

**BEFORE THE NATIONAL GREEN TRIBUNAL  
(SOUTHERN ZONE) CHENNAI**

**ORIGINAL APPLICATION No. 24 OF 2023**

**In the matter of:**

Kosgi Venkataiah & Anr.....Applicant (s)

Versus

Union of India & 14

Ors.....Respondent(s)

**REPLY AFFIDAVIT FILED ON BEHALF OF RESPONDENT NO. 3,**  
**CENTRAL POLLUTION CONTROL BOARD**

I, H. D. Varalaxmi, D/o Shri H.S. Devaiah, Hindu, aged about 53 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 referred to as “CPCB”) and have been authorized to file the reply affidavit on behalf of Respondent No. 3. I am fully conversant with the facts of the case and hence, I am competent and authorized to depose and swear the present as under:



*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 - 800 058

2. This Answering Respondent submits that after perusing the Original Application filed by the Applicants thereby raising substantial questions relating to the environment arising out of illegal discharge of chemical water by the private respondents, without obtaining Environmental Clearance from Ministry of Environment, Forest & Climate Change (MoEFCC).

3. That the averments made in Paras 1 to 3 are matter of facts and record and hence requires no reply from this Answering Respondent.

4. That the averments made in Para 4 is about the reason of the present application by the applicants and requires no comments from this Answering Respondent.

5. That the averments made in Paras 5 to 6 are about the case of Original Application No. 165 of 2018 (PB), it is matter of court record and hence requires no reply from this Answering Respondent.

6. That the averments made in Paras 7 to 12 are about the case of Original Application No. 189 of 2019 (PB) and its order issued by Hon'ble NGT (PB), Delhi and the compliance status by the Joint Committee and Telangana State Pollution Control Board (TSPCB), it is matter of court record and hence requires no reply from this Answering Respondent.



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Regional Director  
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Regional Directorate (Chennai)  
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7. That the averments made in Para 13 is the representation by the applicants to the District Collector, Mahaboob Nagar, TSPCB and the details about action taken by the concerned departments. It is matter of record and hence needs no reply from this Answering Respondent.

8. That the averments made in Para 14 refers to the Rule 35, 36, 37 of NGT (Practice and Procedure) Rules, 2011, it is a matter of record and hence requires no reply from this Answering Respondent.

9. That the averments made in Paras 15 to 16 relates to TSPCB regarding Environmental Compensation (EC) collected from industries, non-disbursement to pollution victims, non –calculation of EC from the date of inception of industries and inaction of official respondents despite repeated violations committed by the pharma industries. This Answering Respondent submits that TSPCB is a regulatory authority and is empowered to grant the Consent to Establish (CTE) & Consent to Operate (CTO) to the industries and also to ensure compliance of the conditions of CTE & CTO to prevent air and water pollution. TSPCB can issue directions and take appropriate actions for the non-compliance of the conditions imposed in CTE & CTO and hence no comments from this Answering Respondent.

10. That the averments in Para 18 refer to the grounds on which the applicants have filed the application and this requires no comments from this Answering Respondent.



*H.D. Varalaxmi*  
**H.D. VARALAXMI, M.Tech**  
Regional Director  
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That in light of the above submissions, it is respectfully prayed that this Answering Respondent No.3 i.e. CPCB shall abide by any order or directions passed by this Hon'ble Tribunal.

*H.D. Varalaxmi*

**Deponent**

**H.D. VARALAXMI**, M.Tech  
Regional Director  
CENTRAL POLLUTION CONTROL BOARD  
(MoEF & CC, Govt. of India)  
Regional Directorate (Chennai)  
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### VERIFICATION

It is verified that the content of this Reply 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 10<sup>th</sup> day of April, 2023 at Chennai

*D S Ekambaram*

**D S Ekambaram**  
**Counsel for CPCB / R3**



*H.D. Varalaxmi*

**Deponent**

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