

**BEFORE THE NATIONAL GREEN TRIBUNAL (SZ), SOUTH ZONE,
CHENNAI**

O.A.NO.94/2025

IN THE MATTER OF :

Madakam Chittibabu

.. Applicants

-vs-

Union of India,MOEF & ors,

.. Respondents

Counter filed by Telangana Mineral Development corporation R- 3

S.NO	INDEX	PG-NO
1.	Counter Affidavit filed by R-3	1-8

Place: Chennai

Date: 19.08.2025

Mrs. H. Yasmeen Ali,

Standing counsel for 3rd Respondent.

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ), SOUTH ZONE,
CHENNAI

O.A.NO.94/2025

Between:

Madakam Chittibabu .. Applicants

And

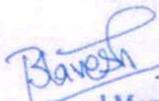
Union of India & ORS,
.. Respondents

Counter Affidavit filed on behalf of the Respondent No.3

I, Bhavesh Mishra, S/o. Mithilesh Mishra aged about 34 years Occ:
Vice-Chairman and Managing Director, Telangana State Mineral
Development Corporation Ltd, Hyderabad do hereby solemnly affirm and
state on oath as follows:

1. I am the Vice-Chairman and Managing Director, Telangana State
Mineral Development Corporation Ltd, the 3rd respondent herein and as
such I am well acquainted the facts of the case.

2. I have read the O.A. filed on behalf of the Applicants and deny all
the material allegations made therein, except those that are specifically


Vice Chairman and Managing Director
Telangana Mineral Development Corporation Ltd.
(A State Government of Telangana Undertaking)
#6-2-915, HMWSSB Premises, Rear Block,
3rd Floor, Khairatabad, Hyderabad - 500004.

admitted hereunder. I respectfully submit that the present affidavit is being filed on the alleged illegal mechanized mining at Ippagudem-I sand reach of Godavari River, Mulugu District in the State of Telangana.

3. I submit that the Telangana State has reviewed the Sand Policy and had come up with a new Sand Policy -2014 vide G.O.Ms.No. 38, Ind. & Com. (M.1) Dept., dt: 2.12.2014. The State of Telangana, exercising its power u/s 15 (1) of Mines and Minerals (Development and regulation) Act 1957 formulated the Telangana State Sand Mining Rules, 2015 which were published in the State Gazette dt: 8.1.2015 vide G.O.Ms.No. 3 Ind. & Com. (M.1) Dept., dt: 8.1.2015.

4. I submit that as per the New Sand Policy, the entire sand mining activity in the State of Telangana is handed over to M/s Telangana State Mineral Development Corporation (M/s TSMDC) which is a State Government undertaking.

5. I submit that in brief, the sand extraction in the State is categorized as under:

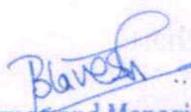

Vice Chairman and Managing Director
Telangana Mineral Development Corporation Ltd.
(A State Government of Telangana Undertaking)
#6-2-915, HMWSSB Premises, Rear Block,
3rd Floor, Khairatabad, Hyderabad - 500004

1. from river sand
2. from de-siltation of reservoirs
3. de-casting from Patta land

M/s TSMDC calls for tenders through e-procurement for extraction and dumping of sand from areas to be de-silted, establishes stockyards in consultation with the District Collectors and developed on-line system for booking of sand.

6. As per G.O.Ms.No.54, dt.21.08.2015, even de-cast of sand from Patta Lands is conducted by M/s TSMDC by entering into an agreement with the Pattadars to curtail the interference of the middle man. The sale price of the sand is fixed by the Government.

7. Further a compliant Adjudicating Mechanism was introduced for rapid disposal of cases relating to illegal sand mining and transportation, under the chairmanship of District Collector and Superintendent of Police of the concerned District, Deputy Director of Mines & Geology of the region as members vide G.O.Ms. No.9, dt.24.02.2016.


Vice Chairman and Managing Director
Telangana Mineral Development Corporation Ltd.
(A State Government of Telangana Undertaking)
#6-2-915, HMWSSB Premises, Rear Block,
3rd Floor, Khairatabad, Hyderabad - 500004

8. It is submitted that the entire sand mining activity in the State of Telangana is conducted only through M/s TSMDC after obtaining necessary statutory clearances like EC, CFE, CFO etc., where ever required.

9. The main essence of entrusting sand extraction to M/s TSMDC was for conduct of sand operations through systematic extraction and disposal through establishment of stockyards to avoid over exploitation with due protection to the environment. By inspiring the sand policy of the State, the neighboring states of **Maharashtra, Karnataka, ar yana, Madhya Pradesh, Jharkhand and Chhattisgarh** have come to study and adaption in their States.

