

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

IN

ORIGINAL APPLICATION NO. 70 of 2025 (SZ)

K. SATHYADEVAN : Applicant

Versus

UNION OF INDIA & Others : Respondent(s)

**REPORT FILED BY THE ENVIRONMENTAL ENGINEER, LEGAL CELL,
REGIONAL OFFICE, ERNAKULAM FOR AND ON BEHALF OF THE
4th RESPONDENT, CHAIRPERSON, KERALA STATE POLLUTION
CONTROL BOARD IN THE ABOVE CASE**



Adv. Rema Smrithi.

ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT No.4

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

IN

ORIGINAL APPLICATION NO. 70 of 2025 (SZ)

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Dated this the 23rd Day Of July 2025

Rema Smrithi, Advocate
ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT

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

IN

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1. I, Noby George, Aged 48 years, s/o Late K.T George, residing at Kelakombil House, Ankamaly, Ernakulam, now working as the Environmental Engineer, Kerala State Pollution Control Board, Regional Office, Legal Cell, Ernakulam (hereinafter referred to as Board, do hereby solemnly affirm and state as follows:
2. The above Original Application is taken on record based on the petition submitted by Sri. K. Sathyadevan aggrieved by order of Board regarding the siting criteria specified for petroleum retail outlets to designated residential areas as per local laws.
3. It is respectfully submitted that Central Pollution Control Board (CPCB) had issued Office Memorandum (OM) no. B-13011/1/2019-20/AQM/10814 dated 07/01/2020 regarding guidelines for setting up of new petrol pumps in compliance with orders of National Green Tribunal in O.A.No. 86/2019. In this Guidelines, para (H) specifies siting criteria of retail outlets. It states that retail outlets shall not be located in a radial distance of 50 meters (from fill point/dispensing unit/vent pipe whichever is nearest) from schools, hospitals (10 beds & above) and the residential areas designated as per




NOBY GEORGE
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REGIONAL OFFICE
GANDHI NAGAR, KOCHI-682020

local laws. In case of constraint providing 50 meter distance, the retail outlet shall implement additional safety measures prescribed by PESO. In no case distance between retail outlet from schools, hospitals (10 beds & above) and the residential areas designated as per local laws shall be less than 30 meters. No high tension line shall pass over the retail outlet. True copy of the OM dated 07/01/2020 is produced herewith and marked as **Exhibit-R4(a)**.

4. It is respectfully submitted that the Board started formulating the modalities for implementing the CPCB Guidelines dated 07.01.2020 immediately. After due process, the Board issued Circular dated 24/02/2020 that the siting criteria for setting up of new retail outlets as per CPCB Guidelines dated 07.01.2020 shall be followed. It was stated that the Circular shall come into effect from the date of circular (24/02/2020) and shall be applicable to all applications received thereafter. True copy of the Circular dated 24/02/2020 is produced herewith and marked as **Exhibit-R4(b)**.
5. Based on **Exhibit-R4(b)** Circular, consent to establish applications of new petrol pumps were processed in the entire State from 24/02/2020 onwards. As there was a need for clarification on the consideration of designated residential area designated as per local laws, in partial modification of the **Exhibit-R4(b)** Circular, a new Circular dated 18/08/2020 was issued in which it was clarified that siting criteria for new retail outlets for petrol pumps from the nearest residential building may be considered instead of residential areas designated as per local laws. True Copy of Circular dated 18/08/2020 is produced herewith and marked as **Exhibit-R4(c)**. Since zoning/designation of areas has not been implemented in the entire State, vide **Exhibit-R4(c)** Circular, it was clarified that even a single residence shall be considered while considering the distance criteria rather than considering declared residential areas. The Board received several applications for establishing new retail outlets who have obtained requisite license other than PCB consent, during the months immediately before 24/02/2020 when the Board was following general distance criteria for various categories of industries and establishments as per Circular dated 09/08/2004. True copy of the Circular dated 09/08/2004 is produced herewith and marked as **Exhibit-R4(d)**. Until the introduction of new CPCB guidelines the distance criteria applicable for petrol pumps also were as per **Exhibit-R4(d)** Circular. As per the **Exhibit-R4(d)** Circular green category establishment like petrol pump has to have



a minimum distance of 3 meters & 5 meters respectively from residences and other buildings like hospital, place of worship, public building etc. Hence only 3 meter minimum distance was required from any residential building to the petrol pump as per the circular.

Hence, in **Exhibit-R4(c)** Circular it was also stated that 'if any requisite license other than PCB consent is obtained by the applicant for establishing the petrol pump prior to the date of the Circular dated 24/02/2020, siting criteria mentioned in Circular dated 09/08/2004 shall be applicable'.

6. Meanwhile Central Pollution Control Board vide office memorandum dated 29/01/2021 further clarified that "The siting criteria for new retail outlets is to be complied with in cases where construction of retail outlets by Oil Marketing Companies (OMC) commenced on or after 07.01.2020. In other words, the siting criteria will not apply to those cases where PESO prior clearance/initial approval has been obtained and subsequently construction has been started by the OMC before 07.01.2020." In compliance to the same, Board issued Circular dated 04/02/2021 that the new siting criteria will not apply to those cases where PESO prior clearance/initial approval has been obtained and subsequently construction has been started by the OMC before 07.01.2020. True Copy of Circular dated 04/02/2021 is produced herewith and marked as **Exhibit-R4 (e)**.
7. However, in order to give more clarity, in terms of, date of implementation of new siting criteria, clearances/approval to be considered etc, while processing the consent applications, another Circular dated 21/04/2021 and its Erratum dated 28/05/2021 giving clarifications on the matter was issued. True Copy of Circular dated 21/04/2021 is produced herewith and marked as **Exhibit-R4 (f)** and true copy of its Erratum dated 28/05/2021 is produced herewith and marked as **Exhibit-R4 (g)**.
8. It is respectfully submitted that CPCB issued Office Memorandum (OM) for 'Addendum to the Guidelines for Setting up of New Petrol Pumps' dated 16/08/2021 regarding the minimum distance from water bodies to the petrol pump. It was specified in the OM that *the siting criterion is to be implemented for all new petrol pumps where construction by OMCs starts post the issuance of these guidelines.* A copy of the OM dated 16/08/2021 is given as **Exhibit-R4 (h)**. Board gave necessary instructions to all offices for processing applications in adherence to **Exhibit-R4 (h)**



Office Memorandum.

9. It is respectfully submitted that the Hon'ble National Green Tribunal vide order in OA 138/2020 has directed Central pollution Control Board as well as SPCB to issue direction to make it mandatory to obtain consent to establish and consent to operate for new retail petroleum outlets as well as the existing retail petroleum outlets. Hon'ble Supreme Court passed judgment in CA.no.421/2022 dated 14/03/2023 in which the said order was set aside. But in the same judgment Supreme Court had said that CPCB shall instruct all State Boards to ensure that the Guidelines dated 07.01.2020 is strictly adhered to and that concerned State Pollution Control Board shall proceed against erring outlets if there is any breach of Guidelines. True copy of this Supreme Court judgment is produced herewith and marked as **Exhibit-R4 (i)**.
10. It is humbly submitted that as the petrol pumps need not obtain Consent to Establish or Consent to Operate of the Board as per the judgment referred in the previous paragraph, Board issued Circular dated 29/03/2023 implementing the judgment of the Supreme Court that petrol pumps need not obtain consent of Board. It was also insisted in the circular that the OM 07/01/2020 of the CPCB shall be followed and the Board shall take necessary legal action if there is any breach of these guidelines. True copy of circular dated 29/03/2023 of KSPCB is produced herewith and marked as **Exhibit-R4 (j)**.
11. It is respectfully submitted that subsequent to **Exhibit-R4 (j)** circular, even though the Consent of Pollution Control Board was not required for petrol pumps, Board offices all over the State received a lot of complaints against setting up of petrol pumps stating that there is a breach of guidelines of CPCB. So a clarification letter dated 01/06/2023 was issued to all the offices *directing to ensure that consents issued to petroleum outlets after 07/01/2020 adhere to the distance norms of 50m/30m for schools, hospitals and residential areas designated as per local laws. The distance required to be measured from residential buildings specified in Exhibit- R4 (c) circular cannot now be insisted as per the judgment of the Supreme Court.* True copy of letter dated 01/06/2023 is produced herewith and marked as **Exhibit-R4 (k)**.
12. It is respectfully submitted that there has been a number of litigations in the Hon'ble High Court of Kerala from entrepreneurs as well as local residents regarding the Guidelines and establishment of petrol pumps. The Court had disposed all such cases



in a common judgment dated 26/7/2023 in WP(C) no. 11517 of 2020 and other cases upholding that the CPCB OM of 07/01/2020 is applicable and shall be implemented by all concerned. True copy of the common judgment is produced herewith and marked as **Exhibit-R4 (l)**. Hon'ble High Court of Kerala in judgment in WP(C) 11578/2022&WP(C) 13522/2023 has pointed out that the Supreme Court had specifically directed to ensure that the CPCB office memorandum of 07.01.2020 should be strictly adhered to. The office memorandum has not referred to a residential house, but only a residential area designated as per local laws. Hon'ble Court has also observed that if a residential house is built on a property that by itself may not be a negative component in establishing a retail outlet unless the area where the residential house is situated falls within a designated residential area. As per the said judgment, the term 'residential area designated as per local laws' cannot be interpreted to mean 'a residential house'.

13. It is respectfully submitted that Board has issued letter to Town Planning Department to designate residential areas in the State so that the Guidelines can be ensured to be complied with. Also necessary directions have been issued to concerned departments and agencies, who are involved in issuing sanction to petroleum retail outlets, to ensure the compliance with guidelines prescribed by CPCB.
14. In order to clarify the applicability of distance criterion specified in the guidelines issued by CPCB dated 07.01.2020, Board issued Circular dated 18/02/2024 stating that *wherever residential areas are not designated as per local laws, the siting criteria related to "designated residential areas as per local laws" shall not be applicable* . True copy of the Circular dated 18/02/2024 is produced herewith and marked as **Exhibit-R4 (m)**.
15. It is respectfully submitted that the Central Pollution Control Board issued Office Memorandum dated 16/09/2024 instructing *State Govt. to permit setting up of new petrol pumps strictly as per the siting criteria prescribed in local bye-laws (in case of unclassified areas, non-planning areas, mixed zone, commercial zone) and taking into account CPCB guidelines dated 07.01.2020*. True copy of the Office Memorandum dated 16/09/2024 is produced herewith and marked as **Exhibit-R4 (n)**. It is humbly submitted that the stand taken by Board as per the **Exhibit-R4 (l)** and the Circular dated 18.02.2024 and letter dated 01.06.2023 issued by the Board are in conformity to



the above Office Memorandum.

16. The Central Pollution Control Board has also instructed the State Pollution Control Boards to "circulate the OM to Commissioner of Civil supplies or other similar authorities who look after issues related to petrol pumps at State/ UT level and District Collectors/Commissioners/ Deputy Commissioners". It is respectfully submitted that Board has issued communication vide letter dated 08.01.2025 to Secretary, Food, Civil Supplies & Consumer Affairs and District Collectors of all districts to take necessary action to comply with the **Exhibit-R4 (n)** Office Memorandum. True Copy of letter dated 08.01.2025 is produced herewith and marked as **Exhibit-R4 (o)**
17. It is respectfully submitted that as per the judgment of Hon'ble NGT dated 25/06/2025 in OA No.188 of 2024 and IA No.138 & 144 of 2024, CPCB is directed to issue modified guidelines. Further action will be taken based on the modified guidelines.

All the facts stated above are true to the best of my knowledge, information and belief.

Dated this the 23rd day of July, 2025




Deponent

NOBY GEORGE
ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE
GANDHI NAGAR, KOCHI-682020

Advocate

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Adv. Rema Smrithi.

ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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Dated this the 23rd Day of July 2025

Rema Smrithi, Advocate
 ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT

272
16/01/2020A1
19/01/20

CENTRAL POLLUTION CONTROL BOARD

DELHI 110 032

B-13011/1/2019-20/AQM 10874

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

SE-3

14/1/2020


NOBY GEORGE
ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE
GANDHI NAGAR, KOCHI-682020

GUIDELINES FOR SETTING UP OF NEW PETROL PUMPS

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 contamination. 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 of 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.
3. Any major leakage/ spillage of Petrol, Diesel, Lube Oil (more than 1 barrel-165 litres) occurs at fueling station, concerned OMC shall report to State Pollution Control Board, PESO and District Administration under intimation to CPCB within 24 hours of occurrence.

Operation of concerned underground storage tank (UST) and its ancillary components shall be stopped immediately and not be resumed till corrective measures to contain and stop leakage/ spillages are implemented to the satisfaction of PESO and concerned SPCB.

OMCs will be held liable for Environmental Compensation (imposed by SPCBs/PCCs) and assessment of environmental damage (depending on extent of contamination in soil and groundwater) and site remediation. Consultant/ Expert agency appointed by OMCs for damage assessment and site remediation shall have minimum national/ international experience of 5 years in this field. Various approved methods shall be considered for cleaning underground contaminants.

4. All DUs shall have Auto Cut off Nozzles which shuts dispensation of fuel if its level in customer fuel tank reaches full capacity.
5. Breakaways to be installed for all the hoses of dispensing units to reduce spillage in the event of customer vehicles moves away with nozzle still in the fueling position.

6. Single/ double plane swivel with breakaway coupling shall be installed for all the dispensing units for better positioning of nozzle while refueling so that it does not fall off accidentally.
7. In pressurized dispensation, all dispensing units shall be installed with shear valves to cut the fuel flow from pipe line immediately upon accidental knocking of dispensing units from its position.
8. In pressurized system all Submersible Turbine Pumps (STPs) are to installed with line leak detectors and in the event of pipeline leaks STPs shall stop pumping fuel from underground tanks.
9. Emergency stop button switch shall be provided on the Multi-Product Dispenser (MPD) to stop the dispensation in case of emergency.
10. Automation system shall be installed at all new retail outlets to alert in case of tank leak by way of auto gauging system approved by PESO.
11. All Retail Outlets shall provide overfill alarm through automation.
12. Measures for spill containment in fill point chambers and forecourt area shall be implemented as prescribed by PESO.

B. Check on leakages (Leakage Detection System) from underground storage tanks so as to prevent groundwater and soil contamination:

1. All new retail outlets will have automation system installed which will provide reports on volume balance after every day operation and records shall be maintained.
2. Manual gauging shall be done once in a month and compare the same with Automatic Tank Gauging for accuracy.
3. Daily MS and HSD loss shall not exceed MoPNG prescribed limits. In case of leakage beyond such limits, matter shall be got analyzed by OMCs and further action shall be taken for ascertaining the reasons of losses. In case of leakage resulting in soil / groundwater contamination:
 - a. Concerned OMC shall report to State Pollution Control Board, PESO and District Administration under intimation to CPCB within 24 hours of occurrence. Operation of such underground storage tank (UST) and its ancillary components shall be stopped immediately.
 - b. Fuel shall be removed immediately from underground storage tank to prevent further release to environment. Measures to prevent explosion due to vapors released due to leakage as recommended by PESO shall be implemented immediately.

- c. OMCs will be held liable for Environmental Compensation (imposed by SPCBs/PCCs) and assessment of environmental damage (depending on extent of contamination in soil and groundwater) and site remediation. Consultant/ Expert agency appointed by OMCs for damage assessment and site remediation shall have minimum national/ international experience of 05 years in this field. Various approved methods shall be considered for cleaning underground contaminants.
 - d. Operation of Underground tank and its ancillary components shall not be resumed till corrective measures to contain and stop leakages are implemented to the satisfaction of PESO and concerned SPCB.
4. All underground tanks and pipelines shall be subjected to test for leaks every 7 years.

C. Policy towards Treatment and disposal of sludge removed from underground tanks during cleaning:

Sludge shall be collected, stored and disposed as per Rule 8 of Hazardous Waste (Management and Transboundary) Rules, 2016 and amendments thereof and records shall be maintained.

D. Installation, Operation and maintenance of Vapour Recovery System:

1. All **new retail** outlets set up with sale potential of 300KL MS per month and setting up in cities with population more than 1 lakh will be provided with VRS. VRS should be functional by the time of sale of MS touch 300 KL. In case of failure of installation of VRS, Environment Compensation will be levied by SPCBs/ PCCs equivalent to the cost of VRS and this will further increase proportionate to the period of non-compliance.
2. Any **new retail** outlet set up in cities having population more than 10 lakh and having sale potential of 100 KL MS per month will be provided with VRS. VRS should be installed within a period 03 months from the day of sale of MS touch 100 KL. In case of failure of installation of VRS, Environment Compensation will be levied by SPCBs/ PCCs equivalent to the cost of VRS and this will further increase proportionate to the period of non-compliance.
3. In case of Stage II VRS, nozzle shall be provided with flexible cover flap or other alternative system for proper covering of filling tank and therefore proper recovery of vapors.
4. OMCs are responsible for maintaining installed VRS. They have to maintain periodic inspections for A/L regulator as prescribed by Legal Metrology. Proper record shall be maintained.

5. Working of dispenser shall be interlinked with VRS functioning. Online system shall be developed within 06 months to monitor status of operation of VRS. In case of non-operation of VRS, the same shall be automatically reported to concerned OMC. VRS shall be brought into operation immediately within 24 hrs and in any case within 72 hrs failing which sale of MS shall be stopped from the fueling station. Proper records of operation of VRS shall be maintained.
6. Work zone monitoring for Total VOC and Benzene shall be conducted by OMCs for petrol pumps selling more than 300 KL/ month and more than 10 lakh population (in first phase) by E(P)Act, 1986 approved labs once in a year to check compliance with OSHA norms (Time-Weighted Average) and report shall be submitted to SPCB. In addition, pilot study shall be conducted by OMCs through expert institutions for online monitoring of VOCs.
- E. **Ground water and soil quality monitoring within petrol pump selling more than 300 KL/ month and more than 10 lakh population shall be conducted by OMCs once in two years through E(P)Act, 1986 approved labs for the following parameters from the nearest source and report submitted to SPCB:**

Permissible Limit

Sr.No.	Parameter	Permissible Limit
1.	Total petroleum hydrocarbons	600µg/l
2.	BTEX	i. Benzene- 950µg/l ii. Toluene- 300µg/l iii. Xylenes- a. o-xylene- 350µg/l b. m & p- xylene- 200µg/l
3.	Ethanol	1400 µg/l
4.	Methyl Tertiary Butyl Ether	13µg/l
5.	PAH	0.0001µg/l

Enforcement agencies including SPCB can collect samples in and around petrol pump to check contamination.

F. Measures for protection of Worker's Health

1. All workers engaged at retail outlets may be covered under ESI. OMC dealers shall implement the personal protective equipment (PPE) as per labor laws.
2. IEC (Information Education Communication) activities should be organized by OMC dealers for workers at regular intervals in order to sensitize them about harmful impacts of VOC emissions.

G. Audit of all protection measures and monitoring system implemented at petrol pumps:

PESO shall conduct audit of tanks and fuel equipment including pipes, overfill protection equipment and alarm system on annual basis and maintain records.

H. Siting criteria of Retail Outlets:

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 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.

These guidelines are supplementary to all existing relevant Rules, Guidelines, Orders etc.



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

No. PCB/HO/HOW/RULES9/7/2019

Date: 24/02/2020

CIRCULAR

Sub: - Distance criteria for new petrol pumps - reg.

Ref: - CPCB guidelines for setting up of New petrol pumps in compliance of Hon'ble NGT Order dated 18/01/2019 in O.A No 86/2019. (Copy enclosed)

In compliance to the directions issued by Hon'ble NGT in O.A No. 86/2019 dated 18/01/2019, Central Pollution Control Board has laid down the guidelines for setting up of New Petrol Pumps.

The Hon'ble NGT has directed that these guidelines shall be included in the Integrated Consent to Establish (ICE) of new outlets of petrol pumps as a condition that

“CPCB guidelines for setting up of New Petrol Pumps shall be followed”.

The following siting criteria for new retail outlets of petrol pumps shall be followed.

1. For petrol pumps, new retail outlets shall not be located within a radial distance of 50 metres (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.
2. In case of constraints in providing 50 metres distance, the retail outlet shall implement additional safety measures as prescribed by Petroleum and Explosives Safety Organization (PESO).
3. 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 metres.
4. No high tension line shall pass over the retail outlet.

These guidelines are supplementary to all existing relevant Rules, Guidelines Orders etc.



The circular shall come into effect from the date of the circular and shall be applicable to all applications received thereafter.

Sd/-
CHAIRMAN

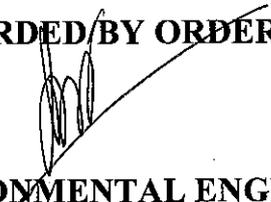
To

1. The Chief Environmental Engineer,
Regional Office, Trivandrum/Ernakulam/Kozhikode.
2. The Senior Environmental Engineer,
Regional Office, Ernakulam.
3. The Environmental Engineer, District Office,
Thiruvananthapuram, Kollam, Pathanamthitta, Alapuzha, Idukki, Kottayam,
Ernakulam-1, Ernakulam-2, ESC - Eloor, Thrissur, Palakkad, Malappuram,
Kozhikode, Kannur, Wayanad, Kasargod.

Copy to:-

- 1) All Technical Staff in HO
- 2) IT Cell (for uploading in the website)
- 3) C.A to CHN & MS

FORWARDED BY ORDER


CHIEF ENVIRONMENTAL ENGINEER



General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
E-mail: ms.kspcb@gov.in FAX: 0471 - 2318134, 2318152 web: www.keralapcb.nic.in

KERALA STATE POLLUTION CONTROL BOARD

Exhibit-R4(c)

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram - 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

No. PCB/HO/HOW/RULES9/7/2019

Date: 18/08/2020

CIRCULAR

Sub: - Distance criteria for new petrol pumps - clarification - reg.

Ref: - 1. Circular No. PCB/TAC/18/2004 Dated: 09/08/2004

2. Circular No. PCB/HO/HOW/RULES9/7/2019 Dated: 24/02/2020

Vide circular cited above, new retail outlets for petrol pumps shall not be located within a radial distance of 50 metres (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 and in no case it shall be less than 30 meters. In partial modification of the circular cited above, the siting criteria for new retail outlets of petrol pumps from the nearest 'residential building' may be considered instead of residential areas. Also if any requisite licence other than the PCB consent is obtained by the applicant for establishing the petrol pump prior to the date of the circular cited (2) above, the siting criteria mentioned in circular dated 09/08/2004 shall be applicable.


CHAIRMAN

To

1. The Chief Environmental Engineer,
Regional Office, Trivandrum/Ernakulam/Kozhikode.
2. The Senior Environmental Engineer,
Regional Office, Ernakulam.
3. The Environmental Engineer, District Office,
Thiruvananthapuram, Kollam, Pathanamthitta, Alapuzha, Idukki, Kottayam,
Ernakulam-1, Ernakulam-2, ESC - Eloor, Thrissur, Palakkad, Malappuram,
Kozhikode, Kannur, Wayanad, Kasargod.

Copy to:-

- 1) All Technical Staff in HO
- 2) IT Cell (for uploading in the website)
- 3) C.A to CHN & MS




NOBY GEORGE
ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE
GANDHI NAGAR, KOCHI-682020

Email: kspcb@asianetindia.com
 Telephone: 318153, 318154 & 318155
 Annex: 304642, 304643
 FAX: 318152



KERALA STATE POLLUTION CONTROL BOARD
 PATTOM P.O., THIRUVANANTHAPURAM - 695 004

www.keralapcb.org

In reply please refer to: No. PCB/TAC/18/2004

Date: 9-8-2004

CIRCULAR

Sub:- Siting criteria for industries other than stone crushers.

Ref:- 1) Minutes of the meeting of the Committee held on 17.5.2004.
 2) Decision of the 143rd Board meeting held on 23-7-2004.

The Committee constituted to study and recommend norms for siting criteria of industries other than stone crushers have finalised the criteria in the meeting held on 17.5.2004. In the 143rd meeting of the Board held on 23.7.2004 it was decided to implement the siting criteria in consent administration as stated below:

Criteria for industries other than stone crushers

❖ Distance from:

- i. In the case of industry having air pollution (including sound pollution) potential, distance shall be measured from the main building or the building housing the equipment, operation or process of most pollution potential.
- ii. In the case of industry having water pollution potential, distance shall be measured from the major wastewater outlet.
- iii. In the case of industry having air and water pollution potential, the shorter of the above two distances shall be taken.

❖ Distance to:

- i. The horizontal distance to the nearest residence shall be measured and denoted d_R .
- ii. The horizontal distance to the nearest educational institution / court / public office / hospital / place of worship / community hall / similar establishment (excluding other industries) shall be measured and denoted d_o .



NOTE: Where d_R and/or d_O are/is considerably more than the minimum distance mentioned below, it is not necessary to measure the same but it is sufficient to state as \gg the minimum distance mentioned.

Sl No	Industry		Minimum distance, m	
	Scale	Category	d_R	d_O
1	SMALL	Red	25	50
		Orange	10	15
		Green	3	5
2	MEDIUM	Red	50	100
		Orange	15	25
		Green	6	10
3	LARGE	Red	100	100
		Orange	40	60
		Green	15	30

For industries having noise potential, proposed in silence zones as per the Noise (Management and Handling) Rules, the minimum distance shall be two times the d_o subject to a minimum of 100m.

It is desirable to have a minimum set back of 3m between the boundary and the plant building to avoid construction of factory building along or too close to the boundary wall. The setback can be utilised for the development of greenbelt. In case of industries falling in green/orange categories of Small Scale Industries, the requirement of minimum set back may be dispensed with.

Where necessary, the minimum distance may be enhanced for reasons to be recorded in writing.

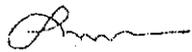
The above criteria will be implemented with immediate effect and will be reviewed after 6 months.

Sd/-
MEMBER SECRETARY

To

1. CEE, RO, EKM/KKD
2. EE, DC., TVPM/KLM/PTA/ALPA/TSR/IDK/PLKD/MLPM/KNR
3. All Technical staff in the Head Office.

FORWARDED/BY ORDER,


ENVIRONMENTAL ENGINEER.



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004

PCB/HO/ HOW/RULES9/7/2019

Dated: 04 /02/2021

CIRCULAR

Sub: - Distance criteria for new petrol pumps - clarification – reg

- Ref: - 1. Office Memorandum of CPCB no B-13011/1/2019-20/AQM 10814 dated 07.01.2020
 2. Circular of even no. dated 24.02.2020
 3. Circular of even no. dated 18/08/2020
 4. Office Memorandum no. B-13011/1/2020-21/AQM dated 29.01.2021 from CPCB

Based on the Office Memorandum of Central Pollution Control Board vide reference (1), Board had issued circular vide reference (2) specifying the siting criteria for new petrol pumps.

In view of some representations by the stakeholders, Board had issued circular vide reference (3) which stated “if any requisite license other than PCB consent is obtained by the applicant for establishing the petrol pump prior to the date of circular referred (2) above, the siting criteria mentioned in the circular no.PCB/TAC/18/2004 dated 09/08/2004 is applicable”.

Now the Central Pollution Control Board vide office memorandum referred (4) above has further clarified the matter as follows.

“The siting criteria for new retail outlets is to be complied with in cases where construction of retail outlets by Oil Marketing Companies (OMC) commenced on or after 07.01.2020. In other words, the siting criteria will not apply to those cases where PESO prior clearance/initial approval has been obtained and subsequently construction has been started by the OMC before 07.01.2020.”

In compliance to the same, Board also follows that the new siting criteria will not apply to those cases where PESO prior clearance/initial approval has been obtained and subsequently construction has been started by the OMC before 07.01.2020.

This circular is issued based on the Office Memorandum cited (4) above for compliance.

Sd/-
CHAIRMAN

To

1. The Chief Environmental Engineer, Regional Office
Trivandrum/Ernakulam/Kozhikode
2. The Senior Environmental Engineer
Environmental Surveillance Centre, Eloor
3. The Environmental Engineer, District Office
Trivandrum/ Kollam/ Alappuzha/ Pathanamthitta/ Kottayam/ Ernakulam-1/ Ernakulam-2/
Idukki/ Thrissur/ Palakkad/ Malappuram/ Kozhikode/ Kannur/ Wayanad/ Kasargode

Copy to:

1. All Technical Staff
2. IT Cell(for uploading in Boards website)
3. CA to CHN and MS
4. Stock file

FORWARDED/BY ORDER

SENIOR ENVIRONMENTAL ENGINEER - 3



NOOBY GEORGE
 ENVIRONMENTAL ENGINEER
 KERALA STATE POLLUTION CONTROL BOARD
 REGIONAL OFFICE
 GANDHI NAGAR, KOCHI-682020



KERALA STATE POLLUTION CONTROL BOARD
കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Patton P.O., Thiruvananthapuram – 695 004
പട്ടം പി.ഒ., തിരുവനന്തപുരം – 695 004

PCB/HO/ HOW/RULES9/7/2019

Dated: 21/04/2021

CIRCULAR

Sub: - Distance criteria for new petrol pumps - final – reg

- Ref: - 1. Office Memorandum of CPCB no B-13011/1/2019-20/AQM 10814 dated 07/01/2020
2. Circular of even no. dated 24/02/2020 and 18/08/2020
3. Office Memorandum no. B-13011/1/2020-21/AQM dated 29/01/2021 from CPCB
4. Circular of even no. dated 04/02/2021.

In compliance with CPCB guidelines referred (1), Board had issued circular regarding distance criteria for new petrol pumps, vide reference (2) as follows. “New retail outlets shall not be located within a radial distance of 50 m (from fill point/dispensing units/vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential buildings and in no case the distance between new retail outlet from schools, hospitals (10 beds and above) and residential area shall be less than 30 m. If any requisite license other than PCB license is obtained by the applicant prior to 24/02/2020, the previous siting criteria, ie, 3 m shall be applicable”.

Meanwhile, based on clarification received from CPCB vide reference (3), Board also followed that the new siting criteria will not apply to those cases where PESO prior clearance/initial approval has been obtained and subsequently construction has been started by the OMC before 07/01/2020.

However, in view of the confusions that arouse, in terms of, date of implementation of new siting criteria, clearances/approval to be considered etc, while processing the consent applications, the following clarification is issued.

1. For Integrated Consent to Establish applications received by the Board on or before 04/02/2021, circulars dated 24/02/2020 & 18/08/2020 are applicable.

In such cases, if the applicant produces any of the license/clearance obtained prior to 24/02/2020, from the concerned Departments/Authorities, their applications shall be considered with distance criteria of 3 metres.

2. For Integrated Consent to Establish applications received by the Board after 04/02/2021, circulars dated 04/02/2020 is applicable.

In such cases, new siting criteria will be applicable except for those cases where PESO prior clearance/initial approval has been obtained and subsequently construction has been started by the OMC before 07/01/2020.




NOBY GEORGE
ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE
GANDHI NAGAR, KOCHI-682020

The consent applications shall be processed and the pending applications shall be disposed as per the above.

**Sd/-
CHAIRMAN**

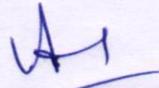
To

1. The Chief Environmental Engineer, Regional Office
Trivandrum/Ernakulam/Kozhikode
2. The Senior Environmental Engineer
Environmental Surveillance Centre, Eloor
3. The Environmental Engineer, District Office
Trivandrum/ Kollam/ Alappuzha/ Pathanamthitta/ Kottayam/ Ernakulam-1/ Ernakulam-2/
Idukki/ Thrissur/ Palakkad/ Malappuram/ Kozhikode/ Kannur/ Wayanad/ Kasargode

Copy to:

1. All Technical Staff
2. IT Cell(for uploading in Boards website)
3. CA to CHN and MS
4. Stock file

FORWARDED/BY ORDER



SENIOR ENVIRONMENTAL ENGINEER - 3



KERALASTATEPOLLUTIONCONTROLBOARD

Pattom P.O., Thiruvananthapuram – 695004

PCB/HO/HOW/RULES9/7/2019

Dated: 28/05/2021

ERRATUM

Sub:-Distance criteria for new petrol pumps- final-Reg

Ref:- Circular of even no. dated 21/04/2021(Copy enclosed)

This is to inform that in para (2) of the circular under reference, the date of circular is wrongly mentioned as follows:

“For Integrated Consent to Establish applications received by the Board after 04.02.2021, circulars dated 04.02.2020 is applicable”.

The said sentence is hereby corrected and may be read as follows:

“For Integrated Consent to Establish applications received by the Board after 04.02.2021, circular dated **04.02.2021** is applicable”.

-sd-

Encl: As above

CHAIRMAN

To :

To

1. The Chief Environmental Engineer, Regional Office
Trivandrum/Ernakulam/Kozhikode
2. The Senior Environmental Engineer
Environmental Surveillance Centre, Eloor
3. The Environmental Engineer, District Office
Trivandrum/Kollam/Alappuzha/Pathanamthitta/Kottayam/Ernakulam-1/Ernakulam-2/Idukki/Thrissur/Palakkad/Malappuram/Kozhikode/Kannur/ Wayanad/ Kasargode

Copy to

1. All Technical Staff
2. IT Cell(for uploading in Boards website)
3. CA to CHN and MS

Forwarded/By Order

Senior Environmental Engineer-3





Exhibit-R4(h)

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

B-13011/1/2019-20/AQM

August 16, 2021

OFFICE MEMORANDUM

Sub: Addendum to the Guidelines for Setting Up of New Petrol Pumps issued on January 07, 2020 -regarding.

CPCB in compliance of the Hon'ble National Green Tribunal order dated January 18, 2019 in O.A. No. 86/2019: Gyanprakash @ Pappu Singh Vs UoI & Ors. issued guidelines for Setting Up of New Petrol Pumps vide O.M. No. B-13011/1/2019-20/AQM/10809 dated January 07, 2020.

Hon'ble NGT vide further orders dated 23.07.2020 and 09.10.2020, in the matter of Suresh Mandaloi Vs. State of M.P & Ors. (O.A. No. 61 of 2019 (CZ)), directed MoEF&CC and CPCB to submit a report with regard to the minimum distance from water bodies to the petrol pump.

The matter was referred to the Expert Committee and the draft guidelines for implementation in case of petrol pumps near water bodies were prepared. The guidelines also specify the groundwater and soil sampling protocol, frequency of sample collection and the prescribed parameters and screening values to be adopted. The same monitoring protocol and parameters/ values (except for monitoring frequency) need to be adopted for petrol pumps covered under the guidelines dated January 07, 2020.

These draft guidelines were placed in public domain for seeking comments/suggestions from public and concerned stakeholders. These were reviewed by the Expert Committee and the guidelines have been finalised and are hereby issued as addendum to the earlier CPCB Guidelines dated January 07, 2020 for implementation by concerned stakeholders.

This issues with the approval of the Competent Authority.



(P.K. Gupta)

Additional Director & Divisional Head
AQM Div.

Encl.: As Above

To

1. All SPCBs/ PCCs
(As per list enclosed)

with a request to circulate to Commissioner of civil supplies or other similar authorities who look after issues related to petrol pumps at State/ UT level and District Collectors/ Commissioners /Deputy Commissioners.





