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BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

E.A. 02/2024/EZ in O.A. 154 OF 2022/EZ

IN THE MATTER OF

YODH. BDR. THAPA

.....APPLICANT

VERSUS

BHARAT PETROLEUM CORPORATION LIMITED AND ORS.

.....RESPONDENTS

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Date : 19/08/24

Place: Kolkata

Filed by:-



Ashok Prasad, Advocate

Counsel for the Union of India

E-mail- ashokadvhc@gmail.co

Mobile: 9883069404



X

SL. NO. 24 DT. 19.08.2024

BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

ORIGINAL APPLICATION NO. E.A. 02/2024 in O.A. 154 OF 2022

YODH. BDR. THAPA

.....APPLICANT

VERSUS

BHARAT PETROLEUM CORPORATION LIMITED AND ORS.

.....RESPONDENTS

REPLY ON BEHALF OF PETROLEUM AND EXPLOSIVES SAFETY ORGANISATION, RESPONDENT NO. 05.

I, Ajai Singh, Dy. Chief Controller of Explosives, by faith- Hindu, by occupation- Service under Petroleum and Explosives Safety Organization under the Ministry of Commerce and Industry, Govt. of India do hereby solemnly affirm and state as follows:-

I am serving as Dy. Chief Controller of Explosives and posted in the office of the Joint Chief Controller of Explosives, East Circle , Kolkata, Petroleum & Explosives Safety Organization (PESO), Ministry of Commerce and Industry, Government of India , and I am aware of the facts in the instant case and as such I am competent to make and affirm the instant affidavit.

That the present affidavit is being filled in compliance of the order dated of Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata in E.A. 02/2024 in O.A. 154 OF 2022. Details are given chronologically-



**A. BRIEF FACTS:**

1. That Petroleum Installation means any premises wherein any place has been specially prepared for the storage of petroleum in bulk as defined under Rule 2(xvi) of Petroleum Rules 2002.
2. That the Service Station/ Petroleum Retail Outlet means any premises specially prepared for the fuelling of motor vehicle and includes such places within the premises which have been specially approved by the licensing authority for the servicing of motor vehicle and for the other purposes as defined under rule of 2(xxiv) of Petroleum Rules 2002.
3. That in suppression to Petroleum Rules 1937 enacted under Petroleum Act 1934, the Petroleum Rules 1976 was promulgated and subsequently Petroleum Rules 1976 has been repealed and Petroleum Rules 2002 is now in force.
4. That the Petroleum Installation and Service Station / Petroleum Retail Outlet are granted in Form-XV & Form-XIV under Rule 141 read with Petroleum Act 1934 on strength of No Objection Certificate (hereinafter called NOC) issued by the District Magistrate under Rule 144 of Petroleum Rules 2002.
5. License for Petroleum Installation and Service Station/ Petroleum Retail Outlet are governed & granted under Petroleum Rules 2002 and required to comply with the safety provisions under Petroleum Rules 2002 and conditions of respective licence form.





B. PARAWISE REPLY:

Para 1 to 7 - That with reference to the averments made in Para's, it is most respectfully submitted that the answering respondents have no comments to offer.

Para No. 8 & 9 - Licence to import & store Petroleum in an installation in licence Form -XV, Licence no. P/HQ/SK/15/517(P1501) was granted to M/S Bharat Petroleum Corporation Limited (hereinafter called M/s BPCL) by the Chief Controller of Explosives, Petroleum and Explosives Safety Organization (PESO), Nagpur on 14/05/2002 (amended on 19/11/2019) on the strength of NOC No. 1774/DCE, dated 28.06.2000 issued by District Collector, East Sikkim as required under Rule 144 & others documents as required under Rule 141 & 143 of Petroleum Rules 2002. A copy of the licence issued to M/s. BPCL are annexed herewith and marked as Annexure - R-1(collectively).

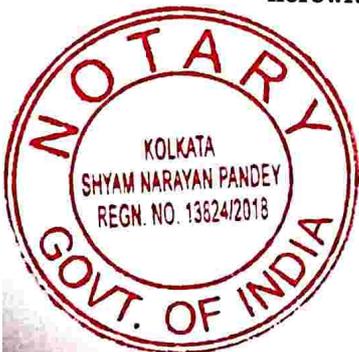
Licence for Service Station/ Petroleum Retail Outlet issued in Licence Form-XIV covered under licence no. P/EC/SK/14/49(P222180) situated adjacent to petroleum installation was granted to M/s. BPCL by the Joint Chief Controller of Explosives, PESO, Kolkata on 31/07/2014 on the strength of NOC no. 374 issued by District Magistrate, East Sikkim & other documents.

In pursuant to Rule 146 of Petroleum Rules 2002 & condition 12 of licence in Form-XV, prior approval from licensing authority is mandatory for alterations in the licenced premises and M/s BPCL obtained prior approval of amendment w.r.t enhancement of Petroleum storage capacity upto 1065 KL (i.e. MS: 20KL existing, MS: 300 KL Proposed, HSD: 45 KL existing, HSD: 700 KL Proposed) from the Chief Controller of Explosives, Nagpur vide letter no. P/HQ/SK/15/517(P1501) Dated 04/09/2021.





The licence in Form-XV (Petroleum Installation) was granted in exercise of power conferred under Rule-141 of Petroleum Rules, 2002. Petroleum Installation for which licence is granted shall comply with the provisions of Petroleum Rules, 2002 & Conditions of licence issued in Form-XV of Petroleum Rules, 2002 . **It is pertinent to mention that hazardous zone concerning Petroleum Installation defined in the Rule-105 of Petroleum Rules, 2002 read with Schedule IV(B) are minimum distance to be maintained for grant of licence in Form- XV (Petroleum Installation) under Petroleum Rules, 2002. The fire fighting facilities are required as per Rule- 117 & Condition-18 of Form- XV licence for installation. Since the threshold limit of stored products i.e. MS (Very Highly Flammable Liquid) & HSD (Highly Flammable Liquids) as mentioned under Schedule-III, Part-II of The Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 (i.e. MSIHC Rules, 1989) is less. Hence the provisions of Rule 7 to Rule 15 of MSIHC Rules, 1989 is not applicable. Extract of Rule 6, Schedule 1(b), Schedule 2 and Schedule -III, Part - II of MSIHC Rules, 1989 is enclosed for reference. The sitting criteria as circulated vide OM dated 07.01.2020 issued by Central Pollution Control Board is applicable only for Petroleum Retail Outlet whose construction has been commenced on or after 07.01.2020. Moreover, both the licence mentioned in para above were granted prior to 07.01.2020. A copy of the extract of provisions of rules 7 to 15 of MSIHC Rules, 1989 is annexed herewith and marked as Annexure R-2.**



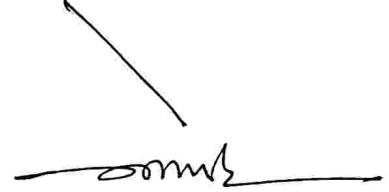
~~X~~

Paras 10, 11,12 & 13 - That with reference to the averments made in Para's, it is most respectfully submitted that the answering respondents have no comments to offer.

