

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

APPLICATION NO. 118 OF 2021 (SZ)

IN THE MATTER OF:

D. Sakthivel

... Applicant

Versus

The District Collector, Erode & Ors.

...Respondents

**REPLY AFFIDAVIT ON BEHALF OF THE 8th RESPONDENT, CENTRAL
POLLUTION CONTROL BOARD (CPCB)**

I, Smt. H. D. Varalaxmi, D/o Shri H.S. Devaiah, Hindu, aged about 51 years and having office at the Regional Directorate – Chennai, Central Pollution Control Board, 2nd Floor, 77-A, Ambattur Industrial Estate, Chennai – 600 058, do hereby solemnly affirm and sincerely state as follows: -

1. I most respectfully submit that I am working as Scientist 'E' in the Central Pollution Control Board (CPCB) and I am well conversant with the facts of the application from the records maintained by the offices of the CPCB. I am competent to swear this independent response on behalf of the CPCB. That I have carefully perused a copy of the original application served on the CPCB and have understood the contents therein.
2. I most respectfully submit that I have read and understood the contents of the present Reply Affidavit. The contents thereof are true and correct and nothing material has been concealed there from.
3. Hon'ble NGT (SZ), Chennai order dt. 09.06.2021 constituted a joint committee consisting of *District Collector, Erode, or senior officer not below rank of*



H.D. Varalaxmi
H.D. VARALAXMI, M.Tech
Regional Director
CENTRAL POLLUTION CONTROL BOARD
Ministry of Environment & Climate Change, Govt. of India
Regional Directorate (Chennai)
2nd Floor, 77-A, South Avenue Road,
Ambattur Industrial Estate, Chennai - 600 058

Additional Collector or Sub divisional magistrate to be designated by the District Collector, a Senior officer from TNPCB and designated by its Chairman and a Senior officer from CPCB, RD Chennai to inspect the area in question and submit a factual as well as action taken report if there is any violation found.

4. I most respectfully submit that the joint committee inspected the area on 09.07.2021 and filed the report in the Hon'ble Tribunal. The copy of the joint committee report enclosed as Annexure -1, which may be treated as a part and parcel of this Affidavit. The committee conclusion is given below;

1. *The Retail Outlet M/s. Sri Senthil Murugan Fuels located at Survey No. 27/2, Sathy Main Road, Periyasemur Village, Mamarathupalayam, Erode District has obtained all mandatory licenses/NOCs from PESO, District Revenue Officer, Erode District, BPCL, Coimbatore, Department of Fire and Rescue Services, Erode District & Superintendent of Police, Erode.*

2. *M/s. Erode Hindu Kalvi Nilayam Matriculation Higher Secondary School is located at a distance of 36 mts. from the nearest fuel dispensing point which is within 30 to 50 mts. as prescribed in the CPCB Guidelines. Whereas, PESO & BPCL has not mentioned any specific additional safety measures in the approval as given in CPCB guidelines 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.*

3. *The Retail Outlet is in the process of providing Automatic Leak Detection System (ALDS) for two Underground Fuel Storage Tanks. The unit has assured to provide the ALDS in a week's time.*

5. It is submitted that CPCB guidelines for setting up of petrol pumps shall be complied.



H.D. Varalaxmi
H.D. VARALAXMI, M. Tech
 Regional Director
 CENTRAL POLLUTION CONTROL BOARD
 (MOEF & CC, Govt. of India)
 Regional Directorate (Chennai)
 2nd Floor, 77-A, South Avenue Road,
 Sindoor Industrial Estate, Chennai - 600 052

PRAYER

In light of the above submissions, it is respectfully prayed that this answering Respondent No.8, the Central Pollution Control Board shall abide by any order/ direction passed by Hon'ble Tribunal.


DEPONENT
H.D. VARALAXMI, M. Tech
Regional Director
CENTRAL POLLUTION CONTROL BOARD
(MoEF & CC, Govt. of India)
Regional Directorate (Chennai)
2nd Floor, 77-A, South Avenue Road,
Sribalur Industrial Estate, Chennai - 600 052

VERIFICATION

I, Smt. H. D. Varalaxmi, D/o Shri H.S. Devaiah, working as Scientist 'E' and posted as Regional Director (Chennai), Central Pollution Control Board, 8th Respondent herein do hereby state that above are true to the best of my knowledge, belief and information.

Verified at Chennai on this 27th day of August, 2021.




DEPONENT
H.D. VARALAXMI, M. Tech
Regional Director
CENTRAL POLLUTION CONTROL BOARD
(MoEF & CC, Govt. of India)
Regional Directorate (Chennai)
2nd Floor, 77-A, South Avenue Road,
Sribalur Industrial Estate, Chennai - 600 052



TAMILNADU POLLUTION CONTROL BOARD



Plastic pollution
free Tamilnadu

From

G. Udhayakumar, M.E. M.Tech.,
District Environmental Engineer (a/c),
Tamilnadu Pollution Control Board,
Plot No. 815, SIDCO Industrial Estate,
Kalyanasundaram Street,
Chennimalai Road, Erode – 638 009.

To

The Member Secretary,
Tamil Nadu Pollution Control Board,
76, Mount Salai,
Guindy,
Chennai – 600032.

Letter No.: DEE/TNPCB/F.NGT(SZ) in O. A. No. 118 of 2021/2021 Dated: 12.07.2021

Sir,

Sub: TNPCB – Hon'ble NGT (SZ), Chennai in O. A. No. 118 of 2021 filed by Thiru. D. Sakthivel, Erode against the District Collector, Erode & Others in the matter of establishment of Road - Side Petroleum Retail Outlet on Sathy - Erode Main Road in Survey No. 27/2, Periyasemur Village, Erode District – Joint Committee Report Submitted - Regarding.

Ref: Board's Proc. No. TNPCB/LAW/LAIII/NGT/011987/2021, Dated: 25.06.2021

With reference to the Board's Proceeding cited above, I submit to state that Hon'ble National Green Tribunal, Southern Zone in its Order Dated: 09.06.2021 in O. A. No. 118 of 2021 has appointed Joint Committee with Tamil Nadu Pollution Control Board as Nodal Agency and directed to submit the Joint Committee Report to this Tribunal on or before 14.07.2021.

In this connection, the Joint Committee Report is submitted for favour of kind information and necessary further action please.


 District Environmental Engineer (a/c)
 Tamil Nadu Pollution Control Board
 Erode


Let us join hands to Beat Plastic Pollution!!!



Joint Committee Report submitted to Hon'ble National Green Tribunal (SZ) in connection with O. A. No. 118 of 2021 (SZ) & I. A. No. 83 & 84 of 2021 (SZ) filed by Thiru. D. Sakthivel, Periyasemur Village, Erode District

Thiru. D. Sakthivel, S/o. Devaraj, No. 23, Main Road, Pavai Thanneerpandal Palayam, Periyasemur Village, Erode District has filed an Original Application No. 118 of 2021 (SZ) in the Hon'ble National Green Tribunal (Southern Zone). The District Collector, Erode & 7 Others are the respondents in this case. The petitioner has also filed I. A. No. 83 of 2021 & 84 of 2021 with the prayers to delete 6th respondent and implead the Chairman, TNPCB, Chennai & Regional Directorate, Central Pollution Control Board as Parties. Accordingly, The Chairman, TNPCB, Chennai & Regional Director, Regional Directorate (South), Central Pollution Control Board (CPCB), Chennai were included as 7th and 8th respondents. Consequently, I. A. No. 83/2021 & I. A. No. 84/2021 was disposed off.

The O. A. No. 118 of 2021 is filed with a prayer to permanently injunct the 6th respondent from operating the New Road Side Bharat Petroleum Corporation Limited Retail Outlet on Sathy - Erode Main Road, in Survey No. 27/2, Periyasemur Village, Erode District citing various reasons.

In this connection, Hon'ble National Green Tribunal (SZ), in its Order Dated: 09.06.2021 in O. A. No. 118 of 2021 (SZ) has appointed a Joint Committee comprising of (i) The District Collector, Erode District or a Senior Officer not below the rank of Assistant Collector or Sub Divisional Magistrate to be designated by the District Collector, (ii) a Senior Officer from Tamil Nadu Pollution Control Board (TNPCB) and designated by its Chairman and (iii) a Senior Officer from the Central Pollution Control Board (CPCB), Integrated Regional Office, Chennai to inspect the area in question and submit a factual as well as action taken report if there is any violation found.

The Hon'ble NGT (SZ) has directed the Committee to ascertain as to whether:

- i. The Siting Criteria has been strictly adhered to in establishment of the Petroleum Retail Outlet in question.
- ii. There are any residential houses, public offices, like Ankanvadi or any water body is situated within the prohibited distance,
- iii. Whether necessary permission and consent have been obtained by them for this purpose from Tamil Nadu Pollution Control Board (TNPCB)
- iv. If there is any violations found, what is the proposed action to be taken in this regard.