NOBY GEORGE
ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE
GANDHI NAGAR, KOCHI-682020

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

List of Stakeholders

1.	The Member Secretary Andhra Pradesh State Pollution Control Board D. No.33-26-14D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalmvari Street, Kasturibaipet, Vijayavada-520010	2.	The Member Secretary Arunachal Pradesh State Pollution Control Board 'ParyavaranBhavan', Yupla Road, PappuNallah, Naharlagun – 791110 Arunachal Pradesh
3.	The Member Secretary Assam State Pollution Control Board Bamunimaidan, Guwahati – 781021 Assam	4.	The Member Secretary Bihar State Pollution Control Board Parivesh Bhawan, Plot No.N-B/2, Patliputra Industrial Area Patna-800023
5.	The Member Secretary Chhattisgarh Environment Conservation Board Paryavas Bhawan, North Block Sector-19 NayaRaipur – 492 099 Chhattisgarh	6.	The Member Secretary Goa State Pollution Control Board Nr. Pilerne Industrial Estate, Opp. Saligao Seminary, Saligao - Bardez Goa - 403511
7.	The Member Secretary Gujarat State Pollution Control Board Sector 10-A, Gandhi Nagar – 382043 Gujarat	8.	The Member Secretary Haryana State Pollution Control Board C-11, Sector 6, Panchkula, Haryana 134109 Haryana
9.	The Member Secretary Himachal Pradesh State Pollution Control Board ParyavaranBhavan, Phase III, New Shimla – 171009 Himachal Pradesh	10.	The Member Secretary J&K State Pollution Control Board, Parivesh Bhawan, Forest Complex, Gladni, Narwal, transport Nagar, Jammu (J&K)
11.	The Member Secretary Jharkhand State Pollution Control Board T.A Building, HEC Campus, P.O. Dhurwa Ranchi – 834004 Jharkhand	12.	The Member Secretary Karnataka State Pollution Control Board ParisaraBhavan, 4 th & 5 th floors Church Street, Bangalore 560 001 Karnataka
13.	The Member Secretary Kerala State Pollution Control Board Plamoodu Junction, Pattam Palace P.O. Thiruvananthapuram – 695004 Kerala	14.	The Member Secretary Maharashtra State Pollution Control Board Kalpataru Point, 3 rd & 4 th floors Sion Matunga Scheme Road No. 6 Opp. Cine Planet, Sion Circle, Sion (E), Mumbai 400 022, Maharashtra
15.	The Member Secretary Madhya Pradesh State Pollution Control Board ParyavaranParisar, E-5 Arera Colony Bhopal – 462016 Madhya Pradesh	16.	The Member Secretary Manipur State Pollution Control Board Lamphepat, Imphal West D.C. Office Complex – 795004 Manipur
17.	The Member Secretary Meghalaya State Pollution Control Board Arden, Lumpyngngad, Shillong – 793014 Meghalaya	18.	The Member Secretary Mizoram State Pollution Control Board New Secretariat Complex, Khatla,Thlanmual Peng, Aizawl Mizoram 796001
19.	The Member Secretary Nagaland State Pollution Control Board Signal Point, Dimapur, Nagaland – 797112 Nagaland	20.	The Member Secretary Odisha State Pollution Control Board Paribesh Bhawan A-118, Nilakanta Nagar, Unit VIII, Bhubaneswar – 751012 Odisha
21.	The Member Secretary Punjab State Pollution Control Board Nabha Road, ITI Rd, Adarsh Nagar, Prem Nagar, Patiala – 147001, Punjab	22.	The Member Secretary Rajasthan State Pollution Control Board A-4 Institutional Area, JhalaneDungri Jaipur – 302004, Rajasthan

23.	The Member Secretary Sikkim State Pollution Control Board State land Use & Environment Cell Govt. of Sikkim, Deorali, Gangtok, Sikkim	24.	The Member Secretary Tamil Nadu State Pollution Control Board No. 76, Mount Salai, Guindy, Chennai - 600032 Tamil Nadu
25.	The Member Secretary Telangana State Pollution Control Board Paryavaran Bhavan A-3, Industrial Estate, Sanath Nagar, Hyderabad - 500 018 Telangana	26.	The Member Secretary Tripura State Pollution Control Board Parivesh Bhawan Pt. Nehru Complex, Gorkhabasti P.O., Kunjaban, Agartala, West Tripura - 799 006 Tripura
27.	The Member Secretary Uttarakhand Environment Protection & Pollution Control Board 29/20, Nemi Road, Dehradun - 248001 Uttarakhand	28.	The Member Secretary Uttar Pradesh State Pollution Control Board 3 rd floor, PICUP Bhavan, Vibhuti Khand, Gomti Nagar, Lucknow - 226010 Uttar Pradesh
29.	The Member Secretary West Bengal State Pollution Control Board Paribesh Bhavan Building, No.10-A, Block -LA, Sector 3, Salt Lake City, Kolkata - 700 091, West Bengal	30.	The Member Secretary Delhi Pollution Control Committee, Government of N.C.T. Delhi 4th Floor, ISBT Building, Kashmere Gate, Delhi-110006
31.	The Member Secretary Andaman & Nicobar Islands Pollution Control Committee, Department of Science & Technology, Dollygunj Van Sadan, Haddo P.O., Port Blair - 744102	32.	The Member Secretary Chandigarh Pollution Control Committee, Paryavaran Bhawan, Ground Floor, Sector 19 B Madhya Marg, Chandigarh
33.	Member Secretary Daman, Diu & Dadra Nagar Haveli Pollution Control Committee, Office of the Deputy Conservator of Forests, Moti Daman, Daman - 396220	34.	Member Secretary Lakshadweep Pollution Control Committee, Department of Science, Technology & Environment, Kavarati-682555
35.	Member Secretary Pondicherry Pollution Control Committee, Housing Board Complex, Anna Nagar, Pondicherry-600 005		---

2. Joint Secretary (Marketing)
Ministry of Petroleum and Natural Gas, Govt. of India
Shastri Bhavan,
New Delhi – 110001
3. Chief Controller of Explosives
Petroleum and Explosive Safety Organization (PESO)
A Block CGO Complex Fifth Floor Seminary Hills
Nagpur-(Maharashtra) -440006
4. Director
Legal Metrology
Ministry of Consumer Affairs, Food and Public Distribution Deptt. of Consumer Affairs,
Room No.461-A, Krishi Bhawan,
New Delhi - 110 001
5. The Chairman,
M/s. Bharat Petroleum Corporation Limited
Bharat Bhavan, 4 and 6 Currimbhoy Road
Ballard Estate, Mumbai 400 001
6. The Chairman,
M/s. Hindustan Petroleum Corporation Limited
Petroleum House, 17, Jamshedji Tata Road, Mumbai
Maharashtra 400020
7. The Chairman,
M/s. Indian Oil Corporation Limited
Indian Oil Bhawan, G9, Ali Yavar Jung Marg
Bandra East, Mumbai, Maharashtra 400 051
8. The Chairman,
M/s. Shell India Markets Pvt. Ltd.
Plot No. 7, Bangalore Hardware Park,
Devanahalli Industrial Park
MahadevaKodigehalli
Bangalore- 562 149, Karnataka.
9. The Chairman,
M/s Reliance Industries Limited,
Maker Chambers - IV
Nariman Point
Mumbai 400 021, India
10. The Chairman,
M/s. Nayara Energy Limited (Formerly Essar Oil Limited)
5th Floor, Jet Airways Godrej BKC,
Plot No. C-68, G Block
BandraKurla Complex, Bandra East
Mumbai- 450 051

Copy to:

1. Joint Secretary
CP Division
Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhavan,
Jorbagh Road, New Delhi – 110 003
2. Regional Director
Regional Directorate, Lucknow
PICUP Bhawan, Vibhuti Khand, Gomti Nagar,
Lucknow– 226010
3. Regional Director
Regional Directorate, Bengaluru
A-Block, Nisarga Bhavan,
1st and 2nd Floors, 7th D Cross, Thimmaiah Road, Shivanagar,
Bengaluru-560079
4. Regional Director
Regional Directorate, Bhopal
Parivesh Bhawan, Paryavaran
Parisar E-5, Arera Colony, Bhopal-462016
5. Regional Director
Regional Directorate, Vadodara
Parivesh Bhawan, Opp. Ward No. 10 VMC Office Subhanpura,
Vadodara –390023
6. Regional Director
Regional Directorate, Shillong
"TUM-SIR". Lower Motinagar,
Near Fire Brigade H.Q., Shillong–793014
7. Regional Director
Regional Directorate, Kolkata
'South end Conclave' Block-502, 5th & 6th Floor, 1582,
Razidanga, Main Road, Kolkata- 700107
8. Regional Director
Regional Directorate, Tamil Nadu
Second Floor, No.77-A, South Avenue Road, Ambattur Industrial Estate, Ambattur
Taluk, Thiruvallur District, Chennai- 600 058, Tamil Nadu.
9. Regional Director
Regional Directorate, Chandigarh
e-mail- gurnamsingh.cpcb@nic.in
10. Regional Director
Regional Directorate, Pune
e-mail - bksharma.cpcb@nic.in
11. PA to CCB
12. AO to MS
13. IT Division : for uploading on CPCB website

ADDENDUM TO GUIDELINES FOR SETTING UP OF NEW PETROL PUMPS

The Hon'ble NGT vide orders dated 23.07.2020 and 09.10.2020, in the matter of Suresh Mandaloi Vs. State of M. P. & Ors. (O.A. No. 61 of 2019 (CZ)), directed MoEF&CC and CPCB to submit a report with regard to the minimum distance from water bodies to the petrol pump.

The matter was subsequently referred to the Expert Committee constituted by CPCB earlier in the matter of guidelines for setting up of new petrol pumps and the following addendum guidelines (to guidelines dated 07.01.2020) have been finalised for implementation in case of petrol pumps near water bodies:

- a) All the surface water bodies irrespective of utility shall be protected from any possible contamination. These include lakes, ponds, streams, rivers, wetlands, canals and creeks, as per revenue records. Retail Outlets shall not be located within a distance of 50 meters from the nearest point of water bodies. In case of streams and rivers, the distance shall be considered from floodway. In case floodway is not defined, the distance shall be considered from firm banks/ edge of river. The siting criterion is to be implemented for all new petrol pumps where construction by OMCs starts post the issuance of these guidelines.
- b) Retail outlets coming within 50 meter to 100 meter from the nearest point of surface water body shall have secondary containment by way of double walled tanks or concrete protection walls around Underground Storage Tank (UST).
- c) Groundwater and soil quality monitoring near the premises of fuel retail outlets shall be conducted by OMCs once a year through E (P) Act, 1986 approved labs or labs with national/international accreditation. The monitoring shall be done for those Fuel Retail Outlets which are located within 100 meter from the nearest point of surface water bodies. These shall be applicable to all petrol pumps, regardless of the date of establishment. In case of any clarification and/or difficulty in obtaining samples for groundwater and soil quality monitoring, OMCs may seek

assistance of local administration/SPCB/PCC/CGWB. Protocol for soil and groundwater monitoring is annexed as Annexure-I.

- d) Groundwater and soil quality monitoring shall also be conducted by OMCs before installation of the new fuel retail outlet, for those retail outlets coming up within 100 meter from the nearest point of surface water bodies.

NOTE: These guidelines are supplementary to all existing relevant Rules, Guidelines, Orders, Notifications such as Wetlands (Conservation and Management) Rules, 2017, Coastal Regulation Zone (CRZ) Notification, 2011 etc. The other measures, prescribed in CPCB guidelines for setting up of new petrol pumps dated 07.01.2020, for containment and treatment of spillages, check on leakages from USTs, treatment and disposal of sludge removed from underground tanks during cleaning, measures for protection of workers' health, audit of all protection measures and monitoring system implemented at petrol pumps, shall also apply to the fuel retail outlets falling in the criteria specified above.

Monitoring protocol specifying the prescribed parameters and screening values annexed with these guidelines (other than the monitoring frequency), shall also be adopted for those retail outlets where CPCB guidelines dated 07.01.2020 are applicable.

These guidelines shall be reviewed from time to time.

Annexure-I

Protocol for monitoring quality of soil and groundwater near the premises of fuel retail outlets

Samples of groundwater being used for drinking purposes shall be collected from at least three different directions with reference to the retail outlet. The sampling point should be preferably within 50m distance from the underground storage tank location at the retail outlet. The samples shall be analysed for the following parameters:

Table 1.

Sr. No.	Parameter	Screening Values
1.	Total petroleum hydrocarbons (C ₁₀ -C ₄₀)	0.6mg/L
2.	BTEX	i. Benzene- 0.01mg/L ii. Toluene- 0.7mg/L iii. Xylene- 0.5mg/L
3.	Methyl Tertiary Butyl Ether	13µg/l
4.	Total PAH	0.0001mg/l

Further, soil sample shall be collected from a borehole within the premises of the fuel retail outlet adjacent to the Underground Storage Tank (UST) pit. The depth of bore hole should be up to 1m below the bottom of the storage tank level. Soil samples shall be analysed for the following parameters:

Table 2.

Sr. No.	Parameter	Screening Values(mg/kg)
1.	Total petroleum hydrocarbons (TPH)	5000
2.	Benzene	5
3.	Toluene	30
4.	Xylene	50
5.	Methyl Tertiary Butyl Ether	100
6.	Total PAH	40

Ground water and soil quality monitoring shall be conducted by OMCs once a year through E (P) Act, 1986 approved labs or labs with national/international accreditation and the reports are to be submitted to SPCB. The soil monitoring shall be done in first six months while groundwater monitoring shall be done in the next six months.

In case of exceedance of screening by any parameter, or in case of leakage resulting in soil/groundwater contamination, the measures/steps as prescribed in the guidelines for setting up of petrol pumps dated 07.01.2020 shall be taken up. Assessment and remediation shall be carried out as per the guidelines issued by MoEF&CC and CPCB.

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**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**SUDHANSHU DHULIA; J., J.B. PARDIWALA; J.
CIVIL APPEAL NO. 421 OF 2022; MARCH 14, 2023**

M/s Indian Oil Corporation Limited *versus* V.B.R. Menon & Others

Environment Protection Act, 1986 - Supreme Court upholds the directions of NGT Chennai that all petroleum outlets in cities having population of more than 10 lakh and having turnover of more than 300 KL/Month shall install the Vapour Recovery System (VRS) mechanism- SC however sets aside NGT directions that new petroleum outlets should mandatorily obtain Consent to Establish and existing outlets should have Consent to Operate.

National Green Tribunal Act, 2010 - NGT has the jurisdiction to direct the CPCB that it should in exercise of its powers under Section 5 of the Environment Protection Act 1986 - Para 44, 47

WITH CIVIL APPEAL NO. 494 OF 2022 CIVIL APPEAL NO. 1695 OF 2022 CIVIL APPEAL NO. 2039 OF 2022 CIVIL APPEAL NO. 1758 OF 2022 CIVIL APPEAL NO. 1912 OF 2022

For parties(s) Mr. Jay Savla, Sr. Adv. Mr. Prabhat Chaurasia, Adv. Mr. Jasdeep Singh Dhillon, Adv. Mr. Rahul Gupta, AOR Mr. Pinaki Mishra, Sr. Adv. Mr. K. R. Sasiprabhu, AOR Mr. Vishnu Sharma A S, Adv. Mr. Tushar Bhardwaj, Adv. Mr. Prakhar Agarwal, Adv. Mr. T. Sundar Ramanathan, AOR Mr. Vivek Pandey, Adv. Ms. Sukanya Viswanathan, Adv. Ms. Aastha Sardana, Adv. Mr. Sanjay Kapur, AOR Mr. Tushar Mehta, Solicitor General Mr. Balaji Srinivasan, AOR Mr. Shiva Krishnamurti, Adv. Ms. Gauri Pasricha, Adv. Ms. Gauri Paricha, Adv. Mr. Devamshu Behl, Adv. 2 Mr. Rohan Dewan, Adv. Mrs. Lakshmi Rao, Adv. Mr. A Sirajudeen, Sr. Adv. Mr. Vbr Menon, Adv. Ms. Manjeet Chawla, AOR Mr. Keethik Vasam, Adv. Mrs. Usha Pant Kukreti, Adv. Mr. Amit Anand Tiwari, A.A.G. Dr. Joseph Aristotle S., AOR Mr. Shobhit Dwivedi, Adv. Ms. Devyani Gupta, Adv. Ms. Tanvi Anand, Adv. Mr. Saurabh Mishra, AOR Ms. Bhumi Agrawal, Adv. Mr. Rakesh Chander, Adv. Ms. Priya Kaushik, Adv. Mr. Amrish Kumar, AOR Mr. Sanjay Kapur, AOR Ms. Megha Karnwal, Adv. Mr. Surya Prakash, Adv. Mr. Arjun Bhatia, Adv. Mr. Rahul Gupta, AOR

J U D G M E N T

J.B. PARDIWALA, J. :

Since the issues raised in all the captioned appeals are the same and the challenge is also to the self same order passed by the National Green Tribunal, Southern Zone, Chennai, (for short, “NGT, Chennai”), those were taken up for hearing analogously and are being disposed of by this common judgment and order.

2. For the sake of convenience, the Civil Appeal No. 2039 of 2022 is treated as the lead matter.

3. This appeal is filed by an oil marketing company viz. the Reliance BP Mobility Limited incorporated under the Companies Act, 2013 and is directed against the judgment and order dated 23.12.2021 passed by the NGT, Chennai in the Original Application No. 138 of 2020 (SZ) insofar as the impugned order directs the Central Pollution Control Board (CPCB) as well as the State Pollution Control Boards to issue directions to make it mandatory to obtain Consent to Establish (“CTE”) and the Consent to Operate (“CTO”) for new retail petroleum outlets as well as the existing retail petroleum outlets.

FACTUAL MATRIX:

4. It appears from the materials on record that the respondent No. 2 herein Mr. V.B.R. Menon, a resident of Chennai, filed the Original Application No. 138 of 2020 (SZ) before



the NGT, Chennai raising the issue in regard to the non-installation of Vapour Recovery Systems (VRS) in the petroleum outlets by the oil marketing companies (OMCs). In the Original Application No. 138 of 2020, the applicant (respondent No. 2 herein) prayed for the following reliefs:-

“Reliefs:

- A. Injunct the respondents 5 to 9 from commissioning and operating any new petroleum retail outlets in Tamil Nadu without installing Vapour Recovery Systems, Stage 1 and 2 in good working condition, pending disposal of this application and
- B. Pass such further order or orders as may fit proper and necessary in the facts and circumstances of the case

Prayer

- A. Direct the respondent oil marketing companies R-5 to R-9 to install and operate Vapour Recovery Systems, Stage 1 and 2, in good working condition before opening and commissioning of any new petroleum retail outlets in Tamil Nadu.
- B. Direct the respondent oil marketing companies R-5 to R-9 to install and operate Vapour Recovery Systems Stage 1 and 2, in all the existing petroleum outlets in Tamil Nadu within a time schedule to be prescribed by this Hon'ble Tribunal for each city, town and rural area situated in Tamil Nadu.
- C. Pass such further order or orders as may be fit proper and necessary in the facts and circumstances of the case and thus render justice.”

5. The basis for filing of the original application as aforesaid before the NGT, Chennai was the order passed by the Principal Bench of the NGT in the Original Application No. 147 of 2016 wherein the Principal Bench of the NGT issued directions to install Stage-I and Stage-II vapour recovery devices (VRD) at all fuel stations, distribution centers, terminals, railway loading/unloading facilities and airports in the National Capital Territory of Delhi. Vide order dated 28.09.2018 passed in the O.A. No. 147 of 2016 by the Principal Bench of the National Green Tribunal, the time line of installation of VRD was extended.

6. The NGT, Chennai adjudicated the O.A. No. 138 of 2020 (SZ) and disposed of the same vide order dated 23.12.2021 by issuing the following directions:-

“69. In the result, this application is disposed of as follows:-

i. We made it clear that all the Retail Petroleum Outlets which are located in cities having more than 10 Lakh population should have installed the VRS mechanism which are having turnover of more than 300 KL/Month and above, as insisted by the Central Pollution Control Board in consultation with the Ministry of Petroleum and Natural Gas as per circular dated 12.12.2016. If any of the Retail Petroleum Outlets had not installed the same within the time frame fixed by the CPCB or extended by the Hon'ble Apex Court in this regard, then CPCB is directed to take appropriate action against those petroleum outlets/storage depot which have not complied with the same by imposing environmental compensation as directed by the Principal Bench of National Green Tribunal, New Delhi in O.A. No.147 of 2016 (Aditya N. Prasad & Ors. Vs. Union of India & Ors.).

ii. As regards the new petroleum outlets of Stage 1 and Stage 2 (having 100 KL/Month to 300 KL/Month) and for Stage 1A (Storage depots) are concerned, the same will have to be installed within the extended time fixed by the CPCB both by public sector undertaking and private sector undertaking and if there is any violation found, then they are directed to take appropriate action for such violation as directed by the Principal Bench of National Green Tribunal, New Delhi in O.A. No.147 of 2016 (Aditya N. Prasad & Ors. Vs. Union of India & Ors.).

iii. The Central Pollution Control Board (CPCB) as well as the State Pollution Control Boards are directed to issue direction under Section 5 of the Environment (Protection) Act, 1986 and Section 18 of the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981 to make it mandatory to obtain Consent to Establish and Consent to Operate for new petroleum outlets to be established in future and even to those which are under the preparation of establishment, but not started construction as has been done by the State Pollution Control Board, Kerala and such a direction should be issued within a period of 3 (Three) months and till then, all the new Retail Petroleum Outlets are directed to apply for Consent to Establish and Consent to Operate before its establishment.

iv. We also direct all the existing Retail Petroleum Outlets irrespective of its turnover to obtain Consent to Operate for the existing outlets within a period of 6 (Six) Months. If it is not obtained, then the concerned State Pollution Control Board is directed to take appropriate action against such petrol pumps in accordance with law.

v. Considering the circumstances, parties are directed to bear their respective cost in the application.

vi. The Registry is directed to communicate this order to the Ministry of Environment, Forests & Climate Change (MoEF&CC), Central Pollution Control Board, New Delhi, Integrated Regional Office of the Central Pollution Control Board, Bangalore and Chennai, State Pollution Control Boards of Tamil Nadu, Kerala, Andhra Pradesh, Telangana, Karnataka and also to the Pollution Control Committee of Union Territory of Puducherry for their information and compliance of the direction.”

7. Being dissatisfied with the aforesaid directions issued by the NGT, Chennai, the appellant is here before this Court.

8. The other oil marketing companies (OMCs) before this Court seeking to challenge the very self same order passed by the NGT are : (1) M/s Indian Oil Corporation Limited, (2) M/s Hindustan Petroleum Corporation Limited; (3) M/s Bharat Petroleum Corporation Limited, (4) M/s Nayara Energy Limited, and (5) M/s Shell India Markets Private Ltd.

Submissions on behalf of the appellant:

9. At the outset, the learned counsel appearing on behalf of the appellant herein submitted that it does not seek to challenge the directions contained in para 69(i) and 69(ii) reply of the impugned order i.e. regarding the installation of the VRS/VRD. The learned counsel would like to confine his challenge only to the direction issued in para 69(iii) and para 69(iv) reply referred to above i.e. in regard to the Consent to Establish (CTE) and Consent to Operate (CTO).

10. The learned counsel submitted that the present appeal gives rise to three substantial questions of law which read thus:-

A. Whether the NGT can issue directions which are in the nature of legislative functions?

B. Whether the public sector and private sector OMCs and/or ROs (Retail Outlets) are required to obtain Consent to Establish and/or Consent to Operate for operation, establishment and carrying on the business of ROs?

C. Whether the NGT can impose requirement of obtaining an additional approval merely to provide for a regulating mechanism to supervise compliance of the existing guidelines issued by the CPCB?

11. The learned counsel submitted that the directions issued in para 69(iii) and 69(iv) respy of the impugned order are legislative in nature and therefore beyond the jurisdiction of the NGT. He would submit that the directions issued by the NGT, Chennai to the CPCB making it mandatory to obtain CTE and CTO for ROs would amount to enacting a law under the guise of judicial order. It was further submitted that there is no rational basis to issue the directions making it mandatory for the ROs to obtain CTE and/or CTO. According to the learned counsel, the only basis for the NGT to issue such directions is to ensure proper regulatory mechanism and/or to secure compliance of the guidelines issued by the CPCB regarding installation of VRS, etc. It was also submitted that the impugned directions are directly in conflict with the object with which the reclassification of industries has been done by the CPCB. It was pointed out that the petroleum retail outlets fall within the green zone and for any industry falling within the green zone, it is not mandatory to obtain CTO and/or CTE. It was further submitted that the process of setting up of a RO requires obtaining of numerous approvals and the same takes a considerable period of time. For instance, even prior to the construction of ROs, the OMCs are required to obtain approvals from *inter alia* (1) Petroleum & Explosives Safety Organisation (PESO), (2) Town and Country Planning Officers, (3) National Highway Authority of India, (4) District/Divisional Forest Officer/Regional Forest Officer, (5) approvals from the State Cabinet, etc. Furthermore, the OMCs are also required to obtain No-Objection Certificate from the concerned District Magistrate. Such NOC from the District Magistrate comprises of approvals from various authorities, such as – the fire department, Police Department, PWD, Health and Safety, concerned Municipality and/or any other authority that the District Magistrate may consider necessary. Thereafter, upon construction of the ROs, the OMCs are required to obtain final approvals from inter alia PESO, National Highway Authority of India, Legal Metrology Department Labour Department and the concerned Municipality. The timelines for some of the aforesaid approvals range over 120 to 240 days. In such circumstances, according to the learned counsel, by making it mandatory to obtain the CTO and CTE for setting up/operating a RO would cause lot of hardship and also delay the setting of ROs.

12. The learned counsel laid much stress on the fact that the CPCB its vide Office Memorandum dated 07.01.2020 had issued guidelines for setting up of new petroleum pumps in compliance of the order passed by the NGT dated 18.01.2019 in O.A. No. 86 of 2019 titled *Gyanprakash @ Pappu Singh v. Gol & Ors.* The guidelines are very exhaustive and they take care of the apprehension expressed by the NGT in its impugned order. Once these guidelines are scrupulously observed and followed, there is no need thereafter to obtain CTO and/or CTE.

13. In such circumstances referred to above, the learned counsel appearing for the appellant prayed that there being merit in his appeal, the same may be allowed and the directions issued in para 69(iii) and para 69(iv) of the impugned order passed by the NGT, Chennai be set aside.

Submissions on behalf of the respondent No. 2 – the original applicant before the NGT:

14. The learned counsel appearing for the respondent No. 2 (the original applicant) vehemently submitted that no error, not to speak of any error of law, could be said to have been committed by the NGT in issuing the impugned directions. It was submitted that no interference is warranted at the hands of this Court in an appeal filed under Section 22 of the National Green Tribunal Act, 2010 (for short, 'the NGT Act'). According to the learned counsel, an appeal under Section 22 of the NGT Act is restricted to substantial questions

of law. There is no substantial question of law involved in the present appeal. In such circumstances referred to above, the learned counsel prays that there being no merit in the present appeal, the same may be dismissed.

Submissions on behalf of the respondent No. 1- CPCB:

15. Mr. Tushar Mehta, the learned Solicitor General submitted that there was no need for the NGT to issue the impugned directions as contained in para 69(iii) and para 69(iv) reply, more particularly in view of the detailed guidelines issued by the CPCB vide the Office Memorandum dated 07.01.2020. According to Mr. Mehta, what is sought to be achieved by asking the ROs to obtain CTE and/or CTO can very well be taken care of by ensuring that all the existing ROs and the ROs that may come up in future scrupulously abide by the guidelines issued by the CPCB. The CPCB has ensured that all the State Pollution Control Boards keep a very strong vigil on the ROs across the country so as to ensure that the guidelines issued by it are scrupulously followed. Even, according to Mr. Mehta, to ask all the existing ROs to obtain CTO is something very unreasonable. According to Mr. Mehta, the same requires a lot of paper work and is very time consuming.

16. Mr. Mehta would submit that it is highly debatable that the NGT could have directed the CPCB that it should in exercise of powers under Section 5 of the Environment (Protection) Act, 1986 (for short, 'the Act 1986') make it mandatory to obtain CTE and/or CTO.

17. Mr. Mehta in the last submitted that so far as directions contained in para 69(i) & 69(ii) reply are concerned, the same shall be complied with in its true perspective and the State Pollution Control Boards shall ensure due compliance of the same. He would submit that the CPCB shall also ensure that the guidelines issued by it referred to above are strictly adhered to by the all State Pollution Control Boards and, if there is any lapse at the end of any retail outlet, then necessary action shall be taken in accordance with law.

18. In such circumstances referred to above, Mr. Mehta prays that the directions contained in para 69(iii) and 69(iv) may be set aside or modified appropriately.

Analysis:

19. Having heard the learned counsel appearing for the parties and having gone through the materials on record, the only question that falls for our consideration is : (i) whether the NGT has the jurisdiction to direct the CPCB that it should in exercise of its powers under Section 5 of the Act 1986 make obtaining of the CTE and CTO reply mandatory for all the petroleum retail outlets across the country?

20. This Court, while issuing notice vide order dated 07.02.2022 in one of the connected appeals i.e. Civil Appeal 494 of 2022, observed thus:-

"Issue notice, returnable in six weeks.

Meanwhile, the directions issued vide impugned order of the National Green Tribunal dated 23.12.2021 shall remain stayed provided the petitioner complies with the directions issued by the Central Pollution Control Board (CPCB) dated 04.06.2021 prescribing fresh timeline for completion of installation of Vapor Recovery Devices (VRD).

Mr. Sanjay Kapur, learned counsel appearing for the appellant has stated that in terms of the said directions of CPCB dated 04.06.2021, Vapor Recovery Devices have already been installed in 50% retail outlets by December, 2021 in the specified category and the remaining timeline shall also be complied with."

21. As the principal argument of all the learned counsel appearing for the respective oil marketing companies in the present litigation is in regard to the jurisdiction of the NGT to issue the impugned directions, it is necessary to first understand the entire scheme of the NGT Act.

Scheme of the NGT Act, 2010:

22. The preamble to the NGT Act reads as follows:-

“An Act to provide for the establishment of a National Green Tribunal for the effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected therewith or incidental thereto.

AND WHEREAS India is a party to the decisions taken at the United Nations Conference on the Human Environment held at Stockholm in June, 1992, in which India participated, calling upon the States to provide effective access to judicial and administrative proceedings, including redress and remedy and to develop national laws regarding liability and compensation for the victims of population and other environmental damage;

AND WHEREAS in the judicial pronouncement in India, the right to healthy environment has been construed as a part of the right to life under article 21 of the Constitution.

AND WHEREAS it is considered expedient to implement the decisions taken at the aforesaid conference and to have a National Green Tribunal in view of the involvement of multi-disciplinary issues relating to the environment.”

23. The jurisdiction and powers of the NGT are to be found in Sections 14 to 20 resply. A close look at these provisions would show that the NGT has both original as well as appellate jurisdiction. The range of powers that the NGT has include:-

- (i) the power to adjudicate upon civil cases where a substantial question relating to environment is involved (Section 14(1));
- (ii) the power to grant relief and compensation to the victims of pollution (Section 15(1)(a); and
- (iii) the power to order restitution of either property damaged or of the environment (Section 15(1)(b).

24. A person in whose favour the NGT passes an award or order, is entitled to two types of remedies, if the award or order or the decision of the NGT is not complied with. The first is a right to seek execution of the award under Section 25 and the second is to seek the prosecution of the offenders before a criminal court under Section 26.

25. Apart from the bar of jurisdiction of civil courts under Section 29, the NGT Act is also conferred the overriding effect upon any other law under Section 33, which reads as follows:

“Section 33. Act to have overriding effect:—The provisions of this Act, shall have effect notwithstanding anything inconsistent contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.”

26. Sub-section (1) of Section 38 of the NGT Act repeals the following enactments:-

- (i) The National Environment Tribunal Act, 1995
- (ii) The National Environment Appellate Authority Act, 1997

27. Apart from repealing the above two enactments expressly under sub-section (1) of Section 38, the NGT Act also contains a provision in sub-Section (8) of Section 38 which deals with implied repeal. Sub-Section (8) of Section 38 reads as follows:-

“(8) The mention of the particular matters referred to in sub-sections (2) to (7) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 (10 of 1897) with regard to the effect of repeal.”

28. In so far as the execution of the orders of NGT are concerned, Section 25 confers two types of powers as noted below:-

(a) The power to execute the award by itself, as if the award is a decree of a civil court and

(b) The power to transmit the award to a civil court for its execution.

29. As stated earlier, the failure of any person to comply with the award of the NGT is also made punishable under Section 26, with imprisonment for a term that may extend to three years or with fine which may extend to ten crore rupees or with both. Section 27 makes every company and every person directly in charge of the affairs of the company liable to prosecution. Section 28 makes even the Government Departments liable to be prosecuted and punished. Such powers are not available for the Loss of Ecology Authority.

30. Though Sub-Section (2) of Section 26 makes offences under the AGT Act known cognizable, Section 30(1)(b) entitles any person who has given notice of not less than sixty days in the prescribed manner, of the alleged offences and of his intention to prosecute, to file a complaint before the competent court. Interestingly, Section 30(1)(b) does not even use the expression “aggrieved person”. It uses only an expression “any person”.

31. The 186th Report of the Law Commission, submitted in 2003, eventually paved the way for the enactment of the NGT Act. This can be seen from the relevant portion of the Statement of Objects and Reasons of the NGT Act which read as follows:-

“4. The National Environment Tribunal Act, 1995 was enacted to provide for strict liability for damages arising out of any accident occurring while handling any hazardous substance and for the establishment of a National Environment Tribunal for effective and expeditious disposal of cases arising from such accident, with a view to giving relief and compensation for damages to persons, property and the environment. However, the National Environment Tribunal, which had a very limited mandate, was not established. The National Environment Appellate Authority Act, 1997 was enacted to establish the National Environment Appellate Authority to hear appeals with respect to restriction of areas in which any industries, operations or processes or class of industries, operations or processes shall not be carried out or shall be carried out subject to certain safeguards under the Environment (Protection) Act, 1986. The National Environment Appellate Authority has a limited workload because of the narrow scope of its jurisdiction.

5. Taking into account the large number of environmental cases pending in higher courts and the involvement of multidisciplinary issues in such cases, the Supreme Court requested the Law Commission of India to consider the need for constitution of specialised environmental courts. Pursuant to the same, the Law Commission has recommended the setting up of environmental courts having both original and appellate jurisdiction relating to environmental laws.

6. In view of the foregoing paragraphs, a need has been felt to establish a specialised tribunal to handle the multidisciplinary issues involved in environmental cases. Accordingly, it has been decided to enact a law to provide for the establishment of the National Green Tribunal for effective and expeditious disposal of civil cases relating to environmental protection and conservation of

forests and other natural resources including enforcement of any legal right relating to environment.”

32. From the 186th Report of the Law Commission and the salient features of the Act, the following could be deduced:

(1) The creation of the National Green Tribunal, was in pursuance of the repeated directions issued by this Court in at least four cases namely, *M.C. Mehta v. Union of India* [(1986) 2 SCC 176], *Indian Council for Enviro Legal Action v. Union of India* [(1996) 3 SCC 212], *A.P. Pollution Control Board v. M.V. Nayudu* [(1999) 2 SCC 718], *A.P. Pollution Control Board v. M.V. Nayudu* [(2001) 2 SCC 62].

(2) The object of creation of the National Green Tribunal was to provide, what could be called a one-stop-shop solution, for all types of issues such as Environmental clearances, settlement of disputes relating to environment, relief and compensation for victims of pollution and environmental damage, restitution of property, restitution of environment etc.

(3) The Tribunal was to have both original and Appellate jurisdiction, with enormous powers not only to execute its orders as decrees of civil courts, but also to punish those who fail to comply with its orders.

(4) The Tribunal was to collect a court fee and entertain claims preferred within a period of limitation.

33. Under the NGT Act, the Act 1986 was also amended. By Section 36 of the NGT Act, Section 5A was inserted in the Act 1986. Under this Section, any direction issued by the Central Government under Section 5, either for the closure, prohibition or regulation of any industry, operation or process or the stoppage or regulation of the supply of electricity or water or any other service, was made appealable to the National Green Tribunal.

34. The legal effect of Section 5A of the Act 1986, if juxtaposed in to Section 5 read with Section 3(3) will be:—

(1) that Central Government is competent to issue certain directions under Section 5;

(2) that the power under Section 5 can also be exercised by the Authority constituted under Section 3(3); and

(3) that the directions issued under Section 5, either by the Central Government itself or by the Authority constituted under Section 3(3) are amenable to the appellate jurisdiction of the National Green Tribunal.

35. We now proceed to consider whether the NGT has the power & jurisdiction to issue directions to the CPCB/its delegates to take all such measures if in a given case the NGT finds that such directions are necessary in the interest of justice.

36. Section 3 of the Act 1986 expressly empowers the Central Government or its delegate, as the case may be, to "take all such measures as it deems necessary or expedient for the purpose of protecting and improving the quality of environment.....". Section 5 clothes the Central Government or its delegate with the power to issue directions for achieving the objects of the Act. Read with the wide definition of "environment" in Section 2(a), Sections 3 and 5 resply clothe the Central Government with all such powers as are "necessary or expedient for the purpose of protecting and improving the quality of the environment". The Central Government is empowered to take all measures and issue all such directions as are called for the above purpose.

37. We take notice of the fact that the Central Government has framed the National Green Tribunal (Practices and Procedures) Rules, 2011 (for short, 'the NGT Rules'). For our purpose, Rule 24 is important which reads thus:-

"Rule 24. Order and directions in certain cases.— The Tribunal may make such orders or give such directions as may be necessary or expedient to give effect to its order or to prevent abuse of its process or to secure the ends of justice."

38. The aforesaid Rule 24 fell for the consideration of this Court in *Municipal Corporation of Greater Mumbai v. Ankita Sinha*, 2021 SCC OnLine SC 897. We quote the few relevant observations made by this Court in *Ankita Sinha* (supra) as regards the powers of the National Green Tribunal:-

"16.3 The said Rules make it clear that the NGT has been given wide discretionary powers to secure the ends of justice. This power is coupled with the duty to be exercised for achieving the objectives. The intention understandably being to preserve and protect the environment and the matters connected thereto.

16.4 By choosing to employ a phrase of wideimport, i.e. secure the ends of justice, the legislature has nudged towards a liberal interpretation. Securing justice is a term of wide amplitude and does not simply mean adjudicating disputes between two rival entities. It also encompasses inter alia, advancing causes of environmental rights, granting compensation to victims of calamities, creating schemes for giving effect to the environmental principles and even hauling up authorities for inaction, when need be.

16.5 Moreover, unlike the civil courts which cannot travel beyond the relief sought by the parties, the NGT is conferred with power of moulding any relief. The provisions show that the NGT is vested with the widest power to appropriate relief as may be justified in the facts and circumstances of the case, even though such relief may not be specifically prayed for by the parties.

21.6 ... The above would show that from the very inception, the role of the NGT was not simply adjudicatory in the nature of a lis but to perform equally vital roles which are preventative, ameliorative or remedial in 17 (1999) 2 SCC 718 nature. The functional capacity of the NGT was intended to leverage wide powers to do full justice in its environmental mandate.

IX. AUTHORITY WITH SELF-ACTIVATING CAPABILITY

25.1 Given the multifarious role envisaged for the NGT and the purposive interpretation which ought to be given to the statutory provisions, it would be fitting to regard the NGT as having the mechanism to set in motion all necessary functions within its domain and this, as would follow from the discussion below, should necessarily clothe it with the authority to take suo motu cognizance of matters, for effective discharge of its mandate.

25.7 The duty to safeguard Article 21 rights cannot stand on a narrow compass of interpretation. Procedural provisions must be allowed to fall in step with the substantive rights that are invoked in the environmental domain, in larger public interest. The specialized forum is bestowed with the responsibility to ensure protection of the environment. To be effective in its domain, we need to ascribe to the NGT a public responsibility to initiate action when required, to protect the substantive right of a clean environment and the procedural law should not be obstructive in its application.

26.3 As earlier seen, S.20 of the NGT Act which includes the term "decision", in addition to "order" and "award", also require the Tribunal to apply the 'Precautionary Principle' and the statutory mandate being relevant is extracted:-

"20. Tribunal to apply certain principles.- The Tribunal shall, while passing any order or decisions or award, apply the principles of sustainable development, the precautionary principle and the polluter pays principle."

26.4 The principle set out above must apply in the widest amplitude to ensure that it is not only resorted to for adjudicatory purposes but also for other 'decisions' or 'orders' to governmental authorities or polluters, when they fail to "to anticipate, prevent and attack the causes of environmental degradation". Two aspects must therefore be emphasized i.e. that the Tribunal is itself required to carry out preventive and protective measures, as well as hold governmental and private authorities accountable for failing to uphold environmental interests. Thus, a narrow interpretation for NGT's powers should be eschewed to adopt one which allows for full flow of the forum's power within the environmental domain."

CONSENT TO ESTABLISH & CONSENT TO OPERATE:

39. What is "Consent to Establish" (CTE) and what is "Consent to Operate" (CTO)?
Consent to Establish (CTE) means the prior permission of the pollution control board to begin the work of construction of petrol retailing outlet at any place. At this stage, the ground water level in the proposed site, nature of the ground water, its corrosive properties, availability of residential premises, schools, probable danger to environment from the proposed outlet, etc. would be considered by the Pollution Control Board. In case consent to establish is given, the conditions to be complied with would be prescribed in order to safeguard the air ambience and ground water quality and also the soil. The power in this regard is available under Section 25 of the Water (Prevention and Control of Pollution) Act, 1974.

40. Consent to Operate (CTO) means after the establishment of the retail petroleum outlets, a certificate is issued permitting to commence operation. At this stage, the actual compliance of the conditions imposed while issuing the "consent to establish" are ascertained. In case, any additional measures are required to be undertaken, further orders would be issued. After satisfying about the complete safeguard to environment such certificate is issued. In case of a new outlet, the company will first get the consent to establish and after establishment and before operationalizing the petrol bank, the consent to operate is to be obtained. In existing outlets, the safeguards available in their units will have to be shown, thereby indicating & assuring the pollution control board that the unit would not cause damage to the environment. After such satisfaction, the pollution control board would issue a certificate permitting them to operate continuously. The object of the last direction is to ensure that the existing outlets are safe not only regarding air pollution but also against seepage to the ground water and soil. NGT has inherent power to issue this direction since it is only to ensure the safety of the existing units.

