

BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL (SZ), AT CHENNAI

APPEALS NO. 17 & 18 OF 2022

1. Arjunan Muthukrishnan
S/o. Late Shri R. Arjunan,
Flat No. TE/12,
Jain Pebble Brook, Shakthi Gardens,
Cross Street No. 1, Okkiampettai,
Thuraipakkam, Chennai 600 097. **...Appellant in Appeal 17 of 2022**
2. Tamil Nadu Pollution Control Board,
Rep by its Chairman
No. 76, Mount Salai,
Guindy, Chennai- 600 032 **...1st Appellant in Appeal 18 of 2022**
3. District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Maraimalai Nagar. **...2nd Appellant in Appeal 18 of 2022**

-Vs-

1. The App. Authority,
Tamil Nadu Pollution Control Board. **..1st Respondent in Appeal 17 of 2022**
2. Tamil Nadu Pollution Control Board,
Chairman **...2nd Respondent in Appeal 17 of 2022**
3. District Environmental Engineer,
Tamil Nadu Pollution Control Board,
Maraimalai Nagar. **...3rd Respondent in Appeal 17 of 2022**
4. M/s. Jain Housing,
98/99, Habibullah Road,
T. Nagar, Chennai- 17 **.....4th Respondent in Appeal 17 of 2022**
....1st Respondent in Appeal 18 of 2022

COMMON REPLY AFFIDAVIT FILED BY THE RESPONDENT (JAIN HOUSING)

I, Sandeep Mehta, S/o. Mr. Ashok Kumar Mehta, aged about 55 years, Partner of M/s. Jain Housing, Respondent herein, having office at No. 98/99, Habibullah Road, T. Nagar, Chennai- 600 017, do hereby solemnly affirm and sincerely state as follows;

For JAIN HOUSING
Sandeep Mehta
Partner

1. The present two Appeals are filed against the Impugned Order dated 29.09.2021, passed in Appeal No 58 of 2020, by the Hon'ble Appellate Authority which had set aside the order of the TNPCB dated 14.12.2020 made in proceedings in T2/ TNPCB / LAW / LA III / NGT / 022327 / MMN / W&A / 2020 directing the Respondent herein to remit an environmental compensation of Rs.2,19,00,000/- (Two Crore and Nineteen Lakhs only).
2. Since the impugned order in both the above appeals are one and the same, this Respondent craves the leave of this Hon'ble Tribunal to file and treat the present reply as a common reply to both the Appeals for the sake of brevity and convenience.

PRELIMINARY OBJECTIONS TO THE APPEAL

3. It is submitted that the Appeal No. 17 of 2022, filed by Mr. Arjunan Muthukrishnan is thoroughly not maintainable in law for the following reason.
4. It is submitted that Mr. Arjunan Muthukrishnan is a third party to the impugned order and as such does not have any right to prefer the present appeal for want of locus standi. The Impugned Order in directing the compensation to be paid by the Respondent, does not involve Mr. Arjunan Muthukrishnan. The compensation is to be paid only to the CPCB fund and not to the individual. Further, the case of the individual is also not a public interest litigation. Therefore, he does not have any locus standi in the present Appeal since his only intention is to seek personal revenge and he has no stake in the compensation.
5. That apart, being a statutory Appeal as a third party he ought to have filed a petition seeking leave from this Hon'ble Tribunal to file the Appeal. In that case this


Saadup Ghanta
Partner

Respondent would have got an opportunity to defeat the leave petition. In any event a third appeal is not maintainable without obtaining prior leave of this Hon'ble Tribunal. Therefore, this Respondent is entitled to raise this preliminary objection along with the present reply.

6. Therefore, the Appeal is filed without proper Locus Standi and without seeking proper leave from this Hon'ble Tribunal and thus not maintainable and liable to be dismissed.
7. That apart there is no cause of action that survives for filing the present Appeal. The grievance was initially only with regards to the location of the STP and therefore that issue had been decided in favor of this Respondent. That apart, the commencement of the project, construction and completion of the project, obtainment of the Environmental Clearance have all been done many years back and more than five years ago from today. Therefore, there cannot be a case seeking for any relief from this Hon'ble Tribunal by the individual as the maximum limitation period of five years has lapsed. Thus the present Appeal is only an indirect way of trying to harass the Respondent and as such there is no cause of action or period of limitation and the Appeal is liable to be dismissed.

