

BEFORE THE NATIONAL GREEN TRIBUNAL

Application No. 28 of 2022

Chidipi Nakula Suresh  
S/o Abbulu  
D.No 3-32, chenakondepudi village  
Sethanagaram Mandal ,East GODAVARI District Applicant

-vs-

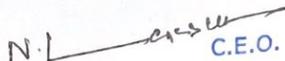
1.The Indian Oil CORPORATION ltd.  
Visakha Divisional officer  
8<sup>TH</sup> FLOOR ,lic Building  
Vishakapattnam-530016 and 7 others. Respondents

**COUNTER FILED BY THE 6<sup>TH</sup> RESPONDENT**  
**(THE SEETHANAGARM PRIMARY AGRICULTURAL CO-OPERATIVE**  
**SOCEITY) ALONG WITH THE REJOINDNER TO THE JOINT**  
**COMMITTEE REPORT DATED 15.03.2022**

The 6<sup>th</sup> respondent strictly denies falsely alleged averments stated by the Applicant in the Application.

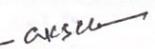
1. The 6<sup>th</sup> respondent humbly states that they are a Primary Agricultural Co-operative society situated in Seethanagaram Village and Mandal started in the year 2020 .The aim of the society is to purely to provide service to the farmers of the area ,help the farmers in meeting their requirements of their agricultural area and with the motto to do welfare to the farmers.The 6<sup>th</sup> respondent has earned good will and reputations among the public for their continuous service to the farmers and for their welfare.

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2. The 6<sup>th</sup> respondent on 16.12.2019 requested the 3<sup>rd</sup> respondent to allot a land to set up a petrol bunk for agricultural purpose to help the farmers to do their farming work wherein to provide petrol/diesel to the farmer's tractors and help them in saving the farmers time effort and money by selling in a nominal prices and also for various other agricultural purpose. The requisition to set up the petrol bunk was purely with an intention to extend hands to the farmers and for their welfare. The District collector of East Godavari has allotted with a land in survey number: 81/34A in Seethanagarm Gram panchayat to the 6<sup>th</sup> respondent.
3. The 6<sup>th</sup> respondent submits that they have submitted all the required documents to the 1<sup>st</sup> respondent as demanded by them. The 1<sup>st</sup> respondent approved the requisition of the 6<sup>th</sup> respondent after perusing all the documents and found them true and clearance from the authorities. The 6<sup>th</sup> respondent then was approved for the proposal.
4. The 6<sup>th</sup> respondent humbly states that the 5<sup>th</sup> respondent let out the premises for lease to the 6<sup>th</sup> respondent for lease period of 33 years on hike of 15% interest every year. The 6<sup>th</sup> respondent is following the same and making the payment regularly till date.
5. The 6<sup>th</sup> respondent humbly submits that the good intention of the 6<sup>th</sup> respondent is clearly proven through the counter filed by the collector, East Godavari whereas it is mentioned that the 6<sup>th</sup> respondent has got permission to run the petrol bunk as proper rule and also renewed the same according to the procedure and have been prompt in paying the rent." The Para No.15 in the counter of the respondent clearly states that the applicant have states false averment against the 6<sup>th</sup> respondent wherein the 6<sup>th</sup> respondent has obtained proper permission form the collector ,East Godavari. The 3<sup>rd</sup> respondent Collector East Godavari has also

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stated that 13 RESIDENTIAL STRUCTURE HAVE GIVE No  
Objection CERTIFICATE FOR THE PETROL BUNK SET UP NY THE  
6<sup>TH</sup> RESPONDNET.

