

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

ORIGINAL APPLICATION NO. 188 OF 2024

IN THE MATTER OF:

Shri Muhammed Risham, Kozhikode, Kerala

..... Applicant

VERSUS

District Collector Office, Kozhikode, Kerala & Ors

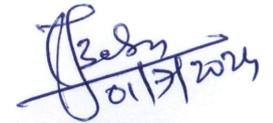
.....Respondents

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Signed and verified on this 1st day of July, 2024 at Bengaluru


**Counsel for
2nd Respondent**



DEPONENT

**J. Chandra Babu
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE - BENGALURU
(MIN.OF ENV,FOREST & CC, GOVT OF INDIA)
BENGALURU - 560 079. MOB: 9868278903**



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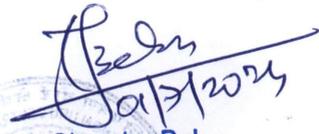
.....Respondents

**REPLY ON BEHALF OF RESPONDENT NO. 2, THE CENTRAL
POLLUTION CONTROL BOARD (CPCB)**

1. That, Hon'ble NGT (SZ) vide order dated 31.05.2024 in the instant case has sought the reply from answering Respondent herein i.e CPCB over the instant matter. Thereby, the reply is made in succeeding paragraphs.

2. That at the outset, the answering respondent deny all claims, contentions, allegations and averments against answering respondent CPCB in the above Original Application (OA) contrary to anything stated or submitted in this reply. Nothing in the OA may be deemed to have been accepted or admitted by the answering Respondent for want of a specific denial or on the ground of non-traverse, save any averment which has been expressly admitted hereinafter.




J. Chandra Babu
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE - BENGALURU
(MIN. OF ENV, FOREST & CC, GOVT OF INDIA)
BENGALURU - 560 079. MOB: 9868278903

3. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and control) Act, 1974. It performs the functions under The Water (Prevention and control) Act, 1974, The Air (Prevention and control) Act, 1981 and The Environment (Protection) Act, 1986.

Reply to the OA

4. That the Applicant is aggrieved by the construction activities initiated for setting up of the petrol pump by the 5th and 6th Respondents in survey number, 198/4, Naduvannur Village, Koyilandy Taluk, Kozhikode District, which is adjacent to his house and not complying to the distance criteria stipulated in the guidelines issued by CPCB as an Official Memorandum dated 07-01-2020 and with the order of the Hon'ble Supreme Court in Civil Appeal No. 421 of 2022 dated 14th March, 2023.
5. That, it is humbly submitted that as per CPCB guidelines dated 07.01.2020 regarding setting up of new petrol pumps, new petrol pumps/ Retail Outlets (ROs) shall not be located within a radial distance of 50m (from fill point/ dispensing unit/ vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential areas designated as per the local laws. It is also mandated that, in case of constraints in complying with 50m distance criteria, the petrol pump/ RO shall implement additional safety measures as prescribed by Petroleum Explosive Safety Organization (PESO). The guidelines further insist at least 30m distance criteria between new petrol pump/ RO (from fill point/ dispensing unit/ vent pipe whichever is nearest) and schools/ hospitals (10 beds and above)/ residential areas designated by local laws.

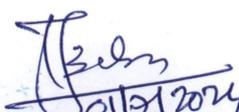



 J. Chandra Babu
 REGIONAL DIRECTOR
 CENTRAL POLLUTION CONTROL BOARD
 REGIONAL DIRECTORATE - BENGALURU
 (MIN. OF ENV, FOREST & CC, GOVT OF INDIA)
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The said guidelines were circulated to State Pollution Control Boards and Pollution Control Committees (hereinafter referred to as SPCBs/PCCs) including Respondent no. 3, i.e. Kerala State Pollution Control Board for ensuring implementation by the concerned stakeholders. The guidelines were also shared with Respondent no. 4, i.e. PESO. Copy of the CPCB guidelines for setting up of new petrol pumps dated 07.01.2020 is annexed herein as **Annexure-I**.

