

IN THE NATIONAL GREEN TRIBUNAL, NEW DELHI

INDEX

IN

RESPONSE AFFIDAVIT ON BEHALF OF
UTTARAKHAND POLLUTION CONTROL BOARD

In

Original Application No. 739 of 2024

Roshan Joshi

Petitioner

Versus

State of Uttarakhand & Ors.

Respondents

Sl. No.	Particulars	Pg. No.
1.	Index	1
2.	Response Affidavit	2 - 5
3.	Annexure No. 1- Copy of the inspection report dated 13.09.24 along with its annexures 1 to 3.	6 - 17

Dated: 27 September 2024

Mukesh Verma

Advocate

(Counsel for the respondent no. 4)



**RESPONSE AFFIDAVIT ON BEHALF OF
UTTARAKHAND POLLUTION CONTROL BOARD**

In

Original Application No. 739 of 2024

Roshan Joshi

Petitioner

Versus

State of Uttarakhand

Respondents

AFFIDAVIT of Dr. Raj Kumar Chaturvedi, aged about 51 years, S/o Shri Ram Swaroop Chaturvedi. Presently posted as Regional Officer, Uttarakhand Pollution Control Board, Regional Office, Dehradun.



Deponent

I, the above-named deponent does hereby solemnly affirm and state on oath as under: -

1. That the deponent is presently posted as the Regional Officer, Uttarakhand Pollution Control Board, Regional Office, Dehradun and as such is well acquainted with facts and circumstances of the case and is duly authorized by the competent authority to sign and swear the instant affidavit.
2. That in compliance of the order of Hon'ble NGT dated 09.07.2024, Head Office, UKPCB vide letter dated 05.08.2024 directed to the Regional Officer, UKPCB, Dehradun to inspect the site and submit an inspection report.
3. That in response of letter dated 05.08.2024, inspection of the site was carried out by the officials of Regional Office, UKPCB, Dehradun on



RIC

10.09.2024 and submitted its report vide letter dated 13.09.2024. The observations made during inspection are as follows: -

- i. As per Office Memorandum No. B-13011/1/2019-20/AQM/10802-10847 dated 07.01.2020 of Central Pollution Control Board, the Siting Criteria of Retail Outlet/Petrol Pumps is as follows-

"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, hospital (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"

- ii. As per site inspection, the status of the proposed petrol pump is as follows: -

a) During inspection, land levelling and filling work was found to be going on at the proposed petrol pump site. Till date, the petrol pump has not been established.

- iii. The distances of various variables from proposed site of petrol pump were as follows:

- a. Mal Devta Road on the west side.
b. South Direction - At a distance of 36 meters from Dispensing Unit, Saigrace Academy International School, Raipur is located.
c. There is a Government Veterinary Hospital at a distance of 07 meters in the north direction.
d. There is a vacant plot in the east direction.

- iv. District Magistrate, Dehradun vide letter no.-110/Establishment dated 06.06.2024 has issued conditional NOC for the



Ric

establishment of petrol pump (Retail Outlet) in Khasra No. 447 (mi), Village Raipur, Tehsil Saddar, Dehradun.

- v. In compliance of conditions stipulated in NOC, the project proponent has submitted revised lay out plan of proposed petrol pump, in which the distances are as follows: -
- South direction - Saigrace Academy International School, Raipur is located at the distance of 40 meters from the dispensing unit.
 - Canal is located at the distance of 50 meters from the dispensing unit in the west direction. There is *Mal Devta* Road between the canal and the proposed petrol pump.
 - There is a vacant plot in the east direction.
 - The boundary wall of Government Veterinary hospital is adjacent to the site of proposed petrol pump in north direction. The proposed petrol pump has received no objection from the office of Chief Veterinary Officer, Dehradun.
- vi. Petroleum and Explosives Safety Organization (PESO) vide letter No. SAS-C. VIII (3) 125/Circular/Petroleum dated 09.09.2024 has prescribed additional safety measures in case the prescribed distances are less than 50 meters.

4. That as per the site inspection report, the proposed petrol pump fulfills the distance related standards subject to the compliance of prescribed additional safety standards of PESO.

Copy of inspection report along with annexures 1 to 3 is being marked and filed as **Annexure No. 1**.

5. That the deponent is a responsible Government servant having the highest regards for the Hon'ble Tribunal and orders passed by them. The deponent has always made his sincerest efforts to carry out the orders passed by this Hon'ble Tribunal in its letter and spirit and shall continue to do so in the future.