6. The respondent strictly denies the alleged averments stated by the applicant from paragraph 6 to paragraph 11 in the Application. The 6<sup>th</sup> respondent denies the para 6 in the Application and states that the 6<sup>th</sup> respondent has duly obtained no objection certificate form the concerned departments and complied with all other formalities to set up the Bunk. Thereafter after granting of permission by the authorities they initiated to set up the bunk.
7. The 6<sup>th</sup> respondent submits that alleged averments on the paragraph 7 are vehemently denied , whereas the 6<sup>th</sup> respondent with due clearance and permission had set the petrol bunk in the closed compound that would not affect / create disturbances to the residences in that area. The petrol bunk is 30 metres away from the residences of the area where none of the tools of the petrol bunk disturbs the localities and create disturbances. As referring to the CPCB guidelines it is also very clear that "in no case the distance between new retail outlet from schools, hospitals (10 beds and above) and residential area designates as per local lawas shall be less that 30 metres. Thereby it is proven that the petrol bunk is situated 30 metres away form the petrol bunk.
8. The 6<sup>th</sup> respondent denies the alleged averments in para no.08 made by the applicant in the application. the applicant has blatantly stated several things for which he does not hold any proof, the statement are merely to divert the concentration of this Hon'ble Tribunal. The Applicant is no where connected to the case and not affected by any cause of the 6<sup>th</sup> respondent, wherein his

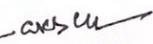
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motive is to drag the 6<sup>th</sup> respondent and to stop his welfare activities.

9. The 6<sup>th</sup> respondent strictly denies the averments in Para 9 of the application and states that he has complied all the formalities and procedures and did justice to the agreement executed with the 5<sup>th</sup> respondent. The 6<sup>th</sup> respondent was loyal and for complying the procedure the constructions was possible.
10. The 6<sup>th</sup> respondent vehemently denies the alleged averments stated by the applicant in the para no 10 of the application ,whereas the 6<sup>th</sup> respondent is humble and emphasis that the main objective is to provide welfare to the farmers and develop the agriculture, the idea of petrol bunk is only to help the poor farmers as the cause is only to encourage the farmers and agriculture and not at all for the commercial purpose. The 6<sup>th</sup> respondent since the stage od setting up the Petrol bunk I running the same only to help the farmers till date that is purely on the service basis.
11. The 6<sup>th</sup> respondent strictly denies the alleged averments in paragraph no . 11 of the application and states that they did not violate any guideless and conditions of the concerned authorities. The petrol bunk is never a hazardous to the residences of that area. The 6<sup>th</sup> respondent also submits that so far there has not been any complaint registered against them by any of the localities ,that clearly shows the genuiness of the 6<sup>th</sup> respondent till date. The 6<sup>th</sup> respondent is no where connected to the fake allegations states by the applicant and it runs the petrol bunk purely for the development of the farmers and agriculture purpose only. The aim of the 6<sup>th</sup> respondent is to help out the poor farmers to be benefited out of the service provided by the 6<sup>th</sup> respondent and has no intention of commercial benefits.
12. The 6<sup>th</sup> respondent states that the 5<sup>th</sup> respondent (State pollution control board) have themselves stated that the 6<sup>th</sup> respondent society have complied with all the conditions and ontained permission form all the Government departments.

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13. The 6<sup>th</sup> respondent states that as per the joint committee report dated 15.03.2022 it is clearly proven that the 6<sup>th</sup> respondent is a clean hand person who has followed the guidelines and complied with the legal conditions. It is also states that PACS has obtained NOC from the nearby residents and the same has been enclosed.
14. The 6<sup>th</sup> respondent thereby humbly submits that it is ready to comply with further directions and guidelines if any issued by the Hon'ble Tribunal and the Government departments as the prime motto of the 6<sup>th</sup> respondent society being to aid the needy farmers in the area.
15. The 6<sup>th</sup> respondent humbly submit that if the application is entertained then it will put the several farmers life at stake and they would be put severe loss as their sole livelihood to be affected and by which the mass would be under several pressure. Therefore it is humbly prayed that this Hon'ble tribunal may be pleased to dismiss the above original application no.28 of 2022 and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.

Dated at Chennai on 27<sup>th</sup> day of May 2022

Counsel for the respondent

Respondent No.6



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