

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI**

Original Application No. 416 of 2025

IN THE MATTER OF:

Shri Gopal Chandra Vanwassi

... Applicant

VERSUS

Indian Oil Corporation Limited (IOCL) & Ors.

... Respondents

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**REJOINDER ON BEHALF OF THE APPLICANT TO THE
REPLY FILED BY THE RESPONDENT NO.2**

1. That the Applicant has filed the present application and as such he is well conversant with the facts and circumstances of the case. The applicant has gone through the content of the reply filed by the Respondent No.2 and have understood the contents thereof. At the outset the applicant denies each and every averment of law and facts made therein, save and except specifically admitted hereinafter. The denial made in this paragraph may be treated as specific denial.
2. That the applicant craves leave of this Hon'ble Court to read and rely on the contentions raised in the present application which are not repeated herein for the sake of brevity.

PRELIMINARY SUBMISSION

3. That at the outset, the Applicant submits that the Reply filed by Respondent No. 2 (Project Proponent) is factually incorrect, legally untenable, and based on material

suppression. The Reply deliberately conceals binding CPCB Guidelines dated 07.01.2020, Minutes of Meeting dated 25.07.2024, and the Office Memorandum dated 07.08.2024, all of which mandate strict compliance with 50-metre radial distance criteria from residential areas, schools, hospitals and other vulnerable locations.

4. That the Respondent falsely claims that the proposed petrol retail outlet complies with CPCB norms. This assertion is demonstrably incorrect, as multiple residential houses fall within 19 to 35 meters of the proposed site, which is clear from:
 - a. Village settlement records,
 - b. Field inspection notes,
 - c. UKPCB communication,
 - d. Revenue Department documents,
 - e. Google Earth imagery (2023–2024), and
 - f. Photographs filed as Annexures in the OA and Additional Affidavit dated 22.08.2025.
5. That the Forest Range Officer’s report dated 26.02.2024 clearly records removal of bushes and trees (Bhimal, Malta, Lemon, etc.) and damage to roots of adjacent trees, confirming that no permission for tree-felling was ever obtained. Yet, respondent No. 2 repeatedly asserts that there was “no tree cutting” at the site—this is a false statement completely contradicted by official documents and photographic evidence.

6. That Respondent No.2 has, along with its Reply (@ Pg. 342), relied upon an RTI response to claim that there is “no residential area” in Village Panchayat Upwara, and therefore the Building Construction & Development By-Laws and CPCB Siting Guidelines prescribing distance criteria from residential houses are not applicable to the present case.

However, this very RTI information has now been categorically rectified by the Village Panchayat Development Officer (VPDO), Upwara. Vide letter dated 14.11.2025, the VPDO has expressly clarified that the RTI response relied upon by Respondent No.2 was erroneously issued and that no such statement was ever intended or officially endorsed regarding absence of residential area in Village Upwara. A copy of the clarification letter dated 14.11.2025 issued by VPDO, Upwara is annexed as **ANNEXURE A/32**.

7. That the Respondent relies heavily on the Section 143 permission. However:
 - a. The Section 143 order does not even mention land category,
 - b. The land is actually non-ZA (as pointed out in the Applicant’s representation),
 - c. Section 143 under the Uttarakhand Zamindari Abolition Act applies only to ZA land,
 - d. The 143 order is therefore void ab initio,

