

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

ORIGINAL APPLICATION No.271 of 2022

K SRINIVASULU & ORS

...Applicants

Versus

STATE OF ANDHRA PRADESH
and others

...Respondent

ADDL AFFIDAVIT FILED BY THE 11 TH RESPONDENT PROJECT
PROPONENT K. SIVA PRAKASH (FORMERLY SRI. VENKATA SAI
GRANITES) Sy. No. 103

Date-10-06-2023

A.C

M/S A.L GANDHIMATHI-676/1989
L.PALANIMUTHU-1366/99
B.PRASHANTH NADARAJ-2453/18
COUNSEL FOR 11 TH RESPONDENT
CELL-9841277216

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It is certified that all the documents contained in the above annexure are true copies.

Date: 19-06.2023

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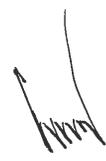
STATE OF ANDHRA PRADESH
and others

...Respondent

**ADDL AFFIDAVIT FILED BY THE 11th RESPONDENT PROJECT
PROPONENT**

I, K. Sivaprakash son of Krishnan aged about 50 years, Sy No.103 Extent of 0.405 ha of Kotamakanapalli Village, Gudupalli Mandal, Chittoor District Andhra Pradesh-517426 .do hereby solemnly and sincerely affirm and make oath and state as follows:

1. I am the 11th, Respondent herein and as such, I am well acquainted with the facts of the case. I state that M/s Sri Venkata Sai Granites has transfer to in favor of my name K.Sivaprakash.
2. I state that I have filed detail counter affidavit before this Hon'ble Tribunal on 03-10-2022 thereafter this Hon'ble tribunal on 17-05-2023 direct the respondents No- 7 to 14 to file additional reply affidavit on or before 17-07-2023 before this tribunal.
3. I state that I have complied the entire Specific & General Conditions mention in EC No. DEIAA/AP/CTR-24/2016-24, dated 06.09.2016 and also I further state that in future I will undertake to comply all the Environmental conditions and directions to submit the periodically report before the consent authority without fail.
4. I State that the APPCB, Mines department & district collector chittoor filed their reports dated 15-05-2023 before this Hon'ble tribunal stated that this respondent M/s **SIVAPRAKASH** Sy No.103 Extent of 0.405



ha, have complied all the observation made by joint committee dated 22.06-2022. I further state that all the reports filed by the departments it is stated that at present no mining activity is going on this respondent mine lessee area.

5. I State that during the past violations the APPCB has issued Show cause notice to my mining unit on 11.05.2023 and directed to furnish the reply to the Show cause notice within 15 days from the date of the issue of Show cause notice and also levied the Environmental Compensation.
6. I further state that in response to the show cause notice issued by the APPCB, I have submitted reply to the Show cause notice issued by the Board on 15.05.2023 with the details of the Environmental compensations and I have pay the following environmental compensation through the bank of India demand draft No. 000148 dated 15-05-2023 for a sum of Rs 4,25,000/- (Four Lakhs Twenty five Thousand only) is estimated to levy on Sri K.Siva Prakash mine 0.405 Ha (Formerly M/s. Sri Venkata Sai Granites), Sy.No.103 Kotamakanapalli (V), Gudupalli (M), Chittoor District for the violation period of 86 days as per the CPCB prescribed methodology to compute environmental compensation for the violation period.
7. I state that this respondent undertaking to provide CSR activity as per the DEIAA/AP/CTR-24/2016-24, dated 06.09.2016 to Sy No.103 Extent of 0.405 Kotamakanapalli Village, Gudupalli Mandal, Chittoor District Andhra Pradesh-517426 and also this respondent will maintain savings account for environmental protection measures from here onwards. The year wise expenditure will be reported to the APPCB.
8. I State that district collector chittoor filed their reports dated 20-04-2023 as follows;

Conclusive Remarks of the Joint Inspection Team:

d With regard mine leases 4.1 and 4.2 the mine lease are nearer to Kondasamudram village. In this regards, it is submitted that the mine



leases are granted in the year 2008 and 2010 as per the report received by the Revenue Department Officials and as per the revenue records the mine lease area is Konda Poramboku and also there is no house hold habitation at the time of issue of No Objection Certificate together with submission of grant proposal of Mine lease, as such the Department of Mines And Geology has accorded a permission for grant of mine lease, further it is submitted that at the time of inspection by the joint team along with the Assistant Director of Mines and Geology, Palamaner i.e., on 17.04.2023 has observed that the households are recently constructed i.e., after the grant of quarry leases.

e. Further, the Team of Inspecting Officials have also interacted with the peoples near to the lease belongs to respondent 7 to 14 and during enquiry, there is no specific complaints were received from the peoples.

