

**BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE BENCH, CHENNAI**

**ORIGINAL APPLICATION No. 132 of 2025**

Pennada Ratna Kishore

...Applicant

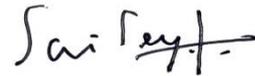
Vs.

1. Union of India  
Rep. by Ministry of Environment, Forest & Climate Change  
And others

... Respondents

**Reply Affidavit filed by MoEF&CC, Respondent No.1**

Dated at Chennai this the 3<sup>rd</sup> day of October 2025.



**Counsel for Respondent-1 (MoEF & CC)**

Name and Address for service:

**Sai Srujan Tayi**  
No. 319 (Old No. 155), Linghi Chetty Street,  
George Town, Chennai – 600 001.  
Contact No: 98414 41438  
Mail ID: [sai@girisai.com](mailto:sai@girisai.com)

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

AT CHENNAI

O.A. No. 132 of 2025 (SZ)

IN THE MATTER OF:

PENNADA RATNA KISHORE

..... APPLICANT

VERSUS

UNION OF INDIA & ORS.

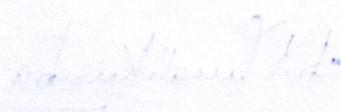
... RESPONDENTS

REPLY AFFIDAVIT ON BEHALF OF MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE, RESPONDENT No. 1.

MOST RESPECTFULLY SHOWETH:

I, Dr. Murali Krishna Chimata working as Scientist-E in the Ministry of Environment, Forest and Climate Change (MoEF&CC), Sub-Office at Vijayawada do hereby solemnly affirm and declare as under:

1. That I am duly authorized by the Ministry of Environment, Forest and Climate Change, Respondent no.1 to swear this affidavit and I am conversant with the facts and circumstances of the present case and am thereby competent to depose as under:
2. That the present application pertains to existing petrol bunks, which have been constructed in close proximity i.e. within a 50 meter radius and as well as the proposal to set up eleven (11) additional petrol bunks at Yanam, allegedly in violation of the CPCB guidelines dated 07.01.2020.

  
Dr. Murali Krishna

3. That the answering Respondent no. 1 is primarily engaged in, *inter alia*, policy formulation for abatement, control and prevention of pollution, prescribing environmental standards, which are implemented through the Central Pollution Control Board (CPCB) and State Pollution Control Boards (SPCBs)/ Pollution Control Committees (PCCs). The SPCBs/PCCs are required to enforce these standards and monitor the compliance by industries.

Besides, the concerned State Pollution Control Boards/ Pollution Control Committees are empowered to take all such measures as are deemed necessary or expedient for the purpose of protection and improving the quality of environment as well as prevention, control and abatement of environmental pollution including issue involve in the instant matter.

4. That, it is respectfully submitted that CPCB vide Office Memorandum (OM) dated 07.01.2020 issued guidelines for distance criteria for new retail outlets of Oil marketing Companies (OMC) in compliance to the order dated 18.01.2019 passed by Hon'ble NGT in OA no. 86/2019.
5. That, it is humbly submitted that as per CPCB guidelines dated 07.01.2020 regarding setting up of new petrol pumps, new petrol pumps/ Retail Outlets (ROs) shall not be located within a radial distance of 50m (from fill point/ dispensing unit vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential areas designated as per the local laws. The guidelines further insist at least 30m distance criteria between new petrol

Ch. P. Venkatesh Krishna

pump/RO (from fill point/ dispensing unit vent pipe whichever is nearest) and schools/ hospitals (10 beds and above) residential areas designated by local laws.

6. That, it is respectfully submitted that CPCB vide OM dated 29.01.2021, clarified that the siting criteria will not apply to those cases where prior clearance/initial approval has been obtained from PESO and subsequently construction has been started by the OMC before 07.01.2020.

7. That, it is humbly submitted that CPCB has also issued an OM dated 16.06.2023, vide which it has directed all the SPCBs and PCCs to ensure that CPCB guidelines are strictly adhered to in compliance to order dated 14.03.2023 passed by Hon'ble Supreme Court in Civil Appeal No. 421 of 2022 (Indian Oil Corporation V/s V.B.R Menon & Ors).

8. It is submitted that, CPCB vide OM dated 16.09.2024 had recommended SPCBs/PCCs and State Govt. to ensure implementation of the siting criteria, all environmental protection, control and safety measures in compliance to order dated 01.07.2022 passed by Hon'ble NGT in OA no. 176/2020 (SZ) (V.B.R. Menon vs. The Commissioner of Police, Trichuppalli & Ors.). The said OM was circulated to all SPCBs/PCCs for necessary action and with a request to circulate the OM to Commission of Civil supplies or other similar authorities who look after related to petrol pump at State/UT level and District Collectors/ Commissioner/ Deputy Commissioner.

Ch. P. K. Krishna

9. It is further submitted that SPCB being a regulatory authority is required to take action for ensuring compliance of CPCB guideline.

10. In view of the foregoing submission, it is humbly prayed that the Hon'ble Tribunal may kindly pass such order(s) as may deemed fit and proper in the facts and circumstances of this case.

*Ch. P. Murali Krishna*  
DEPONENT

.. मुरली कृष्ण चिमटा/Dr. Murali Krishna Chimata  
वैज्ञानिक "ई"/Scientist "E"  
भारत सरकार/Government of India  
पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय  
Ministry of Environment, Forest and Climate Change  
उप-कार्यालय, विजयवाडा-520 010  
Sub-Office, Vijayawada-520 010

VERIFICATION:

Verified at Vijayawada on this 29<sup>th</sup> day of September, 2025 that the contents of this reply affidavit based on official record(s) maintained and information available in the office are correct to my knowledge and belief. No part of it is false and nothing has been concealed there from.

*Ch. P. Murali Krishna*  
DEPONENT

.. मुरली कृष्ण चिमटा/Dr. Murali Krishna Chimata  
वैज्ञानिक "ई"/Scientist "E"  
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