

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
O.A. NO. 1305 OF 2024**

**IN THE MATTER OF**

KARAN SINGH

...APPLICANT

VERSUS

STATE OF UTTARAKHAND AND ORS

...RESPONDENTS

**INDEX**

<b>S.NO</b>	<b>PARTICULARS</b>	<b>PAGE NO.</b>
1.	REPLY ON BEHALF OF RESPONDENT NO.4 INDIAN OIL CORPORATION LIMITED ALONG WITH SUPPORTING AFFIDAVIT	1-15
2.	<b>ANNEXURE R-1</b> TRUE COPY OF THE CPCB GUIDELINES DATED 07.01.2020	16-25
3.	<b>ANNEXURE R-2</b> TRUE COPY OF CIRCULAR DATED 09.09.2024 BY PESO	26-32

Filed by.

Date: 6 August 2025

Place: New Delhi



Priya Puri

Counsel for IOCL- Respondent No. 4

## BEFORE THE NATIONAL GREEN TRIBUNAL

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...APPLICANT

VERSUS

STATE OF UTTARAKHAND AND ORS

...RESPONDENTS

**REPLY AFFIDAVIT ON BEHALF OF RESPONDENT NO. 4****INDIAN OIL CORPORATION LIMITED**

I, Amit Prakash Suryavanshi, aged about 37 years, s/o Shri Om Prakash Singh, R/o C-1/122, K-1 Narayanpur, Bhojubeer, Varanasi(U.P.) , presently at Dehradun do hereby solemnly affirm and state as under:

1. I am working as Senior Manager(Retail Sales), Dehradun DO with the Respondent Corporation No. 4 (Respondent Corporation) and I am well conversant with the facts of the case based on the official records maintained in the office of the Respondent Corporation. I am authorized and competent to swear this affidavit.



2. The Retail Outlet of the Applicant does not violate the siting criteria for Retail Outlets prescribed by CPCB. Even the report of the District Magistrate annexed with the affidavit filed by Uttarakhand Pollution Control Board states that the school is 41 meters away. As per the siting criteria, in case the school/residential building is between 30-50 meters, additional safety measures as prescribed by PESO have to be implemented. In the present case additional safety measures have been implemented. As such the present O.A. is liable to be dismissed.
3. The Applicant in the present case is not concerned with environmental protection and has filed the present frivolous litigation in order to harass the Respondents. The Applicant has not disclosed his locus standi to file the present O.A. In fact, the application does not demonstrate any connection or interest in the alleged environmental issue addressed in the O.A. The Applicant is silent about how he is affected by the issue in question as the school authority has not filed any complaint regarding the Retail Outlet.
4. The Applicant has made wild and baseless allegations against the answering Respondent Corporation. The Applicant in the LOD (Pg 3) as well as the Application (Pg 10) has incorrectly quoted the siting criteria of Retail Outlet in order to mislead



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this Hon'ble Tribunal. The Applicant has not come before this Hon'ble Tribunal with clean hands. As such, the present application is liable to be dismissed on this ground alone.

5. On 7.1.2020, Central Pollution Control Board (CPCB) issued Guidelines giving siting criteria for setting up new Petrol pumps. As per the said Guidelines the minimum distance to be maintained by new petrol pumps from school, designated residential areas as per local laws and Hospitals is 30 meters. The relevant paragraph i.e. Clause "H" of the Memorandum which reads as follows:

*"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*



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*30 meters. No high-tension line shall pass over the retail outlet."*

True copy of the CPCB Guidelines dated 07.01.2020 is herewith annexed as **ANNEXURE R-1**.

6. The Applicant by concealing the relevant portions of the siting criteria is trying to create an impression as if the minimum distance between a Retail Outlet and a school must be 50 meters whereas the minimum distance between a Retail Outlet and a school is 30 meters. In the present case the distance between the Retail Outlet and the school is 41 meters which is allowed as per the CPCB guidelines. In case the distance between the Retail Outlet and the school/residential area is between 30-50 meters, the Retail Outlet must implement additional safety measures as prescribed by the Petroleum and Explosives Safety Organization (PESO). The additional safety measures as prescribed have been implemented by the Retail Outlet. True Copy of circular dated 09.09.2024 is herewith annexed as **ANNEXURE R-2**.

7. The Respondent Corporation issued an advertisement for selection of dealers for MS/HSD Kisan Seva Kendra Dealership in State of Uttarakhand, District Haridwar at Khasra No. 95, Village Laldhang, Tehsil-Jwalapur, and Respondent No. 5 was



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selected for the above dealership. The Respondent Corporation issued a Letter of Intent dated 19.02.2024 to Respondent No. 5.