6. That it is further submitted that CPCB vide OM dated January 29, 2021 clarified that the siting criteria will not apply to those cases where prior clearance/initial approval has been obtained from PESO and subsequently construction has been started by the OMC before 07.01.2020. In other words, siting criteria is to be complied with in cases where construction of retail outlets by OMCs commenced on or after 07.01.2020. Copy of the CPCB clarification dated 29.01.2021 is produced herewith and marked as **Annexure II**.
7. That, it is humbly submitted that concerned State Pollution Control Board/Pollution Control Committee, i.e. Kerala SPCB –Respondent No.3 in the present case, has to ensure strict adherence to CPCB guidelines, as per the order of the Hon'ble Supreme Court dated 14.03.2023 in Civil Appeal no. 421 of 2022 (Indian Oil Corporation V/s V.B.R Menon & Ors [2023 SCC On Line SC 257]).




 J. Chandra Babu
 REGIONAL DIRECTOR
 CENTRAL POLLUTION CONTROL BOARD
 REGIONAL DIRECTORATE - BENGALURU
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The Hon'ble Court had also directed that the concerned State Pollution Control Board shall proceed against the erring outlet in accordance with law at the earliest, in case of breach of any of the guidelines issued by the CPCB vide Office Memorandum dated 07.01.2020. In compliance to the order of the Hon'ble Supreme Court, CPCB has also issued an OM dated 16.06.2023, vide which it has directed all SPCBs and PCCs, including Respondent no. 3, Kerala SPCB to ensure that CPCB guidelines are strictly adhered to. The copy of OM dated 16.06.2023 is enclosed as **Annexure III**. The OM was also shared with Respondent no. 4, i.e. PESO.

- 8. That, the answering respondent craves leave of the Hon'ble Tribunal to file additional reply, if required, in future.
- 9. In view of above, it is respectfully submitted that the Central Pollution Control Board shall abide by any order/directions passed by this Hon'ble Tribunal in the instant matter.

**COUNSEL FOR
2nd RESPONDENT**

DEPONENT

**J. Chandra Babu
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE - BENGALURU
(MIN.OF ENV,FOREST & CC, GOVT OF INDIA)
BENGALURU - 560 079. MOB: 9868278903**



MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE - BENGALURU
(MIN. OF ENV, FOREST & CC, GOVT OF INDIA)
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..... Respondents

AFFIDAVIT

I, J Chandra Babu, son of late Shri. J Balaramaiah, aged 56 years, having office at the Regional Directorate (Bengaluru), Central Pollution Control Board (CPCB), 1st & 2nd Floors, Nisarga Bhavan A- Block, Thimmaiah Main Road, 7th D Cross, Shivanagar, Bengaluru – 560 079, Karnataka, do hereby solemnly affirm, declare on oath and state as under: -

1. That I, the deponent herein is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.



**J. Chandra Babu
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE - BENGALURU
(MIN. OF ENV, FOREST & CC, GOVT OF INDIA)
BENGALURU - 560 079. MOB: 9868278903**

2. That the accompanying reply may be read part and parcel of the present affidavit.

3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.



DEPONENT

J. Chandra Babu
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
REGIONAL DIRECTORATE - BENGALURU
(MIN.OF ENV,FOREST & CC, GOVT OF INDIA)
BENGALURU - 560 079. MOB: 9868278903

VERIFICATION

Verified at Bengaluru on this day of 1st July, 2024 that the contents of the above reply are correct and true on the basis of the record of the cases as mentioned in the day to day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.



DEPONENT

J. Chandra Babu
REGIONAL DIRECTOR
CENTRAL POLLUTION CONTROL BOARD
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CENTRAL POLLUTION CONTROL BOARD

DELHI 110 032

January 07, 2020

B-13011/1/2019-20/AQM 10802-10847
OFFICE MEMORANDUM

Sub: Guidelines for Setting Up of New Petrol Pumps in Compliance of Hon'ble NGT order dated January 18, 2019 in OA No. 86/2019: Gyanprakash@ Pappu Singh vs Gol & Ors -regarding.

