

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE AT CHENNAI**

ORIGINAL APPLICATION NO. 121 of 2023

P. Chennaiah
S/o. P Venkataramaiah,

... Applicant

Vs

The Sub Collector,
Office of Sub Collector,
Madanapalle,
& 6 Others

...Respondents

OBJECTIONS FILED BY THE 4th RESPONDENT

Dated at Chennai on this the 28th day of February, 2024

**M/S. AAV PARTNERS
S. SARAVANAN
E. KARTHIKEYAN**

COUNSEL FOR THE 4TH RESPONDENT

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

ORIGINAL APPLICATION NO. 121 of 2023 (SZ)

P. Chennaiah
S/o. P Venkataramaiah,
2-147, Jangam Palli,
Kalikiri, Chittoor,
Andhra Pradesh - 517234.

... Applicant

Vs

1. The Sub Collector,
Office of Sub Collector,
Madanapalle,
Annamaiyya District,
Andhra Pradesh - 517330.
2. The District Fire Officer,
Opposite to Collector Office,
Masapet,
Rayachoti,
Annamaiyya District,
Andhra Pradesh - 516270.
3. The District Revenue Officer,
Masapet, Rayachoti,
Annamaiyya District,
Andhra Pradesh - 516270.
4. Senior Manager,
Hindustan Petroleum Corporation Ltd.,
Nellore Retail Regional Office,
D-No. 16-15-986-2, 2nd Floor,
Aarvee House, Children's Park Main Road,
Near Krishna Mandiram,
Nellore - 524002.


MANMADHA RAO B
Senior Regional Manager - Retail &
Duly Constituted Attorney
Hindustan Petroleum Corporation Limited
Kadapa Retail Regional Office

5. K. Shahjahan,
S/o. K Khadar,
Saheb,
Kalikiri Village & Mandal.
6. Kamuluri Babasaheb
S/o. Khadar Sahab,
3-146-14-5 C-3, Chowdeswari Nagar,
Neerugattuvari Palli, Madanapalli,
Annamaya District.
7. The AP Pollution Control Board

...Respondents

**OBJECTIONS FILED BY THE 4th RESPONDENT TO THE REPORT
OF THE APPCB DATED 10.09.2024.**

I, Sri. Manmadha Rao B, S/o Late Sri B. Lakshmana Rao, aged about 36 years, having address Kadapa Retail Regional Office of M/s. Hindustan Petroleum Corporation Limited, do hereby solemnly affirm and sincerely state as follows:-

1. That I am working as Senior Regional Manager-Retail and Duly Constituted Attorney, Kadapa Retail Regional Office of M/s. HINDUSTAN PETROLEUM CORPORATION LIMITED, the 4th Respondent herein, and as such, I am well acquainted with the facts and circumstances of the case from the available records, and competent to file this Objection.



MANMADHA RAO B
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Hindustan Petroleum Corporation Limited
Kadapa Retail Regional Office

2. That the Reply Statement filed by this Respondent along with supporting documents in this O.A. may be treated as part and parcel of this Objection and the contents of which are not repeated herein for the sake of brevity and to avoid prolixity.

3. As regards Paragraph Nos. 1 to 3 (a) of the report, the averments therein are matters of record and do not require a detailed response.

4. With respect to Paragraph Nos. 3(b) and 3(c), it is humbly submitted that in furtherance of the application, a No Objection Certificate (NOC) under Rule 144 of the Petroleum Rules, 2002, was issued vide Ref. CI/11102/2022 dated 31.12.2022 to our Corporation by the District Revenue Officer & Additional District Magistrate, Annamayya District. This NOC was granted only after obtaining clearances and/or recommendations from relevant authorities, including the Police Department, Revenue Department, Fire Department, and Mandal Parishad Development Council, during the inquiry process. The following considerations were taken into account for granting the NOC:

- a. Public interest, particularly concerning facilities like schools, hospitals, and places of public assembly, along with mitigating measures where applicable.
- b. Conformity of the proposal with local area development and planning regulations.
- c. Genuineness of purpose.
- d. Any other matters concerning public safety.


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5. Pursuant to the receipt of the NOC, the LOI Holder commenced construction at the site, incurring a cost of approximately **Rs. 1.65 Crores** for the development of various facilities such as a compound wall, driveway, canopy, and sales building. Additionally, this Respondent has invested approximately **Rs. 24.25 Lakhs** in installing underground storage tanks, dispensing units, connecting pipelines, and other necessary infrastructure.

6. Regarding Paragraph Nos. 3(d) - 1 to 3 (Table), it is humbly submitted that the statements therein demonstrate compliance with CPCB guidelines. However, concerning the residential house located 10 meters away, it is clarified that this house is not within a designated residential area as per CPCB guidelines.

7. As for Paragraph No. 3(d) - 4 (Table), the averments therein are admitted. The report acknowledges that the Respondent Corporation has taken special care in constructing a concrete protection wall around the storage tanks.

8. Regarding Paragraph No. 3(e) - i, ii, and v, these statements are admitted and do not require a response.

9. With respect to Paragraph Nos. 3(e) - iii & iv, it is humbly submitted that as per ground measurements, the distance from the nearest point of the water body to the underground storage tank is 35 meters. It is important to note that CPCB guidelines are only


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recommendatory in nature as held by the Hon'ble Supreme Court and High Courts in various cases. Any environmental impact must be assessed on a case-to-case basis, considering the specific circumstances and any potential adverse impact that the retail outlet may have on its immediate surroundings before applying the siting criteria.

10. As for Paragraph Nos. 3(f) to 3(j), these averments are admitted and do not require a response.

11. That this Respondent has obtained all necessary clearances from statutory authorities before the establishment and operation of the subject retail outlet, as mandated under law.

12. That there will be no significant threat to the health and safety of students and the public residing in the surrounding area, as this Respondent is taking all necessary precautions and safety measures in establishing the retail outlet.

13. That the proposed retail outlet meets all safety norms prescribed by PESO and CPCB. This Respondent is committed to ensuring compliance with all safety standards, including prescribed distances, while establishing and operating the outlet. Adequate precautions will be taken to handle petroleum vapors, as is done at thousands of retail outlets across the country. A vapor recovery system is being implemented at the subject retail outlet in accordance with norms and directions issued by the Hon'ble Tribunal and CPCB.


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14. That all additional safety precautions will be undertaken as per the guidance of relevant authorities.

For the reasons stated above, it is therefore humbly prayed that this Hon'ble Tribunal may be pleased to dismiss the above application with costs and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.


Dated at Kadappa on this the 27th day of February, 2025

VERIFICATION


4th RESPONDENT
MANMADHA RAO B
Senior Regional Manager - Retail &
Duly Constituted Attorney
Hindustan Petroleum Corporation Limited
Kadapa Retail Regional Office

I, Sri. Manmadha Rao B, S/o Late Sri B. Lakshmana Rao, aged about 36 years, having address Kadapa Retail Regional Office of M/s. Hindustan Petroleum Corporation Limited, do hereby verify that the contents of paras 1 to 31 are true to the best of my knowledge and paras 1 to 31 are believed to be true on legal advice and that I have not suppressed any material fact.

Verified at Kadapa on this the 27th day of February, 2025


4th RESPONDENT
MANMADHA RAO B
Senior Regional Manager - Retail &
Duly Constituted Attorney
Hindustan Petroleum Corporation Limited
Kadapa Retail Regional Office