8. As per the provisions of the Petroleum Act, the Respondent Corporation applied for a No Objection Certificate (NOC) from the District Magistrate. After considering the relevant facts, the District Magistrate issued NOC (No Objection Certificate) dated 18.06.2024 to the Respondent Corporation for the establishment of the petrol pump at the said site.
9. Following the issuance of the NOC, construction of Retail Outlet at the site commenced in compliance with all the relevant guidelines and with additional safety measures prescribed by PESO. After following all legal requirements including CPCB guidelines, the Retail Outlet has been established.

#### **PARA WISE REPLY**

1. The submissions made in paragraph no. I and II are matters of record and require no reply.
2. The contents of para. 1 to 3 are incorrect and are denied. It is submitted that the total distance from the Dispensing Unit to the boundary of the school is 41 meters hence, it is not in violation of siting criteria prescribed by the CPCB guidelines which states that the minimum distance has to be 30 meters.



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The applicant has, with malafide intention and ulterior motives filed the present application before this Hon'ble Tribunal concealing material facts to mislead this Tribunal. It is submitted that the Retail Outlet is in complete compliance of all the CPCB guidelines. It further submitted that on 21.03.2025 an inspection was conducted by Member Secretary, UKPCB, Roorkee and as per the findings recorded, the school is located within 41 meters from the Retail Outlet. In case the distance between the Retail Outlet and the school/residential area is between 30-50 meters, the Retail Outlet must implement additional safety measures as prescribed by the Petroleum and Explosives Safety Organization (PESO). The additional safety measures as prescribed have been implemented by the Retail Outlet.

3. The content of para. 4 are wrong and denied. It is submitted that the said filling point of the Retail Outlet is at a distance less than 40 meters from the school boundary. It is denied that there is any risk of fire from flammable petrol vapours, or there is any potential air pollution impacting children's health, noise from vehicle traffic, and increased- risk of accidents, due to the establishment of the Retail Outlet. It is stated that the additional safety measures as prescribed have been implemented. It is reiterated that neither the school nor



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any student has filed any complaint with any authority regarding the Retail Outlet. It is further submitted that in the present case there is a large open ground between the school gate and the actual school building where students are seated and the distance between the school building and the Retail Outlet is 109 meters.

4. The contents of para. 5 & 6 are incorrect and are denied. It is denied that CPCB guidelines state that a minimum distance of 50 meters is to be maintained between a Retail Outlet and a school/residential area. It is submitted that as per the CPCB guidelines a minimum distance of 30 meters between the Retail Outlet and residential area/school has to be maintained. In the present case the school is located within 41 meters from the Retail Outlet. In case the distance between the Retail Outlet and the school/residential area is between 30-50 meters, the Retail Outlet must implement additional safety measures as prescribed by the Petroleum and Explosives Safety Organization (PESO). The additional safety measures as prescribed have been implemented by the Retail Outlet. It is denied that a leak or a spill near a school could easily ignite, causing serious harm to students and staff. It is submitted that the Retail Outlet is complying with all the safety



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guidelines, thus, there is no likelihood of any spill or leak as alleged.

5. The contentions of Para. 7 are wrong and hence denied. It is denied that there is increased car traffic around the school due to the petrol pump and that it is posing safety risks and anxiety issues for students crossing the road. It is reiterated that neither the school nor any student has filed any complaint with any authority regarding the Retail Outlet. It is further submitted that traffic issues does not fall within the purview of jurisdiction of the NGT.
6. To reply Para. 8, it is submitted that the Applicant has wrongly put reliance on "*Deepak Sharma V. State of Uttarakhand & others*". In the present matter, the construction of the Retail Outlet has already been concluded while taking all the necessary safety measures. The construction of Retail Outlet at the site commenced in compliance with all the relevant guidelines and with additional safety measures prescribed by PESO. After following all legal requirements including CPCB guidelines, the RO has been established.
7. The contentions of Para 9-10 are wrong and denied. The Applicant is making false allegations and is hiding material facts to the case. It is denied that the construction of the Retail Outlet was carried out at risk to the lives of the school