- e. The Respondent obtained bank loan and further permissions on the basis of this defective conversion, amounting to misrepresentation.
8. The NOCs obtained from various authorities were routine, mechanical, and without proper verification. This is admitted through departmental letters:
- a. In response to RTI application dated 21.09.2024 Public Information Officer, Executive Engineer has informed that **“The map sent by IOCL has not been verified or signed by any officer or employee of the sub-division.”** A copy of the letter dated 21.09.2024 is annexed as **ANNEXURE: A/33.**
 - b. Officer-in-Charge Executive Engineer, Uttarakhand Jal Sansthan, Pithoragarh vide letter dated 30.10.2024, has stated that **“No recommendation has been made by the department for approval of the said land in any map/plan”**. A copy of the letter dated 30.10.2024 is annexed as **ANNEXURE: A/34.**
 - c. The Geology & Mining Department issued notice for illegal dumping of muck and specifically stated that the area falls in a high-seismic active zone.
 - d. UKPCB has not granted any NOC, and its inspection shows residential houses within the prohibited 50-metre zone.
 - e. The District Magistrate’s NOC is conditional, noting that the SDM did not provide clear approval, and the map was not certified. The District Magistrate directed the concerned authorities to sign and verify the map; however, due to inaccuracies/misleading details in the map, several authorities have refused to sign and verify the map, which clearly indicates that

the applicant has attempted to mislead the authorities by submitting an incorrect/misleading map.

9. That the Respondent has submitted multiple inconsistent site maps to different authorities — one showing “open land up to 100 metres” and another (**Annex: R-5, page 42 of their reply**) acknowledging residential land adjoining the site. These contradictions show a clear attempt to mislead authorities, PESO, and this Hon’ble Tribunal.
10. That the Minutes of Meeting dated 25.07.2024 expressly required that CPCB siting criteria be followed before any further action. Instead of complying, Respondent No. 2 hurriedly carried out excavation, leveling, and underground tank installation, without forest permission, without proper NOC verification, and in violation of CPCB norms.
11. That the Google Earth imagery between 2023 and 2024 conclusively proves:
 - a. Dense vegetation and oak-tree cover existed in 2023,
 - b. The land was cleared and flattened by 2024,
 - c. This ecological loss occurred without forest clearance,
 - d. The Respondent’s claim of “barren land” is false.
12. That the Respondent’s repeated allegations that the Applicant has criminal history or is acting as a proxy for another petrol pump owner are baseless, defamatory, and devoid of any evidence. These personal attacks are only

intended to divert attention from glaring environmental violations.

- a. That the Respondent claims full compliance with PESO requirements. However, PESO's approval itself is based on incorrect undertakings, including the false statement that no residential building exists within 50 meters. This false declaration vitiates the entire approval process. A copy of the false declaration dated 13.03.2025 received under RTI is annexed as **ANNEXURE: A/35**.

13. That the issues raised in the Original Application involve:
 - a. Substantial questions relating to environment,
 - b. Violation of binding CPCB norms,
 - c. Illegal tree-felling,
 - d. Destruction of forest vegetation,
 - e. Misrepresentation to statutory authorities,
 - f. Risk to public health and safety,
 - g. Violation of Article 21 and environmental jurisprudence.

Thus, these issues fall squarely within the jurisdiction of this Hon'ble Tribunal under Sections 14, 15, 16, and 20 of the National Green Tribunal Act, 2010.

REJOINDER TO PARA-WISE REPLY

14. That the contents of Para 1 as stated do not call for any comments being matter of record.

15. That the contents of Para 2 to 5 as stated are denied in their entirety as misleading, irrelevant, self-serving, and intended to avoid accountability for environmental violations.

The present Application is based on official records, including CPCB Guidelines dated 07.01.2020 (**Annex: A/1 @Pg. 37-41**), CPCB office memorandum dated 16.09.2024 (**Annex: A/2- @Pg. 82**), Forest Department communication dated 26.02.2024, UKPCB's observations, District-level correspondence, Google Earth imagery (2023–2024) (**Annex:A/31 @Pg.101-108**), and photographs showing illegal tree removal and violation of mandatory 50-metre safety norms. The Respondent's attempt to dismiss these statutory violations by making personal attacks on the Applicant is wholly misconceived.

The allegation that the Applicant is acting as a proxy for Mr. Anirudh Dhanik is baseless, unsupported by any material, and intended solely to divert this Tribunal's attention from serious environmental violations. The Applicant has independently filed objections, representations, photographs, site evidence, and statutory materials, all of which demonstrate clear non-compliance. The personal details of another petrol pump owner have no relevance to CPCB guidelines or illegal tree-felling at Khasra No. 478.