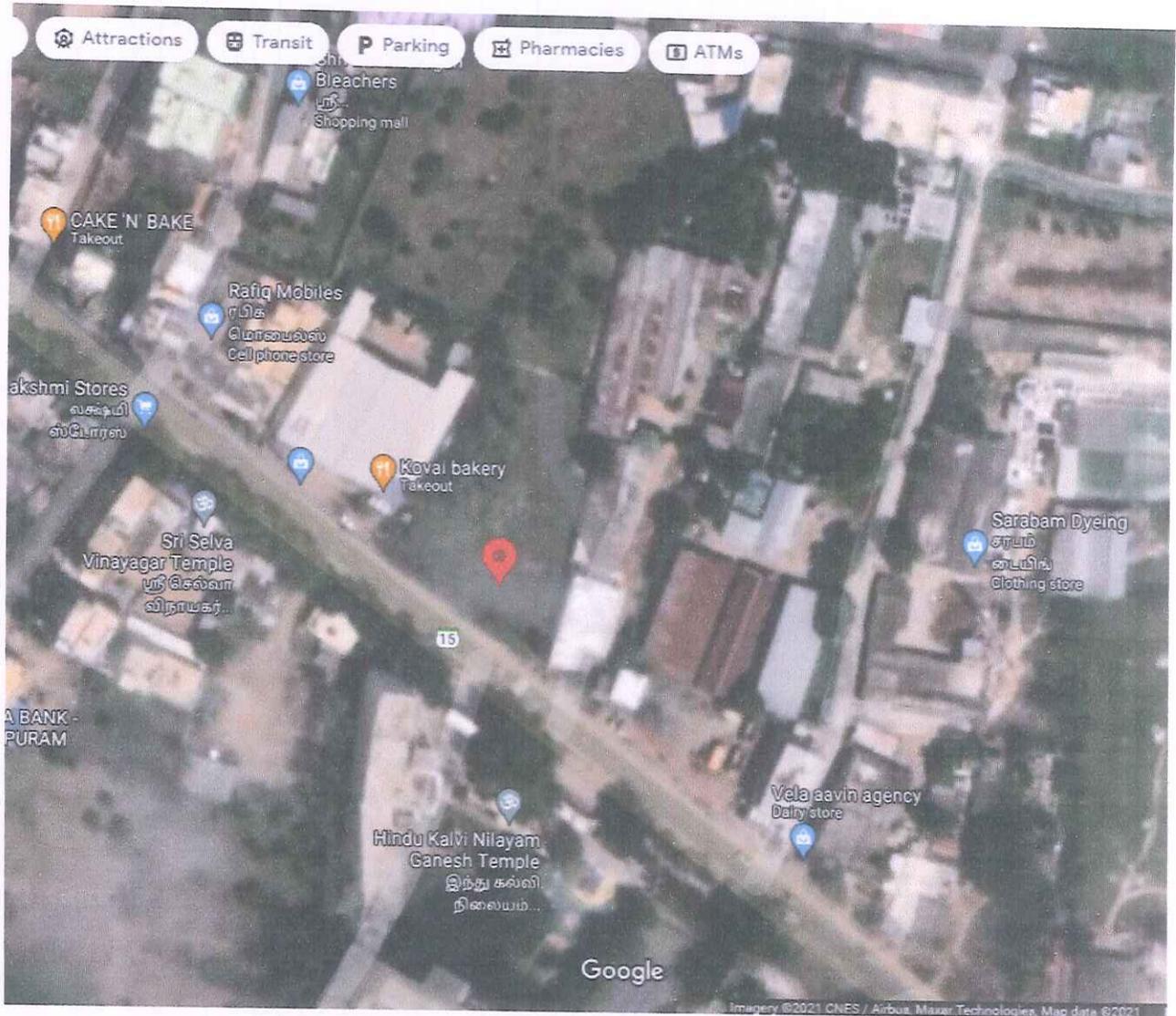
The Hon'ble NGT (SZ) has also directed the Committee to file a sketch showing the proposed Retail Petrol Pump and the nearest house, school or water body etc., as alleged in the application. The Tamil Nadu Pollution Control Board (TNPCB) has been nominated as the Nodal Agency for co-ordination and also for providing necessary logistics for this purpose.

In this regard, The District Collector, Erode District has nominated the Revenue Divisional Officer, Erode as a Member of the Joint Committee. The Chairman, Tamil Nadu Pollution Control Board, Chennai has nominated the District Environmental Engineer, Tamil Nadu Pollution Control Board, Erode as the Nodal Officer of the Joint Committee. The Regional Director, Regional Directorate, CPCB, Chennai has nominated Thiru. R. Rajkumar, Scientist - D, Central Pollution Control Board as a member of the Joint Committee.

Accordingly, the Joint Committee comprising i) Selvi. P. Premalatha, Revenue Divisional Officer, Erode ii) Thiru. G. Udhayakumar, District Environmental Engineer (a/c), Tamil Nadu Pollution Control Board, Erode and iii) Thiru. R. Rajkumar, Scientist - D, Central Pollution Control Board, Chennai have inspected the BPCL Retail Petrol Pump Outlet on 09.07.2021. The Report of the Joint Committee is submitted as below.

1. The Petroleum Retail Outlet of BPCL is functioning in the name of M/s. Sri Senthil Murugan Fuels at Survey No. 27/2, Sathy Main Road, Periyasemur Village, Mamarathupalayam, Erode District. This retail outlet is owned by Thiru. P. Senthilkumar. The Retail Outlet was commissioned on 05.04.2021.
2. Tmt. T. K. Punitha, W/o. C. Thambivelayutham residing at 104/3, Sathy Road, Mamarathupalayam, Periyasemur Village, Erode Taluk & District has given a land measuring 43 cents at S. F. No. 27/2, Periyasemur Village, Erode Taluk, Erode on rental lease basis to Thiru. P. Senthilkumar, S/o. Palanisamy, No. 36, Ellapalayam Road, Periyasemur, Erode Taluk & District for a period of 25 Years vide lease cum rental agreement vide Document No. 89/2020 Dated: 10.01.2020 registered at Sub Registrar Office, Surampatti, Erode.
3. The Territory Manager (Retail), Coimbatore Bharat Petroleum Corporation Limited (BPCL) has offered a MS/HSD Retail Outlet Dealership located at S. F. No. 27/2, Periyasemur Village, Erode Taluk, Erode District on SH 15 between Erode & Chithode vide Letter Dated: 04.01.2020. (Copy Enclosed as Annexure I).
4. The District Officer, Fire and Rescue Services, Erode District has issued NOC for constructing buildings in the proposed land for setting up a retail outlet of Petroleum Products vide K. Dis. 381/E/2021 Order No. 250(3) Dated: 20.01.2021.
5. The Superintendent of Police, Erode District, in his report has clearly stated that due to the above development in the proposed land there is no hindrance/obstacle for Traffic and Public movement vide Ref. No. G2/1340/12/2021 dated: 15.02.2021.
6. The Additional District Magistrate and District Revenue Officer, Erode District has issued No Objection Certificate for granting license under the Petroleum Rules, 2002 to M/s. Bharat Petroleum Corporation Limited for the storage of Petroleum Products (i.e) 20 KL of Class A and 20 KL of Class B in the premises at S. F. No. 27/2, Periyasemur Village, Erode Taluk, Erode District vide Letter No. R. No. 1060/2021/C-4 Dated: 26.02.2021. (Copy Enclosed as Annexure II).

7. The Joint Chief Controller of Explosives South Circle Office, Chennai has granted license for the Storage of Petroleum Class A in bulk – 20 KL and Petroleum Class B in bulk – 20 KL vide License No. P/SC/TN/14/9380 (P495111) Dated: 30.03.2021 with validity upto 31.12.2021. (Copy Enclosed as Annexure III).



TOPO SKETCH : M/s. Sri Senthil Murugesu Fuels BPL Retail Outlets

Not to scale

Vacant land
 Vacant land
 owned by Mr. T.K. Prinsaha



- T₁ - Storage Tank 1
- T₂ - Storage Tank 2
- F₁ - Fuel Dispensing Point 1
- F₂ - Fuel Dispensing Point 2

Details of Compliance of Siting Criteria

It is submitted that the CPCB vide Office Memorandum No. B-13011/2019-20/AQM/10809 Dated: 07/01/2020 has issued guidelines for setting up new petrol pump in compliance of the Hon'ble NGT Order Dated: 18/01/2019 in O. A. No. 86/2019: Gayanprakash @ Pappu Singh Vs GOI & Ors as below:

- i. "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 this regard, the following is submitted

1. The Site of the Retail Outlet is surrounded by the following Topography (Topo Sketch is enclosed Annexure IV)

North Side – Adjoining Vacant land owned by Tmt. T. K. Punitha

South Side – Erode to Sathyamangalam Road (SH 15) having the retail outlet on the northern side & the entrance gate/compound wall of Erode Hindu Kalvi Nilayam Matriculation Higher Secondary School on the southern side of the Road **at a distance of 36 mts. from the nearest fuel dispensing point.** However, the unit has provided the safety measures as detailed below in point no. 2.

