

Filed on 15/09/2021.

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
SOUTH BENCH, CHENNAI  
ORIGINAL APPLICATION No. 17 of 2021**

**IN THE MATTER OF:**

VIPIN NATH AV & Anr. ... Applicants

Versus

M/S BPCL & Ors. ... Respondents

**INDEX**

<b>Sl. No.</b>	<b>Particulars</b>	<b>Page No.</b>
1.	Reply on behalf of Respondent No. 7, OISD	1-5
2.	<u>Annexure R.7/1</u> Copy of RTI Replies submitted by OISD	6-10

FILED BY -



(ANIL SHRIVASTAV)

Counsel for Resp. No. 7,

Chamber No. 211,

CK Daphtary Block,

Supreme Court of India,

New Delhi-110001

(M)9810291281

anil.shrivastav62@gmail.com

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
SOUTH BENCH, CHENNAI  
ORIGINAL APPLICATION No. 17 of 2021**

**IN THE MATTER OF:**

VIPIN NATH AV & Anr. ... Applicants

Versus

M/S BPCL & Ors. ... Respondents

**REPLY ON BEHALF OF RESPONDENT NO. 7, OIL INDUSTRY SAFETY  
DIRECTORATE, NOIDA, UTTAR PRADESH**

I, Arun Mittal aged 56 years, working as Executive Director in the Office of Oil Industry Safety Directorate (hereinafter referred to as "OISD"), having my office at 8<sup>th</sup> Floor, OIDB Bhawan, Plot No. 2, Sector 73, NOIDA, U.P. 201301 do hereby solemnly affirm on oath as under:

1. That I am the Executive Director of OISD, the Respondent No. 7 in the present Application, conversant with the facts of this case on the basis of official records, and am competent and authorized to affirm this reply.
2. Oil Industry Safety Directorate was set up in 1986 by Ministry of Petroleum & Natural Gas, for development of technical



safety standards, carrying out External Safety Audits of Oil & Gas industry and verify their compliance to requirement of OISD standards. OISD conducts Pre-Commissioning Safety Audits of petroleum refineries, gas-processing plants, cross country pipelines and marketing locations prior to commissioning of the facility.

3. OISD disseminates knowledge by organizing seminars, training, workshops and through OISD Newsletter at regular intervals.
4. OISD is not a regulatory body and does not issue any approval/ NOC/ Clearance/ Consent to Refineries/ Petrochemicals projects.
5. It is further submitted that vide Online requests (Reference Request ID Nos. 102019650, 32020698 and 82020733) the Respondent No. 1, M/S BPCL requested OISD to carry out pre-commissioning safety audit of following process units of Propylene Derivatives Petrochemical Project (PDPP) at BPCL Kochi Refinery:

- a) Acrylic Acid Unit and associated facilities during 25<sup>th</sup>-26<sup>th</sup> Nov, 2019;
- b) Acrylate unit and associated facilities during July, 2020;

c) Oxo-alcohol unit and associated facilities during 23<sup>rd</sup>-24<sup>th</sup> Oct, 2020.

After carrying out each pre-commissioning safety audit, OISD submitted its report to Respondent No. 1.

6. During the pre-commissioning safety audit, OISD checked the compliance of OISD safety standards in the above process units and availability of applicable clearances/ approvals/ licenses from various authorities.

7. It may be noted that OISD standards lay down guidelines for inter-distance of processing facilities from the boundary wall (inside the premises). Issues related to developing green belt and buffer zone around the industry complex is beyond the scope of OISD Standards/ safety audits.

8. Government, in its submission made to the 24<sup>th</sup> and 26<sup>th</sup> Standing Committee on Petroleum & Natural Gas has stated that the regulation of the land use around Oil installations has to be dealt by the States/ UT by issuing appropriate instructions to the concerned authorities to make adequate provision under the relevant Acts and Rules to prohibit proliferation of unauthorized hutment, shops or residential



houses within a band of at least 250-300 metres around periphery of the Oil and Gas installation.

9. It is submitted that OISD has no role in the present dispute and no relief is claimed against it by the Applicants. However, 2 nos. of RTIs OISDE/R/E/20/00005 dated 26.09.2020 by Mathu Raveendran and OISDE/R/E/20/00007 dated 01.12.2020 by Vipin Nath AV (Applicant No. 1), connected to the subject dispute, were marked to OISD, for which replies were duly sent. Copies of the RTI Replies are annexed hereto and marked as ANNEXURE R.7/1.