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students. It is submitted that the authorities while giving the NOC considered all aspects including the distance from school/residential area. It is submitted that Respondent Corporation has complied with every provision provided by the clause "H" of the memorandum. The Applicant has with malafide intentions wrongly quoted the CPCB guidelines in the Synopsis, List of Dates and the O.A, in order to mislead this Hon'ble Tribunal. The Applicant has purposely deleted a line from the guidelines which show that the minimum distance required for a Retail Outlet from a residential area or school, hospital is 30 meters. It is submitted that the school is located within 41 meters from the Retail Outlet. In case the distance between the Retail Outlet and the school/residential area is between 30-50 meters, the Retail Outlet must implement additional safety measures as prescribed by the Petroleum and Explosives Safety Organization (PESO). The additional safety measures as prescribed have been implemented by the Retail Outlet. It is denied that the Applicant herein has been constrained to approach this Hon'ble Tribunal on account of absolute inaction who have harboured such malafide the construction of the Retail outlet. It is submitted that the Applicant has no reason to approach this Hon'ble Tribunal as all the CPCB guidelines have been complied with.



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8. The grounds in Para IV-A to IV-C are false and hence denied. It is submitted that the total distance from the Dispensing Unit to the boundary of the school is 41 meters hence, it is not in violation of siting criteria prescribed by the CPCB guidelines which states that the minimum distance has to be 30 meters. The applicant has, with malafide intention and ulterior motives filed the present application before this Hon'ble Tribunal concealing material facts to mislead this Tribunal. It is submitted that the Retail Outlet is in complete compliance of all the CPCB guidelines. It further submitted that on 21.03.2025, an inspection was conducted by Member Secretary, UKPCB, Roorkee and as per the findings recorded, the school is located within 41 meters from the Retail Outlet. In case the distance between the Retail Outlet and the school/residential area is between 30-50 meters, the Retail Outlet must implement additional safety measures as prescribed by the Petroleum and Explosives Safety Organization (PESO). The additional safety measures as prescribed have been implemented by the Retail Outlet. It is denied that there is any risk of fire from flammable petrol vapours, or there is any potential air pollution impacting children's health, noise from vehicle traffic, and increased-risk of accidents, due to the establishment of the Retail Outlet.



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It is stated that the additional safety measures as prescribed have been implemented. It is reiterated that neither the school nor any student has filed any complaint with any authority regarding the Retail Outlet. It is further submitted that in the present case there is a large open ground between the school gate and the actual school building where students are seated and the distance between the school building and the Retail Outlet is 109 meters.

9. The grounds in Para IV-D are false and hence denied. It is denied that CPCB guidelines state that a minimum distance of 50 meters is to be maintained between a Retail Outlet and a school/residential area. It is submitted that as per the CPCB guidelines a minimum distance of 30 meters between the Retail Outlet and residential area/school has to be maintained. In the present case the school is located within 41 meters from the Retail Outlet. In case the distance between the Retail Outlet and the school/residential area is between 30-50 meters, the Retail Outlet must implement additional safety measures as prescribed by the Petroleum and Explosives Safety Organization (PESO). The additional safety measures as prescribed have been implemented by the Retail Outlet.
10. The grounds in Para IV-E to IV-F are false and hence denied. It is denied that a leak or a spill near a school could



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easily ignite, causing serious harm to students and staff. It is submitted that as per the CPCB guidelines a minimum distance of 30 meters between the Retail Outlet and residential area/school has to be maintained. In the present case the school is located within 41 meters from the Retail Outlet. In case the distance between the Retail Outlet and the school/residential area is between 30-50 meters, the Retail Outlet must implement additional safety measures as prescribed by the Petroleum and Explosives Safety Organization (PESO). The additional safety measures as prescribed have been implemented by the Retail Outlet. It is submitted that the Retail Outlet is complying with all the safety guidelines, thus, there is no likelihood of any spill or leak as alleged. It is denied that there is increased car traffic around the school due to the petrol pump and that it is posing safety risks and anxiety issues for students crossing the road. It is reiterated that neither the school nor any student has filed any complaint with any authority regarding the Retail Outlet. It is further submitted that traffic issues does not fall within the purview of jurisdiction of the NGT.

11. To reply to Para. IV-G, it is submitted that the Applicant has wrongly put reliance on "Deepak Sharma V. State of Uttarakhand & others". In the present matter, the



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construction of the Retail Outlet has already been concluded while taking all the necessary safety measures. The construction of Retail Outlet at the site commenced in compliance with all the relevant guidelines and with additional safety measures prescribed by PESO. After following all legal requirements including CPCB guidelines, the RO has been established.