Para 14 - In compliance to the Hon'ble National Green Tribunal, Eastern; Zone order dated 06.08.2024, Affidavit containing 6 pages is being submitted for kind consideration on behalf of Respondent No. 5.

Rules, Acts etc quoted/extracted in these paras are matter of fact and all covered under the Petroleum Rules, 2002. Anything contrary to the rules are denied.

Therefore it is most humbly prayed that Hon'ble court may be graciously pleased to accept the contentions raised by the respondent and pass such order and/or orders as your Lordship deemed fit and proper for the end of Justice.



अजय सिंह
AJAI SINGH
रप मुख्य विस्फोटक नियंत्रक
DY. CHIEF CONTROLLER OF EXPLOSIVES
पूर्वी अंचल, कोलकाता
EC, Kolkata





VERIFICATION

Verified at Kolkata, on this the 19th day of August, 2024 that the contents of the above Affidavit are true and correct as per official records available with the deponent and to the best of my knowledge and belief. No part of the same is false and nothing material has been concealed there from.

DEPONENT

(AJAI SINGH)

Dy. Chief Controller of Explosives
for Jt. Chief Controller of Explosives
East Circle, Kolkata

Identified by me

Advocate

अजय सिंह
AJAI SINGH
उप मुख्य विस्फोटक नियंत्रक
DY. CHIEF CONTROLLER OF EXPLOSIVES
पूर्वी अंचल, कोलकाता
EC, Kolkata



Solemnly Affirm & Declared
Before Me on Identification
of Ld. Advocate

SHYAM NARAYAN PANDEY
NOTARY, GOVT. OF INDIA
REGN. NO. 13824/2018

19.08.2024

19 AUG 2024



भारत सरकार

Government of India

वाणिज्य और उद्योग मंत्रालय

Ministry of Commerce & Industry

पेट्रोलियम तथा विस्फोटक सुरक्षा संगठन (पैसो)

Petroleum & Explosives Safety Organisation (PESO)

पाँचवा तल, ए-ब्लॉक, सी.जी.ओ. कॉम्प्लेक्स, सेमिनरी हिल्स

नागपुर- 440006

5th Floor, A-Block, CGO Complex, Seminary Hills,
Nagpur - 440006

Annexure R-2 X

E-mail : explosives@explosives.gov.in

Phone/Fax No : 0712 -2510248, Fax-2510577

संख्या /No. : P/HQ/SK/15/517 (P1501)

दिनांक /Dated : 19/11/2019

सेवा में /To,

M/s. Bharat Petroleum Corporation Limited,
Rangpo Depot,
mazitar, East Sikkim,
Rangpo,
rangpo,
Taluka: Mazitar,
District: KOLKATA,
State: West Bengal
PIN: 737136

विषय /Sub : Plot No, NA, NA, Mazitar, Rangpo, sikkim, Taluka: east sikkim, District: EAST SIKKIM, State: Sikkim, PIN: 999999 में स्थित पेट्रोलियम वर्ग A,B अधिष्ठापन - पेट्रोलियम नियम 2002 के अंतर्गत प्ररूप XV में जारी अनुज्ञप्ति सं P/HQ/SK/15/517 (P1501) - संशोधन के संदर्भ में।

Existing Petroleum Class A,B Installation at Plot No, NA, NA, Mazitar, Rangpo, sikkim, Taluka: east sikkim, District: EAST SIKKIM, State: Sikkim, PIN: 999999- Licence No. P/HQ/SK/15/517 (P1501) - granted in form XV under Petroleum Rules 2002 - Amendment regarding

महोदय /Sir
(s),

कृपया आपके उपर्युक्त विषय से संबंधित पत्र संख्या OIN380427 दिनांक 30/09/2019 का संदर्भ ग्रहण करें।

Reference to your letter No. OIN380427 dated 30/09/2019 on the above subject.

दिनांक 31/12/2022 तक वैध अनुज्ञप्ति संख्या P/HQ/SK/15/517 (P1501) दिनांक 19/11/2019 निम्नलिखित वर्ग एवं मात्राओं में पेट्रोलियम भंडारण के लिए यथा संशोधित कर इस पत्र के साथ लौटाई जा रही है।

Licence No. P/HQ/SK/15/517 (P1501) dated 19/11/2019 valid upto 31/12/2022 is returned herewith duly amended with respect to Lay out Amendment, Capacity Amendment,

पेट्रोलियम का विवरण /Description of Petroleum

किलोलीटरों में अनुज्ञप्ति क्षमता /Quantity
licenced in KL

वर्ग क प्रपुंज पेट्रोलियम /Petroleum Class A, in bulk	65.00 KL
वर्ग क प्रपुंज पेट्रोलियम से भिन्न /Petroleum Class A, otherwise than in bulk	NIL
वर्ग ख प्रपुंज पेट्रोलियम /Petroleum Class B, in bulk	300.00 KL
वर्ग ख प्रपुंज पेट्रोलियम से भिन्न /Petroleum Class B, otherwise than in bulk	NIL
वर्ग ग प्रपुंज पेट्रोलियम /Petroleum Class C, in bulk	NIL
वर्ग ग प्रपुंज पेट्रोलियम से भिन्न /Petroleum Class C, otherwise than in bulk	NIL
कुल क्षमता /Total	365.00 KL



कृपया पावती दें।

Please acknowledge the receipt.



Yours faithfully,

((Signature))

(P. SEENRAJ)

उप मुख्य विस्फोटक नियंत्रक

Dy. Chief Controller of Explosives

उप मुख्य विस्फोटक नियंत्रक

For Chief Controller of Explosives

Nagpur

Copy forwarded to :-

1. The District Collector, East Gangtok, Sikkim, EAST SIKKIM(Sikkim) with reference to his NOC No 1774/DCE, Dated 28/06/2000
2. Jt. Chief Controller of Explosives, East Circle office, KOLKATA. A Copy of the licence along with approved plan is enclosed.

