

**Report submitted by District Collector, Kanniyakumari District to Hon'ble National Green Tribunal (SZ) with respect to its order dated 07.09.2020 in O.A No. 167 of 2020 (SZ) filed by Thiru. A. Vijayan, S/o. Ayyakutty, Carol & Bharat Vilai, Vijayapuram, Kirathoor Post, Kanniyakumari District**

It is submitted that Hon'ble National Green Tribunal (SZ), in its order dated 07.09.2020 in O.A No. 167 of 2020 (SZ) filed by Thiru. A. Vijayan, S/o. Ayyakutty, Carol & Bharat Vilai, Vijayapuram, Kirathoor Post, Kanniyakumari District has directed as follows.

..... to appoint a joint committee comprising of 1) the District Collector, Kanniyakumari District or Senior Officer not below the rank of Assistant Collector or Revenue Divisional Officer, as designated by the District Collector 2) A Senior Officer / Scientist designated by the Chairman of Tamil Nadu State Pollution Control Board to inspect the area in question and submit a factual as well as action taken report, if there is any violation found.

The committee is directed to ascertain as to whether there was any violation regarding the siting criteria as per the guidelines provided by the Central Pollution Control Board in respect of the establishment of the new petroleum outlets near residential area.

In this regard, it is submitted that the Member Secretary, Tamilnadu Pollution Control Board, Chennai vide Board Proc. No. T1/TNPCB/ LAW/LAIII/NGT/017142/NGT case /2020, dated: 28.09.2020 has nominated the District Environmental Engineer, Tamil Nadu Pollution Control Board, Nagercoil as the Nodal Officer of the Joint Committee.

Accordingly, the joint committee comprising of the Sub Collector, Padmanabhapuram, Kanniyakumari District as nominated by the District Collector, Kanniyakumari District and the District Environmental Engineer, Tamilnadu Pollution Control Board, Nagercoil has inspected the petrol pump site at Survey No. 675/7 & 675/8A, Kollencode 'B' Village, Killiyoor Taluk, Kanniyakumari District on 23.10.2020 in the presence of Thiru. K. Chandar, Senior Manager (Retail Sales), Indian Oil Corporation Limited, Madurai Division, Thiru. A. Vijayan (Applicant), S/O. Ayyakutty, Carol & Bharat Villai, Vijayapuram, Kirathoor Post, Kanniyakumari District and Thiru. Antony Vijayan (Respondent unit), S/o. Singarajan, Kalingarajapuram, Villavilai, Kollencode Post, Kanniyakumari District and the following observations were made.

1. The proposed petroleum retail outlet owned by Thiru. Antony Vijayan obtained dealership with IOCL and the site was located at Kirathoor, Kollencode 'B' Village, Killiyoor Taluk, Kanniyakumari District.
2. The unit has installed 2 Nos. of underground storage tanks of capacity 20 KL each (one for Diesel and other for Petrol storage)
3. The unit has provided necessary firefighting equipments.
4. The unit has installed 2 Nos. of fuel dispensing equipment.
5. The site of the unit is surrounded by the following topography.  
North - Residences  
South - Residence & Coconut Farm  
East - Road connecting Nithiravillai & Kollencode & Residence  
West - Vacant land & a residence.
6. The total area of the site is 1103 sq.m.
7. The Boundary of the residence located in the North, South & East is at a distance of about 18m, 13.51 m & 17.7 m from the fuel dispensing unit respectively.
8. The siting criteria as specified by the CPCB in O.M No. B-13011/1/2019-20/AQM/10809, dated: 07.01.2020 has issued guidelines for setting up new petrol pump in compliance of Hon'ble NGT order dated 18.01.2019 in O.A No.86/2019, Gyanprakash @ Pappu Singh Vs Gol & ors in which the siting criteria states that

New Retail Outlets shall not be located within a radial distance of 50 meters (from fill point / dispensing units/vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential areas designated as per local laws.

In case of constraints in providing 50 meters distance, the retail outlet shall implement additional safety measures as prescribed by PESO. In no case the distance between new retail outlet from schools, hospitals (10 bed and above) and residential area designated as per local laws shall be less than 30 meters, No high tension line shall pass over the retail outlet.

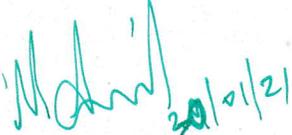
As per CPCB letter No. B-29016/ROGW/IPC-VI/2020-21, dated: 30.04.2020 states that the Automobile fuel outlets (only dispensing) facility is exempted from the purview of Consent Management.

9. No. high tension TNEB line passes over the proposed site and only a TNEB Transformer is located to the eastern side of the unit site on the other side of the existing road.

10. The unit has obtained approval / permission from the Dy. Controller of Explosives, Petroleum and Explosive Safety Organisation (PESO) vide letter dated 31.08.2020 for storage of petroleum Class A in bulk -20 KL and petroleum Class B in tank -20 KL as furnished by the unit.
11. The District Revenue Officer and Additional District Magistrate, Kanniyakumari District vide letter No. R.Dis. C1/36835/2019, dated: 15.06.2020 has issued No objection Certificate for the storage of petroleum products at Survey No. 675/7, 675/8 (Part), Kollencode 'B' Village, Killiyoor Taluk, Kanniyakumari District as furnished by the unit.

**Recommendation of the Joint Committee**

1. The area of the site is not classified as residential (or) commercial areas as informed by Executive Officer, Kollencode Town Panchayat vide his letter dated: 20.03.2020 as furnished by the unit.

  
District Collector,  
Kanniyakumari District.