12. The grounds in Para IV-H are false and hence denied. It is denied that the construction of the Retail Outlet was carried out at risk to the lives of the school students. It is submitted that the authorities while giving the NOC considered all aspects including the distance from school/residential area. It is submitted that Respondent Corporation has complied with every provision provided by the clause "H" of the memorandum. The Applicant has with malafide intentions wrongly quoted the CPCB guidelines in the Synopsis, List of Dates and the O.A, in order to mislead this Hon'ble Tribunal. The Applicant has purposely deleted a line from the guidelines which show that the minimum distance required for a Retail Outlet from a residential area or school, hospital is 30 meters. It is submitted that the school is located within 41 meters from the Retail Outlet. In case the distance between the Retail Outlet and the school/residential area is between 30-50



meters, the Retail Outlet must implement additional safety measures as prescribed by the Petroleum and Explosives Safety Organization (PESO). The additional safety measures as prescribed have been implemented by the Retail Outlet.

13. The submissions made in paragraph no. V are matters of record and require no reply.
14. The contents of paragraph VI are wrong and denied. It is submitted that there is no reason to file the present O.A. as all the CPCB guidelines have been complied with.
15. In the light of the above facts and circumstances, the present original application is liable to be dismissed with costs.
16. I say that the contents of this Affidavit are true to the best of my knowledge and as per the records maintained in the office of the Respondent Corporation.



### VERIFICATION

Verified at Dehradun on this 6 day of July, 2025 that the contents of above reply are true and correct to the best of my knowledge and belief based on the official records maintained in

**DEPONENT**

अमित प्रकाश सूर्यवंशी  
वरिष्ठ प्रबन्धक (रिटेल सेल्स)  
इण्डियन ऑयल कार्पोरेशन लिमिटेड  
देहरादून मण्डल कार्यालय

the office of the Respondent Corporation no part of it is false and nothing material has been concealed therefrom.


**DEPONENT**

आमित प्रकाश सूर्यवंशी  
चरिच प्रबन्धक (रिटेल सेल्ल)  
इण्डियन ऑयल कार्पोरेशन लिमिटेड  
देहरादून मण्डल कार्यालय

न.न. 3977

06/01/25



This affidavit is sworn before me by  
Shri. M. Prakash Suryawansi  
who is identified by Shri .....  
at Dehradun on.....

(Rajender Singh Negi)  
Advocate & Notary, Dehradun



## ANNEXURE R-1



## छत्तीसगढ़ पर्यावरण संरक्षण मंडल

पर्यावास भवन, नार्थ ब्लॉक, सेक्टर-19,  
नवा रायपुर, अटल नगर (छ.ग.) 492002  
ई-मेल- hocecb@gmail.com

क्रमांक 9948 / मुख्या. / वैज्ञा. / छ.ग.प.सं.मं. / 2020 नवा रायपुर, अटल नगर, दिनांक 7/12/2020  
प्रति,

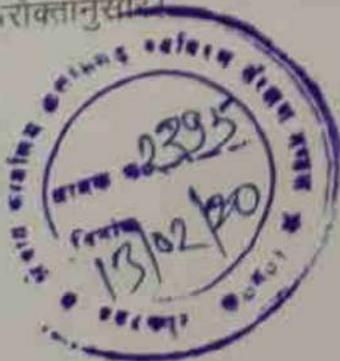
✓ क्षेत्रीय अधिकारी,  
क्षेत्रीय कार्यालय,  
छ.ग. पर्यावरण संरक्षण मंडल,  
रायपुर / दुर्ग-भिलाई / विलासपुर / कोरवा / रायगढ़ / अंबिकापुर /  
सगदलपुर (छ.ग.)

विषय :- Guideline 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 GoI & Ors-regarding.  
संदर्भ :- केन्द्रीय प्रदूषण नियंत्रण बोर्ड का पत्र क्रमांक B-13011/2019-20/AQM/10806 दिनांक 07.01.2020

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उपरोक्त पत्र का अवलोकन हो। (गाईड लाईन की छायाप्रति संलग्न) केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली से प्राप्त पत्र के अनुक्रम में लेख है कि उक्त पत्र के माध्यम से केन्द्रीय प्रदूषण नियंत्रण बोर्ड, नई दिल्ली ने मान. नेशनल ग्रीन ट्रिब्यूनल, प्रिंसिपल बेंच, नई दिल्ली के द्वारा ओ.एन. 86/2019 में पारित आदेश दिनांक 18.01.2019 के परिपालन हेतु नवीन स्थापित होने वाले पेट्रोल पंप के लिये गाईड लाईन तैयार की गई है। तत्संबंध आपको निर्देशित किया जाता है कि आप अपने कार्यक्षेत्र के अंतर्गत स्थापित होने वाले नये पेट्रोल पंप में उक्त गाईड लाईन के अनुसार कियान्वयन सुनिश्चित करें एवं की गई कार्यवाही से मंडल मुख्यालय को अवगत कराये।

उपरोक्तानुसार।



शुद्धस्थ-सचिव  
छत्तीसगढ़ पर्यावरण संरक्षण मंडल,  
नवा रायपुर, अटल नगर (छ.ग.)