BACKGROUND FACTS OF THE CASE:

8. It is submitted that the Respondent is involved in the business of constructions of residential buildings and other real estate activities. The Respondent is a law-abiding undertaking which has always adhered to all the regulatory laws. The present impugned project, more fully described hereunder, was also undertaken and

Paul Joseph Genta
Partner

completed as per law. The Respondent had obtained all necessary permissions and clearances as required by existing law.

9. The present impugned project is a residential purpose apartment style building project. The impugned project has a total of 620 constructed in its first phase and a total of 396 flats have been constructed in the subsequent phase. The maintenance of the impugned project was initially undertaken by the Respondent and subsequently handed over to the residents' association.
10. It is submitted that the Respondent had also obtained prior Environmental Clearance dated 27.04.2009 for the first phase of the project. It is pertinent to submit that the said E.C was for a total built area of 51,020.61 Sq.m and 412 units. However, during the phase of construction, the Respondent was mandated to comply with the EWS scheme by the Government of Tamil Nadu. As per the scheme the Respondent had to reserve and allocate a percentage of flats and built up area for the benefit of the public eligible under EWS scheme. Consequently, with such compliances and varying market demands, the Respondent was constrained to modify the design and size of the flats such as converting 3BHK flats into 1BHK or 2BHK flats. Therefore, the total number of units was also modified from 412 to 620 flats, however without exceeding the overall total limit of 51,060.61 Sq.m. The said modification is permitted as per the proceedings of Ministry of Environment and Forest dated 14.12.2006, which is in force even as on date. It is submitted that as per the said notification, any changes in product-mix, in a project where Environmental Clearance is obtained, if the same is not exceeding the overall limits initially granted, then a second Environmental

For JAIN HOUSING
Sandeep Gekta
Partner

Clearance is not required. It is an admitted fact that the overall limit of the appellant has remained the same.

11. It is submitted that for the other 396 flats, the prior EC was obtained on 01.04.2015. Both the ECs are valid and existing as on date and as such binding upon the Respondent Board as well. The Respondent had also obtained building permission and sanctioned plans from CMDA and all other allied requisites for the entire impugned project of 620 flats and 396 flats.
12. It is submitted that from the very beginning, disputes arose with some purchasers of the flats pertaining to the UDS share due to the modification of the first phase of the project. The said persons have thus fueled animosity between this Respondent and some of the other residents as well. The point of contention between parties is of a civil nature and accordingly being pursued as per law. In spite of justified and clear explanations, the purchasers, with a view to pressurize and arm twist this Respondent have been foisting false cases and complaints against this Respondent. They have also openly threatened and in fact pursued in successfully using their political influence and bureaucratic contacts to continuously make the Respondent face one proceeding or another. As a result, the Respondent had been dragged into disputes such as Writ Petitions, Arbitration Proceeding, Criminal Case etc.,
13. It is submitted that only in that background and with such motives one of the purchasers namely Mr. Arjunan Muthukrishnan at the behest of the association filed an application in O.A. No. 05/2018 before the Hon'ble NGT(SZ) only praying for relocation of the STP plant in the apartment complex and to initiate prosecution against this Respondent. The said person without placing on record the Environmental

for JAIN HOUSING
Partner

Clearances dated 01.04.2015 had only on the basis of the Environmental Clearance dated 27.04.2009 mislead the Hon'ble Tribunal as if there is a violation and obtained an ex-parte order dated 06.08.2018. In the said order the Hon'ble NGT(SZ) directed the authorities to look into the matter after ascertaining the facts and take action as may be called for as per law.