Hon'ble National Green Tribunal, vide order dated January 18, 2019 in OA No. 86/2019: Gyanprakash@ Pappu Singh vs Gol & Ors directed Central Pollution Control Board and MoPNG to look into the issue of setting up of large number of petrol pumps in the country and directed that appropriate guidelines be issued by the Central Pollution Control Board in exercise of statutory power.

An Expert Committee comprising of members from IIT Kanpur, NEERI, IIP, TERI, MoPNG and CPCB was constituted to frame Guidelines for setting up of new Petrol Pumps including siting criteria and pollution prevention and control measures

The guidelines were placed in public domain and comments/suggestions/objections were invited from public and concern stakeholder and these were reviewed and guideline have been finalised.

The final Guidelines prepared by Expert Committee are hereby circulated for implementation by concerned stakeholders. These guidelines are hereby issued with the approval of the Competent Authority.

(V.K. Shukla)

Additional Director, AQM Div.

Encl.: As Above

To.

1. As per List Enclosed

Copy to:

1. Joint Secretary
CP Division
Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhavan,
Jorbagh Road, New Delhi – 110 003

2. PS to CCB

3. PS to MS

GUIDELINES FOR SETTING UP OF NEW PETROL PUMPS

A. Containment and treatment of spillages from fuel filling operations at petrol pumps:

1. Petrol pumps located in areas with high groundwater table i.e. groundwater levels less than 04 meters shall have secondary containment by way of double walled tanks or concrete protection walls so as to minimize groundwater and soil contamination. It shall be the responsibility of OMC to properly get measured groundwater level at the site of proposed petrol pump and ensure implementation of these adequate protection measures for such sites. Details of measures taken by Oil Marketing Company shall be placed in public domain and in case of contradictory view, view of State/ Central Ground Water Board/ Authority will prevail.
2. All new retail outlets shall have underground tanks/ above ground tank and its ancillary components such as pipes, flexible connectors, pumps, fittings etc. protected from leaks due to corrosion by adopting materials (HDPE/ Mild Steel etc.) with required protective coating, as applicable, duly approved by PESO.
3. Any major leakage/ spillage of Petrol, Diesel, Lube Oil (more than 1 barrel-165 litres) occurs at fueling station, concerned OMC shall report to State Pollution Control Board, PESO and District Administration under intimation to CPCB within 24 hours of occurrence.

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

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

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

6. Single/ double plane swivel with breakaway coupling shall be installed for all the dispensing units for better positioning of nozzle while refueling so that it does not fall off accidentally.
 7. In pressurized dispensation, all dispensing units shall be installed with shear valves to cut the fuel flow from pipe line immediately upon accidental knocking of dispensing units from its position.
 8. In pressurized system all Submersible Turbine Pumps (STPs) are to installed with line leak detectors and in the event of pipeline leaks STPs shall stop pumping fuel from underground tanks.
 9. Emergency stop button switch shall be provided on the Multi-Product Dispenser (MPD) to stop the dispensation in case of emergency.
 10. Automation system shall be installed at all new retail outlets to alert in case of tank leak by way of auto gauging system approved by PESO.
 11. All Retail Outlets shall provide overfill alarm through automation.
 12. Measures for spill containment in fill point chambers and forecourt area shall be implemented as prescribed by PESO.
- B. Check on leakages (Leakage Detection System) from underground storage tanks so as to prevent groundwater and soil contamination:**
1. All new retail outlets will have automation system installed which will provide reports on volume balance after every day operation and records shall be maintained.
 2. Manual gauging shall be done once in a month and compare the same with Automatic Tank Gauging for accuracy.
 3. Daily MS and HSD loss shall not exceed MoPNG prescribed limits. In case of leakage beyond such limits, matter shall be got analyzed by OMCs and further action shall be taken for ascertaining the reasons of losses. In case of leakage resulting in soil / groundwater contamination:
 - a. Concerned OMC shall report to State Pollution Control Board, PESO and District Administration under intimation to CPCB within 24 hours of occurrence. Operation of such underground storage tank (UST) and its ancillary components shall be stopped immediately.
 - b. Fuel shall be removed immediately from underground storage tank to prevent further release to environment. Measures to prevent explosion due to vapors released due to leakage as recommended by PESO shall be implemented immediately.