NK

## CENTRAL POLLUTION CONTROL BOARD

DELHI 110 032

B-13011/1/2019-20/AQM 10809

January 07, 2020

## 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

1. As per List Enclosed

## List of Stakeholders

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, Kusturibaipet, Vijayavada-520010	2. The Member Secretary Arunachal Pradesh State Pollution Control Board 'Paryavaran Bhawan', Nagla Road, Pappu Nallah, Naharlajam - 791110 Arunachal Pradesh
3. The Member Secretary Assam State Pollution Control Board Bamuninaidan, Guwahati - 781021 Assam	4. The Member Secretary Bihar State Pollution Control Board Parvesh Bhawan, Plot No.2-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 Sr. Pflone Industrial Estate, Opp. Saligao Seminary, Saligao - Hardas 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, Panchsheel, Gurgaon - 124001 Haryana
9. The Member Secretary Himachal Pradesh State Pollution Control Board Paryavaran Bhawan, Phase III, New Shimla - 171009 Himachal Pradesh	10. The Member Secretary J&K State Pollution Control Board, Parvesh Bhawan, Forest Complex, Ghat - Sarwal, Transport Nagar, Jammu (J&K)
11. The Member Secretary Jharkhand State Pollution Control Board T.A Building, HEC Campus, P.O. Dhinwa Ranchi - 834004 Jharkhand	12. The Member Secretary Karnataka State Pollution Control Board Parvash Bhawan, 4 <sup>th</sup> & 5 <sup>th</sup> Cross, 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 T & C Cross, Sion Mangla 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, B-5 Aera Colony Bhopal - 462016 Madhya Pradesh	16. The Member Secretary Manipur State Pollution Control Board Lamphelgat, Imphal West D.C. Office Complex - 795004 Manipur
17. The Member Secretary Meghalaya State Pollution Control Board Arden, Lumpyngngas, Shillong - 793014 Meghalaya	18. The Member Secretary Mizoram State Pollution Control Board New Secretariat Complex, Khatla, Thlanmual Bazar, Aizawl Mizoram 790001
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, Bhubaneswar - 751012 Odisha
21. The Member Secretary Punjab State Pollution Control Board Nabha Road, ITI Rd, Adarsh Nagar, Prom Nagar, Patiala - 147001 Punjab	22. The Member Secretary Rajasthan State Pollution Control Board A-4 Institutional Area, Jhalane Durgri 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 Salem, Coimbatore, Chennai - 600032, Tamil Nadu

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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, Gokulnagar 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 <sup>rd</sup> floor, PICUP Bhavan, Vibhuti Khand, Gomi Nagar, Lucknow 226010 Uttar Pradesh
29.	The Member Secretary West Bengal State Pollution Control Board Paribesh Bhavan Building, No.10-A, Block 1A, 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, ISBI Building, Kasturba Gandhi, Delhi-110006
	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 9 B Maulana 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, Kavaratti-682555
35.	Member Secretary Pondicherry Pollution Control Committee, Housing Board Complex, Anna Nagar, Pondicherry-605 005	36.	Joint Secretary (Marketing) Ministry of Petroleum and Natural Gas, Govt. of India Shastri Bhawan, New Delhi - 110001
37.	Chief Controller of Explosives Petroleum and Explosive Safety Organization (PESO) A Block CGO Complex Fifth Floor Seminary Hills Nagpur-(Maharashtra) -440006	38.	Director Legal Metrology Ministry of Consumer Affairs, Food and Public Distribution Dept. of Consumer Affairs, Room No.461-A, Krishi Bhawan, New Delhi - 110 001
39.	The Chairman, M/s. Bharat Petroleum Corporation Limited Bharat Bhavan, 4 and 6 Currimbhoy Road Ballard Estate, Mumbai 400 001.	40.	The Chairman, M/s. Hindustan Petroleum Corporation Limited Petroleum House, 17, Janshodh Tata Road, Mumbai Maharashtra 400020
41.	The Chairman, M/s. Indian Oil Corporation Limited Indian Oil Bhawan, G9, Ali Yavar Jung Marg Bandra East, Mumbai, Maharashtra 400 051.	42.	The Chairman and Managing Director, M/s. Shell India Pvt. Ltd Plot No. 7, Bangalore Hardware Park, Devanahalli Industrial Base Mihadeva Kodigehalli Bangalore-562 149, Karnataka.
43.	The Chairman and Managing Director, M/s Reliance Industries Limited, Maker Chambers - IV Nariman Point Mumbai 400 021	44.	Chairman M/s. Nayara Energy Limited (Formerly Essar Oil Limited) 5th Floor, Jet Airways Gateway BKC, Plot No. C-68, G Block Bandra Kurla Complex, Bandra East Mumbai-400 057
45.	General Manager (International Trade), Mangalore Refinery and Petrochemicals Limited, Core - 8, 7th Floor, Scope Complex, Lodhi Road, New Delhi - 110003		

