

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

**ORIGINAL APPLICATION NO. 188 of 2024 (SZ)**

**IN THE MATTER OF**

Muhammed Risham,  
House No 12/163, Nambyattil House,  
Naduvannur Post, Kozhikode Kerala – 673614 ... Applicant.

and

1. District Collector Office, Kozhikode Collectorate,  
Civil Station P.O, Kozhikode – 637 020  
and 5 others ... Respondents

**I N D E X**

<b>Sl. No</b>	<b>Description of Document</b>	<b>Page No.</b>
1	Notes on the additional documents annexed hereto .	1 – 2
2	True copy of the Gazette Publication in G.O.(P) No. 45/2023/TAXES dated 25.03.2023 , published by the Govt. of Kerala showing the land classification of the proposed site as residential <b>Annexure – 1</b>	3 – 4
3	True copy of the Interim Order dated 31.05.2024 passed in OA No. 183 of 2024 by this Hon'ble Tribunal at the time of admission , challenging the CPCB Guidelines – <b>Annexure – 2</b>	5 - 6
4	True copy of the Final Order dated 02.04.2025 passed by Hon'ble Apex Court in WP(C) No. 81 of 2025 giving liberty to Petitioner's Counsel to challenge the CPCB Guidelines before Hon'ble NGT . <b>Annexure – 3</b>	7

5	True copy of the RTI Reply dated 03.05.2025 received from Naduvannur Grama Panchayat, Kozhikode District, with Translated copy , stating that the proposed site was a residential premise till the first half of the year 2020 . – <b>Annexure – 4</b>	8 – 12
6	True Copy of the Memorandum dated 07.01.2020 issued by CPCB stating the procedure adopted before formulating and notifying the Guidelines for new Petroleum Outlets - <b>Annexure -5</b>	13
7	True Copy of Clause Nos. A-1 & 2 of CPCB Guidelines dated 07.01.2020 mandating the procedure prior to granting permissions for new Outlets in sites with less than 4 M water-table- <b>Annexure – 6</b>	14

Place : Chennai

Date : 19.05.2025

Filed by :



V.B.R. MENON  
Counsel for Applicant  
Mobile : 9384762930  
E-mail : vbrmenon@gmail.com

**NOTES ON THE ADDITIONAL DOCUMENTS ANNEXED HERETO:**

1. **Annexure No.1:** The proposed site for the new Petroleum Outlet has been classified under residential category by the Kerala Government vide the G.O.(P) No. 45/2023/ Taxes dated 25.03.2023 and therefore the contrary claims of the Respondents are not true.
2. **Annexure No.2:** This Hon'ble Tribunal has admitted and issued notices on 31.05.2024 in O.A.No. 183 of 2024 wherein the restriction of the Siting Criteria prescribed under the CPCB Circular dated 07.01.2020 has been sought to be extended to all residential premises which are not unlawful under the local laws.
3. **Annexure No. 3 :** The Hon'ble Apex Court has given liberty , while disposing the WP(C) No. 81 of 2025 , to seek modification/ change of the Siting Criteria, prescribed under CPCB Circular dated 07.01.2020, from this Hon'ble Tribunal to include all residential premises which do not violate any of the local laws . Accordingly, an IA No. 52 of 2025 in OA No. 183 of 2025 has already been filed and it is pending for adjudication. *Therefore, it may be appropriate that the above OA No. 183 of 2024 is decided first on merits before taking up the instant OA No. 188 of 2024 for final hearing .*
4. **Annexure No. 4:** The Local body, having jurisdiction over the proposed Site , has given a reply to an RTI query that a residential house was existing at the proposed site till it was demolished in the first half

of 2020 and that the building taxes had also been paid accordingly by the previous owner of the site. It shall fortify the claim of the Petitioner that the proposed site and its entire surrounding have been used for only residential purposes.

5. **Annexure No. 5** : Before notifying the Circular dated 07.01.2020 and the Addendum dated 16.08.2021 by CPCB , the proposed guidelines had been placed in public domain and suggestions/objections were invited from the public and all other stakeholders but the same procedure has not been followed by CPCB while notifying the subsequent Memorandum dated 16.09.2024 for inexplicable reasons.
  
