

BEFORE THE NATIONAL GREEN TRIBUNAL,  
SOUTHERN ZONE BENCH, CHENNAI  
ORIGINAL APPLICATION NO. 173 OF 2023

IN THE MATTER OF:

RODDA RAVI KUMAR

... APPLICANT

VERSUS

STATE OF TELANGANA & OTHERS

... RESPONDENTS

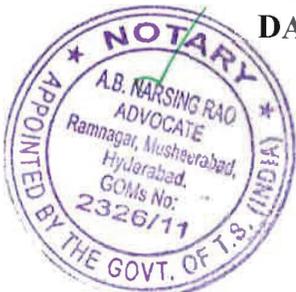
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*Vanita Bhargava*

[VANITA BHARGAVA]  
ADVOCATES FOR RESPONDENT NO.7 & 8  
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NEW DELHI  
DATED: 1st JULY 2024



- 1 JUL 2024



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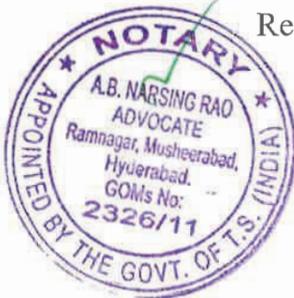
STATE OF TELANGANA & OTHERS

...RESPONDENTS

SUR-REJOINDER AFFIDAVIT ON BEHALF OF THE  
RESPONDENT NOS 7 AND 8 IN REPLY TO THE  
REJOINDER OF THE APPLICANT TO THE COUNTER  
AFFIDAVIT OF THE RESPONDENT NOS.7 AND 8

I, Pankaj Patni, S/o. Late D.C. Jain, aged about 46 years, Occ: Assistant Vice President- Legal, having office at 5-9-22/57/D, 2nd, 3rd and 4th Floor, G.P. Birla Centre, Adarsh Nagar, Hyderabad, Telangana- 500063, do hereby solemnly affirm and state as hereunder:-

1. That I am the authorized signatory of the Respondent No. 7 Company in the above-mentioned matter, and I am well aware of the facts and circumstances of the case to the best of my personal knowledge and belief. I am therefore competent and authorized to affirm the present affidavit on behalf of the Respondent No.7 Company as well as Respondent No.8 who is an employee of the Respondent No.7 company.



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2. The present Sur-rejoinder is being filed on behalf of the Respondent No. 7 and 8 (hereinafter referred to as the “**Answering Respondent**”) to the Applicant’s Rejoinder to the Answering Respondent’s Counter Affidavit to the Applicant’s Original Application. The answering Respondent is constrained to file the same since the Applicant has relied on new points which have not been produced in the Original Application.
3. The Answering Respondent is not adhering to a para-wise reply but denies all averments and/or statements and/or allegations made in the Applicant’s Rejoinder that are contrary to what has been stated in the Answering Respondent’s Counter Affidavit and the present Sur-Rejoinder. The Answering Respondent craves leave of this Hon’ble Tribunal to refer and rely on the averments of the Answering Respondent contained in its Counter Affidavit as the same are not repeated herein for the sake of brevity.
4. The Applicant in its Rejoinder to the Counter Affidavit of the Answering Respondent has made additional pleadings and/or facts and/or allegations which were not part of the Original Application filed by the Applicant. At the outset, it is submitted that no justification and/or reason has been provided by the Applicant for making such additional pleadings and/or facts and/or allegations at the present stage when the same could have been made at the time of



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filing of the Original Application itself. It is submitted that such additional pleadings and/or facts and/or allegations made by the Applicant in its Rejoinder are only an after-thought.

5. That in the Rejoinder, the Applicant has for the first time alleged that the wall of the cement plant has been deliberately broken to discharge untreated waste into the subject nala. We submit that no treated or untreated water is being discharged as evidenced by the various reports of TSPCB. There is a seasonal stream that flows through the residential colony and not the plant and flows out of the premises. During monsoon due to excess water the boundary wall which is a grill-like structure *i.e.*, allowing the free flow of water broke two years back, a photo of the grill wall is attached as **Annexure A**. Therefore, this has nothing to do with the allegation of discharge of water into the drain. The Respondent cannot in any case block the drain by a wall. Furthermore, the following analysis reports annexed by the Respondent No.4 clearly show that no pollutants are being discharged in the nala:

- (i) Analysis report of Township STP of the Respondent industry collected on 21.02.2024.
- (ii) Analysis report of the sample collected on 21.02.2024 from the pond leading to Maddimada Vaagu within the industry premises.