## 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.*

Item No. 06

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 86/2019

Gyanprakash @ Pappu Singh

Applicant(s)

Versus

Union of India &amp; Ors.

Respondent(s)

Date of hearing: 18.01.2019

**CORAM:** HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

For Applicant(s):  
For Respondent(s):

**ORDER**

The issue raised in this application is to limit number of petrol pumps so as to avoid adverse impact on the environment.

The applicant has referred to news item dated 24.12.2018 in 'Live Mint' under the heading "Indian Oil, HP and BP's plan to open 80,000 petrol pumps hits land hurdle" to submit that large number of petrol pumps are being opened without any concern for environment and without any guideline about sustainability of such large number of petrol pumps.

Reference has been made to the guidelines issued by Indian Road Congress "General Conditions of Siting" laying down distance from the highways and distance between the two fuel stations. Photographs of unregistered and indigenously assembled vehicles have also been filed, with further averments that such vehicles create air pollution and safety hazardous.

**TRUE COPY**

तार- "विस्फोटक", नागपूर  
 Telegram: 'EXPLOSIVES', Nagpur  
 Website : http://peso.gov.in  
 Email: explosives@explosives.gov.in  
 दूरभाष/ Telephone : 0712-2510248  
 फ़ैक्स/ FAX : 2510577

कार्यालयीन उद्देश्य के सभी पत्रादि "मुख्य विस्फोटक नियंत्रक" के पदनाम से भेजे जाए उनके व्यक्तिगत नाम से नहीं।  
 All communications intended for this Office should be addressed to the 'Chief Controller of Explosives' and NOT to him by name.



भारत सरकार

GOVERNMENT OF INDIA

पेट्रोलियम तथा विस्फोटक सुरक्षा संगठन

Petroleum and Explosives Safety Organisation

(पूर्व नाम - विस्फोटक विभाग)

(Formerly- Department of Explosives)

"ए-ब्लॉक 4, पाँचवा तल, केन्द्रीय कार्यालय परिसर,

"A" Block, 5<sup>th</sup> Floor, CGO Complex,

सेमिनरी हिल्स, नागपूर - 440 006 (महा)

Seminary Hills, Nagpur- 440006

संख्या /No. C.VIII(3)125/Circular/Petroleum

दिनांक/ dated 09/09/2024

## C I R C U L A R

**Sub:** Additional safety measures for setting up of new petroleum service station – reg.

As per CPCB guidelines dated 07.01.2020 for setting up of new petrol pumps, new retail outlets shall not be located within the radial distance of 50 meters (from fill point/ dispensing units/ vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential area 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 school, hospitals (10 beds and above) and residential area designated as per local laws shall be less than 30 meters.

In view of the Directions of CPCB, the following additional safety measures shall be complied for setting up new petroleum service stations near residential areas, hospitals (10 beds and above) and schools within 30-50 meter radius.

1. The proposed petroleum service station shall be provided with minimum 2 meters high RCC/solid brick masonry boundary wall of 230 mm thick on the sides of proposed petroleum retail outlet facing the school, hospital (10 beds & above) and residential area designated as per Local Laws.
2. All underground tanks shall be in concrete pit in the proposed petroleum service station.
3. The tanker unloading platform shall preferably be located opposite to the side of the petroleum service station facing the school/residential area/hospitals (10 beds and above).
4. No Refuller loading or parking arrangement shall be allowed in the proposed petroleum service station.

These additional safety measures are approved by DPIIT vide Explosives Section OM No. P-13033/100/2024-EXPLOSIVE dated 7<sup>th</sup> August 2024 (copy enclosed).

Encl : As above

Yours faithfully,



( P.Kumar )

Chief Controller of Explosives

To

All Stake holders for Petroleum Service Stations.