East Side – Tea Shop, Adjoining Godown, Residence & Vacant Land

West Side – Mud Road, A Small Odai/drain for carrying Storm Water at a distance of 17 mts. from the Fuel Dispensing Point

The latitude and longitude of the Retail Outlet are submitted as below: 11°22'36 N; 77°41'06 E.

2. The Retail Outlet has provided the following:

- i. 2 Nos. of Underground Storage Tanks - 20 KL Capacity each (One for Diesel and Other for Petrol Storage)
- ii. 2 Nos. of Fuel Dispensing Equipment & Fire Fighting Equipment
- iii. Auto Cut Off Nozzles to shut dispensing of fuel, if its level in customer tank reaches full capacity.
- iv. Breakaways for all the hoses of the dispensing units to reduce spillage in the event of customer vehicles move away with nozzle still in the fuelling position.
- v. Single Plane Swivel with breakaway coupling to avoid fall off accidentally.
- vi. Shear Valve to cut off fuel flow, upon accidental knocking of dispensing unit from its position.
- vii. Mechanical Leak Detectors – 2 Nos. for leak detection purpose in Submersible Turbine Pumps.
- viii. Emergency Stop Button each in Diesel Fuel Dispensing Unit and Petrol Fuel Dispensing Unit.

(Note: The signed copy of Thiru. P. Senthilkumar, Retail Outlet Owner with details of safety measures provided in the Retail Outlet is enclosed vide Annexure V)

3. Details of residential houses, public offices like Ankanvadi or water body

- a. On the eastern side of the Retail Outlet, One residential house, Godown and a piece of vacant land are located abutting the Retail Outlet.
- b. There is no public offices in the close vicinity of the Retail Outlet.
- c. M/s. Erode Hindu Kalvi Nilayam Matriculation Higher Secondary School is located on the southern side of the Retail Outlet at a distance of 36 mts. from the nearest fuel dispensing point. The school and the retail outlet are separated by State Highway-15 connecting Erode – Sathyamangalam.
- d. A Small road side Odai/drain is located on the western side of the Retail Outlet after a small piece of vacant land. This is a storm water drain and carries domestic sewage from nearby residential areas. This is not an irrigation canal or a drinking water source.

4. Status of TNPCB's Consent

As per the Categorization of Industries vide B. P. Ms. No. 37 dated 1.6.2013, Automobile Fuel Outlet (only dispensing) was categorized as Green Category vide Sl. No. 605. However, as per the B. P. Ms. No. 6 dated 2.8.2016, B. P. No. 66 Dt. 30.11.2017, B. P. No. 26, dt. 30.07.2018, Automobile Fuel Outlet (only dispensing) is not included in the revised categorization of industries by TNPCB.

However, as per CPCB Advisory for all SPCBs/ PCCs, the Automobile Fuel Outlets (Only dispensing) facility is exempted from the purview of Consent Management".

Advisory regarding exemption to Retail Outlets from obtaining Consent

Number of representations have been received by Government indicating that SPCBs/ PCCs are insisting to get consent for setting up of new Retail Outlets. As per CPCB Document on 'Revised Classification of Industrial Sectors Under Red, Orange, Green and White Categories' dated February 29, 2016, Automobile fuel outlets (only dispensing) have been kept in separate category and may be exempted from the purview of Consent management in view of minor air pollution due to some fugitive emissions during fuel filling operations.

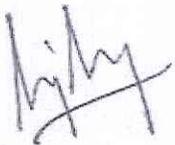
Further, as per Guidelines prepared by CPCB and MoPNG for 'Setting up of Petrol Pumps', all new retail outlets set up with sale potential of 300KL MS per month in cities with population more than 1 lakh, and, with sale potential of 100 KL MS per month in cities having population more than 10 lakh will be required to install Vapour Recovery System (VRS). Accordingly, the Retail Outlets may be exempted from obtaining consent from SPCBs/ PCCs.

Conclusive Remarks of the Joint Committee:

1. The Retail Outlet M/s. Sri Senthil Murugan Fuels located at Survey No. 27/2, Sathy Main Road, Periyasemur Village, Mamarathupalayam, Erode District has obtained all mandatory licenses/NOCs from PESO, District Revenue Officer, Erode District, BPCL, Coimbatore, Department of Fire and Rescue Services, Erode District & Superintendent of Police, Erode.
2. M/s. Erode Hindu Kalvi Nilayam Matriculation Higher Secondary School is located at a distance of 36 mts. from the nearest fuel dispensing point which is within 30 to 50 mts. as prescribed in the CPCB Guidelines. Whereas, PESO & BPCL has not mentioned any specific additional safety measures in the approval as given in the CPCB guidelines *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.*
3. The Retail Outlet is in the process of providing Automatic Leak Detection System (ALDS) for two Underground Fuel Storage Tanks. The unit has assured to provide the ALDS in a week's time.

Enclosures:

1. Copy of BPCL Dealership Agreement Dt. 04.01.2020 (Annexure I)
2. Copy of NOC issued by District Revenue Officer, Erode Dt. 26.02.2021 (Annexure II)
3. Copy of license issued by Joint Chief Controller of Explosives South Circle Office, Chennai Dt. 30.03.2021 (Annexure III)
4. Topo Sketch showing the location of Retail Outlet (Annexure – IV)
5. Signed copy of Thiru. P. Senthilkumar, Retail Outlet Owner with details of safety measures provided (Annexure – V)
6. Photographs showing the location of Retail Outlet & Safety measures provided (Annexure – VI)



R. Rajkumar
Scientist - D, CPCB
Chennai



District Environmental Engineer (a/c)
Tamil Nadu Pollution Control Board
Erode



Revenue Divisional Officer
Erode

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data.

In addition, the document highlights the need for regular audits. By conducting periodic reviews, any discrepancies or errors can be identified and corrected promptly. This proactive approach helps in maintaining the integrity of the financial information.

Furthermore, it is noted that clear communication is essential. All stakeholders involved in the process should be kept informed of the current status and any changes that may affect their interests. This fosters a collaborative environment and reduces the risk of misunderstandings.

Finally, the document concludes by stating that adherence to these guidelines is crucial for the success of the organization. It serves as a reminder to always prioritize accuracy and accountability in all financial dealings.

The second section of the document provides a detailed overview of the reporting requirements. It outlines the specific formats and deadlines for submitting reports to the relevant authorities. This ensures that all necessary information is provided in a timely and organized manner.

It also discusses the importance of data security. All sensitive information must be stored securely and accessed only by authorized personnel. Implementing robust security measures helps in protecting the organization's assets and maintaining the trust of its stakeholders.

Moreover, the document mentions the need for ongoing training and development. Employees should be kept up-to-date with the latest regulations and best practices in the field. This continuous learning process is vital for staying compliant and efficient.

In summary, this section serves as a comprehensive guide for navigating the complex landscape of reporting and compliance. It provides the necessary tools and knowledge to ensure that the organization meets all its obligations and operates with the highest standards of integrity.

The final part of the document addresses the role of technology in modern financial management. It explores how digital tools and software can streamline processes, reduce manual errors, and provide real-time insights into the organization's financial health.

It is stressed that while technology offers significant advantages, it must be implemented carefully. A thorough assessment of the organization's needs and a selection of reliable, secure solutions are key to successful digital transformation.

Additionally, the document notes that human oversight remains indispensable. Technology should be used to enhance human capabilities, not to replace them. Regular monitoring and validation of the system's output are necessary to ensure accuracy.

Overall, this section provides a forward-looking perspective on the future of financial management. It encourages organizations to embrace innovation while maintaining a strong foundation of sound financial practices.

CBE.TO.NRO.Mamarathupalayam

04/01/2020

To,

Mr. Senthilkumar P,
S/o Mr. Palanisamy,
36, Ellapalayam Road,
Periyasemur – 638004
Erode District
Mob. No.9842735959

Dear Sir, / Madam.

Subject: Proposed MS/HSD Retail Outlet Dealership at Location: On SH15, Between Erode & Chithode (On Either Side), District: Erode, State: Tamil Nadu Category: OBC – Regular DC

We refer to our advertisement dated 25.11.2018 and your application form No 15452221210873 for the award of MS/HSD Retail Outlet dealership at the above location.

Please be informed that by this Letter of Intent, we propose to offer you a Retail outlet dealership of **Bharat Petroleum Corporation Limited** at the above location on the following terms & conditions:-

1. You have offered a suitable piece of land admeasuring .35 Metres approx.(frontage) X 35 Metres (depth) at Survey No.27/2,Mamarthupalayam, Periyasemur Village, as indicated by you in the application for the development of the subject Retail Outlet. You have to make available this land within 2 months from the date of this letter failing which this offer is liable to be withdrawn. (For Group 1)
2. For making the land available as required above, you will ensure that the land arranged by you is either registered in your name or it should be leased to you for a minimum period of 19 years 11 months.
3. As and when advised by the Corporation, the site offered by you would be duly developed up to the road level by cutting/filling (as applicable), with good earth/murrum, layer-wise compacted as per standard engineering practices. You shall also construct necessary Retaining wall and compound wall of 1.5 meters height, designed as per site conditions as per approval of Corporation as committed under Clause 12 (e) of affidavit submitted by you along with application. Kindly note that in case the site as offered by you for putting up the Retail Outlet is not developed as per the advice of the Corporation, this Letter of Intent will be withdrawn without any further notice.
4. You will provide at the retail outlet infrastructural facilities like Driveway, Sales Office, Showroom, Store, Toilet, Generator, Compressor, with room, electrical connection up to the sales building, Yard lighting, water connection / bore well and staff room as mentioned in the Brochure and after obtaining necessary clearances / approvals / licenses as applicable in each case.