The plea that the Applicant lacks locus standi is equally untenable. The Hon'ble Tribunal has already

recorded that the Application raises substantial environmental questions, and environmental matters are not restricted by municipal boundaries or residence of the Applicant. Compliance with environmental safety norms is a matter of public interest, not private geography.

The allegations of “illegal gratification,” FIR, or extortion are false, malicious, and extraneous to the issues before this Hon’ble Tribunal. These allegations have been inserted only to prejudice the Applicant and suppress the fact that the Respondent proceeded with excavation, leveling, underground tank installation and tree-removal without Forest NOC, without UKPCB NOC, and in violation of CPCB’s mandatory 50-metre buffer.

The Respondent has not produced even a single document to support the grave allegations about the Applicant’s character, motives, or conduct. In contrast, the Applicant has placed on record verifiable documentary evidence showing statutory violations by the Respondent.

16. That the contents of Para 6 as stated are false, frivolous, and emphatically denied. The Applicant has not misused the order dated 11.09.2025 in any manner. The Respondent is deliberately attempting to distort the Applicant’s conduct in order to escape scrutiny for its own statutory violations. The order dated 11.09.2025 specifically records that:
 - a. the proposed retail outlet is situated only 19 metres from residential houses,

- b. such siting is prima facie violative of CPCB Guidelines dated 07.01.2020, and
- c. the matter raises substantial environmental questions.

The Applicant's communication to authorities was made strictly to preserve the subject-matter, which is permissible and consistent with settled environmental jurisprudence. Informing authorities not to allow further construction—when the Hon'ble Tribunal has taken cognizance of violations—is not misuse, but a responsible act intended to prevent irreversible damage. Infact the copy of the order was also attached alongwith the letter/notice dated 15.09.2025.

The Respondent has not shown even a single instance where the order has been misquoted or misrepresented. Instead, the Respondent seeks to create a false narrative to dilute the effect of the Tribunal's observations. The Applicant has neither issued any threat nor exerted any undue pressure on authorities; he has only requested compliance with environmental law.

The allegation regarding a Facebook post or notice is irrelevant, misconceived, and intended merely to malign the Applicant. The Respondent cannot use such personal insinuations to divert attention from its own unlawful actions, including construction without forest permission, incorrect undertakings to PESO, violation of distance criteria, and misrepresentation in obtaining NOCs.

17. That the contents of Para 7 as stated are false, misleading, and denied. The present Application raises clear and admitted environmental violations, including breach of the mandatory CPCB Guidelines dated 07.01.2020 (@Pg. 37-41), CPCB office memorandum dated 16.09.2024, (@Pg. 82) illegal removal of trees without Forest Department permission, non-compliance with UKPCB requirements, and establishment of a hazardous petrol retail outlet within the prohibited 50-metre safety buffer from residential houses. These issues fall squarely within the jurisdiction of this Hon'ble Tribunal under Sections 14, 15 and 20 of the NGT Act.

The Respondent's attempt to portray the matter as a mere land/Section-143 dispute is factually wrong and legally untenable. In fact, Section 143 of the UPZA & LR Act does not apply at all to the present land, as the land is non-ZA, and the so-called "143 order" relied upon by the Respondent is itself invalid and incapable of conferring any commercial land-use rights. Therefore, the issue is not a 143 matter, but one of clear environmental non-compliance.

The Hon'ble Tribunal has already taken cognizance of the environmental concerns in its order dated 11.09.2025. Accordingly, the objection in para 7 deserves outright rejection

18. That the contents of Para 8 to 10 as stated are wrong hence denied. The grant of Letter of Intent dated 13.12.2023, the

internal selection process of IOCL, deposit of fees, or availing of loans by Respondent No.2 have no relevance to the environmental violations raised in the present Application. Financial investments or commercial commitments cannot override statutory environmental requirements, including mandatory compliance with CPCB Guidelines dated 07.01.2020, Forest Department permissions, UKPCB norms, and the 50-metre safety buffer from residential houses.