Copy to:

1. Explosives Section DPIIT: w.r.t. Explosives Section OM No. P-13033/100/2024-EXPLOSIVE dated 7<sup>th</sup> August 2024.
2. All PESO Circle /Sub-Circle offices.

13087  
13/8/2024  
P-13033/100/2024-EXPLOSIVE  
भारत सरकार/Government of India  
वाणिज्य और उद्योग मंत्रालय/Ministry of Commerce and Industry  
उद्योग संवर्धन और आंतरिक व्यापार विभाग/Deptt. for Promotion of Industry & Internal Trade  
विस्फोटक अनुभाग/Explosives Section

Udyog Bhawan, New Delhi-110011  
Dated: 7<sup>th</sup> August, 2024

**OFFICE MEMORANDUM**

**Subject: Approved Minutes of the meeting held on 25.07.2024 under the Chairmanship of Secretary, DPIIT regarding recommendation of additional safety measures for siting of new petrol pump-reg.**

The undersigned is directed to refer to the subject mentioned above and to forward herewith a copy of the approved minutes of the meeting held on 25.07.2024 under the Chairmanship of Secretary, DPIIT regarding recommendation of additional safety measures for siting of new petrol pump.

2. This issues with the approval of competent authority.

**Encl: As above**

*[Handwritten Signature]*

(Pritam Kumar)

Under Secretary to the Govt. of India

Tel: 011-23063148

Email ID: pritam.k@gov.in

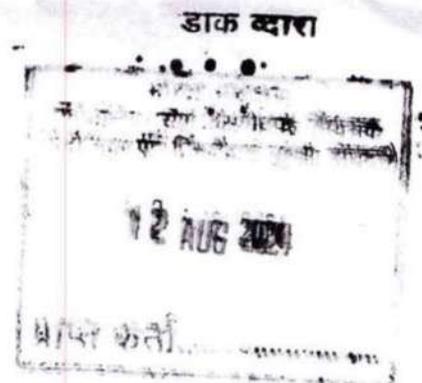
To,

1. The Secretary, Ministry of Petroleum and Natural Gas
- ✓ 2. Shri P. Kumar, CCE, PESO
3. The Chairman, Central Pollution Control Board

Copy to,

1. OSD to Secretary, DPIIT.
2. PS to JS (SB), DPIIT
3. Shri Bhuvnesh Pratap Singh, DS, DPIIT

*Mail may be sent alongwith supporting documents for compliance.*  
*[Handwritten Signature]*  
14/8/24



**Minutes of the meeting held on 25.07.2024 at 3:30 PM under the Chairmanship of Secretary, DPIIT (SIIT) regarding Additional Safety Measures for siting of new petrol pump-reg.**

**Agenda:** Discussion on safety measures (**Annexure I**) recommended by PESO for setting up new petroleum retail outlets near residential areas, hospitals (10 beds and above), and schools within a 30-50 meter radius.

Dr. Bhuvnesh Pratap Singh welcomed all the participants. The meeting aimed to review and discuss these safety measures proposed for aforesaid new retail outlets. The list of participants is provided in **Annexure - II**.

**Safety Measures and views of the participants thereto : -**

- **Safety Measure 1:** A boundary wall of 230 mm thickness is proposed for outlets facing schools and hospitals. Shri Anil Ahir from BPCL suggested a reduced thickness of 170 mm. After detailed deliberations, OMCs agreed to adhere to the 230 mm requirement.
- **Safety Measure 2:** The measure recommends placing all underground tanks in concrete pits. OMCs proposed removing this requirement, citing existing CPCB norms for concrete protection only when the water table is less than 4 meters or near surface water bodies.
- **Safety Measure 3:** A Vapour Recovery System (VRS) is recommended. OMCs requested an exemption, arguing that VRS is mandated by CPCB for air pollution control, not safety. CPCB confirmed that it is a pollution related issue. However, Dr. Sanjana Sharma, Joint CCE, PESO, emphasized VRS's importance for safety to prevent vapour-related accidents at the premises where the residential areas, school and hospitals are located at 30 meter or within 30 to 50 meter. OMCs further argued that all PESO distance norms will be followed but VRS has got a backend infrastructure including preparation of Tankers, supply points based on the statutory requirements governed by population norms, which anyway will be followed if the subject RO falls under the same but should not be made mandatory. Secretary, DPIIT mentioned that this will be considered to be relaxed while all other requirements are put in place.
- **Safety Measures 4 and 5:** Recommendations include placing the tanker unloading platform away from sensitive areas and prohibiting refueler loading or parking in these ROs. OMCs argued that these measures may be unnecessary due to existing safety distances defined in the Petroleum Rules.
- **Safety Measures 6, 7, and 8:** Additional Measures No. 6, 7 and 8 are related to documentation, site plan drawing, etc.