For Chief Controller of Explosives
Nagpur

(अधिक जानकारी जैसे आवेदन की स्थिति, शुल्क तथा अन्य विवरण के लिए हमारी वेबसाइट : <http://peso.gov.in> दें।)

(For more information regarding status, fees and other details please visit our website. <http://peso.gov.in>)



प्ररूप XV
(प्रथम अनुसूची का अनुच्छेद 6 देखिए)
FORM XV
(see Article 6 of the First Schedule)



अधिष्ठापनों में पेट्रोलियम के आयात और भंडारकरण के लिए अनुज्ञप्ति
LICENCE TO IMPORT AND STORE PETROLEUM IN AN INSTALLATION

अनुज्ञप्ति सं. (Licence No.) : P/HQ/SK/15/517(P1501)

फीस रूप (Fee Rs.) 23250/- per year

M/s. Bharat Petroleum Corporation Limited, Rangpo Depot, mazitar, East Sikkim, Rangpo, rangpo, Taluka: Mazitar, District: KOLKATA, State: West Bengal, PIN: 737136 को केवल इसमें यथा विनिर्दिष्ट वर्ग और मात्राओं में पेट्रोलियम **365.00 KL** आयात करने के लिए और उसका, नीचे वर्णित और अनुमोदित नक्शा संख्या **P/HQ/SK/15/517(P1501)** तारीख **14/05/2002** जो कि इससे उपाबद्ध हैं, में दिखाए गए स्थान पर भण्डारकरण के लिए पेट्रोलियम अधिनियम, 1934 के उपबंधों या उसके अधीन बनाए गए नियमों तथा इस अनुज्ञप्ति की अतिरिक्त शर्तों के अधीन रहते हुए, यह अनुज्ञप्ति अनुदत्त की जाती है।

Licence is hereby granted to **M/s. Bharat Petroleum Corporation Limited, Rangpo Depot, mazitar, East Sikkim, Rangpo, rangpo, Taluka: Mazitar, District: KOLKATA, State: West Bengal, PIN: 737136** valid only for the importation and storage of **365.00 KL** Petroleum of the class and quantities as herein specified and storage thereof in the place described below and shown on the approved plan No **P/HQ/SK/15/517(P1501)** dated **14/05/2002** attached hereto subject to the provisions of the Petroleum Act, 1934 and the rule made thereunder and to the further conditions of this Licence.

यह अनुज्ञप्ति 31st day of December 2022 तक प्रवृत्त रहेगी।

The Licence shall remain in force till the 31st day of December 2022

पेट्रोलियम का विवरण /Description of Petroleum	अनुज्ञप्त मात्रा (किलोलीटरों में) /Quantity licenced in KL
वर्ग क प्रपुंज पेट्रोलियम /Petroleum Class A in bulk	65.00 KL
वर्ग क प्रपुंज पेट्रोलियम से भिन्न /Petroleum Class A, otherwise than in bulk	NIL
वर्ग ख प्रपुंज पेट्रोलियम /Petroleum Class B in bulk	300.00 KL
वर्ग ख प्रपुंज पेट्रोलियम से भिन्न /Petroleum Class B, otherwise than in bulk	NIL
वर्ग ग प्रपुंज पेट्रोलियम /Petroleum Class C in bulk	NIL
वर्ग ग प्रपुंज पेट्रोलियम से भिन्न /Petroleum Class C, otherwise than in bulk	NIL
कुल क्षमता /Total Capacity	365.00 KL

May 14, 2002

For Chief Controller of Explosives
HQ, Nagpur

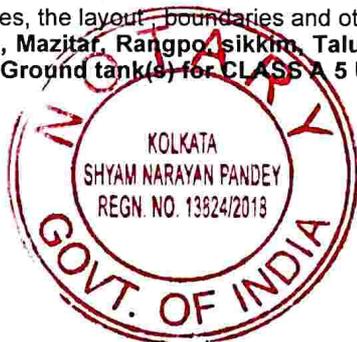
1). Amendment dated - 19/11/2019

अनुज्ञप्त परिसरों का विवरण और अवस्थान

DESCRIPTION AND LOCATION OF THE LICENSED PREMISES

अनुज्ञप्त परिसर जिसकी विन्यास सीमाएं अन्य विशिष्टताएं संलग्न अनुमोदित नक्शों में दिखाई गई हैं **Plot No: NA, NA, Mazitar, Rangpo, sikkim, Taluka: east sikkim, District: EAST SIKKIM, State: Sikkim, PIN: 999999** स्थान पर अवस्थित है तथा उसमें निम्नलिखित **2 Under Ground tank(s) for CLASS A 5 Under Ground tank(s) for CLASS B** सम्मिलित हैं।

The licensed premises, the layout, boundaries and other particulars of which are shown in the attached approved plan are situated at **Plot No: NA, NA, Mazitar, Rangpo, sikkim, Taluka: east sikkim, District: EAST SIKKIM, State: Sikkim, PIN: 999999** and consists of **2 Under Ground tank(s) for CLASS A 5 Under Ground tank(s) for CLASS B** together with connected facilities.





भारत सरकार
Government of India
वाणिज्य और उद्योग मंत्रालय
Ministry of Commerce & Industry
पेट्रोलियम तथा विस्फोटक सुरक्षा संगठन (पेसो)
Petroleum & Explosives Safety Organisation (PESO)
पाँचवा तल, ए-ब्लॉक, सी.जी.ओ. कॉम्प्लेक्स, सेमिनरी हिल्स
नागपुर- 440008
5th Floor, A-Block, CGO Complex, Seminary Hills,
Nagpur - 440008

E-mail : explosives@explosives.gov.in
Phone/Fax No : 0712 -2510248, Fax-2510577

संख्या /No. : P/HQ/SK/15/517 (P1501)
सेवा में /To,

दिनांक /Dated : 04/09/2021

M/s. Bharat Petroleum Corporation Limited,
Rangpo Depot,
mazitar, East Sikkim,
Rangpo,
rangpo,
Taluka: Mazitar,
District: KOLKATA,
State: West Bengal
PIN: 737136

विषय /Sub Plot No, NA, NA, Mazitar, Rangpo, Gangtok, Taluka: Gangtok, District: EAST SIKKIM, State: Sikkim, PIN: 737136 में पेट्रोलियम वर्ग A,B अधिष्ठापन - संशोधन हेतु
पूर्वानुमोदन के संदर्भ में ।
Petroleum Class A,B Installation at Plot No, NA, NA, Mazitar, Rangpo, Gangtok, Taluka: Gangtok, District: EAST SIKKIM, State: Sikkim, PIN: 737136 -
Regarding Prior Approval for Amendment.

महोदय
/Sir(s),

कृपया आपके उपर्युक्त विषय से संबंधित पत्र संख्या OIN842612 दिनांक 21/08/2021 का संदर्भ ग्रहण करें ।
Reference to your letter No. OIN842612 dated 21/08/2021 on the above subject.

आपके संदर्भित पत्र के साथ अग्रिमित Drawing(s) nos. BPCL-RD-01 dated 28/04/2021, BPCL-RD-01 dated 19/07/2021 को अनुमोदित किया जाता है, और उपरोक्त (प्रत्येक) अनुमोदित आरेखण की एक प्रति विधिवत हस्ताक्षरित कर लौटाई जा रही है ।
The Drawing(s) nos. BPCL-RD-01 dated 28/04/2021, BPCL-RD-01 dated 19/07/2021 forwarded with your above referred letter is approved and a copy (of each) of the same is returned herewith duly signed in token of approval.