A dealership granted by IOCL does not legalize siting of a hazardous installation at an environmentally prohibited or unsafe location. The LOI is purely conditional and expressly subject to compliance with all applicable laws. The Respondent's financial liabilities or business plans cannot confer any right to continue violations, nor can they restrict this Hon'ble Tribunal from exercising its jurisdiction under Sections 14, 15 and 20 of the NGT Act.

Accordingly, the statements regarding IOCL's selection, payment of ₹16 lakhs, or bank loans of ₹30 lakhs + ₹50 lakhs are irrelevant, self-serving, and do not cure the Respondent's non-compliance. Environmental law protects public safety and ecology—not private investments. Hence, these paras deserve to be rejected.

19. That the contents of Para 11(a) to Para 11 (L) as stated are wrong hence denied. It is important to note that the respondent No.2 has deliberately filed a different

document as NoC but did not file the actual NoC. The correct copy of the NoC dated 24.05.2025 issued by DM, Pithoragarh (@ Pg.1 of the NoC) states that:

“...The SDM, Gangolighat, through its letter dated 27.06.2024, has provided the inspection report along with signatures on the map; however, the report does not contain any recommendation in the matter...”

“...The DFO, Pithoragarh, in his letter dated 15.03.2024, has forwarded only the inspection report; however, the map does not bear his signature...”

“...The SP, Pithoragarh, in its letter dated 19.07.2024, has forwarded only the inspection report, and has orally stated that signing the map pertains to the technical domain, whereas his duties relate to law and order...”

A copy of the NoC dated 24.05.2025 issued by DM, Pithoragarh is annexed as **ANNEXURE: A/36**.

An investigation report dated 14/07/2025 (**Annex: A/30 @Pg. 100**) submitted by Revenue Inspector to Tehsildar, Gangolighat, explicitly records that, in relation to the alleged violations of NGT/CPCB norms, a technical-level inquiry is required to be conducted. However, no such inquiry at technical level was initiated despite the report of Revenue Inspector to SDM.

In the Point No.5 of NoC dated 08.10.2025 (**Annex: R/20 @Pg. 327**) given by Chief Fire Officer, Pithoragarh, to the Respondent No.2 in the name of “Maa Haat Kalika

Energy Station” by the Fire Dept. for fire safety arrangement clearly records that the said NoC cannot be used to grant legality to any illegal construction nor can it be relied upon as evidence before any court of law. Thus, the legality of illegal construction by Respondent No.2 cannot be supported by such NoCs’.

The Executive Engineer, NHAI, Lohaghat, issued a letter dated 22.07.2025 to Respondent No.2 seeking information on the point that the facts stated in the application filed by Respondent No.2 seeking NoC were false and show cause notice was issued. However, no further action was taken on the illegalities. A copy of the letter dated 22.07.2025 written by Executive Engineer, NHAI, Lohaghat is annexed as **ANNEXURE: A/37**.

The Respondent’s reliance on several departmental NOCs is misconceived because none of these NOCs examine or certify compliance with (i) CPCB Guidelines dated 07.01.2020, (ii) the mandatory 50-metre radial safety buffer, or (iii) Forest Department permission for tree felling, all of which are binding environmental prerequisites. Most of these NOCs were issued mechanically and pertain only to departmental utilities (water, electricity, BSNL, fire), none of which have jurisdiction to assess environmental safety or siting norms.

The so-called Forest Department NOC dated 15.03.2024 is irrelevant because the Forest Range Officer’s own report dated 26.02.2024 confirms that trees, bushes

and vegetation were removed without permission, and roots of standing trees were damaged. This alone renders the subsequent “no objection” meaningless and obtained on misrepresentation.