Deponent





Verification:

I, Deepak Dobhal, Advocate, do hereby declare that the person making this affidavit and alleging himself to be Raj. Kumar. Chaturvedi is the same person who is known to me from the papers produced by him before me in this case.

DeepakDeepak Dobhal

Advocate

Enrol. No. U.K. 131/2024

Solemnly affirmed before me on this 27th day of September, 2024 at about 4:30pm by the deponent who has been identified by the aforesaid advocate.

I have satisfied myself by examining the deponent who understood the contents of this affidavit, which has been read over and explained to him.

NotarySr. NO. 5531/24

This affidavit is sworn before me by
Shri. Dr. Raj Kumar
who is identified by Shri. Deepak Dobhal, Adv.
at Dehradun on 27/9/24

(Rajender Singh Negi)
Advocate & Notary, Dehradun
27/9/24
Page 5 of 5

Rik

माननीय राष्ट्रीय हरित अधिकरण में योजित मूल आवेदन संख्या-739/2024 रोशन जोशी बनाम उत्तराखण्ड राज्य के सम्बन्ध में पारित आदेश दिनांक 09.07.2024 के अनुपालन में ।

उपरोक्त विषयक बोर्ड मुख्यालय के पत्रांक संख्या- यूकेपीसीबी/एचओ/सा-183-794/2024/645 दिनांक 05.08.2024 के अनुपालन में प्रकरण खसरा नं-447 मि0, रायपुर, देहरादून में पेट्रोल पम्प की स्थापना में मानकों के उल्लंघन के सम्बन्ध में निरीक्षण दिनांक 10.09.2024 को पेट्रोल पम्प स्वामी श्री आशीष राजवंशी की उपस्थिति में किया गया ।

केन्द्रीय प्रदूषण नियंत्रण बोर्ड के Office Memorandum संख्या-B-13011/1/2019-20/AQM/10802-10847 दिनांक 07.01.2020 के अनुसार Siting Criteria of Retail Outlet/Petrol Pumps निम्नानुसार है-

"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, hospital (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."

निरीक्षण के अनुसार प्रस्तावित पेट्रोल पम्प की अद्यतन स्थिति निम्नानुसार है-

1. निरीक्षण के दौरान प्रस्तावित पेट्रोल पम्प स्थल पर भूमि समतलीकरण व भरान का कार्य होता पाया गया। वर्तमान तक पेट्रोल पम्प की स्थापना नहीं की गयी है।
2. पूर्व में पेट्रोल पम्प की स्थापना हेतु अद्यतन स्थिति निम्नवत् थी-
 - पश्चिम दिशा में माल देवता रोड़।
 - दक्षिण दिशा-डिस्पेंसिंग यूनिट से 36 मीटर की दूरी पर साईंग्रेस एकेडमी इंटरनेशनल स्कूल, रायपुर है।
 - उत्तर दिशा में 07 मीटर की दूरी पर राजकीय पशु चिकित्सालय है।
 - पूर्व दिशा में एक खाली प्लॉट है।
3. प्रस्तावित पेट्रोल पम्प को कार्यालय जिलाधिकारी देहरादून के पत्रांक संख्या-110/स्थापना दिनांक 06.06.2024 से अनापत्ति प्राप्त है। (संलग्नक-1)
4. अनापत्ति में दी गयी शर्तानुसार प्रस्तावक द्वारा संशोधित मानचित्र दिया गया है, जिसमें दूरियां निम्नवत् हैं-
 - दक्षिण दिशा-डिस्पेंसिंग यूनिट से 40 मीटर की दूरी पर साईंग्रेस एकेडमी इंटरनेशनल स्कूल, रायपुर है।
 - पश्चिम दिशा में डिस्पेंसिंग यूनिट से 50 मीटर की दूरी पर कैनॉल है। कैनॉल एवं प्रस्तावित पेट्रोल पम्प के मध्य माल देवता रोड़ है।
 - पूर्व दिशा में एक खाली प्लॉट है।
 - उत्तर दिशा में एक राजकीय पशु चिकित्सालय की बाउंड्रीवॉल है। प्रस्तावित पेट्रोल पम्प को कार्यालय मुख्य पशु चिकित्सा अधिकारी देहरादून से अनापत्ति प्राप्त है। (संलग्नक-2)
5. पेट्रोलियम तथा विस्फोटक सुरक्षा संगठन (PESO) के पत्रांक संख्या-C.VIII(3)125/Circular/Petroleum दिनांक 09.09.2024 द्वारा निर्धारित दूरियां 50 मीटर से कम होने की स्थिति में सुरक्षा मानक निर्धारित किये गये हैं। (संलग्नक-3)