5. In addition, you will also provide the following basic facilities at your cost at the Retail Outlet premises:-
 - a. Clean drinking water.
 - b. Free Air.
 - c. Clean toilet.
 - d. Telephone.
 - e. First aid kit with valid medicines.
 - f. Adequate illumination.
 - g. PUC facilities, wherever it is mandatory.
 - h. Other facilities as may be specified by the Corporation from time to time.
6. Additional facilities (site specific) like Canopy, Service Station or any other facility as may be decided by **Bharat Petroleum Corporation Limited** from time to time would also be required to be developed by you.
7. **Bharat Petroleum Corporation Limited** will provide storage tanks and pumps and other facilities considered necessary at the Retail Outlets.
8. For the facilities that may be provided by the Corporation as aforesaid, you will be required to pay license fee as may be decided by the Corporation and applicable to you from time to time. At present, the license fee (incl. GST) recoverable is Rs.233.45/KL for MS and Rs.194.54/KL for HSD.
9. The corporation will not be held liable for any loss or damage on account of delay that may be caused in providing you the facilities mentioned above whatever may be the cause of the failure or delay.
10. You will ensure all financial and other arrangements for operating the retail outlet dealership. In case it is found that the funds stated in the application for the purpose of setting up and operation of the dealership are not made available as and when required, this LOI can be withdrawn and you will have no claim/damages whatsoever against the Oil company.
11. You shall not induct any partner(s) in case of individual (s) nor make any changes in the constitution of the partners as existing at the time of application without approval of the Company, except your spouse as per terms and conditions of **Bharat Petroleum Corporation Limited**.
12. It will always be a basic condition for the award of MS / HSD retail outlet dealership that you shall be paying attention towards day to day working of the dealership by personally managing the affairs of the dealership you will give us a written undertaking to this effect and shall not assign or part with the same to any other person (s).

You will not be eligible for taking up any employment. If you are already employed you will have to resign from the employment and produce the letter of acceptance of resignation by the employer-before the issuance of Letter of Appointment by the Oil Company.

13. You will deposit with us a Demand Draft for Rs.3,60,000/- (Rupees Three Lakhs Sixty Thousand only) drawn on any scheduled Bank in favour of **Bharat Petroleum Corporation Limited** payable at **Coimbatore** towards security Deposit (after setting of the Initial Security Deposit amount)at the time of issuance of appointment letter after compliance of all the requirements of LOI. Kindly note that the Security deposit



will not carry any interest and is refundable at the time of expiry of agreement between you and the Corporation. However, if such expiry of agreement is consequent to proven adulteration/malpractice at the dealership, this amount will be forfeited. Moreover, this Corporation reserves its right to adjust this amount towards any dues to it.

14. You will also remit an amount of Rs.15,00,000/- (Rupees Fifteen Lakhs only) towards Non-refundable Fixed fee, by way of a Demand Draft for Rs.15,00,000/-drawn on any scheduled Bank in favour of **Bharat Petroleum Corporation Limited**, payable at **Coimbatore** within 15 days of receipt of NOC.
15. You will be notified by the corporation, in writing, after the facilities mentioned above are made available and are ready for commissioning the dealership. Immediately on receipt of the above notice from the corporation, you shall obtain each and every license necessary for operating your dealership as may be required under any central / state govt. / municipal or local authorities for the time being in force.
16. If we find that the progress made by you towards the above is not to our satisfaction, this offer is liable to be withdrawn.
17. Please note that you are required to fulfill the conditions with regard to inducting Spouse as Co-owner in the dealership before issuance of Letter of Appointment.
18. This letter of intent will stand automatically withdrawn and cancelled on the happening of any of the following events:-
 - a) In case you or any of your family members (as defined under disqualification criteria of dealer selection guidelines) receive anytime or have received a letter of intent for any other "A/CC" site RO dealership or LPG distributorship from our company or any other oil marketing company either in your individual capacity or in partnership with any other individual(s).
 - b) In case you or any of your family member gets inducted as partner or proprietor in "A/CC" site RO dealership or LPG distributorship of our company or any other oil marketing company.
 - c) If it is found that you have suppressed and / or misrepresented any material facts in your application.
 - d) In case you are found to be convicted for any criminal / economic offence involving moral turpitude.
 - e) In the event of death if you are an individual/partner.
19. In case you are not able to provide the land / develop facilities within the specified time or fail to fulfill the terms & conditions of LOI, then LOI can be withdrawn. In such situations Initial Security Deposit (ISD) would be forfeited.

The Initial Security Deposit (ISD) would also be forfeited if you are unable to submit the Total bidding amount within the stipulated time or withdraw for any reason, your selection would be treated as cancelled and LOI withdrawn.

The LOI would also be withdrawn and selection cancelled, if you are unable to submit the Non-refundable fixed fee within the stipulated time. In such situations Initial Security Deposit (ISD) would be forfeited.

20. You will not sell/lease/mortgage the said land to any third party without **Bharat Petroleum Corporation Limited's** permission in writing, so long as the agreement (DPSL) is valid and **Bharat Petroleum Corporation Limited's** facilities continue at the site.
21. In case of termination of / resignation from the dealership, within 3 months of Disassociation from **Bharat Petroleum Corporation Limited**, you will execute a lease or will sub lease the land together with structures thereon to the company if the company so desires, for a period not exceeding 30 years at normal yearly rental (excluding Municipal Taxes) which shall not be more than 10 % of the then prevailing market value of the land and the structures standing thereon.
22. This letter is merely a letter of intent and is not to be construed as a 'firm offer' of Dealership to you. The dealership will be allotted to you on your complying with the terms and conditions spelt out herein above by issuance of appointment letter along with signing of our standard dealership agreement between you and us.
23. This allotment would be liable for cancellation in the event of adverse decision in the proceedings (Please specify the proceeding) pending against the dealership / distributorship held by you/member(s) of your family unit (as defined in the Dealership Selection Guidelines) under critical/major irregularities for violation of Marketing Discipline Guidelines / Dealership Agreement, Control Orders or ESMA. You will not be entitled for any claim, damages, etc. in case of cancellation of allotment in such an eventuality. (This clause is applicable for those dealerships/distributorships against whom proceedings are pending as confirmed in the application)

Should you require any further details / guidelines, please get in touch with our office at the address mentioned below:

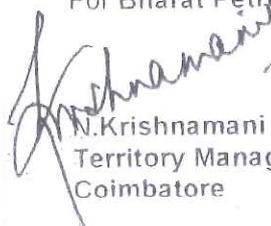
Territory Manager (Retail),
Bharat Petroleum Corporation Limited
Irugur TOP Installation,
Ravathur Post,
Irugur (Via),
Coimbatore – 641 103

Note : You have one time option to offer alternate land meeting all specifications in the advertised location/stretch within 90 days of this LOI provided you have not availed such opportunity of providing alternate land after FVC.

Please acknowledge receipt of this letter.

Thanking you.

Yours faithfully
For Bharat Petroleum Corporation Limited


N. Krishnamani
Territory Manager (Retail)
Coimbatore

District Collector's Office,
Erode.

R.No.1060/2021/C4

Date:26.02.2021.

NO OBJECTION CERTIFICATE

[See rule 144]

With reference to the application dated 11.01.2021 submitted by **M/s.BHARAT PETROLEUM CORPORATION LIMITED** and in pursuance of Rule 144 of the Petroleum Rules 2002, there is no objection for granting licence under the petroleum Rules 2002, to **M/s.BHARAT PETROLEUM CORPORATION LIMITED** for the storage of petroleum products (i.e) 20 KL of Class A and 20 KL of Class B in the premises at **S.F.No.27/2 , Periyasemur Village, Erode Taluk, Erode District** in Tamil Nadu State as shown in the site plan duly endorsed and enclosed herewith.

1. The following particulars have been verified / considered while issuing this no objection certificate , namely:-
 - a). The lawful possession of the site by the applicant including authorization from land owner or lease holder for developing premises under these rules for storage of petroleum products.
 - b). Interest of public, specially the offsite facilities like school, hospitals or proximity to places of public assembly and the mitigating measures, if any, provided.
 - c). Traffic density and impact on traffic.
 - d). Conformity of proposal to the local or area development planning.
 - e). Accessibility of the site of fire tenders in case of emergency and preparedness of fire services for combating the emergencies.
 - f). Genuineness of purpose.
 - g). Any other mater pertinent to public safety.

