

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SZ) CHENNAI**

Original Application No. 17 of 2021

BETWEEN

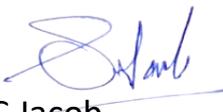
**VIPIN NATH AV & SINU C JACOB-----
APPLICANTS**

Versus

**M/s BHARAT PETROLEUM CORPORATION LIMITED AND OTHERS-----
RESPONDENTS**

***The documents submitted are true copies of their originals**


Vipin Nath A V
First Applicant


Sinu C Jacob
Second Applicant

Signature of Applicant

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Vipin Nath AV


Sinu C Jacob

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SZ) CHENNAI**

Original Application No. 17 of 2021

Between:

1. Vipin Nath A V

S/O N K Viswanathan
Ammencheril House, Kakkad Kara,
Mamala PO, Ernakulam Dist
Kerala – Pin – 682305
Mobile – **9747773607**
Email: vipinnathammencheril@gmail.com

2. Sinu C Jacob

Thondattil House
Kakkad Kara, Mamala PO, Ernakulam Dist
Kerala – Pin – 682305
Mobile – 8281492012
Email: sinujacob2012@gmail.com

AND

1. M/s Bharath Petroleum Corporation Limited

Rep. by its General Manager (Public Relations)
(Propylene Derivatives Petrochemical Project- PDPP)
Post Bag No. 2, Ambalamugal-
Ernakulam District, Kerala, Pin – 682302
Mob: +91 9967239420, 0484-2821402
Email – thomasg@bharatpetroleum.in

2. Ministry of Environment, Forest & Climate Change

Rep. by its Secretary
Indira Paryavaran Bhavan,
Jorbagh Road,
New Delhi - 110003
Mob: +91 11 24695262
Email – secy-moef@nic.in



- 3. Central Pollution Control Board**
Rep. by its Member Secretary
'Parivesh Bhawan', East Arjun Nagar,
Shahdara, Delhi-110032
Tel: 011- 43102030
Email: mscb.cpcb@nic.in

- 4. Engineers India Limited**
Rep. by its Company Secretary & Nodal Officer
El Bhavan, 1, Bhikaiji Cama Place,
New Delhi – 110 066, India
Tel: 011-26762855
Email: company.secretary@eil.co.in

- 5. Kerala State Pollution Control Board**
Rep. by its Member Secretary
Pattom P.O., Thiruvananthapuram - 695 004
Email: ms.kspcb@gov.in

- 6. Petroleum and Explosives Safety Organization**
Rep. by its Chief Controller of Explosives
A Block CGO Complex Fifth floor Seminary Hills
Nagpur-(Maharashtra) 440006
Phone: 7122510248
Email: explosives@explosives.gov.in

- 7. OIL INDUSTRY SAFETY DIRECTORATE**
Rep. by its Executive Director
8th Floor, OI DB Bhawan, Plot No 2,
Sector-73, Noida Noida, Uttar Pradesh, 201301
Tel: 0120 - 2593800
Email: ED-Noida.oisd@gov.in,

- 8. DIRECTORATE OF FACTORIES & BOILERS**
Rep. by its Director
Suraksha Bhavan
Kumarapuram, Medical College.P.O.
Thiruvananthapuram
Kerala- 695 011
Tel: +91-471-2441597, 2440974, +91-471-2441741
Email: directorate.fab@kerala.gov.in



.... Respondents

**REJOINDER FILED BY APPLICANT TO THE OBJECTION
SUBMITTED (PART-3)**

To,

THE HON'BLE CHAIRMAN AND HIS COMPANION MEMBER OF THE NATIONAL GREEN
TRIBUNAL

**HUMBLE APPLICATION SUBMITTED
BY THE APPLICANTS ABOVE NAMED**

1. The first applicant is **Mr. Vipin Nath A V**, residing Kakkad Kara, Ammencheril H, Near South Side of PDPP project, Mamala PO, Kerala and second applicant is **Mr. Sinu C Jacob**, residing Kakkad Kara, Thondattil H, Near South Side of PDPP project, Mamala PO, Kerala. The applicants are permanent residents at the above-mentioned address. The applicants are interested in the protection of the environment and the families living closer to the BPCL Petrochemical project (Kakkad Kara, South Side of PDPP). It is submitted that the present application has been seeking appropriate direction to **develop Green Belt and Buffer Zone** around the boundary in Kakkad Kara (South Side of PDPP project). I am filing the present rejoinder as filed against the objections submitted by the 1st respondent. **(Part-3)**

2. In the rejoinder (Part-2) submitted on 22/09/2021, the applicants were mentioned about the intense noise and explosion sound that occurred on 18/09/2021. **(Page No 3, Point-2)**. The 1st respondent authorities had also replied to the State Pollution Control Board in the subsequent complaint. Copy of the letter dated 27th September 2021 from 1st respondent (KR.HSE.ENV.05. HSSE.KS) to Kerala State Pollution Control Board regarding the query of heavy sound and fire from PDPP is produced herewith and marked as **Annexure 1**.