Hence there is no specific complaints are received from the public against this respondent.

9. I state that I have complying with all the observations of the joint committee. I am not guilty of any acts causing or contribution to pollution. I state that my unit has all the necessary consent and permissions to operate. I state that the above letter petition is filed by the petitioner is false and incorrect facts as against this respondent. There is no cause of action against this respondent.

Hence, I humbly prayed that this Hon'ble Tribunal may be pleased to record this additional affidavit and **GRANT WORK ORDER** to this respondent 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 at chittoor
on this the 19day of JUNE, 2023
and signed his name in my presence.


BEFORE ME


Advocate

5277/2015

VERIFICATION

I, K. Sivaprakash son of Krishnan respondent herein, do hereby verify that what are all stated in the above mentioned paragraphs based on records and information are true to the best of my knowledge and belief.

Verified on the 19th day of June 2023 at Chittoor



DEPONENT

Sri K. Siva Prakash,

1840

Cell No: 9789941111, 9000905655
D.No.2/285, Mangai Nagar,
KattiganiPalli Village,
Krishnagiri Town,
Krishnagiri District - 635 001(T.N)

To

Date: 19.06.2023

The Environmental Engineer,
AP Pollution Control Board,
Regional Office, Tirupati

Sir,

Sub: Undertaking affidavit submitted – request –regard

Ref: EC No. DEIAA/AP/CTR-24/2016-24, dated 06.09.2016

* * * * *

I would like to submit before you that, I am holding the quarry lease for Black granite over an extent of 0.405 Hact. In Sy. No. 103, of Kotamakulapalli village, Gudupalli Mandal, Chittoor District. I am herewith submitting undertaking affidavit to provide CSR activity as per the E.C condition order no. DEIAA/AP/CTR-24/2016-24, dated 06.09.2016, and also on the maintains of Environmental protection measures.

Please accept and acknowledge the same.

Thanking you sir,

Yours truly


(K.SIVAPRAKASH)

Encl: Undertaking Original affidavit.

Copy to:1. The Member Secretary, APPCB,Paryavaran Bhavan Head Office,
Opp. JAMAC Housing complex, APIIC Colony Road, Gurunanak
Colony, Vijayawada-52007 for information.

2. The Divisional Officer Mines & Geology, Palamaner, Chittoor
District for information.

1841



ఆంధ్రప్రదేశ్ ఆంధ్ర ప్రదేశ్ ANDHRA PRADESH

S.L. No: 4564 dt: 25/11/2021 No: 20/
To: K. Sivaprakash son of Krishnan aged about 50 years, Sy No.103 Extent of 0.405 ha, Gudupalli Mandal, Chittoor District, Andhra Pradesh-517426.
For: Self

80AA 815138
T. Venkateswarulu
T.VENKATESWARULU
L.S.VENDOR
R.L.No.10-10-024 OF 2020-2022
VAYALPAD - 517 299

**UNDERTAKING AFFIDAVIT FILED BY THE K. SIVAPRAKASH
SY NO.103 EXTENT OF 0.405HA**

To,
THE ENVIRONMENTAL ENGINEER,
A, P Pollution Control Board,
Regional office Tirupathi.

I, K. Sivaprakash son of Krishnan aged about 50 years, Sy No.103 Extent of 0.405 ha of Kotamakanapalli Village, Gudupalli Mandal, Chittoor District Andhra Pradesh-517426, do hereby solemnly and sincerely affirm and make oath and state as follows:

1. I State that I am the Deponent herein and as such, I am well acquainted with the facts.
2. I state that I am undertaking to provide CSR activity as per the EC condition order No. DEIAA/AP/CTR-24/2016-24, dated 06.09.2016 in Sy No.103 Extent of 0.405 ha the Kotamakanapalli Village, Gudupalli Mandal, Chittoor District Andhra Pradesh-517426 and also I will maintain savings account for environmental protection measures from here onwards. The year wise expenditure will be reported to the APPCB.
3. I state that if I fail to do the same the officials have liberty to take action.

I hereby solemnly affirmed at Madanapallion this the 19 day of JUNE, 2023
signed his name in my presence



DEPONENT
J. Govinda Reddy
J. Govinda Reddy
NOTARY
G.O. Ms, No. 2445
APPOINTED BY GOVT. OF A.P.
MADANAPALLE - 517 325