Conditions:

- 1). This NOC is issued based on the recommendation of Revenue Divisional Officer, Erode , Tahsildar, Erode Taluk, District Officer Fire & Rescue Services Erode , Superintendent of Police, Erode and Divisional Engineer , Highways , Erode.
- 2). This NOC liable for cancellation at any time for following due proceedings in case of any violation noticed against the provisions of petroleum rules or any other rules.
- 3). Before issuance of License the agency should create pathway for vehicle movement from radial road to site.
- 4). As per guidelines of IRC 12-2009, Four toilets to be provided in the premises.

Encl: Approved Site Plan



Additional District Magistrate and
District Revenue Officer,
Erode District, Erode

Print Back



भारत सरकार

Government of India

वाणिज्य और उद्योग मंत्रालय

Ministry of Commerce & Industry

पेट्रोलियम तथा विस्फोटक सुरक्षा संगठन (पैसो)

Petroleum & Explosives Safety Organisation (PESO)

A और D - विंग, ब्लॉक 1-8, दूसरा तल, शास्त्री भवन, 26 हड्डोउस रोड, नुंगम्बक्कम
चेन्नै- 600006

A & D - Wing, Block 1-8, IInd Floor, Shastri Bhavan, 26 Haddous Road, Nungambakkam,
Chennai - 600006

E-mail : jtccechennai@explosives.gov.in

Phone/Fax No : 044 -
28287118,28281023,28281041,28287119/28284848

संख्या /No. : P/SC/TN/14/9380 (P495111)

दिनांक /Dated : 30/03/2021

सेवा में
/To,

M/s. Bharat Petroleum Corporation Limited,
Irugur Top Installation,
Ravathur P.O., Irugur (Via),
Vellalore,
Coimbatore North,
Taluka: Coimbatore North,
District: COIMBATORE,
State: Tamil Nadu
PIN: 641103

विषय Survey No, 27/2, Periyasemur Village, Periyasemur, Erode, Taluka: Erode, District: ERODE, State: Tamil
/Sub : Nadu, PIN: 638004 में पेट्रोलियम वर्ग A,B Retail Outlet I
Petroleum Class A,B Retail Outlet at Survey No, 27/2, Periyasemur Village, Periyasemur, Erode, Taluka:
Erode, District: ERODE, State: Tamil Nadu, PIN: 638004

महोदय
/Sir(s),

कृपया आपके पत्र क्रमांक OIN771242 दिनांक 26/03/2021 का अवलोकन करें ।
Please refer to your letter No. OIN771242 dated 26/03/2021

विषयान्तर्गत पेट्रोल पम्प में निम्नलिखित पेट्रोलियम पदार्थों के वर्ग तथा मात्रा के भंडारण के लिए पेट्रोलियम नियम, 2002 के अधीन प्ररूप
- XIV में स्वीकृत तथा दिनांक 31/12/2021 तक वैध अनुज्ञप्ति संख्या P/SC/TN/14/9380 (P495111) दिनांक 30/03/2021 भेजी जा
रही है ।

Licence No. P/SC/TN/14/9380 (P495111) dated 30/03/2021 granted in Form XIV under the Petroleum Rules, 2002
and valid till 31/12/2021 for the storage of the following kind and quantities of Petroleum at the subject petrol
pump is forwarded herewith.

<%----%> <%----%> <%----%>

पेट्रोलियम का विवरण /Description of Petroleum

किलोलीटरों में अनुज्ञप्त क्षमता
/Quantity licenced in KL

वर्ग क प्रपुंज पेट्रोलियम /Petroleum Class A in bulk

20.00 KL

Petroleum Class A, otherwise than in bulk	NIL
वर्ग ख प्रपुंज पेट्रोलियम /Petroleum Class B in bulk	20.00 KL
Petroleum Class B, otherwise than in bulk	NIL
Petroleum Class C in bulk	NIL
Petroleum Class C, otherwise than in bulk	NIL
कुल क्षमता /Total Capacity	40.00 KL

कृपया पेट्रोलियम नियम 2002 के अधीन बनाए गए नियम 148 में दी गई प्रक्रिया का कडाई से पालन करें तथा अनुज्ञप्ति के नवीकरण हेतु समस्त प्रपत्रों को अनुज्ञप्ति की वैधता समाप्ती की तारीख या उससे पूर्व to **Jt. Chief Controller of Explosives, South Circle Office, Chennai**, so as to reach his कार्यालय को प्रेषित करें। Please follow the procedure strictly as laid down in rule 148 of the Petroleum Rules, 2002 and submit complete documents for the Renewal of the licence to **Jt. Chief Controller of Explosives, South Circle Office, Chennai**, so as to reach his office on or before the date on which Licence expires.

यह अनुमोदन/ अनुमति अन्य प्राधिकारियों से आवश्यक अनुमति/क्लीयरन्स प्राप्त करने से या यथा लागू अन्य विधियों से छूट नहीं देती है। This approval/permission, however, does not absolve from obtaining necessary permission/clearance from other authorities or under other statutes as applicable.

Condition of approval : Licence granted on receipt of undertaking regarding no legal proceeding in any court of law with respect to the subject premises submitted by the applicant along with other documents for Grant of licence.

भवदीय /Yours faithfully,

((मनमीत सिंह मन्हास)
(Manmeet Singh Manhas))
उप विस्फोटक नियंत्रक
Dy. Controller of Explosives
कृते संयुक्त मुख्य विस्फोटक नियंत्रक
For Jt. Chief Controller of Explosives
चेन्नै/Chennai

Copy forwarded to :-

1. The Additional District Magistrate, ERODE(Tamil Nadu) with reference to his NOC No R.No.1060/2021/C4 Dated 26/02/2021

For Jt. Chief Controller of Explosives
Chennai

(अधिक जानकारी जैसे आवेदन की स्थिति, शुल्क तथा अन्य विवरण के लिए हमारी वेबसाइट: <http://peso.gov.in> देखें)
(For more information regarding status, fees and other details please visit our website: <http://peso.gov.in>)

Note:-This is system generated document does not require physical signature.

Disclaimer : This page gives the latest action taken by this organization on your application. This page is made available for the information of concerned applicant/licensee only. All efforts have been made to secure this information. However, PESO will not be responsible for any misuse of the information by unauthorized persons including the hackers.

ANNEXURE -I

Name of the Petrol Pump	:	Sri Senthilmurugan Fuels
Address of the Pump	:	S.F.No. 27/2, Sathy Main Road, Mamarathupalayam, Erode-638 004.
Total Capital Investment	:	Rs. 50 Lakhs
Name of contract Person Mobile No & E.mail ID	:	P. SENTHIL KUMAR 98427 35959 srisenthilmuruganfuels@gamil.com
Date of commencement of operation	:	05.04.2021
Expected sales per month	:	80 KL Petrol & 100 KL Diesel
03 Consent status	:	DM-NOC obtained (PESO grant received)
Facing	:	35.6 Meter
Area of the site, frontage	:	1342 Sq.m & 35.6 Meter
Location description up to 50 mt Distance	:	E-Shop & Dyeing factory N-Vacant land W-Hardwares shop S-School
Location description up to 30 mt distance	:	E-Bakery Shop N-Vacant land W-Bakery shop S-Highway Road-(SH15)
Sketch	:	Provided
Capacity of storage tank, Dim and its no. Underground or above GL	:	Class A-20KL Class B-20 KL
Material of construction of connecting pipes & its fittings, valves, connectors	:	Seamless pipe
A. Containment and treatment of spillages from fuel filling operations	:	Auto cut-off Nozzle provided to avoid spillages
B. Leakage deduction system to check leakages from UST so as to prevent GW & Soil contamination	:	Under drive way tanks provided. Automatic tankaging system installed to detect the leakages.
C. Plan towards treatment and disposal of sludge removed from UST during cleaning	:	Sludge Tank is available in Irugur Installation, If any sludge removed transfer to Ingur.
D. Installation, O&M of vapour recovery system	:	VRS Not applicable for R.O.

E. GWO & Soil monitoring > 300 KL / Month or 10 Lac population once in two years as per EP Act, 1986.	:	80 KL Petrol / month
F. Measures for protection of worker's Health	:	Safety shoes & uniform provided
G. Annual Audit of all protection Measures and monitoring system	:	Annual Audit being done.
N. Siting criteria	:	As per dealer selection guidelines 2018
GW level, m	:	150 meter

1. Siting criteria for new retail outlets of Petrol pumps-Not to be established within a radial distance of 50 mt. from fill point / dispensing units / vent, whichever is nearest.

Schools	:	36 meter from first dispenser
Hospitals more than 10 Beds	:	No Hospital Available
Residential area as per local laws	:	NA Commercial area
No high tension line shall pass over the retail outlet	:	No
If it is = > 30 m with additional safety measures as per PESO norms	:	As per PESO Norms all safety precautions provided. Valid PESO License obtained.