14. However, without ascertaining the facts, the Respondent Board issued the impugned show cause notice dated 23.08.2018 and alleged violations of EC conditions, non-obtainment of Consent under Section- 21 of the Air Act and other matters.
15. It is submitted that this Respondent issued a response to the show cause notice dated 11.09.2019, wherein the Respondent had sought for an extension of 15 days as a last chance to submit a detailed reply. Following the same, this Respondent issued a detailed reply dated 28.09.2018 to the show cause notice dated 23.08.2018 which was also received and acknowledged by the Respondent Board office on 28.09.2018 itself by hand.
16. It is relevant to submit here that the above said reply of the Respondent has not been considered at all by the Respondent Board till date and even in the impugned order of TNPCB. The same clearly shows the arbitrary attitude of the Respondent Board to punish this Respondent and also exhibits the influence of the purchasers with the authorities including the Respondent Board.
17. In fact, after the reply to the show cause notice was given by the Respondent herein, the Respondent Board without immediately deciding the issue had been issuing communications to SEIAA and CMDA and also filing action taken report and other

For JAIN HOUSING
Sandeep Gekta
Partner

pleadings before the Hon'ble NGT(SZ) as if placing on record that violations had been done by the Respondent. The Respondent Board on the basis of such reports also issued communications to this Respondent in complete contravention to the procedure but in any event this Respondent issued suitable reply.

18. In fact, the Hon'ble NGT(SZ) had also formed a Joint Committee to call for a report and had directed the Respondent authorities to take note of the findings of the committee, as per law. However, in complete contravention to the procedure prescribed by law, the Respondent authorities without adjudicating the reply of this Respondent had instead filed a private complaint under Section-200 of the CrPC before the Chief Judicial Magistrate, Chengalpattu. The said proceedings were challenged by the Respondent before the Hon'ble High Court at Madras and was granted an interim stay on the basis that Respondents did not consider the reply and conclude the show cause proceedings. However, by final order, the Hon'ble High Court has dismissed the petition against which the Respondent is preferred a Special Leave Petition before the Hon'ble Supreme Court in Diary.No.2900/2023.

19. It is submitted that this Respondent also filed a detailed reply before the Hon'ble NGT(SZ) and after considering all aspects the Hon'ble NGT(SZ) disposed the application with a direction to conclude the show cause proceedings after considering the reply of this Respondent.

20. Despite all of the above, the Respondent Authorities did not consider the reply of this Respondent and by mere re-iteration of the show cause notice, the Impugned Order of TNPCB was made. In fact, initially when the case before the Hon'ble NGT came up for hearing on 04.06.2020, it was reported that as per the latest Government Orders, it

For Joint Notice
Sandeep Gokha
Partner

was the TNPCB who had to take appropriate actions and, on that basis, they sought time to complete the show cause proceedings.

21. Thereafter, on 25.08.2020, the TNPCB had reported to the Hon'ble NGT that they have assessed an environmental compensation and that after getting due approval, they would complete the proceedings "after giving opportunity" to this Respondent. However, no such opportunity was granted and instead a Letter dated 25.08.2020 was issued to the Respondent directing to remit the environmental compensation without determination of the replies of without any opportunity of hearing.
22. The same was brought to the notice of the Hon'ble NGT in the next hearing on 28.09.2020 stating that no show cause or any proceedings determining the objections of the Respondent were made by the TNPCB. However, the TNPCB, filed a report and stated that a show cause notice had been issued on 25.08.2020 and that no reply was given. Therefore, under the circumstances, the Hon'ble NGT was pleased to dispose the application directing action to be taken as per law and for this Respondent to challenge the proceedings before the Hon'ble Appellate Authority, if aggrieved by the order .
23. Thereafter, this Respondent had through its counsel, contacted the counsel representing for the TNPCB and were able to obtain a copy of the show cause notice dated 25.09.2020 only on 20.10.2020. In the meantime, the Respondent also sent objections dated 12.10.2020 to the TNPCB treating the earlier letter dated 25.08.2020 as an order. However, after receipt of the show cause notice dated 25.09.2020 on 12.10.2020, to conclude procedures, the Respondent also filed a detailed reply dated

For J. S. Bhatia
Sandeep Gheta
Partner

23.10.2020. The unit had made its clear stand on the various allegations and replied on a point to point basis.

24. However, once again , without adjudicating the objections and hearing the explanations and reply given by the appellant, in a non-speaking order, without assigning any reasons, the Impugned Order of the TNPCB was made by simply stating that the reply furnished by the unit is not satisfactory. The same is illegal and thoroughly unsustainable.