41. The fundamental documents required for seeking CTE and CTO are as under:-

Consent to Establish:

- Site plan of the production unit/project
- Brief project report which covers the details of raw material, proposed product, the capital cost of the establishment (land and plant machinery), water balance, water source, and its proposed quantity
- Land documentation such as rent deed/ Registration deed/ Lease deed
- Details of air pollution control/ Water Pollution control equipment
- MOA /Partnership Deed
- Consent to Operate:*
- Copy of the last Consent granted by competent Authority
- Layout schematics manifesting the detail of manufacturing processes

- Latest analysis report of effluent, solid wastes, fuel gases, and hazardous wastes.
- Balance sheet copy attested by CA
- Detail relating to land in case trade effluent is discharged on land for percolation
- Occupation registration accorded by Town & Country Planning Department in case of area development projects/ Building & construction projects
- MOA /Partnership Deed

42. It will be in the fitness of things to incorporate in this judgment the guidelines issued by the CPCB vide its Office Memorandum dated 07.01.2020 for setting up new petroleum pumps. The guidelines are as follows:-

“GUIDELINES FOR SETTING UP OF NEW PETROL PUMPS

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 contamination. 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 of 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.

3. Any major leakage/ spillage of Petrol, Diesel, Lube Oil (more than barrel-165 litres) occurs at fueling station, concerned OMC shall report to State Pollution Control Board, PESO and District Administration under intimation to CPCB within 24 hours of occurrence.

Operation of concerned underground storage tank (UST) and its ancillary components shall be stopped immediately and not be resumed till corrective measures to contain and stop leakage/ spillages are implemented to the satisfaction of PESO and concerned SPCB.

OMCs will be held liable for Environmental Compensation (imposed by SPCBs/PCCs) and assessment of environmental damage (depending on extent of contamination in soil and groundwater) and site remediation. Consultant/ Expert agency appointed by OMCs for damage assessment and site remediation shall have minimum national/ international experience of 5 years in this field. Various approved methods shall be considered for cleaning underground contaminants.

4. All DUs shall have Auto Cut off Nozzles which shuts dispensation of fuel if its level in customer fuel tank reaches full capacity.

5. Breakaways to be installed for all the hoses of dispensing units to reduce spillage in the event of customer vehicles moves away with nozzle still in the fueling position.

6. Single/double plane swivel with breakaway coupling shall be installed for all the dispensing units for better positioning of nozzle while refueling does not fall off accidentally.

7. In pressurized dispensation, all dispensing units shall be installed with shear valves to cut the fuel flow from pipe line immediately upon accidental knocking of dispensing units from its position.

8. In pressurized system all Submersible Turbine Pumps (STPs) are to installed with line leak detectors and in the event of pipeline leaks STPs shall stop pumping fuel from underground tanks.

9. Emergency stop button switch shall be provided on the Multi-Product Dispenser (MPD) to stop the dispensation in case of emergency.

10. Automation system shall be installed at all new retail outlets to alert in case of tank leak by way of auto gauging system approved by PESO.

11. All Retail Outlets shall provide overfill alarm through automation.

12. Measures for spill containment in fill point chambers and forecourt area shall be implemented as prescribed by PESO.

B. Check on leakages (Leakage Detection System) from underground storage tanks so as to prevent groundwater and soil contamination:

1. All new retail outlets *will* have automation system installed which will provide reports on volume balance after every day operation and records shall be maintained.

2. Manual gauging shall be done once in a month and compare the same with Automatic Tank Gauging for accuracy.

3. Daily MS and HSD loss shall not exceed MoPNG prescribed limits. In case of leakage beyond such limits, matter shall be got analyzed by OMCs and further action shall be taken for ascertaining the reasons of losses. In case of leakage resulting in soil/groundwater contamination:

a. Concerned OMC shall report to State Pollution Control Board, PESO and District Administration under intimation to CPCB within 24 hours of occurrence. Operation of such underground storage tank (UST) and its ancillary components shall be stopped immediately.

b. Fuel shall be removed immediately from underground storage tank to prevent further release to environment. Measures to prevent explosion due to vapors released due to leakage as recommended by PESO shall be implemented immediately.

c. OMCs will be held liable for Environmental compensation (imposed by SPCBs/PCCS) and assessment of environmental damage (depending on extent of contamination in soil and groundwater) and site remediation.

Consultant/ Expert agency appointed by OMCs for damage assessment and site remediation shall have minimum national/ international experience of 05 years in this field. Various approved methods shall be considered for cleaning underground contaminants.

d. Operation of Underground tank and its ancillary components shall not be resumed till corrective measures to contain and stop leakages are implemented to the satisfaction of PESO and concerned SPCB.

4. All underground tanks and pipelines shall be subjected to test for leaks every 7 years.

C. Policy towards Treatment and disposal of sludge removed from underground tanks during cleaning:

D. Installation, Operation and maintenance of Vapour Recovery System:

1. All new retail outlets set up with sale potential of 300KL MS per month and setting up in cities with population more than 1 lakh will be provided with YRS. YRS should be functional by the time of sale of MS touch 300 KL. In case of failure of installation of VRS, Environment Compensation will be levied by SPCBs/ PCCs equivalent to the cost of VRS and this will further increase proportionate to the period of non-compliance.

2. Any new retail outlet set up in cities having population more than 10 lakh and having sale potential of 100 KL MS per month will be provided with YRS. YRS should be installed within a period 03 months from the day of sale of MS touch 100 KL. In case of failure of installation of VRS, Environment Compensation will be levied by SPCBs/ PCCs equivalent to the cost of VRS and this will further increase proportionate to the period of non-compliance.

3. In case of Stage II VRS, nozzle shall be provided with flexible cover flap or other alternative system for proper covering of filling tank and therefore proper recovery of vapors.

4. OMCs are responsible for maintaining installed VRS. They have to maintain periodic inspections for AJL regulator as prescribed by Legal Metrology. Proper record shall be maintained,

5. Working of dispenser shall be interlinked with VRS functioning. Online system shall be developed within 06 months to monitor status of operation of VRS. In case of non-operation of VRS, the same shall be automatically reported to concerned OMC. VRS shall be brought into operation immediately within 24 hrs and in any case within 72 hrs failing which sale of MS shall be stopped from the fueling station. Proper records of operation of VRS shall be maintained.

6. Work zone monitoring for Total VOC and Benzene shall be conducted by OMCs for petrol pumps selling more than 300 KL/ month and more than 10 lakh population (in first phase) by E(P)Act, 1986 approved labs once in a year to check compliance with OSHA norms (Time-Weighted Average) and report shall be submitted to SPCB. In addition, pilot study shall be conducted by OMCs through expert institutions for online monitoring of VOCs.

E. Ground water and soil quality monitoring within petrol pump selling more than 300 KL/ month and more than 10 lakh population shall be conducted by OMCs once in two years through E(P)Act, 1986 approved labs for the following parameters from the nearest source and report submitted to SPCB:

Permissible Limit

S.No.	Parameter	Permissible Limit
1.	Total petroleum hydrocarbons	600 pg/l
2.	BTEX	i. Benzene-950 pg/l ii. Toluene-300 pg/l iii. Zylenes- a. O-xylene-350 pg/l b. M&p-xylene-200 pg/l
3.	Ethanol	1400 Pg/l
4.	Methyl Tertiary Butyl Ether	13 Pg/l
5.	PAH	0.000 Pg/l

Enforcement agencies including SPCB can collect samples in and around petrol pump to check contamination

F. Measures for protection of Worker's Health

1.All workers engaged at retail outlets may be covered under ESI, OMC dealers shall implement the personal protective equipment (PPE) in par labor laws.

2.IEC (Information Education Communication) activities should be organized by OMC dealers for workers at regular intervals in order to sensitize them about harmful impacts of VOC emissions,

G. Audit of all protection measures and monitoring system implemented at petrol pumps:

PESO shall conduct audit of tanks and fuel equipment including pipes, overfill protection equipment and alarm system on annual basis and maintain records.

H. Siting criteria of Retail Outlets:

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 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.”

43. Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 places restrictions, both on establishment and operation of any industrial plant located in an air pollution control area without previous consent of the Board. The legislative intent behind this provision would lead to decipher two concepts - one, the consent for the purpose of establishing an industrial plant while the other for operation of that plant. The purpose of this Section is to ensure that when a unit or an industrial plant is given consent to operate, the unit ought to have satisfied all the conditions stated in the order of consent to establish and would have installed the requisite effluent treatment plants and other anti-pollution devices to ensure that it causes no pollution.

44. The upshot of our aforesaid discussion is that the NGT was well within its powers and jurisdiction to issue the directions which have been impugned before us. However, we would like to address on the question — whether the impugned directions are reasonable and whether the same may lead to unnecessary harassment and cause immense hardships to the retail outlets?

45. We take notice of the fact that all the appellants before us have installed VRS and VRD at their sites and retail outlets. We also take notice of the fact that the respondent No. 2 (original applicant) had not prayed before the NGT, Chennai to make CTE and CTO mandatory. The prayers in O.A. No. 138 of 2020 (SZ) were limited to the State of Tamil Nadu only. However, the NGT, Chennai by its impugned order has directed all the petroleum ROs in cities having more than 10 lakh population to install VRS mechanism which are having turnover of more than 300 KL/Month. We also take notice of the fact that the CPCB in consultation with the Ministry of Petroleum and Natural Gas has issued circulars/guidelines from time to time for installation of VRS (also known as Vapour Recovery Device circular). We are not inclined to disturb the impugned directions issued by the NGT, Chennai in regard to installation of the VRS. The CPCB shall ensure that these directions are scrupulously followed and complied with.

46. What is important for us to note is that in the directions/guidelines issued by the CPCB dated 30.04.2020 and 07.03.2016 resply the automobile fuel outlets have been classified as “green” which may be exempted from consent management. The learned Solicitor General submitted that it is only after due consideration and deliberations that the CPCB issued the said directions. The NGT itself in para 66 of its impugned order has noted that the oil industry is characterized as “green category” and the CTE and CTO was not required. It appears to us that the apprehension on the part of the NGT that the installation of VRS may not be strictly monitored by the State Pollution Control Boards, led the NGT to issue directions to the CPCB & State Pollution Control Boards to issue a circular making it mandatory for obtaining the CTE and CTO as a condition precedent for establishing new petroleum outlets. What has been argued before us and also on the basis of the materials on record, we are convinced that it is not necessary to make obtaining of CTE and CTO mandatory. We would like to impress upon the CPCB to ensure that its guidelines referred to above are scrupulously followed and once the guidelines are scrupulously adhered to, no direction to obtain CTE and CTO for starting/operating a RO is warranted. We are at one with the learned counsel appearing for the respective appellants that asking the existing ROs to obtain CTO is something very unreasonable and may lead to various difficulties. Even directing the ROs that may come up in future to obtain the CTE and CTO would be cumbersome and time consuming and thus we do not find it reasonable.

47. In such circumstances, while holding that the National Green Tribunal has the power to direct the CPCB that it should exercise its powers under Section 5 of the Act 1986 for the purpose of protecting the environment, we are inclined to modify the impugned directions issued by the NGT, Chennai as contained in para 69(iii) and 69(iv) resply of the impugned order.

48. In view of the aforesaid, we dispose of the Civil Appeal No. 2039 of 2022 in the following terms:-

(a) The CPCB shall ensure that all the retail petroleum outlets located in different cities having population of more than 10 lakh and having turn over of more than 300 KL/Month shall install the VRS mechanism within the fresh timeline as prescribed in its Circular dated 04.06.2021. To put it in other words, the CPCB shall ensure that the directions issued by the NGT as contained in para 69(i) and (ii) of the impugned order is fully complied with. It shall be the legal obligation of all the State Pollution Control Boards to ensure that the directions issued by the NGT in regard to the installation of the VRS mechanism is complied with within the fresh timeline as prescribed by the CPCB.

(b) We set aside the directions issued by the NGT in the impugned order as contained in para 69(iii) and (iv). Instead, we direct the CPCB to instruct all the State Pollution Control Boards to ensure that the guidelines issued by it vide the Office Memorandum dated 07.01.2020 are strictly adhered to. If there is breach of any of the guidelines issued by the CPCB vide Office Memorandum dated 07.01.2020, then the concerned State Pollution Control Board shall proceed against the erring outlet in accordance with law at the earliest.

49. The connected Appeals are also disposed of in the aforesaid terms.

50. There shall be no order as to costs.

51. Pending application, if any, stands disposed of.

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☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151

E-mail: ms.kspcb@gov.in FAX: 0471 – 2318134, 2318152 web: www.keralapcb.nic.in

KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം – 695 004

File no: kspcb/383/2023-see-3

Dated: 29/03/2023

CIRCULAR

Sub: Petrol Pumps- Hon'ble Supreme Court Order- reg

Ref: Judgment in CA NO.421/2022 dated 14.03.2023 passed by the Hon'ble Supreme Court of India.

The Hon'ble National Green Tribunal (NGT) in O.A. No.138/ 2020 had passed an order dated 23.12.2021 directing the Central Pollution Control Board (CPCB) as well as the State Pollution Control Boards to issue directions to make it mandatory to obtain Consent to Establish (CTE) and the Consent to Operate (CTO) for new retail petroleum outlets as well as the existing retail petroleum outlets.

The above order dated 23.12.2021 of NGT was challenged before the Hon'ble Supreme Court of India by the aggrieved parties vide a batch of Civil Appeal's.

The Hon'ble Supreme Court of India vide judgment under reference, disposed the aforementioned Civil Appeal's setting aside the directions issued by the NGT in the impugned order, stated in first paragraph of this circular. It is also directed that the CPCB shall instruct all the State Pollution Control Boards to ensure that the guidelines issued by it vide the Office Memorandum dated 07.01.2020 are strictly adhered to. If there is breach of any of the guidelines issued by the CPCB vide Office Memorandum dated 07.01.2020, then the concerned State Pollution Control Board shall proceed against the erring outlet in accordance with law at the earliest. It shall be the legal obligation of all the State Pollution




NOBY GEORGE
ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE
GANDHI NAGAR, KOCHI-682020

Control Boards to ensure that the directions issued by the NGT in regard to the installation of the VRS mechanism is complied with within the fresh timeline as prescribed by the CPCB.

It shall be ensured that the direction, as mentioned in prepara, of the Hon'ble Supreme Court is complied with.

-sd-

CHAIRMAN

To

1. The Chief Environmental Engineer, Regional Office
Trivandrum/Ernakulam/Kozhikode
2. The Senior Environmental Engineer
Environmental Surveillance Centre, Eloor
3. The Environmental Engineer, District Office
Trivandrum/ Kollam/ Alappuzha/ Pathanamthitta/ Kottayam/ Ernakulam-1/
Ernakulam-2/ Idukki/ Thrissur/ Palakkad/ Malappuram/ Kozhikode/
Kannur/ Wayanad/ Kasargode

Copy to

1. All Technical Staff
2. IT Cell (for uploading in Boards website)
3. CA to CHN and MS
4. Stock file

FORWARDED/BY ORDER

ALEXANDER GEORGE

Digitally signed by ALEXANDER

GEORGE

Date: 2023.03.29 15:16:45 +05'30'

SENIOR ENVIRONMENTAL ENGINEER - 3

☎: General: 0471- 2312910, 2318153, 2318154, 2318155 Chairman: 2318150 Member Secretary: 2318151
e-mail: chn.kspcb@gov.in; ms.kspcb@gov.in FAX: 2318152 web: kspcb.kerala.gov.in



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004



KSPCB/318/2023-SEE-1

Date: 01/06/2023

From

The Chairman

To

1. The Chief Environmental Engineer
Regional Office,
TVM/EKM/KKD
2. The Environmental Engineer
District Office
Thiruvananthapuram / Kollam / Pathanamthitta / Alappuzha / Kottayam/
Idukki/ Ernakulam DO-1/ Ernakulam DO-2/ESC pEloor/ Thrissur /
Palakkad / Kozhikode / Malappuram /Wayanad / Kannur /Kasargod

Sub: Issue of consent to petrol pumps – reg.

- Ref: 1. Order dated 23.12.2021 in O.A. 138/2020 of the Hon'ble NGT (SZ)
2. Judgment dated 14.03.2023 of Hon'ble Supreme Court in C.A.421/2022
3. Circular no. KSPCB/383/2023-SEE-3 dated 29.03.2023
4. Complaints against petrol pumps received in various offices of the Board
5. CPCB Office Memorandum no. B-13011/1/2019-20/Q.M./10814 dated
07.01.2020
6. Circular no. PCB/HO/HOW/RULES 9/7/2019 dated 24.02.2020
7. Circular no. PCB/HO/HOW/RULES/7/2019 dated 18.08.2020

Sir/Madam,

The Hon'ble NGT had vide order under reference (1) directed the CPCB as well as the SPCBs to issue directions to make it mandatory to obtain consent to Establish and Consent to Operate for retail Petroleum Outlets.

The Hon'ble Supreme Court has vide judgment under reference (2), set aside the direction issued by the Hon'ble NGT so that retail Petroleum Outlets need not obtain consent of the SPCBs. The Apex Court further directed that the SPCBs should ensure that guidelines issued by CPCB are strictly adhered to and that if there is any breach of the guidelines, the concerned SPCB should proceed against the erring outlet in accordance with law. The above order was communicated vide circular under reference (3).

Numerous complaints are being received in the various offices of the Board against petrol pumps. In the circumstances, clarity is required regarding



implementation of the judgment under reference (2). Subsequent to the said order, the provision for submitting online application for petrol bunk has been removed from the industry type in phoenix. Therefore application for retail petroleum outlets can no more be submitted to the Board.

It may be noted that the Apex Court has directed that the guidelines of CPCB under reference (5) are to be followed strictly. The guidelines for siting in reference (5) is as follows:

“Siting Criteria of Retail Outlets:-

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 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”.

In the circumstances, it is directed that all officers should ensure that consent issued to Petroleum Outlets after 07.01.2020 adhere to the distance norm of 50m/30m from schools, hospitals (10 beds and above) and “residential areas designated as per local laws”. The distance required to be measured from residential building specified in circular under reference (7) cannot now be insisted as per the judgment under reference (2).

All officers are requested to process complaints received against petrol pumps as per above.

Yours faith fully,



CHAIRMAN

Copy to:

- 1) The Senior Environmental Engineer-2/3
- 2) The Environmental Engineer-1/3/4
- 3) The Assistant Environmental Engineer-1



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 11517 OF 2020

PETITIONERS:

- 1 MOHAMMED MEHTHAR
AGED 61 YEARS
S/O.PAREED MEHTHAR, PAYYIL HOUSE, MARIYATHURUTHU P.O.,
KOTTAYAM, PIN-686017.
- 2 SUBEESH BABU,
AGED 36 YEARS
S/O.BABU, VELLARIMATTATHIL HOUSE, UZHAVOOR P.O., KOTTAYAM.

BY ADV SRI K.R.VINOD

RESPONDENTS:

- 1 THE DISTRICT COLLECTOR
OFFICE OF THE DISTRICT COLLECTOR, COLLECTORATE, KOTTAYAM,
PIN-686001.
- 2 THE ADDITIONAL DISTRICT MAGISTRATE,
OFFICE OF THE DISTRICT COLLECTOR,
COLLECTORATE, KOTTAYAM, PIN-686001.
- 3 THE EXECUTIVE ENGINEER,
PUBLIC WORKS DEPARTMENT,
OFFICE OF THE EXECUTIVE ENGINEER, KOTTAYAM,
PIN-686001.
- 4 STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO THE PUBLIC WORKS
DEPARTMENT, THIRUVANANTHAPURAM, PIN-695001.
- 5 CENTRAL POLLUTION CONTROL BOARD,
PARIWESH BHAVAN, CBD CUM OFFICE COMPLEX, EAST ARJUN NAGAR,
DELHI, PIN-110032, REPRESENTED BY TIS CHAIRMAN.
- 6 KERALA STATE POLLUTION CONTROL BOARD,
PATTOM P.O., THIRUVANANTHAPURAM-695004, REPRESENTED BY ITS
CHAIRMAN.
- 7 INDIAN OIL CORPORATION LIMITED,
TRIVANDRUM DIVISIONAL OFFICE, REPRESENTED BY THE DEPUTY
GENERAL MANAGER (RETAIL SALES), GROUND FLOOR, PREMIER
PARK, INCHAKKAL BYE PASS ROAD,
VALLAKADAVU P.O.,
THIRUVANANTHAPURAM, PIN-695 008.




 NOBY GEORGE
 ENVIRONMENTAL ENGINEER
 KERALA STATE POLLUTION CONTROL BOARD
 REGIONAL OFFICE
 GANDHI NAGAR, KOCHI-682020



8 JOBEL BABU,
AGED 27 YEARS
S/O.BABU, PONMANKAL HOUSE, THELLAKOM P.O.,
KOTTAYAM, PIN-686630.

BY ADVS.
SRI.R.SUNIL KUMAR
GOVERNMENT PLEADER SRI M.RAJEEV
SRI.S.SUJIN
SRI.M.GOPIKRISHNAN NAMBIAR
SMT.A.SALINI LAL
SRI.K.JOHN MATHAI
SRI.JOSON MANAVALAN
SRI.KURYAN THOMAS
SRI.PAULOSE C. ABRAHAM
SHRI.PRANOY HARILAL
SRI T.NAVEEN
SRI RAAJESH S.SUBRAHMANIAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 12302/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 12302 OF 2020

PETITIONERS:

- 1 SAJEESH K.T.
AGED 42 YEARS
S/O.THANKAPPAN, KONATHUKUDY HOUSE, KIZHAKKUMBHAGAMKARA,
KIZHAKKUMBHAGAM VILLAGE, KANJOOR P.O., ERNAKULAM
DISTRICT, PIN 683 575.
- 2 DEVASSIKUTTY
AGED 70 YEARS
S/O.THOMAS, PUTHUSSERY HOUSE, KIZHAKKUMBHAGAMKARA,
KIZHAKKUMBHAGAM VILLAGE, KANJOOR P.O., ERNAKULAM
DISTRICT, PIN - 683 575.

BY ADVS.
SRI KRISHNADAS P. NAIR
SMT.K.L.SREEKALA

RESPONDENTS:

- 1 THE SECRETARY, KANJOOR GRAMA PANCHAYATH
KANJOOR P.O., ERNAKULAM DISTRICT - 683 589.
- 2 THE DISTRICT COLLECTOR
COLLECTORATE, KAKKANAD, ERNAKULAM DISTRICT - 682 030.
- 3 THE ADDITIONAL DISTRICT MAGISTRATE
COLLECTORATE, KAKKANAD, ERNAKULAM DISTRICT - 682 030.
- 4 THE ASSISTANT ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD, KAKKANAD,
ERNAKULAM - 682 030.
- 5 THE SENIOR TOWN PLANNER
REGIONAL TOWN PLANNING OFFICE, KAKKANAD, ERNAKULAM -
682 030.
- 6 THE CHIEF REGIONAL MANAGER - RETAIL
HINDUSTAN PETROLEUM CORPORATION LIMITED, P.B.NO.1601,
ERNAKULAM NORTH P.O., ERNAKULAM - 682 017.
- 7 ANOOP JACOB KOTTOOR
AGED 35 YEARS, S/O.JACOB KOTTOOR, KARIPPASSERY,



VATTAPPARAMB P.O., ERNAKULAM - 683 579.

- 8 JACOB KOTTOORAN
AGED 67 YEARS, S/O.VARGHESE, KOTTOOR HOUSE,
KIZHAKKUMBHAGAMKARA, KIZHAKKUMBHAGAM VILLAGE, KANJOOR
P.O., ERNAKULAM DISTRICT, PIN - 683 575.
- 9 JOHNY
AGED 71 YEARS, S/O.VARGHESE, KOTTOOR VILLAGE,
KIZHAKKUMBHAGAMKARA, KIZHAKKUMBAGAM VILLAGE, KANJOOR
P.O., ERNAKULAM DISTRICT, PIN - 683 575.

BY ADVS.
SRI M.RAJEEV, GOVT.PLEADER
SRI. T.NAVEEN SC, KERALA STATE POLLUTION CONTROL BOARD,
SRI.M.GOPIKRISHNAN NAMBIAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 14388 OF 2020

PETITIONER:

ANU SHAJI
AGED 36 YEARS
WIFE OF SHAJI,
KEECHIYIL HOUSE,
NEERATTUPURAM P.O.,
ALAPPUZHA-689 571

BY ADVS.
SRI P.B.SAHASRANAMAN
SRI.T.S.HARIKUMAR

RESPONDENTS:

- 1 KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHAIRMAN,
REPRESENTED BY ITS MEMBER SECRETARY,
KERALA STATE POLLUTION CONTROL BOARD
PATTOM P.O.,
THIRUVANANTHAPURAM-695 004
- 2 THE ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD,
AMC/X/501,
THATHAMPALLY P.O.,
ALAPPUZHA-688 013
- 3 THE CENTRAL POLLUTION CONTROL BOARD,
REPRESENTED BY ITS CHAIRMAN,
PARIVESH BHAWAN,
EAST ARJUN NAGAR,
DELHI-110 032
- 4 JUBY JACOB
KOPPARAPPARAMPIL HOUSE,
NEERATTUPURAM P.O.,
THALAVADY,
ALAPUZZHA-689 571



5 THE TERRITORY MANAGER (RETAIL)
BHARAT PETROLEUM CORPORATION LIMITED,
IRIMPANAM INSTALLATION,
IRIMPANAM, KOCHI-682 309

BY ADVS.
SRI. T.NAVEEN SC, KERALA STATE POLLUTION CONTROL BOARD,
SRI.S.SUJIN
SRI.CHERIAN GEE VARGHESE
SRI.M.GOPIKRISHNAN NAMBIAR
SRI.P.HARIDAS
SRI.K.JOHN MATHAI
SRI.BIJU HARIHARAN
SRI.JOSON MANAVALAN
SRI.KURYAN THOMAS
SRI.R.B.BALACHANDRAN
SRI.RENJI GEORGE CHERIAN
SRI.PAULOSE C. ABRAHAM
SRI.RAJA KANNAN
SRI.P.C.SHIJIN
SRI.RISHIKESH HARIDAS
SRI RAAJESH S.SUBRAHMANIAN (SC)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 15500 OF 2020

PETITIONER:

PILSON THOMAS
AGED 54 YEARS
S/O. THOMAS, CHETHALEN HOUSE, PULLUR PO , MUKUNDAPURAM
TALUK, THRISSUR DISTRICT, PIN - 680683.

BY ADV SRI BIJU .C. ABRAHAM

RESPONDENTS:

- 1 THE DISTRICT COLLECTOR
THRISSUR, CIVIL STATION, AYYANTHOLE, THRISSUR DISTRICT,
PIN-680004.
- 2 THE ADDITIONAL DISTRICT MAGISTRATE,
THRISSUR, CIVIL STATION, AYYANTHOLE, THRISSUR DISTRICT,
PIN- 680004.
- 3 THE TAHSILDAR,
MUKUNDAPURAM, CIVIL STATION, IRINJALAKUDA, THRISSUR
DISTRICT, PIN -680121.
- 4 THE VILLAGE OFFICER,
PULLUR VILLAGE OFFICE, MUKUNDAPURAM TALUK, THRISSUR
DISTRICT, PIN-680683.
- 5 THE MURIYAD GRAMA PANCHAYATH
MURIYAD, THRISSUR DISTRICT, PIN 680683, REPRESENTED BY
ITS SECRETARY.
- 6 CHIEF REGIONAL MANAGER,
REGIONAL OFFICE, HINDUSTAN PETROLEUM CORPORATION LTD,
KOZHIKODE RETAIL REGION, WEST HILL CHUNGAM, KOZHIKODE,
PIN- 673005.
- 7 THE ENVIRONMENTAL ENGINEER
THRISSUR, KERALA STATE POLLUTION CONTROL BOARD
THRISSUR, PARAVATTANI P O, OLLUKKARA, THRISSUR, PIN
680655.
- 8 TOTTO THOMAS,
S/O. THOMAS, CHERADAY HOUSE, PULLUR P O, MUKUNDAPURAM



TALUK, THRISSUR DISTRICT, PIN- 680683.

9 PULLUR PETRO PARK,
PULLUR P O, THRISSUR PIN - 680683, REPRESENTED BY ITS
MANAGING PARTNER, BINEESH M.B, MANAKKAL HOUSE,
KALLICHITHRA, NEAR PAYAMPARAM DEVI TEMPLE, NADAMPADAM,
VARANDAARAPPILLY, THRISSUR, PIN -680304.

BY ADVS.

SRI M.RAJEEV, GOVT.PLEADER SRI T.NAVEEN (SC)

SMT.P.R.REENA

SRI.M.GOPIKRISHNAN NAMBIAR

SRI. T.NAVEEN SC, KERALA STATE POLLUTION CONTROL BOARD,

SRI.R.SUNIL KUMAR

SMT.A.SALINI LAL

SRI.K.JOHN MATHAI

SRI.JOSON MANAVALAN

SRI.KURYAN THOMAS

SRI.PAULOSE C. ABRAHAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 15873 OF 2020

PETITIONER:

MINI MATHEW
AGED 46 YEARS
W/O. THOMAS ABRAHAM, VARUKUNNEL HOUSE,
PALAD MANIMOOLY P.O. VAZHICKADAVU, MALAPPURAM 679 333.

BY ADVS.
PRASUN.S
SRI.N.A.RETHEESH

RESPONDENTS:

- 1 THE DISTRICT COLLECTOR
OFFICE OF THE COLLECTOR, CIVIL STATION, MALAPPURAM 676
505.
- 2 THE ADDITIONAL DISTRICT MAGISTRATE,
OFFICE OF THE DISTRICT COLLECTOR, CIVIL STATION,
MALAPPURAM 676 505.
- 3 THE CENTRAL POLLUTION CONTROLLER BOARD,
REPRESENTED BY ITS CHAIRMAN, PARIWESH BHAVAN, CBD CUM
OFFICE COMPLEX, EAST ARJUN NAGAR, DELHI 110 032.
- 4 THE STATE POLLUTION CONTROL BOARD,
REPRESENTED BY ITS MEMBER SECRETARY, PATTOM P.O.
THIRUVANANTHAPURAM 695 0004.
- 5 THE DISTRICT MEDICAL OFFICER
(HEALTH), CIVIL STATION RD, UP HILL, MALAPPURAM, KERALA
676 505.
- 6 THE EXECUTIVE ENGINEER,
PUBLIC WORK DEPARTMENT, OFFICE OF THE EXECUTIVE
ENGINEER, MANJERI, MALAPPURAM 679 328.
- 7 THE DISTRICT SUPPLY OFFICER,
THE OFFICE OF THE DISTRICT SUPPLY OFFICER, MALAPPURAM
UP HILL, MALAPPURAM 676 505.
- 8 THE REGIONAL FIRE OFFICER,
DEPARTMENT OF FIRE AND RESCUE,
CIVIL STATION, PALAKKAD 678 001.



- 9 THE TAHSILDAR,

NILAMBUR TALUK OFFICE, MALAPPURAM 679 329.
- 10 THE HINDUSTAN PETROLEUM CORPORATION LIMITEE,
REPRESENTED BY THE CHIEF REGIONAL MANAGER, KOZHIKODE
RETAIL REGIONAL ELATHUR, KOZHIKKODE 673 303.
- 11 SHAHJAHAN,
S/O. SHOUKATH ALI, THAYYIL HOUSE, KALATHINKADAVU,
NILAMBUR P.O. MALAPPURAM 679 329.
- 12 SHOUKATH ALI,
S/O. ALAVI, THAYYIL HOUSE, KALATHINKADAVU, NILAMBUR,
P.O. MALAPPURAM 679 329.
- 13 THE VAZHIKKADAVU GRAMA PANCHAYATH,
REPRESENTED BY THE SECRETARY, THE OFFICE OF THE
VAZHIKKADAVU GRAMA PANCHAYATH, VAZHIKKADAVU P.O.
MALAPPURAM 679 333.

BY ADVS.
SRI.PHILIP J.VETTICKATTU
SRI.M.P.PRABHAKARAN (PALAKKAD)
SRI T.NAVEEN (SC)
SRI RAAJESH S.SUBRAHMANIAN (SC)
SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 15917 OF 2020

PETITIONER/S:

K.S.KOMU
AGED 65 YEARS
S/O. SEETHY, KADAVIL HOUSE, PONJASSERY P O,
PERUMBAVOOR, ERNAKULAM DISTRICT, PIN-683547.

BY ADVS.
K.R.VINOD
M.S.LETHA
K.S.SREEREKHA
NABIL KHADER

RESPONDENT/S:

- 1 THE DISTRICT COLLECTOR
OFFICE OF THE DISTRICT COLLECTOR, CIVIL STATION,
KUNNUMPURAM, KAKKANAD, ERNAKULAM, ERNAKULAM - 682030.
- 2 THE ADDITIONAL DISTRICT MAGISTRATE
OFFICE OF THE DISTRICT COLLECTOR, CIVIL STATION,
KUNNUMPURAM, KAKKANAD, ERNAKULAM-682030.
- 3 THE CHIEF ENGINEER,
PUBLIC WORKS DEPARTMENT,
THIRUVANANTHAPURAM-695036.
- 4 THE DISTRICT SUPPLY OFFICER,
FOOD AND CIVIL SUPPLIES DEPARTMENT, ERNAKULAM, PIN-
682030.
- 5 STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO THE PUBLIC WORKS
DEPARTMENT, THIRUVANANTHAPURAM, PIN - 695001.
- 6 CENTRAL POLLUTION CONTROL BOARD,
PARIWESH BHAVAN, CBD CUM OFFICE COMPLEX, EAST ARJUN
NAGAR, DELHI, PIN-110032, REPRESENTED BY ITS CHAIRMAN.
- 7 KERALA STATE POLLUTION CONTROL BOARD,
KERALA STATE POLLUTION CONTROL BOARD, PATTOM P.O,
THIRUVANANTHAPURAM-695004, REPRESENTED BY ITS CHAIRMAN.



WP(C)Nos.11517/2020
& con.cases

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2023:KER:42493

- 8 BHARAT PETROLEUM CORPORATION LTD,
REPRESENTED BY ITS TERRITORY MANAGER - RETAIL, BPCL,
IRUMPANAM INSTALLATION, KOCHI-682309.
- 9 ELDHO PAUL
NAMMANARIL HOUSE, KIZHAKKAMBALAM, ERNAKLAM, PIN-683562.

BY ADVS.
SRI.S.SUJIN
SRI.M.GOPIKRISHNAN NAMBIAR
SMT.A.SALINI LAL
SRI.R.SUNIL KUMAR
SRI.K.JOHN MATHAI
SRI.JOSON MANAVALAN
SRI.KURYAN THOMAS
SRI.PAULOSE C. ABRAHAM
SRI.RAJA KANNAN
SRI T.NAVEEN (SC)
SRI RAAJESH S.SUBRAHMANIAN (SC)
SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 5928 OF 2021

PETITIONER/S:

- 1 ANEESAN P. ALIAS ANEESH
AGED 55 YEARS
S/O GOVINDAN,
VALIYAKANDIYIL (H),
KARIYAD P.O.,
KANNUR-673 316
- 2 RAMAKRISHNAN.K.,
AGED 54 YEARS
S/O.BALAN,
PADINJARAYIL (H),
KARIYAD P.O.,
KANNUR-673 316

BY ADVS.
SRI V.HARISH
SRI.RAJAN VISHNURAJ

RESPONDENT/S:

- 1 KERALA STATE POLLUTION CONTROL BOARD
PATTOM P.O.,
THIRUVANANTHAPURAM-695 004,
REPRESENTED BY ITS CHAIRMAN
- 2 ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE,
6TH FLOOR,RUBCO HOUSE,
SOUTH BAZAR,
KANNUR-670 002
- 3 M/S.MOTHAL FILLING STATION,
HPCL DEALER, PALLIKKUNI,
NEAR MOTHEL BRIDGE,
KARIYAD SOUTH P.O.,
KANNUR-673 316,
REPRESENTED BY ITS MANAGER
AUTHORIZED PERSON



4 CENTRAL POLLUTION CONTROL BOARD,
PARIVESH BHAVAN,
EAST ARJUN NAGAR,
DELHI-110 032,
REPRESENTED BY ITS CHAIRMAN

BY ADVS.

SRI. T.NAVEEN SC, KERALA STATE POLLUTION CONTROL BOARD,
SRI.R.SUNIL KUMAR
S.SUJIN
SMT.A.SALINI LAL
SRI RAAJESJ S.SUBRAHMANIAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 6858 OF 2021

PETITIONERS :

- 1 VELAYUDHAN V.T.,
AGED 61 YEARS
S/O. SANKUNNI, VELLITHODI HOUSE, NEETHU NIVAS,
VALIYETTIPARAMBU, MANJERI, MALAPPURAM 676 121.
- 2 SUKUMARAN V.T.,
AGED 56 YEARS
S/O. SANKUNNI, VELLITHODI HOUSE, VALIYETTIPARAMBU,
MANJERI, MALAPPURAM 676 121.

BY ADVS.
SRI K.M.SATHYANATHA MENON
SMT.KAVERY S THAMPI

RESPONDENTS :

- 1 THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, DEPARTMENT OF INDUSTRIES
AND COMMERCE, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN 695 001.
- 2 THE DISTRICT COLLECTOR,
CIVIL STATION, MALAPPURAM, PIN 676 505.
- 3 THE ADDITIONAL DISTRICT MAGISTRATE,
CIVIL STATION MALAPPURAM, PIN 676 505.
- 4 THE CENTRAL POLLUTION CONTROL BOARD
(CPCB), REPRESENTED BY ITS SECRETARY, PARIVESH BHAVAN
EAST ARJUN NAGAR, NEW DELHI 110 032.
- 5 KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, UP HILL, P.O. MALAPPURAM, 676 505,
REPRESENTED BY ENVIRONMENTAL ENGINEER.
- 6 THE DIVISIONAL OFFICER,
FIRE AND RESCUE SERVICES, CIVIL STATION P.O. PALAKKAD
678 001.
- 7 THE MANJERI MUNICIPALITY,
MANJERI, MALAPPURAM DISTRICT, REPRESENTED BY ITS
SECRETARY.



- 8 INDIA OIL CORPORATION LIMITETD,
KOZHIKODE DIVISIONAL OFFICE, P.M.K. TOWER, KOZHIKODE
673 020, REPRESENTED BY ITS CHIEF DIVISIONAL MANAGER.
- 9 NIHAL MOHAMMED,
S/O. AHAMED HAJI, PULIKKAL HOUSE, NEDIYIRUPPU,
KONDOTTY, MALAPPURAM DISTRICT 673 638.

BY ADVS.

