



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



O. A. No. 227 of 2021 (SZ)

BATTU SATISH REDDY

...Applicant

Versus

NTPC, SIMHADRI LTD. & ORS

.... Respondents



I, H D Varalaxmi, Scientist E' and Regional Director, Regional Directorate - Chennai, Central Pollution Control Board, 2nd Floor, 77-A, South Avenue Road, Ambattur Industrial Estate, Ambattur Taluk, Thiruvallur Dist. Chennai - 600 058.

do hereby appoint **Smt. N. Nathami** to appear for CPCB in the above Application and to conduct and prosecute or defend the same and all proceedings that may be taken in respect of any application for execution of any decree or order passed therein. I empower the Advocate to appear in all miscellaneous proceedings in the above suit or matter till all decree or orders are fully satisfied or adjusted and in all appeals therein whether in suit, interlocutory application, execution petition and applications in execution till they are finally disposed of in this court and to obtain the return of documents in the said matter.

Dated at Chennai on this the 3rd day of January, 2022

Witness:

I Certify that the contents of this Vakalath
Were read out and explained

In my presence to
The Executant who appeared
Perfectly to understand the same and made
His/her signature in my presence

H.D. Varalaxmi
H.D. VARALAXMI, M.Tech
Regional Director
CENTRAL POLLUTION CONTROL BOARD
(MoEF & CC, Govt. of India)
Regional Directorate (Chennai)
2nd Floor, 77-A, South Avenue Road,
Ambattur Industrial Estate, Chennai - 600 058

ACCEPTED: - The address for service of the said Counsel at
New no. 14/1, Kamachipuram 1st street
West Mamabalam
Chennai - 600 033
Mob: 9962825131
Email: naadhmi90@gmail.com



N. Nathami
Counsel for CPCB.



CENTRAL POLLUTION CONTROL BOARD
Ministry of Environment, forest & Climate Change, Govt. of India

CM-13013/26/2021-TECH-RD-CHENNAI-RD (Chennai)

January 3, 2022

To

Smt. N. Nathami
New no. 14/1, Kamachipuram 1st street
West Mamabalam
Chennai – 600 033
Mob: 9962825131
Email: naadhami90@gmail.com

Sub: Vakalthnama for NGT (SZ) case in the matter of O. A. No. 227/2021 pending before NGT, (SZ), Chennai.

Sir,

The Regional Directorate, Chennai, Central Pollution Control Board is pleased to utilize services of your good office for conducting the above titled matter listed in Hon'ble NGT (SZ), Chennai. The duly signed vakalthnama is enclosed for further action at your end. The copy of tribunal order & application is also attached for your reference. Kindly ensure to appear in all hearings and protect the interest of CPCB. The payment shall be made as per prevailing norms of CPCB.

Yours faithfully

(H D Varalaxmi)
Regional Director

Encl: As above

Regional Directorate (Chennai), Second Floor, 77 - A, South Avenue Road, Ambattur Industrial Estate,
Chennai, Tamil Nadu 600 058, E-mail: cpcbrdchennai@gmail.com

Head Office: Parivesh Bhawan, East Arjun Nagar, Delhi – 110 032
Telephone: 011 – 43102030, Fax 22305793, 22307078, 22301932, 22304945
E-mail: cpcb@nic.in, Website: www.cpcb.nic.in

BEFORE THE NATIONAL GREEN TRIBUNAL SOUTHERN
ZONE

ORIGINAL APPLICATION NO.227 OF 2021

IN THE MATTER OF:

Battu Sathish Reddy,
Andhra Pradesh

..... Applicant (s)

Versus

National Thermal Power Corporation Ltd.,
Simhadri plant,
Andhra Pradesh and Others

.....RESPONDENT(S)

**AFFIDAVIT FILED ON BEHALF OF RESPONDENT NO. 4, CENTRAL POLLUTION
CONTROL BOARD (CPCB) IN COMPLIANCE TO HON'BLE NGT ORDER DT.
23rdNOVEMBER, 2021**

I, H. D. Varalaxmi, D/o Shri H.S. Devaiah, Hindu, aged about 51 years and having office at the Regional Directorate – Chennai, Central Pollution Control Board, 2nd Floor, 77-A, Ambattur Industrial Estate, Chennai – 600 058, do hereby solemnly affirm and sincerely state as follows:-

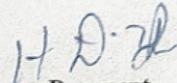
1. That I am presently working as Scientist 'E' & holding Charge of Regional Director (Chennai), Central Pollution Control Board (hereafter called as CPCB) and have been authorized to file the counter affidavit on behalf of 4th respondent. I am fully conversant with the facts of the case and hence, competent and authorized to depose and swear the present as under:
2. That the grievance in the application is regarding air pollution problem being faced by the applicant from the fly ash pond of respondent power plant which is located at less than 100 metre from the house and village of the applicant and regarding non-compliance of the conditions imposed in the Environmental Clearance (EC), including non-compliance of conditions related to rehabilitation of affected population, and non-compliance of the conditions of the Consent granted by SPCB to National Thermal Power Corporation Ltd (NTPC), Simhadri Power Plant at Vishakhapatnam.

This respondent respectfully submits that Environmental Clearance under the Environmental (Protection) Act 1986 is issued to industrial projects/activities by MOEFCC and Consents under the Water (Prevention and Control of Pollution) Act, 1974

H.D. Varalaxmi

and Air (Prevention & Control of Pollution) Act, 1981 are issued to industries by State Pollution Control Board (SPCBs). The respondent power plant is responsible for compliance of the conditions of EC and Consents as well as other applicable environmental regulations, e.g. in this case the Fly Ash Notification 1999 (as amended) issued under the Environmental (Protection) Act 1986 for utilization of fly ash. Therefore, comments on the allegations made by the Applicant can be provided by respondents number 1, 2 & 5

3. That this Hon'ble Tribunal by order dated 23.11.2021 constituted a joint committee to look into the grievances of the Applicant, and CPCB is a member of the joint committee. The observations made during field visits will be submitted to Hon'ble Tribunal as part of the committee report.

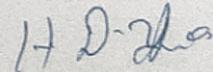

Deponent

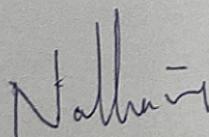
H.D. VARALAXMI, M.Tech
Regional Director
CENTRAL POLLUTION CONTROL BOARD
(MoEF & CC Govt of India)
Regional Directorate (Chennai)
2nd Floor, 77-A, South Avenue Road,
Arumbattur Industrial Estate, Chennai - 600 058

VERIFICATION

It is verified that the content of this Affidavit is based on official record and information available in the office are true and correct. Nothing has been concealed therein.

Signed and verified on this 5th day of January, 2022 at Chennai


Deponent


Counsel for CPCB

H.D. VARALAXMI, M.Tech
Regional Director
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