

**BEFORE THE NATIONAL GREEN TRIBUNAL, SOUTHERN ZONAL BENCH
AT CHENNAI**

O.A. 25 of 2023

P. Paari

... **Applicant**

Vs

**1.The Central Pollution Control Board and
5 others**

.... **Respondents**

COUNTER AFFIDAVIT OF THE 6TH RESPONDENT

I, S. Saravanan, Son of Shri M. Subramanian, Hindu, aged about 51 years, occupying the post of Controller of Explosives in the 6th Respondent having their office at Shastri Bhavan, No.26, Haddows Road, Chennai 600 006, do hereby solemnly affirm and sincerely state as follows:-

1. I am occupying the Post of Controller of Explosives in the 6th Respondent herein and I am duly authorised to file this Counter affidavit on behalf of the 6th Respondent herein.

2. I submit that in so far as the averments contained in Paragraph 1 to 9 is concerned all the averments contained therein are matter of records in which this Respondent was not involved in the same and puts the Applicants to strict proof of the averments made thereunder.


3. I submit that in respect of the para 10 of the Petition this Respondent deny the allegations contained therein that we had remained as a silent spectator. The safety distances as applicable for licences in Form XIV of Petroleum Rules, 2002 for petroleum retail outlets are prescribed in Fourth



S. SARAVANAN, आई.पी.ई.एस.एस.
S.S/SARAVANAN, IPES
Controller of Explosives
Shastri Bhavan, Haddows Road, P.E.S.C, Govt. of India
Chennai, Circle-3/South Circle, Chennai-8

Schedule C (Extent of hazardous area in service station) under the said rules, which are coming under the purview of this Organization. The distance available between structures/facilities existing outside the boundary of the premises does not come under the purview of the Acts and Rules administered by this organization. This Respondent having satisfied with the Report of the No Objection Certificate issued by the District Authorities and based on the same only had issued Licence bearing No. P/SC/TN/14/10224 (P540790) dated 31/01/2023 in Form XIV of Petroleum Rules, 2002 to M/s. Bharat Petroleum Corporation Limited to store petroleum in tanks in connection with pump outfit for fuelling motor conveyances at Sy. No.31/2A Part, Kangalanchery Village, Nagapattinam Taluk & District, Tamil Nadu. I submit that we had issued licence only in accordance with the rules and regulations.

4. I submit that this Respondent states that the Applicant is put to strict proof of the averments contained in para A to I of the Grounds. In so far as Ground J is concerned this Respondent states that as far as this Respondent is concerned they had issued Licence only on the basis of the No Objection Certificate issued by the Additional District Magistrate and District Revenue Officer, Nagapattinam as provided under Rule 144 of Petroleum Rules, 2002 and other documents as required under the said rules and therefore it is utter false hood that this Respondent had remained as a Silent Spectator.


एस. सरवणन, आई.पी.ई.एस.एस.
S.SARAVANAN, IPSS
विशेष निरीक्षक/Controller of Explosives
विभाग, सारवणन/ P.E.S.O, Govt. of India
चौक, तमिऴुनाडु, चेन्नै-8/ South Circle, Chennai-8

5. I submit that the Applicant herein has not established his contention by any plausible records and therefore the Applicant is not entitled to any of the reliefs that are claimed by him.

6. For all the reasons stated above it is therefore prayed that this Hon'ble Court may be pleased to dismiss the above Application against this Respondent with costs and pass such further or other orders as this Hon'ble Tribunal may deem fit in the circumstances of the case and thus render justice.

Solemnly affirmed at Chennai
on this the 5th day of March,
2024 and signed his name in my
presence after reading the
contents herein

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एस. सरवणन, जे.पी.ई.एस.एस.
S.SARAVANAN, IPSS
डिप्लोमेट नियंत्रक / Controller of Explosives
पी.ई.एस.ओ. भारत सरकार / P.E.S.O, Govt. of India
दक्षिण मण्डल, सेक्टर-3 / South Circle, Chennai-6

BEFORE ME,

Ms/2577/23

NO-366, Law chambers,
Highcourt Buildings,
Chennai-604

ADVOCATE CHENNAI

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TRIBUNAL SOUTHERN ZONAL BENCH
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....Respondents

COUNTER AFFIDAVIT

S.JANARTHANAM
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GOVT.COUNSEL
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