SRI S.SUJIN

SRI T.NAVEEN SC, KERALA STATE POLLUTION CONTROL BOARD,

SHRI.R.RANJITH (MANJERI), SC, MANJERI MUNICIPALITY

SRI.M.GOPIKRISHNAN NAMBIAR

SMT.A.SALINI LAL

SRI.R.SUNIL KUMAR

SRI.K.JOHN MATHAI

SRI.JOSON MANAVALAN

SRI.KURYAN THOMAS

SRI.PAULOSE C. ABRAHAM

SRI.RAJA KANNAN

SRI RAAJESH S.SUBRAHMANIAN

SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 11495 OF 2021

PETITIONER:

CHANDRAN K
AGED 70 YEARS
S/O LATE KOMBI, NEERKODE KALAM, MANCHIRA, CHITTUR POST,
PALAKKAD DISTRICT-678101.

BY ADVS.
SAJAN VARGHEESE K.
LIJU. M.P

RESPONDENTS:

- 1 THE HINDUSTAN PETROLEUM CORPORATION LTD
RETAIL REGION, KOZHIKKODE-673005, REPRESENTED BY THE
CHIEF REGIONAL MANAGER.
- 2 THE DISTRICT COLLECTOR
PALAKKAD DISTRICT-678001.
- 3 THE ADDITIONAL DISTRICT MAGISTRATE
CIVIL STATION, PALAKKAD DISTRICT-678001.
- 4 THE TAHSILDAR
CHITUR TALUK, PALAKKAD DISTRICT-678101.
- 5 THE VILLAGE OFFICER
CHITTUR VILLAGE OFFICE, CHITTUR POST, PALAKKAD
DISTRICT-678101.
- 6 NALLEPILLY GRAMA PANCHAYAT
NALLEPILLY , CHITTUR TALUK, PALAKKAD DISTRICT-678553,
REPRESENTED BY THE SECRETARY.
- 7 KERALA STATE POLLUTION CONTROL BOARD
PATTOM POST, THIRUVANANTHAPURAM-695004, REPRESENTED BY
THE CHAIRMAN.
- 8 VEERAMAHESWARI
W/O MANIMURUKAN, ANNAI ILLAM,
THELUNGU STREE5T, CHITTUR POST,
PALAKKAD DISTRICT-678101.



9 MANIMURAKAN, () FATHER'S NAME NOT KNOWN, ANNAI ILLAM,
THELUNGU STREET, CHITTUR POST, PALAKKAD DIST. 678 101.

ADDL.R10 THE CENTRAL POLLUTION CONTROL BOARD
PARIVERSH BHAWAN, EAST ARJUN NAGAR, DELHI-110032, REP. BY
THE CHAIRMAN. (ADDL.R10 IMPEADED AS PER ORDER DATED
19/07/2021 IN IA.1/2021 IN WP(C).

BY ADVS.

SRI M.RAJEEV, GOVT.PLEADER
SRI M.GOPIKRISHNAN NAMBIAR
VINOD KUMAR.C
R.SUNIL KUMAR
RAAJESH S.SUBRAHMANIAN (SC)
K.JOHN MATHAI
KURYAN THOMAS
JOSON MANAVALAN
PAULOSE C. ABRAHAM
RAJA KANNAN
SRI. T.NAVEEN SC, KERALA STATE POLLUTION CONTROL BOARD,
A.SALINI LAL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 17601 OF 2021

PETITIONER:

JITHESHKUMAR,
AGED 49 YEARS, S/O. VELU,
KAIPPILLI HOUSE, VELUTHJOOR ERAVU,
THRISSUR, KERALA - 680620.

BY ADVS.

SRI ATUL SOHAN
SRI K.V.SOHAN

RESPONDENTS:

- 1 INDIAN OIL CORPORATION LTD.,
REPRESENTED BY DEPUTY GENERAL MANAGER,
COCHIN DIVISIONAL OFFICE,
PANAMPILLY AVENUE, PANAMPILLY NAGAR P.O.,
PIN-682036.
- 2 THE DISTRICT COLLECTOR,
THRISSUR DISTRICT,
FIRST FLOOR, CIVIL STATION,
CIVIL LINES ROAD, KALYAN NAGAR,
AYYANTHOLE, THRISSUR, KERALA, PIN-680003.
- 3 ARIMPUR GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
THRISSUR KANJANI VADANAPPALLY ROAD,
ARIMBUR, KERALA, PIN-680012.
- 4 THE KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHAIRMAN,
KERALA STATE POLLUTION CONTROL BOARD,
HEAD OFFICE, PATTOM P.O.,
THIRUVANANTHAPURAM, KERALA, PIN-695004.

5 THE CENTRAL POLLUTION CONTROL BOARD,
REPRESENTED BY ITS CHAIRMAN,
CENTRAL POLLUTION CONTROL BOARD,
PARIVESH BHAWAN, EAST ARJUN NAGAR,
DELHI, PIN-110032.

***ADDL.R6 & R7 ARE IMPEADED**

ADDL.R6 SOMASUNDARAN C.V.
VILLA NO. 37, CHERUVARE VALIYAVEETIL HOUSE,
PUZHAKKAL, PUZHAKAL P.O. SHOBHA CITY,
THRISSUR, INDIA PIN:680553.

(ADDL.R6 IS IMPEADED AS PER ORDER DATED 15/09/2021 IN
I.A. 1/2021 IN WPC 17601/2021)

*ADDL.R7 [LETHA SOMASUNDARAN
FLAT NO. A1, ANCHORAGE APARTMENTS,
KEERAMKULANGARA, EAST FORT P.O.
THRISSUR, KERALA, PIN:680005].

(ADDL. R7 IS IMPEADED AS PER ORDER DATED 15.09.2021 IN
I.A. 1/2021 IN WPC 17601/2021)

*[The fact of death of Addl.R7 and of Addl.R6 is one of
the legal representatives of the deceased Addl.R7 is
recorded as per order dt.26.7.2023 in IA.1/22 in WPC
17601/21]

ADDL.R8 & R9 IMPEADED:

ADDL.R8 DEPUTY CHIEF CONTROLLER OF EXPLOSIVES ERNAKULAM
SUB CIRCLE OFFICE, C2-IIIRD FLOOR, CGO COMPLEX,
KAKKANAD, ERNAKULAM - 682037.

ADDL.R9 JT.CHIEF CONTROLLER OF EXPLOSIVES SOUTH CIRCLE, A AND D
WING, BLOCK 1-8, SECOND FLOOR, SHASTRI BHAVAN, 26
HADDOWS ROAD, NUNGAMBAKKAM, CHENAI - 600 006.

(ADDL.R8 & R9 IMPEADED AS PER ORDER DT.26.7.23 IN
I.A.NO.2/22)

ADDL.R10 & R11 IMPEADED

ADDL.R10 MALAVIKA SOMASUNDARAN,
AGED 23 YEARS, D/O SOMASUNDARAN,
CHERUPURA VALIYAVEETIL HOUSE, PUZHAKKAL POST, SOBHA
CITY LIFE STYLE VILLA-37,
THRISSUR DISTRICT - 680 553.

ADDL.R11 SRIDHI V.S
AGED 28 YEARS, S/O SHARATH,
VALATH HOUSE, THALIKULAM POST,
THRISSUR DISTRICT - 680 569.

(ADDL.R10 & R11 IMPEADED AS PER ORDER DT.26.7.23 IN
I.A.NO.5/22)



BY ADVS.
SRI.M.GOPIKRISHNAN
SRI.G.SANTHOSHKUMAR, SC, ARIMBUR GRAMA PANCHAYAT,
THRISSUR
SRI.T.NAVEEN SC, KERALA STATE POLLUTION CONTROL BOARD,
SRI.RAAJESH S.SUBRAHMANIAN
SRI.K.P.SURESH KUMAR
SRI.K.JOHN MATHAI
SRI.JOSON MANAVALAN
SRI.KURYAN THOMAS
SRI.PAULOSE C. ABRAHAM
SRI.RAJA KANNAN
SRI.K.C.VISWAMBARAN
SRI.K.C.VISWAMBARAN
SRI.S.SUJIN
SRI.M.RAJEEV, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO.18031 OF 2021

PETITIONER:

JINU K.G.
AGED 31 YEARS
S/O.KUTTAPPAN, T.C.11/810, NALANDA HOUSE, NALANDA JN.,
NANTHANCODE, THIRUVANANTHAPURAM.

BY ADVS.
SRI R.SUNIL KUMAR
MS. A.SALINI LAL

RESPONDENTS:

- 1 THE STATE OF KERALA
REP. BY THE ADDL. CHIEF SECRETARY, KERALA PUBLIC WORKS
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM - 695 001.
- 2 KERALA PUBLIC WORKS DEPARTMENT
REP. BY THE PROJECT DIRECTOR, KERALA STATE TRANSPORT
PROJECT JAGAD BUILDINGS,
KOWDIAR P.O.,
THIRUVANANTHAPURAM - 695 003.
- 3 THE EXECUTIVE ENGINEER
PWD ROADS DIVISION, THIRUVANANTHAPURAM - 695 033.
- 4 THE DISTRICT COLLECTOR
COLLECTORATE, THIRUVANANTHAPURAM DIST. - 695 035.
- 5 INDIAN OIL CORPORATION LIMITED
REP. BY ITS DEPUTY GENERAL MANAGER, GROUND FLOOR,
PREMIER PARK, INCHAKKAL BYE PASS ROAD, VALLAKKADAVU
P.O., THIRUVANANTHAPURAM - 695 008.
- 6 THE CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR, NEW DELHI - 110 032 REP. BY ITS
DIRECTOR.
- 7 THE KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHAIRMAN, PATTOM P.O.,
THIRUVANANTHAPURAM - 695 004.



- 8 THE ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
PLAMOODU, PATTOM - 695 004.
- 9 THE DISTRICT TOWN PLANNER
DEPARTMENT OF COUNTRY AND TOWN PLANNING,
DISTRICT TOWN PLANNING OFFICE,
THIRUVANANTHAPUAM - 695 034.

BY ADVS.
SRI M.GOPIKRISHNAN NAMBIAR
SRI RAAJESH S.SUBRAHMANIAN
SRI K.JOHN MATHAI
SRI JOSON MANAVALAN
SRI KURYAN THOMAS
SRI PAULOSE C. ABRAHAM
SRI RAJA KANNAN
SRI T.NAVEEN
SRI M.RAJEEV, GOVT.PLEADER

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 27900 OF 2021

PETITIONERS:

- 1 HAMZA K.,
S/O. MOIDEEN, HOUSE NO. 12/108,
KUROOR HOUSE, PERUNTHALLOOR P.O.,
TIRUR, MALAPPURAM, KERALA-676102.
- 2 ABIDA K.,
W/O. ANWAR KURUR, KANNATH HOUSE,
PERUNTHALLOOR P.O., TIRUR,
MALAPPURAM DISTRICT, KERALA-676102.
- 3 NASAR,
S/O. ALI, VELUTHEDATH PARAMBIL (H),
PERUNTHALLOOR P.O., TIRUR,
MALAPPURAM DISTRICT, KERALA-676102.
- 4 SAJITHA,
W/O. ABDUSAMAD,
VELUTHEDATH PARAMBIL HOUSE,
PERUNTHALLOOR P.O., TIRUR,
MALAPPURAM DISTRICT, KERALA-676102.
- 5 HAMZA K.,
S/O. KHADER, KUROOR HOUSE,
PERUNTHALLOOR P.O., TIRUR,
MALAPPURAM DISTRICT, KERALA-676102.
- 6 KHALID,
S/O. HAMZA, KUROOR HOUSE,
PERUNTHALLOOR P.O., TIRUR,
MALAPPURAM DISTRICT, KERALA-676102.

BY ADVS.
ATUL SOHAN
VINAI JOHN,
R.REJI (ATTINGAL)
SREEJA SOHAN K.



RESPONDENTS :

- 1 AIR AND WATER APPELLATE AUTHORITY,
REPRESENTED BY ITS CHAIRMAN,
DEVI KRIPA BUILDING, TC 13/29(8),
2ND FLOOR, KANNAMMOOLA, PETTAH,
THIRUVANANTHAPURAM DISTRICT-695024.
- 2 CENTRAL POLLUTION CONTROL BOARD,
REPRESENTED BY ITS CHAIRMAN,
PARIVESH BHAVAN,EAST ARJUN NAGAR,
DELHI-110032.
- 3 KERALA STATE POLLUTION CONTROL BOARD,
REPRESENTED BY ITS CHAIRMAN,
HEAD OFFICE, PATTOM P.O.,
THIRUVANANTHAPURAM-695004.
- 4 ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, NO. 19/269-A,
PERINTHALMANNA ROAD, UP HILL P.O.,
MALAPPURAM DISTRICT-676505.
- 5 M/S. PROPOSED PETROL PUMP,
REPRESENTED BY ITS MANAGER/AUTHORIZED PERSON BIJU K.P.,
TRIPANGODE,TIRUR,
MALAPPURAM DISTRICT-676102.
- 6 ADDITIONAL DISTRICT MAGISTRATE,
MALAPPURAM, OFFICE OF THE DISTRICT COLLECTOR,
CIVIL STATION, UP HILL,
MALAPPURAM DISTRICT,KERALA, PIN-676505.
- 7 CHIEF DIVISIONAL RETAIL SALES MANAGER,
INDIAN OIL CORPORATION LIMITED,
KOZHIKODE DIVISIONAL OFFICE,
2ND FLOOR, PMK TOWERS,
CIVIL STATION P.O.,WAYANAD ROAD,
KOZHIKODE DISTRICT,KERALA-673020.
- 8 BIJU K.P.,S/O. SUBRAMANIAN,
R/O. KATTIKAATTUPARAMBIL HOUSE,
EZHOOR, TIRUR TALUK,
MALAPPURAM DISTRICT,
KERALA, PIN-676101.
- 9 MUHAMMED KUTTY,
AGED 49 YEARS, S/O. POKER ALIAS BAVA,
KAMBILA VALAPPIL HOUSE, CHAMRAVATTOM P.O.,
TIRUR TALUK,MALAPPURAM DISTRICT, PIN-676101.

BY ADVS.SRI RAAJESH S.SUBRAHMANIAN
SRI M.GOPIKRISHNAN NAMBIAR
SRI K.JOHN MATHAI



SRI JOSON MANAVALAN
SRI KURYAN THOMAS
SRI PAULOSE C. ABRAHAM
SRI RAJA KANNAN
SRI T.NAVEEN
SRI M.RAJEEV, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 10367 OF 2021

PETITIONER:

M.SAINUDHEEN
AGED 60 YEARS
SON OF MOIDEEN KUNJU, AGED 60 YEARS, NADAKKAVINTE
KIZHAKKATHIL, PALLIMURI, PORUVAZHY, SOORANADU P.O,
KOLLAM.

BY ADVS.
SRI P.K.NIJOY
SMT.C.PRABITHA
SMT.K.R.REMYA (KARUKAYIL)
SRI.REJOICE B.CHEMBAKASSERIL

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT, LOCAL SELF
GOVERNMENT DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-
01.
- 2 THE DISTRICT COLLECTOR,
COLLECTORATE, KOLLAM-681 013.
- 3 CENTRAL POLLUTION CONTROL BOARD,
OFFICE OF CENTRAL POLLUTION CONTROL BOARD, NEW DELHI
110 032, REPRESENTED BY ITS DIRECTOR.
- 4 THE DISTRICT TOWN PLANNER,
OFFICE OF DISTRICT TOWN PLANNER, MUNICIPAL BUILDING,
CHINNAKKADA, KOLLAM-691 013
- 5 THE KERALA STATE POLLUTION CONTROL BOARD,
PATTOM P.O, THIRUVANANTHAPURAM, 695 004, REPRESENTED BY
ITS CHIEF ENVIRONMENTAL ENGINEER.
- 6 THE ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
KOLLAM-691 013
- 7 NARAYA ENERGY LTD.,
6B, 6TH FLOOR, NOEL FOCUS, SEAPORT AIRPORT ROAD,
CHITTETHUKARA, CSEZ P.O-682 037, REPRESENTED BY ITS
MANAGING DIRECTOR.



- 8 PORUVAZHY GRAMA PANCHAYATH,
OFFICE OF PORUVAZHY GRAMA PANCHAYATH, OFFICE OF
PORUVAZHY GRAMA PANCHAYATH, PORUVAZHY P.O, KOLLAM-680
520, REPRESENTED BY ITS SECRETARY.
- 9 SAINUDEEN S,
SON OF SULAIMAN RAWTHER, AGED 56 YEARS, S.S. NIVAS,
PADINJATTOM KIZHAKKU, SOORANADU P.O, SOORANADU NORTH
VILLAGE, KUNNATHUR TALUK, KOLLAM, PRESENTLY RESIDING AT
PARANKIMAVILAYIL VEEDU, THEKKE MURI, SOORANADU P.O,
KOLLAM-690 522
- 10 SAJITHA,
WIFE OF SAINUDEEN S, S.S. NIVAS, PADINJATTOM KIZHAKKU,
SOORANADU NORTH VILLAGE, KUNNATHUR TALUK, KOLLAM,
PRESENTLY RESIDING AT PARANKIMAVILAYIL VEEDU, THEKKE
MURI, SOORANADU P.O, KOLLAM-690 522

BY ADVS.

SRI M.RAJEEV, GOVERNMENT PLEADER
SRI RAAJESH S.SUBRAHMANIAN
SRI S.BIJU (KIZHAKKANELA)
SHRI.VINOY VARGHESE KALLUMOOTIL SC PORUVAZHY GRAMA
PANCHAYAT
SRI JOHNSON GOMEZ
SRI SANJAY JOHNSON
MS.SREEDEVI S.
SRI ENLIN MARY RODRIGUS
SRI MOHAMED SHEHARAN
SRI DINOOP P.D.
SRI SANJITH JOHNSON

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 11907 OF 2021

PETITIONER:

M. SAINUDEEN
AGED 60 YEARS
S/O. MOIDEEN KUNJU, NADAKKAVINTE KIZHAKKATHIL,
PALLIMURI, PORUVAZHY, SOORANADU P. O., KOLLAM.

BY ADV S.MOHAMMED AL RAFI

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT, ENVIRONMENT
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
- 2 CENTRAL GOVERNMENT
REPRESENTED BY ITS SECRETARY TO GOVERNMENT, MINISTRY OF
PETROLEUM AND NATURAL GAS, SHASHTRI BHAWAN, NEW DELHI -
110 001.
- 3 DISTRICT COLLECTOR
COLLECTORATE, KOLLAM - 681013.
- 4 CENTRAL POLLUTION CONTROL BOARD
REPRESENTED BY ITS DIRECTOR, OFFICE OF THE CENTRAL
POLLUTION CONTROL BOARD, PARIVESH BHAWAN , CBD-CUM-
OFFICE COMPLEX, EAST ARJUN NAGAR, NEW DELHI - 110 032.
- 5 DISTRICT TOWN PLANNER, KOLLAM
OFFICE OF DISTRICT TOWN PLANNER, MUNICIPAL BUILDING,
CHINNAKKADA, KOLLAM - 691 001.
- 6 KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHIEF ENVIRONMENTAL ENGINEER, PATTOM
P. O., THIRUVANANTHAPURAM - 695 003.
- 7 ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
KOLLAM - 691 001.
- 8 NAYARA ENERGY LTD.
REPRESENTED BY ITS MANAGING DIRECTOR, 6B, 6TH FLOOR,
NOEL FOCUS, SEAPORT AIRPORT ROAD, CHITTETHUKARA, CSEZ
P. O., ERNAKULAM - 682 037.



- 9 PORUVAZHY GRAMA PANCHAYAT
REPRESENTED BY ITS SECRETARY, OFFICE OF PORUVAZHY GRAMA
PANCHAYATH, PORUVAZHY P. O., KOLLAM - 680 520.
- 10 SAINUDEEN S.
AGED 56 YEARS
S/O. SULAIMAN RAWTHER, S.S. NIVAS, PADINJATTOM
KIZHAKKU, SOORANADU P. O., SOORANADU NORTH VILLAGE,
KUNNATHUR TALUK, KOLLAM - 690 522., PRESENTLY RESIDING
AT PARANKIMAVILAYIL VEEDU, THEKKE MURI, SOORANADU P.
O., KOLLAM - 690 522.
- 11 SAJITHA
W/O. ABDUL RASHEED, S.S. NIVAS, PADINJATTOM KIZHAKKU,
SOORANADU P. O., SOORANADU NORTH VILLAGE, KUNNATHUR
TALUK, KOLLAM - 690 522., PRESENTLY RESIDING AT
PARANKIMAVILAYIL VEEDU, THEKKE MURI, SOORANADU P. O.,
KOLLAM - 690 522.

BY ADVS.

SRI M.RAJEEV, GOVT.PLEADER SMT.VANDANA P., CGC
SRI. T.NAVEEN SC, KERALA STATE POLLUTION CONTROL BOARD,
SRI RAAJESH S.SUBRAHMANIAN
JOHNSON GOMEZ
VINOY VARGHESE KALLUMOOTTILL
S.BIJU (KIZHAKKANELA)
SANJAY JOHNSON

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 12880 OF 2021

PETITIONER/S:

SAINUDEEN S.,
AGED 56 YEARS, S/O SULAIMAN RAWTHER,
SS NIVAS, PADIJATTOM KIZAHKU,
SOORANAD P.O,
SOORANAD NORTH VILLAGE,
KUNNATHUR TALUK,
KOLLAM DISTRICT, KERALA.
PRESENTLY RESIDING AT PARANKIMAMVILAYIL VEEDU,
THEKKE MURI, SOORANAD P.O,
KOLLAM DISTRICT-690522.

BY ADVS.
SRI S.BIJU (KIZHAKKANELA)
SRI JOHNSON GOMEZ

RESPONDENTS:

- 1 THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
DEPARTMENT OF REVENUE,
SECRETARIAT,
THIRUVANANTHAPURAM
PIN-695001.
- 2 THE DISTRICT COLLECTOR,
KOLLAM DISTRICT COLLECTORATE,
KOLLAM-691013.
- 3 PORUVAZHI GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
AMBALATHUM BHAGOM P.O,
PORUVAZHI,
KOLLAM-690520.



- 4 SECRETARY,
PORUVAZHI GRAMA PANCHAYATH,
AMBALATHUM BHAGOM P.O,
PORUVAZHI,
KOLLAM-690520.
- 5 THE NAYARA ENERGY LTD(FORMERLY ESSAR OIL LTD)
REPRESENTED BY ITS JOINT GM,
DIVISIONAL MANAGER, RETAIL BD, NO.602,
6TH FLOOR, INFRA FUTURA BUILDING,
OPPOSITE BHARAT MATHA COLLEGE,
THRIKKAKARA,
SEAPORT AIRPORT ROAD,
KAKKANAD,
ERNAKULAM DISTRICT,PIN-682021.
- 6 SAINUDEEN M.,
AGED 6 YEARS,
NADAKKAVINTE KIZHAKKATHIL,
PALLIMURI, PORUVAZHI,
SOORANAD P.O,
KOLLAM DISTRICT-690522.

ADDL R7. IMPLEADED

ADDL R7 MUNEER M.
AGED 51 YEARS, S/O MUHAMMAD,
MADATHIL HOUSE, PORUVAZHY P.O.,
KOLLAM DISTRICT, PIN- 690520
IS IMPLEADED AS PER ORDER DATED 06.08.2021 IN IA
1/2021.

ADDL.R8 **ADDL R8. IMPLEADED**

A.SHAJAHAN ALIAS ADINADU SHAJI,
AGED 53 YEARS,
S/O ALIKUNJU,
RESIDING AT KOCHUKANJICKAL,
ADINAD SOUTH,
KATTILKADAVU, P.O.
KOLLAM, PIN - 690 542,
REPRESENTED BY STATE GENERAL SECRETARY,
CITIZENS' RIGHT PROTECTION COUNCIL,
REGD.No.KLM/TC/277/2014,
ADINADU SOUTH,
KATTILKADAVU, P.O.
KOLLAM DISTRICT,
PIN 690 542.



IS IMPEADED AS PER ORDER DATED 26.7.2023 IN IA 1/2022.

BY ADVS.

SHRI.VINOY VARGHESE KALLUMOOTIL,

SC, PORUVAZHY GRAMA PANCHAYAT.

SRI SANJAY JOHNSON

SRI ABDUL SALIM M.

SRI ALIAS M.CHERIAN

MS.UTHARA A.S

SRI JOHN GOMEZ

SRI VIJAYKRISHNAN S. MENON

SRI K.M.RAPHY

SRI ANJALY ELIAS

SRI BRISTO S PARIYARAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 15087 OF 2021

PETITIONER:

SAINUDHEEN M.
AGED 60 YEARS
S/O. MOIDEEN KUNJU, NADAKKAVINTE KIZHAKKETHIL,
PALLIMURI, PORUVAZHY, SHOORANADU P.O., KOLLAM DISTRICT.

BY ADVS.
SRI ABDUL SALIM M.
SRI NAVANEETH D.PAI

RESPONDENTS:

- 1 S.SAINUDHEEN
AGED 56 YEARS
S/O. SULAIMAN RAVUTHAR, S.S.NIVAS, PADINJATTOM
KIZHAKKU, SHOORANADU P.O., SHOORANADU NORTH VILLAGE,
KOLLAM DISTRICT, PIN-690522.
- 2 PORUVAZHY GRAMA PANCHAYAT
AMBALATHUMBHAGOM P.O., PORUVAZHI, KOLLAM DISTRICT,
PIN-690520, REPRESENTED BY ITS SECRETARY.
- 3 SECRETARY,
PORUVAZHI GRAMA PANCHAYATH, AMBALATHUMBHAGOM P.O.,
PORUVAZHI, KOLLAM DISTRICT, PIN-690 520.
- 4 THE DISTRICT COLLECTOR,
COLLECTORATE, KOLLAM DISTRICT, PIN-691013.
- 5 THE DISTRICT TOWN PLANNER,
MUNICIPAL BUILDING, CHINNAKKADA, KOLLAM, PIN-691 001.
- 6 THE STATE OF KERALA,
REPRESENTED BY ITS SECRETARY, LOCAL SELF-GOVERNMENT
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN-695 001.
- 7 NARAYA ENERGY LIMITED
6B, 6TH FLOOR, NOEL FOCUS, SEAPORT AIRPORT ROAD,
CHITTETHUKARA, CSEZ P.O-682 037 REPRESENTED BY ITS
MANAGING DIRECTOR



ADDL.R8 IMPEADED

ADDL.R8 ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
USHUS BUILDING, BIG BAZAR, KOLLAM-691001. (ADDITIONAL
R8 IS IMPEADED AS PER ORDER DATED 14/12/2021 IN IA
4/2021 IN WPC)

BY ADVS.
SRI JOHNSON GOMEZ
SRI M.RAJEEV, GOVT.PLEADER
SRI JOHN GOMEZ
SREEDEVI S.
SRI MOHAMED SHEHARAN
SRI DINOOP P.D. SRI T.NAVEEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 26321 OF 2021

PETITIONER:

M.SAINUDHEEN,
AGED 60 YEARS
SON OF MOIDEEN KUNJU, NADAKKAVINTE KIZHAKKATHIL,
PALLIMURI, PORUVAZHY, SOORANADU P.O., KOLLAM.

BY ADVS.
SRI P.K.NIJOY
MS.C.PRABITHA
SRI REJOICE B.CHEMBAKASSERIL

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY SECRETARY TO GOVERNMENT, LOCAL SELF
GOVERNMENT DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-
695 001.
- 2 THE DISTRICT COLLECTOR,
COLLECTORATE, KOLLAM-681 013.
- 3 THE ADDITIONAL DISTRICT MAGISTRATE,
KOLLAM-686 102.
- 4 CENTRAL POLLUTION CONTROL BOARD,
OFFICE OF CENTRAL POLLUTION CONTROL BOARD, NEW DELHI-
110 032, REPRESENTED BY ITS DIRECTOR.
- 5 JOINT SECRETARY (MARKETING),
MINISTRY OF PETROLEUM AND NATURAL GAS, GOVERNMENT OF
INDIA, SHASTRI BAHVAN, NEW DELHI-110 001.
- 6 REGIONAL OFFICER, MINISTRY OF ROAD TRANSPORT AND
HIGHWAYS,
REGIONAL OFFICE (KERALA AND LAKSHADWEEP REGION), PUBLIC
OFFICE BUILDING, OPPOSITE TO MUSEUM,
THIRUVANANTHAPURAM-695 033.
- 7 THE EXECUTIVE ENGINEER,
NATIONAL HIGHWAYS, BEACH ROAD, KOLLAM-691 001.



- 8 DISTRICT TOWN PLANNER, KOLLAM,
OFFICE OF DISTRICT TOWN PLANNER, MUNICIPAL BUILDING,
CHINNAKKADA, KOLLAM-691 001.
- 9 PORUVAZHY GRAMA PANCHAYATH,
OFFICE OF PORUVAZHY GRAMA PANCHAYATH, PORUVAZHY P.O.,
KOLLAM-680 520, REPRESENTED BY ITS SECRETARY.
- 10 NARAYA ENERGY LTD.,
6B, 6TH FLOOR, NOEL FOCUS, SEAPORT AIRPORT ROAD,
CHITTETHUKARA, CSEZ P.O., PIN-682 037, REPRESENTED BY
ITS MANAGING DIRECTOR.
- 11 SAINUDEEN.S.,
AGED 56 YEARS
SON OF SULAIMAN RAWTHER, SS NIVAS, PADINJATTOM
KIZHAKKU, SOORANADU P.O., SOORANADU NORTH VILLAGE,
KUNNATHUR TALUK, KOLLAM, PRESENTLY RESIDING AT
PARANKIMAVILAYIL VEEDU, THEKKE MURI, SOORANADU P.O.,
KOLLAM-690 522.

BY ADVS.

SRI RAAJESH S.SUBRAHMANIAN
SRI K.SHRIHARI RAO
SRI JOHNSON GOMEZ
MS.SREEDEVI S.
SRI S.BIJU (KIZHAKKANELA) (K/1563/2003)
SRI SANJAY JOHNSON(K/000671/2018)
SRI JOHN GOMEZ(K/2010/2019)
SRI PARSHATHY S.R.(K/2426/2021)
SRI SANJITH JOHNSON(K/988/2021)
SRI MOHAMED SHEHARAN(K/001916/2021)
SRI DINOOP P.D.(K/001454/2021)
SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 12507 OF 2021

PETITIONER:

MUHAMMED BASHEER P.E.
AGED 48 YEARS
S/O.MUHAMMED, SAFA MANZIL,
KALOTH, KONDOTTY P.O.,
MALAPPURAM DIST.

BY ADVS.
SRI R.SUNIL KUMAR
MS.A.SALINI LAL

RESPONDENTS:

- 1 THE CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR,
NEW DELHI 110 032,
REP. BY ITS DIRECTOR
- 2 KERALA STATE POLLUTION CONTROL BOARD
REP. BY ITS CHAIRMAN,
PATTOM P.O., THIRUVANANTHAPURAM
695 004
- 3 ENVIRONMENT ENGINEER
KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE,
MALAPPURAM 695 033
- 4 THE SECRETARY
KONDOTTY MUNICIPALITY,
KONDOTTY 673 638
- 5 INDIAN OIL CORPORATION LIMITED
REP. BY ITS DIVISIONAL MANAGER,
KOZHIKODE DIVISIONAL OFFICE, IIND FLOOR,
P.M.K TOWERS CIVIL STATION POST,
WAYANAD ROAD,
KOZHIKODE 673 020



BY ADVS.
SRI S.SUJIN
SHRI.K.A.JALEEL, SC, KONDOTTY MUNICIPALITY
SRI M.GOPIKRISHNAN NAMBIAR
SRI K.JOHN MATHAI
SRI JOSON MANAVALAN
SRI KURYAN THOMAS
SRI PAULOSE C. ABRAHAM
SRI RAJA KANNAN

SRI RAAJESH S.SUBRAHMANIAN

SRI T.NAVEEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 12525 OF 2021

PETITIONER:

DIVYASREE P.P, AGED 35 YEARS
D/O. P.P. VIJAYAN, PADINJARE PUTHIYOTTIL POST CHOMBALA,
VATAKARA, KOZHIKODE.

BY ADVS.SRI R.SUNIL KUMAR
MS.A.SALINI LAL

RESPONDENTS:

- 1 THE CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR, NEW DELHI-110 032, REP. BY ITS
DIRECTOR.
- 2 THE KERALA STATE POLLUTION CONTROL BOARD,
REPRESENTED BY ITS CHAIRMAN, PATTOM P.O,
THIRUVANANTHAPURAM-695 004
- 3 THE ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
KOZHIKODE-673 002
- 4 THE DISTRICT TOWN PLANNER,
DEPARTMENT OF COUNTRY AND TOWN PLANNING, DISTRICT TOWN
PLANNING OFFICE, KURDFC BUILDING, CHAKKORATHUKULAM, WEST
HILL P.O, KOZHIKODE-673 005
- 5 INDIAN OIL CORPORATION LIMITED,
REP. BY ITS DIVISIONAL MANAGER,
KOZHIKODE DIVISIONAL OFFICE, IIND FLOOR,
P.M.K TOWERS CIVIL STATION POST,
WAYANAD ROAD, KOZHIKODE -673 020

BY ADVS.SRI S.SUJIN
SRI. T.NAVEEN SC, KERALA STATE POLLUTION CONTROL BOARD,
SRI M.GOPIKRISHNAN NAMBIAR
SRI K.JOHN MATHAI, SRI JOSON MANAVALAN
SRI KURYAN THOMAS, SRI PAULOSE C. ABRAHAM
SRI RAJA KANNAN
SRI RAAJESH S.SUBRAHMANIAN
SRI T.NAVEEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE
COURT ON 26.07.2023 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 17666 OF 2021

PETITIONER:

SHEMEER T.P
AGED 41 YEARS
S/O KUNHIMOITHU, PINARAYI AMSOM, THALASSERY TALUK,
KANNUR

BY ADVS.
MS.A.SALINI LAL
SRI R.SUNIL KUMAR

RESPONDENTS:

- 1 THE CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR, M NEW DELHI-110 032, REP BY ITS
DIRECTOR
- 2 THE KERALA STATE POLLUTION CONTROL BOARD,
REPRESENTED BY ITS CHAIRMAN, PATTOM
P.O.THIRUVANANTHAPURAM-695 004.
- 3 THE ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
KANNUR-670 673.
- 4 THE DISTRICT TOWN PLANNER,
DEPARTMENT OF COUNTRY AND TOWN PLANNING, DISTRICT TOWN
PLANNING OFFICE, KANNUR-670 673.
- 5 INDIAN OIL CORPORATION LIMITED,
REP BY ITS CHIEF REGIONAL MANAGER,
KOZHIKODE DIVISIONAL OFFICE, 11ND FLOOR,
P.M.K. TOWERS ,
CIVIL STATION POST, WAYANAD ROAD, KOZHIKODE-673 020.

BY ADVS.
SRI RAAJESH S.SUBRAHMANIAN
SRI M.GOPIKRISHNAN NAMBIAR
SRI K.JOHN MATHAI
SRI JOSON MANAVALAN
SRI KURRYAN THOMAS

WP(C)Nos.11517/2020
& con.cases

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SRI PAULOSE C. ABRAHAM
SRI RAJA KANNAN
SRI T.NAVEEN



2023:KER:42493

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 17717 OF 2021

PETITIONER:

ARUNKUMAR.P
AGED 51 YEARS
S/O. P. SHANKARAN, KAILASAM,
VILLIKKAL, KOTTAKUNNU, CHEVAYUR, KOZHIKODE

BY ADV SRI V.M.KRISHNAKUMAR

RESPONDENTS:

- 1 THE CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR, NEW DELHI 110 032
REPRESENTED BY ITS DIRECTOR.
- 2 TKERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHAIRMAN,
PATTOM P.O, THIRUVANANTHAPURAM 695 004
- 3 THE ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, KOZHIKODE 673 003
- 4 THE DISTRICT TOWN PLANNER
DEPARTMENT OF COUNTRY AND TOWN PLANNING DISTRICT TOWN
PLANNING OFFICE, KOZHIKODE 673 002
- 5 INDIAN OIL CORPORATION LIMITED
REPRESENTED BY ITS CHIEF REGIONAL MANAGER,
TRIVANDRUM DIVISIONAL OFFICE, GROUND FLOOR,
PREMIER PARK, INCHAKKAL BYE PASS ROAD,
VALLAKKADAVU P.O,
THIRUVANANTHAPURAM.

BY ADVS.
SRI RAAJESH S.SUBRAHMANIAN
SRI M.GOPIKRISHNAN NAMBIAR
SRI K.JOHN MATHAI
SRI JOSON MANAVALAN
SRI KURYAN THOMAS
SRI PAULOSE C. ABRAHAM
SRI RAJA KANNAN

WP(C)Nos.11517/2020
& con.cases

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2023:KER:42493

SRI T.NAVEEN
SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 17752 OF 2021

PETITIONER:

JAMSHEER V.P.
AGED 40 YEARS
S/O MAMMU C.K., KODAMBATTIL,
MURIYANAL, KUNNAMANGALAM, KOZHIKODE.

BY ADVS.
SRI R.SUNIL KUMAR
MS.A.SALINI LAL

RESPONDENTS:

- 1 CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR, NEW DELHI-110032, REPRESENTED BY ITS
DIRECTOR.
- 2 THE KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHAIRMAN, PATTOM P.O,
THIRUVANANTHAPURAM-695004.
- 3 THE ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
KOZHIKODE-673002.
- 4 THE DISTRICT TOWN PLANNER
DEPARTMENT OF COUNTRY AND TOWN PLANNING, DISTRICT TOWN
PLANNING OFFICE, KOZHIKODE-673002.
- 5 INDIAN OIL CORPORATION LIMITED
REPRESENTED BY ITS DIVISIONAL MANAGER, KOZHIKODE
DIVISIONAL OFFICE, IIND FLOOR, P.M.K.TOWERS CIVIL
STATION POST, WAYANAD ROAD, KOZHIKODE-673020.

BY ADVS.
SRI RAAJESH S.SUBRAHMANIAN
SRI M.GOPIKRISHNAN NAMBIAR
SRI K.JOHN MATHAI

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& con.cases

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2023:KER:42493

SRI JOSON MANAVALAN
SRI KURVAN THOMAS
SRI PAULOSE C. ABRAHAM

SRI RAJA KANNAN

SRI T.NAVEEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 17758 OF 2021

PETITIONER/S:

RAJESH.O.K
AGED 32 YEARS
S/O. KELU, MAMBETTY, MAKKIYAD, KANJIRANGAD, WAYANAD.

