

**IN THE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE BENCH, CHENNAI
ORIGINAL APPLICATION No. 16 of 2019**

IN THE MATTER OF:-

K.Gemini

....Appellant

-VS-

Union of India & Ors

....Respondents

**REPLY AFFIDAVIT ON BEHALF OF THE
MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE
CHANGE,**

**G.M. Syed Nurullah Sheriff
COUNSEL FOR MoEF&CC**

**IN THE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE BENCH, CHENNAI**

IN

Original Application No. 16 of 2019 (SZ)

IN THE MATTER OF: -

K.Gemini

....Appellant

-VS-

Union of India & Ors.

...Respondents

**ADDITIONAL AFFIDAVIT ON BEHALF OF RESPONDENT NO.1,
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE**

MOST RESPECTFULLY SHOWETH: -

I, Dr. C. Kaliyaperumal S/o Chinnakkannu aged about 56 years, presently working as Scientist "F" in the Regional Office of Ministry of Environment, Forest & Climate Change (MoEF&CC), at Chennai, the deponent herein does hereby solemnly affirm and state on oath as under: -

1. That I am duly authorized and competent to swear the present counter affidavit on behalf of Ministry of Environment, Forest and Climate Change (MoEF&CC).
2. That the contents of the application, unless specifically admitted, are denied to the extent that they are inconsistent with submissions made hereinafter.
3. It is respectfully submitted that the instant reply is filed by the Answering Respondent without prejudice to his right to file a fuller and more detailed reply at a later stage, if so necessary.


 Dr. C. KALIYAPERUMAL, M.E., PhD
 Director (S)
 Government of India
 Ministry of Environment, Forests & Climate Change
 Regional Office (South Eastern Zone)
 HEPC Building, No.34, Cathedral Garden Road,
 Nungambakkam, Chennai-600 024

4. It is respectfully submitted that the Hon'ble Tribunal vide its order dated 06.10.2020, *inter-alia*, has directed the Ministry of Environment, Forest and Climate Change (MoEFCC) to file an additional affidavit as to whether there is applicability of Environmental Clearance for the Hydrogen Peroxide (H₂O₂) plant requires prior Environmental Clearance (EC).
5. It is respectfully submitted that, manufacturing/production of Hydrogen Peroxide (H₂O₂) which is an inorganic chemical does not fall under the purview of EIA Notification, 2006. Hence, no environmental clearance is needed for the manufacturing/production of Hydrogen Peroxide (H₂O₂).
6. That the present additional affidavit is made in the interest of justice. It is further submitted that the answering respondent has highest regards for law and acts in a prudent manner with regard to the cases pending before this Hon'ble Court.
7. That the present additional affidavit may kindly be taken on record and into consideration and this Hon'ble Court may pass appropriate Order(s), direction(s) as deemed fit and proper under the facts and circumstances of the present case which the answering Respondent shall duly comply with.

VERIFICATION

Verified at Chennai on 18 this day of December, 2020 that the contents of the above affidavit are correct to my knowledge and belief based on official records and nothing material has been concealed there from.


DEPONENT
 Dr. C. KALIYAPERUMAL, M.E., PhD
 Director (S)
 Government of India
 Ministry of Environment, Forests & Climate Change
 Regional Office (South Eastern Zone)
 HEPC Building, No.34, Cathedral Garden Road,
 Nungambakkam, Chennai-600 034.


DEPONENT
 Dr. C. KALIYAPERUMAL, M.E., PhD
 Director (S)
 Government of India
 Ministry of Environment, Forests & Climate Change
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 HEPC Building, No.34, Cathedral Garden Road,
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MINISTRY OF ENVIRONMENT,
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**G.M. Syed Nurullah Sheriff
COUNSEL FOR MoEF&CC**