25. Therefore, the Respondent challenged the impugned order of TNPCB before the Hon'ble Appellate Authority and the Hon'ble Appellate Authority also allowed the appeal and set aside the order of the TNPCB. The main legal grounds on which the case of this Respondent was made before the Appellate Authority and the merit in the case of the Respondent unit in the present case also is as follows :-

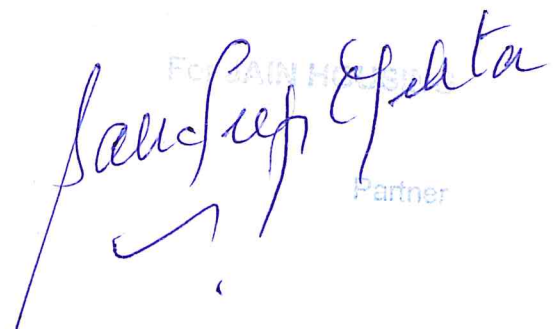
LEGAL CONTENTIONS OF THE RESPONDENT AGAINST THE ORDER OF THE TNPCB IMPOSING ENVIRONMENTAL COMPENSATION

- a. The impugned order of TNPCB is a non-speaking order and made without any reasons or findings. The impugned order of TNPCB has not decided the issues with reference to the reply and explanations made by the Respondent and as such is thoroughly arbitrary and illegal.
- b. The impugned order of TNPCB has been made without consideration of the reply furnished by this Respondent dated 28.09.2018, 19.11.2018, 12.10.2020 and 23.10.2020. At every stage, the Respondent has been objecting and replying and explaining all the allegations. None of the objections have been considered ever by the TNPCB. In particular reference to the Impugned Order of the TNPCB, the show

For JEN HOURS
Sandeep Genta
Partner

cause notice dated 25.09.2020 was specifically replied to by reply dated 23.10.2020. The same has not been considered at all with reference to its contents and objections and thus the Impugned Order of TNPCB was rightly set aside on that ground also.

- c. The impugned order of TNPCB has been made without consideration of the reply dated 23.10.2020 to the show cause notice dated 25.09.2020. The only reference made in the Impugned Order of TNPCB with reference to the objections is the concluding portion of the reply where the proceedings were requested to be dropped. By just recording that single line and not referring to the substantial objections, the Impugned Order of TNPCB was made and hence it was held illegal on this ground also.
- d. The impugned order of TNPCB has been made with a pre-determined mind and the entire show cause proceedings are nothing but an eye-wash only to satisfy the procedures of law. Thus, the actions are arbitrary, unjustified and thoroughly illegal. The sequence of actions in issuing orders without following fair procedures would itself show that the Respondent Board is determined to impose penalty on this Respondent which is nothing but a gross abuse of powers and as such the same is illegal.
- e. The impugned order of TNPCB is violative of the Principles of Natural Justice and right to fair procedure of law and thus is arbitrary and violative of Article 14 of the Constitution of India, 1950.
- f. The impugned order of TNPCB has merely reiterated the same allegations as contained in the show cause notice and as such is neither a reasoned order nor a speaking order and as such is violative of the procedure under Section 31A of the Air Act.


Partner

- g. The impugned order of TNPCB has failed to declare any illegality in the impugned project and as such is erroneous in imposing environmental compensation, that too, when no damage has been caused to the environment.
- h. The impugned order of TNPCB is made to portray the conduct of the respondent authorities before the Hon'ble NGT(SZ) in O.A. No. 05/2018 and as such is made without any application of mind and thus it was rightly set aside.
- i. The impugned order of TNPCB has failed to record or observe any damage to environment and as such there is no cause of action for imposing environmental compensation.