BY ADV SRI R.SUNIL KUMAR MS.A. SALINI LAL

RESPONDENTS:

- 1 THE CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR, NEW DELHI-110 032 REPRESENTED BY ITS
DIRECTOR.
- 2 THE KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHAIRMAN, PATTOM P.O.,
THIRUVANANTHAPURAM-695 004.
- 3 THE ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
MALAPPURAM-676 505.
- 4 THE DISTRICT TOWN PLANNER
DEPARTMENT OF COUNTRY AND TOWN PLANNING
DISTRICT TOWN PLANNING OFFICE, MALAPPURAM-676 505.
- 5 INDIAN OIL CORPORATION LIMITED
REPRESENTED BY ITS CHIEF REGIONAL MANAGER, KOZHIKODE
DIVISIONAL OFFICE, IIND FLOOR, P.M.K. TOWERS, CIVIL
STATION POST, WAYANAD ROAD, KOZHIKODE-673 020.

BY ADVS.

SRI RAAJESH S.SUBRAHMANIAN
SRI M.GOPIKRISHNAN NAMBIAR
SRI K.JOHN MATHAI
SRI JOSON MANAVALAN
SRI KURYAN THOMAS
SRI PAULOSE C. ABRAHAM

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2023:KER:42493

SRI RAJA KANNAN

SRI T.NAVEEN

SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 17787 OF 2021

PETITIONER:

AYESHA JUMANA MALIGA
AGED 31 YEARS
D/O. IQBAL MALIGA ZAM ZAM MANZIL, POVVAL MULIYAR,
KASARGODE

BY ADVS.
SRI R.SUNIL KUMAR
MS. A.SALINI LAL

RESPONDENTS:

- 1 THE CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR, NEW DELHI 110 032 REPRESENTED BY ITS
DIRECTOR
- 2 THE KERALA POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHAIRMAN, PATTOM P.O,
THIRUVANANTHAPURAM 695 004
- 3 THE ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
KASARGODE 671 315
- 4 THE DISTRICT TOWN PLANNER
DEPARTMENT OF COUNTRY AND TOWN PLANNING DISTRICT TOWN
PLANNING OFFICE, KASARAGODE 671 121
- 5 INDIAN OIL CORPORATION
REPRESENTED BY ITS DIVISIONAL MANAGER KOZHIKODE
DIVISIONAL OFFICE, IIND FLOOR, P.M.K TOWERS, CIVIL
STATION POST, WAYANAD ROAD, KOZHIKODE 673 020

BY ADVS.
SRI RAAJESH S.SUBRAHMANIAN
SRI M.GOPIKRISHNAN NAMBIAR
SRI K.JOHN MATHAI

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& con.cases

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2023:KER:42493

SRI JOSON MANAVALAN
SRI KURYAN THOMAS
SRI PAULOSE C. ABRAHAM
SRI RAJA KANNAN SRI T.NAVEEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 20105 OF 2021

PETITIONER:

ASWATH D.,
AGED 37 YEARS
S/O. DASAN K.A., KOOTTUNGALTHARA HOUSE,
PAZHANGAD EAST, EDAVANAKKAD,
VYPIN ISLAND,
ERNAKULAM.

BY ADV SRI R.SUNIL KUMAR

RESPONDENTS:

- 1 THE CENTRAL POLLUTION CONTROL BOARD,
EAST ARJUN NAGAR, NEW DELHI-110032,
REPRESENTED BY ITS DIRECTOR.
- 2 THE KERALA STATE POLLUTION CONTROL BOARD,
REPRESENTED BY ITS CHAIRMAN, PATTOM P.O.,
THIRUVANANTHAPURAM-695004.
- 3 THE ENVIRONMENTAL ENGINEER,
KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE,
ALAPPUZHA-688001.
- 4 THE DISTRICT TOWN PLANNER,
DEPARTMENT OF COUNTRY AND TOWN PLANNING, DISTRICT TOWN
PLANNING OFFICE, ALAPPUZHA-688001.
- 5 INDIAN OIL CORPORATION LIMITED,
REPRESENTED BY ITS DIVISIONAL MANAGER,
COCHIN DIVISIONAL OFFICE,
PANAMPALLY AVENUE, PANAMPILLY NAGAR,
KOCHI-682036.

BY ADVS. SRI RAAJESH S. SUBRAHMANIAN
SRI T.NAVEEN SC, KERALA STATE POLLUTION CONTROL BOARD,
SRI M.GOPIKRISHNAN NAMBIAR
SRI JOHN MATHAI

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2023:KER:42493

SRI JOSON MANAVALAN
SRI KURYAN THOMAS
SRI PAULOSE C. ABRAHAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 20113 OF 2021

PETITIONER:

JACOB JOHN
AGED 50 YEARS, S/O. JOHN,
KURAVANVELIYIL, CMC 18/140,
CHERTHALA, ALAPPUZHA.

BY ADVS.
SRI R.SUNIL KUMAR
MS.A.SALINI LAL

RESPONDENTS:

- 1 THE CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR, NEW DELHI - 110032,
REP. BY ITS DIRECTOR.
- 2 THE KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHAIRMAN,
PATTOM P. O., THIRUVANANTHAPURAM - 695004.
- 3 THE ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, ALAPPUZHA - 688001.
- 4 THE DISTRICT TOWN PLANNER
DEPARTMENT OF COUNTRY AND TOWN PLANNING,
DISTRICT TOWN PLANNING OFFICE, ALAPPUZHA - 688 001.
- 5 INDIAN OIL CORPORATION LIMITED
REP. BY ITS DIVISIONAL MANAGER,
KOZHIKODE DIVISIONAL OFFICE, II ND FLOOR,
P.M.K. TOWERS CIVIL STATION POST,
WAYANAD ROAD, KOZHIKODE - 673020.



BY ADVS.

SRI. T.NAVEEN SC, KERALA STATE POLLUTION CONTROL BOARD,

SRI M.GOPIKRISHNAN NAMBIAR

SRI K.JOHN MATHAI

SRI JOSON MANAVALAN

SRI KURYAN THOMAS

SRI PAULOSE C. ABRAHAM

SRI RAJA KANNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 25770 OF 2021

PETITIONER:

PAULOSE ABRAHAM
AGED 51 YEARS
S/O. ABRAHAM, NJATTUMKALAYIL HOUSE, KADAYIRUPPU,
KOLENCHERRY, ERNAKULAM.

BY ADVS.
SRI R.SUNIL KUMAR
MS.A.SALINI LAL

RESPONDENTS:

- 1 THE CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR, NEW DELHI - 110032, REPRESENTED BY
ITS DIRECTOR.
- 2 THE KERALA STATE POLLUTION CONTROL BOARD,
REPRESENTED BY ITS CHAIRMAN, PATTOM P.O,
THIRUVANANTHAPURAM - 695004.
- 3 THE ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
ERNAKULAM - 683542.
- 4 THE DISTRICT TOWN PLANNER
DEPARTMENT OF COUNTRY AND TOWN PLANNING, DISTRICT TOWN
PLANNING OFFICE, KAKKANAD, ERNAKULAM - 682030.
- 5 INDIAN OIL CORPORATION LIMITED,
REPRESENTED BY ITS DIVISIONAL MANAGER, COCHIN
DIVISIONAL OFFICE, PANAMPALLY AVENUE, PANAMPALLY NAGAR,
KOCHI - 682036.

BY ADVS.
SRI RAAJESH S.SUBRAHMANIAN
SRI M.GOPIKRISHNAN NAMBIAR
SRI K.JOHN MATHAI
SRI JOSON MANAVALAN
SRI KURYAN THOMAS
SRI PAULOSE C. ABRAHAM

WP(C)Nos.11517/2020
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2023:KER:42493

SRI RAJA KANNAN
SRI T.NAVEEN
SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 3350 OF 2022

PETITIONER:

JOJISON V JACOB
AGED 27 YEARS
S/O V M JACOB, VALIYAPARAMBIL HOUSE, KINATTINGAL
KARULAI, MALAPPURAM.

BY ADVS.
SRI R.SUNIL KUMAR
MS. A.SALINI LAL
SRI ARUN KRISHNA

RESPONDENTS:

- 1 THE CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR, NEW DELHI-110032, REPRESENTED BY ITS
DIRECTOR.
- 2 THE KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHAIRMAN, PATTOM P O,
THIRUVANANTHAPURAM-695004.
- 3 THE ENVIRONMENTAL ENGINEER
THE KERALA STATE POLLUTION CONTROL BOARD DISTRICT
OFFICE, MALAPPURAM, PIN-676505.
- 4 THE DISTRICT TOWN PLANNER
DEPARTMENT OF COUNTRY AND TOWN PLANNING, DISTRICT TOWN
PLANNING OFFICE, MALAPPURAM-676505.

BY ADVS. RAAJESH S.SUBRAHMANIAN
SRI T.NAVEEN
SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 5963 OF 2022

PETITIONER:

BOBY SEBASTIAN
AGED 42 YEARS
S/O.DEVASIA, VALUVETTICKAL, KELAKAM, PERUMTHANAM,
KANNUR.

BY ADVS.
SRI R.SUNIL KUMAR
MS.A.SALINI LAL
SRI ARUN KRISHNA

RESPONDENTS:

- 1 CENTRAL POLLUTION CONTROL BOARD
EAST ARJUN NAGAR, NEW DELHI-110032, REPRESENTED BY ITS
DIRECTOR.
- 2 KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHAIRMAN, PATTOM.P.O,
THIRUVANANTHAPURAM-695004.
- 3 THE ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
KANNUR-670012.
- 4 THE DISTRICT TOWN PLANNER
DEPARTMENT OF COUNTRY AND TOWN PLANNING, DISTRICT TOWN
PLANNING OFFICE, KANNUR-670012.
- 5 NAYARA ENERGY,
REPRESENTED BY ITS AUTHORISED SIGNATORY,
INFRA FUTURA BUILDING NO:602,
6TH FLOOR,
OPPOSITE TO BHARATH MATA COLLEGE,
SEA-PORT-AIRPORT ROAD, THRIKKAKARA, KAKKANAD,
ERNAKULAM-682021.

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BY ADV SRI RAAJESH S.SUBRAHMANIAN
SRI T. NAVEEN
SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 6375 OF 2022

PETITIONER:

DEVARAJAN BHASKARAN
AGED 62 YEARS
S/O BHASKARAN, R/O MANGALASSERI VEEDU, KANJIRAMCODE
CHERRY, MULAVANA VILLAGE, KOLLAM DISTRICT, PIN-691503.

BY ADVS.
SRI M.K.CHANDRA MOHANDAS
SRI HARIKRISHNAN M.S.

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT, ENVIRONMENT
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 CENTRAL POLLUTION CONTROL BOARD.
REPRESENTED BY ITS DIRECTOR, PARIVESH BHAVAN, CBD-CUM-
OFFICE COMPLEX EAST, ARJUN NAGAR, NEW DELHI-110032.
- 3 KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY THE CHIEF ENVIRONMENTAL ENGINEER, PATTOM
OFFICE, THIRUVANANTHAPURAM-695003.
- 4 THE ASSISTANT ENVIRONMENT ENGINEER
THE KERALA STATE POLLUTION CONTROL BOARD, USHAS
BUILDING, BIG BAZAR, KOLLAM PIN-691001.
- 5 THE AIR APPELLATE AUTHORITY
THAMPANOR, THIRUVANANTHAPURAM-695002 REPRESENTED BY
ITS CHAIRMAN.
- 6 DEPUTY GENERAL MANAGER (RETAIL SALES)
INDIAN OIL CORPORATION LIMITED, TRIVANDRUM DIVISIONAL
OFFICE, GROUND FLOOR, PREMIER PARK, INCHAKKAL BYE PASS
ROAD, VALLAKKADAVU P O, THIRUVANANTHAPURAM, PIN-695008.

BY ADVS.
SRI M.GOPIKRISHNAN NAMBIAR
SRI K.JOHN MATHAI
SRI JOSON MANAVALAN
SRI KURYAN THOMAS

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2023:KER:42493

SRI PAULOSE C. ABRAHAM
SRI RAJA KANNAN
SRI T.NAVEEN
SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 1513 OF 2022

PETITIONERS:

- 1 SABU K.K.,
AGED 63 YEARS, S/O. KRISHNA PILLAI,
KORASSERIL HOUSE, CHERAI P.O., PIN 683 514.
- 2 SONY K.K.,
AGED 59 YEARS, S/O. KRISHNA PILLAI,
KORASSERIL HOUSE, CHERAI P.O., PIN 683 514.
- 3 GOPALAKRISHNAN,
AGED 68 YEARS, S/O. NARAYANAN,
PARAYIL HOUSE, CHERAI P.O. PIN 683 514.
- 4 MANIBEN BABU,
AGED 58 YEARS, S/O. ARAVINDAN,
NELLIPPARAMBIL HOUSE, CHERAI P.O., PIN 683 514.
- 5 M.K. VENU,
AGED 63 YEARS, S/O. KRISHNAN KUTTY,
MANGALAPILLY HOUSE, CHERAI P.O., PIN 683 514.

BY ADVS.
SRI ABRAHAM P.GEORGE
SRI PRAKASH KESAVAN
MS.M.SANTHY

RESPONDENTS:

- 1 UNION OF INDIA
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
MINISTRY OF PETROLEUM AND NATURAL GAS,
A-WING, SHASTRI RAJENDRA PRASAD ROAD, 11001,
AZAD BHAWAN RD, IP ESTATE, NEW DELHI, DELHI 110002.
- 2 DISTRICT COLLECTOR,
ERNAKULAM, OFFICE AT CIVIL STATION,
KAKKANAD, 682 030.



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- 3 THE ADDITIONAL DISTRICT MAGISTRATE,
ERNAKULAM, OFFICE AT CIVIL STATION,
KAKKANAD,
682 030.
- 4 SUPERINTENDENT OF POLICE,
ERNAKULAM RURAL, ALUVA,
OFFICE AT POWER HOUSE JUNCTION,
SUB JAIL RD,
PERIYAR NAGAR,
ALUVA,
KERALA 683 101.
- 5 REGIONAL FIRE OFFICER,
FIRE AND RESCUE SERVICES,
ERNAKULAM,
KOCHI 682 020.
- 6 THE TAHASILDAR,
TALUK OFFICE, GROUND FLOOR,
KB JACOB RD, FORT KOCHI,
KOCHI 682 001.
- 7 PETROLEUM AND EXPLOSIVE SAFETY ORGANIZATION (PESO),
A & D WING, BLOCK 1-8, 2ND FLOOR, SHASTRI BHAVAN,
26 HADDOUS ROAD, NUGAMPAKKAM,
CHENNAI 600006.
- 8 KERALA STATE POLLUTION CONTROL BOARD,
PATTAM P.O.,
THIRUVANANTHAPURAM 695 004.
- 9 NAYARA ENERGY LTD
(FORMERLY ESSAR OIL LTD),
6TH FLOOR, NOYAL FOCUS,
SEAPORT AIRPORT ROAD, CHITTETHUKARA,
KOCHI 682 037.
- 10 THEERTHAM FUELS,
OPP. SM HIGH SCHOOL,
MUNAMBAM VYPIN ROAD,
PALLIPPURAM ,
REP. BY ITS MANAGING PARTNER,
SANAL A.S.,
AGED 37 YEARS,
RESIDING AT ALIL BLANGAD P.O.,
KADAPPURMA VILLAGE ,
CHAVAKKAD TALUK,
THRISSUR DISTRICT 680 506.

BY ADVS.

SRI P.R.AJITH KUMAR

MS.SREEDEVI S.

SRI S.BIJU (KIZHAKKANELA) (K/1563/2003)

SRI JOHNSON GOMEZ (K/474/1992)



SRI SANJAY JOHNSON (K/000671/2018)
SRI SANJITH JOHNSON (K/988/2021)
SRI JOHN GOMEZ (K/2010/2019)
SRI DINOOP P.D. (K/001454/2021)
SRI MOHAMED SHEHARAN (K/001916/2021)
SRI PARSHATHY S.R. (K/2426/2021)
SRI T.NAVEEN
SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 1942 OF 2022

PETITIONER:

AYSHA N
AGED 47 YEARS
W/O. ABDUL SALAM K.L, PARAKKUNNAM, PALAKKAD P.O, 678
001 MANAGING PARTNER, MALABAR PETROLEUMS, DOOR
NO.9/682, MAIN ROAD, PATHIRIPPALA,
PALAKKAD DISTRICT, PIN 679 302

BY ADVS.
SRI M.R.ANISON
MS. V.BHARGAVI (PANANGAD)
MS.P.A.RINUSA

RESPONDENTS:

- 1 THE DISTRICT COLLECTOR
COLLECTORTE, PALAKKAD 678 001
- 2 THE ADDITIONAL DISTRICT MAGISTRATE
PALAKKAD 678 001
- 3 INDIAN OIL CORPORATION LIMITED
REPRESENTED BY ITS DEPUTY GENERAL MANAGER,
COCHIN DIVISIONAL OFFICE, PANAMPILLY AVENUE,
PANAMPILLY NAGAR P.O, KOCHI 682 306
- 4 THE KERALA STATE POLLUTION CONTROL BOARD
REPRESENTED BY ITS CHAIRMAN,
HEAD OFFICE, PATTOM P.O,
THIRUVANANTHAPURAM 695 004
- 5 THE ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD,
NEAR DISTRICT PANCHAYAT OFFICE,
PALAKKAD - 678 001

BY ADVS.
SRI M.GOPIKRISHNAN NAMBIAR
SRI K.JOHN MATHAI
SRI JOSON MANAVALAN



SRI KURYAN THOMAS
SRI PAULOSE C. ABRAHAM
SRI RAJA KANNAN
SRI T.NAVEEN
SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 4498 OF 2022

PETITIONER:

SHAMMI,
AGED 50 YEARS
RESIDING AT MUKIKADA VEEDU,
VARIKKAMUKKU,
MURIKKUMPUZHA P.O.,
THIRUVANANTHAPURAM 695 302.

BY ADV SRI SHAMMI, (Party-In-Person)

RESPONDENTS:

- 1 DISTRICT COLLECTOR ,
COLLECTORATE, THIRUVANANTHAPURAM 605 036.
- 2 MANGALAPURAM PANCHAYATH,
PONTHECODE MARUKKUMPUZHA ROAD,
MANALAPURAM 695 317,
REP. BY ITS SECRETARY.
- 3 TAHASILDAR,
TALUK OFFICE, THIRUVANANTHAPURAM 695 302.
- 4 KERALA STATE POLLUTION CONTROL BOARD,
REP. BY THE ENVIRONMENTAL ENGINEER,
DISTRICT OFFICE, T.C. 12/96 (4.5),
PLAMOODU, PATTOM P.O., THIRUVANANTHAPURAM 695 004.
- 5 BHARAT PETROLEUM CORPORATION LTD,
REP. BY ITS CHIEF REGIONAL MANAGER,
THIRUVANANTHAPURAM RETAIL REGIONAL OFFICE,
THIRUVANANTHAPURAM 695 004.
- 6 DISTRICT SUPPLY OFFICER,
CIVIL SUPPLIES DEPARTMENT,
THIRUVANANTHAPURAM 695 004.



- 7 CHIEF ENGINEER,
PWD ROADS DIVISION, PMG JUNCTION,
THIRUVANANTHAPURAM 695 302.
- 8 REGIONAL FIRE OFFICER,
FIRE AND RESCUE SERVICES,
FIRE FORCE JUNCTION, PULIMOODU P.O.,
THIRUVANANTHAPURAM 695 001.
- 9 ABDUL RASHEED M.,
AKATHEKADA, MURIKKUMPUZHA P.O.,
THIRUVANANTHAPURAM 695 302.

BY ADVS.
SRI M.GOPIKRISHNAN NAMBIAR
SRI K.JOHN MATHAI
SRI JOSON MANAVALAN
SRI KURYAN THOMAS
SRI PAULOSE C. ABRAHAM
SRI RAJA KANNAN
SRI T.NAVEEN
SRI M.RAJEEV, GOVT.PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE COURT ON
26.07.2023 DELIVERED THE FOLLOWING:



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE T.R.RAVI

WEDNESDAY, THE 26TH DAY OF JULY 2023 / 4TH SRAVANA, 1945

WP(C) NO. 7185 OF 2022

PETITIONER:

SUNITHA M
AGED 45 YEARS, W/O NIZAMUDDIN,
NIZAM MANZIL, KOTTARAKARI,
SASTHAVATTAM P.O., MURUKKUMPUZHA,
THIRUVANANTHAPURAM-695 305.

BY ADV R.S.KALKURA

RESPONDENTS:

- 1 BHARAT PETROLEUM CORPORATION LTD.
BHAVAN, 4 AND 6 CURRIMBOY ROAD,
BALLARD ESTATE,
MUMBAI 400 001,
MAHARASHTRA,
REPRESENTED BY ITS MANAGING DIRECTOR
- 2 TERRITORY MANAGER,
I & C BHARAT PETROLEUM CORP. LTD,
SOUTHERN REGIONAL OFFICE 1,
RANGANATHAN GARDEN,
OFF 11TH MAIN ROAD,
ANN NAGAR, CHENNAI-600 040.
- 3 TERRITORY MANAGER I & C
BHARAT PETROLEUM CORP LTD,
1ST FLOOR, KOCHI REFINERY MARKETING BUILDING,
AMBALAMUGAL, KERALA-682 303.



- 4 THE KERALA STATE POLLUTION CONTROL BOARD,
DISTRICT OFFICE, THIRUVANANTHAPURAM,
TC 12/96 (4,5) PLAMOODU JUNCTION,
PATTOM P.O.THIRUVANANTHAPURAM-695 004,
REPRESENTED BY ITS ENVIRONMENTAL ENGINEER
- 5 ABDUL RASHEED,
AKATHEKADA, VARRIKOMMUKKU,
MURUKUMPUZHA P.O., THIRUVANANTHAPURAM-695 302.

BY ADVS.
SRI M.GOPIKRISHNAN NAMBIAR
SRI R.SUNIL KUMAR
SRI K.JOHN MATHAI
SRI JOSON MANAVALAN
SRI KURYAN THOMAS
SRI PAULOSE C. ABRAHAM
SRI RAJA KANNAN
MS.A.SALINI LAL
SRI T.NAVEEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 25.01.2023, ALONG WITH WPC 11507/2020 & CON.CASES, THE
COURT ON 26.07.2023 DELIVERED THE FOLLOWING:



T.R. RAVI, J.

WP(C)Nos.11517, 12302, 14388, 15500,
15873 & 15917 of 2020, 5928,
6858, 11495, 17601, 18031, 27900 of
2021, WP(C)Nos.10367, 11907, 12880,
15087 & 26321 of 2021,
W.P.(C)Nos. 12507, 12525, 17666,
17717, 17752, 17758, 17787, 20105,
20113 & 25770 of 2021 and 3350, 5963
& 6375 of 2022, W.P(C)Nos.1513, 1942,
4498 & 7185 of 2022

Dated this the 26th day of July, 2023

JUDGMENT

The question that arises in all these writ petitions is regarding the applicability of the circulars issued by the Kerala State Pollution Control Board (KSPCB) with respect to the siting restrictions for establishing a retail petroleum outlet. There are writ petitions challenging the circulars issued by the KSPCB, writ petitions seeking direction to the KSPCB to issue consent to establish, writ petitions seeking directions for issuance of NOC for setting up retail petroleum outlets, and writ petitions against the grant of consent to establish



and NOC for establishing retail petroleum outlets. The writ petitions are hence heard and disposed of together.

2. The National Green Tribunal (NGT) had directed the Central Pollution Control Board (CPCB) to issue guidelines regarding establishing petroleum outlets. Based on the directions, the CPCB issued guidelines that have been circulated to all the State Pollution Control Boards (SPCB). Several disputes arose regarding the date of implementation of certain conditions and regarding the distance that must be maintained between the outlet and residential houses. After hearing the counsel for the writ petitioners at length, they were taken for orders.

3. Meanwhile, on 23.12.2021, the NGT (South Zone) had issued directions in O.A.No.138 of 2020, making it mandatory to obtain consent to establish and consent to operate from the CPCB/SPCB as a requirement for setting up retail petroleum outlets. The order dated 23.12.2021 was challenged before the Hon'ble Supreme Court. The Hon'ble Supreme Court, in its judgment dated 14.3.2023 in **Indian Oil Corporation v. V.B.R.Menon & Ors. [(2023) SCC OnLine SC 257]**, held that even though the NGT can



issue directions to the CPCB, the impugned direction making it mandatory to obtain consent to establish and consent to operate is not justified. The Hon'ble Supreme Court set aside the directions and held that the existing retail outlets and those to be established in the future need not obtain consent to establish and consent to operate. The Court held that all that was required was to ensure that the guidelines which had been issued by the CPCB were scrupulously adhered to. The Apex Court had also considered the fact that the retail petroleum outlet is presently categorised under Green Category and is no longer in the "consent management regime."

4. Paragraph 48 of the above judgment is extracted below for reference.

"48. In view of the aforesaid, we dispose of the Civil Appeal No.2039 of 2022 in the following terms: —

(a) The CPCB shall ensure that all the retail petroleum outlets located in different cities having population of more than 10 lakh and having turn over of more than 300 KL/Month shall install the VRS mechanism within the fresh timeline as prescribed in its Circular dated 04.06.2021. To put it in other words, the CPCB shall ensure that the directions issued by the NGT as contained in para.



69(i) and (ii) of the impugned order is fully complied with. It shall be the legal obligation of all the State Pollution Control Boards to ensure that the directions issued by the NGT in regard to the installation of the VRS mechanism is complied with within the fresh timeline as prescribed by the CPCB.

(b) We set aside the directions issued by the NGT in the impugned order as contained in para 69(iii) and (iv). Instead, we direct the CPCB to instruct all the State Pollution Control Boards to ensure that the guidelines issued by it vide the Office Memorandum dated 07.01.2020 are strictly adhered to. If there is breach of any of the guidelines issued by the CPCB vide Office Memorandum dated 07.01.2020, then the concerned State Pollution Control Board shall proceed against the erring outlet in accordance with law at the earliest.”

5. Pursuant to the judgment, the CPCB has addressed the SPCBs and issued Circulars in terms of the judgment. Consequently, the Chairman of the KSPCB has addressed the officers, informing them about the directions and clarifying that the officers are to ensure that the Siting Criteria contained in the Guidelines issued by the CPCB on 7.1.2020 is strictly followed. It is clarified that the requirement to measure the distance from individual residential buildings, as specified in the KSPCB Circular dated 18.8.2020, cannot



be insisted upon. In view of the subsequent developments, it is no longer necessary to address all the contentions that are raised in these writ petitions. None of the circulars issued by the KSPCB regarding the siting requirements can be insisted upon, and the authorities are required to consider the applications in the light of the judgment of the Hon'ble Supreme Court in **IOC(supra)**.

6. The writ petitions are hence disposed of as follows, in the light of the judgment of the Hon'ble Supreme Court.

W.P(C)No.11517/2020

7. The petitioners are the existing petroleum retail outlet owners, and they are aggrieved by Ext.P6 NOC dated 14.05.2020 issued by the 2nd respondent in favour of the 7th respondent for installing the petroleum retail outlet on the landed property owned by the 8th respondent. The petitioners pray to call for the records and quash Ext.P6 NOC dated 14.05.2020, alleging that it was issued ignoring Ext.P2 Government Order and Ext.P4 Circular of KPCB dated 24.02.2020. The 7th respondent has filed a counter affidavit against the averments in the writ petition, and the petitioner has filed a reply to the counter affidavit.



8. In view of the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in [**2023 SCC OnLine SC 257**], no further directions are called for in this writ petition. The writ petition is disposed of directing respondents 5 and 6 to ensure that the directions issued by the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioners to approach the aforesaid respondents pointing out the violation, if any, of the guidelines issued by the CPCB.

W.P(C)No.12302/2020

9. The petitioners are aggrieved by the commissioning of a petrol pump which is stated to be in violation of the guidelines issued by the CPCB. The prayer is for a direction to stop all constructions for setting up of the petrol pump and to cancel Ext.P7.

10. In view of the law laid down in the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in [**2023 SCC OnLine SC 257**], the directions sought cannot be granted as such. The writ petition is disposed of directing the 4th respondent to ensure that the directions issued by



the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioners to approach the aforesaid respondents pointing out the violation, if any, of the guidelines issued by the CPCB.

W.P(C)No.14388/2020

11. The petitioner is aggrieved by the establishment of the petroleum outlet by the 5th respondent. The prayer in the writ petition is for a direction to respondents 1 and 2 to follow the guidelines in Ext.P2 CPCB office memorandum dated 07.01.2020 while issuing the consent to establish and operate from 22.07.2019.

12. In view of the law laid down in the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in **[2023 SCC OnLine SC 257]**, the writ petition is disposed of directing the respondents 1 to 3 to ensure that the directions issued by the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioner to approach the aforesaid respondents pointing out the violation if any, of the guidelines issued by the CPCB.



W.P.(C) No. 15500/2020

13. The petitioner is challenging the issuance of NOC to start a petrol pump in the property belonging to the 8th respondent. The prayer is to quash Exts.P4 and P5 issued by respondents 2 and 7, alleging violation of the guidelines issued by the KSPCB with respect to 50 meters distance from residential buildings.

14. In view of the law laid down in the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in **[2023 SCC OnLine SC 257]**, the directions prayed for cannot be granted as such. The writ petition is disposed of directing the 7th respondent to ensure that the directions issued by the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioner to approach the aforesaid respondents pointing out the violation, if any, of the guidelines issued by the CPCB.

W.P.(C) No.15873/2020

15. The petitioner is aggrieved by the Ext.P1 order issued by the 2nd respondent granting NOC to the 10th respondent for setting up a petroleum retail outlet and prays for quashing the same. There



is also a prayer for a declaration that no petroleum outlet can be put up in the property belonging to the 11th respondent.

16. In view of the law laid down in the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in **[2023 SCC OnLine SC 257]**, the directions, as prayed for, cannot be granted. The writ petition is disposed of directing respondents 3 and 4 to ensure that the directions issued by the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioner to approach the aforesaid respondents pointing out the violation, if any, of the guidelines issued by the CPCB.

W.P(C)No.15917/2020

17. The petitioner is aggrieved by the steps taken by the 1st and 2nd Respondents to issue NOC in favour of the 8th Respondent to start a petroleum outlet near his house. The prayer is for a direction to Respondents 1 and 2 not to issue NOC to the 8th Respondent to start a petroleum outlet on the property of the 9th Respondent and to ensure that the 8th Respondent is following the guidelines issued. In view of the law laid down in the judgment of the Hon'ble Supreme



Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in **[2023 SCC OnLine SC 257]**, the directions prayed for cannot be granted as such. The writ petition is disposed of directing respondents 6 and 7 to ensure that the directions issued by the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioner to approach the aforesaid respondents pointing out the violation, if any, of the guidelines issued by the CPCB.

W.P(C)No.5928/2021

18. The petitioners are challenging the issuance of consent to establish a petroleum outlet to the 3rd respondent and the circulars issued by the KSPCB. In view of the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in **[2023 SCC OnLine SC 257]**, the directions prayed for cannot be granted as such. The writ petition is disposed of directing respondents 1,2 and 4 to ensure that the directions issued by the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the



petitioners to approach the aforesaid respondents pointing out the violation, if any, of the guidelines issued by the CPCB.

W.P(C)No. 6858/2021

19. The petitioners, who are residents of the area where the 8th respondent is trying to put up a petroleum outlet, have challenged the same on various grounds. They have challenged the circulars issued by the KSPCB as they are against the guidelines issued by the CPCB. They are also challenging various permits issued by the other authorities to facilitate the setting up of the petroleum outlet.

20. In view of the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in [**2023 SCC OnLine SC 257**], it is not necessary to consider all the issues raised in the writ petition. The writ petition is disposed of directing respondents 4 and 5 to ensure that the directions issued by the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioners to approach the aforesaid respondents pointing out the violation, if any, of the guidelines issued by the CPCB.



WP(C)No.11495/2021

21. The petitioner is aggrieved by the establishment of a petrol pump in the neighbouring property by respondents 8 and 9. The prayer is to quash Ext.P11 order issued by the 3rd respondent and to direct respondents 1 to 7 not to allow respondents 8 and 9 to put up the petrol pump. There is also a prayer to quash Ext.P18 circular issued by the KSPCB.

22. In view of the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in [**2023 SCC OnLine SC 257**], the directions prayed for cannot be granted as such. The writ petition is disposed of directing respondents 1,2, and 4 to ensure that the directions issued by the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioners to approach the aforesaid respondents pointing out the violation, if any, of the guidelines issued by the CPCB.

W.P.(C)No. 17601/2021

23. The prayer in the writ petition is for a direction to the 1st respondent to stop all construction activities in Sy.No.141/3P of



Veluthur Village of Thrissur Taluk and for a direction to respondents 2 and 3 to prevent the 1st respondent from proceeding with the construction of the petroleum retail outlet in the above said land in violation of the new siting criteria as per Ext.P4. Ext.P4 is the office memorandum dated 7.1.2020, whereby the CPCB has laid down guidelines.

24. In view of the law laid down in the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in **[2023 SCC OnLine SC 257]**, the directions prayed for cannot be granted as such. The writ petition is disposed of directing respondents 4 and 5 to ensure that the directions issued by the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioner to approach the aforesaid respondents pointing out the violation if any, of the guidelines issued by the CPCB.

W.P.(C)No.18031/2021

25. The prayer in the writ petition is for a direction to the 4th respondent to consider Ext.P2 application and issue a No Objection



Certificate to the 5th respondent, without insisting to comply with the norms in IRC-12-2016 and Exts.P4 and P5 Government Orders.

26. In view of the judgment in **IOC (supra)**, which lays down the guidelines that are to be followed for the purpose, this writ petition is disposed of directing the 4th respondent to consider Ext.P2 application in the light of the judgment of the Hon'ble Supreme Court in **IOC (supra)** and pass orders within one month from the date of receipt of a copy of this judgment.

W.P.(C)No. 27900/2021

27. The prayer in the writ petition is for a direction to respondents 3 and 4 not to issue consent to operate to the 5th respondent and for a direction to the 1st respondent to pass final orders on Ext.P9 appeal. Ext.P9 is an appeal preferred before the Water Act Appellate Authority challenging the consent granted by the KSPCB.

28. In view of the law laid down in the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in **[2023 SCC OnLine SC 257]**, the directions



prayed for cannot be granted as such. The writ petition is disposed of directing respondents 2, 3 and 4 to ensure that the directions issued by the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioner to approach the aforesaid respondents pointing out the violation if any, of the guidelines issued by the CPCB. The appeal preferred by the petitioner as Ext.P9 may no longer be relevant in view of the judgment in **IOC (supra)**, wherein it has been held that there is no necessity to obtain consent to establish and consent to operate.

WP(C)Nos. 10367, 11907, 12880, 15087 & 26321/2021

29. W.P.(C)Nos.10367/2021, 11907/2021, 15087/2021, and 26321/2021 are filed by the same petitioner Mr. M.Sainudheen, challenging the proposal to issue a No Objection Certificate to the petitioner in W.P.(C)No.12880 of 2021 for starting a petroleum retail outlet. The first writ petition, W.P.(C)No.10367/2021, was filed praying for a direction to respondents 5 and 6 to recall Ext.P4 consent granted to the 7th respondent in the said writ petition to establish a petroleum outlet. There is also a prayer for a direction to



the KSPCB to issue a Circular in accordance with the memorandum dated 29.1.2021 and based on Ext.P6 guidelines issued by the CPCB and to ensure that Ext.P4 consent issued is not used to obtain a permit to construct petroleum outlet.

30. The petitioner thereafter filed W.P.(C)No.11907/2021 wherein the prayer is to quash Ext.P7 Circular dated 21.4.2021 issued by the KSPCB and for other reliefs. Sri S.Sainudeen, who had been granted the consent, thereafter filed W.P.(C)No.12880/2021 praying to quash Exts.P7 and P8 issued by the 2nd and 4th respondents asking him to stop construction activities for setting up a petroleum outlet. This was followed by another writ petition by Sri M.Sainudheen as W.P.(C)No.15087/2021 praying to quash Exts.P2 and P5 therein, which are the building permit and order issued by the District Town Planner in favour of the petitioner in W.P.(C)No.12880/2021. The said M.Sainudheen has preferred yet another writ petition as W.P.(C)No.26321/2021, wherein the prayer is for direction to the 6th respondent to ensure that no NOC is obtained by the petitioner in W.P.(C)No.12880/2021 in violation of the guidelines issued by the CPCB as per Exts.P2 and P3. It is



unnecessary to go into the entire dispute in view of the law laid down by the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors. [2023 SCC OnLine SC 257]**, whereby the Hon'ble Supreme Court has held that there is no requirement to obtain consent from the Pollution Control Board, and all that is necessary is to ensure that the guidelines issued by the CPCB are scrupulously followed.

31. These writ petitions are hence disposed of, directing the 2nd respondent in W.P.(C)No.12880/2021 to consider whether the NOC granted on 28.10.2013 requires any reconsideration in the light of the judgment in **IOC (supra)** and the judgment *inter partes*, in accordance with the law, and if such reconsideration is necessary, the same shall be after hearing the petitioners and all other affected parties.

W.P.(C)Nos. 12507/2021, 12525/2021, 17666/2021, 17717/2021, 17752/2021, 17758/2021, 17787/2021, 20105/2021, 20113/2021, 25770/2021, 3350/2022, 5963/2022 & 6375/2022.

32. The petitioners in all these cases are aggrieved by the refusal to consider their application for consent to establish by the KSPCB authorities since they do not adhere to the circulars issued by



the KSPCB. The petitioners pray for quashing the circulars issued by the KSPCB. In view of the judgment of the Apex Court referred to above, the respondents' stand in these cases is not justified.

33. The writ petitions are hence disposed of, directing the concerned officer of the KSPCB to consider the request of the petitioners in the light of the judgment in **IOC (supra)** and the consequential circulars and directions issued by the CPCB and KSPCB and pass orders within three weeks from the date of receipt of a copy of this judgment.

W.P.(C)No. 1513/2022

34. The prayer in the writ petition is to quash Ext.P9 issued by the 3rd respondent. Ext.P9 is the NOC issued by the 3rd respondent for setting up a petroleum retail outlet.

35. In view of the law laid down in the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in **[2023 SCC OnLine SC 257]**, the directions prayed for cannot be granted as such. The writ petition is disposed of directing the 8th respondent to ensure that the directions issued by



the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioner to approach the aforesaid respondents pointing out the violation, if any, of the guidelines issued by the CPCB.

W.P(C)No.1942/2022

36. The petitioner was issued with Ext.P1 letter of intent by the 3rd respondent for starting a petroleum outlet. The 3rd respondent applied for NOC to the 2nd respondent. The application for integrated consent submitted to the KSPCB was rejected as per Ext.P6. Consequently, the request for NOC was rejected by the 2nd respondent for failure to produce integrated consent from the 5th respondent. The petitioner prays to quash the circulars issued by the KSPCB and for a direction to issue consent to establish. There is also a prayer to quash Ext.P14 order of the 2nd respondent rejecting NOC. None of the circulars issued by the KSPCB regarding the siting requirements can be insisted upon in view of the judgment of the Hon'ble Supreme Court in **IOC (supra)**. The Hon'ble Supreme Court has also held that there was no requirement to obtain consent from the KSPCB.