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

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

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

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

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

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

Permissible Limit

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

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

F. Measures for protection of Worker's Health

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

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

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

H. Siting criteria of Retail Outlets:

In case of siting criteria for petrol pumps new Retail Outlets shall not be located within a radial distance of 50 meters (from fill point/ dispensing units/ vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential areas designated as per local laws. In case of constraints in providing 50 meters distance, the retail outlet shall implement additional safety measures as prescribed by PESO. In no case the distance between new retail outlet from schools, hospitals (10 beds and above) and residential area designated as per local laws shall be less than 30 meters. No high tension line shall pass over the retail outlet.

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



CENTRAL POLLUTION CONTROL BOARD

DELHI 110032

B-13011/1/2020-21/AQM

January 29, 2021

OFFICE MEMORANDUM

Sub: Clarification with regard to cut-off date for applicability of siting criteria referred in Guidelines for Setting Up of New Petrol Pumps dated 07.01.2020

This is in reference to guidelines issued by CPCB on 07.01.2020 for setting up of new petrol pumps indicating the siting criteria to be got implemented for new Retail Outlets.

References/cases have been received with regard to applicability of CPCB siting criteria dated 07.01.2020, in case of Retail Outlets where Letter of Intents (LoIs) have been issued or applications have been made for obtaining NOC or prior clearance/ initial approval has been obtained from PESO.

In this regard, it is clarified that the siting criteria for new Retail Outlets is to be complied with in cases where construction of Retail Outlets by Oil Marketing Companies commenced on or after 07.01.2020. In other words, the siting criteria will not apply to those cases where PESO prior clearance/ initial approval has been obtained and subsequently construction has been started by the OMC before 07.01.2020.

This is issued with the approval of Competent Authority.

(P. K. Gupta)

Additional Director and Head
AQM division

To:

1. All SPCBs/PCCs - *With a request to circulate to Commissioner of civil supplies or other similar authorities who look after issues related to fuel Retail Outlets at State level and District Collectors.*
(As per list enclosed)
2. Ministry of Petroleum And Natural Gas
Joint Secretary (Marketing)
Ministry of Petroleum and Natural Gas, Govt. of India
Shastri Bhavan,
New Delhi – 110001

3. Petroleum And Explosives Safety Organisation
Chief Controller of Explosives
Petroleum and Explosive Safety Organization (PESO)
A Block CGO Complex Fifth Floor Seminary Hills
Nagpur-(Maharashtra) -440006
4. The Chairman,
M/s. Bharat Petroleum Corporation Limited
Bharat Bhavan, 4 and 6 Currimbhoy Road
Ballard Estate, Mumbai 400 001
5. The Chairman,
M/s. Hindustan Petroleum Corporation Limited
Petroleum House, 17, Jamshedji Tata Road, Mumbai
Maharashtra 400020
6. The Chairman,
M/s. Indian Oil Corporation Limited
Indian Oil Bhawan, G9, Ali Yavar Jung Marg
Bandra East, Mumbai, Maharashtra 400 051
7. General Manager (International Trade),
Mangalore Refinery and Petrochemicals Limited,
Core - 8, 7th Floor,
Scope Complex, Lodhi Road,
New Delhi – 110003
8. The Chairman and Managing Director,
M/s. Shell India Pvt. Ltd.
Plot No. 7, Bangalore Hardware Park,
Devanahalli Industrial Park
Mahadeva Kodigehalli
Bangalore- 562 149, Karnataka.
9. The Chairman and Managing Director,
M/s Reliance Industries Limited,
Maker Chambers - IV
Nariman Point
Mumbai 400 021
10. Chairman
M/s. Nayara Energy Limited (Formerly Essar Oil Limited)
5th Floor, Jet Airways Godrej BKC,
Plot No. C-68, G Block
Bandra Kurla Complex, Bandra East
Mumbai- 450 051

Copy to:

1. Regional Director
Regional Directorate, Bhopal
Third Floor Sahkar Bhawan
North T T Nagar
Bhopal 462003
2. Regional Director
Regional Directorate Bengaluru
A-Block, Nisarga Bhavan,
1st and 2nd Floors, 7th D Cross,
Thimmaiah Road, Shivanagar,
Bengaluru-560079
3. Regional Director
Regional Directorate, Chennai
No. 76, Mount Salai,
Guindy, Chennai-600032
4. Regional Director
Regional Directorate Kolkata
South end Conclave Block-502, 5th and 6th Floor,
1582, Razidanga, Main Road,
Kolkata-700107
5. Regional Director
Regional Directorate, Lucknow
PICUP Bhawan
Vibhuti Khand, Gomti Nagar
Lucknow - 226 010
6. Regional Director
Regional Directorate, Shillong
TUM-SIR. Lower Motinagar,
Near Fire Brigade H.Q., Shillong-793014
7. Regional Director
Regional Directorate, Vadodara
Parivesh Bhawan, Opp. Ward No. 10
VMC Office Subhanpura, Vadodara - 390 023
8. Regional Director
Regional Directorate, Pune
Row House No.1, Nisarg Vihar,
Balewadi, Pune -411045

List of SPCBs/ PCCs

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

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

EQ-11099/25/2021-AQM-HO-CPCB-HO

1830-1879

June 16, 2023

OFFICE MEMORANDUM

Sub: Guidelines for setting up of new petrol pumps issued by CPCB- reg.

The Hon'ble Supreme Court of India vide order dated 14.03.2023 in Civil appeal no. 421 of 2022: M/s Indian Oil Corporation Limited v/s V.B.R. Menon & Others, with Civil appeal no. 494 of 2022, Civil appeal no. 1695 of 2022, Civil appeal no. 2039 of 2022, Civil appeal no. 1758 of 2022 and Civil appeal no. 1912 of 2022 directed CPCB to instruct all the State Pollution Control Boards to ensure that the guidelines issued by it vide the Office Memorandum dated 07.01.2020 are strictly adhered to. If there is breach of any of the guidelines issued by the CPCB vide Office Memorandum dated 07.01.2020, then the concerned State Pollution Control Board shall proceed against the erring outlet in accordance with law at the earliest. Copy of the order of the Hon'ble Supreme Court is enclosed herewith.

Accordingly, all SPCBs and PCCs are directed to ensure that CPCB guidelines for setting up of new petrol pumps issued vide Office Memorandum dated 07.01.2020 and addendum dated 16.08.2021 are strictly adhered to. In case of violation of these guidelines, concerned SPCB/PCC shall take action against the erring outlet as per law.

o/c
(CS)


(P.K. Gupta)

Scientist 'F' and Head
Air Quality Management Division

Encl: As above

To:

All SPCBs and PCCs (as per list enclosed)