Condition of approval : COPY OF APPROVAL FOR UNDERGROUND TANKS TO BE SUBMITTED.

कृपया अनुज्ञप्ति में संशोधन हेतु अनुमोदित आरेखण के अनुसार किए गए परिवर्धन एवं परिवर्तन पूरा होने पर निम्नलिखित दस्तावेज प्रस्तुत करें ।

On completion of the work related to addition/alteration, please submit following documents for necessary action towards amendment in the licence.

- उपरोक्तानुसार अनुमोदित प्रत्येक आरेखण के प्रतिकृति की चार प्रतियाँ।
Four copies of each of the replica of the drawings approved as above.
- इस कार्यालय को संबोधित पत्राचार पर हस्ताक्षर करने के लिए अधिकृत व्यक्ति(यों) के नमूना हस्ताक्षर ।
Specimen signature(s) of the person(s) authorised to sign on the correspondence addressed to this office.
- अनुमोदित प्लान के साथ मूल अनुज्ञप्ति ।
Original Licence along with approved plan attached to it.
- फॉर्म IX में विधिवत भरा हुआ और हस्ताक्षरित आवेदन।
An application in Form IX duly filled in and signed.
- पेट्रोलियम नियम 2002 तहत अपेक्षित शुल्क ऑनलाइन जमा किया जाना है।
Requisite fees to be submitted online through e-payment facility available on online application portal under petroleum Rules, 2002.
- सक्षम व्यक्ति द्वारा जारी पेट्रोलियम नियम 2002 के अंतर्गत नियम 130 और 126 में आवश्यक सेफ्टी और टैंक टेस्ट प्रमाण-पत्र।
Safety and Tank Test Certificate required under rule 130 and 126 of the Petroleum Rules 2002 Issued by Competent Person.
- भूखंड के आकार में वृद्धि के मामले में जिला प्राधिकारी द्वारा प्रदत्त 'अनापत्ति प्रमाण-पत्र'।
NOC from District Authority in case of increase in plot size.

भवदीय /Yours faithfully,

(पी.सी.नीराज)
(P. SEENIRAJ)
उप मुख्य विस्फोटक नियंत्रक
Dy. Chief Controller of Explosives
कृते मुख्य विस्फोटक नियंत्रक
For Chief Controller of Explosives
नागपुर/Nagpur

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

(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>)



Annexure R-2



(c) subject to the other provisions of these rules, perform the duties specified in column 3 of Schedule 5.]

4. General responsibility of the occupier during industrial activity
(1) These rules shall apply to—

- (a) an industrial activity in which a hazardous chemical, which satisfies any of the criteria laid down in Part I of Schedule 1 [or is listed in column 2 of Part II of this Schedule is, or may be, involved; and
 - (b) isolated stage of a hazardous chemical listed in Schedule 2 in a quantity equal to or more than the threshold quantity specified in column 3, thereof.]
2. An occupier who has control of an industrial activity in terms of sub-rule (1) shall provide evidence to show that he has—

- (a) notified the major accident hazards; and
- (b) taken adequate steps to—
 - (i) prevent such major accidents and to limit their consequences to persons and the environment;
 - (ii) provide to the persons working on the site with the information, training and equipment including antidotes necessary to ensure their safety.

Notification of major accident

(1) When a major accident occurs on a site or in a pipeline, the occupier shall [within 48 hours notify] the concerned authority as identified in Schedule 5, of that accident and furnish thereafter to the concerned authority a report relating to the accidents in instalments, if necessary, in Schedule 6.

(2) The concerned authority shall on receipt of the report in accordance with sub-rule (1) of this rule, shall undertake a full analysis of the major accident and send through appropriate channel.

(3) An occupier shall notify to the concerned authority, steps taken to avoid any repetition of such occurrence on a site.]

(4) The concerned authority shall compile information regarding major accidents and make available a copy of the same to the Ministry of Environment and Forests through appropriate channel.

(5) The concerned authority shall in writing inform the occupier, of any lacunae which in its opinion needs to be rectified to avoid major accidents.]

6. Industrial activity to which rules 7 to 15 apply

(1) Rules 7 to 15 shall apply to—

- (a) an industrial activity in which there is involved a quantity of a hazardous chemical listed in column 2 of Schedule 3 which is equal to or more than the quantity specified in the entry for that chemical in columns 3 and 4 (rules 10-12 only for column 4); and
- (b) isolated storage in which there is involved a quantity of a hazardous chemical listed in column 2 of Schedule 2 which is equal to or more than the

1 Substituted for "and is listed" by SO 57(E), dt. 19.1.2000, w.e.f. 20.1.2000.
 2 Substituted by SO 57(E), dt. 19.1.2000, w.e.f. 20.1.2000.
 3 Substituted by MSJHC (Amendment) Rules, 1994, w.e.f. 22.10.1994.
 4 Inserted by MSJHC (Amendment) Rules, 1994, w.e.f. 22.10.1994.

quantity specified in the entry for that chemical in [columns 3 and 4 (rules 10-12 only for column 4)].

(2) For the purposes of rules 7 to 15—

- (a) "new industrial activity" means an industrial activity which—
 - (i) commences after the date of coming into operation of these rules; or
 - (ii) if commenced before that date, is an industrial activity in which a modification has been made which is likely to cover major accident hazards, and that activity shall be deemed to have commenced on the date on which the modification was made;
- (b) an "existing industrial activity" means an industrial activity which is not a new industrial activity.

7. Approval and Notification of sites

(1) An occupier shall not undertake any industrial activity [unless he has been granted an approval for undertaking such an activity and has submitted] a written report to the concerned authority containing the particulars specified in Schedule 7 at least 3 months before commencing that activity or before such shorter time as the concerned authority may agree and for the purpose of this paragraph, an activity in which subsequently there is or is liable to be a threshold quantity or more of an additional hazardous chemical shall be deemed to be a different activity and shall be notified accordingly.

(2) The concerned authority within 60 days from the date of receipt of the report, shall approve the report submitted and on consideration of the report if it is of the opinion that contravention of the provisions of the Act or the rules made thereunder has taken place, it shall issue notice under rule 19.]

8. Updating of the site notification following changes in the threshold quantity

Where an activity has been reported in accordance with rule 7(1) and the occupier makes a change in it (including an increase or decrease in the maximum threshold quantity of a hazardous chemical to which this rule applies which is or is liable to be at the site or in the pipeline or at the cessation of the activity) which affects the particulars specified in that report or any subsequent report made under this rule, the occupier shall forthwith furnish a further report to the concerned authority.

