

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

Original Application No.167 of 2020 (SZ)

A. Vijayan

...Applicant(s)

Versus

**The District Collector,
Kanyakumari District,
Nagercoil and others.**

... Respondent(s)

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**Filed by
Thiru.C. Kasirajan,
Advocate, Chennai.**

Joint Committee Report submitted 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 Villai, Vijayapuram, Kirathoor Post, Kanyakumari 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 Villai, Vijayapuram, Kirathoor Post, Kanyakumari District has directed as follows.

".... to appoint a joint committee comprising of 1) the District Collector, Kanyakumari District, or a 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.

The committee shall also give notice to the parties as far as possible so as to secure their presence at the time of inspection.

The Tamil Nadu Pollution Control Board will be the nodal agency for co-ordination and for providing all necessary logistics for this purpose.

The committee is directed to submit the report to this Tribunal within a period of one month i.e., on or before 12.10.2020 by e-filing by producing necessary hard copies to be produced as per rules."

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, Tamilnadu 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 had inspected the petrol pump site at Survey No. 675/7 & 675/8A, Kollencode 'B' Village, Killiyoor Taluk, Kanyakumari 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, Kanyakumari District and Thiru. Antony Vijayan (Respondent unit), S/o Singarajan, Kalingarajapuram, Vallavilai, Kollencode Post, Kanyakumari District and the following observations were made.

Observation of the Joint committee:

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, Kanyakumari 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 fire fighting 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 18 m, 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 retail outlet from schools, hospitals (10 beds 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 enclosed in Annexure II with the list of non-industrial operations 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, Kanyakumari 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.



T. Kannan,
District Environmental Engineer (a/c),
Tamilnadu Pollution Control Board,
Nagercoil.



Tmt. Sharanya Ari, J.A.S.,
Sub Collector,
Padmanabhapuram,
Kanniyakumari District

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In the second section, the author outlines the various methods used to collect and analyze the data. This includes both primary and secondary data collection techniques. The primary data was gathered through direct observation and interviews, while secondary data was obtained from existing reports and databases.

The third section details the statistical analysis performed on the collected data. This involves the use of descriptive statistics to summarize the data and inferential statistics to test hypotheses. The results of these analyses are presented in the following tables and charts.

The final part of the document provides a comprehensive conclusion based on the findings. It highlights the key insights gained from the study and offers practical recommendations for future research and implementation. The author also acknowledges the limitations of the study and suggests areas for further exploration.

The data presented in this report is confidential and should be used solely for the purposes stated. Any unauthorized distribution or use is strictly prohibited.

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**JOINT COMMITTEE REPORT FILED BY
THE TNPCB IN NGT O.A.NO.167 OF
2020(SZ) FILED BY THIRU A.
VIJAYAN, KANYAKUMARI DISTRICT.**

**Advocate for Respondent :TNPCB
Thiru.Kasi Rajan,
Advocate, Chennai.**

Date:17.12.2020