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत
दिनांक 21/6/2023

1. The Member Secretary Andhra Pradesh Pollution Control Board D. No. 33-26-14 D/2, Near Sunrise Hospital, Pushpa Hotel Centre, Chalamalavari Street, Kasturibaipet, Vijayawada - 520010	2. The Member Secretary Arunachal Pradesh State Pollution Control Board Govt. of Arunachal Pradesh, Department of Environment & Forest, Paryavaran Bhawan, Yupia Road, PapuNalah, Naharlagun - 791110
3. The Member Secretary Pollution Control Board- Assam, Bamunimaidam, Guwahati - 781021 (Assam)	4. The Member Secretary Bihar State Pollution Control Board Parivesh Bhawan, Plot No. NS-B/2, Paliputra Industrial Area, Patliputra, Patna - 800023 (Bihar)
5. The Member Secretary Chhattisgarh State Environment Conservation Board, Paryavas Bhawan, North Block Sector-19, Naya Raipur - 492002 (Chhattisgarh)	6. The Member Secretary Goa State Pollution Control Board Nr. Pilerne Industrial Estate, Opposite Saligao Seminary, Saligao Bardez- 403511 (Goa)
7. The Member Secretary Gujarat Pollution Control Board Paryavaran Bhawan, Sector 10-A, Gandhi Nagar 382010 (Gujarat)	8. The Member Secretary Haryana State Pollution Control Board C-11, Sector-6, Panchkula- 134109 (Haryana)
9. The Member Secretary Himachal Pradesh State Pollution Control Board Him Parivesh, Phase-III, New Shimla - 171009	10. The Member Secretary J&K Pollution Control Committee, Parivesh Bhawan, Shiekh-ul-Campus, behind Govt. Silk Factory, Raj Bagh, Srinagar - 190008 (J&K)
11. The Member Secretary Jharkhand State Pollution Control Board T.A. Bldg., HEC, P. O. Dhurwa, Ranchi-834004 (Jharkhand)	12. The Member Secretary Karnataka State Pollution Control Board "Parisara Bhavan", #49,4th & 5th Floor, Church Street, Bangalore 560 001
13. The Member Secretary Kerala State Pollution Control Board Head Office, Pattom. P. O Thiruvananthapuram- 695 004 (Kerala)	14. The Member Secretary Madhya Pradesh Pollution Control Board Paryavaran Parisar, E-5, Arera Colony, Bhopal - 462016 (Madhya Pradesh)
15. The Member Secretary Maharashtra Pollution Control Board, Kalpataru Points, 3rd & 4th Floor, Sion Matunga Scheme Road No.6 Opp. Cine Planet, Sion Circle, Sion (E), Mumbai-400022	16. The Member Secretary Manipur Pollution Control Board Lamphalpat, Imphal - 795004 (Manipur)
17. The Member Secretary Meghalaya State Pollution Control Board, "ARDEN", Lumpyngngad, Shillong- 793014 (Meghalaya)	18. The Member Secretary Mizoram Pollution Control Board New Secretariat Complex, Khatla, Aizawl - 796001 (Mizoram)
19. The Member Secretary Nagaland Pollution Control Board Signal Point, Dimapur - 797112 (Nagaland)	20. The Member Secretary Odisha State Pollution Control Board Paribesh Bhawan, A-118, Nilakantha Nagar, Unit VIII Bhubaneswar-751012 (Odisha)
21. The Member Secretary Punjab Pollution Control Board Vatavaran Bhawan, Nabha Road Patiala 147 001 (Punjab)	22. The Member Secretary Rajasthan Pollution Control Board, A-4, Institutional Area, Jalana Dungi, Jaipur 302 004 (Rajasthan)

<p>23. The Member Secretary Sikkim State Pollution Control Board State Land Use & Environment Cell Govt. of Sikkim, Deorali Gangtok – 737102 (Sikkim)</p>	<p>24. The Member Secretary Tamil Nadu Pollution Control Board 76, Anna Salai, Guindy Industrial Estate, Race View Colony, Guindy, Chennai-600032 (Tamil Nadu)</p>
<p>25. The Member Secretary Telangana State Pollution Control Board Paryavarana Bhavan, A-III, Industrial Estate, Sanathnagar, Hyderabad-500018 (Telangana)</p>	<p>26. The Member Secretary Tripura State Pollution Control Board Parivesh Bhawan, Pandit Nehru Complex P.O. Kunjaban, Gorkhabasti, Agartala – 799 006 (Tripura)</p>
<p>27. The Member Secretary Uttar Pradesh Pollution Control Board IIIrd Floor PICUP Bhavan Vibhuthi Khand, Gomti Nagar, Lucknow – 226 020, (Uttar Pradesh)</p>	<p>28. The Member Secretary Uttarakhand Environment Protection & Pollution Control Board 29/20, Nemi Road, Dalanwala, Dehradun – 248 001 (Uttarakhand)</p>
<p>29. The Member Secretary West Bengal Pollution Control Board Paribesh Bhavan, 10-A, Block LA, Sector III, Salt Lake City, Kolkata-700 091 (West Bengal)</p>	<p>30. The Member Secretary Andaman & Nicobar Islands Pollution Control Committee, Department of Science & Technology, Dollyganj Van Sadan, Haddo P.O. Port Blair-744102 (Andaman & Nicobar)</p>
<p>31. The Member Secretary Chandigarh Pollution Control Committee Paryavarana Bhawan, Ground Floor, Sector-19 B, Madhya Marg, Chandigarh – 160 019</p>	<p>32. The Member Secretary Pollution Control Committee, UTs of Daman, Diu and Dadra & Nagar Haveli Fort Area, Court Compound, Moti Daman - 396 220</p>
<p>33. The Member Secretary Delhi Pollution Control Committee, Government of N.C.T. Delhi 4th Floor, ISBT Building, Kashmere Gate, Delhi-110 006</p>	<p>34. The Member Secretary Lakshadweep Pollution Control Committee Department of Science, Technology & Environment, Kavarati-682555</p>
<p>35. The Member Secretary Puducherry Pollution Control Committee 'B' Block, Ground Floor, Chief Secretariat, Puducherry-605 001</p>	<p>36. The Member Secretary Ladakh Pollution Control Committee Wildlife Office Building, Near Council Secretariat, Opposite Police Station Housing Colony, Leh-194101 (Ladakh)</p>