2. Within the Prohibited distance

Residential Zone / Houses	:	No
Public Offices	:	No
School	:	36 m away from the first dispenser
Ankanvadi	:	No
Water Body	:	No
Neighbour Hood	:	No

Compliance report of operational Petrol pump.

A. Containment and treatment of spillages from fuel filling operations.

1.	Ground Water level (<4m), then double walled tank or concrete protection wall	:	Ground water level more than 150 meters
2.	Pipes and its fittings non corrosive, protecting coating material of construction	:	Two coat primer & Tar plast provided for pipelines
3.	Any leak/spillage (> 165 lts) Report within 24 hours of occurances	:	No Leakage-occurred
4.	Stop operation of UST in case of leakage	:	Not applicable
5.	EC for contamination and site remiation	:	Not applicable
6.	DU-Auto cut-off Nozzle, when customer fuel tank teaches full capacity	:	Auto cut off Nozzle provided
7.	Breakaways to be installed vehicles moves away	:	Breakaway coupling provided for all 8 Nozzles.
8.	Single/double plane swivel with break way coupling to avoid fall off accidently	:	Single plane Swivel Joint provided for Nozzles
9.	Sher valve to cut off fuel flow, upon accidental knocking of dispensing unit from its position	:	Sher valve provided
10.	Submersible turbine pumps are to be installed with line leak detectors (Pipeline leak)	:	Mechanical Leak detector Installed for both tanks
11.	Emergency stop button on Multi-product dispenser, in case of emergency	:	Emergency stop button provided
12.	Automation system for tank leak	:	Automation system work in progress
13.	Overfill alarm through automation	:	Available with automation
14.	Spill containment in fill point chambers and fore court area as per PESCO norms	:	Yes.

B. Leakage detection system to prevent UGW and soil contamination :

1.	Automation system to provide report on volume balance after every day operation and records shall be maintained	:	Reports are available in automation system.
2.	Cross check manual and automatic tank gauging for accuracy once in a month.	:	Being done
3.	Daily loss shall not exceed MoPNG limits. Incase of leakage resulting in Soil and GW contamination.	:	Losses are within limit
4.	Report within 24 hrs	:	Being done
5.	Remove fuel immediately & measures to prevent explosion due to vapours released due to leakage as per PESO.	:	Air vents are provided at 6 m height from ground level.
6.	Environment Compensation for contamination and remediation	:	Not applicable
7.	Suspend operation till corrective measures taken	:	Not applicable
8.	Leak test of UST & pipelines once in 7 years	:	New outlet commissioned in 2021.

C. Treatment and disposal of sludge removed from UST during cleaning (Collected, stored and disposed as per Rules 8 of HW (Mgt & Transboundary) Rules, 2016. -- Yes

D. Installation, operation and maintenance of Vapour recovery system.

1..	Sale > 300 KLM & population > 1 lac shall provide VRS	:	Projected sale 80 KL / month petrol Not applicable VRS System.
2.	Stage I & II	:	Not applicable
3.	Sale > 100 KLM & Population > 10 lac shall provide VRS	:	Population of Erode City Less than 10 Lakhs
4.	For proper covering of filling tank flexible cover flap or suitable system shall be provided to state 2 VRS nozzle to have proper recovery	:	Not applicable

Population of Erode City less than 10 lakhs as per 2011 Census, projected sale of petrol 80 KL / month. Hence VRS not applicable

5.	Proper maintenance, periodic inspections for A/L regulators and records	:	Not applicable
6.	Interlinking of VRS functioning with Dispenser 24 hrs rectified or 72 hrs failing which sale shall be stopped	:	NA
7.	Work zone monitoring of BTEX	:	NA

E. GWQ and Soil monitoring once in two months and reported to SPCB : NA
(Sale > 300 KLM & Population > 10 lcs)

F. Measures for protection of workers health :

Safety shoes are provided
All workers are enrolled in PMAY.

G. Audit of all protection measurers and monitoring system at Petrol pump.

Regular safety Inspection once in 6 months. Being done by company official.

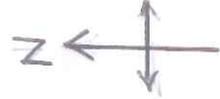
P. Santhi 10/07/2021



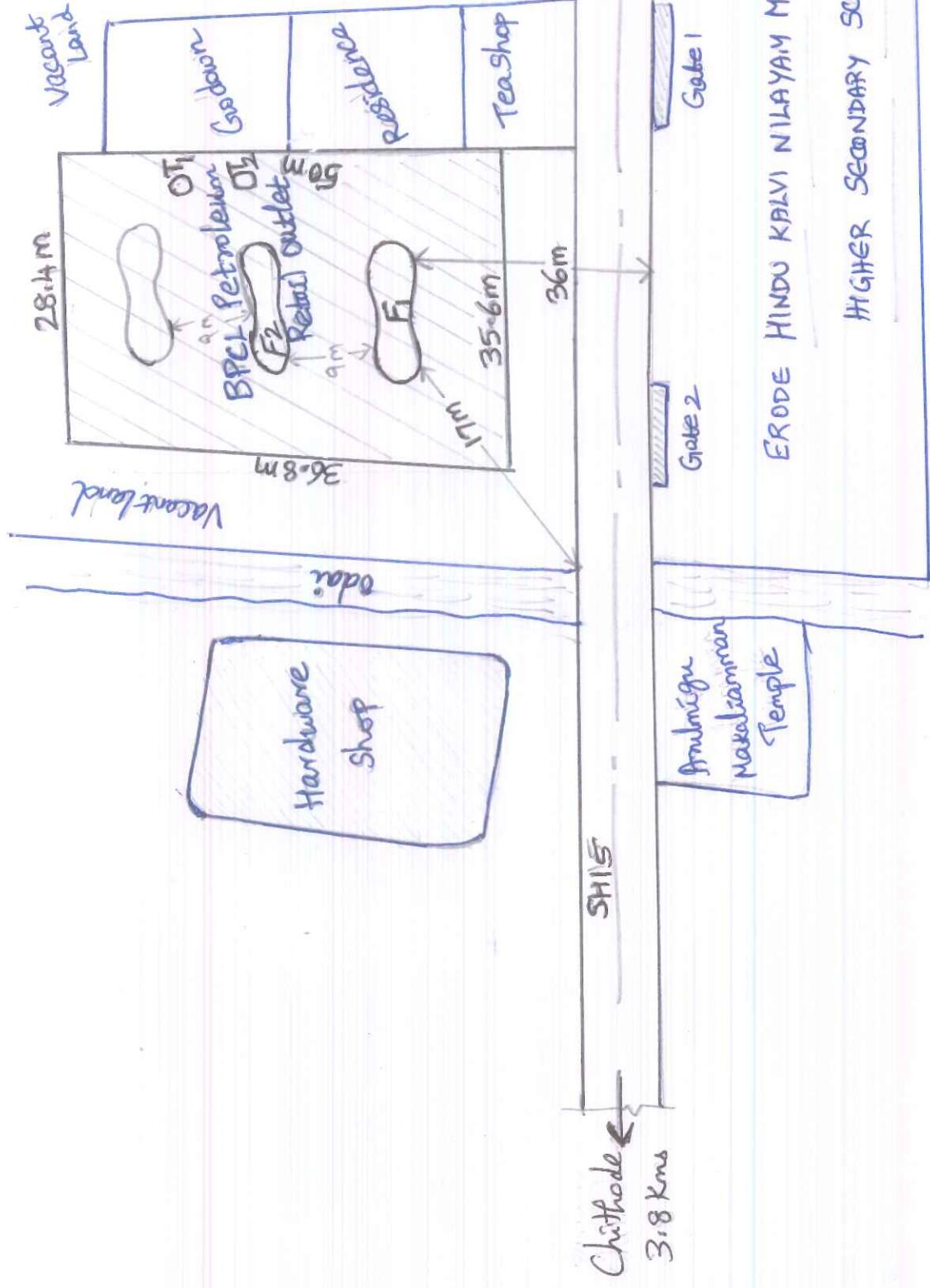
TOPO SKETCH : M/s. Sri Senthil Murugan Fuels BFL Retail Outlet

Not to scale

Vacant land
Owned by Mr. T.K. Prustha
Vacant land



- T₁ - Storage Tank 1
- T₂ - Storage Tank 2
- F₁ - Fuel Dispensing Point 1
- F₂ - Fuel Dispensing Point 2



Chithode
3.8 Kms

SH15

Arubignu
Nakabiamman
Temple

Gate 2

ERODE HINDU KALVI NILAYAM MATRICULATION
HIGHER SECONDARY SCHOOL PREMISES

Gate 1

SH15

Erode
6.7 Kms

Sri Senthil Murugan Fuels
Bharat Petroleum Corporation Limited
S.F.No: 27/2, sathy Main Road,
Mamarathupalayam, PeriyaSemur, Erode-638004

