

**IN THE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE BENCH, CHENNAI
ORIGINAL APPLICATION NO. 263 of 2020(SZ) | 538**

IN THE MATTER OF:-

Meenava Thanthai K.R. Selvaraj Kumar,

Meenavar Nalasangam

.... Applicant(s)

-VS-

Union of India & Ors.

.... Respondent(s)

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

MR.GOKUL KRISHNAN MR

Panel Counsel for UOI
Counsel for the Respondents 1
Mobile No: 9962549483

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MOST RESPECTFULLY SHOWETH

I, M.T. Karuppiah S/o Shri. Masilamani aged about 50 years, presently working as Scientist "E" in the Regional Office (Southern Eastern zone) of the Ministry of Environment, Forests and Climate Changes (hereinafter referred to as MoEF&CC) at Chennai do hereby solemnly affirm and state 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.
4. It is submitted that the Hon'ble Tribunal vide its order dated 18.2.2021, *inter-alia*, has directed the Ministry of Environment, Forest and Climate Change (hereinafter referred as MoEF&CC) to furnish a reply against the question raised by the Hon'ble Tribunal on "Whether excluding the process for oil exploration projects for environmental clearance is legal or not".


Dr. M.T. Karuppiah
 Scientist 'E'
 Ministry of Environment Forest and Climate Change
 Integrated Regional Office, Chennai

5. It is most respectfully submitted that the MoEF&CC, in exercise of its powers under Sub-Section (1) and Clause (v) of Sub-Section (2) of Section (3) of the Environment (Protection) Act, 1986 has published the Environment Impact Assessment Notification, 2006 vide number S.O. 1533 (E), dated the 14.9.2006.
6. It is most respectfully submitted that, in exercise of the powers conferred by Sub-Section (1) and Clause (v) of Sub-Section (2) of Section 3 of the Environment (Protection) Act, 1986, the Central Government is empowered to re-categorize the off-shore and onshore oil and gas exploration projects to be granted EC under the provision of B2 category of the EIA Notification 2006 because exploration drilling is a temporary activity lasting only 3-4 months without having any permanent establishment or setup.
7. It is most respectfully submitted that the Ministry has not excluded off-shore and onshore oil and gas exploration projects from the requirement of EC.
8. It is submitted that the present reply affidavit may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate Order(s), direction(s) as deemed fit and proper under the facts and circumstances of the present case.
9. That other/ancillary issues raised in the application under reply do not pertain to the answering respondent. The Answering Respondent seeks leave to make additional submissions, if required, during the course of the proceedings.


DEPONENT

Dr. M.T. Karuppiah
 Scientist 'F'
 Ministry of Environment, Forest and Climate Change
 Integrated Regional Office, Chennai

VERIFICATION

Verified at Chennai on 14th this day of June, 2021 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. M.T. Karuppiah
 Scientist 'F'
 Ministry of Environment, Forest and Climate Change
 Integrated Regional Office, Chennai

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