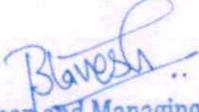
10. As per section 7 of Andhra Pradesh River Conservation Act 1884, the State Government may, by the Notification as per section 2 and 3 in the official Gazette and in the Gazette of every district in which any part of the river is situated, declare that the provisions of this Act shall apply to the said river within the boundaries and limits prescribed in the said charts.


Vice Chairman and Managing Director
Telangana Mineral Development Corporation Ltd.
(A State Government of Telangana Undertaking)
#6-2-915, HMWSSE Premises, Rear Block,
Hyderabad, Telangana

11. It is submitted that, the District Collector & Chairman, DLSC Mulugu vide proceeding No.33/SAND/2019, dt.25.10.2024 has issued principal allotment to Ippagudem-I sand reach to TSMDC and further advised to obtain all the statutory clearances.

12. It is respectfully submitted that the Telangana State Mineral Development Corporation Ltd. has duly obtained all statutory clearances, namely Environment Clearance (EC), Consent for Establishment (CFE), and Consent for Operation (CFO), valid up to 27.03.2026, and the same have been furnished to the District Collector, Mulugu, for the final allotment of sand.

13. Pursuant thereto, the District Collector & Chairman, DLSC, has issued Final Allotment Proceedings No. 62/Sand/Ippagudem-I/2024, dated 09.04.2025. In accordance with the said allotment, TGMDC has entered into an agreement on 25.04.2025 with the Ippagudem-I society, namely *Sri Anjaneya Adivasi Mahila Isuka Quarry Labour Contract MACS Ltd.*, for excavation of 1,59,811 MT of sand for a period of one year.

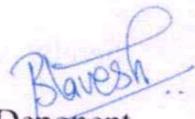

Vice Chairman and Managing Director
Telangana Mineral Development Corporation Ltd.
(A State Government of Telangana Undertaking)
#6-2-915, HMWSSB Premises, Rear Block,
3rd Floor, Khairatabad, Hyderabad, 500007

14. Subsequently, the ADMG, Mulugu, along with the joint inspection team constituted in compliance with the directions of the Hon'ble National Green Tribunal, conducted an inspection of the Ippagudem-I sand reach on 25.06.2025. The team reported that, at the time of inspection, no excavation activity was being carried out in the sand-bearing area located on the Godavari River, and neither men nor machinery were present. Local inquiries revealed that sand excavation and transportation activities to the MDL area had been stopped for approximately 25 days prior to the inspection.

15. It is further submitted that sand extraction by TSMDC is undertaken with utmost care to ensure that groundwater recharge is not adversely affected. In Telangana, groundwater constitutes a vital source of irrigation for farmers, and the Government remains committed to its protection and enhancement. The sustainable extraction methods adopted by TSMDC will aid in groundwater recharge, thereby ensuring year-round drinking water availability in Adivasi villages.


Vice Chairman and Managing Director
Telangana Mineral Development Corporation Ltd.
(A State Government of Telangana Undertaking)
#6-2-915, HMWSSB Premises, Rear Block,
3rd Floor, Khairatabad, Hyderabad - 500004

In light of the foregoing facts and circumstances, it is most humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the present Original Application as devoid of merit and pass such other order(s) as may be deemed fit and proper in the interest of justice.



Deponent

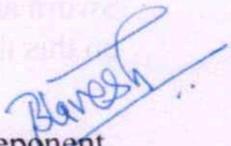
Vice Chairman and Managing Director
Telangana Mineral Development Corporation Ltd.
(A State Government of Telangana Undertaking)
#6-2-915, HMWSSB Premises, Rear Block,
3rd Floor, Khairatabad, Hyderabad - 500004.

Sworn and signed before me
on this the 1st day of Aug-2025 at Hyderabad.

Verification Statement

I, Bhavesh Mishra, S/o. Mithilesh Mishra aged about 34 years Occ:
Vice-Chairman and Managing Director, Telangana State Mineral
Development Corporation Ltd, Hyderabad, the 3rd respondent herein, do
hereby verify that the contents in the Counter Affidavit are based on
records and believed to be true and correct.

Verified at Hyderabad on this 11 day of August 2025.


Deponent
Vice Chairman and Managing Director
Telangana Mineral Development Corporation Ltd.
(A State Government of Telangana Undertaking)
#6-2-915, HMWSSB Premises, Rear Block,
3rd Floor, Khairatabad, Hyderabad - 500004.