

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE SITTING AT CHENNAI

(Under Section 18 (1) read with Section 14 (1) of
the National Green Tribunal Act 2010)

ORIGINAL APPLICATION No. 118 of 2021 (SZ)

D. Sakthivel,
S/o. Devaraj,
No.23, Main Road,
Pavai Thanneerpandal Palayam, Periyasemur
Erode District - 638 004

... Applicant

--Vs--

The District Collector
Erode District,
Collectorate Complex, State Highway 96,
Erode - 638 001 and others

... Respondents

INDEX TO ADDITIONAL DOCUMENT NO.5 FILED BY THE APPLICANT

Sl. No.	Description of Document	Page No.
1	Annexure – 1 : Order dated 01.10.2020 passed by the Hon'ble Division Bench of Madras High Court in HCP Nos. 565 and 589 of 2020 recording use of 91 Nos. of forged NOC s to set up Petrol pumps by the OMC s in Tamil Nadu.	1 - 3
2	Annexure – 2 : News Paper Report dated 19.07.2017 regarding arrest of 3 Revenue Officials in Chennai for taking bribes to issue NOC for a Petrol pump .	4
3	Annexure – 3 : News Paper Report dated 09.11.2019 regarding arrest of Fire Officer, Coimbatore for taking bribes for issuing NOC for a Petrol Pump.	5
4	Annexure – 4 : F I R No. RC/MAI/2018 A 0008 dated 07.04.2018 registered by CBI against the former Joint Chief Controller of Explosives , Chennai and others for taking a bribe to issue explosives licence to a Petroleum outlet .	6 - 9

Filed by :



V.B.R. Menon
Counsel for Applicant
Mobile ; 9384762930

E-mail: vbrmenon@gmail.com

Place : Chennai-600078
Date : 16.11.2021

ANNEXURE - 1

H.C.P.Nos.565 & 589 of 2020

H.C.P.Nos.565 & 589 of 2020

N.KIRUBAKARAN, J.

and

P.VELMURUGAN, J.

(Order of the Court was made by **N.KIRUBAKARAN,J.**)

The matter relates to fabrication of No Objection Certificates issued by the Commissioner of Police and other authorities for the purpose of getting license to petroleum and gas outlets from the appropriate companies and the detenu is also one of the persons who was involved in the fabrication of No Objection Certificates. Therefore, this Court has directed the learned Additional Public Prosecutor to find out as to how many persons have used fake No Objection Certificates for obtaining license to their petroleum and gas outlets.

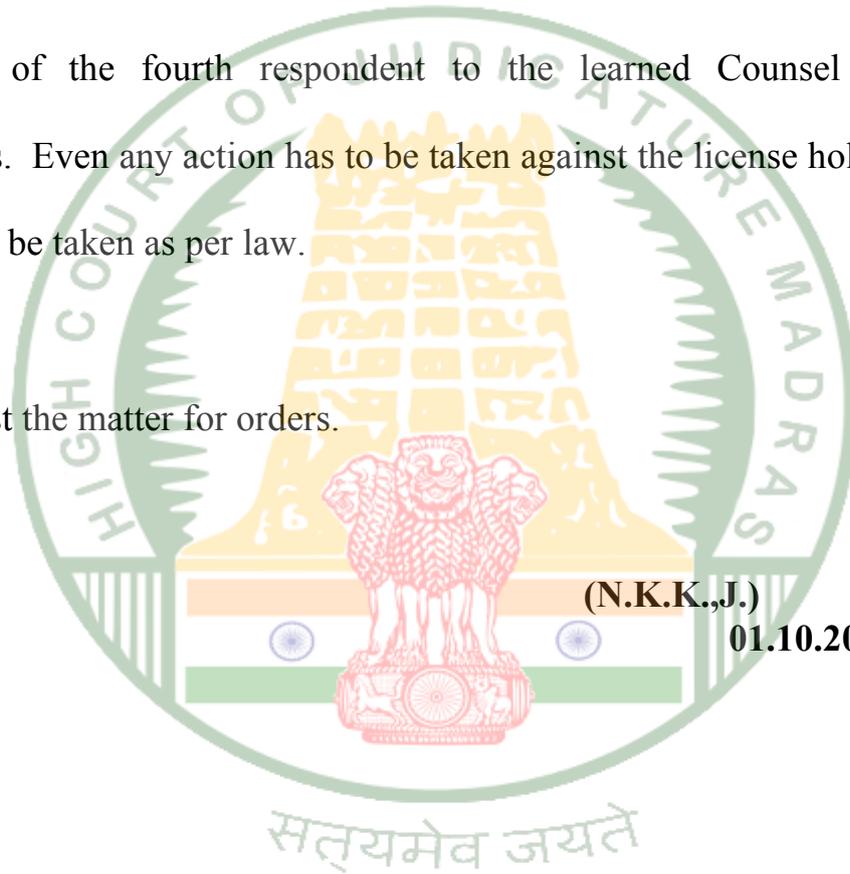
2.The learned Additional Public Prosecutor submitted that so far licenses to 91 Petroleum and gas outlets have been issued with fake No Objection Certificates. Mr.G.Karthikeyan, learned Assistant Solicitor General appearing for Central Government submitted that report of the fourth respondent will be filed before this Court by way of circulation. However, Mr.Salim, learned Standing Counsel for the respondents 10, 11