6. **Annexure No. 6** : Clause Nos. A-1 & 2 of the CPCB Circular dated 07.01.2020 mandate the OMCs to keep the Site particulars regarding groundwater level in public domain and to obtain the views of the state/central water board/ authority in case of disputes. In the instant case, the site is situated at the same level of water as in the surrounding wells but the authorities have ignored these mandatory conditions while granting the NOC and Licence to the OMC..



Counsel for Applicant

©  
കേരള സർക്കാർ  
Government of Kerala  
2023



Regn.No. KERBIL/2012/45073  
dated 05-09-2012 with RNI  
Reg No.KL/TV(N)/634/2021-2023

കേരള ഗസറ്റ്  
**KERALA GAZETTE**

അസാധാരണം

**EXTRAORDINARY**

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്  
**PUBLISHED BY AUTHORITY**

		2023 മാർച്ച് 25 25th March 2023	
വാല്യം 12 Vol. XII	} തിരുവനന്തപുരം, ശനി Thiruvananthapuram, Saturday	1198 മീനം 11 11th Meenam 1198	} നമ്പർ No 1128
		1945 ചൈത്രം 4 4th Chaithra 1945	

**GOVERNMENT OF KERALA  
Taxes (J) Department**

**NOTIFICATION**

G.O.(P)No.45/2023/TAXES.

*Dated, Thiruvananthapuram, 25<sup>th</sup> March, 2023  
11<sup>th</sup> Meenam, 1198*

**S. R. O. No. 420/2023**

In exercise of the powers conferred under sub-section (1B) of section 28A of the Kerala Stamp Act, 1959 (Act 17 of 1959), and in supersession of notification issued under G.O.(P)No.29/2022/TAXES dated 30 th March, 2022 and published as S.R.O.No.305/2022 in Kerala Gazette Extraordinary No.1050 dated 30 th March, 2022, the Government of Kerala hereby increase the fair value of land in Kerala,

This notification shall come into force on 1 st April, 2023.

By order of the Governor,

DR RATHAN U KELKAR I A S  
Secretary to Government

**Explanatory Note**

(This does not form part of the notification, but is intended to indicate its general purport.)

The fair value of land came into force in the State in 2010. Thereafter this has been revised five times. Thus the present fair value of the land becomes 220 per cent of that fixed in 2010. In para 551 of the Budget Speech 2023-24, it is declared that the present fair value of land in the State will be enhanced by twenty per cent. By implementing the said 20 per cent increase, the resultant fair value of the land will effectively become 264 per cent of that fixed in the year 2010. The Government have now decided to issue a notification for the said purpose.

The notification is intended to achieve the above object.

District : Kozhikode

Taluk : Koyilandi

Village : Naduvannur

Desam : Naduvannur

Survey No	SubDivision No	Resurvey No.	ReSubDivision No	Land Type	Fairvalue Per Are(Rs)
		198	4	Residential Plot with NH/PWD road access	184800

Sd/-

Revenue Divisional Officer, KOZHIKODE  
Kozhikode .

/True copy/



VBR menon

**Item No.01:****BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

(Through Video Conference)

**Original Application No.183 of 2024(SZ)****IN THE MATTER OF:**

V.B.R. Menon,  
Chennai.

...Applicant(s)

*Versus*

The Member Secretary,  
Central Pollution Control Board,  
New Delhi and Ors.

...Respondent(s)

**Date of hearing: 31.05.2024.**

**CORAM:**

**HON'BLE Mr. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER**

**HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER**

For Applicant(s): Mr. V.B.R. Menon (*Party-in-person*).

For Respondent(s): None.

**ORDER**

1. This Original Application stresses the need for revising the siting criteria formulated and notified by the CPCB vide Office Memorandum No.B-13011/1/2019-20/AQM/10802-10847 dated 07.01.2020 for setting up of new Petroleum Retail Outlets, as already ordered by this Tribunal in O.A. No. 176 of 2020 (SZ).

