

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI.**

Original Application No.176 of 2020 (SZ)

V.B.R.Menon, B.E (Mech), MBA (IIMBA), LLB,
Advocate,
Flat No: 4B, Brook Dale Apartments,
No.12, P.T.Rajan Salai,
K.K.Nagar, Chennai – 600 078
E-mail: vbrmenon@gmail.com
Contact No: 9384762930

...Applicant

Vs

1. The Commissioner of Police,
Trichy City Police Office,
Pudukottai Main Road, Subramaniapuram,
Tiruchirapalli – 620 020
And 5 others

... Respondents

**REPORT FILED ON BEHALF OF THE 2ND RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD.**

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

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Vs

1. The Commissioner of Police,
Trichy City Police Office,
Pudukkottai Road,
Subramaniapuram,
Tiruchirapalli – 620 020,
Email: cop.trichy@tncvctns.gov.in
2. The Joint Chief Environmental Engineer,
Tamilnadu Pollution Control Board,
No.25, Developed Plots, Thuvakudy,
Trichy-620 015.
Email ID: jceetry@gmail.com
Phone:0431-2502020
3. The Joint Chief Controller of Explosives,
A and D wing, Block 1-8,
2nd Floor, Shastri Bhavan,
No.26, Haddows Road,
Nungambakkam,
Chennai-600 006.
Email: jtccechennai@explosives.gov.in
Phone: 044-28281023 / 28287119.
4. The Commissioner,
Trichy City Municipal Corporation,
No.58, Bharathidasan Salai,
Opp: Champion School, Cantonment,
Tiruchirapalli – 620 001.
E-mail: commr.trichy@tn.gov.in
Phone:0431 – 2412860

G. Srinivasan
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No. 76, MOUNT SALAI, CHENNAI-600 032

5. The District Collector,
Trichy District,
District Collector Office, Raja Colony,
Tiruchirapalli – 620 001
Phone:0431-2415031
E-mail:collrtry@nic.in
6. M/s. Indian Oil Corporation Ltd.,
Rep. by the Divisional Manager,
3rd Floor, No.B-35, Shastri Road,
Thillai Nagar, Trichy – 620 018.
Phone:0431 – 2742011 / 274202
Email:iocl.cocc@indianoil.in

... Respondents

REPORT FILED ON BEHALF OF THE 2ND RESPONDENT
TAMIL NADU POLLUTION CONTROL BOARD.

I, G. Gopalakrishnan, S/o. V. Gandhi, Hindu, aged about 57 years, having my office at No. 76, Mount Salai, Guindy, Chennai – 32, do hereby solemnly affirm and sincerely state as follows:-

1. I am the Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai and I am filing this Report on behalf of the 2nd Respondent Board and as such I am well acquainted with the facts of the case as per records.

2. It is respectfully submitted that the grievance in this application is regarding the establishment of New Petroleum retail outlet adjacent to several residential buildings and commercial buildings in violation of the siting criteria prescribed by the Central Pollution Control Board (CPCB) in Office Memorandum No.B-13011/1/2019-20/AQM/10802-10847 dated 07.01.2020.

3. It is respectfully submitted that the Hon'ble NGT, Southern Zone, Chennai vide its order dated 17.09.2020 has passed orders among other things as follows:

G. Gopalakrishnan
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No. 76, MOUNT SALAI, CHENNAI-600 032

“The committee as well as the official respondents are directed to submit the report of the independent response in this regard on or before 28.10.2020 by e-filing along with required hard copies to be produced as per rules”.

4. It is respectfully submitted that the CPCB vide Office Memorandum No.B-13011/1/2019-20/AQM/10802-10847 dated 07.01.2020 has issued guidelines for setting up of New petrol Pumps in Compliance of Hon'ble NGT Order dated 18.01.2019. Wherein with respect to siting criteria of Retail outlet, CPCB has stipulated the following guidelines:

In case of siting criteria for petrol pumps 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 the PESO. In no case the distance between new 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.

5. It is respectfully submitted that in pursuance to the above said NGT order, based on which the CPCB has issued guidelines, the site was inspected by the District Environmental Engineer, Tamil Nadu Pollution Control Board, Trichy on 24.10.2020 and reported as follows:

G. Govindarajan
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
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- i. The Petroleum retail outlet was under operation since 01.09.2020.
- ii. There are several Residence and commercial buildings adjacent to this Retail outlet.
- iii. The Four boundaries are as follows:
 - North: TS No.2469 Sastha Sagar Apartments
 - East : TS No. 2453 Street
 - South: TS No.2471 Premier Subhashek Apartment
 - West: TS No.2466 , Ward A, Block 43 TS No.1450/1 Ammamandapam Road
- iv. The northern side Sastha Sagar Apartments is located at a distance of 2 Meters from the boundary of Retail outlet. (Distance of Filling station is 10 M)
- v. The south side Premier Subhashek Apartment is located at a distance of 2 Meters from the boundary of Retail outlet. (Distance of Filling station is 10M)
- vi. In the East side at a distance of 24.50M from filling station, there are so many individual houses are located.
- vii. In the western side at a distance 22.20M there are so many individual houses are located and the distance of filling station is 30.20M.
- viii. There is a Transformer located at a distance of 16M from filling station in western south side of the Retail outlet.
- ix. The location of the above said petroleum retail outlet is not complying the siting criteria specified by the CPCB in the Office

Memorandum No.B-13011/1/2019-20/AQM/10802-10847 dated
07.01.2020.

Under the above circumstances, it is humbly prayed that this Hon'ble National Green Tribunal (Southern Zone) may be pleased to pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of this case and thus render justice.

G. Gopalakrishnan
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No. 76, MOUNT SALAI, CHENNAI-600 032
BEFORE ME

VERIFICATION

I, G. Gopalakrishnan, son of V. Gandhi, working as Joint Chief Environmental Engineer, Tamil Nadu Pollution Control Board, Chennai-600 032, do hereby verify that the contents of above report are true to the best of my knowledge through records
Verified at Chennai on this 27th day of October, 2020.

G. Gopalakrishnan
JOINT CHIEF ENVIRONMENTAL ENGINEER
TAMIL NADU POLLUTION CONTROL BOARD
No. 76, MOUNT SALAI, CHENNAI-600 032

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Tiruchirapalli – 620 020
And 5 others

**REPORT FILED ON BEHALF OF THE
2ND RESPONDENT – TAMIL NADU
POLLUTION CONTROL BOARD.**

**Advocate for Respondent No. 2
Thiru. Kasirajan
Advocate, Chennai.**

Date: 27.10.2020