

MADHURI DONTI REDDY

ADVOCATE

STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH

A.P. POLLUTION CONTROL BOARD

T.T.D. SUPREME COURT OF INDIA

#S2, Royal Castle, 26, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.

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Date-01-05-2023

To,
THE REGISTRAR,(Judicial)
Hon'ble NGT (sz)
Chennai.

**Sub- Appeal No.56 of 2022(SZ) GUTHA GUNASEKHAR VS UNION OF INDIA and
others -Reg**

Sir/Madam,

The above matter has been reserved for orders on 11-04-2023 on that day as directed by this Hon'ble Tribunal we have submitted entire file of SEIAA along with affidavit in the open court. The Hon'ble Tribunal further directed to produce some more documents on or before 19-04-2023 and reserved the matter for orders.

But in order copy there is no mention of my supporting affidavit so I am herewith e-filing all documents along with supporting affidavit for your consideration.

Thanking you,

Regards,



(Mrs.MADHURI DONTI REDDY)

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
BENCH AT CHENNAI**

APPEAL NO. 56 OF 2022

1. GUTHA GUNASEKHAR

S/o Gutha Rama Krishnama Naidu,
Age: 37 Years Nagillavari Palli village,
Peddauppara Palli(Post)
Somala Mandal, Chittoor District
Andhra Pradesh- 517257,
Mail: guthaguna@gmail.com
Mobile: 9886681956. And 12 others

... **APPELLANTS**

VERSUS

1. UNION OF INDIA

Union Ministry of Environment, Forest & CC
Rep. by its Secretary
Indira Paryavaran Bhavan
Jorbagh, New Delhi-110003
Mail: secy-moef@nic.in
Phone: 011-24695262, 24695265. And 6 others

..... Respondents

AFFIDAVIT FILED BY THE 2ND RESPONDENT A.P SEIAA

Date: 11-04-2023



**M/s MADHURI DONTI REDDY
ADVOCATE**

**STANDING COUNSEL FOR GOVERNMENT OF ANDHRA PRADESH
A.P. POLLUTION CONTROL BOARD
T.T.D. SUPREME COURT OF INDIA**

#26, S2, Royal Castle, Gill Nagar Extension, Choolaimedu, Chennai – 600 094.
Mobile: 98407 98460 / 63831 21322, Email: rednymadhuri09@gmail.com

COUNSEL FOR 2ND RESPONDENT

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
BENCH AT CHENNAI**

APPEAL NO. 56 OF 2022

1. GUTHA GUNASEKHAR

S/o Gutha Rama Krishnama Naidu,
Age: 37 Years Nagillavari Pallivillage,
Peddauppara Palli (Post)
Somala Mandal, Chittoor District
Andhra Pradesh- 517257,
Mail: guthaguna@gmail.com
Mobile: 9886681956.

2. TENKAYALA SOMASEKHAR

S/O T. Rajanna, Age: 48
Bayyareddy Palli, Avulapalli,
Peddauppara Palli (P), Somala Mandal
Chittoor District, A.P-517257,
Mobile No. 9573494776.

3. NADIMINTI DANAJAYA REDDY

S/O N. Aruna Reddy, Age: 42
Bayyareddy Palli, Avulapalli,
Peddauppara Palli (P), Somala Mandal
Chittoor District, A.P-517257,
Mobile No. 91771624466.

4. GUNTURI CHANDRABABU

S/o Gunturi Nagaraju Naidu, Age: 31 Years
Ramakrishnapuram village Avulapalli
Somala Mandal Chittoor District,
Andhra Pradesh- 517257
Mobile: 7702822618

5. BADHULURI RAMESH NAIDU

S/O B. Chengam Naidu Age 41
Ramakrishnapuram Avulapalli
Patrapalle (P). Somala
Chittoor District, A.P-517257,
Mobile No. 7893122835.

6. BANALA CHANDRACHARI

S/o B. Ramalingachari, Age: 32 Years
Bayyareddy Palle, Avulapalli Village,
Somala, Chittoor District,
Andhra Pradesh- 517257.