10. In the facts and circumstances of what has been stated hereinabove it is most respectfully prayed that the issues raised in the present Application are beyond the scope and responsibilities of OISD, and since OISD is not concerned with the issues raised, this Hon'ble Tribunal may be pleased to delete the OISD from the array of parties-Respondent.



*Arun*  
DEPONENT

**अरुण मित्तल / Arun Mittal**  
कार्यकारी निदेशक/Executive Director  
पेट्रोल उद्योग सुरक्षा निदेशालय  
OIL INDUSTRY SAFETY DIRECTORATE  
पेट्रो. एवं प्राकृतिक गैस मंत्रालय  
Ministry of Petroleum & Natural Gas  
सेक्टर-73, नोएडा /Sector-73, Noida

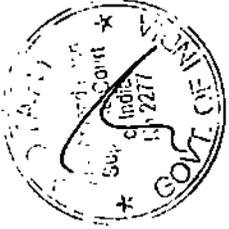
4.

## Verification

Verified at NOIDA on this the 13<sup>th</sup> day of April, 2021 that the contents of the above reply are true to my knowledge and belief being based on official records that I believe to be true and that nothing false has been stated herein or anything material concealed therefrom.

*Arun*  
**DEPONENT**

**अरुण मिश्र / Arun Mittal**  
कार्यकारी निदेशक/Executive Director  
तेल उद्योग सुरक्षा निदेशालय  
OIL INDUSTRY SAFETY DIRECTORATE  
पेट्रो. एवं प्राकृतिक गैस मंत्रालय  
Ministry of Petroleum & Natural Gas  
सेक्टर-73, नोएडा / Sector-73, Noida



I identified the deponent  
has sig. in my presence

Verified..... Deponent  
Shri. *Arun Mittal*  
S/o Sh. *Ex. Dir.* R/o *at Noida*  
Identified By Sh. *Arvind Srivastava*  
Has Solemnly Affirmed before me at Delhi  
on *13/04/2021*  
that the contents of the affidavit which  
has been read over & explained to his  
are true and correct to his knowledge

*Arvind Srivastava* 13/04/2021

5



संख्या: ओआईएसडी / आरटीआई / 09

दिनांक: 29.09.2020

सेवा में,

मधु रवीन्द्रन

असिचरिगल

कक्कड कारा ममला पीओ

थिरुवकुलम

एनकेलम जिला

केरल

पिन : 682305

**विषय: सूचना का अधिकार अधिनियम-2005 के तहत मांगी गई सूचना**

महोदय,

यह आपके आर टीआई आवेदन नंबर OISDE/R/E/20/00005 दिनांक 26.09.2020 के संदर्भ में है। जैसा कि आपके द्वारा वांछित है, मांग की गई जानकारी संलग्न है।

धन्यवाद।

भवदीय,

सौरभ कुमार आर्य 29.09.2020

सौरभ कुमार आर्य

केन्द्रीय लोक सूचना अधिकारी-ओआईएसडी

TRU&COM.

Shuk

6



तेल उद्योग सुरक्षा निदेशालय  
OIL INDUSTRY SAFETY DIRECTORATE

भारत सरकार, पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय  
8वां तल, टॉवर-ए, ओडब भवन,  
प्लॉट नं. 2, सेक्टर-73, नोएडा-201301

Government of India, Ministry of Petroleum & Natural Gas  
8th Floor, Tower-A, OISD Bhawan  
Plot No. 2, Sector-73, NOIDA - 201301  
दूरभाष/Tel. : +91-120-2593800  
फैक्स/Fax : +91-120-2593802  
वेबसाइट/Website : www.oisd.gov.in

No. OISD/RTI/09

Date: 29.09.2020

To,

Mathu Raveendran  
Ammencheril H  
Kakkad Kara' Mamala PO  
Thiruvankulam  
Ernakulam Distt.  
Kerala  
Pin: 682305

Sub: Information sought under RTI Act, 2005

Sir,

This has reference to your RTI application registered online vide Registration No. OISDE/R/E/20/00005 dated 26.09.2020. As desired, we furnish below the reply to the information sought as available.

Q1: How much Green Belt is required for BPCL- Petro chemical project as per OISD policy?

Q2: How far is the Green Belt from the area where the petrochemical project is now located?  
(In what distance)

Q3: What is the minimum safe distance between a Petro chemical plant and a living area  
(House/ Human Settlement)?

Reply (Q1, Q2 & Q3):

The requirement of green belt/ buffer zone beyond the plant boundary should be considered based on local environmental/ security requirements.

Q4:

Has the Petro Chemical project been licensed to start operations?

Q5:

Who is the licensing authority for the BPCL Petro Chemical project?