Front View



Bunk Opposite School View



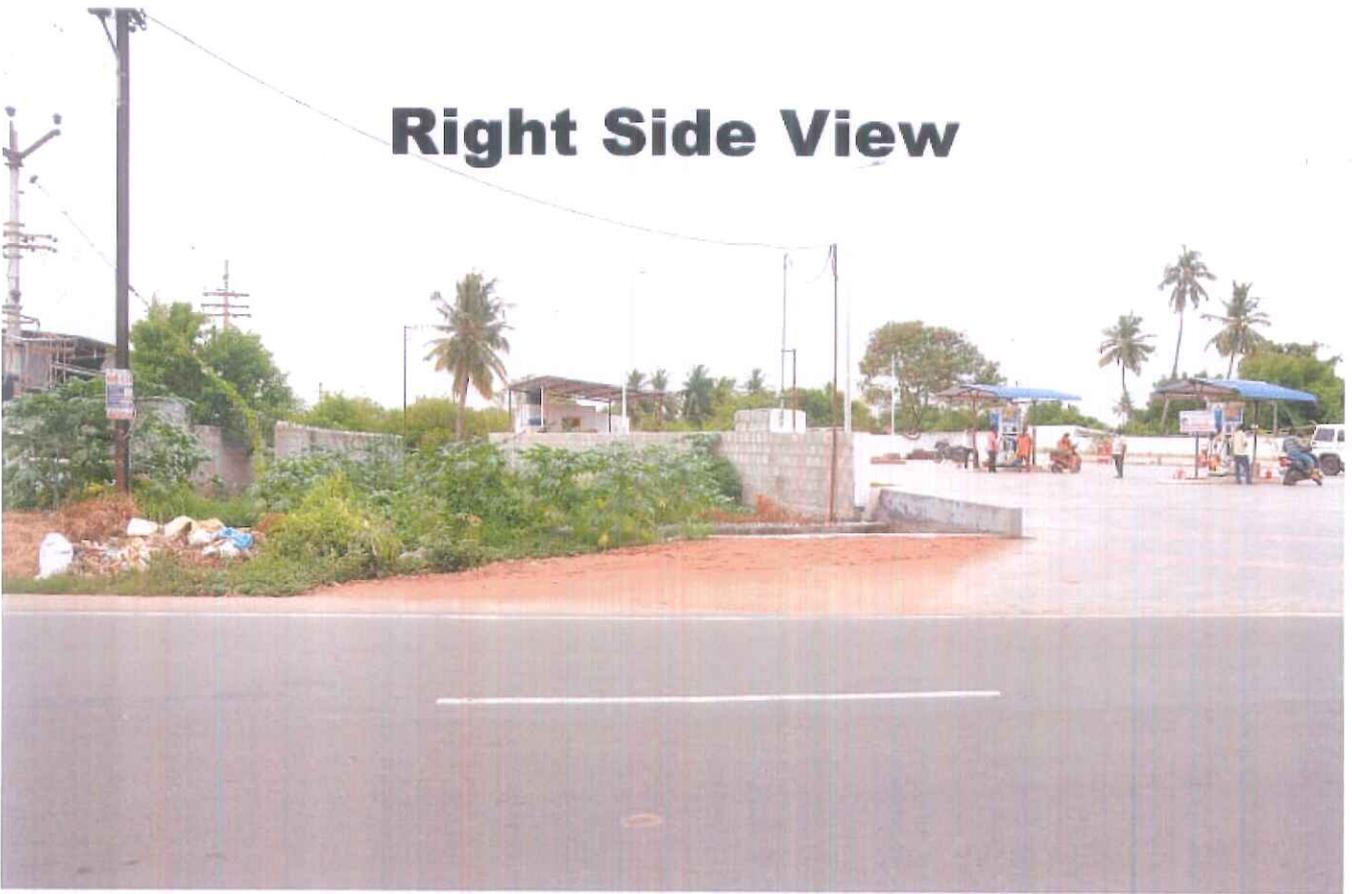
Bunk Left side View



Bunk Backside View



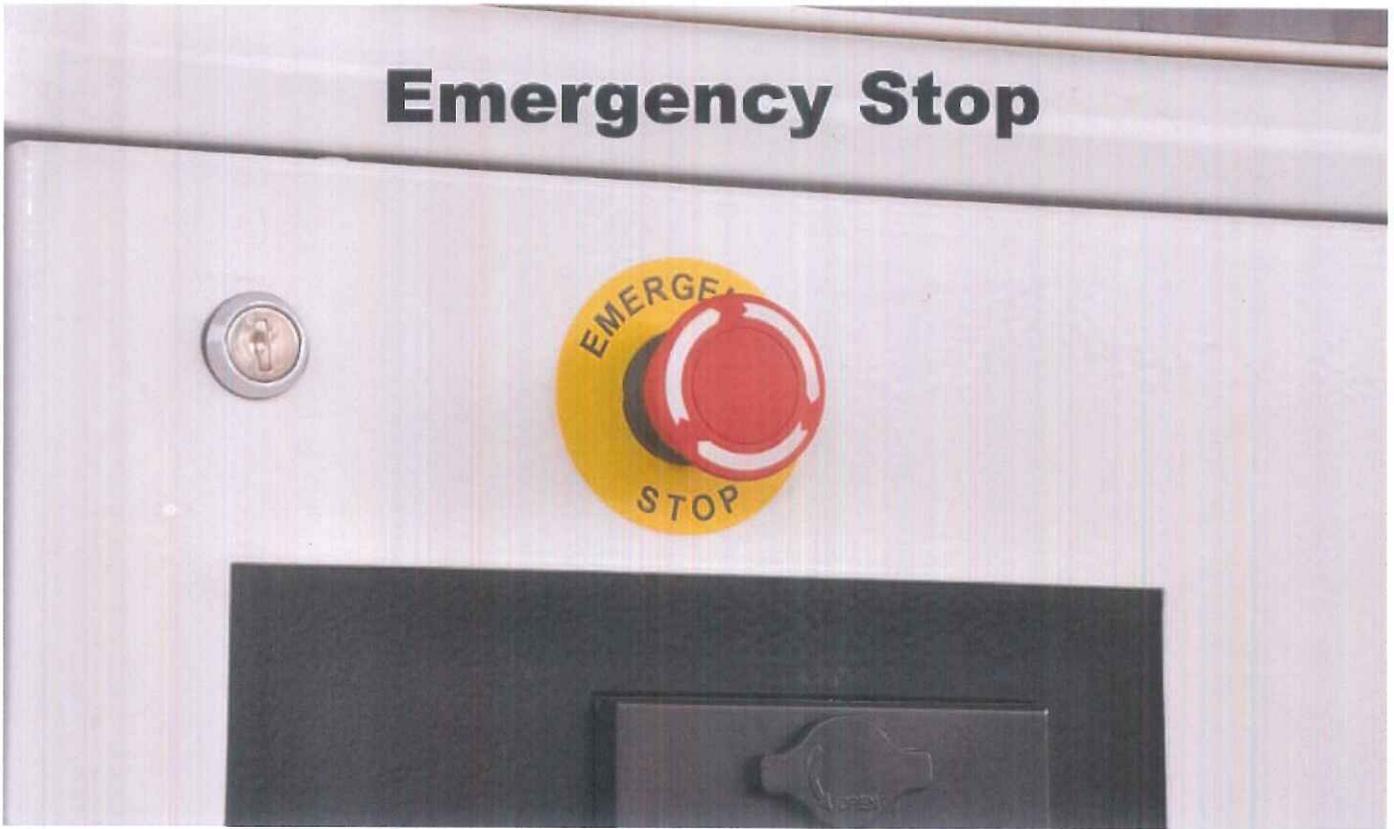
Right Side View



Drainage



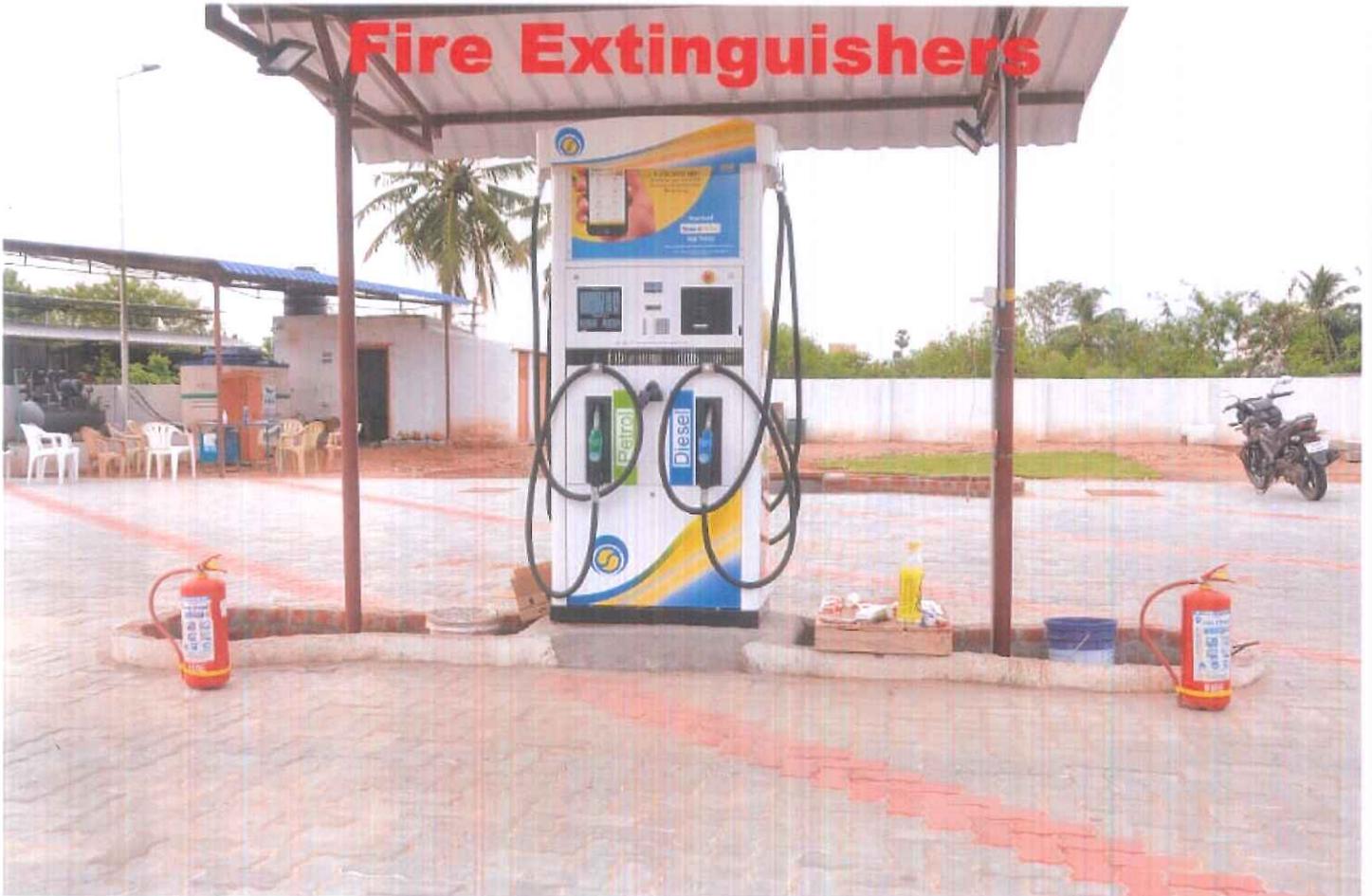
Emergency Stop