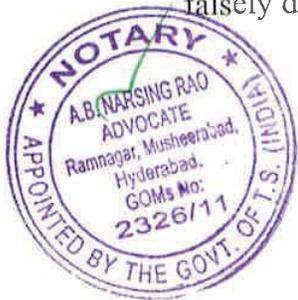
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(iii) Analysis report of the sample collected on 21.02.2024 from the pond leading to MaddimadaVaagu within the industry premises and well sample collected from residence of Sri. Chandu, Devapur.

6. That in the Rejoinder, the Applicant has falsely stated that he never applied for employment with the Respondent and has baldly denied the documentary evidence provided by the Respondent in this regard. It is reiterated that when the father of the Applicant completed his service and retired on 30.09.2020, the Applicant had made several oral requests to the Respondent No. 7 Company on hereditary grounds. Thereafter, vide letter dated 28.03.2023, the Applicant made a written request to provide employment to him. The said letter was falsely denied by the Applicant. It is submitted that the letter also forms a part of the official correspondence dated 22.06.2023 received by the Respondent from the office of Assistant Commissioner of Labour, Mancherial. A copy of the complete correspondence is annexed as **Annexure B**.

7. In light of the official correspondence dated 22.06.2023, it is clear that the Applicant is only misleading this Hon'ble Tribunal by falsely denying facts support by documentary evidence.



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8. Furthermore, the Applicant is attempting to provide a false interpretation to the email dated 28.10.2023 wherein the Applicant had clearly stated "*That the main reason I filed the case was HR Sessa Srinivas Hyderabad*" so much so because the HR had denied employment to the Applicant. Therefore, reiterating the issue of personal vendetta. The said correspondence is already a part of the Reply to the OA filed by Respondent No. 7.
9. In view of the aforesaid it is submitted that the Application filed by the Applicant is without merits and ought to be dismissed for the reasons set out in the Counter Affidavit and the present sur-rejoinder.

  
  
 DEPONENT

**VERIFICATION:**

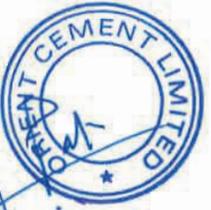
I, the deponent abovenamed do hereby verify that the contents of foregoing affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

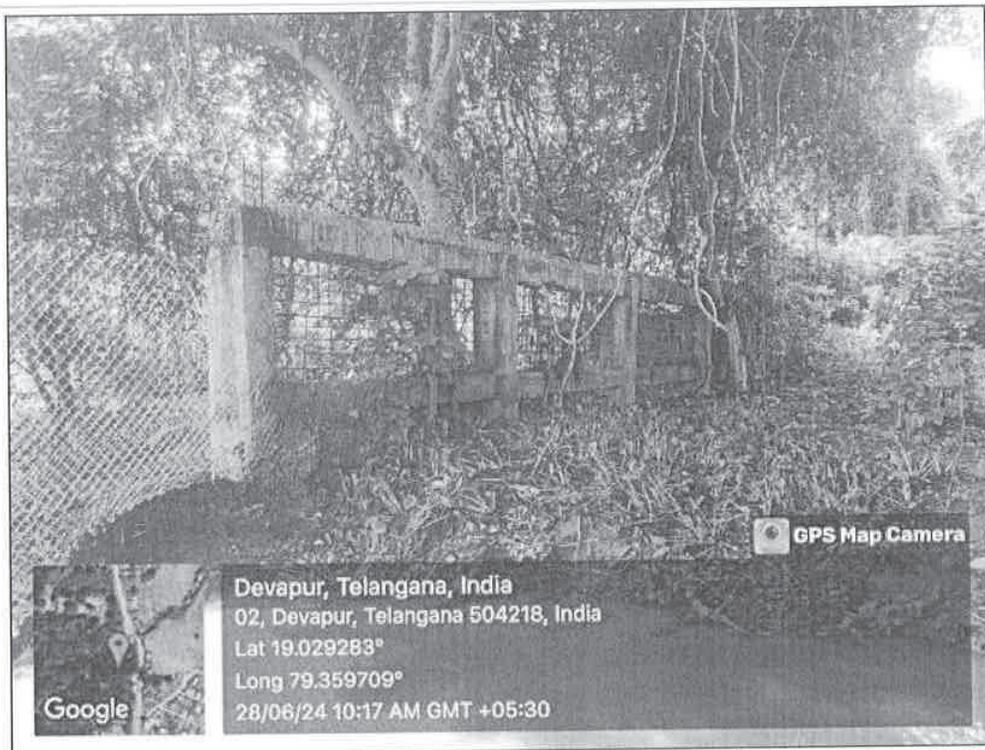
Verified at Hyderabad on this the 15<sup>th</sup> day of July 2024.