37. The petitioner is entitled to succeed in this writ petition. Exts.P6 and P14 orders issued by the 5th respondent and the 2nd respondent, respectively, are quashed. The writ petition is disposed of directing the 2nd respondent to reconsider the application for NOC, in the light of the judgment of the Hon'ble Supreme Court in **IOC (supra)** and pass fresh orders in accordance with law, within one month from the date of receipt of a copy of this judgment.

W.P.(C)No. 4498/2022

38. The prayer in the writ petition is for a direction to the 2nd respondent to consider Ext.P5 representation and a further direction to the 2nd respondent not to issue NOC for starting a petrol pump without obtaining consent from the petitioner. The issue relates to the setting up of a petrol pump very near the residential house of the petitioner.

39. In view of the law laid down in the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in **[2023 SCC OnLine SC 257]**, the directions prayed for cannot be granted as such. The writ



petition is disposed of directing the 4th respondent to ensure that the directions issued by the Hon'ble Supreme Court in paragraph 48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioner to approach the aforesaid respondents pointing out the violation, if any, of the guidelines issued by the CPCB.

W.P.(C)No.7185/2022

40. The prayer in the writ petition is for a direction to the 4th respondent to see that Ext.P4 Circular is strictly complied with regarding the installation and commencement of the retail outlet of the 1st respondent by the 5th respondent. Ext.P4 is the Circular dated 24.2.2020 issued by the KSPCB.

41. In view of the law laid down in the judgment of the Hon'ble Supreme Court in **Indian Oil Corporation v. V.B.R.Menon & Ors.** reported in **[2023 SCC OnLine SC 257]**, the directions prayed for cannot be granted as such. The writ petition is disposed of directing the 4th respondent to ensure that the directions issued by the Hon'ble Supreme Court in paragraph



48 of the above judgment, which has been extracted above, are complied with. It is open to the petitioner to approach the aforesaid respondents pointing out the violation, if any, of the guidelines issued by the CPCB.

Sd/-

T.R. RAVI
JUDGE

dsn

The date of NOC shown as "28.10.2013" occurring in paragraph 31 of the common judgment dated 26.07.2023 in W.P.(C)No.11517/2020 and connected cases is corrected as "31.10.2019" as per common order dated 14.09.2023 in W.P.(C)No.11517/2020, 10367/2021, 11907/2021, 12880/2021, 15087/2021 and 26321/2021.

Sd/-

Joint Registrar



APPENDIX OF WP(C) 11517/2020

PETITIONER EXHIBITS

- EXHIBIT P1 THE COPY OF THE JUDGMENT IN WP(C) NO.33937/2019 DATED 19.12.2019.
- EXHIBIT P2 THE AFORESAID GOVERNMENT ORDER NO.16/2020/PWD DATED 10.02.2020.
- EXHIBIT P3 THE COPY OF THE JUDGMENT IN W.A.NO.172/2020 DATED 05.03.2020.
- EXHIBIT P4 THE COPY OF THE CIRCULAR ISSUED BY THE 6TH RESPONDENT DATED 24.02.2020.
- EXHIBIT P5 THE COPY OF THE COMMUNICATION DATED 09.01.2020 OF THE 3RD RESPONDENT TO THE 1ST RESPONDENT.
- EXHIBIT P6 THE COPY OF THE NO OBJECTION CERTIFICATE SO ISSUED BY THE 2ND RESPONDENT IN FAVOR OF THE 7TH RESPONDENT DATED 14.05.2020.
- EXHIBIT P7 THE COPY OF THE INFORMATION CONVEYED BY DEPUTY DIRECTOR OF INDIAN ROAD CONGRESS DATED 01/07/2020.
- EXHIBIT P8 THE COPY OF THE COMMUNICATION DATED 27/02/2020 ISSUED BY BHARATH PETROLEUM CORPORATION LIMITED.



APPENDIX OF WP (C) 12302/2020

PETITIONER EXHIBITS

- EXHIBIT P1 THE TRUE COPY OF THE ORDER IN O.A.NO.86/2019 DATED 18/01/2019.
- EXHIBIT P2 THE TRUE COPY OF THE GUIDELINES DT.07/01/2020 ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD.
- EXHIBIT P3 THE TRUE COPY OF THE ORDER IN NO.PCB/HO/HOW/RULES9/7/2019 DATED 24/02/2020.
- EXHIBIT P4 THE TRUE COPY OF COMPLAINTS FILED BY THE PETITIONERS ON 26/02/2020 BEFORE THE 1ST AND 4TH RESPONDENTS.
- EXHIBIT P5 THE TRUE COPY OF THE RECEIPTS ON 26/02/2020 ISSUED BY THE 1ST AND 4TH RESPONDENTS.
- EXHIBIT P6 THE TRUE COPY OF THE COMMISSION REPORT FILED IN IA NO.6/2020 ON 02/06/2020 BEFORE THE MUNSIF'S COURT, ALUVA IN OS NO.131/2020.
- EXHIBIT P7 THE TRUE COPY OF THE FILE NO.PCB/EKM/DO-1/OA-492/19 OF THE 4TH RESPONDENT DATED 08/03/2020.
- EXHIBIT P8 THE TRUE COPY OF THE FILE NO.DCEKM/3990/2019-M4 DATED 02/09/2019.
- EXHIBIT P9 THE TRUE COPY OF ORDER NO.TCPEKM/4/2020/C DATED 18/02/2020 ISSUED BY THE 5TH RESPONDENT.
- EXHIBIT P10 TRUE COPY OF PLAINT IN OS No.131/2020 IN THE MUNSIF'S COURT, ALUVA.
- EXHIBIT P11 TRUE COPY OF COMMISSION REPORT FILED IN IA.2/2020 ON 19.3.2020 BEFORE THE MUNSIF'S COURT, ALUVA IN OS.131/2020.
- EXHIBIT P12 TRUE COPY OF ORDER IN AN INJUNCTION PETITION HAVING IA 1/2020 IN OS No.131/2020 ON 10.6.2020 BEFORE THE MUNSIF'S COURT, ALUVA.

RESPONDENTS' EXTS :

- EXHIBIT R6(A) : A TRUE COPY OF I.A. NO.1/2020 IN O.S.NO.131/2020 DATED 06.03.2020.
- EXHIBIT R6(B) : A TRUE COPY OF THE PLAINT IN O.S. NO. 131/2020 DATED 06.03.2020.



- EXHIBIT R6(C) : A TRUE COPY OF THE COUNTER AFFIDAVIT FILED BY THE 8 RESPONDENT IN I.A. NO. 1/2020 IN O.S. NO. 131/2020 DATED 20.03.2020.
- EXHIBIT R6(D) : A TRUE COPY OF THE COUNTER AFFIDAVIT FILED BY THE 7TH RESPONDENT IN L.A. NO. 1/2020 IN O.S. NO. 131/2020 DATED 01.06.2020.
- EXHIBIT R6(E) : A TRUE COPY OF THE ORDER DATED 10.06.2020 IN I.A. NO. 1 OF 2020 IN O.S. NO. 131/2020 BY THE HON'BLE COURT OF THE MUNSIF, ALUVA.
- EXHIBIT R6(F) : A TRUE COPY OF THE CIRCULAR DATED 24.02.2020 ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD.

EXT.R6(A) TO (J) - (ADOPTED FROM COUNTER AFFIDAVIT IN WPC 11907/21)

- EXT.R6(A) : TRUE COPY OF THE RELEVANT PAGES OF THE CIRCULAR NO.PCB/T4/115/97 DATED 17-3-2017 ISSUED BY THE BOARD.
- EXT.R6(B) : TRUE COPY OF THE CIRCULAR NO.PCB/TAC/ 18/2004 DATED 9-8-2004 ISSUED BY THE BOARD.
- EXT.R6(C) : TRUE COPY OF THE ORDER DATED 22-7-2019 IN O.A. NOS. 31/2019 AND 86/2019 OF THE HON'BLE NGT.
- EXT.R6(D) : TRUE COPY OF THE OFFICE MEMORANDUM NO. B-13011/1/2019-20/AQM/10802-10847 DATED 7- 1-2020 ISSUED BY THE CPCB.
- EXT.R6(E) : TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/RULES9/7/2019 DATED 24-2- 2020 ISSUED BY THE BOARD.
- EXT.R6(F) : TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/ RULES 9/7/2019 DATED 18-08-2020 ISSUED BY THE BOARD.
- EXT.R6(G) : TRUE COPY OF THE OFFICE MEMORANDUM NO.B-13011/1/2020-21/AQM DATED 29-1-2021 ISSUED BY THE CPCB.
- EXT.R6(H) : TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/ RULES9/7/2019 DATED 4-2-2021 ISSUED BY THE BOARD.
- EXT.R6(I) : TRUE COPY OF THE CIRCULAR NO. PCB/HO/HOW/ RULES 9/7/2019 DATED 21-4-2021 ISSUED BY THE BOARD.
- EXT.R6(J) : TRUE COPY OF THE ERRATUM NO.PCB/HO/HOW/RULES9/7/2019 DATED 28-5- 2021 ISSUED BY THE BOARD.



APPENDIX OF WP(C) 14388/2020

PETITIONER EXHIBITS

- EXHIBIT P1 TRUE PHOTOSTAT COPY OF THE ORDER OF NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN OS NO.31 OF 2019 AND OA NO.86/2019 DT.22.7.2019.
- EXHIBIT P2 OFFICE MEMORANDUM NO.B-13011/1/2019-20/AQM, DATED 07.01.2020 ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD
- EXHIBIT P3 TRUE PHOTOSTAT COPY OF THE CONSENT TO ESTABLISH ISSUED BY THE 2ND RESPONDENT TO THE 4TH RESPONDENT DATED 06.02.2020
- EXHIBIT P4 TRUE PHOTOSTAT COPY OF THE LETTER SENT BY THE TAHASILDAR, KUTTANAD TO REVENUE DIVISIONAL OFFICER,ALAPUZHA, DATED 19.11.2019
- EXHIBIT P5 TRUE PHOTOSTAT COPY OF THE REPRESENTATION MADE BY THESE PETITIONERS AND OTHERS TO THE 2ND RESPONDENT, ALONG WITH THE RECEIPT ISSUED BY THE 2ND RESPONDENT DATED 3.3.2020
- EXHIBIT P6 TRUE PHOTOSTAT COPY OF THE REPRESENTATION MADE BY THESE PETITIONERS AND OTHERS TO THE 2ND RESPONDENT DT.30.4.2020
- EXHIBIT P7 TRUE PHOTOSTAT COPY OF THE JUDGMENT OF THIS HON'BLE HIGH COURT IN WP(C) NO.10129 OF 2020
- EXHIBIT P8 WRITTEN SUBMISSION MADE BEFORE THE 2ND RESPONDENT DT.7.7.2020
- EXHIBIT P9 TRUE PHOTOSTAT COPY OF THE CIRCULAR NO PCB/HO/HOW /RULES 9/7/2019,ISSUED BY THE 1ST RESPONDENT DATED 24.02.2020
- EXHIBIT P10 MINUTES OF THE MEETING HELD ON 07.07.2020
- EXHIBIT P11 TRUE PHOTOSTAT COPY OF THE FAIR VALUE OF THE LAND DETERMINED, ASSESSED IN THE WEBSITE OF LOCAL SELF GOVERNMENT,<<https://lgr.kerala.in/index.php/login/index>>
- EXHIBIT P12 TRUE PHOTOSTAT COPY OF THE CIRCULAR NO.PCB/HO/HOW/SULES9/7/2019 DT.4.2.2021 ISSUED BY THE 1ST RESPONDENT.

RESPONDENT EXHIBITS

- EXHIBIT R4 A THE TRUE COPY OF THE CIRCULAR OF THE 1ST RESPONDENT DATED 24.02.2020
- EXHIBIT R4 B THE TRUE COPY OF THE CIRCULAR OF THE 1ST



RESPONDENT DATED 18.08.2020

- EXHIBIT R4 C TRUE COPY OF THE NO OBJECTION CERTIFICATE BY DEPARTMENT OF FIRE AND SAFETY DATED 25.07.2019
- EXHIBIT R4 D TRUE COPY OF THE NO OBJECTION CERTIFICATE OF THE ADDITIONAL DISTRICT MAGISTRATE ALAPPUZHA DATED 21.12.2019
- EXHIBIT R4 E TRUE COPY OF THE REPORT OF THE 2ND RESPONDENT DATED 04.11.2019
- EXHIBIT R4 F TRUE COPY OF THE REPORT OF THE REVENUE DIVISIONAL OFFICER DATED 23.11.2019
- EXHIBIT R4(G):- TRUE COPY OF THE RELAVANT PORTION OF THE CIRCULAR NO. PCB/T4/115/97 OF THE KERALA STATE POLLUTION CONTROL BOARD DATED 14.08.2006
- EXHIBIT R4(H):- TRUE COPY OF THE CIRCULAR ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD DATED 21.04.2021
- EXHIBIT R4(I):- TRUE COPY OF THE ERRATUM DATED 28.05.2021 ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD
- EXHIBIT R4(J):- TRUE COPY OF THE LETTER OF DISTRICT TOWN PLANNER, ALAPPUZHA DATED 05.08.2020
- EXHIBIT R4(K):- TRUE COPY OF THE GOVERNMENT ORDER PERTAINING TO THE RESIDENTIAL ZONE OF KOCHI CITY G.O. (MS) 63/2016/LSGD DATED 21.05.2016
- EXHIBIT R1(A) TRUE COPY OF THE RELEVANT PAGES OF THE CIRCULAR DATED 17.3.2017 ISSUED BY THE BOARD
- EXHIBIT R1(B) TRUE COPY OF THE CIRCULAR DATED 9.8.2004 ISSUED BY THE BOARD
- EXHIBIT R1(C) TRUE COPY OF THE CIRCULAR DATED 18.8.2020 ISSUED BY THE BOARD
- EXHIBIT R1(D) TRUE COPY OF THE DIRECTION ISSUED AS PER COMMUNICATION DATED 3.4.2020 TO THE UNIT
- EXHIBIT R1(E) TRUE COPY OF THE MINUTES OF THE MEETING DATED 7.7.2020
- EXHIBIT R1(F) TRUE COPY OF THE CONSENT VARIATION ORDER DATED 24.7.2020 ISSUED BY THE BOARD
- Exhibit R4 G TRUE COPY OF THE JUDGMENT IN APPEAL (produced a/w addl.counter affidavit) NOS.03/2021, 04/2021, 05/2021 AND 06/2021 OF AIR AND WATER APPELLATE AUTHORITY DATED 07/01/2022



APPENDIX OF WP (C) 15500/2020

PETITIONER EXHIBITS

- EXHIBIT P1 A TRUE COPY OF THE CIRCULAR ISSUED BY THE KERALA POLLUTION CONTROL BOARD DATED 24.02.2020.
- EXHIBIT P2 A TRUE COPY OF THE OBJECTIONS SUBMITTED TO THE PETITIONER DATED 06.01.2020.
- EXHIBIT P3 A TRUE COPY OF JUDGMENT DATED 03.06.2020 IN WPC NO.10873/2020.
- EXHIBIT P4 A TRUE COPY OF THE ORDER DATED 15.07.2020 BY THE 2ND RESPONDENT AND THE COPY OF THE NO OBJECTION CERTIFICATE.
- EXHIBIT P5 A TRUE COPY OF THE CONSENT TO ESTABLISH ISSUED BY THE 7TH RESPONDENT DATED 6.2.2020.
- EXHIBIT P6 A TRUE COPY OF THE OBJECTION/REPRESENTATION DATED 24.07.2020 PREFERRED BY THE PETITIONER TO THE 7TH RESPONDENT.

EXT.PRODUCED ALONG WITH IA.1/2020

- EXHIBIT P6 A TRUE COPY OF THE GUIDELINES ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD DT.7.1.2020.

EXT.R6(A) TO (J) - ADOPTED FROM COUNTER AFFIDAVIT IN WPC 11907/21

- EXT.R6(A) : TRUE COPY OF THE RELEVANT PAGES OF THE CIRCULAR NO.PCB/T4/115/97 DATED 17-3-2017 ISSUED BY THE BOARD.
- EXT.R6(B) : TRUE COPY OF THE CIRCULAR NO.PCB/TAC/ 18/2004 DATED 9-8-2004 ISSUED BY THE BOARD.
- EXT.R6(C) : TRUE COPY OF THE ORDER DATED 22-7-2019 IN O.A. NOS. 31/2019 AND 86/2019 OF THE HON'BLE NGT.
- EXT.R6(D) : TRUE COPY OF THE OFFICE MEMORANDUM NO. B-13011/1/2019-20/AQM/10802-10847 DATED 7- 1-2020 ISSUED BY THE CPCB.
- EXT.R6(E) : TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/RULES9/7/2019 DATED 24-2- 2020 ISSUED BY THE BOARD.
- EXT.R6(F) : TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/ RULES 9/7/2019 DATED 18-08-2020 ISSUED BY THE BOARD.
- EXT.R6(G) : TRUE COPY OF THE OFFICE MEMORANDUM NO.B-13011/1/2020-21/AQM DATED 29-1-2021 ISSUED BY THE CPCB.
- EXT.R6(H) : TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/ RULES9/7/2019 DATED 4-2-2021 ISSUED BY THE BOARD.



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EXT.R6 (I) : TRUE COPY OF THE CIRCULAR NO. PCB/HO/HOW/ RULES
9/7/2019 DATED 21-4-2021 ISSUED BY THE BOARD.

EXT.R6 (J) : TRUE COPY OF THE ERRATUM NO.PCB/HO/HOW/RULES9/7/2019
DATED 28-5- 2021 ISSUED BY THE BOARD.



APPENDIX OF WP(C) 15873/2020

PETITIONER EXHIBITS

- EXHIBIT P1 THE TRUE PHOTOCOPY OF THE PROCEEDINGS DATED 21.02.2020 OF THE SECOND RESPONDENT.
- EXHIBIT P2 THE TRUE PHOTOCOPY OF THE REPRESENTATION DATED 03.06.2019 SUBMITTED BEFORE THE THIRTEENTH RESPONDENT.
- EXHIBIT P3 THE TRUE PHOTOCOPY OF THE ACKNOWLEDGEMENT/RECEIPT ISSUED BY THIS REGARD BY THE THIRTEENTH RESPONDENT.
- EXHIBIT P4 THE TRUE PHOTOCOPY OF THE AFORESAID REPRESENTATION PREFERRED ON BEHALF OF THE PETITIONER.
- EXHIBIT P5 THE TRUE PHOTOCOPY OF THE WRITTEN REPRESENTATION DATED 04.03.2020 PREFERRED BY THE PETITIONER.
- EXHIBIT P6 THE TRUE PHOTOCOPY OF THE ACKNOWLEDGEMENT/RECEIPT ISSUED BY THE THIRTEENTH RESPONDENT WITH RECEIPT TO EXHIBIT P5.
- EXHIBIT P7 THE TRUE PHOTOCOPY OF THE REPRESENTATION DATED 19.03.2020 PREFERRED BY THE PETITIONER WITH COPY TO THE CHIEF ENVIRONMENT ENGINEER, KOZHICKODE, SENIOR ENVIRONMENTAL ENGINEER, ERNAKULAM AND THE ENVIRONMENTAL ENGINEER, MALAPPURAM.
- EXHIBIT P8 THE TRUE PHOTOCOPY OF THE POSTAL RECEIPT WITH RESPECT TO EXHIBIT P7 ISSUED BY THE CHAIRMAN, KERALA STATE POLLUTION CONTROL BOARD.
- EXHIBIT P9 THE TRUE PHOTOCOPY OF THE POSTAL RECEIPT WITH RESPECT TO EXHIBIT P7 ISSUED BY THE CHIEF ENVIRONMENTAL OFFICER, KOZHICKODE.
- EXHIBIT P10 THE TRUE PHOTOCOPY OF THE POSTAL RECEIPT WITH RESPECT TO EXHIBIT P7 ISSUED BY THE SENIOR ENVIRONMENT ENGINEER, ERNAKULAM.
- EXHIBIT P11 THE TRUE PHOTOCOPY OF THE ACKNOWLEDGEMENT CARD ON BEHALF OF THE ENVIRONMENTAL ENGINEER, MALAPPURAM.
- EXHIBIT P12 THE TRUE PHOTOCOPY OF THE OFFICE MEMORANDUM B-13011/1/2019-20/AQM DATED 07.01.2020 ISSUED BY THE THIRD RESPONDENT.
- EXHIBIT P13 THE TRUE PHOTOCOPY OF THE AFORESAID CIRCULAR NO . PCB/H/SCW/RULES9/7/2019 DATED 27.02.2020 OF THE THIRD RESPONDENT.

RESPONDENT EXHIBITS

- EXHIBIT R11(1) TRUE COPY OF THE REPORT OF DISTRICT MEDICAL



- OFFICER, MALAPPURAM DATED 22/6/2019
- EXHIBIT R11(2) TRUE COPY OF THE REPORT OF EXECUTIVE ENGINEER,
PWD, MANJERI DATED 26/6/2019
- EXHIBIT R11(3) TRUE COPY OF THE NOC FROM FIRE AND RESCUE
OFFICER, PALAKKAD DATED 11/7/2019
- EXHIBIT R11(4) TRUE COPY OF THE APPROVAL FROM THE PETROLEUM &
EXPLOSIVES SAFETY 917/9/2019 ORGANISATION
(PESO) CHENNAI DATED 15/10/2019
- EXHIBIT R11(5) TRUE COPY OF THE REPORT OF DISTRICT SUPPLY
OFFICER, MALAPPURAM DATED 22/11/2019
- EXHIBIT R11(6) TRUE COPY OF THE PROCEEDINGS OF ADM,
MALAPPURAM DATED 21/2/2020
- EXHIBIT R11(7) TRUE COPY OF THE NOC FROM ADM, MALAPPURAM
DT.21.2.2020.

Exhibit R11(8) TRUE COPY OF THE PROCEEDINGS OF THE TOWN PLANNING
COMMISSIONER, MALAPPURAM DATED 15/10/2020

RESPONDENT EXHIBITS

- Exhibit R11(9) TRUE COPY OF THE RELEVANT PAGES OF THE CONSENT TO
ESTABLISH BY KERALA STATE POLLUTION BOARD DATED
05/10/2020 TO 29/09/2025
- Exhibit R11(10) TRUE COPY OF THE SITE APPROVAL AND BUILDING
PERMIT ISSUED BY VAZHIKADAVU GRAMA PANCHAYATH
DATED 22/01/2021
- Exhibit R11(11) TRUE COPY OF THE LICENCE ISSUED BY PESO DATED
24/02/2021 VALID TILL 31/12/2023
- Exhibit R11(12) TRUE COPY OF THE RELEVANT PAGES OF THE CONSENT TO
OPERATE ISSUED BY THE KERALA STATE POLLUTION
BOARD DATED 02/02/2022 TILL 31/12/2026
- Exhibit R11(13) TRUE COPY OF THE NO FROM FIRE AND RESCUE OFFICER,
PALAKKAD DATED 24/02/2022
- Exhibit R11(14) TRUE COPY OF THE LICENCE ISSUED BY VAZHIKADAVU
GRAMA PANCHAYATH DATED 01/04/2022-31/3/2023
- EXHIBIT R11(15) TRUE COPY OF GST REGISTRATION CERTIFICATE
DT.5.4.22 ISSUED BY GOVT.OF INDIA.



APPENDIX OF WP(C) 15917/2020

PETITIONER EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE GOVERNMENT ORDER NO.
16/2020/PWD DATED 10.02.2020.
- EXHIBIT P2 THE COPY OF THE CIRCULAR ISSUED BY THE 7TH
RESPONDENT DATED 24.02.2020.
- EXHIBIT P3 THE COPY OF THE SKETCH SHOWING THE LIE AND
LOCATION OF THE SITE OF THE 9TH RESPONDENT
AND THE INTERSECTION ROAD NEAR TO SAME.
- EXHIBIT P4 THE COPY OF THE ORDER OF THE GREEN TRIBUNAL
IN OA NO. 39/2019 DATED 22.07.2019.
- EXHIBIT P5 THE COPY OF WRITTEN OBJECTION FILED BY THE
PETITIONER BEFORE 1ST AND 2ND RESPONDENTS
DATED 03.08.2020.
- EXHIBIT P6 THE COPY OF THE POSTAL RECEIPT OF THE
REGISTERED LETTERS SENT TO THE 1ST AND 2ND
RESPONDENTS.



APPENDIX OF WP (C) 5928/2021

PETITIONER EXHIBITS

- EXHIBIT P1 A TRUE PHOTOCOPY OF THE ORDER DATED 18.01.2019 PASSED BY THE PRINCIPAL BENCH OF THE HON'BLE NATIONAL GREEN TRIBUNAL , NEW DELHI IN OA NO. 86 OF 2019
- EXHIBIT P2 A TRUE PHOTOCOPY OF THE OFFICE MEMORANDUM DATED 07.01.2020 ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD
- EXHIBIT P3 A TRUE PHOTOCOPY OF THE CONSENT TO ESTABLISH DATED 13.01.2020 GRANTED BY THE 2ND RESPONDENT TO THE 3RD RESPONDENT
- EXHIBIT P4 A TRUE PHOTOCOPY OF THE CIRCULAR DATED 24.02.2020 ISSUED BY THE 1ST RESPONDENT
- EXHIBIT P5 A TRUE PHOTOCOPY OF THE CIRCULAR DATED 18.08.2020 ISSUED BY THE 1ST RESPONDENT
- EXHIBIT P6 A TRUE PHOTOCOPY OF THE JUDGMENT DATED 12.11.2020 PASSED BY THE HON'BLE HIGH COURT IN WPC NO.35338 OF 2019
- EXHIBIT P7 A TRUE PHOTOCOPY OF THE PROCEEDINGS AND NOC DATED 25.01.2021 OBTAINED BY THE 3RD RESPONDENT FROM THE ADDITIONAL DISTRICT MAGISTRATE , KANNUR
- EXHIBIT P8 A TRUE PHOTOCOPY OF THE OFFICE MEMORANDUM DATED 29.01.2021 ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD
- EXHIBIT P9 A TRUE PHOTOCOPY OF THE CIRCULAR DATED 04.02.2021 ISSUED BY THE 1ST RESPONDENT
- EXHIBIT P10 A TRUE PHOTOCOPY OF THE REPRESENTATION DATED 10.02.2021 PREFERRED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT
- Exhibit P11 A TRUE COPY OF THE ORDER DATED 24/2/2021 FROM PESO
- Exhibit P12 A TRUE PHOTOCOPY OF THE REPLY LETTER DATED 12/2/2021 FROM THE 2ND RESPONDENT.
- Exhibit P13 A TRUE PHOTOCOPY OF THE APPLICION DATED 20/01/2020 PREFERRED BY THE 3RD RESPONDENT.
- Exhibit P14 A TRUE PHOTOCOPY OF THE RTI REPLY DATED 3/8/2020 GIVEN BY THE PANOOR MUNICIPALITY
- Exhibit P15 A TRUE TIME STAMPED COLOUR COPY OF THE PHOTOGRAPH TAKEN ON 14/02/2021 CONTAINING THE LAND DEVELOPMENT ACTIVITIES OF THE 3RD RESPONDENT.
- Exhibit P16 A TRUE PHOTOCOPY OF THE RELEVANT PAGE OF NOTE NO.33



OF THE FILE OBTAINED FROM COLLECTORATE KANNUR,
UNDER RTI ACT

Exhibit P17 A TRUE PHOTOCOPY OF THE CIRCULAR
NO.PCB/HO/HOW/RULES9/7/2019 DATED 21.04.2021 ISSUED
BY THE 1ST RESPONDENT.

Exhibit P18 A TRUE PHOTOCOPY OF THE ERRATUM
NO.PCB/HO/HOW/RULES9/7/2019 DATED 28.05.2021 ISSUED
BY THE 1ST RESPONDENT.

RESPONDENTS' EXTS:

EXT.R1 (A) : TRUE COPY OF CIRCULAR DT.21.4.21 ISSUED BY THE
BOARD.

EXT.R1 (B) : TRUE COPY OF ERRATUM No.PCB/HO/HOW/RLES9/7/2019
DT.28.5.21 ISSUED BY THE BOARD.

EXT.R1 (C) : TRUE COPY OF CIRCULAR DT.9.8.2004 ISSUED BY THE
BOARD.

APPENDIX OF WP (C) 6858/2021

PETITIONER EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE 3RD RESPONDENT TO THE 8TH AND 9TH RESPONDENTS DATED 18.1.2021.
- EXHIBIT P2 TRUE COPY OF THE PROCEEDINGS NO. DCMPM/4123/2019-E1 DATED 18.1.2021 OF THE 3RD RESPONDENT UNDER RULE 144 OF THE PETROLEUM RULES 2002 WITH RESPECT TO THE RETAIL PETROL OUTLET OF THE 8TH AND 9TH RESPONDENT.
- EXHIBIT P3 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE 1ST PETITIONER BEFORE THE 2ND RESPONDENT DATED 22.1.2021.
- EXHIBIT P4 TRUE COPY OF THE CIRCULAR NO. PCB/HO/HOW/RULES9/7/2019 DATED 18.08.2020 ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD.
- EXHIBIT P5 TRUE COPY OF THE OFFICE MEMORANDUM NO. B-13011/1/2029-20 /AQM/0809 DATED 7.1.2020 ISSEUD BY THE 4TH RESPONDENT.
- EXHIBIT P6 TRUE COPY OF THE OFFICE MEMORANDUM NO. B-13011/1/2020-21 /AQM/5419-5470 DATED 29.1.2021 ISSUED BY THE 4TH RESPONDENT.
- EXHIBIT P7 TRUE COPY OF THE BUILDING PERMIT ISSUED BY THE 7TH RESPONDENT TO THE 9TH RESPONDENT DATED 25.1.2021.
- EXHIBIT P8 TRUE COPY OF THE DRAFT GUIDELINES FOR SETTING UP OF NEW PETROL PUMPS.
- EXHIBIT P9 PHOTOGRAPHS OF THE 9TH RESPONDENT'S PROPERTY TAKEN ON 9.7.2021
- EXHIBIT P10 BILL DT.9.7.21 ISSUED BY PHOTO CORNER STUDIO AND VIDEOS, MANJERI TO THE PETITIONER.
- Exhibit P11 TRUE COPY OF THE CIRCULAR NO. PCB/HO/HOW/RULES9/7/2019 DATED 04-02-2021 ISSUED BY THE 5TH RESPONDENT.
- Exhibit P12 TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/RULES 9/7/2019 DATED 21-04-2021 ISSUED BY THE 5TH RESPONDENT.
- Exhibit P13 TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/RULES 9/7/2019 DATED 24-02-2020 ISSUED BY THE 5TH RESPONDENT.



Exhibit P14

TRUE COPY OF THE OFFICIAL MEMORANDUM NO.B-13011/1/2019-20/AQM DATED 16-08-2021 ISSUED BY THE 4TH RESPONDENT.

Exhibit P15

PHOTOGRAPHS OF THE NORTHERN AND SOUTHERN BOUNDARY TO THE PETROL PUMP.

Exhibit P16

TRUE COPY OF THE TAX RECEIPT ISSUED IN FAVOR OF SMT.RADHAMANI AND OTHERS DATED 6-10-2020.

Exhibit P17

PHOTOGRAPH OF THE CONSTRUCTION AT THE PETROLEUM RETAIL OUTLET IN 9TH RESPONDENT'S PROPERTY AS ON 9-07-2021.

Exhibit P18

PHOTOGRAPHS OF THE PETROLEUM RETAIL OUTLET ESTABLISHED IN 9TH RESPONDENT'S PROPERTY.

RESPONDENTS' EXTS:

EXT.R9(A) :

COPY OF CONSENT TO ESTABLISH DT.5.9.2019

EXT.R9(B) :

COPY OF EXPLOSIVE LICENCE DT.4.2.21.

EXT.R9(C) :

COPY OF BUILDING PERMIT DT.25.1.21.

EXT.R9(D) :

COPY OF BILL ISSUED AFTER COMMISSIONING THE OUTLET DT.24.2.21.

ANNEXURE R8 (A) :

TRUE COPY OF JUDGMENT DT.13.10.2015 PASSED IN WPC.30818 OF 2015

ANNEXURE R8 (B) :

COPY OF JUDGMENT DT.9.10.2015 PASSED IN WPC 30698 OF 2015

ANNEXURE R8 (C) :

TRUE COPY OF CONSENT TO ESTABLISH DT.5.9.2019 ISSUED BY THE 5TH RESPONDENT.

ANNEXURE R8 (D) :

TRUE COPY OF INITIAL APPROVAL DT.29.11.2019 ISSUED BY PESO.

ANNEXURE R8 (E) :

TRUE COPY OF CIRCULAR DT.9.8.2004.

ANNEXURE R8 (F) :

TRUE COPY OF CIRCULAR DT.21.4.21 ISSUED BY THE 5TH RESPONDENT.

EXT.R6 (A) :

TRUE COPY OF THE RELEVANT PAGES OF THE CIRCULAR NO.PCB/T4/115/97 DATED 17-3-2017 ISSUED BY THE BOARD.

EXT.R6 (B) :

TRUE COPY OF THE CIRCULAR NO.PCB/TAC/18/2004 DATED 9-8-2004 ISSUED BY THE BOARD.

EXT.R6 (C) :

TRUE COPY OF THE ORDER DATED 22-7-2019 IN O.A. NOS. 31/2019 AND 86/2019 OF THE HON'BLE NGT.

EXT.R6 (D) :

TRUE COPY OF THE OFFICE MEMORANDUM NO. B-13011/1/2019-20/AQM/10802-10847 DATED 7- 1- 2020 ISSUED BY THE CPCB.

EXT.R6 (E) :

TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/RULES9/7/2019 DATED 24-2- 2020 ISSUED BY THE BOARD.



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EXT.R6 (F) :

TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/
RULES 9/7/2019 DATED 18-08-2020 ISSUED BY
THE BOARD.

EXT.R6 (G) :

TRUE COPY OF THE OFFICE MEMORANDUM NO.B-
13011/1/2020-21/AQM DATED 29-1-2021 ISSUED
BY THE CPCB.

EXT.R6 (H) :

TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/
RULES9/7/2019 DATED 4-2-2021 ISSUED BY THE
BOARD.

EXT.R6 (I) :

TRUE COPY OF THE CIRCULAR NO. PCB/HO/HOW/
RULES 9/7/2019 DATED 21-4-2021 ISSUED BY THE
BOARD.

EXT.R6 (J) :

TRUE COPY OF THE ERRATUM
NO.PCB/HO/HOW/RULES9/7/2019 DATED 28-5- 2021
ISSUED BY THE BOARD.



APPENDIX OF WP (C) 11495/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE LOCAL PEOPLE TO THE 6TH RESPONDENT.
- Exhibit P2 TRUE COPY OF THE PLAINT IN OS NO.75/2021 ON THE FILE OF THE MUNSIF COURT, CHITTUR.
- Exhibit P3 TRUE COPY OF THE OBJECTION FILED BY THE RESPONDENT NO.8 HEREIN (RESPONDENT NO.5 IN IA.NO.47/2021 IN EXHIBIT P2 SUIT).
- Exhibit P4 TRUE COPY OF THE ROUGH SKETCH PRODUCED ALONG WITH THE COMMISSION REPORT IN EXHIBIT.P2.
- Exhibit P5 TRUE COPY OF THE SKETCH SUBMITTED BY THE RESPONDENTS NO.8 AND 9 FOR THE PURPOSE OF ESTABLISHING THE PETROLEUM RETAIL OUTLET.
- Exhibit P6 TRUE COPY OF THE CIRCULAR DATED 09.08.2004 ISSUED BY THE 7TH RESPONDENT.
- Exhibit P7 TRUE COPY OF THE CIRCULAR DATED 24.02.2020 ISSUED BY THE 7TH RESPONDENT.
- Exhibit P8 TRUE COPY OF THE CIRCULAR DATED 18.08.2020 ISSUED BY THE 7TH RESPONDENT.
- Exhibit P9 TRUE COPY OF THE CIRCULAR DATED 04.02.2021 ISSUED BY THE 7TH RESPONDENT.
- Exhibit P10 TRUE PHOTOGRAPHS SHOWING THE SITE IN SUBJECT BELONGING TO THE RESPONDENTS NO. 8 AND 9.
- Exhibit P11 TRUE COPY OF THE ORDER DATED 28.04.2021 PASSED BY THE 3RD RESPONDENT.
- Exhibit P12 TRUE COPY IOF THE JUDGMENT (WITHOUT CAUSE TITLE AND APPENDIX) PASSED IN WPC NO. 30698/2015 ON THE FILE OF THIS HONOURABLE COURT.
- Exhibit P13 TRUE LEGIBLE COPY OF EXT.P5 SKETCH
- Exhibit P14 TRUE COPY OF THE JUDGMENT DT.9.10.2015 PASSED BY THIS COURT IN WPC 30698/2015.
- Exhibit P15 TRUE COPY OF PETITION SUBMITTED BEFORE THE SUB INSPECTOR OF POLICE, CHITTUR POLICE STATION.
- Exhibit P16 TRUE COPY OF RECEIPT ISSUED ON RECEIPT OF EXT.P15
- Exhibit P17 TRUE COPY OF COMMISSION REPORT FILED IN EXT.P2 SUIT.
- Exhibit P18 TRUE COPY OF THE CIRCULAR DATED 21-04-2021



ISSUED BY THE RESPONDENT NO.7

Exhibit P19 TRUE COPY OF THE OFFICE MEMORANDUM DATED 16-08-2021 ISSUED BY THE ADDITIONAL RESPONDENT NO.10.

RESPONDENTS' EXTS :

EXHIBIT R1(A) TRUE COPY OF THE JUDGMENT DATED 13.10.2015 IN WRIT PETITION (CIVIL) NO. 30818 OF 2015

EXHIBIT R1(B) TRUE COPY OF THE JUDGMENT DATED 09.04.2015 IN WRIT PETITION (CIVIL) NO. 9384 OF 2015

EXHIBIT R1(C) TRUE COPY OF THE CONSENT TO ESTABLISH DATED 05.10.2019 ISSUED BY THE 7TH RESPONDENT

EXHIBIT R1(D) TRUE COPY OF THE INITIAL APPROVAL DATED 19.11.2019 ISSUED BY PESO

EXHIBIT R1(E) TRUE COPY OF THE NO-OBJECTION CERTIFICATE DATED 24.09.2019 ISSUED BY THE FIRE & RESCUE SERVICES

EXHIBIT R-8(A) COPY OF THE CONSENT TO ESTABLISH ISSUED BY THE 7TH RESPONDENT DATED 5/10/2019

EXHIBIT R-8(B) COPY OF THE PESO LICENSE DATED 18/11/2019

EXHIBIT R-8(C) COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE FIRE AND RESCUE DEPARTMENT DATED 24/9/2019

EXHIBIT R-8(D) COPY OF THE OFFICIAL MEMORANDUM ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD ON 7/1/2020

EXHIBIT R-8(E) COPY OF THE OFFICIAL MEMORANDUM ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD ON 29/1/2021

EXHIBIT R-8(F) COPY OF THE BILLS ISSUED BY THE ENGINEER DATED 22/9/2019

EXT.R6(A) TO (J) - ADOPTED FROM COUNTER AFFIDAVIT IN WPC 11907/21

EXT.R6(A) : TRUE COPY OF THE RELEVANT PAGES OF THE CIRCULAR NO.PCB/T4/115/97 DATED 17-3-2017 ISSUED BY THE BOARD.

