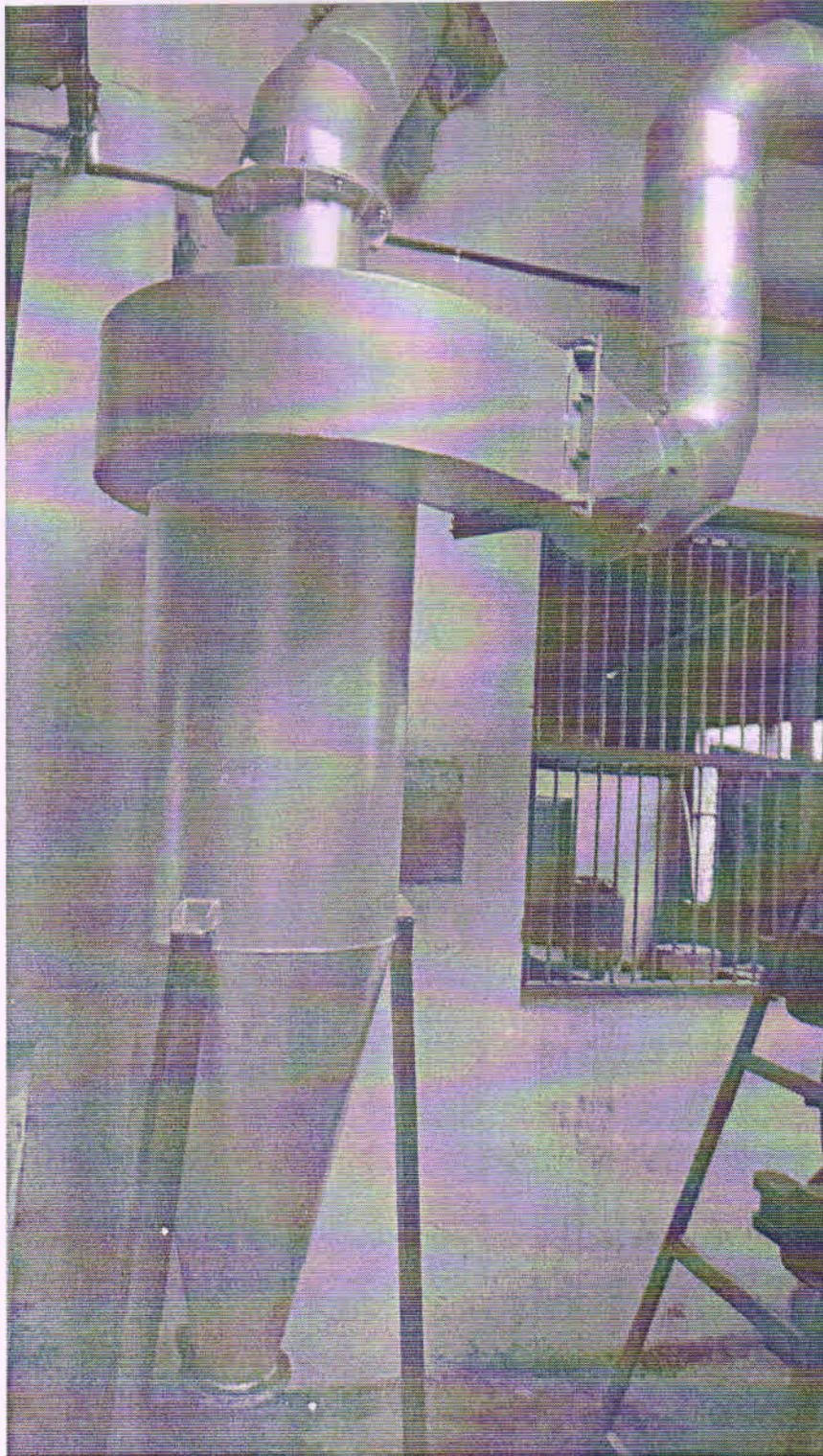
Managing Partner



For MAHESH CASHEWS

A handwritten signature in black ink, appearing to be 'M. Mahesh', written over a horizontal line.

Managing Partner



For MAHESH CASHEWS

Managing Partner