The UKPCB letter dated 12.03.2024 merely states that no consent is required under the Water/Air Acts; it does not certify compliance with CPCB siting norms, nor does it inspect the 50-metre safety radius or nearby residences.

Vide letter dated 24.09.2025, the Regional Officer, Haldwani of UKPCB has wrote to Member Secretary categorically stating that the Board has not granted any “Consent to Establish” (CTE) to the Respondent No.2 for establishment of the proposed fuel station. A copy of the letter dated 24.09.2025 sent by Regional Officer to Member Secretary, UKPCB is annexed as **ANNEXURE: A/38.**

The PESO and DM approvals are expressly conditional and subject to compliance with all statutory laws. PESO approval was obtained by submitting incorrect undertakings that no residences exist within 50 metres—an assertion contradicted by revenue records, Google Earth imagery, UKPCB inspection, and multiple villagers’ complaints.

No departmental NOC can legalize a petrol pump situated 19–35 metres from residences, nor can they

override the mandatory CPCB guidelines or cure the illegal tree-felling already recorded by the Forest Department.

The Respondent's reliance on letters from Village Pradhans does not cure statutory violations; local demand cannot nullify mandatory environmental safety norms.

20. That the contents of Para 12 as stated are irrelevant, misleading, and denied. Public demand or alleged inconvenience to villagers cannot override binding environmental law, nor can it justify establishment of a hazardous installation in clear violation of CPCB Guidelines dated 07.01.2020, the mandatory 50-metre safety buffer, and the illegal removal of trees without Forest Department permission. Statutory siting norms exist precisely to protect the same villagers whose names are now being invoked.

Letters from Village Pradhans cannot legalize a petrol pump situated 19–35 metres from residential houses, nor can they cure misrepresentation in obtaining departmental NOCs. Environmental compliance is a matter of law, not popularity or local support. Accordingly, Para 12 is denied as irrelevant to statutory compliance and incapable of answering the environmental violations on record.

21. The contents of Para 13 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.1 of the OA are reaffirmed and reiterated. The Respondent's attempt to tarnish the Applicant's character

by alleging “criminal history” or extortion is wholly baseless, unsupported by any judicial finding, and is plainly intended to divert this Hon’ble Tribunal from the documented environmental violations highlighted in the Application.

The Applicant is a public-spirited individual who has previously approached this Hon’ble Tribunal and the Hon’ble High Court of Uttarakhand in several matters involving illegal mining, illegal tree cutting, and protection of the local environment. Far from having any criminal background, the Applicant has consistently acted to safeguard the interest.

The FIR relied upon by the Respondent (**Annex: R-2 Colly @Pg.284**) is nothing but a motivated, afterthought counter-blast arising only after the Applicant raised objections and complaints regarding illegal excavation, vegetation removal, and other violations by local project proponents. A bare reading of the FIR itself shows that it is retaliatory in nature and has no connection whatsoever with the issues forming the subject matter of the present environmental proceedings.

More importantly, the Hon’ble High Court of Uttarakhand, vide order dated 16.10.2025 passed in W.P. (Crl.) No. 1276 of 2025, has granted protection to the Applicant by directing the State authorities not to take any coercive action against him. This order completely

neutralizes and discredits the Respondent's reliance on the said FIR.

These irrelevant allegations cannot override the Respondent's clear and documented violations of CPCB Guidelines, illegal clearing of vegetation confirmed by the Forest Range Officer's report dated 26.02.2024, and the manipulation of layouts and distance measurements placed on record. A copy of Order dated 16.10.2025 passed by Hon'ble High Court of Uttarakhand in WP CRL. NO. 1276 of 2025 is annexed as **ANNEXURE: A/39**.

22. The contents of Para 14 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.2 of the OA are reaffirmed and reiterated. The Respondent's allegation that the Applicant has "falsely stated" the clearing of Banjh Oak trees is wholly untenable and contrary to the record.