EXT.R6(B) : TRUE COPY OF THE CIRCULAR NO.PCB/TAC/ 18/2004 DATED 9-8-2004 ISSUED BY THE BOARD.

EXT.R6(C) : TRUE COPY OF THE ORDER DATED 22-7-2019 IN O.A. NOS. 31/2019 AND 86/2019 OF THE HON'BLE NGT.

EXT.R6(D) : TRUE COPY OF THE OFFICE MEMORANDUM NO. B-13011/1/2019-20/AQM/10802-10847 DATED 7- 1-2020 ISSUED BY THE CPCB.

EXT.R6(E) : TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/RULES9/7/2019 DATED 24-2- 2020 ISSUED BY THE BOARD.

EXT.R6(F) : TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/ RULES 9/7/2019 DATED 18-08-2020 ISSUED BY THE BOARD.

EXT.R6(G) : TRUE COPY OF THE OFFICE MEMORANDUM NO.B-13011/1/2020-21/AQM DATED 29-1-2021 ISSUED BY THE CPCB.



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- EXT.R6 (H) : TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/
RULES9/7/2019 DATED 4-2-2021 ISSUED BY THE
BOARD.
- EXT.R6 (I) : TRUE COPY OF THE CIRCULAR NO. PCB/HO/HOW/ RULES
9/7/2019 DATED 21-4-2021 ISSUED BY THE BOARD.
- EXT.R6 (J) : TRUE COPY OF THE ERRATUM
NO.PCB/HO/HOW/RULES9/7/2019 DATED 28-5- 2021
ISSUED BY THE BOARD.
- ANNEXURE R10 (A) TRUE PHOTOCOPY OF THE GUIDELINES DATED:
07/01/2020 BEARING NO.B- 13011/1/2019-
20/AQM10802-10847 ISSUED BY THE 10 RESPONDENT.
- ANNEXURE R10 (B) TRUE PHOTOCOPY OF THE OFFICE MEMORANDUM DATED:
29/01/2021 BEARING NO. B-13011/1/2020-21/AQM
ISSUED BY THE 1ST RESPONDENT.
- ANNEXURE R10 (C) THE ADDENDUM AS PER THE OFFICE MEMORANDUM B-
13011/1/2019- 20/AQM, DATED: 16/08/2021.



APPENDIX OF WP(C) 17601/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE LETTER OF REQUEST DATED 10/05/2019 SUBMITTED BY RESPONDENT NO.1 BEFORE RESPONDENT NO.2 OBTAINED UNDER RIGHT TO INFORMATION ACT.
- Exhibit P2 TRUE COPY OF A SKETCH SHOWING THE POSITION OF THE RESIDENTIAL HOUSES ADJACENT TO THE PROPOSED PETROL PUMP PREPARED BY THE VILLAGE OFFICER, VELUTHUR VILLAGE OBTAINED UNDER RIGHT TO INFORMATION ACT ON 09/08/2021.
- Exhibit P3 TRUE COPY OF THE ORDER OF THE NATIONAL GREEN TRIBUNAL IN OA 86/2019 DATED 18/01/2019.
- Exhibit P4 TRUE COPY OF THE GUIDELINES ISSUED BY RESPONDENT NO.5 DATED 07/01/2020.
- Exhibit P5 TRUE COPY OF THE CIRCULAR ISSUED BY RESPONDENT NO.4 DATED 24/02/2020.
- Exhibit P6 TRUE COPY OF THE CIRCULAR ISSUED BY R4 DATED 18/08/2020.
- Exhibit P7 TRUE COPY OF CENTRAL POLLUTION CONTROL BOARD OFFICE, MEMORANDUM B-13011/1/2020-21/AQM DATED 29/01/2021 IS PRODUCED AND MARKED AS EXT.P7.
- Exhibit P8 TRUE COPY OF KERALA STATE POLLUTION CONTROL BOARD CIRCULAR PCB/HO/HOW/RULES9/7/2019 DATED 04/02/2021.
- Exhibit P9 TRUE COPY OF KERALA STATE POLLUTION CONTROL BOARD CIRCULAR PCB/HO/HOW/RULES9/7/2019 DATED 21/04/2021.
- Exhibit P10 TRUE COPY OF THE NO OBJECTION CERTIFICATE DATED 24/03/2020 ISSUED BY THE ADDITIONAL DISTRICT MAGISTRATE UNDER RULE 144 OF THE PETROLEUM RULES, 2002.
- EXHIBIT P11 TRUE PHOTOGRAPH OF THE COMMENCED INSTALLATION OF THE TANK ON 25.08.2021 TAKEN ON THIS PETITIONER'S PHONE
- EXHIBIT P12 TRUE PHOTOGRAPHS OF THE PREMISES AS ON 23.12.2021 9.08 A.M. AS TAKEN ON THIS PETITIONER'S PHONE
- EXHIBIT P13 TRUE COPY OF THE SATELLITE IMAGE OF THE PROPERTY TAKEN ON 12.01.2020 OBTAINED BY THIS PETITIONER IS PRODUCED ON A COMPACT DISK
- EXHIBIT P13(A) TRUE COPY OF THE VISIBLE SPECTRUM ENHANCED



IMAGE OF THE SUBJECT PROPERTY IN SURVEY
NO.141/3P OF VELUTHUR VILLAGE WITHIN ARIMPUR
GRAMA PANCHAYAT TRISSUR TALUK OF TRISSUR
DISTRICT AS ON 12.01.2020

EXHIBIT P14 TRUE COPY OF THE SATELITE IMAGE OF THE
PROPERTY TAKEN ON 19.12.2021 OBTAINED BY THIS
PETITIONER IS PRODUCED ON A COMPACT DISK

EXHIBIT P14(A) TRUE COPY OF THE VISIBLE SPECTRUM ENHANCED
IMAGE OF THE SUBJECT PROPERTY IN SURVEY
NO.141/3P OF VELUTHUR VILLAGE WITHIN ARIMPUR
GRAMA PANCHAYAT OF TRISSUR TALUK OF TRISSUR
DISTRICT AS ON 19.12.2021

RESPONDENTS' EXHIBITS

- EXT.R6(A) TRUE COPY OF THE RELEVANT PAGES OF THE
CIRCULAR NO.PCB/T4/115/97 DATED 17.3.2017
ISSUED BY THE BOARD
- EXT.R6(B) TRUE COPY OF THE CIRCULAR NO.PCB/TAC/18/2004
DATED 09.08.2004 ISSUED BY THE BOARD
- EXT.R6(C) TRUE COPY OF THE ORDER DATED 22.07.2019 IN
O.A.NOS.31/2019 AND 86/2019 OF THE HON'BLE NGT
- EXT.R6(D) TRUE COPY OF THE OFFICE MEMORANDUM NO.B-
13011/1/2019-20/AQM/10802-10847 DATED 7.1.2020
ISSUED BY THE CPCB
- EXT.R6(E) TRUE COPY OF THE CIRCULAR
NO.PCB/HO/HOW/RULES9/7/2019 DATED 24.2.2020
ISSUED BY THE BOARD
- EXT.R6(F) TRUE COPY OF THE CIRCULAR
NO.PCB/HO/HOW/RULES9/7/2019 DATED 18.08.2020
ISSUED BY THE BOARD
- EXT.R6(G) TRUE COPY OF THE OFFICE MEMORANDUM NO.B-
13011/1/2020-21/AQM DATED 29.1.2021 ISSUED BY
THE PCB
- EXT.R6(H) TRUE COPY OF THE CIRCULAR
NO.PCB/HO/HOW/RULES9/7/2019 DATED 4.2.2021
ISSUED BY THE BOARD
- EXT.R6(I) TRUE COPY OF THE CIRCULAR
NO.PCB/HO/HOW/RULES9/7/2019 DATED 21.4.2021
ISSUED BY THE BOARD
- EXT.R6(J) TRUE COPY OF THE ERRATUM
NO.PCB/HO/HOW/RULES9/7/2019 DATED 28.5.2021
ISSUED BY THE BOARD
- EXT.R1(A) TRUE COPY OF THE JUDGMENT DATED 13.10.2015
PASSED IN WRIT PETITION (CIVIL) NO.30818 OF



2015

EXT.R1 (B) TRUE COPY OF THE JUDGMENT DATED 09.10.2015
PASSED IN WRIT PETITION (CIVIL) NO.30698 OF
2015

EXT.R1 (C) TRUE COPY OF THE CONSENT TO ESTABLISH DATED
08.09.2020 ISSUED BY THE 4TH RESPONDENT

EXT.R1 (D) TRUE COPY OF THE INITIAL APPROVAL DATED
15.11.2019 ISSUED BY PESO

EXT.R1 (E) TRUE COPY OF THE BUILDING PERMIT DATED
15.07.2021 ISSUED BY THE 3RD RESPONDENT

EXT.R1 (F) TRUE COPY OF THE LICENCE DATED 25.08.2021

EXT.R1 (G) TRUE COPY OF THE CIRCULAR DATED 09.08.2004 OF
THE 4TH RESPONDENT

ANNEXURE R5 (A) THE ADDENDUM AS PER THE OFFICE MEMORANDUM B-
13011/1/2019-20/AQM, DATED 16.08.2021



APPENDIX OF WP(C) 18031/2021

PETITIONER EXHIBITS

- Exhibit P1 COPY OF THE OFFICE LETTER ISSUED BY THE 5TH RESPONDENT TO THE PETITIONER DATED 11/5/2020.
- Exhibit P2 COPY OF THE APPLICATION FILED BY THE 5TH RESPONDENT FOR GETTING NOC TO THE OUTLET AWARDED TO THE PETITIONER DATED 4/6/2020.
- Exhibit P3 COPY OF G.O. (MS) NO.46/2019/PWD DATED 22/10/2019.
- Exhibit P4 COPY OF THE G.O. (MS) NO.16/2020/PWD DATED 10/2/20.
- Exhibit P5 COPY OF THE RELEVANT PAGES OF G.O. (MS) NO.67/2020/PWD DATED 16/10/2020.
- Exhibit P6 COPY OF THE JUDGMENT OF WP(C) NO.5973/2021 DATED 12/8/2021.
- Exhibit P7 COPY OF THE ORDER OF NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI, DATED 22/07/2019.
- Exhibit P8 COPY OF THE OFFICIAL MEMORANDUM OF THE 6TH RESPONDENT DATED 7/1/20.
- Exhibit P9 COPY OF THE CIRCULAR ISSUED BY THE 7TH RESPONDENT ON 24/2/20.
- Exhibit P10 COPY OF THE CIRCULAR ISSUED BY THE 7TH RESPONDENT ON 18/8/20.
- Exhibit P11 COPY OF THE OFFICIAL MEMORANDUM OF THE 6TH RESPONDENT DATED 29/1/2021.
- Exhibit P12 COPY OF THE CIRCULAR ISSUED BY THE 7TH RESPONDENT ON 4/2/21.
- Exhibit P13 COPY OF THE CIRCULAR ISSUED BY THE 7TH RESPONDENT DATED 21/4/21.
- Exhibit P14 COPY OF THE APPLICATION BEFORE THE 7TH RESPONDENT DATED 24/8/21.
- Exhibit P15 COPY OF THE CIRCULAR ISSUED BY THE 7TH RESPONDENT DATED 9/8/2004.

ANNEXURE R6(A) : THE ADDENDUM AS PER THE OFFICE MEMORANDUM B-13011/1/2019/20/AQM DT.16.8.2021.



APPENDIX OF WP(C) 27900/2021

PETITIONERS' EXHIBITS

- Exhibit P1 A TRUE PHOTOCOPY OF THE ORDER DATED 18/01/2019 PASSED BY THE PRINCIPAL BENCH OF THE HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI IN OA NO. 86/2019.
- Exhibit P2 A TRUE PHOTOCOPY OF THE OFFICE MEMORANDUM DATED 07/01/2020 ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD.
- Exhibit P3 A TRUE PHOTOCOPY OF THE CONSENT TO ESTABLISH DATED 29/10/2021 GRANTED BY THE 4TH RESPONDENT TO THE 5TH RESPONDENT.
- Exhibit P4 A TRUE PHOTOCOPY OF THE CIRCULAR DATED 24/02/2020 ISSUED BY THE 3RD RESPONDENT.
- EXHIBIT P5 A TRUE PHOTOCOPY OF THE CIRCULAR DATED 18.08.2020 ISSUED BY THE 3RD RESPONDENT
- EXHIBIT P6 A TRUE PHOTOCOPY OF THE JUDGMENT DATED 26.08.2021 IN OA NO.07/2021 PASSED BY THE HONOURABLE NATIONAL GREEN TRIBUNAL
- EXHIBIT P7 A TRUE PHOTOCOPY OF THE OFFICE MEMORANDUM DATED 29.01.2021 ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD
- EXHIBIT P8 TRUE PHOTOCOPY OF THE CIRCULAR DATED 04.02.2021 ISSUED BY THE 3RD RESPONDENT
- EXHIBIT P9 A TRUE PHOTOCOPY OF THE APPEAL DATED 19.11.2021 PREFERRED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT



APPENDIX OF WP(C) 10367/2021

PETITIONER'S EXHIBITS

- EXHIBIT P1 TRUE COPY OF THE ORDER DATED 16.2.2021 ISSUED BY THE 4TH RESPONDENT.
- Exhibit P2 TRUE COPY OF THE OFFICE MEMORANDUM DATED 7.1.2020 ALONG WITH THE GUIDELINES ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD.
- Exhibit P3 TRUE COPY OF THE OFFICE MEMORANDUM DATED 29.1.2021 ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD.
- Exhibit P4 TRUE COPY OF THE CONSENT TO ESTABLISH PETROLEUM OUTLET ISSUED TO THE 7TH RESPONDENT.
- Exhibit P5 TRUE COPY OF THE CIRCULAR DATED 24.2.2020 ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD.
- Exhibit P6 TRUE COPY OF THE DRAFT GUIDELINES ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD ON THE BASIS OF THE ORDER OF NATIONAL GREEN TRIBUNAL.
- Exhibit P7 TRUE COPY OF THE NOTICE DATED 3.4.2020 ISSUED BY THE ENVIRONMENTAL ENGINEER, POLLUTION CONTROL BOARD, ALAPPUZHA DISTRICT.
- Exhibit P8 TRUE COPY OF THE CIRCULAR ISSUED BY THE STATE POLLUTION CONTROL BOARD DATED 04/02/2021.
- Exhibit P9 TRUE COPY OF THE CIRCULAR DATED 24/02/2020.
- Exhibit P10 TRUE COPY OF THE SITE APPROVAL AND BUILDING PERMIT ISSUED BY 8TH RESPONDENT PANCHAYATH DATED 06/05/2021.
- Exhibit P11 TRUE COPY OF THE JUDGMENT IN WPC.NO.19252/2020 DATED 02/12/2020.
- Exhibit P12 TRUE COPY OF THE ORDER IN O.A.NO.116 OF 2021 DATED 25/05/2021 OF THE NATIONAL GREEN TRIBUNAL SOUTHERN ZONE, CHENNAI.
- Exhibit P13 TRUE COPY OF THE LETTER ISSUED BY THE DISTRICT COLLECTOR KOLLAM DATED 16/06/2021 TO THE 8TH RESPONDENT PANCHAYATH.
- Exhibit P14 TRUE COPY OF THE STOP MEMO ISSUED BY THE 8TH RESPONDENT PANCHAYATH DATED 17/06/2021.
- Exhibit P15 TRUE COPY OF THE LETTER ISSUED BY THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS DATED 1/8/2019



TRUE COPY OF THE PERMIT ISSUED BY THE
PETROLEUM EXPLOSIVE SAFETY ORGANIZATION (PESO)
TO THE 7TH RESPONDENT, WITH RESPECT TO THE
PETROLEUM RETAIL OUTLET

RESPONDENTS' EXTS:

ANNEXURE R3(A): TRUE PHOTOCOPY OF THE GUIDELINES DATED
07/01/2020 BEARING NO.B-13011/1/2019-
20/AQM10802-10847 ISSUED BY THE 3RD RESPONDENT
(CPCB).

ANNEXURE R3(B): TRUE PHOTOCOPY OF THE OM DATED: 29-01- 2021
BEARING NO. B-13011/1/2020-21/AQM ISSUED BY THE
3RD RESPONDENT (CPCB).

ANNEXURE R3(C): TRUE PHOTOCOPY OF THE GUIDELINES DATED: 16 - 08-
2021 BEARING NO. B-13011/1/2019-21/AQM ISSUED BY
THE 3RD RESPONDENT (CPCB).

APPENDIX OF WP (C) 11907/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE OFFICE MEMORANDUM OF THE CENTRAL POLLUTION CONTROL BOARD DATED 7.1.2020.
- Exhibit P2 TRUE COPY OF THE ORDER DATED 22.07.2019 IN ORDER IN OA NOS.31/2019 AND 86/2019 OF NATIONAL GREEN TRIBUNAL.
- Exhibit P3 TRUE COPY OF THE OFFICE MEMORANDUM ISSUED BY THE 4TH RESPONDENT DATED 29.01.2021.
- Exhibit P4 TRUE COPY OF THE ORDER DATED 16.02.2021 ISSUED BY THE 5TH RESPONDENT.
- Exhibit P5 TRUE COPY OF THE CIRCULAR DATED 24.02.2020 ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD.
- Exhibit P6 TRUE COPY OF THE CIRCULAR ISSUED BY THE 6TH RESPONDENT DATED 04.02.2021.
- Exhibit P7 TRUE COPY OF THE CIRCULAR ISSUED BY THE 6TH RESPONDENT DATED 21.04.2021.
- Exhibit P8 TRUE COPY OF THE REPRESENTATION DATED 11.08.2020 BEFORE THE 9TH RESPONDENT PANCHAYATH.
- Exhibit P9 TRUE COPY OF THE JUDGMNET DATED 02.12.2020 IN WPC NO.19252/2020.
- Exhibit P10 TRUE COPY OF THE DRAFT GUIDELINES PUBLISHED BY THE CENTRAL POLLUTION CONTROL BOARD.

RESPONDENTS' EXTS:

- EXT.R6(A): TRUE COPY OF THE RELEVANT PAGES OF THE CIRCULAR NO.PCB/T4/115/97 DATED 17-3-2017 ISSUED BY THE BOARD.
- EXT.R6(B): TRUE COPY OF THE CIRCULAR NO.PCB/TAC/18/2004 DATED 9-8-2004 ISSUED BY THE BOARD.
- EXT.R6(C): TRUE COPY OF THE ORDER DATED 22-7-2019 IN O.A. NOS. 31/2019 AND 86/2019 OF THE HON'BLE NGT.
- EXT.R6(D): TRUE COPY OF THE OFFICE MEMORANDUM NO. B-13011/1/2019-20/AQM/10802-10847 DATED 7- 1- 2020 ISSUED BY THE CPCB.
- EXT.R6(E): TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/RULES9/7/2019 DATED 24-2- 2020 ISSUED BY THE BOARD.



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EXT.R6 (F) :

TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/
RULES 9/7/2019 DATED 18-08-2020 ISSUED BY
THE BOARD.

EXT.R6 (G) :

TRUE COPY OF THE OFFICE MEMORANDUM NO.B-
13011/1/2020-21/AQM DATED 29-1-2021 ISSUED
BY THE CPCB.

EXT.R6 (H) :

TRUE COPY OF THE CIRCULAR NO.PCB/HO/HOW/
RULES9/7/2019 DATED 4-2-2021 ISSUED BY THE
BOARD.

EXT.R6 (I) :

TRUE COPY OF THE CIRCULAR NO. PCB/HO/HOW/
RULES 9/7/2019 DATED 21-4-2021 ISSUED BY THE
BOARD.

EXT.R6 (J) :

TRUE COPY OF THE ERRATUM
NO.PCB/HO/HOW/RULES9/ 7/2019 DATED 28-5-
2021 ISSUED BY THE BOARD.

APPENDIX OF WP (C) 12880/2021

PETITIONER'S EXHIBITS

- Exhibit P1 A TRUE COPY OF THE NOC NO.M971546/2018 DATED 31.10.2019 ISSUED BY THE 2ND RESPONDENT.
- Exhibit P2 A TRUE COPY OF THE 'CONSENT TO ESTABLISH' ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD.
- Exhibit P3 A TRUE COPY OF THE INTERIM ORDER DATED 13/08/2020 IN WP(C) NO.30037/2019.
- Exhibit P4 A TRUE COPY OF THE COMMON JUDGMENT DATED 16/04/2021 IN WP(C) NO.30037/2019 AND CONNECTED CASES.
- Exhibit P5 A TRUE COPY OF THE INTERIM ORDER DATED 30.04.2021 IN WP(C) NO.10632/2021.
- Exhibit P6 A TRUE COPY OF THE SITE APPROVAL AND BUILDING PERMIT DATED 06/05/2021 ISSUED BY THE 4TH RESPONDENT.
- Exhibit P7 A TRUE COPY OF THE ORDER NO.M7-91546/2018 DATED 16/06/2021 ISSUED BY THE 2ND RESPONDENT.
- Exhibit P8 A TRUE COPY OF THE ORDER NO.A3-4062/2021 DATED 17/06/2021 ISSUED BY THE 4TH RESPONDENT.
- Exhibit P9 A TRUE COPY OF THE INTERIM ORDER DATED 23/04/2021 IN WP(C) NO.10367/2021.
- Exhibit P10 A TRUE COPY OF THE RELEVANT PAGES OF THE REPRESENTATION DATED 15/08/2020 SUBMITTED BEFORE THE 4TH RESPONDENT.

RESPONDENTS' EXHIBITS

- ANNEXURE A-1 TRUE COPY OF PHOTOGRAPH OF THE CHIRA/LAKE
- ANNEXURE A-2 TRUE COPY OF THE JUDGMENT DATED 02.12.2020 IN WP(C) NO.19252 OF 2020 PASSED BY THIS HON'BLE COURT
- ANNEXURE A-3 TRUE COPY OF THE LETTER DATED 18.02.2021, THE SECRETARY OF KOLLAM DISTRICT PANCHAYATH
- ANNEXURE A-4 TRUE COPY OF THE REPRESENTATION DATED 24.05.2021 SUBMITTED BY THE PETITIONER
- ANNEXURE A-5 TRUE COPY OF THE ORDER DATED 25.05.2021 IN



O.P. NO.116 OF 2021 PASSED BY HON'BLE
NATIONAL GREEN TRIBUNAL, CHENNAI

ANNEXURE A-6 TRUE COPY OF THE ORDER DATED 16.06.2021
ISSUED BY THE 1ST RESPONDENT/DISTRICT
COLLECTOR

ANNEXURE A-7 TRUE COPY OF THE COMPLAINT DATED 21.06.2021
FILED BY THE PETITIONER BEFORE THE 1ST
RESPONDENT

EXTS. PRODUCED ALONG WITH COUNTER AFFIDAVIT DT.1.8.2022

- Exhibit R6(a) TRUE COPY OF THE LETTER NO.HD 389/2007
A.E.E. ISSUED BY THE A. EX. ENGINEER (NH)
INFORMING THE REASON FOR REJECTED THE
APPLICATION SUBMITTED BY THE 5TH RESPONDENT.
- Exhibit R6(b) TRUE COPY OF THE PLAN SUBMITTED BEFORE THE
DISTRICT COLLECTOR
- Exhibit R6(c) TRUE COPY OF THE PROVISIONAL ACCESS
PERMISSION FOR CONSTRUCTION OF APPROACH ROAD
ISSUED BY THE MORTH AUTHORITIES BY LETTER
DATED 01.08.2019
- Exhibit R6(d) TRUE COPY OF THE NOTIFICATION DATED
07.01.2020 ISSUED BY THE CENTRAL POLLUTION
CONTROL BOARD.
- Exhibit R6(e) TRUE COPY OF THE ORDER DATED 22.07.2019 IN
OA NO.31/2019 WITH OA NO.86/2019 ISSUED BY
THE HON'BLE NATIONAL GREEN TRIBUNAL.
- Exhibit R6(f) TRUE COPY OF THE CIRCULAR DATED 24.02.2020
ISSUED BY THE KSPCB
- Exhibit R6(g) TRUE COPY OF THE CIRCULAR DATED 18.08.2020
ISSUED BY THE KSPCB
- Exhibit R6(h) TRUE COPY OF THE OFFICE MEMORANDUM FOR
CLARIFICATION OF CUT OF DATE DATED
29.01.2021 ISSUED BY CPCB
- Exhibit R6(i) TRUE COPY OF THE REVISED CIRCULAR DATED
04.02.2021 ISSUED BY KSPCB
- Exhibit R6(j) TRUE COPY OF THE INITIAL APPROVAL DATED
17.07.2020 ISSUED BY PETROLEUM & EXPLOSIVE
SAFETY ORGANISATION (PESO)
- Exhibit R6(k) TRUE COPY OF THE ADDENDUM GUIDELINES ISSUED
BY THE CPCB SUBSEQUENT TO ORDERS IN OA
61/2019 (CZ) BY THE HON'BLE NATIONAL GREEN
TRIBUNAL
- Exhibit R6(l) TRUE COPY OF THE ORDER DATED 28.07.2021 IN
OA NO.19/2021 ISSUED BY HON'BLE NATIONAL



GREEN TRIBUNAL

- Exhibit R6(m) TRUE COPY OF THE PHOTOGRAPH SHOWING THE WATER BODY "CHAKKUVALLY CHIRA"
- Exhibit R6(n) TRUE COPY OF THE PHOTOGRAPH SHOWING THE RESTAURANT IN THE FRONT OF THE SITE OF THE PETROL PUMP

EXTS.PRODUCED ALONG WITH COUNTER AFFIDAVIT DT.1.10.2022

- Exhibit R6(a) TRUE COPY OF THE PLAN SUBMITTED BEFORE THE DISTRICT COLLECTOR
- Exhibit R6(b) TRUE COPY OF THE PROVISIONAL ACCESS PERMISSION FOR CONSTRUCTION OF APPROACH ROAD ISSUED BY THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS AUTHORITIES BY LETTER DATED 01.08.2019
- Exhibit R6(c) TRUE COPY OF THE STOP MEMO ISSUED BY THE PANCHAYATH BY LETTER DATED 04.11.2020
- Exhibit R6(d) TRUE COPY OF THE NOTIFICATION DATED 07.01.2020 ISSUED BY THE CENTRAL POLLUTION CONTROL BOARD
- Exhibit R6(e) TRUE COPY OF THE TRUE COPY OF THE ORDER DATED 22.07.2019 IN OA NO.31/2019 WITH OA NO.86/2019 ISSUED BY THE HON'BLE NATIONAL GREEN TRIBUNAL
- Exhibit R6(f) TRUE COPY OF THE CIRCULAR DATED 18.08.2020 ISSUED BY KSPCB
- Exhibit R6(g) TRUE COPY OF THE OFFICE MEMORANDUM FOR CLARIFICATION DATED 29.01.2021 ISSUED BY CPCB
- Exhibit R6(h) TRUE COPY OF THE INITIAL APPROVAL DATED 17.07.2020 ISSUED BY PETROLEUM & EXPLOSIVE SAFETY ORGANIZATION (PESO)
- Exhibit R6(i) TRUE COPY OF THE ORDER DATED 28.07.2021 IN OA NO.19/2021 ISSUED BY HON'BLE NATIONAL GREEN TRIBUNAL
- Exhibit R6(j) TRUE COPY OF THE PHOTOGRAPH SHOWING RESTAURANT IN THE FRONT OF THE SITE OF THE PETROL PUMP

APPENDIX OF WP (C) 15087/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE JUDGMENT DATED 16.4.2021
IN WP(C) NO.24471/2020.
- Exhibit P2 TRUE COPY OF THE BUILDING PERMIT DATED
6.5.2021 ISSUED BY THE RESPONDENT PANCHAYAT
TO THE 1ST RESPONDENT.
- Exhibit P3 TRUE COPY OF THE PROCEEDINGS DATED
16.6.2021 OF THE DISTRICT COLLECTOR.
- Exhibit P4 TRUE COPY OF THE NOTIFICATION DATED
7.1.2020 ISSUED BY THE CENTRAL POLLUTION
CONTROL BOARD.
- Exhibit P5 TRUE COPY OF THE PLAN SANCTIONED BY THE
RESPONDENT DISTRICT TOWN PLANNER UNDER
COVER OF LETTER DATED 16.2.2021.
- Exhibit P6 TRUE COPY OF THE PLAN SHOWING THE FACTUAL
POSITIONS SUBMITTED TO DISTRICT COLLECTOR
- EXHIBIT P7:- TRUE COPY OF DOCUMENT OF FAIR VALUE SHOWING
RESIDENTIAL PLOT ISSUED BY THE VILLAGE
OFFICER, PORUVAZHY.
- EXHIBIT P8:- TRUE COPY OF THE PROCEEDINGS ISSUED BY THE
DISTRICT COLLECTOR
- EXHIBIT P9:- TRUE COPY OF THE NOC ISSUED BY THE DISTRICT
COLLECTOR
- EXHIBIT P10:- TRUE COPY OF THE PLAN SUBMITTED BEFORE THE
PANCHAYAT EARLIER WHICH WAS REJECTED
- EXHIBIT P11:- TRUE COPY OF THE PLAN SUBMITTED BEFORE THE
PANCHAYAT FOR BUILDING PERMIT
- EXHIBIT P12:- TRUE COPY OF THE PLAN SUBMITTED BEFORE THE
NATIONAL HIGHWAY AUTHORITIES
- EXHIBIT P13:- TRUE COPY OF THE DETAILS OF THE SCHEME
PUBLISHED IN THE MATHRUBHUMI DAILY
- EXHIBIT P14:- TRUE COPY OF THE ORDER FOR CONSENT TO
ESTABLISH ISSUED BY STATE POLLUTION CONTROL
BOARD
- EXHIBIT P15:- TRUE COPY OF THE LETTER ISSUED BY THE
SECRETARY OF DISTRICT PANCHAYAT
- EXHIBIT P16:- TRUE COPY OF THE COMMUNICATION ISSUED BY
PUBLIC INFORMATION OFFICER OF DISTRICT
PANCHAYAT OFFICE
- Exhibit P17 PHOTOGRAPH OF THE WATER BODY 'CHAKKUVALLY
CHIRA ' CONTAMINATED BY THE PETROLEUM



PRODUCT

- Exhibit P17A PHOTOGRAPH OF THE WATER BODY ''CHAKKUVALLY CHIRA'' CONTAMINATED BY THEH PETROLEUM PRODUCT
- Exhibit P18 TRUE COPY OF THE COMPLAINT DATED 15.11.2021 SUBMITTED BEFORE STATION HOUSE OFFICER, SOORANAD POLICE STATION.
- Exhibit P19 THE PHOTOGRAPHS SHOWING THE CONDITION OF THE CHIRA PRIOR TO THE CONTAMINATION FROM THE PETROLEUM OUTLET.
- Exhibit P20 TRUE COPY OF THE INTERIM ORDER DATED 23.4.2021 IN WPC NO-10637/2021

EXT. PRODUCED ALONG WITH IA.1/22

- Exhibit P7 COPY OF THE PHOTOGRAPH SHOWING THE INAUGURAL FUNCTION OF THE PETROLEUM OUTLET

EXT. PRODUCED ALONG WITH THE REPLY AFFIDAVIT.

EXT.P17: COPY OF SKETCH OF WATERBODY OBTAINED FROM THE VILLAGE OFFICE, PORUVAZHY.

RESPONDENTS' EXTS:

- EXHIBIT R1(A): A TRUE COPY OF THE ORDER NO. RW/TRI/RETAIL OUTLET/289/2019-20 DATED 01/08/2019 ISSUED BY THE REGIONAL OFFICER, MINISTRY OF ROAD TRANSPORT AND HIGHWAYS.
- EXHIBIT R1(B): A TRUE COPY OF THE ORDER NO. M791546/2018 DATED 28/10/2019 ISSUED BY THE 4TH RESPONDENT
- EXHIBIT R1(C): A TRUE COPY OF THE NOC ISSUED BY THE 4TH RESPONDENT
- EXHIBIT R1(D): TRUE COPY OF THE 'CONSENT TO ESTABLISH' ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD
- EXHIBIT R1(E): A TRUE COPY OF THE COMMON JUDGMENT DATED 16/04/2021 IN WP(C) NO. 30037/2019 AND CONNECTED CASES
- EXHIBIT R1(F): A TRUE COPY OF THE SITE APPROVAL AND BUILDING PERMIT DATED 06.05.2021 ISSUED BY THE 3RD RESPONDENT
- EXHIBIT R1(G): A TRUE COPY OF THE CONSENTNO.PCB/KO/ICO/F / 072/2022 ISSUED BY THE KERALA STATE POLLUTION CONTROL BOARD DATED 02.03.2022
- EXHIBIT R1(H): A TRUE COPY OF THE CERTIFICATE NO.B-117/2022 ISSUED BY THE REGIONAL FIRE OFFICER, THIRUVANANTHAPURAM



WP(C)Nos.11517/2020
& con.cases
EXHIBIT R1(I)

125

2023:KER:42493

THE PHOTOGRAPHS TAKEN ON 03.01.2022
INDICATING THE ORIGINAL LIE OF THE AREA
COVERED UNDER EXHIBIT P17(A) PHOTOGRAPHS.



APPENDIX OF WP(C) 26321/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE ORDER DATED 16.02.2021
ISSUED BY THE 8TH RESPONDENT.
- Exhibit P2 TRUE COPY OF THE OFFICE MEMORANDUM DATED
07.01.2020 ALONG WITH THE GUIDELINES ISSUED
BY THE CENTRAL POLLUTION CONTROL BOARD.
- Exhibit P3 TRUE COPY OF THE OFFICE MEMORANDUM DATED
29.01.2021 ISSUED BY THE CENTRAL POLLUTION
CONTROL BOARD.
- Exhibit P4 TRUE COPY OF THE LETTER DATED 01.08.2019
ISSUED BY THE 6TH RESPONDENT GRANTING
PERMISSION TO CONSTRUCT PETROLEUM RETAIL
OUTLET.
- Exhibit P5 TRUE COPY OF THE PERMIT DATED 06.05.2021
ISSUED BY THE 9TH RESPONDENT.
- Exhibit P6 TRUE COPY OF THE INTERIM ORDER IN WPC
NO.10367 OF 2021 DATED 23.04.2021.

RESPONDENT ANNEXURES

- Annexure A1 TRUE COPY OF THE LETTER DATED 04/02/2022 OF
THE 6TH RESPONDENT ADDRESSED TO THE 7TH
RESPONDENT WITH COPY TO CENTRAL GOVERNMENT
COUNSEL.



APPENDIX OF WP(C) 12507/2021

PETITIONER EXHIBITS

Exhibit P1 COPY OF THE LETTER OF INTENT ISSUED BY THE
5TH RESPONDENT DATED 14.10.2019

Exhibit P2 COPY OF THE NO OBJECTION CERTIFICATE ISSUED
BY THE DISTRICT COLLECTOR DATED 27.1.21

Exhibit P3 COPY OF THE APPLICATION FOR CONSENT TO
ESTABLISH DATED 21/1/21

Exhibit P4 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST
RESPONDENT DATED 7/1/20

Exhibit P5 COPY OF THE LETTER ISSUED BY THE 4TH
RESPONDENT DT.20.5.21

Exhibit P6 COPY OF THE CIRCULAR ISSUED BY THE 2ND
RESPONDENT ON 24/2/20

Exhibit P7 COPY OF THE CIRCULAR ISSUED BY THE 2ND
RESPONDENT ON 18/8/20

Exhibit P8 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST
RESPONDENT DATED 29/1/21

Exhibit P9 COPY OF THE CIRCULAR ISSUED BY THE 2ND
RESPONDENT ON 4/2/21

Exhibit P10 COPY OF THE CIRCULAR ISSUED BY THE 2ND
RESPONDENT DATED 21/4/21

RESPONDENTS' EXTS:

EXT.R1 (A) : TRUE COPY OF LETTER DT.11.11.2020 ISSUED BY
THE 1ST RESPONDENT (CPCB)



APPENDIX OF WP (C) 12525/2021

PETITIONER EXHIBITS

- Exhibit P1 COPY OF ADDENDUM TO LETTER OF INTEND DATED 15.6.2020.
- Exhibit P2 COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE DISTRICT COLLECTOR DATED 23.4.2021.
- Exhibit P3 COPY OF THE APPLICATION DATED 28.9.2020 BEFORE THE 2ND RESPONDENT.
- Exhibit P4 COPY OF THE LETTER ISSUED BY THE 3RD RESPONDENT DATED 1.01.2020.
- Exhibit P5 COPY OF THE OFFICE MEMORANDUM ISSUED BY THE 1ST RESPONDENT DATED 7.1.20.
- Exhibit P6 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT 24.2.20
- Exhibit P7 COPY OF THE LETTER ISSUED FROM THE OFFICE OF THE 4TH RESPONDENT DATED 04.03.2021.
- Exhibit P8 COPY OF THE JUDGMENT IN W.P.C NO. 8456/2021
- Exhibit P9 COPY OF THE NOTICE ISSUED BY THE 3RD RESPONDENT DATED 17.5.2021.
- Exhibit P10 COPY OF THE ORDER OF NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI IN O.A NO. 31 OF 2019 AND OA NO. 86/2019
- Exhibit P11 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 18.8.20
- Exhibit P12 COPY OF THE OFFICE MEMORANDUM ISSUED BY THE 1ST RESPONDENT DATED 29.1.21.
- Exhibit P13 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 4.2.2021.
- Exhibit P14 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 21.4.21.
- Exhibit P15 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 9.8.2004.

RESPONDENT EXHIBITS

- Exhibit R2(a) COPY OF THE RELEVANT PAGES OF THE CIRCULAR NO.PCB/T4/115/97 DATED 17/03/2017.
- Exhibit R2(b) COPY OF THE CIRCULAR O.PCB/HO/HOW/RULES 9/7/2019 DATED 21/04/2021.
- Exhibit R2(c) COPY OF THE ERRATUM NO.PCB/HO/HOW/RULES 9/07/2019



DATED 28/05/2021 ISSUED BY THE BOARD.