NON-OBTAINMENT OF ENVIRONMENTAL CLEARANCE FOR ADDITIONAL CONSTRUCTION OF 208 DWELLING UNITS.

- j. The additional units is a modification of the EC granted to the unit within the overall total limits. Such modifications of the existing products of an EC is permissible as per the proceedings of Ministry of Environment and Forest in a Circular dated 14.12.2006 which is in force even as on date. Clause (i) of the order had stated that:-

“In cases of changes in Product-Mix, changes in quantities or numbers of products may be allowed without prior Environmental Clearance by the concerned State Pollution Control Board provided such changes in the quantities of products are in the same category and are within the previously granted overall total limits.”

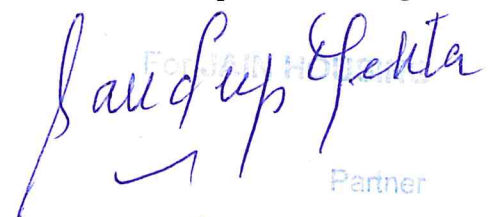
- k. In fact, in its reply filed before the Hon'ble NGT, the State Environmental Impact Assessment Authority had not pointed out any violation and had instead only submitted the details of the EC obtained by this Respondent. Only thereafter, an objection was taken in the Committee Report before the Hon'ble NGT regarding the above issue by the authorities. However, the proceedings were to be concluded by the

Sandeep Gekha
Partner

TNPCB as per the orders of the Hon'ble NGT. In view of the same, it is submitted that the project has not violated any EC conditions and the overall constructions have remained the same and thus the Impugned Order of TNPCB was rightly set aside.

NON-OBTAINMENT OF CONSENT UNDER THE WATER AND AIR ACT

- l. It is submitted that the contention of the unit primarily is that the nature of the project is exempt from obtainment of Consent as the Unit had obtained a valid Environmental Clearance. In this aspect, the Central Pollution Control Board vide proceedings dated 02.02.2017 while stream lining the consent mechanism had clarified that projects under S.No. 8 of the Schedule to the EIA Notification, 2006 need not obtain consent to establish when an environmental clearance is obtained. In the instant case, the unit satisfies the above norm and as such is exempt from the requirement of Consent.
- m. Such a view is in line with an Office Memorandum of the MOEF dated 09.12.2016 in S.O. 3999 (E) whereby for the policies of the Central Government including Housing for all by the year 2022 and for ease of doing business, the MOEF had totally exempted residential buildings up to an extent of 1,50,000 square meters. The total project of the Respondent is much less than the threshold limit and thus, the benefit of exemption is applicable to this Respondent.
- n. In fact, the requirement of consent was never insisted to the project of this Respondent. In fact, there have been communications issued by the TNPCB which had clarified that residential apartment projects do not require the consent under the Water and Air Act.
- o. That, the principles of law as laid down by the Hon'ble Courts including in the landmark case of Splendor Landbase Ltd wherein the Hon'ble High Court at Delhi had held that neither CTE nor CTO is applicable to a residential complex. It is in light


Partner

of all the above, that after obtaining Environmental Clearance wherein the TNPCB is already a party in granting such clearance, no Consent is required as there is total compliance to the Environmental Regulations.

NON-OBTAINMENT OF REVISED ENVIRONMENTAL CLEARANCE

- p. It is submitted that the above allegation has made against the unit for the first time only in the subject mentioned show cause notice. No such allegation has been made in the earlier show cause notice dated 23.08.2018 or in any pleading or report submitted before the Hon'ble Tribunal.
- q. It is submitted that the revised planning permission had been obtained under the municipal building and planning laws. The same is a record maintained by the CMDA and is for different legal purposes. Further, as per Clause 2 of the EIA Notification, 2006 the requirement of Environmental Clearance is only prior to the establishment and thus the unit had obtained valid EC. The additional construction of 208 flats for Phase-I were made without requirement for EC and as clarified by the EC authorities and also in terms of the grounds established above. Thus, there arose no necessity or requirement of a revised EC as the same is even beyond the scheme and scope of the EIA Notification, 2006.