2. The Applicant highlights the need for the CPCB to comprehensively revise the siting criteria taking into account the ground realities so as to ensure environmental protection from harmful petroleum vapours and leakages of petroleum products to the surrounding areas in larger public interest.
3. Let notice be issued to the respondents through the Tribunal as well as privately.
4. Post the matter on **01.08.2024**.

Sd/-  
Justice Arun Kumar Tyagi, JM

Sd/-  
Dr. Satyagopal Korlapati, EM

O.A. No.183/2024(SZ)  
31<sup>st</sup> May, 2024. Mn.

True copy



VBR Menon

ITEM NO.301

COURT NO.12

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G SWrit Petition (Civil) No.81/2025

V.B.R. MENON

Petitioner(s)

VERSUS

CENTRAL POLLUTION CONTROL BOARD &amp; ORS.

Respondent(s)

(IA No. 26469/2025 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 35428/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 02-04-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA  
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) : Petitioner-in-person

For Respondent(s) :

UPON hearing the counsel the Court made the following  
O R D E R

After hearing the petitioner-in-person at some length, we are of the considered opinion that what the petitioner seeks is not actually a clarification of order dated 14<sup>th</sup> March, 2023 but at this stage the petitioner only seeks liberty to move an appropriate application before the National Green Tribunal, for the relief which he presently seeks here before this Court.

Accordingly, the writ petition is dismissed with liberty as prayed for.

Signature Not Verified

Digitally signed by  
KAVITA PAHUJA  
Date: 2025.04.05  
15:42:15 IST  
Reason: I am the authorKAVITA PAHUJA  
JSTT. REGISTRAR-cum-PS(RENU BALA GAMBHIR)  
ASSISTANT REGISTRAR

True copy



VBR Menon

ഭരണഭാഷ-മാതൃഭാഷ



നടുവണ്ണൂർ ഗ്രാമ പഞ്ചായത്ത്

പിൻ കോഡ്- 673614 ഫോൺ നമ്പർ : 0496-2652247

ഇമെയിൽ : [secndr@gmail.com](mailto:secndr@gmail.com)

നമ്പർ: 1024238-2025

തീയതി : 03-05-2025

പ്രേഷകൻ

സംസ്ഥാന പബ്ലിക് ഇൻഫർമേഷൻ ഓഫീസർ  
നടുവണ്ണൂർ ഗ്രാമ പഞ്ചായത്ത്

സ്വീകർത്താവ്

മുഹമ്മദ് റിഷാം

നമ്പ്യാട്ടിൽ-വീട്, നടുവണ്ണൂർ-പി.ഒ., കോഴിക്കോട്-673614.

സർ,

വിഷയം: തദ്ദേശ സ്വയംഭരണ വകുപ്പ് - നടുവണ്ണൂർ ഗ്രാമപഞ്ചായത്ത് - വിവരാവകാശ നിയമം-2005 - അപേക്ഷയിൽ മറുപടി ലഭ്യമാക്കുന്നത് സംബന്ധിച്ച്

സൂചന: 1. 21.04.2025-ന് താങ്കൾ സമർപ്പിച്ച 1024238-2025 നമ്പർ വിവരാവകാശ നിയമ പ്രകാരമുള്ള അപേക്ഷ

മേൽ സൂചന(1) പ്രകാരം വിവരാവകാശ നിയമ പ്രകാരം വിവരം ലഭ്യമാക്കുന്നതിന് താങ്കൾ അപേക്ഷ സമർപ്പിച്ചിരുന്നു. പ്രസ്തുത അപേക്ഷയുമായി ബന്ധപ്പെട്ട വിവരം താഴെ സൂചിപ്പിച്ച പ്രകാരം ലഭ്യമാക്കുന്നു.

1.12/162 നമ്പർ കെട്ടിടത്തിന്റെ കാലപ്പഴക്കം ഏകദേശം 20 വർഷത്തിൽ അധികമായതിനാൽ കെട്ടിടത്തിന്റെ പ്ലാൻ ലഭ്യമല്ല.