APPENDIX OF WP(C) 17666/2021

PETITIONER EXHIBITS

Exhibit P1 COPY OF LETTER OF INTEND DATED 14.10.2020

Exhibit P2 COPY OF THE APPLICATION FOR CONSENT TO ESTABLISH DATED 29.8.2021

Exhibit P3 COPY OF THE ORDER OF NATIONAL GREEN TRIBUNAL, M PRINCIPAL BENCH, NEW DELHI DATED 22.7.2019

Exhibit P4 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 7.1.20

Exhibit P5 COPY OF LETTER ISSUED BY THE DHARMADAM PANCHAYAT DATED 3.12.2020

Exhibit P6 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 24.2.20

Exhibit P7 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 18.8.20

Exhibit P8 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 29.1.21

Exhibit P9 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 4.2.21

Exhibit P10 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 21.4.2021

Exhibit P11 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 9.8.2004

RESPONDENTS' EXTS:

ANNEXURE R1(A): THE ADDENDUM AS PER THE OFFICE MEMORANDUM B-13011/1/2019/20/AQM DT.16.8.2021.



APPENDIX OF WP(C) 17717/2021

PETITIONER EXHIBITS

Exhibit P1 COPY OF LETTER OF INTEND DATED 6-08-2020

Exhibit P2 COPY OF THE APPLICATION FOR CONSENT TO ESTABLISH DATED 26-07-2021

Exhibit P3 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 7-1-2020

Exhibit P4 COPY OF THE LETTER ISSUED BY THE MEPPAYYOOR GRAMA PANCHAYATH DT 28-07-2021

Exhibit P5 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 24-2-2020

Exhibit P6 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 18-08-2020

Exhibit P7 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 29-1-2021.

Exhibit P8 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 4-2-2021

Exhibit P9 COPY OF THE CIRCULAR ISSUED BY THE 29TH RESPONDENT ON 21-04-2021

Exhibit P10 COPY OF THE ORDER OF NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI DATED 22-07-2019

Exhibit P11 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 9-8-2004

RESPONDENTS' EXTS:

ANNEXURE R1(A): ADDENDUM AS PER THE OFFICE MEMORANDUM B-13011/1/2019/20/AQM DT.16.8.21.

APPENDIX OF WP(C) 17752/2021

PETITIONER EXHIBITS

- Exhibit P1 COPY OF THE LETTER OF INTENT ISSUED BY THE 5TH RESPONDENT DATED 20.02.2020.
- Exhibit P2 COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE DISTRICT COLLECTOR, DATED 30.12.20.
- Exhibit P3 COPY OF THE APPLICATION FOR CONSENT TO ESTABLISH DATED 6/8/21.
- Exhibit P4 COPY OF THE ORDER OF NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI, DATED 22.07.2019.
- Exhibit P5 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 7/1/20.
- Exhibit P6 COPY OF THE LETTER ISSUED BY THE 4TH RESPONDENT 26.08.21.
- EXHIBIT P7 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 24.02.20.
- EXHIBIT P8 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 18/8/20.
- EXHIBIT P9 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 29/01/21.
- EXHIBIT P10 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 4/2/21.
- EXHIBIT P11 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 21.04.21.
- EXHIBIT P12 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 9/8/2004.

RESPONDENTS' EXTS:

- ANNEXURE R1(A): THE ADDENDUM AS PER THE OFFICE MEMORANDUM B-13011/1/2019/20/AQM DT.16.8.2021.

APPENDIX OF WP(C) 17758/2021

PETITIONER EXHIBITS

- Exhibit P1 COPY OF LETTER OF INTENT DATED 30.6.2020.
- Exhibit P2 COPY OF THE APPLICATION FOR CONSENT TO ESTABLISH DATED 6.8.21.
- Exhibit P3 COPY OF THE ORDER OF NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI, DATED 22.7.2019.
- Exhibit P4 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 7.1.20.
- Exhibit P5 COPY OF THE DECISION BY TEH URGATHARA GRAMA PANCHAYATH DATED 21.1.2021.
- Exhibit P6 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 24.2.2020.
- Exhibit P7 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 18.8.20.
- Exhibit P8 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 29.1.21.
- Exhibit P9 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 4.2.21.
- Exhibit P10 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 21.4.21.
- Exhibit P11 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 9.8.2004.

RESPONDENTS' EXTS:

- ANNEXURE R1(A): THE ADDENDUM AS PER THE OFFICE MEMORANDUM B-13011/1/2019/20/AQM DT.16.8.2021.



APPENDIX OF WP(C) 17787/2021

PETITIONER EXHIBITS

- Exhibit P1 COPY OF LETTER OF INTENT DATED 13-3-2019
- Exhibit P2 COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE DISTRICT COLLECTOR DATED 18-06-2021
- Exhibit P3 COPY OF THE APPLICATION FOR CONSENT TO ESTABLISH DATED 16-07-2021
- Exhibit P4 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 7-1-2020
- Exhibit P5 COPY OF THE LETTER ISSUED BY MOOLIYAR GRAMA PANCHAYAT DATED 20-07-2021
- Exhibit P6 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 24-2-2020
- Exhibit P7 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 18-08-2020
- Exhibit P8 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 29-1-2021
- Exhibit P9 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 4-2-2021
- Exhibit P10 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 21-04-2021
- Exhibit P11 COPY OF THE LETTER ISSUED BY THE 2ND RESPONDENT 30-06-2021



APPENDIX OF WP(C) 20105/2021

PETITIONER EXHIBITS

- Exhibit P1 COPY OF THE LETTER OF INTENT ISSUED BY THE 5TH RESPONDENT DATED 24/12/2019.
- Exhibit P2 COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE DISTRICT COLLECTOR DATED 28/01/2020.
- Exhibit P3 COPY OF THE APPLICATION FOR CONSENT TO ESTABLISH DATED 13/09/2021.
- Exhibit P4 COPY OF THE ORDER OF NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI, DATED 22/07/2019.
- Exhibit P5 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 07/01/2020.
- Exhibit P6 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 24/02/2020.
- Exhibit P7 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 18/08/2020.
- Exhibit P8 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 29/01/2021.
- Exhibit P9 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 04/02/2021.
- Exhibit P10 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 21/04/2021.
- Exhibit P11 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 09/08/2004.

RESPONDENTS' EXTS:

- EXT.R2 (A) : TRUE COPY OF CONSENT REFUSAL INTENTION NOTICE NO.PCB/ESC/CTE-G21ESCE777827/21 DT.29.3.21 ISSUED BY THE BOARD.
- EXT.R2 (B) : TRUE COPY OF LETTER NO.PCB/HO/EE1/EKM-ESC/2021 DT.28.10.2021 ISSUED BY THE BOARD.
- EXT.R2 (C) : TRUE COPY OF RELEVANT PAGES OF CIRCULAR NO.PCB/T4/115/97 DT.17.3.17 ISSUED BY THE BOARD.
- EXT.R2 (D) : TRUE COPY OF ERRATUM NOTIFICATION NO.PCB/HO/HOW/RULES9/7/2019 DT.28.5.21 ISSUED BY THE BOARD.
- EXT.R2 (E) ; TRUE COPY OF JUDGMENT DT.25.10.2021 IN APPEAL NO.53 OF 2021 OF THE NGT, SOUTHERN ZONE, CHENNAI.

APPENDIX OF WP (C) 20113/2021

PETITIONER EXHIBITS

Exhibit P1 COPY OF THE LETTER OF INTENT ISSUED BY THE
5TH RESPONDENT DATED 21.03.2019.

Exhibit P2 COPY OF THE NO OBJECTION CERTIFICATE ISSUED
BY THE DISTRICT COLLECTOR DATED 10.05.19.

Exhibit P3 COPY OF THE APPLICATION FOR CONSENT TO
ESTABLISH DATED 17.09.2021.

Exhibit P4 COPY OF THE ORDER OF THIS NATIONAL GREEN
TRIBUNAL PRINCIPAL BENCH, NEW DELHI, DATED
22.07.2019.

Exhibit P5 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST
RESPONDENT DATED 07.01.20.

Exhibit P6 COPY OF THE CIRCULAR ISSUED BY THE 2ND
RESPONDENT ON 24.02.20.

Exhibit P7 COPY OF THE CIRCULAR ISSUED BY THE 2ND
RESPONDENT ON 18.08.20.

Exhibit P8 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST
RESPONDENT DATED 29.01.21.

Exhibit P9 COPY OF THE CIRCULAR ISSUED BY THE 2ND
RESPONDENT ON 04.02.21.

Exhibit P10 COPY OF THE CIRCULAR ISSUED BY THE 2ND
RESPONDENT DATED 21.04.21.

Exhibit P11 COPY OF THE CIRCULAR ISSUED BY THE 2ND
RESPONDENT DATED 09.08.2004.

Exhibit P12 COPY OF THE NO OBJECTION CERTIFICATE ISSUED
BY THE FIRE AND RESCUE SERVICES DEPARTMENT
DATED 20.12.2019.

RESPONDENTS' EXHIBITS

EXT.R2 (A) TRUE COPY OF THE RELEVANT PAGES OF THE
CIRCULAR NO.PCB/T4/115/97 DATED 17.03.2017

EXT.R2 (B) TRUE COPY OF THE ERRATUM NOTIFICATION
NO.PCB/HO/HOW/RULES 9/7/2019 DATED 28.5.2021

EXT.R2 (C) TRUE COPY OF THE JUDGMENT DTED 25.10.2021 IN
APPEAL NO.53 OF 2021 OF THE HON'BLE NGT,
SOUTHERN ZONE, CHENNAI



APPENDIX OF WP(C) 25770/2021

PETITIONER EXHIBITS

- Exhibit P1 COPY OF THE LETTER OF INTENT ISSUED BY THE 5TH RESPONDENT DATED 26.02.2019.
- Exhibit P2 COPY OF THE NO OBJECTION CERTIFICATE DATED 12.06.2020.
- Exhibit P3 COPY OF THE APPLICATION FOR CONSENT TO ESTABLISH DATED 5.10.21.
- Exhibit P4 COPY OF THE ORDER OF NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI, DATED 22.07.2019.
- Exhibit P5 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 7.1.2020
- Exhibit P6 COPY OF THE LETTER ISSUED BY THE 4TH RESPONDENT DT.4.11.2021.
- Exhibit P7 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 24.2.20
- Exhibit P8 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 18.8.20.
- Exhibit P9 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 29.1.21.
- Exhibit P10 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 4.2.21.
- Exhibit P11 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 21.4.21.
- Exhibit P12 COPY OF THE INITIAL APPROVAL OF PESO DATED 19.11.2019.



APPENDIX OF WP (C) 3350/2022

PETITIONER EXHIBITS

- Exhibit P1 COPY OF LETTER OF APPOINTMENT DATED 31.05.2019.
- Exhibit P2 COPY OF THE APPLICATION FOR CONSENT TO ESTABLISH DATED 23.09.21.
- Exhibit P3 COPY OF THE ORDER OF THIS NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI, DATED 22.07.2019.
- Exhibit P4 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 7.1.20.
- Exhibit P5 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 24.2.20.
- Exhibit P6 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 18.8.20.
- Exhibit P7 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 29.01.21.
- Exhibit P8 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 4.2.21.
- Exhibit P9 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 21.4.21.
- Exhibit P10 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 9/8/2004.
- Exhibit P11 COPY OF THE PESO INITIAL LICENSE DATED 29.10.2019.



APPENDIX OF WP (C) 5963/2022

PETITIONER EXHIBITS

Exhibit P1 COPY OF LETTER OF INTENT DATED 13/1/2020

Exhibit P2 COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY DISTRICT COLLECTOR

Exhibit P3 COPY OF THE APPLICATION FOR CONSENT TO ESTABLISH DATED 17/2/2022.

Exhibit P4 COPY OF THE ORDER OF NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI, DATED 22.07.2019

Exhibit P5 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 7/1/2020

Exhibit P6 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 24/2/2010

Exhibit P7 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 18/8/20.

Exhibit P8 COPY OF THE OFFICIAL MEMORANDUM OF THE 1ST RESPONDENT DATED 29.1.21

Exhibit P9 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT ON 4.2.21

Exhibit P10 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 21/4/21.

Exhibit P11 COPY OF THE CIRCULAR ISSUED BY THE 2ND RESPONDENT DATED 9/8/2004.



APPENDIX OF WP (C) 6375/2022

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE JUDGMENT DATED 07.01.2022 PASSED BY THE 5TH RESPONDENT IN APPEAL NO.14 OF 2021.
- Exhibit P2 TRUE COPY OF THE APPEAL NO.14 OF 2021 FILED BEFORE THE 5TH RESPONDENT.
- Exhibit P3 TRUE COPY OF THE E-MAIL DATED 08.03.2019 RECEIVED FROM THE 6TH RESPONDENT.
- Exhibit P4 TRUE COPY OF THE ORDER DATED 05.02.2020 OF THE MUNSIF COURT, KOLLAM IN I A NO.3410 OF 2019 IN OS NO.426 OF 2019.
- Exhibit P5 TRUE COPY OF LETTER DATED 05.10.2020 SENT BY THE 6TH RESPONDENT TO THE DISTRICT COLLECTOR.
- Exhibit P6 TRUE COPY OF THE DECISION OF THE PERAYAM GRAMA PANCHAYATH DATED 09.11.2020.
- Exhibit P7 TRUE COPY OF THE LETTER DATED 19.10.2020 SENT BY THE DISTRICT COLLECTOR.
- Exhibit P8 TRUE COPY OF THE ORDER DATED 03.02.2021 OF THE DISTRICT TOWN PLANNER, KOLLAM APPROVING THE LAYOUT FOR THE BUILDINGS AS WELL AS USAGE OF THE PROPERTY.
- Exhibit P9 TRUE COPY OF THE ONLINE INDUSTRY REGISTRATION DATED 02.12.2020.
- Exhibit P10 TRUE COPY OF THE REPORT DATED 21.12.2020 OF THE DISTRICT POLICE CHIEF, KOLLAM RURAL.
- Exhibit P11 TRUE COPY OF THE SANCTION DATED 05.01.2021 OBTAINED FROM THE FIRE AND RESCUE SERVICE DEPARTMENT.
- Exhibit P12 TRUE COPY OF THE NOTICE OF INTENTION TO REFUSE CONSENT TO ESTABLISH DATED 23.02.2021.
- Exhibit P13 TRUE COPY OF THE REFUSAL ORDER DATED 18.06.2021 ISSUED BY THE 4TH RESPONDENT.
- Exhibit P14 TRUE COPY OF CIRCULAR NO.PCB/HO/HOW/RULES 9/7/2019 DATED 24.02.2020 ISSUED BY THE 3RD RESPONDENT.
- Exhibit P15 TRUE COPY OF CIRCULAR NO.PCB/HO/HOW/RULES9/7/2019 DATED 18.08.2020 ISSUED BY THE 3RD RESPONDENT.



APPENDIX OF WP (C) 1513/2022

PETITIONERS' EXHIBITS

- Exhibit P1 THE TRUE PHOTOCOPY OF THE LETTER OF INTENT ISSUED BY THE 9TH RESPONDENT IN FAVOUR OF THE PARTNERS OF THE 10TH RESPONDENT.
- Exhibit P2 THE TRUE PHOTOCOPY OF THE PRIOR APPROVAL INTIMATION NO. A/P/SE/KL/14/3780 (P453171), DATED 29.8.2019 TO THE 9TH RESPONDENT FROM THE DEPUTY CONTROLLER OF EXPLOSIVE (FOR JOINT CHIEF CONTROLLER OF EXPLOSIVES) CHANNAI.
- Exhibit P3 TRUE PHOTOCOPY OF THE APPLICATION FOR GRANT OF NOC FOR OUTLET SUBMITTED BY 9TH RESPONDENT DATED 6.5.2019 BEFORE THE 2ND RESPONDENT.
- Exhibit P4 TRUE PHOTOCOPY OF THE REPORT OF THE 4TH RESPONDENT DATED 25.11.2019 TO 2ND RESPONDENT DISTRICT COLLECTOR.
- Exhibit P5 TRUE PHOTOCOPY OF THE JUDGMENT PASSED BY THE HONBLE HIGH COURT IN WPC NO. 28473/2019.
- Exhibit P6 TRUE PHOTOCOPY OF THE CERTIFICATE ISSUED BY THE 5TH RESPONDENT REGIONAL FIRE OFFICER, FIRE AND RESCUE DATED 2.12.2019.
- Exhibit P7 TRUE PHOTOCOPY OF THE REPORT SUBMITTED BY THE TAHSILDAR, KOCHI DATED 2.12.2019.
- Exhibit P8 TRUE PHOTOCOPY OF THE CONSENT TO ESTABLISH ISSUED TO THE 10TH RESPONDENT BY THE 8TH RESPONDENT.
- Exhibit P9 TRUE PHOTOCOPY OF THE PROCEEDINGS OF THE 3RD RESPONDENT ADM, ERNAKULAM DATED 3.2.2021.
- Exhibit P10 TRUE PHOTOCOPY OF THE OFFICE MEMORANDUM AND GUIDELINES FOR SETTING UP NEW PETROL PUMP DATED 7.1.2020 ISSUED BY CENTRAL POLLUTION CONTROL BOARD, DELHI.
- Exhibit P11 TRUE PHOTOCOPY OF THE CIRCULAR PCB/HO/HOW/RULES-89/7/2019 DATED 24.02.2020.
- Exhibit P12 TRUE PHOTOCOPY OF THE SITE PLAN PREPARED AND SUBMITTED BEFORE THE 8TH RESPONDENT FOR OBTAINING CONSENT TO OPERATE BY THE RESPONDENT NO.10.
- Exhibit P13 TRUE PHOTOCOPY OF THE REPRESENTATION DATED 15.3.2021 SUBMITTED BY THE PETITIONERS BEFORE THE DISTRICT COLLECTOR, ERNAKULAM.



WP(C)Nos.11517/2020
& con.cases
Exhibit P14

141

2023:KER:42493

TRUE PHOTOCOPY OF THE HEARING NOTICE DATED
1.10.2021 FIXING THE DATE OF HEARING AS
4.10.2021 ISSUED BY THE 3RD RESPONDENT.

APPENDIX OF WP (C) 1942/2022

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE LETTER OF INTENT ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER DATED 30-09-2019
- Exhibit P2 TRUE COPY OF THE LETTER DATED 28-10-2019 ISSUED BY THE 3RD RESPONDENT TO THE 1ST RESPONDENT
- Exhibit P3 TRUE COPY OF THE NO OBJECTION CERTIFICATE ISSUED BY THE FIRE AND RESCUE SERVICES DATED 16-12-2019
- Exhibit P4 TRUE COPY OF THE CONSENT LETTER DATED 4-12-2019 ISSUED BY THE SECRETARY MANKARA GRAMA PANCHAYAT ALONG WITH THE DECISION OF THE PANCHAYAT COMMITTEE DATED 03-12-2019
- Exhibit P5 TRUE COPY OF THE PETITIONER'S PARTNERSHIP DEED DATED 07-03-2019
- Exhibit P6 TRUE COPY OF THE ORDER BEARING NO PCB/PLKD/ICE/16223747/2021 DATED 10-12-2021 ISSUED BY THE 4TH RESPONDENT
- Exhibit P7 TRUE COPY OF THE CIRCULAR BEARING NO PCB/AQC/18/2004 DATED 09-08-2004 ISSUED BY THE 4TH RESPONDENT
- Exhibit P8 TRUE COPY OF THE CIRCULAR BEARING NO PCB/T4/115/97 DATED 17-03-2017 ISSUED BY THE 4TH RESPONDENT
- Exhibit P9 TRUE COPY OF THE CIRCULAR BEARING NO. PCB/HO/HOW/RULES 9/7/2019 24-02-2020 ISSUED BY THE 4TH RESPONDENT
- Exhibit P10 TRUE COPY OF THE CIRCULAR BEARING NO. PCB/HO/HOW/RULES 9/7/2019 DATED 18-08-2020 ISSUED BY THE 4TH RESPONDENT
- Exhibit P11 TRUE COPY OF THE CIRCULAR BEARING NO PCB/HO/HOW/RULES 9/7/2019 DATED 21-04-2021 ISSUED BY THE 4TH RESPONDENT
- Exhibit P12 TRUE COPY OF THE NOTICE BEARING NO. DCPKD/15264/2019-D3 DATED 16-12-2021 ISSUED BY THE 1ST RESPONDENT
- Exhibit P13 TRUE COPY OF THE WRITTEN EXPLANATION DATED 17-12-2021 SUBMITTED BY THE PETITIONER
- Exhibit P14 TRUE COPY OF THE ORDER BEARING NO DCPKD/15264/2019-D3 DATED 23-12-2021 ISSUED BY THE 2ND RESPONDENT



APPENDIX OF WP (C) 4498/2022

PETITIONER'S EXHIBITS

- Exhibit P1 THE TRUE COPY OF THE REPORT OF THE EXECUTIVE ENGINEER, PWD ROADS DIVISION DATED 20/9/2019.
- Exhibit P2 THE TRUE COPY OF THE REPORT OF THE DISTRICT SUPPLY OFFICER, CIVIL SUPPLIES DEPARTMENT DATED 3/10/2019.
- Exhibit P3 THE TRUE COPY OF THE REPORT OF THE TAHASILDAR, TALUK OFFICE, THIRUVANANTHAPURAM TO THE DISTRICT COLLECTOR THIRUVANANTHAPURAM DATED 24/08/2019.
- Exhibit P4 COPY OF THE CIRCULAR DATED 24.02.2020 OF THE KERALA STATE POLLUTION CONTROL BOARD.
- Exhibit P5 THE TRUE COPY OF THE REPRESENTATION TO THE DISTRICT COLLECTOR, THIRUVANANTHAPURAM DATED 31/1/2022.
- EXHIBIT P6 COPY OF THE REPRESENTATION DATED 14.02.2022 FILED BEFORE THE 4TH RESPONDENT
- EXHIBIT P6(A) COPY OF THE RECEIPT DATED 14.02.2022 ISSUED FROM THE OFFICE OF THE 4TH RESPONDENT



APPENDIX OF WP (C) 7185/2022

PETITIONER'S EXHIBITS

- Exhibit P1 TRUE COPY OF THE LETTER ISSUED BY THE INDIAN OIL CORPORATION TO THE PETITIONER DATED 24.7.2007
- Exhibit P2 TRUE COPY OF THE AGREEMENT FOR DEALER CONTROLLED OUTLET EXECUTED BY THE PETITIONER DATED 30.4.2007 IN FAVOUR OF THE RESPONDENTS
- Exhibit P3 TRUE COPY OF THE LETTER DATED 3.2.2022 ISSUED BY THE 4TH RESPONDENT TO THE PETITIONER'S HUSBAND ALONG WITH DETAILS PERTAINING TO THE 5TH RESPONDENT'S PROPOSED OUTLET
- Exhibit P4 TRUE COPY OF THE CIRCULAR BEARING NO PCB/HO/HOW/RULES 9/7/2019 DATED 24.2.2020
- Exhibit P5 TRUE COPY OF THE COMPLAINT SUBMITTED BY SHAMMI BEFORE THE 4TH RESPONDENT DATED 14.2.2022
- Exhibit P5(A) TRUE COPY OF THE POSTAL ACKNOWLEDGEMENT EVIDENCING RECEIPT OF THE COMPLAINT OF SHAMMI BY THE 4TH RESPONDENT
- Exhibit P6 TRUE COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEFORE THE 4TH RESPONDENT DATED 10.2.2022



KERALA STATE POLLUTION CONTROL BOARD

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004

പട്ടം പി.ഒ., തിരുവനന്തപുരം - 695 004



KSPCB/14/2021-SEE-3

Date: 18/02/2024

CIRCULAR

Sub: - Clarification regarding ensuring of compliance with CPCB OM dated 07/01/2020 for petroleum Retail Outlets - reg..

Ref:- 1) Circular no. KSPCB/383/2023-SEE-3 dated 29/03/2023
 2) Letter no. KSPCB/318/2023-SEE-1 dated 01/06/2023

As per the judgement dated 14.03.2023 in C.A.421/2022, The Hon'ble Supreme Court directed that retail Petroleum Outlets need not obtain consent of the SPCBs. The Apex Court further directed that the SPCBs should ensure that guidelines issued by CPCB as per the order dated 07/01/2020 and order No. B-13011/1/2019-20/AQM10814 dated 18/08/2020 are strictly adhered to and that if there is any breach of the guidelines, the concerned SPCB should proceed against the erring outlet in accordance with law. The above order was communicated vide circular cited 1st.

In the letter dated 01/06/2023 cited 2nd , all officers of the Board were directed to ensure that consent issued to petroleum outlets established after 07/01/2020 adhere to the distance norms of 30 metres / 50 metres from schools, hospitals (10 beds and above) and "residential areas designated as per local laws".

In continuation to the above, it is clarified that wherever residential areas are not designated as per local laws, the siting criteria related to “designated residential areas as per local laws” shall not be applicable.

Sd/-
CHAIRPERSON




NOBY GEORGE
 ENVIRONMENTAL ENGINEER
 KERALA STATE POLLUTION CONTROL BOARD
 REGIONAL OFFICE
 GANDHI NAGAR, KOCHI-682020

To

1. The Chief Environmental Engineer,
Head Office Thiruvananthapuram
Regional Office, Thiruvananthapuram/Ernakulam/Kozhikode.
2. The Senior Environmental Engineer,
District Office. Kottayam
3. The Environmental Engineer, District Office,
Thiruvananthapuram, Kollam, Pathanamthitta, Alapuzha, Idukki,
Ernakulam-1, Ernakulam-2, Environmental Surveillance Centre Eloor .
Thrissur, Palakkad, Malappuram, Kozhikode, Kannur, Wayanad, Kasargod.

Copy to:-

- 1) All Technical Staff in HO
- 2) IT Cell (for uploading in the website)
- 3) C.A to CHN & MS

FORWARDED BY ORDER



SENIOR ENVIRONMENTAL ENGINEER-1



EQ-11099/25/2021-AQM-HO-CPCB-HO

September 16, 2024

OFFICE MEMORANDUM

Sub: Siting criteria for setting up of new petrol pumps- reg.

The Hon'ble NGT vide order dated 01.07.2022 in OA no. 176 of 2020 (SZ): V.B.R. Menon v/s The Commissioner of Police, Tiruchirappalli and Ors. directed CPCB to revisit the siting criteria prescribed in CPCB guidelines dated 07.01.2020 for setting up of new petrol pumps, with respect to cases where no residential areas have been classified in the local laws or where there are non-planning areas under the local laws, and for Commercial Zone/Mixed Zone. The matter was also referred to the Expert Committee, constituted for framing guidelines for setting up of new petrol pumps.

02. Further, the Hon'ble Supreme Court has incorporated the said guidelines in its judgment dated 14.03.2023 in Civil Appeal no. 421 of 2022 and SPCBs/PCCs are required to ensure strict adherence to CPCB guidelines. Thereafter, CPCB had issued an OM directing all SPCBs/PCCs to ensure strict adherence to CPCB guidelines.

03. Considering the views of the Expert Committee, the following is recommended:
- i. SPCBs/PCCs to take up the matter for classification of areas in their State, under the extant Rules/Regulations/Byelaws for implementation of the siting criteria, with State Governments
 - ii. State Govt. to permit setting up of new petrol pumps strictly as per the siting criteria prescribed in local bye-laws (in case of unclassified areas, non-planning areas, mixed zone, commercial zone) and taking into account CPCB guidelines dated 07.01.2020
 - iii. SPCBs/PCCs to ensure implementation of all environment protection and control measures including VRS installation, provision of double containment walls, leakages and spillage detection and control systems, groundwater and soil quality monitoring, etc., as prescribed in CPCB guidelines dated 07.01.2020 and addendum dated 16.08.2021
 - iv. State Govt. to ensure implementation of various safeguards for safety, fire hazard, traffic movement, etc. prescribed by PESO or any other agency designated by the State Government for giving approvals for establishment of petrol pumps, besides additional measures as prescribed by SPCB/PCC.

This issues with the approval of Competent Authority.

(P. Agarwal)
Scientist 'F' and Head
Air Quality Management Division



'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाईट/Website : www.cpcb.nic.in



NOB GEORGE
ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE
GANDHI NAGAR, KOCHI-682020

To:

All SPCBs and PCCs (as per list enclosed) : For necessary action and with a request to circulate the OM to Commissioner of Civil supplies or other similar authorities who look after issues related to petrol pumps at State/UT level and District Collectors/ Commissioners/ Deputy Commissioners

Copy to:

1. PS to Additional Secretary (CP)
Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhawan, Jorbagh Road, New Delhi – 110 003
2. PS to Chairman, CPCB
CPCB, Delhi
3. Joint Secretary (Marketing and Oil refinery)
Ministry of Petroleum & Natural Gas,
Shastri Bhavan, New Delhi – 110001
4. Chief Controller of Explosives
Petroleum and Explosive Safety Organisation (PESO)
A Block, CGO Complex, Fifth floor
Seminary Hills, Nagpur
5. Director- Legal Metrology
Deptt. of Consumer Affairs,
Room No.461-A, Krishi Bhawan,
New Delhi - 110 001
6. Regional Director
Central Pollution Control Board
Regional Directorate
1st & 2nd Floors, Nisarga Bhawan
A-Block, Thimmaiah Main Road
7th D Cross, Shivanagar,
Opp. Pushpanjali Theatre, Bangalore –560 010
7. Regional Director
Central Pollution Control Board
Regional Directorate
Parivesh Bhawan, Paryavaran Parisar,
E-5, Arera Colony,
Bhopal-462016, Madhya Pradesh
8. Regional Director
Central Pollution Control Board
Regional Directorate

‘South end Conclave’ Block-502
5th & 6th Floor, 1582, Razidanga,
Main Road, Kolkata-700107

9. Regional Director
Central Pollution Control Board
Regional Directorate
Ground & First Floor, PICUP Bhawan
Vibhuti Khand, Gomti Nagar
Lucknow – 226 020
10. Regional Director
Central Pollution Control Board
Regional Directorate
"TUM-SIR" Lower Motinagar
Near Fire Brigade H.Q.,
Shillong - 793 014
11. Regional Director
Central Pollution Control Board
Regional Directorate
Parivesh Bhawan
Opp VMC Ward office no 10
Subhanpura, Vadodara – 390 023
12. Regional Director
Central Pollution Control Board,
Regional Directorate,
Survey No. 110, Dhankude Multi-Purpose Hall,
Baner Road, Baner, Pune – 411045
13. Regional Director
Central Pollution Control Board, Regional Directorate,
2nd Floor, 77-A, South Avenue Road,
Ambattur Industrial Estate,
Ambattur Taluk, Thiruvallur Dist.
Chennai-600 058
14. Regional Director
Central Pollution Control Board
Regional Directorate
BSNL Exchange, 2nd Floor
Sector 49-C, Chandigarh
Pin-160047

List of SPCBs/PCCs

1. Andhra Pradesh State Pollution Control Board,
Dr.Y.S.R.Paryavaran Bhavan,
APIIC Colony Road, Gurunanak Colony,
Autonagar, Vijayawada- 520007
2. Arunachal Pradesh State Pollution Control Board,
ParyavaranBhawan, Papu Hill, Yupia Road,
Naharlagun- 791110
3. Assam State Pollution Control Board,
Bamunimaidan, Guwahati, Assam – 781021
4. Bihar State Pollution Control Board,
Parivesh Bhawan, Plot No. NS-B/2 Paliputra Industrial Area,
Patliputra, Patna (Bihar) - 800 023
5. Chhattisgarh Environment Conservation Board,
ParyavasBhavan, North Block Sector-19,
Naya Raipur, Chhattisgarh- 492002
6. Goa State Pollution Control Board,
Nr. Pilerne Industrial Estate,
Opp. Saligao Seminary,
Saligao - Bardez Goa – 403511
7. Gujarat State Pollution Control Board,
Paryavaran Bhavan, Sector 10- A Gandhinagar – 382 043
8. Haryana State Pollution Control Board,
C-11, Sector-6. Panchkula-134109, Haryana
9. Himachal Pradesh State Pollution Control Board,
Him Parivesh, Phase-III, Below BCS,
New Shimla, Himachal Pradesh 171009
10. Jammu & Kashmir State Pollution Control Board,
Shiekh-ul-Campus, behind Govt. Silk Factory,
Raj Bagh, Srinagar(J&K)
11. Jharkhand State Pollution Control Board,
T.A Building, HEC, P.O. Dhurwa, Ranchi – 834004
12. Karnataka State Pollution Control Board,
ParisaraBhavan, 4th & 5th Floor,
49, Church St., Bangalore-560 001
13. Kerala State Pollution Control Board,
Plamoodu Jn., Pattom Palace P.O. Thiruvananthapuram-695 004
14. Madhya Pradesh State Pollution Control Board,

- E-5, Arera Colony, ParyavaranParisar,
Bhopal, Madhya Pradesh- 462 016
15. Maharashtra State Pollution Control Board,
Kalpataru Point, 2nd – 4th Floor Opp. Cine Planet Cinema,
Nr. Sion Circle, Sion (E) Mumbai – 400 022
 16. Manipur State Pollution Control Board,
Lamphelpat, Near Imphal West D.C. Office, Imphal
 17. Meghalaya State Pollution Control Board,
Arden Lumpyngngad Shillong: 793014
 18. Mizoram State Pollution Control Board,
New Secretariat Complex, KhatlaThlanmualPeng,
Khatla, Aizawl, Mizoram: 796001
 19. Nagaland State Pollution Control Board,
Signal Point, Dimapur, Nagaland:797112
 20. Odisha State Pollution Control Board,
A-118, Nilakanta Nagar, Unit –VIII,
Bhubaneshwar – 751012
 21. Punjab State Pollution Control Board,
VatavaranBhawan, Nabha Road, Patiala, Punjab
 22. Rajasthan State Pollution Control Board,
4, Jhalana Institutional Area, JhalanaDoongri,
Jaipur, Rajasthan - 302 004
 23. Sikkim State Pollution Control Board,
Department of Forest, Environment & Wildlife Management Government of Sikkim,
Deorali, Gangtok, -737102
 24. Tamil Nadu State Pollution Control Board,
76, Mount Salai, Guindy, Chennai-600 032
 25. Telangana Pollution Control Board,
ParyavaranBhawan, A-3, I.E. Sanath Nagar,
Hyderabad-500 018
 26. Tripura State Pollution Control Board,
VigyanBhawan Pandit Nehru Complex,
Gorkhabasti, PO: Kunjaban Agartala: 799006
 27. Uttar Pradesh State Pollution Control Board,
Building.No. TC-12V VibhutiKhand,
Gomti Nagar Lucknow-226 010

28. Uttrakhand State Pollution Control Board,
Gaura Devi Bhawan, 46 B IT Park Sahastradhara,
Dehradun, Uttarakhand – 248001
29. West Bengal State Pollution Control Board,
ParibeshBhavan, 10A, Block-L.A.,
Sector III, Bidhan Nagar,
Kolkata - 700 106
30. Delhi Pollution Control Committee,
Government of N.C.T. Delhi 4th Floor,
ISBT Building, Kashmere Gate, Delhi-110006
31. Puducherry Pollution Control Committee,
Housing Board Complex, Anna Nagar, Pondicherry-600 005
32. Chandigarh Pollution Control Committee,
Paryavaran Bhawan, Ground Floor,
Sector-19 B Madhya Marg, Chandigarh
33. Pollution Control Committee, Dadra and Nagar Haveli and Daman and Diu,
1st Floor, Udhog Bhavan Bhenslore,
Dunetha NaniDaman, Daman – 396210
34. Andaman & Nicobar Islands Pollution Control Committee,
Department of Science & Technology,
Dollygunj Van Sadan, Haddo P.O.,
Port Blair – 744102
35. Lakshadweep Pollution Control Committee,
Department of Science, Technology & Environment,
Kavarati-682555
36. Ladakh Pollution Control Committee
Administration of Union Territory of Ladakh

Ph: General: 0471- 2312910, 2318153, 2318154, 2318155
 Chairman: 2318150 Member Secretary: 2318151
 e-mail: chn.kspcb@gov.in; ms.kspcb@gov.in FAX:
 2318152 web: kspcb.kerala.gov.in

**KERALA STATE POLLUTION CONTROL
 BOARD**

കേരള സംസ്ഥാന മലിനീകരണ നിയന്ത്രണ ബോർഡ്

Pattom P.O., Thiruvananthapuram – 695 004
 പട്ടം പി.ഒ, തിരുവനന്തപുരം 695 004



KSPCB/14/2021-SEE-3

Date: 08-01-2025

From

The Chairperson

To

1. The Secretary
 Food, Civil Supplies & Consumer Affairs
 Government Secretariat
 Thiruvananthapuram
2. The District Collector
 District Collectorate, Thiruvananthapuram
3. The District Collector
 District Collectorate, Kollam
4. The District Collector
 District Collectorate, Pathanamthitta
5. The District Collector
 District Collectorate, Alappuzha
6. The District Collector
 District Collectorate, Kottayam
7. The District Collector
 District Collectorate, Idukki
8. The District Collector
 District Collectorate, Ernakulam
9. The District Collector
 District Collectorate, Thrissur
10. The District Collector
 District Collectorate, Palakkad




 NOBY GEORGE
 ENVIRONMENTAL ENGINEER
 KERALA STATE POLLUTION CONTROL BOARD
 REGIONAL OFFICE
 GANDHI NAGAR, KOCHI-682020

11. The District Collector
District Collectorate, Malappuram
12. The District Collector
District Collectorate, Kozhikode
13. The District Collector
District Collectorate, Wayanad
14. The District Collector
District Collectorate, Kannur
15. The District Collector
District Collectorate, Kasaragod

Sub: Siting criteria for setting up of new petrol pumps-Implementation of OM dated 16/09/2024 issued by CPCB reg

Ref: Office Memorandum No.EQ-11099/25/2021-AQM-HO-CPCB-HO 5009 dated 16/09/2024 (copy enclosed)

Sir,

Kind attention is invited the subject matter. A copy of the OM referred is attached. The Central Pollution Control Board has instructed the State Pollution Control Boards to "circulate the OM to Commissioner of Civil supplies or other similar authorities who look after issues related to petrol pumps at State/ UT level and District Collectors/ Commissioners/ Deputy commissioners" .

You are requested to take necessary action to comply with the OM.

Yours Faithfully

Signed by

Sreekala S

CHAIRPERSON

Date: 08-01-2025 15:41:48

Encl: as above




NOBY GEORGE
ENVIRONMENTAL ENGINEER
KERALA STATE POLLUTION CONTROL BOARD
REGIONAL OFFICE
GANDHI NAGAR, KOCHI-682020