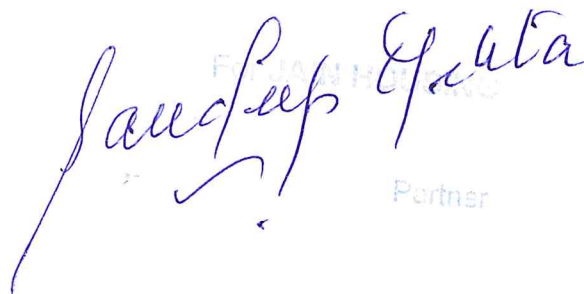
NON-COMPLIANCE OF EC CONDITIONS

- r. It is submitted that the Respondent unit has been a totally law-abiding unit and has always endeavored to improve all environment mitigation measures. It is submitted that in the instant case, the facilities and measures have been provided as specified under the EC conditions and as per existing legal requirements. The maintenance of the entire buildings including the pollution control measures have been also handed

For J.A. MOH...
Sandeep Ghanta
Partner

- over to the residents' association and as such contributory actions of the residents' association have to be considered while alleging irregularities against the unit.
- s. It is submitted that the allegation in the subject show cause notice is met with detailed replies explaining the features of the STP plant and all other aspects. However, the same has not been considered at all. Hence the Hon'ble Appellate Authority rightly set aside the order of the Board.
- t. The impugned order of TNPCB has failed to see that the STP has been provided as per the latest available technology and has more than enough capacity to process the sewage. In fact, the maintenance of the entire residential complex had been handed over to the resident association and as such the observations of ineffective operations are non-specific and unsustainable.
- u. The impugned order of TNPCB has given barren findings, scientifically non-described and bald allegations such as "ineffective operations" and inaccurate "stack height" etc., the entire order is only nitpicking for the sake of it and thoroughly unsustainable.
- v. The impugned order of TNPCB has failed to see that all proper arrangements had been made to dispose all the waste generated and as such there is no substantial violation committed by the Respondent unit.
- w. The impugned order of TNPCB has failed to even provide an opportunity to explain or improve or install any short comings or machinery as may be required and thus is made completely contrary to the procedure under Section 21 of the Air Act.

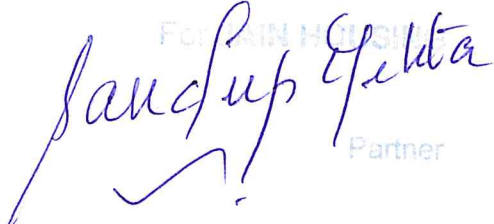
IMPOSITION OF ENVIRONMENTAL COMPENSATION


Partner

- x. Thus, there are no violation being made out against the Respondent unit and as such the imposition of environmental compensation is thoroughly unsustainable and thus it was rightly set aside.
 - y. The impugned order of TNPCB has failed to see that since the project has obtained proper Environmental Clearance, the reliance on CPCB guidelines for calculation of Environmental Compensation is erroneous and without any basis.
 - z. The impugned order of TNPCB is thoroughly unsustainable for many reasons and looking from any angle and without reference to proper facts and circumstance and thus it was rightly set aside.
26. It is submitted that with respect to the grounds that are raised in the above Appeals they are not maintainable and specific reply to each of the ground is submitted as follows:

APPEAL NO. 17 OF 2022, filed by Mr. Arjunan Muthukrishnan:

- i. With respect to Ground No.1, it is submitted that none of the proceedings relates to noise level and there is proof of report suggesting increase in noise level. This ground has no relevance to the impugned order
- ii. With respect to Ground No. 2 & 3, it is not maintainable since they are not necessary even in the present Appeal.
- iii. With Respect to Ground No. 4, the same is denied. There is no basis to claim that the built-up area is wrong and the Respondent has furnished all particular and necessary documents.
- iv. With respect to Ground No. 5 & 6, the same is denied, this ground is non- specific, without any basis and there is no proof of the same. Further these issues were never raised and therefore has no relevance to the impugned order.