H.C.P.Nos.565 & 589 of 2020

and 12 submitted that only after furnishing the details of the fake No Objection Certificates and the persons involving in the fabrication of No Objection Certificate, action can be taken against the license holders. Therefore, the learned Additional Public Prosecutor is directed to circulate the report of the fourth respondent to the learned Counsel for the respondents. Even any action has to be taken against the license holders, the same has to be taken as per law.

3.Post the matter for orders.

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(N.K.K.,J.)

(P.V.,J.)

01.10.2020

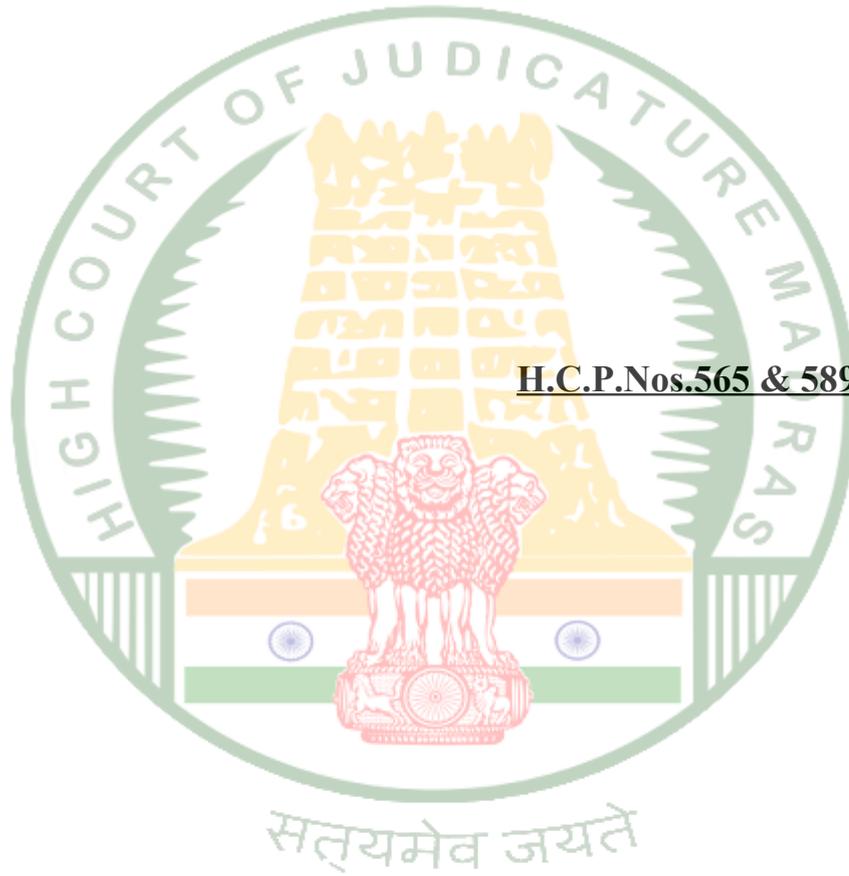
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N.KIRUBAKARAN, J.
and

H.C.P.Nos.565 & 589 of 2020

P.VELMURUGAN, J.

ay



H.C.P.Nos.565 & 589 of 2020

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Dated:01.10.2020

THE TIMES OF INDIA

Three revenue officials held for taking bribe in Chennai

TNN | Jul 19, 2017, 03.31 PM IST

CHENNAI: Sleuths of the Directorate of Vigilance and Anti-Corruption (DVAC) have arrested three revenue officials -- a revenue divisional officer, a tahsildar and a revenue inspector -- for demanding and accepting a bribe of Rs 1 lakh from a fuel station owner to issue a clearance certificate.