7. SOMPALLI LAKSHMIPATI NAIDU

S/o Sompalle Lakshmaiah Naidu, Age: 64 Years
Chinnadevulakuppam village
Avulapalle, Somala Mandal
Chittoor District, Andhra Pradesh- 517257
Mobile: 9908820279


**Member Secretary
SEIAA, AP**

8. BATHULA SREENIVASULU

S/O, B. Venkataramana, Age: 33
BayyareddyPalli, AvulapalliPeddaupparaPalli (Post),
SomalaMandalChittoor, A.P-517257,
Mobile No. 8978365863

9. S. KRISHNAIAH

S/O S.Pullaiah, Age: 75
BayyareddyPalli, AvulapalliPeddaupparaPalli (P),
SomalaChittoor, A.P-517257,
Mobile No. 9705550185

10. SANNAPANENI YADAVA NAIDU

S/o SannapaneniKrishnama Naidu, Age: 37 Years
Bayareddipalli village,
AvulapalleSomalaMandal,
Chittoor District
Andhra Pradesh-517257

11. SHAIK SHAKEELA

D/O ShaikGuduSaheb, Age: 38
BayyareddypalliAvulapalli
PeddaupparaPalli (P),
SomalaChittoor, A.P-517257,
Mobile No. 8978429912

12. GUTHA. CHANDRA SEKHAR NAIDU

S/o Late G. Munaswamy Naidu, Age: 62 Years
NagillavariPalli village,
Peddaupparapalli(P). SomalaMandal,
Chittoor District
Andhra Pradesh- 517257

13. VEERAPPAGARI JAYAMMA

W/O V.Venkataramaiah, Age: 49
NagillavariPalli, PeddaupparaPalli (P),
SomalaChittoor, A.P-517257,
Mobile No. 9704230041

...APPELLANTS

VERSUS

1. UNION OF INDIA

Union Ministry of Environment, Forest & CC
Rep. by its Secretary
Indira ParyavaranBhavan
Jorbagh, New Delhi-110003
Mail: secy-moef@nic.in
Phone: 011-24695262, 24695265.

2. STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY OF A.P

Rep. by its Member Secretary
D.No. 33-26-14 D/2, Near Sunrise Hospital
Pushpa Hotel Centre,
Chalamavari Street Kasturibaipet,
Vijayawad-520010
Andhra Pradesh
Mail: apseiaams@gmail.com,
seiaap9@gmail.com


Member Secretary
SEIAA, AP

3. STATE OF ANDHRA PRADESH

Rep. By its Chief Secretary Secretariat,
Velagapudi Guntur District,
A.P-522503 Mail: cs@ap.gov.in Ph: 08632444461

4. DISTRICT COLLECTOR

Chittoor District
New Collectorate Complex Chittoor,
Andhra Pradesh-517002
Mail: collectorchittoor@gmail.com
Phone: 08572240333

5. KRISHNA RIVER MANAGEMENT BOARD

Rep. by its Member Secretary
Government of India, Ministry of Water Resources
5th Floor, Jalasoudha, ErrumManzil
Hyderabad-500082.
Mail: membersecretary-krmb@gov.in
Phone: 04023301858

6. CENTRAL WATER COMMISSION

Rep. by its Chairman
313, S. SewaBhavan
Sector 1, Ramakrishnapuram
New Delhi-110066
Mail: chairman-cwc@nic.in
Phone No. 01126187232

7. CHIEFENGINEER

NTR Telugu Ganga Project
Opp. S.V. Medical College, Old Alipiri
Tirupati, Chittoor Dist-517507
Mail: cetgpskht@yahoo.co.in
Mobile No.9440903871, 08772220974

..... Respondents

AFFIDAVIT FILED BY THE 2ndRESPONDENT

I, Dr. P.V.Chalapathi Rao, S/o Pasala Lakshmaiah, Aged about 54 years, Member Secretary, Andhra Pradesh State Environment Impact Assessment Authority, Andhra Pradesh do hereby solemnly and sincerely affirm and make oath and state as follows;

1. I am the authorized representative of the Respondent No.2 ("**the Answering Respondent**") and as such I am well acquainted with the facts of the case.
2. It is submitted that the present Appeal has been filed to challenge the Environment Clearance(EC) dated 03.09.2022 granted by the Respondent


**Member Secretary
SEIAA, AP**

No.2 in respect of the Avulapalli reservoir project. After hearing the submissions of the parties, this Hon'ble Tribunal directed the SEIAA - Andhra Pradesh would state that now there is no physical file being maintained and everything is only online. If that is so, the learned counsel for the SEIAA - Andhra Pradesh is directed to get the certified copies from the department relating to the above impugned order

3. It is submitted that after the matter was reopened for certain clarifications, this Hon'ble Tribunal its order dated 03-03-2023 Para No-1 to 3 has instructed this Respondent No.2 to produce the original documents from the date of application by the project proponent till the issuance of the Environmental Clearance (EC).