Sandeep Gekta
Partner

- v. With respect to ground No. 7, there was no finding of violation against this Respondent and therefore there is no need of issuing any mitigating measure.
- vi. With respect to ground No. 8 & 10, the same is general in nature and is denied.
- vii. With respect to ground No. 9, it is denied and it is a repeat of ground no.1 and already replied above.
- viii. With respect to ground No. 11, the same is denied. There is separate environmental clearance obtained for Phase 2 of the project and the same has become final. Without filing an Appeal against the same, there can be no ground made out against the Environmental Clearance and that is not the scope of the present Appeal also. Thus this ground deserves no merit.

APPEAL NO. 18 OF 2022, filed by TNPCB:

- i. With respect to ground No. A, the same is very general in nature and denied.
- ii. With respect to ground B, the same is denied. It is submitted that it is obvious and clear from para 2 of the EIA Notification that the threshold limit determining the requirement for EC is only as mentioned in the schedule to EIA. In so far as the present project is concerned, it is the EIA Notification that clearly mentions the overall built up area as not only the main criteria but the only criteria to obtain EC. There is no case that there is an increase of pollution load and it was not stated till now that the capacity of the STP is inadequate. The Central government and statutory bodies have laid down guidelines for average water consumption, sewage generation of individuals and there are regulations and guidelines which predict average members of family and sewage generation. Even taking the maximum count as per the building code

For Joint Housing
Sandeep Ghata
Partner

and other regulations, there is no case that the STP is of inadequate capacity and infact the STP has more capacity than the generated sewage and the TNPCB has not made out a case that there is increase in pollution load.

- iii. With respect to ground C, the same is denied and the issue of non obtainment of consent was properly explained as per the prevailing position of law including the judgements and circulars and OM by CPCB & Moef. The present Appeal does not reply to the judgements and circulars & OM's.
- iv. With respect to ground D, the same is denied and it is only a repeat of the averment in ground B.
- v. With respect to ground E, the same is denied as false and misleading. It has been suppressed that the project separately obtained EC for 396 unit in Phase 2, therefore by not stating the above and projecting as if only Phase 1 obtained EC is mischievous and deliberate misleading of this Tribunal. With respect to the CMDA permission, it is under a different statute and beyond the scope of the present case, apart from the fact that the CMDA permission has not been challenged till date.
- vi. With respect to ground F, it is a repeat of ground B and already replied above.
- vii. With respect to ground G, the same is denied and all the alleged violations were specifically replied in the show cause notice and the same was not even considered. Further the same cannot be the basis to impose compensation as there is no violation of environmental standard or pollution being caused.
- viii. With respect to ground H, the same is denied. The respondent never agreed with the findings of the joint committee and the same was not even accepted by this Tribunal. On the other hand since show cause notice was already issued even prior to formation joint committee, it was argued and it was directed by the

For J.A. HOUSING
Sandeep Gokta
Partner

Tribunal that the joint committee report can also be used as a material in the show cause proceedings. But that was never done. Therefore, the proceedings of the TNPCB independently surviving of its own findings and the Joint Committee report does not survive at all.

- ix. With respect to Ground I, it is a repeat of the grounds already and the same is replied above.
- x. With respect to Ground J, the same is general in nature and denied.

Therefore, under such circumstances, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to dismiss the above Appeals in Appeal No. 17 & 18 of 2022, and pass such further or other orders as may be fit, in the interest of justice.

Solemnly affirmed at Chennai on
this the 8th day of March, 2023
and signed his name in
my presence

Before Me

Advocate: CHENNAI

For JAIN HOUSING
Ramesh Kumar
Partner

26/3/23
(Ramesh Kumar)
245, New Addl.
Law Chambers

**BEFORE THE HONBLE NATIONAL
GREEN TRIBUNAL (SZ), AT
CHENNAI**

APPEALS NO. 17 & 18 OF 2022

**COMMON REPLY AFFIDAVIT
FILED BY THE RESPONDENT
(JAIN HOUSING)**

**COUNSEL FOR RESPONDENT
(JAIN HOUSING)
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