Representatives of OMCs demanded to drop these measures as OMCs are submitting documents and layout Drawings duly signed by Authorized officer of OMCs, as per Petroleum Rules and Licensing requirements.

**After detailed deliberation following actions were unanimously accepted by all the stakeholders: -**

Safety Measures No. 1, 2, 4 and 5 were agreed upon by all stakeholders and shall be followed by OMCs and additional measures No. 6, 7 and 8 may be dropped as there are already provisions in Rule 131 and Rule 144 of Petroleum Rules, 2002 regarding these measures. Measure No. 3 (VRS) will be followed in line with CPCB's guidelines wherever applicable.

**It was also decided: -**

- I. To setup a committee comprising of officers of PESO, CPCB and one representative each from major PSU Oil companies to furnish a report on what are the best global practices regarding setting up of retail outlets in populated areas.
- II. Based on the recommendation of the committee if required, an appeal for revision of CPCB guidelines will be made before Hon'ble Supreme Court.

The meeting concluded with a vote of thanks.



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**Annexure-I**

- 2 -

In view of the above, a committee has been constituted by the Chief Controller of Explosives to suggest a way forward to implement said guidelines while granting prior approval for construction and licenses to new petroleum retail outlets. The matter is also discussed with the industry members as well as with all heads of Circle & Sub-Circle office of PESO. The committee report is enclosed herewith.

On the basis of recommendations of committee and deliberations with the industry members as well as PESO officers, PESO prescribes the following additional measures for siting of new petrol pump in case minimum distance of 30 meters is available with respect to above said 3 criteria with following conditions.

- (1) The proposed petroleum retail outlet shall be provided with minimum 2 meters high RCC/solid brick masonry boundary wall of 230 mm thick on the sides of proposed petroleum retail outlet facing the school, hospital (10 beds & above) and residential area designated as per Local Laws.
- (2) All underground tanks shall be in concrete pit in the proposed petroleum retail outlet.
- (3) Vapour recovery system shall be provided in these retail outlets.
- (4) The tanker unloading platform shall preferably be located opposite to the side of the retail outlet facing the school/residential area/hospitals (10 beds and above).
- (5) No Refueller loading or parking arrangement shall be allowed in the proposed petroleum retail outlet.
- (6) The item wise compliance of CPCB guidelines duly signed by the Divisional/Regional Manager of OMC shall be submitted along with application for construction approval and it should be clearly mentioned in their undertaking that "No school, hospital (10 beds and above) and residential area designated as per Local laws is situated within 30 metres from the fill points, dispensers and vent pipes of the retail outlet".
- (7) The site plan drawings of proposed petroleum retail outlet shall show 30 meters, 50 meters and 100 meters separation distance circles incorporating all the existing structures within the same. The site plan drawings shall clearly indicate minimum 30 meters radial separation distance is available from the fill points, dispensing units, vent pipes, from existing school, hospitals (10 beds and above) and residential area designated as per Local Laws and the same drawing shall be endorsed by District Authorities while issuing of NOC.
- (8) The District Magistrate shall mention in the NOC that no school, hospital (10 beds & above), residential area designated as per Local Laws is existing within 30 meters from the proposed retail outlet fill points, dispensers and vent pipes.

**Annexure – II****List of Participants**

1. Shri Rajesh Kumar Singh, Secretary, DPIIT
2. Ms Sujata Sharma, JS, MoPNG
3. Dr. Bhuvnesh Pratap Singh, DS, DPIIT
4. Shri Pritam Kumar, Under secretary, DPIIT
5. Shri P. Kumar, Chief Controller of Explosives, PESO
6. Dr. Sanjana Sharma, Jt Chief Controller of Explosives
7. Shri Sanjay Singh, Dy Chief Controller of Explosives
8. Shri R. N Meena, Jt Chief Controller of Explosives
9. Dr. M.I.Z Ansari, Jt Chief Controller of Explosives
10. Shri V.K Mishra, Jt Chief Controller of Explosives
11. Shri Ankush Tewani, Scientist F, CPCB
12. Shri Anil Ahir
13. Shri Pradeep
14. Shri ND Mathur, IOCL
15. Shri Anil Garg
16. Shri DHV Anand, HPCL

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