Copy to:

1. PPS to Additional Secretary (CP)
Ministry of Environment, Forest and Climate Change
Indira Paryavaran Bhawan, Jorbagh Road, New Delhi – 110 003
2. PS to Chairman, CPCB
CPCB, Delhi
3. Joint Secretary (Marketing and Oil refinery)
Ministry of Petroleum & Natural Gas,
Shastri Bhavan, New Delhi – 110001
4. Chief Controller of Explosives
Petroleum and Explosive Safety Organisation (PESO)
A Block, CGO Complex, Fifth floor
Seminary Hills, Nagpur
5. Director- Legal Metrology
Deptt. of Consumer Affairs,
Room No.461-A, Krishi Bhawan,
New Delhi - 110 001
6. Regional Director
Central Pollution Control Board
Regional Directorate
1st & 2nd Floors, Nisarga Bhavan
A-Block, Thimmaiah Main Road
7th D Cross, Shivanagar,
Opp. Pushpanjali Theatre, Bangalore –560 010
7. Regional Director
Central Pollution Control Board
Regional Directorate
Parivesh Bhawan, Paryavaran Parisar,
E-5, Arera Colony,
Bhopal-462016, Madhya Pradesh
8. Regional Director
Central Pollution Control Board
Regional Directorate
'South end Conclave' Block-502
5th & 6th Floor, 1582, Razidanga,
Main Road, Kolkata-700107
9. Regional Director
Central Pollution Control Board
Regional Directorate
Ground & First Floor, PICUP Bhawan
Vibhuti Khand, Gomti Nagar
Lucknow – 226 020

10. Regional Director
Central Pollution Control Board
Regional Directorate
"TUM-SIR" Lower Motinagar
Near Fire Brigade H.Q.,
Shillong - 793 014
11. Regional Director
Central Pollution Control Board
Regional Directorate
Parivesh Bhawan
Opp VMC Ward office no 10
Subhanpura, Vadodara - 390 023
12. Regional Director
Central Pollution Control Board,
Regional Directorate,
Survey No. 110, Dhankude Multi-Purpose Hall,
Baner Road, Baner, Pune - 411045
13. Regional Director
Central Pollution Control Board, Regional Directorate,
2nd Floor, 77-A, South Avenue Road,
Ambattur Industrial Estate,
Ambattur Taluk, Thiruvallur Dist.
Chennai-600 058
14. Regional Director
Central Pollution Control Board
Regional Directorate
BSNL Exchange, 2nd Floor
Sector 49-C, Chandigarh
Pin-160047

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

**ORIGINAL APPLICATION NO.
188 OF 2024**

IN THE MATTER OF:

Muhammed Risham, Kozhikode, Kerala

VERSUS

**The District Collector, Kozhikode, Kerala & Ors
..... RESPONDENTS**

**AFFIDAVIT ON BEHALF OF
THE RESPONDENT NO. 2,
THE CENTRAL POLLUTION
CONTROL BOARD (CPCB)**

**M/s.R.THIRUNAVUKARASU
COUNSEL FOR
THE 2nd RESPONDENT
M-9444012986**