

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE**

INTERLOCUTORY APPLICATION NO.77 OF 2021

IN THE MATTER OF:

1. Yanati Srinivasulu Reddy, S/o Ramchandra Reddy
2. Magunta Krishna Reddy, S/o Subba Rami Reddy

..... Applicants

Versus

The Chief Secretary, Govt. of Andhra Pradesh,
Secretariat, Velagapudi
Amaravathi, Andhra Pradesh & 8 others

..... Respondents

**AFFIDAVIT ON BEHALF OF CENTRAL POLLUTION CONTROL BOARD (CPCB) IN
COMPLIANCE TO HON'BLE NGT ORDER DT. 20th May, 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 3rd 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. Applicants have submitted that they are from Nelathur Village, Muthukur Mandal, SPSR Nellore District, A.P. - 524 344 and thermal power plants related to Krishnapatnam Port are operational in Nelathur and Pynapuram villages. Which is running by name of M/s Damodara Sanjeevaiah Thermal Power Plant. Applicants have filed the present application seeking compensation alleging that land to the extent of 427.78 acres in Nelatur village is dry due to spreading of tones of toxic fly ash in and around Nelatur village, due to which pollution levels are became high. Water has been contaminated by toxic effluents discharged, chemicals and fly ash and water is not fit for consumption.
3. The applicants have submitted that they are below poverty line and both the applicants

have prayed to Hon'ble court to permit the petitioner to file this application by exempting the stipulated court fees.

4. Hon'ble NGT vide order dated 20.05.2021 has directed respondents to file their counter in the interlocutory application for exemption for payment of required fee within 2 weeks.
5. It is respectfully submitted that Commissioner & Directorate of Municipal Administration, Govt of Andhra Pradesh, Commissioner Panchayat Raj, Govt of Andhra Pradesh (village panchayat level, block panchayat level and district panchayat level) and Andhra Pradesh State Civil Supplies Corporation Ltd are entrusted with the responsibility of issuing BPL certificate and to facilitate elimination of bogus BPL certificates.
6. This respondent respectfully submits that the concerned state authorities are required to verify whether the applicants fall under Below Poverty Line and whether they can be exempted from payment of required fees to Hon'ble NGT. Further, it is pertinent to mention here that CPCB has no role in issuing of BPL certificates or verification of BPL certificates or elimination of bogus certificates or for exemption of payment of fees.

Hence, it is respectfully prayed that CPCB may be exempted from the list of respondents. However, CPCB is committed to abide by the order/directions, passed by the 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)
2nd Floor, 77-A, South Avenue Road,
Ambattur Industrial Estate, Chennai - 600 088

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 8th day of June, 2021 at Chennai

H. D. Varalaxmi

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,
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Nathani
Counsel for CPCB