उपरोक्तानुसार प्रस्तावित पेट्रोल पम्प PESO के निर्धारित सुरक्षा मानकों को पूर्ण करने पर दूरी सम्बन्धित मानकों का अनुपालन करता है। निरीक्षण आख्या अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित।


(राकेश कण्डारी)

सहायक पर्यावरण अभियन्ता
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड, देहरादून


(डा0 आर0के0 चतुर्वेदी)
क्षेत्रीय अधिकारी

उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड, देहरादून

अनापत्ति प्रमाण पत्र

संख्या 110/23/अनापत्ति

दिनांक 06/06/24

विषय:- अनापत्ति प्रमाण पत्र

डिविजनल रिटेल सेल्स हेड, इण्डियन ऑयल कॉर्पोरेशन लिमिटेड डिविजन ऑफिस 25 निम्बूवाला गढ़ी कैंट, देहरादून के पत्र संख्या- DDN DO/NRO/RAIPUR दिनांक 03.01.2024 के संदर्भ में एवं पेट्रोलियम नियम 2002 के नियम 144 के अनुरारण में पेट्रोलियम नियम 2002 के अधीन भूमि खसरा संख्या 447मि0 ग्राम रायपुर तहसील व जिला देहरादून राज्य उत्तराखण्ड जैसा कि इस साइट प्लान में दिखाया गया है जो यहां सम्यक रूप से पृष्ठांकित और संलग्न है, पर इण्डियन ऑयल कॉर्पोरेशन लिमिटेड के रिटेल आउटलेट स्थापित किये जाने हेतु अनुज्ञप्ति प्रदान किये जाने हेतु अनापत्ति इस प्रतिबन्ध के साथ प्रदान की जाती है कि प्रस्तावित रिटेल आउटलेट का निर्माण कार्य मसूरी देहरादून विकास प्राधिकरण से मानचित्र स्वीकृति के उपरांत प्रारम्भ किया जायेगा। प्रस्तावित रिटेल आउटलेट की दूरी साइंगेस एकेडमी इंटरनेशनल रायपुर विद्यालय से 36 मीटर होने के कारण भूमि खसरा संख्या-447मि ग्राम रायपुर तहसील सदर देहरादून पर इण्डियन ऑयल कॉर्पोरेशन लिमिटेड के रिटेल आउटलेट स्थापित किये जाने हेतु केन्द्रीय प्रदूषण नियन्त्रण बोर्ड द्वारा निर्गत "Guidelines for Siting up of New Petrol Pumps" दिनांक "Siting Criteria of Retail Outlet" दिनांक 07.01.2020 के मानकों के अनुसार प्रस्तावित स्थल पर PESO द्वारा निर्धारित सुरक्षा के अतिरिक्त मानक (additional safety measures as prescribed by PESO) पूर्ण किये जायेंगे तथा प्रस्तावित स्थल से 25 मीटर की दूरी पर खलिंगा नहर स्थित होने के कारण उत्तराखण्ड शासन आवास अनुभाग-2 की अधिसूचना संख्या-1647/V-2/2021-11(एल0यू0सी0)/2003 टी0सी0 दिनांक 05 अक्टूबर, 2021 में दिये गये निर्देशों के क्रम में रिटेल आउटलेट का निर्माण नहर से 50 मीटर की दूरी छोड़ने के उपरान्त किया जायेगा।

1. इस अनापत्ति प्रमाण-पत्र को जारी करते समय निम्नलिखित विशिष्टियों पर/विचार किया गया है, अर्थात :-
 - (क) पेट्रोलियम उत्पादों के भंडारण के लिए इन नियमों के अधीन परिसर का विकास करने के लिए मू-स्वामी या पट्टेदार से प्राधिकार सहित आवेदक द्वारा स्थल पर विधिमान्य कब्जा;
 - (ख) लोक, विशिष्ट रूप से ऑफ-साइट जैसी सुविधाओं, विद्यालयों, अस्पतालों या सार्वजनिक सभा के आस-पास स्थित स्थलों और उपशमन उपाय, यदि कोई हो, प्रदान किए गए हैं;
 - (ग) यातायात घनत्व और यातायात पर प्रभाव;
 - (घ) स्थानीय या क्षेत्र विकास योजना के अनुरूप प्रस्ताव;
 - (ङ) आपातकालीन मामलों में आग लगने पर स्थल तक पहुंच और आपातकालीन मामलों से निपटने के लिए अग्निशमन संघाओं की तैयारी;
 - (च) उद्देश्य की वास्तविकता;
 - (छ) सार्वजनिक सुरक्षा से सम्बन्धित अन्य कोई मामला।