9. Transitional provisions

Where—

- (a) at the date of coming into operation of these rules, an occupier is in control of an existing industrial activity which is required to be reported under rule 7(1); or
- (b) within six months after that date, an occupier commences any such new industrial activity,

it shall be a sufficient compliance with that rule if he reports to the concerned authority as per the particulars in Schedule 7 within 3 months after the date of coming into operation of these rules or within such longer time as the concerned authority may agree in writing.

1 Substituted for "column 4" by SO 57(E), dt. 19.1.2000, w.e.f. 20.1.2000.
 2 Substituted for "Notification of sites" by SO 57(E), dt. 19.1.2000, w.e.f. 20.1.2000.
 3 Substituted by MSJHC (Amendment) Rules, 1994, w.e.f. 22.10.1994.



10. [Safety reports and safety audit reports]

(1) Subject to the following paragraphs of this rule, an occupier shall not undertake any industrial activity to which this rule applies, unless he has prepared a safety report on that industrial activity containing the information specified in Schedule 8 and has sent a copy of that report to the concerned authority at least ninety days before commencing that activity.

(2) In the case of a new industrial activity which an occupier commences, or by virtue of sub-rule (2)(a)(ii) of rule 6 is deemed to commence, within 6 months after coming into operation of these rules, it shall be a sufficient compliance with sub-rule (1) of this rule if the occupier sends to the concerned authority a copy of the report required in accordance with that sub-rule within ninety days after the date of coming into operation of these rules.

²(3) In case of an existing industrial activity, the occupier shall prepare a safety report in consultation with the concerned authority and submit the same within one year from the date of commencement of the Manufacture, Storage and Import of Hazardous Chemicals (Amendment) Rules, 1994, to the concerned authority.]

³(4) After the commencement of the Manufacture, Storage and Import of Hazardous Chemicals (Amendment) Rules, 1994, the occupiers of both the new and the existing industrial activities shall carry out an independent safety audit of the respective industrial activities with the help of an expert, not associated with such industrial activities.

(5) The occupier shall forward a copy of the auditor's report along with his comments to the concerned authority within 30 days after the completion of such audit.

(6) The occupier shall update the safety audit report once a year by conducting a fresh safety audit and forward a copy of it with his comments thereon within 30 days to the concerned authority.

(7) The concerned authority may, if it deems fit, issue improvement notice under rule 19, within 45 days of the submission of the said report.]

H. Updating of reports under rule 10
(1) Where an occupier has made a safety report in accordance with sub-rule (1) of rule 10 he shall not make any modification to the industrial activity to which that safety report relates which could materially affect the particulars in that report, unless he has made a further report to take account of those modifications and has sent a copy of that report to the concerned authority at least 90 days before making those modifications.

(2) Where an occupier has made a report in accordance with rule 10 and sub-rule (1) of this rule and that industrial activity is continuing, the occupier shall within three years of the date of the last such report, make a further report which shall have regard in particular to new technical knowledge which has affected the particulars in the previous report relating to safety and hazard assessment, and shall within 30 days [xxx] send a copy of the report to the concerned authority.

1 Substituted for "Safety reports" by SO 57(E), dt. 19.1.2000, w.e.f. 20.1.2000.
2 Substituted by MS/HC (Amendment) Rules, 1994, w.e.f. 22.10.1994.
3 Inserted by MS/HC (Amendment) Rules, 1994, w.e.f. 22.10.1994.
4 Omitted by MS/HC (Amendment) Rules, 1994, w.e.f. 22.10.1994.

12. Requirement for further information to be sent to the authority

Where in accordance with rule 10, an occupier has sent a safety report and the safety audit report relating to an industrial activity to the concerned authority, the concerned authority may, by a notice served on the occupier, require him to provide such additional information as may be specified in the notice and the occupier shall send that information to the concerned authority within 90 days.]

13. Preparation of on-site emergency plan by the occupier

(1) An occupier shall prepare and keep up-to-date [an on-site emergency plan containing details specified in Schedule II and detailing] how major accidents will be dealt with on the site on which the industrial activity is carried on and that plan shall include the name of the person who is responsible for safety on the site and the names of those who are authorised to take action in accordance with the plan in case of an emergency.

(2) The occupier shall ensure that the emergency plan prepared in accordance with sub-rule (1) takes into account any modification made in the industrial activity and that every person on the site who is affected by the plan is informed of its relevant provisions.

(3) The occupier shall prepare the emergency plan required under sub-rule (1) —

- (a) in the case of a new industrial activity, before that activity is commenced;
- (b) in the case of an existing industrial activity, within 90 days of coming into operation of these rules.

²(4) The occupier shall ensure that a mock drill of the on-site emergency plan is conducted every six months.

(5) A detailed report of the mock drill conducted under sub-rule (4) shall be made immediately available to the concerned authority.]

14. Preparation of off-site emergency plans by the authority

(1) It shall be the duty of the concerned authority as identified in column 2 of Schedule 5 to prepare and keep up-to-date [an adequate off-site emergency plan containing particulars specified in Schedule 12 and detailing] how emergencies relating to a possible major accident on that site will be dealt with and in preparing that plan the concerned authority shall consult the occupier and such other persons as it may deem necessary.

(2) For the purpose of enabling the concerned authority to prepare the emergency plan required under sub-rule (1), the occupier shall provide the concerned authority with such information relating to the industrial activity under his control as the concerned authority may require, including the nature, extent and likely effects off-site of possible major accidents and the authority shall provide the occupier with any information from the off-site accidents which relates to his duties under rule 13.

(3) The concerned authority shall prepare its emergency plan required under sub-rule (1) —

- (a) in the case of a new industrial activity, before that activity is commenced;
- (b) in the case of an existing industrial activity, within six months of coming into operation of these rules.

1 Substituted by MS/HC (Amendment) Rules, 1994, w.e.f. 22.10.1994.
2 Inserted by MS/HC (Amendment) Rules, 1994, w.e.f. 22.10.1994.



17. (4) The concerned authority shall ensure that a rehearsal of the off-site emergency plan is conducted at least once in a calendar year.

15. Information to be given to persons liable to be affected by a major accident
(1) The occupier shall take appropriate steps to inform persons outside the site either directly or through District Emergency Authority who are likely to be in an area which may be affected by a major accident about—
(a) the nature of the major accident about—
(b) the safety measures and the "Dos" and "Don'ts" which should be adopted in the event of a major accident.

(2) The occupier shall take the steps required under sub-rule (1) to inform persons about an industrial activity, before that activity is commenced, except in the case of an existing industrial activity in which case the occupier shall comply with the requirements of sub-rule (1) within 90 days of coming into operation of these rules.
16. Disclosure of information
Where for the purpose of evaluating information notified under rule 5 or 7 to 15, the concerned authority discloses that information to some other person, that other person shall not use that information for any purpose except for the purpose of the concerned authority disclosing it, and before disclosing the information the concerned authority shall inform that other person of his obligations under these paragraphs.