**ATTESTED**  
  
**A.B. NARSING RAO**  
 FORMS No: 2326/11 T.S. B.SC., LL.B  
 ADVOCATE & NOTARY  
 No. 1-7 631/2/E, Gemini Colony, Ramnagar,  
 Musheerabad, Hyderabad-500 048. T.S. India

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 DEPONENT



OFFICE OF THE ASSISTANT COMMISSIONER OF LABOUR, MANCHERIAL

NOTICE

No. A/Acmncl/2023

Date : 22-06-2023.

Sub : Complaint - Dispute between Sri Rodda Ravi Kumar, S/o. Rodda Ramesh, Maddimada, Kasipet and HR of the Orient Cement Works, Devapur, Kasipet, Mancherial District- Remarks called for- Reg.

Ref: 1) Representation by the Rodda Ravi Kumar dt : 28-02-2023 to the President of Orient Cement Works, Devapur, Kasipet, Mancherial District.



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While enclosing a copy of the representation cited, the management of Orient Cement Ltd., Devapur is requested to submit their detailed remarks on the above subject within a week.

*A. S. Vihik*  
Assistant Commissioner of Labour  
Mancherial.

To  
HR General Manager  
Orient Cement Works, Devapur, Kasipet, Mancherial District.  
Copy to Sri Rodda Ravi S/o. Rodda Ramesh.

Date: 28<sup>th</sup> February 2023.

To,  
The President  
Orient Cement Works  
Devapur  
Kasipet – 504218

Respected Sir,

**Sub:** Request for son employment of Sri. Rodda Ramesh  
S/o. Rodda Peddulu to Rodda Ravi Kumar S/o. Rodda  
Ramesh – Regarding

We bring to your kind attention that Sri. **Rodda Ramesh** S/o. Rodda Peddalu was the one of the land looser while establishing the Orient cement factory in the year 1985. In this context OCC has provided the employment and appointed as Mazdoor in mines department.

Subsequently he has completed his entire service in the Organisation and retired on 30<sup>th</sup> September 2020 as a Mazdoor. Accordingly, my father & my brothers has no objection to provide the same employment to me and they have No objection for providing the employment to me.

In this regard I request you to kindly provide the employment at earliest as I am facing the financial hardships.

Request you to acknowledge the receipt of this letter.

Yours Faithfully

Rodda Ravi Kumar S/o. Rodda Ramesh.  
R/o. Maddimada Village, Kasipet Mandal.

**Deepak Singh**

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**From:** Deepak Singh  
**Sent:** 01 July 2024 17:12  
**To:** 'advprakashpande@gmail.com'; 'advkavitharenjini@gmail.com'; 'cs@telangana.gov.in'; 'eew\_ss@pcb.ap.gov.in'; ccb.cpcb@nic.in; 'secy-moef@nic.in'; 'collector-mncl@telangana.gov.in'; 'Judicial Section, NGTSZ'  
**Cc:** Nandita Chauhan; Sushil Dogra  
**Subject:** O A No. 173 of 2023 (SZ) | RODDA RAVU KUMAR VERSUS STATE OF TELANGANA & ORS.  
**Attachments:** ORIENT SUR-REJOINDER.pdf

Dear Sir/Madam

Please find attached Sur-Rejoinder Affidavit is being filed on behalf of Respondent No.7 & 8 in OA 173 of 2023.

Please acknowledge the receipt.

Regards  
Deepak Singh  
Court Clerk  
Advocate for Respondent No. 7 & 8  
9911180884