Reply (Q4 & Q5):

Petroleum and Explosives Safety Organization is the licensing authority for this project.

Q6:

If the adjacent land (About .5km) is acquired for the same (BPCL) Petro Chemical project as Green belt, will the land acquisition be revoked after 5 Years under the right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement act 2013 and returned to the Owners or Land bank?

Reply:

Question does not pertain to OISD.

TRVE Colly  
Shankar

7

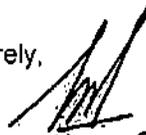
In case you are aggrieved by the decision of the CPIO, you may appeal to the Appellate Authority whose address is as under, within 30 days from the date of receipt of this reply.

**Shri Ranjan Mehrotra**  
**Director (MO-LPG),**  
**Oil Industry Safety Directorate,**  
**8<sup>th</sup> Floor, OIDB Bhavan, Plot No.2, Sector-73**  
**Noida-201301**

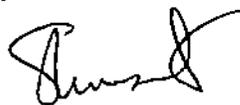
Thanking You,

Yours Sincerely,

(Saurabh Kumar Arya)  
CPIO-OISD

  
29.09.2020

TRUE COPY.



8



संख्या: ओआईएसडी / आरटीआई / 12

दिनांक: 30.12.2020

सेवा में,

विश्वनाथ एबी

अमेचरिल

केवकड कारा ममला पीओ

थिरुवकलम

एनकरम जिला

केरल

पिन 682305

**विषय: सूचना का अधिकार अधिनियम-2005 के तहत सांगी गई सूचना**

महोदय,

यह आपके आर टीआई आवेदन नंबर OISDE/RIE/20/00007 दिनांक 01.12.2020 के संदर्भ में है। जैसा कि आपके द्वारा विहित है। मांग की गई जानकारी संलग्न है।

धन्यवाद।

भवदीय

प्राजल

प्राजला भगवती

केन्द्रीय लोक सूचना अधिकारी-ओआईएसडी

30.12.2020

TRUE COPY.

*[Handwritten Signature]*

9



तेल उद्योग सुरक्षा निदेशालय  
OIL INDUSTRY SAFETY DIRECTORATE

भारत सरकार, पेट्रोसियम एवं प्राकृतिक गैस मंत्रालय  
8वां तल, टॉवर-ए, ओ.आई.डी.बी. भवन,  
प्लॉट नं. 2, सेक्टर-73, नोएडा-201301  
Government of India, Ministry of Petroleum & Natural Gas  
8th Floor, Tower-A, OISD Bhawan  
Plot No. 2, Sector-73, NOIDA - 201301  
दूरभाष/टेल. : +91-120-2593800  
फैक्स/फैक्स : +91-120-2593802  
वेबसाइट/Website : www.oisd.gov.in

No. OISD/RTI/12

Date: 30.12.2020

To,

Vipin Nath AV  
Ammencheril H  
Kakkad Kara' Mamala PO  
Thiruvankulam  
Ernakulam Distt.  
Kerala  
Pin: 682305

Sub: Information sought under RTI Act, 2005

Sir,

This has reference to your RTI application registered online vide Registration No. OISDE/R/E/20/00007 dated 01.12.2020. As desired, we furnish below the reply to the information sought as available.

**Q1:** How much distance from the BPCL petrochemical plant is treated as Buffer Zone?

**Q2:** Is the buffer zone habitable?

**Q3:** How many meters prematurely can trees for Green Belt be planted from the plant Tank Farm? - Please specify in meters?

**Reply (Q1, Q2 & Q3):** The requirement of buffer zone beyond the plant boundary should be considered based on local environmental/ security requirements.

**Q4:** Attach the copy of location map with the Buffer Zone is marked? BPCL- PDPP Around the location.

**Reply:** OISD is not in possession of location map of BPCL-KR PDPP, in which, 'Buffer Zone' is marked.

**Q5:** If the map is not available with OISD to whom we have to contact to get the details?

**Reply:** You may contact Management of BPCL- Kochi Refinery, Ambalamugal, Ernakulam, Distt. Kerala, Pin- 682302 to get the requisite details.

In case you are aggrieved by the decision of the CPIO, you may appeal to the Appellate Authority whose address is as under, within 30 days from the date of receipt of this reply.

Shri Ranjan Mehrotra  
Director (MO-LPG),  
Oil Industry Safety Directorate,  
8<sup>th</sup> Floor, OISD Bhavan, Plot No.2, Sector-73  
Noida-201301

Thanking You,

TRUE COPY.  
Shri

10

Yours Sincerely,  
  
(Pranjal Bhagawati)  
CPIO-OISD  
30/12/2020