The DVAC officials, led by a deputy superintendent of police and inspectors of police nabbed the revenue divisional officer (RDO) Ravichandran, Alandur tahsildar Dhanasekaran and revenue inspector Muthalagan on Tuesday night when they were accepting the bribe from the complainant, Mohanasundaram, who runs a fuel refilling station at Adambakkam.

The trio asked Mohanasundaram to visit the Tambaram RDO office to hand over the money to them.

As directed by the DVAC officials, Mohanasundaram gave currency notes laced with chemicals, which would stick on the hands of people who touch it.

Mohanasundaram walked into the office and gave the currency notes to the RDO, who received the money from him, while the revenue inspector and the tahsildar were also present inside. When Mohanasundaram came out of the room, DVAC officials entered the room and caught all the three revenue officials red-handed.

The DVAC officials seized the bribe money -- Rs1 lakh -- from them and recorded their statements after taking their fingerprints.

They were produced in a judicial magistrate court at Chengapet on Wednesday and remanded in judicial custody.

THE TIMES OF INDIA

Dist fire officer caught taking bribe of Rs 40K

tnn | Nov 9, 2019, 04.38 AM IST

Coimbatore: The district fire officer was caught red-handed accepting a bribe of Rs 40,000 from an elderly man on Friday evening to issue him a no objection certificate (NOC) to start a petrol bunk.

Directorate of Vigilance and Anti-Corruption (DVAC) sleuths said they arrested the officer, M Balasubramaniam, 52, based on a complaint lodged by Baladhandapani, 63, of Avarampalayam.

According to a DVAC sleuth, Baladhandapani had approached the district fire officer seeking no objection certificate to start the petrol bunk at Kannampalayam near Sulur. 'The officer, however, demanded Rs 50,000 from Baladhandapani to issue the certificate. At the end of a hard bargaining, the officer settled for Rs 40,000.'

Baladhandapani, meanwhile, lodged a complaint with the DVAC sleuths, who gave him chemical coated currencies to be handed over to the officer. As directed by them, Baladhandapani met the officer on Friday at the office of the district fire and rescue services on SBI Road and handed him over the cash that he received from the DVAC sleuths. They caught the officer while accepting the bribe.

DVAC sleuths said Baladhandapani had recently obtained permission from the Hindustan Petroleum Corporation Limited to open a new petrol bunk. "So, he approached the district fire officer to get the no objection certificate. The officer was booked under Section 7(a) of the Prevention of Corruption Act," another officer said.

ANNEXURE - 4

6

FIRST INFORMATION REPORT (Under Sec. 154 Cr.P.C.)

S.P.E.C.-II

Serial No. 008

1. District : Chennai PS: CBI/ACB/Chennai - 2018 Year 2018 FIR No. RC MAI 2018 A 0008 Date 07.04.2018
0830 hours

2. (1)Act : IPC Sections: 120-6
(2)Act : PC Act 1988 Sections: 7,8& 12
(3)Act : Sections:
(4) Other Acts It Sections --

3. (a) Suspected Offence: Criminal 'conspiracy, Demanding illegal gratification by Public Servant, inducing public servant and abetment.

(b) Day Date Time

(c) Information received at Ps

Entry No.17 Date: 07.04.2018 Time : 0700 Hrs

4. Type of Information: Source Information Written / Oral: Oral

5. Place of Occurrence: Chennai, Trichy, Perambalur & other places

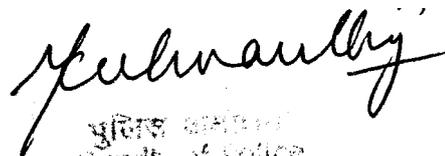
(a) Direction It Distance from PS ----- Beat No.-----

(b) Address -----

(c) In case, outside the limit of this Police Station, then

Name of PS

District-


Superintendent of Police
CBI, ACB, Chennai

6. Complainant / Informant:

(a) Name-

(b) Fathers / Husband's Name

(c) Date of Birth -----

(d) Nationality :

(e) Passport No.

Date of
IssuePlace of
Issue

(f) Profession

(g) Address

7. Details of Known / Suspected / Unknown accused with full particulars : (Attached separate sheet, if necessary)

A-1 Shri AK.Yadav, Joint Chief Controller of Explosives, Petroleum and Explosive Safety Organisation (PESO), IInd Floor, Shastri Bhavan, Chennai and unknown public servants and/or private persons.