3. With respect to the document KR.HSE.ENV.05. HSSE.KS, the authorities claims that there have been no abnormalities in the PDPP unit. BPCL-Kochi Refinery categorically denies the allegations and states that complainant is trying to mislead KSPCB with false information and camouflaged footages.



4. Having experienced similar issues from a high hazard petroleum installation (1st respondent-PDPP) it is necessary counter check the CAAQM stations, so that emission and other environmental parameters are well within the stipulated standards. In addition, it is essential to install working **CAAQM stations, Smell detectors and CCTV** through KSPCB surveillance system after develop Green Belt and buffer Zone. Because there is no other way for the neighbors to collect evidence and inform the authorities about the difficulties.
5. Hence the recommendation of technical committee which includes almost all the regulatory authorities shall be enforced immediately. So, I pray before the Hon'ble National Green Tribunal to stop all the activities in BPCL- Propylene Deratives Petrochemical Project until the Green Belt and Buffer Zone is developed.
6. The light emits from the 1st respondent PDPP site and the intense lights are placed around the boundary of the project causes a lot of difficulties at night. The complaint has been lodged several times but no action has been taken so far. It is necessary to formulate new rules to prevent such heavy light at night.
7. Considering Bharat Petroleum Corporation Limited as a single unit they should develop Green Belt or Buffer Zone around the unit whichever is more shall be appliable to protect the environment and the families living closer to the project.
8. Pass such further order or orders as may be fit proper and necessary in the facts and circumstances of the case and thus render justice.



Vipin Nath A V
First Applicant



Sinu C Jacob
Second Applicant

Signature of Applicant

भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड

भारत सरकार का उपक्रम

कोच्चि रिफ़ाइनरी

**BHARAT PETROLEUM CORPORATION LIMITED**

A Govt. of India Enterprise

Kochi Refinery**KR.HSE.ENV.05.HSSE.KS****27/09/2021**

To

**The Environment Engineer,
District Office - 2, Ernakulam,
Kerala State Pollution Control Board,
Perumbavoor - 683542**

**Sub : Submission of BPCL Kochi Refinery to KSPCB regarding query of heavy sound and fire
from PDPP project area issued by good office**

Ref: Letter No. PCB/EKM/DO-II/IAO-217/07 dated 22.09.2021

Respected Sir,

This has reference to the letter no: **PCB/EKM/DO-II/IAO-217/07 dated 22.09.2021** issued by your good office regarding heavy sound and fire from PDPP project area. Kindly find below our commitments and clarifications with respect to concern raised by your good office in the aforementioned letter.

BPCL Kochi Refinery would like to draw your kind attention to the fact that we have been operating complex refinery units of world scale capacity at Ambalamugal, Ernakulam for past several decades in a clean, green and safe manner. We have always displayed highest level of commitment towards all the compliance conditions and stipulated norms regarding protection of health, safety and environment for our stakeholders. The Environment, Health and Safety Management systems in place at BPCL-KR are the best in class. The same amount of persistent attention and vigil are being maintained for Propylene Derivatives Petrochemical Project (PDPP) also.

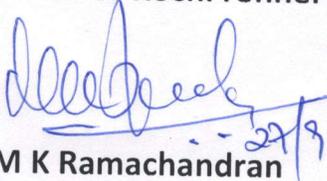
Regarding the concern raised by your good office about heavy sound and fire from PDPP project area, we would like to inform you that there have been no abnormalities in the PDPP unit. BPCL - Kochi Refinery categorically denies the allegation regarding explosion, fire, loud noise and smoke on 18-09-2021 in our PDPP complex. We would also like to submit that the plume seen is steam being vented through a muzzler and the background flaring is the flare connected to the refinery units. The complainant is trying to mislead KSPCB with false information and camouflaged footages.

As communicated earlier, PDPP units & facilities are under varies stage of commissioning and stabilization. Let us assure and bring to your kind attention that there has been no instance of violation with respect to relevant conditions of Environmental clearance (EC) / Consent to Establish (ICE) / Consent to Operate (ICO) or any other clearances / norms applicable for this facility.

We carry on our responsibility as a valuable citizen not just at work, but also at home and to our extended society. As a responsible corporate citizen, we have our commitments towards managing the environment and we assure you that, BPCL would take all necessary measures to ensure that the environment in our area is maintained normal and protected at all times.

Thanking you,

For BPCL Kochi refinery

A handwritten signature in blue ink, appearing to read 'M K Ramachandran', with a date '27/9' written below it.

M K Ramachandran
General Manager in Charge (HSE)