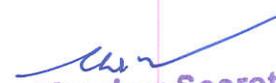
1. Today, the matter is reopened for certain clarifications.

Normally, in the appeal, the original file relating to the impugned order will be summoned, but it was not done earlier.

2. Therefore, we direct the SEIAA - Andhra Pradesh to produce the original documents from the date of application by the project proponent till the issuance of the Environmental Clearance (EC) before us.

3. The learned counsel for the SEIAA - Andhra Pradesh would state that now there is no physical file being maintained and everything is only online. If that is so, the learned counsel for the SEIAA - Andhra Pradesh is directed to get the certified copies from the department relating to the above impugned order.

4. It is submitted that at this juncture, this Respondent No.2 humbly submits that an enquiry into the documents sought for may not be germane for and may transcend the scope of the present *lis*. In any event, and without prejudice, in due compliance with the Hon'ble Tribunal's instructions, this Respondent No.2 is enclosing the following documents:


**Member Secretary
SEIAA, AP**

1. Online documents filed by the applicant in Parivesh portal

- a. Covering letter along with Demand Draft
- b. Form-1 & Form-2
- c. Environment Management Plan report (171 pages)
- d. G.O.Rt.No.461, dated 02.09.2020
- e. G.O.Rt.No.323, dated 24.06.2020 of Water Resources Department
- f. Risk and Disaster Management Plan
- g. TOPO Map
- h. Consultant Accreditation letter

2. Offline documents physically submitted to SEAC for Appraisal

- a. Detailed inflow & outflow of Somasila Project from 2017-18 to 2022-23 (up to 29.10.2022)- (**Annexure-1** of affidavit dt. 08.12.2022)
- b. Year wise inflows and outflows of Gandikota Reservoir (up to 31.10.2022)- (**Annexure-2** of affidavit dt. 08.12.2022)
- c. Review meeting minutes dated 08.05.2022 of Irrigation Department- (**Annexure-3** of affidavit dt. 08.12.2022)
- d. Year wise outflows of Seethamma Cheruvu dated 02.05.2022- (**Annexure-4** of affidavit dt.08.12.2022)
- e. G.O.Rt.No.444, dated 26.08.2020 of Water Resources Department- (**Annexure-5** of affidavit dt. 08.12.2022)
- f. Safety letter of Chief Engineer, Central Designs Organization, Vijayawada dated 03.11.2022- (**Annexure-6** of affidavit dt. 08.12.2022)
- g. Site inspection report of Mudivedu balancing reservoir- (**Annexure-7** of affidavit dt. 08.12.2022)
- h. Modified Environment Management Plan report.(**Annexure-8**

5. It is to submit that the covering letter, demand draft towards the fee to be paid to the SEIAA, Form 1, Form 2 and EMP will be submitted to the SEIAA for the appraisal of the project proposal for issue of environmental clearance. The SEAC get additional information from project proponent during appraisal to assess the environmental impact due to the project.

6. It is to submit that this Respondent No.2 humbly requests that it be given an opportunity of hearing before this Hon'ble Tribunal in the event the


Member Secretary
SEIAA, AP

Hon'ble Tribunal proposes to refer to and rely upon any of the aforesaid additional information provided by it along with the present Affidavit, while determining the matter.

7. It is submitted that this respondent craves leave of this Hon'ble Tribunal to address any further queries that may arise during the course of proceedings, through an additional affidavit, if required.

In the above circumstances, it is humbly prayed that this Hon'ble Tribunal may be pleased to Record this affidavit and dismiss the above APPEAL No.56 of 2022 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.

Solemnly affirmed Vijayawada
Andhra Pradesh on
this the 03rd day of April 2023
and signed his name in my presence

BEFORE ME

Advocate


Member Secretary
SEIAA, AP

VERIFICATION

I, Dr. P.V.Chalapathi Rao, S/o Pasala Lakshmaiah, Aged about 54 years, Member Secretary, A.P State Environment Impact Assessment Authority, Andhra Pradesh hereby verify that the contents of Para's of Affidavit are based on record and information are true to the best of my knowledge and belief.

Hence, verified on the 3rd day of April 2023 at Vijayawada


DEPONENT
Member Secretary
SEIAA, AP