17. (1) This rule shall apply to an industrial activity in which a hazardous chemical is handled or stored in the manner specified in Part I of Schedule 1¹ [or is listed] in column 1 of Part I of Schedule 1² [or is listed] in column 2 of Part I of Schedule 1³ or may be involved.
(2) An occupier, who has control of an industrial activity in terms of sub-rule (1) of this rule, shall arrange to obtain or develop information in the form of safety data-sheet as specified in Schedule 9. The information shall be accessible upon request for reference.
(3) The occupier while obtaining or developing a safety data-sheet as specified in Schedule 9 in respect of a hazardous chemical handled by him shall ensure that the information is recorded accurately and reflects the scientific evidence used in making the hazard determination. In case any significant information regarding hazard of a chemical is available, it shall be added to the material safety data-sheet as specified in Schedule 9 as soon as practicable.

(4) Every container of a hazardous chemical shall be clearly labelled or marked to identify—
(a) the contents of the container;
(b) the name and address of the manufacturer or importer of the hazardous chemical;
(c) the physical, chemical and toxicological data as per the criteria given at Part I of Schedule 1.

(5) In terms of sub-rule (4) of this rule, where it is impracticable to label a chemical in view of the size of the container or the nature of the package, provision should be made for other effective means like tagging or accompanying documents.

17. (1) If the concerned authority is of the opinion that a person has contravened the provisions of these rules, the concerned authority shall serve on him a notice (in this para referred to as "an improvement notice") requiring that person to remedy the contravention or, as the case may be, take such steps as may be necessary to remedy the contravention or, as the case may be, take such steps as may be necessary to remedy the contravention.

(2) A notice served under sub-rule (1) shall clearly specify the measures to be taken by the occupier in remedying the said contraventions.

20. Power of the Central Government to modify the Schedules
The Central Government may, at any time, by notification in the Official Gazette, make such changes in the Schedules as may be necessary to give effect to the provisions of these rules.

1 Inserted by MSJHC (Amendment) Rules, 1994, w.e.f. 22.10.1994.
2 Substituted for "and is listed" by SO 571(2), dt. 10.1.2000, w.e.f. 20.1.2000.

18. Import of hazardous chemicals

(1) This rule shall apply to a chemical which satisfies any of the criteria laid down in Part I of Schedule 1¹ [or is listed] in column 2 of Part II of this Schedule.

(2) Any person responsible for importing hazardous chemicals in India shall provide, before 30 days or as reasonably possible but not later than the date of import to the concerned authorities as identified in column 2 of Schedule 5 the information pertaining to—
(i) the name and address of the person receiving the consignment in India;
(ii) the port of entry in India;
(iii) mode of transport from the exporting country to India;
(iv) the quantity of chemical(s) being imported; and
(v) complete product safety information.

(3) If the concerned authority of the State is satisfied that the chemical being imported is likely to cause major accidents, it may direct the importer to take such safety measures as the concerned authority of the State may deem appropriate.
(3A) In case the concerned authority of the State is of the opinion that the chemical should not be imported on safety or on environmental considerations, such authority may direct stoppage of such import.

(4) The concerned authority at the State shall simultaneously inform the concerned Port authority to take appropriate steps regarding safe handling and storage of hazardous chemicals while off-loading the consignment within the port premises.

(5) Any person importing hazardous chemicals shall maintain the records of the hazardous chemicals imported as specified in Schedule 10 and the records so maintained shall be open for inspection by the concerned authority at the State or the Ministry of Environment and Forests or any officer appointed by them in this behalf.

(6) The importer of the hazardous chemical or a person working on his behalf shall ensure that transport of hazardous chemicals from port of entry to the ultimate destination is in accordance with the Central Motor Vehicles Rules, 1989 framed under the Provisions of the Motor Vehicles Act, 1988.

19. Improvement notices
(1) If the concerned authority is of the opinion that a person has contravened the provisions of these rules, the concerned authority shall serve on him a notice (in this para referred to as "an improvement notice") requiring that person to remedy the contravention or, as the case may be, take such steps as may be necessary to remedy the contravention.

(2) A notice served under sub-rule (1) shall clearly specify the measures to be taken by the occupier in remedying the said contraventions.

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The Central Government may, at any time, by notification in the Official Gazette, make such changes in the Schedules as may be necessary to give effect to the provisions of these rules.

1 Substituted for "and is listed" by SO 571(2), dt. 10.1.2000, w.e.f. 20.1.2000.
2 Substituted by MSJHC (Amendment) Rules, 1994, w.e.f. 22.10.1994.
3 Inserted by MSJHC (Amendment) Rules, 1994, w.e.f. 22.10.1994.



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SCHEDULE 2

655. Trimethyl propane phosphite	656. Trimethyl tin chloride
657. Trinitro aniline	658. Trinitro benzene
659. Trinitro benzoic acid	660. Trinitro phenetole
661. Trinitro-m-cresol	662. Trinitrotoluene
663. Tri orthocresyl phosphate	664. Triphenyl tin chloride
665. Tris (2-chloroethyl) amine	666. Turpentine
667. Uranium and its compounds	668. Valinomycin
669. Vandium pentaoxide	670. Vinyl acetate monomer
671. Vinyl bromide	672. Vinyl chloride
673. Vinyl cyclohexane dioxide	674. Vinyl fluoride
674. Vinyl perchlorethene	676. Vinyl toluene
677. Vinyl acetate chloride	678. Warfarin
679. Warfarin Sodium	680. Xylene dichloride
681. Xylidine	682. Zinc dichloropentaminitril
683. Zinc phosphide	684. Zirconium & compounds.]



SCHEDULE 2

[Refer Rules 2(c)(iii), 4(i)(b), 4(2) and 6(i)(b)]
ISOLATED STORAGE AT INSTALLATIONS OTHER THAN THOSE COVERED BY SCHEDULE 4

- (a) The threshold quantities set out below relate to each installation or group of installations belonging to the same occupier where the distance between installations is not sufficient to avoid, in foreseeable circumstances, any aggravation of major accident hazards. These threshold quantities apply in any case to each group of installations. The distance between the installations belonging to the same occupier where the distance between the installations is less than 500 metres.
- (b) For the purpose of determining the threshold quantity of a hazardous chemical at an isolated storage, account shall also be taken of any hazardous chemical which is:
- (i) in that part of any pipeline under the control of the occupier having control of the site, which is within 500 metres of that site and connected to it;
 - (ii) at any other site under the control of the occupier having the boundary of which is within 500 metres of the same occupier any part of the site in any vehicle, vessel, aircraft or hovercraft under the control of the same occupier which is used for storage purpose either at the site or within 500 metres of it;
 - (iii) but no account shall be taken of any hazardous chemical which is in a vehicle, vessel, aircraft or hovercraft used for transporting it.

