

**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 7TH RESPONDENT

Date-30-06-2023



**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: reddymadhuri09@gmail.com

COUNSEL FOR 7th Respondent

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE
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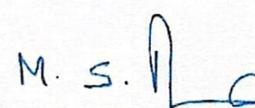
..... Respondents

INDEX

Sl.No.	Date	DESCRIPTION OF THE DOCUMENT	Page No.
1.	13-06-2023	Affidavit filed by the 7 th Respondent	1-4

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

Date: 13-06-2023


Chief Engineer
N.T.R.T.G.P. Tirupati (A.P)

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Appeal No.56 of 2022(SZ)

BETWEEN:

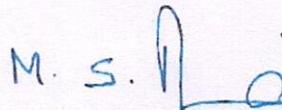
Sri Gutha Gunasekhar,
S/o Gutha Rama krishnama Naidu,
Nagillavaripalli Village, Peddaparapalli(Post),
Somala Mandal, Chittoor District,
Andhra Pradesh and 13 others.

.....Appellant(s)

AND

- 1) Union of India,
Represented by its secretary,
Union Ministry of Environment, Forest and CC
Indira paryavaran bhavan,
Jorbagh, New Delhi.
- 2) State Level Environment Impact Assessment Authority of AP,
Represented by its member secretary,
D.No.33-26-14 D/2, Near Sunrise Hospital,
Pushpa Hotel centre, Chalamvari street,
Kasturibaipet, Vijayawada,
Andhra Pradesh.
- 3) State of Andhra Pradesh,
Represented by its Chief secretary,
Secreteriat, Velagapudi,
Guntur District, A.P.
- 4) District Collector
Chittoor District,
Andhra Pradesh.
- 5) Krishna River Management Board
Represented by its member secretary,
Government of India, Ministry of Water Resources,
5th floor, Jalasoudha, Errum Manzil
Hyderabad - 500 082.
- 6) Central Water commission,
Represented by its chairman,
313, S, Sewa Bhavan, Sector I,
Ramakrishnapuram, New Delhi.
- 7) Chief Engineer,
NTR Telugu Ganga Project,
Opp S.V. Medical College,
Tirupati.

..... Respondents


Chief Engineer
N.T.R.T.G.P. Tirupati (A.P)

COUNTER AFFIDAVIT FILED BY THE RESPONDENT No.7

I, Mukkamalla Srinivasulu Reddy, S/o Mukkamalla Narayana Reddy, Aged about 61 years, Occ: Chief Engineer, NTR-TGP, Tirupati, Tirupati District, do hereby solemnly and sincerely affirm and state on oath as follows.

1. I am the 7th respondent herein as such, I am well acquainted with the facts of the case. I am filing this counter affidavit on behalf of myself and also on behalf of all the respondent as I am authorized to do so. I have read the Appeal filed by the appellant in support of the Appeal and hereby deny the allegations made therein except those that are specifically admitted hereunder.

2. **In reply to the clause II of para 75 :** it is submitted that, the respondents appealed in the Hon'ble Supreme court vide civil appeal no.3802/2023 for stay of the National green Tribunal judgment. Hon'ble Supreme court issued a order that "there will be stay of the direction given in the impugned judgment with regard to penalty/compensation, subject to the appellants depositing an amount of Rs.25,00,00,000(Twenty five crores only) with the authorities with in a period of eight weeks from today". Consequent to the

H. S. [Signature]
Deponent
Chief Engineer
N.T.R.T.G.P. Tirupati (A.P)

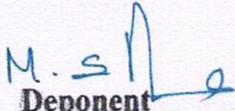
Supreme court order, the Chief Engineer, NTR-TGP, Tirupati has addressed the Principal Secretary to Government, Water Resources Department, A.P Secretariat, Velagapudi vide Lr.no CE/NTRTGP/TPT/B1/3191/Vol.1/2023-24/2023 Dt.09.06.2023 and requested for Budget Release of Rs.25.00 crores (Rupees Twenty five crores only) so as to deposit the same to Krishna River Management Board towards penalty/compensation.

3. **In reply to the clause III of para 75:** it is submitted that, As per the directions of the Hon'ble National green Tribunal southern zone, Chennai, the agency has stopped all the construction activities in the 03 reservoirs namely (1) Mudivedu balancing Reservoir near mudivedu(V) in Kurabalakota(M), (2)Nethiguntapalli balancing Reservoir near Nethiguntapalli(V) in Punganur(M), (3) Avulapalli balancing Reservoir near Avulapalli(V) in Somala(M) of chittoor District with effect from 18.05.2023 until further orders from theHon'ble National green Tribunal, southern zone,Chennai.

Solemnly and sincerely affirm on this

the 13th day of June, 2023

in my presence.


Deponent
Chief Engineer
I.T.R.T.G.P. Tirupati (A.P)

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VERIFICATION STATEMENT

I, Mukkamalla Srinivasulu Reddy, S/o Mukkamalla Narayana Reddy, Aged about 61 years, Occ: Chief Engineer, NTR-TGP, Tirupati, Tirupati District, do hereby declare that the facts stated in paragraphs are true to the best of my knowledge, derived from perusing official records and the contents are true and correct.

Hence, verified on this the^{13th} day of June, 2023 at Tirupati.



M. S. Reddy
Deponent 13/06/23

Chief Engineer
N.T.R.T.G.P. Tirupati (A.P.),