A-2 Shri D. Sakthivel, M/s.AR & ce., Perambalur

A-3 Shri Kumaresan, M/s. Centaur Consultants, Chennai,

8. Reasons for delay in reporting by the complainant / informant

9. Particulars of properties Stolen (Attach separate sheet, if necessary)

10. Total value of property stolen

11. Inquest Report / U.D. case No. if any

12. First Information contents (Attach separate sheet if required)

K. Subramanyam
 కృత్యాలు
 కృత్యాలు
 కృత్యాలు

INFORMATION

A reliable information has been received to the effect that Shri A.K.Yadav, Joint Chief Controller of Explosives, Petroleum and Explosive Safety Organisation (PESO), Shastri Bhavan, Chennai had demanded Rs.30,000/- from one Sh D.Sakthivel of M/s AR & Co., Perambalur and would be accepting illegal gratification for conducting inspection of the premises of the said company who have applied for grant of License, for storage of the Argon Gas cylinders in a building being constructed by him.

2. Information further revealed that Shri D. Sakthivel, constructed a building for storage of Argon Gas Cylinders at Perambalur after obtaining necessary NOC from Police Department, District Collectorate of Perambalur, etc. He had obtained NOC for

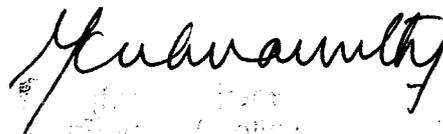
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construction of the said building from Shri A.K. Yadav. In March 2018, the construction of building was completed by Shri Sakthivel and thereafter he applied to PESO, for issue of License for storage of the Argon Gas cylinders, through Shri Kumaresan, Centaur Consultants,' -Chennai, who is a middleman. It is revealed that Shri Kumaresan coordinated on behalf of Shri D Sakthivel, with Shri A.K. Yadav, and arranged for the inspection of the said building on 07.04.2018.

3. Shri A K Yadav had also demanded air ticket from Shri Sakthivel for the travel from Chennai to Trichy and back. Shri Kumaresan had informed Shri Sakthivel to hand over Rs. 30,000/- in a cover to Shri Yadav when he visits for inspection at Perambalur on 07.04.2018

4. The above information discloses prima facie commission of cognizable offences by Shri A.K.Yadav, Joint Chief Controller of Explosives, Chennai, Shri D. Sakthivel, Perambalur, Shri Kumaresan, Centaur Consultants, Chennai, and other unknown public servants and private persons punishable under the Sections 120-B IPC and Sections 7, 8 and 12 of the Prevention of Corruption Act, 1988.

Hence the FIR


 Subramanyam
 Joint Chief Controller of Explosives
 PESO, Shastri Bhavan, Chennai
 07.04.2018

13. Action taken : Since the above information reveals commission of offence(s) u/s as mentioned at item No~2

(1) Registered the case and took up the investigation or

Registered a case

(2) Directed (Name of 10) Rank No. Took up for Investigation

Case entrusted to Shri P.Muthukumar, Inspector of Police, CBI, ACB, Chennai for investigation.

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(3) Refused investigation due ,to ----- or

(4) Transferred to PS District on point of jurisdiction

FIR read over to the complainant/informant, admitted to be correctly recorded and a copy given to the complainant/informant, free of cost.

15. Signature/Thumb impression
Of the complainant/informant

Signature of Officer in-charge
Police Station


7/4/18

Name N Krishnamurthy
Rank: Superintendent o.ol~~~
CBI, ACB, Chennai :. , _

15. Date and time of dispatch to the court: 07.04.2018 @ 0930 hrs

To

The Hon' ble Principal Special Judge for CBI Cases, Chennai.


7/4/18
Signature of recording Officer with date
Sund. of Police
CBI, ACB, Chennai.

**BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL SOUTHERN ZONE
SITTING AT CHENNAI**

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And

The District Collector
Erode District
Collectorate Complex,
State Highway 96
Opp. District Court,
Palayapalayam,
Erode - 638 001 ... Respondents
and 7 others

**ADDITIONAL
DOCUMENTS NO.5**

**V.B.R Menon, B.E, MBA(IIMA), LLB,
(Ms – 23 / 2012)
Counsel for the Applicant
Ph: 9384762930**