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Sl. No.	Chemicals	Threshold quantities (tonnes) 1 [For application of rules 4, 5, 7 to 9 and 13 to 15]	2 [For application of rules 10 to 12]
(1)	(2)	(3)	(4)
1.	Acrylonitrile	350	5,000
2.	Ammonia	60	600
3.	Ammonium nitrate (a)	350	2,500
4.	Ammonium nitrate fertilizers (b)	1,250	10,000
5.	Chlorine	10	25
6.	Flammable gases as defined in Schedule 1, paragraph (b)(i)	50	300
7.	Extremely flammable liquids as defined in Schedule 1, paragraph (b)(ii)	5,000	50,000
8.	Liquid Oxygen	200	2,000
9.	Sodium chlorate	25	250
10.	Sulphur dioxide	20	500
11.	Sulphur trioxide	15	100
12.	Carbonyl chloride	0.750	0.750
13.	Hydrogen sulphide	5	50
14.	Hydrogen fluoride	4	50
15.	Hydrogen cyanide	5	10
16.	Carbon disulphide	20	200
17.	Bromine	50	500
18.	Ethylene oxide	5	501
19.	Propylene oxide	5	50
20.	2-Propenal (Acrolein)	20	200
21.	Bromomethane (Methyl bromide)	20	200
22.	Methyl isocyanate	0.150	0.150
23.	Tetraethyl lead or tetramethyl lead	5	50

Substituted by SO 57(E), dt. 19-1-2000, w.e.f. 20-1-2000.
Inserted by MSIHIC (Amendment) Rules, 1994, w.e.f. 22-10-1994.



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SCHEDULE 3

Sl. No.	Chemical	Threshold quantities	CAS No.
24.	1, 2-Dibromoethane (Ethylene dibromide)	5	50
25.	Hydrogen chloride (liquefied gas)	25	250
26.	Diphenyl methane di-isocyanate (MDI)	20	200
27.	Toluene di-isocyanate (TDI)	10	100
28.	Very highly flammable liquids as defined in Schedule 1, paragraph (b) (iii)	7,000	7,000
29.	Highly flammable liquids as defined in Schedule 1, paragraph (b) (iv)	10,000	10,000
30.	Flammable liquids as defined in Schedule-1, paragraph (b) (v)	15,000	1,00,000

(i) This applies to ammonium nitrate and mixtures of ammonium nitrate when the nitrogen content derived from the ammonium nitrate is greater than 28 per cent by weight and to aqueous solutions of ammonium nitrate where the concentration of ammonium nitrate is greater than 80 per cent by weight.

(ii) This applies to straight ammonium nitrate fertilizers and to compound fertilizers where the nitrogen content derived from the ammonium nitrate is greater than 28 per cent by weight (a compound-fertilizer contains ammonium nitrate together with phosphate and/or potash).

SCHEDULE 3

LIST OF HAZARDOUS CHEMICALS FOR APPLICATION OF RULES 5 AND 7 TO 15

[Refer Rules 2(e)(iii), 5 and 6(i)(a)]

(a) The quantities set out below relate to each installation or group of installations belonging to the same occupier where the distance between installations is not sufficient to avoid, in foreseeable circumstances, any aggravation of major accident hazards to the occupier where the distance between the installations is less than 500 metres.

(b) For the purpose of determining the threshold quantity of a hazardous chemical in an industrial installation, account shall also be taken of any hazardous chemical which

- (i) in that part of any pipeline under the control of the occupier having control of the site, which is within 500 metres of that site and connected to it;
- (ii) at any other site under the control of the occupier having control of the boundary of which is within 500 metres of the said site; and
- (iii) in any vehicle, vessel, aircraft or hovercraft under the control of the occupier which is used for storage purposes either at the site or within 800 metres of it.

but no account shall be taken of any hazardous chemical which is in a vehicle, vessel, aircraft or hovercraft used for transporting it.

1. Issued by S.O. 1013/89, w.e.f. 20.1.1989

SCHEDULE 3

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PART I
NAMED CHEMICALS

Sl. No.	Chemical	Threshold quantities		CAS No.
		For application of rules 5, 7 to 9 and 13 to 15	For application of rules 10 to 12	
(1)	(2)	(3)	(4)	(5)
GROUP 1—Toxic substances:				
1.	Aldicarb	100 kg		116-06-3
2.	4-Aminodiphenyl	1 kg		92-67-1
3.	Amiton	1 kg		78-53-5
4.	Anabasine	100 kg		495-52-0
5.	Arsenic pentoxide, arsenic (V) acid and salts	500 kg		
6.	Arsenic trioxide, arsenious (III) acid and salts	100 kg		
7.	Arsine	10 kg		7784-42-1
8.	Azaphos-ethyl	100 kg		2642-71-9
9.	Azaphos-methyl	100 kg		86-50-0
10.	Benzidine	1 kg		92-87-5
11.	Benzidine salts	1 kg		
12.	Beryllium (powders, compounds)	10 kg		
13.	Bis (2-chloromethyl) sulphide	1 kg		505-60-2
14.	Bis (chloromethyl) ether	1 kg		542-88-1
15.	Carbofuran	100 kg		1363-66-2
16.	Carbophenothion	100 kg		788-19-8
17.	Chlorofenphos	100 kg		470-90-8
18.	4 (Chloroformyl) imidaphos	100 kg		15159-40-1
19.	Chloroacetyl methyl ether	1 kg		103-90-2
20.	Colloid (metal oxides, hydroxides, sulphides, as phosphates)	1000 kg		
21.	Chrysoline	100 kg		343-89-7





SCHEDULE 4 THE MS&I^oH CHEMICALS RULES, 1989 321

PART II
CLASSES OF SUBSTANCES AS DEFINED IN PART-I, SCHEDULE 1
AND NOT SPECIFICALLY NAMED IN PART I OF THE SCHEDULE

(1)	(2)	(3)	(4)
GROUP 5—Flammable substances:			
1.	Flammable Gases	15T	200T
2.	Extremely flammable liquids	1000T	5000T
3.	Very Highly flammable liquids	1500T	10000T
4.	Highly flammable liquids which remain liquid under pressure	25Y	200T
5.	Highly flammable liquids	2500T	20000T
6.	Flammable liquids	5000T	50000T

SCHEDULE 4

1. Installations for the production, processing or treatment of organic or inorganic chemicals using for this purpose, among others,—

- (a) alkylation
- (b) amination by ammonolysis
- (c) carbonylation
- (d) condensation
- (e) dehydrogenation
- (f) esterification
- (g) halogenation and manufacture of halogens
- (h) hydrogenation
- (i) hydrolysis
- (j) oxidation
- (k) polymerization
- (l) sulphonation
- (m) desulphurization, manufacture and transformation of sulphur-containing compounds
- (n) nitration and manufacture of nitrogen compounds
- (o) manufacture of phosphorous-containing compounds
- (p) formulation of pesticides and of pharmaceutical products
- (q) distillation
- (r) extraction