Dispensing Unit



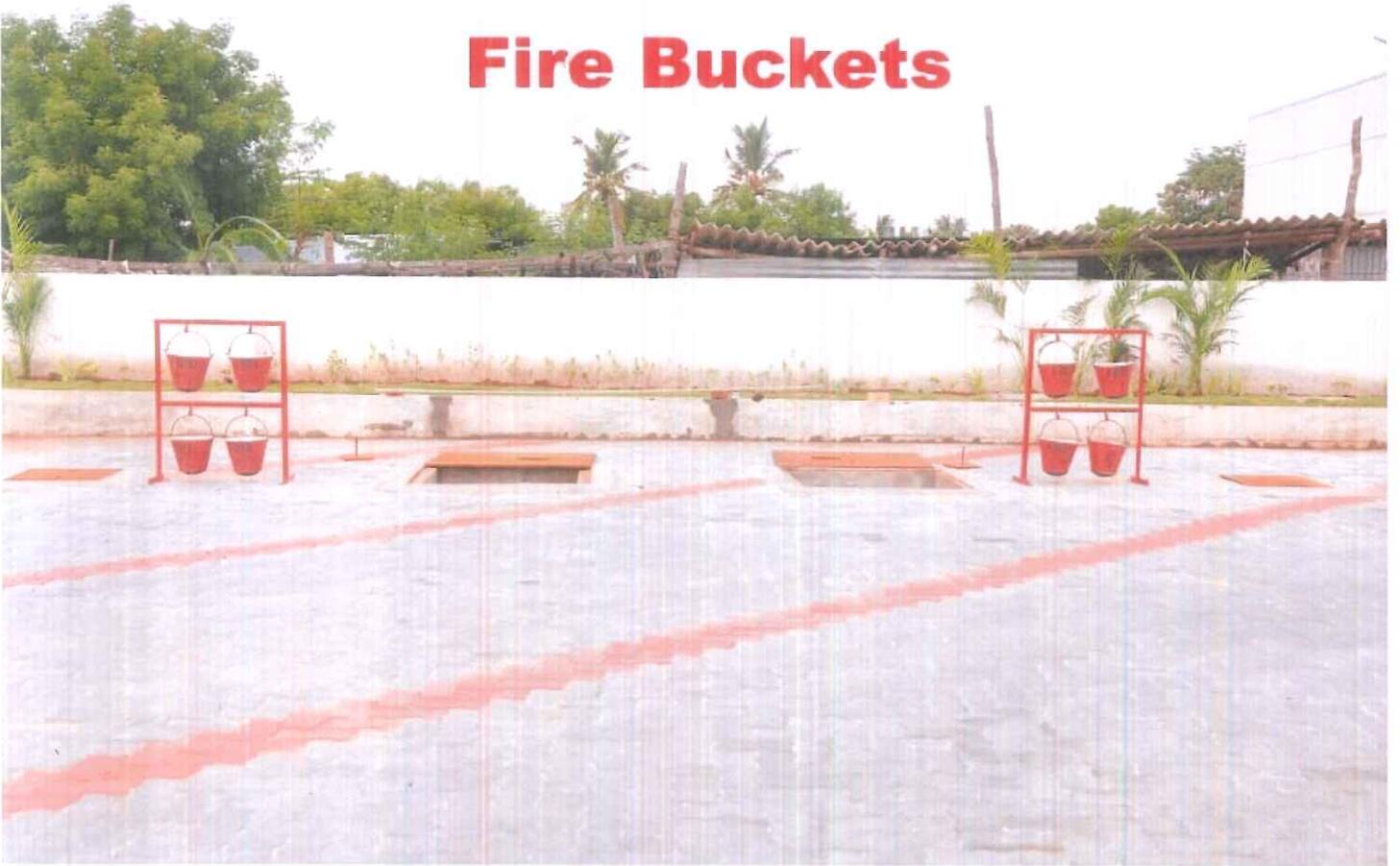
Fire Extinguishers



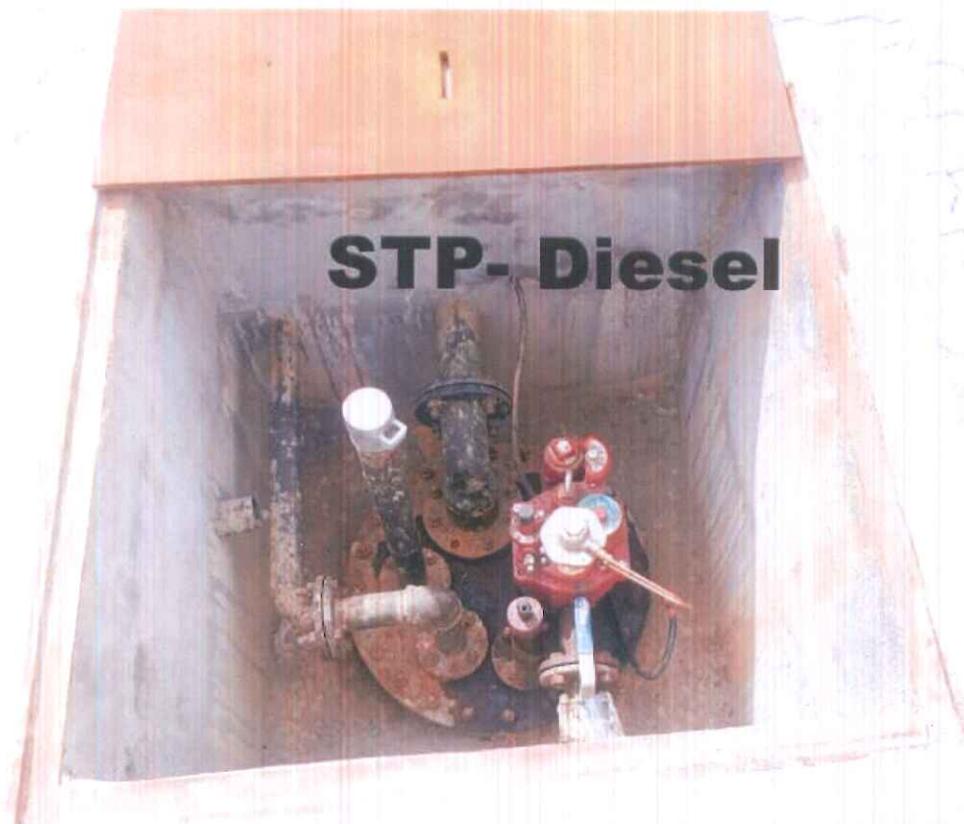
Fire Extinguishers



Fire Buckets



(Submersible turbine pump)



20KL - Petrol Tank
20KL - Diesel Tank



Underground Tank compound wall construction