2.. ഈ ഓഫീസിലെ രേഖകൾ പ്രകാരം നിലവിൽ പൊളിച്ചുമാറ്റിയ 12/162 നമ്പർ കെട്ടിടത്തിന്റെ ഉടമസ്ഥാവകാശം ശ്രീ.ഇമ്പിച്ചാലി, നമ്പ്യാട്ടിൽ, നടുവണ്ണൂർ എന്നവരുടെ പേരിലായിരുന്നു

3.2019-20 സാമ്പത്തിക വർഷത്തിൽ 07.05.2019 തിയ്യതിയിൽ രസീത് നമ്പർ 119040100324 പ്രകാരം 45 രൂപ അവസാനമായി കെട്ടിട നികുതി അടവാക്കിയിട്ടുണ്ട്. രസീത് ഉടമസ്ഥന് നൽകിയിട്ടുണ്ട്.

4.12.03.2020 തിയ്യതിയിലെ എ2-1561/2021 ഫയൽ നമ്പർ പ്രകാരമുള്ള അപേക്ഷയിൽ 2020 ഒന്നാം അർദ്ധ വർഷം മുതൽ കെട്ടിടം പൊളിച്ചുമാറ്റിയിട്ടുണ്ട്.

Document certified by MANOJ O -OMANOJ596@GMAIL.COM  
Digitally signed by MANOJ O  
Date: 2025.05.03 15:47:18 IST  
Reason: KSMART

വിശ്വസ്തതയോടെ

സംസ്ഥാന പബ്ലിക് ഇൻഫർമേഷൻ ഓഫീസർ

ഈ മറുപടി മിക്കിക്കരമുഖത്തിൽ, അപ്പീൽ അപീലിന്റെ അപീൽ ഡയറക്ടർ, കോമൻ ഡയറക്ടറുടെ മന്ത്രിയുടെ ഓഫീസ്, സിവിൽ ബ്ലോക്ക്, കോഴിക്കോട്-20 എന്നെ നിലവാരത്തിൽ താഴെ 30 ദിവസത്തിനുള്ളിൽ അപ്പീൽ ബോധിപ്പിക്കാനാണ്.

  
MANOJ. O.  
PEN: 577245

State Public Information Officer & Secretary  
Naduvannur Grama Panchayat Office  
Naduvnnur (PO), Kozhikode (Dt.)  
Pin: 673614, Phone: 0496 2652247

True copy



VBR Menon

/Translated copy/

Registered Post with Ack.Due  
Official Language- Malayalam

Naduvannur Grama Panchayat  
Pin Code - 673614, Phone Number: 0496-2652247  
E-mail : [secndr@gmail.com](mailto:secndr@gmail.com)

Number: 1024238-2025

Dated : 03-05-2025

Sender,

State Public Information Officer  
Naduvannur Grama Panchayat

Recipient,

Muhammed Risham  
Nambiattil House, Naduvannur P.O., Kozhikode - 673614.

Sir,

Subject: Local Self Government Department - Naduvannur Grama  
Panchayat - Right to Information Act-2005  
providing reply to the application- Regarding.

Reference: 1. Your application dated 21.04.2025, number  
1024238-2025, under the Right to Information Act.

As per the above reference (1), you had submitted an application under the Right to Information Act for obtaining information. The information related to the said application is provided below as indicated.

1. The building with number 12/162 is approximately more than 20 years old, hence the plan of the building is not available.
2. As per the records in this office, the ownership of the currently demolished building with number 12/162 was in the name of Mr. Imbichali, Nambiattil, Naduvannur.
3. Building tax was last paid on 07.05.2019 for the financial year 2019-20, vide receipt number 119040100324, amounting to ₹45. The receipt has been given to the owner.
4. In the application with file number A2-1561/2021 dated 12.03.2020, it is stated that the building has been demolished since the first half of 2020.