Substituted by SO 37(E), dt. 19-1-2000, w.e.f. 20-1-2000

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160.	1-Guanyl-4-nitrosaminoguanyl-1-tetrazene	1 [100 kg]	109-27-3
161.	2, 2, 4, 4, 6, 6-Hexanitrosilbene	50 t	20062-22-0
162.	Hydrazine nitrate	50 t	13464-97-6
163.	Lead azide	1 [100 kg]	13424-46-9
164.	Lead stypnate (Lead 2, 4, 6-trinitroresorcinoxide)	1 [100 kg]	15245-44-0
165.	Mercury fulminate	1 [100 kg]	20820-45-5
166.	N-Methyl-N, 2, 4, 6-tetranitroaniline	50 t	479-45-8
167.	Nitroglycerine	10 t	55-63-0
168.	Pentaerythritol tetranitrate	50 t	78-11-5
169.	Trinitroacetic acid (2, 4, 6-trinitrophenol)	50 t	88-89-1
170.	Sodium trinitroacetate	50 t	831-52-7
171.	Styphnic acid (2, 4, 6-trinitrophenol)	50 t	82-71-3
172.	1, 3, 5-Triamino-2, 4, 6-trinitrobenzene	50 t	3058-38-6
173.	Trinitroaniline	50 t	26952-42-1
174.	2, 4, 6-Trinitroanisole	50 t	606-35-9
175.	Trinitrobenzene	50 t	25377-32-6
176.	Trinitrobenzoic acid	50 t	35860-50-5
177.	Trinitroresol	50 t	28905-71-7
178.	2, 4, 6-Trinitrophenitole	50 t	4732-14-3
179.	2, 4, 6-Trinitrotoluene	50 t	118-96-7



Substituted by SO 37(E), dt. 19-1-2000, w.e.f. 20-1-2000



- 9. District Collector or District Emergency Authority designated by the State Government. Preparation of off-site emergency plans as per rule 14.
- 10. ¹Centre for Environment and Explosive Safety (CEES), Defence Research and Development Organisation (DRDO), Department of Defence Research and Development, Ministry of Defence. Enforcement of directions and procedures in respect of laboratories, industrial establishments and isolated storages dealing with hazardous chemicals in the Ministry of Defence.

SCHEDULE 6
INFORMATION TO BE FURNISHED REGARDING NOTIFICATION OF A MAJOR ACCIDENT
[Refer Rule 5(i)]

Report number..... of the particular accident.

1. GENERAL DATA :

- (a) Name of the site
- (b) Name and address of the manufacturer (also state telephone/telex number)
- (c) (i) Registration number
(ii) Licence number
(As may have been allotted under any statutes applicable to the site, e.g. the Factories Act)
- (d) (i) Nature of industrial activity (mention what is actually manufactured, stored, etc.)
(ii) National Industrial Classification 1987.

□□□□

2. TYPE OF MAJOR ACCIDENT :

Explosion	<input type="checkbox"/>	Fire	<input type="checkbox"/>	Emission of dangerous substance	<input type="checkbox"/>
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3. DESCRIPTION OF THE MAJOR ACCIDENT :

- (a) Substance(s) emitted
- (a) Date, shift and hour of the accident
- (b) Department/Section and exact place where the accident took place
- (c) The process/operation undertaken in the department/section where the accident took place
(attach a flow chart, if necessary)

¹ Substituted by SO 57(E), dt. 19-1-2000, w.e.f. 20-1-2000.

- 7. Atomic Energy Regulatory Board appointed under the Atomic Energy Act, 1972. Enforcement of directions and procedures regarding:
 - (a) Notification of major accidents as per rule 5(1) and 5(2);
 - (b) Approval and Notification of Sites as per rule 7;
 - (c) Safety report and safety audit reports as per rules 10 to 12;
 - (d) acceptance of On-Site Emergency plans as per rule 13;
 - (e) assisting the District Collector in the preparation of Off-Site emergency plans as per serial number 9 of this Schedule;
- 8. Chief Controller of Explosives appointed under The Explosives Act and Rules, 1983. Enforcement of directions and procedures as per the provisions of
 - (i) The Explosives Act, 1884 and the rules made thereunder, namely:
 - (a) The Gas Cylinder Rules, 1981;
 - (b) The Static and Mobile Pressure Vessel (Unfired) Rules, 1981;
 - (c) The Explosives Rules, 1981;
 - (ii) The Petroleum Act, 1934 and the Rules made thereunder, namely:
 - (a) The Petroleum Rules, 1976;
 - (b) The Calcium Carbide Rules, 1987;



- 1. Substituted by SO 57(E), dt. 19-1-2000, w.e.f. 20-1-2000.
- 2. Substituted by CSR 2882, dt. 3-10-1984, w.e.f. 22-10-1994.
- 3. Inserted by SO 57(E), dt. 19-1-2000, w.e.f. 20-1-2000.

VAKALATNAMA

BEFORE THE NATIONAL GREEN TRIBUNAL, KOLKATA/EZ

E.A.No. 02 of 2024/62
O.A.No. 154 of 2024/62
YODIT. BDR. THAPA

Plaintiff
Petitioners

-Versus-

BIHARAT PETROLEUM CORPORATION LTD. & ORS. Defendant
Opposite Party
On behalf of PESO (R-5)

Know all men by these presents that by Vakalatnama I/We appoint the Advocates noted below or any of them my/our lawful Advocate or Advocates for filing the Memorandum of appeal or petition in the
for entering Appearance

above matter for appearing in conducting and arguing the same, for depositing or withdrawing any money in connection therewith for moving the Court in any matter connected therewith, for preparing the paper book in the case and for putting in papers petitions etc. on my/our behalf for filing taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suits etc. For signing and filing petitions of compromise in connections with said matter and for taking copies of paper form the Record and I/We further say that any act, done by my/one said Advocate or Advocates or by any of them after accepting this Vakalatnama, shall be considered as my/our true and lawful act.

And I/we further hereby agree and undertake to pay the said Advocates his or their fees are settled and all others sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocates to conduct property. Falling which the said Advocates after notice to me/us will be liberty to withdraw form the further conduct to the case.

IN WITNESS WHERE OF I/We sign and execute this Vakalatnama on this the 19th day on August 2024.

Vakalatnama Received
and accepted
Ajay Singh
Adv.
9883069404

NAME OF ADVOCATES
ASHOK PRASAD

ajay singh 16/8/24
अजय सिंह
AJAI SINGH
उप मुख्य विस्फोटक नियंत्रक
DY. CHIEF CONTROLLER OF EXPLOSIVES
पूर्वी अंचल, कोलकाता
EC, Kolkata