जिला मजिस्ट्रेट,
देहरादून

प्रतिलिपि -निम्नलिखित को इस आशय से प्रेषित कि विभाग द्वारा जिन प्रतिबन्धों/शर्तों के अधीन अनापत्ति निर्गत किये जाने की संस्तुति/आख्या प्रस्तुत की गयी है, उनका पूर्ण रूप से अनुपालन कराना सुनिश्चित करें। आवेदक द्वारा प्रतिबन्धों/शर्तों का उल्लंघन किये जाने की दशा में सम्बन्धित के विरुद्ध नियमानुसार कार्यवाही प्रस्तावित करने करें।

1. वरिष्ठ पुलिस अधीक्षक, देहरादून।
2. सचिव, मसूरी देहरादून विकास प्राधिकरण, देहरादून।
3. उपजिलाधिकारी, सदर।
4. जिला पूर्ति अधिकारी, देहरादून।
5. मुख्य अग्निशमन अधिकारी, देहरादून।
6. क्षेत्रीय अधिकारी (प्रशासन), उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड, देहरादून।
7. अधिशासी अभियन्ता, अस्थाई खण्ड, लोक निर्माण विभाग, ऋषिकेश
8. मण्डल रिटेल सेल्स प्रमुख, देहरादून मण्डल कार्यालय, इंडियन ऑयल कार्पोरेशन लि0, 25 नींबूवाला, गढ़ी कैंन्ट, देहरादून को इस आशय से कि प्रस्तावित रिटेल आउटलेट पर केन्द्रीय प्रदूषण नियन्त्रण बोर्ड द्वारा निर्गत "Guidelines for Setting up of New Petrol Pumps" दिनांकित 07.01.2020 में उल्लिखित "Siting Criteria of Retail Outlet" के मानकों के अनुसार प्रस्तावित स्थल पर PESO द्वारा निर्धारित सुरक्षा के अतिरिक्त मानक (additional safety measures as prescribed by PESO) पूर्ण किये जाने हेतु आवश्यक कार्यवाही करना सुनिश्चित करें।
9. आवेदक श्री आशीष राजवंशी, निवासी-महाराणा प्रताप चौक, रायपुर देहरादून को इस निर्देश के साथ उक्त अनापत्ति में उल्लिखित समस्त प्रतिबन्धों का अनुपालन करना सुनिश्चित करें।


जिला मजिस्ट्रेट,
देहरादून

[TRUE COPY]


कार्यालय-मुख्य पशुचिकित्साधिकारी देहरादून

Dated..19/02/2024

TO WHOM IT MAY CONCERN

श्री आशीष राजवंशी, निवासी रायपुर, देहरादून उत्तराखण्ड के द्वारा दिये गये प्रार्थना पत्र दिनांक 19.02.2024 के क्रम में अवगत कराना है कि इनके द्वारा राजवंशी पशुचिकित्सालय रायपुर की भूमि की सीमा के बाहर अपनी निजी भूमि पर पेट्रोल पम्प अन्य कोई कार्य करवाया जाता है तो पशुपालन विभाग को कोई आपत्ति नहीं है।

दिनांक..19/02/2024


मुख्य पशुचिकित्साधिकारी
देहरादून।



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", पाँचवा तल, केन्द्रीय कार्यालय परिसर.

"A" Block, 5th 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

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

CIRCULAR

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.

371

These additional safety measures are approved by DPIIT vide Explosives Section OM No. P-13033/100/2024-EXPLOSIVE dated 7th 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 7th 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: 7th 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


(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 Chalmrman, 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 along with supporting in support site for compliance.

14/8/24

डाक द्वारा

12 AUG 2024

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 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.



- 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 PESCO. The committee report is enclosed herewith.

On the basis of recommendations of committee and deliberations with the industry members as well as PESCO officers, PESCO 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.

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