Document signed by MANOJ O MANOJIMAS COM

Digitally signed by MANOJ O

Date: 2025.05.08 17:47:18 IST

Reason: KSMART

Sincerely,  
State Public Information Officer

If this reply is not satisfactory, you can file an appeal to Appellate Authority & Assistant Director, Office of the Joint Director, Civil Station, Kozhikode – 20 within 30 days from this reply

MANOJ. O.  
PEN: 577245  
State Public Information Officer & Secretary  
Naduvannur Grama Panchayat Office  
Naduvannur (PO), Kozhikode (Dt.)  
Pin: 673614, Phone: 0496 2652247



## CENTRAL POLLUTION CONTROL BOARD

DELHI 110 032

B-13011/1/2019-20/AQM

10802-10847

January 07, 2020

## OFFICE MEMORANDUM

Sub: Guidelines for Setting Up of New Petrol Pumps in Compliance of Hon'ble NGT order dated January 18, 2019 in OA No. 86/2019: Gyanprakash@ Pappu Singh vs Gol & Ors -regarding.

Hon'ble National Green Tribunal, vide order dated January 18, 2019 in OA No. 86/2019: Gyanprakash@ Pappu Singh vs Gol & Ors directed Central Pollution Control Board and MoPNG to look into the issue of setting up of large number of petrol pumps in the country and directed that appropriate guidelines be issued by the Central Pollution Control Board in exercise of statutory power.

An Expert Committee comprising of members from IIT Kanpur, NEERI, IIP, TERI, MoPNG and CPCB was constituted to frame Guidelines for setting up of new Petrol Pumps including siting criteria and pollution prevention and control measures

The guidelines were placed in public domain and comments/suggestions/objections were invited from public and concern stakeholder and these were reviewed and guideline have been finalised.

The final Guidelines prepared by Expert Committee are hereby circulated for implementation by concerned stakeholders. These guidelines are hereby issued with the approval of the Competent Authority.

(V.K. Shukla)

Additional Director, AQM Div.

Encl.: As Above

To.

1. As per List Enclosed

Copy to:

1. Joint Secretary  
CP Division  
Ministry of Environment, Forest and Climate Change  
Indira Paryavaran Bhavan,  
Jorbagh Road, New Delhi - 110 003
2. PS to CCB

3. PS to MS

True copy

please circulate to all  
R/S AGIC

VBR Menon

**EXTRACT OF CLAUSE NOS. A-1 & 2 OF THE OFFICE  
MEMORANDUM DATED 07.01.2020 ISSUED BY CPCB**

**Guidelines for Setting up of New Petrol Pump**

A. Containment and treatment of spillages from fuel filling operations at Petrol Pumps :

1. Petrol pumps located in areas with high groundwater table i.e. groundwater levels less than 04 meters shall have secondary containment by way of double walled tanks or concrete protection walls so as to minimize groundwater and soil contaminations. It shall be the responsibility of OMC to properly get measured groundwater level at the site of proposed petrol pump and ensure implementation of these adequate protection measures for such sites. Details of measures taken by Oil Marketing Company shall be placed in public domain and in case of contradictory view, view by State / Central Ground Water Board / Authority will prevail.
2. All new retail outlets shall have underground tanks / above ground tank and its ancillary components such as pipes, flexible connectors, pumps, fittings etc. protected from leaks due to corrosion by adopting materials (HDPE/Mild Steel etc.) with required protective coating , as applicable, duly approved by PESO.

/////

True copy



VBR Menon

Before the Hon'ble National  
Green Tribunal,  
Southern Zone Sitting at Chennai

OA No. 188 of 2024 (SZ)

Between:  
Muhammed Risham,  
House No. 12/163,  
Nambyattil House,  
Naduvannur Post,  
Kozhikode ,  
Kerala – 673 614 ... Applicant.

---Vs---

District Collector Office,  
Kozhikode Collectorate,  
Civil Station P.O,  
Kozhikode – 673 020  
and others ... Respondents

**Additional Documents**

V.B.R Menon [Ms- 23/2012)  
Counsel for Applicant  
Ph: 9384762930  
E-mail: vbrmenon@gmail.com