The Forest Range Officer's Report dated 26.02.2024 relied upon by the Respondent itself (**Annex: R-23 @ typed-pages 330-331**) clearly records that:

- a. levelling of the land was carried out,
- b. bushes and trees including bhimal, malta and lemon were removed, and
- c. damage was caused to the roots of the trees standing adjacent to the site.

This is a direct admission of unauthorized vegetation removal and environmental damage, defeating the Respondent's denial.

Further, letters dated 12.09.2023 and 15.03.2024 (**Annex: A/12 Colly @ typed-pages 65–67**) establish that Oak vegetation existed at the site earlier and that complaints of illegal cutting had been made prior to the Applicant's OA. The subsequent direction of the DFO to take action corroborates the Applicant's case.

The Google Earth imagery (2023–2024) referenced in the **Applicant's Additional Affidavit (typed-pages 3–4)** shows drastic change in land cover and removal of dense vegetation between 2023 and 2024. Photographs filed by the Applicant (**Annex: A/31 @ typed-pages 101–108**) further show the original tree cover, including Oak species, before the Respondent cleared the land.

The Respondent's claim that only "dry bushes, bhimal, malta and lemon trees" were removed is a gross understatement. Even if the species are not "prohibited," any removal of trees or vegetation for commercial activity without Forest Department permission is illegal, particularly when accompanied by root damage recorded on inspection.

The assertion that the Respondent has "restored the roots" and that trees are now "healthy and standing" is scientifically implausible, unsupported by any follow-up inspection report, and intended solely to mislead.

23. The contents of Para 15 as stated are false, malicious, and emphatically denied and the contents of corresponding of the OA are reaffirmed and reiterated. The Respondent's

reliance on an alleged “conversion order” dated 30.01.2024 under Section 143 of the U.P. Zamindari Abolition & Land Reforms Act, 1950 is wholly misconceived.

a. **Section 143 UPZA Act does not apply in Uttarakhand**

No notification has ever been issued extending Section 143 to the State of Uttarakhand for land-use conversion. The Respondent has not produced even a single notification to establish applicability. Therefore, any “conversion order” under Section 143 is without jurisdiction and void ab initio.

b. **The land itself is non-ZA land (Sec. 7(8)) – Section 143 cannot apply even otherwise**

The Applicant’s earlier representations to the District Magistrate already point out that the land is non-ZA, and therefore conversion under Section 143 is legally impossible. A jurisdictionally incompetent order cannot create any lawful right to establish a hazardous retail outlet.

c. **The Respondent’s 30.01.2024 conversion order was obtained by suppressing material facts**

The Respondent concealed:

- a. tree cover and vegetation on the site,
- b. the existence of residential houses within 100 m,
- c. the narrow bend of the NH alignment,
- d. the statutory restrictions under CPCB Guidelines.

Thus, the order stands vitiated by fraud and suppression.

d. The Forest Conservation Act & forest protections do apply

The Respondent's claim that FCA, 1980 "is not applicable" is factually incorrect. The Respondent's own relied-upon report i.e. Forest Range Officer Report dated 26.02.2024 (**Annex:R-23 @ typed-pages 330–331**) clearly records:

- a. "levelling of land"
- b. "removal of trees and vegetation (bhimal, malta, lemon)"
- c. "damage caused to roots of adjacent trees"

This is direct forest-related intervention and cannot be carried out without following forest laws.

Further, DFO correspondence dated 12.09.2023 and 15.03.2024 (**Annex: A/12 Colly @ typed-pages 65–67**) confirms Oak/broad-leaf vegetation in the area. Unauthorized removal of such vegetation triggers legal consequences even if the area is not formally recorded as "reserved forest."

e. Even a valid 143 order cannot override environmental laws

Land-use conversion does not exempt a project from:

- a. CPCB Guidelines dated 07.01.2020
- b. Forest protections under the Indian Forest Act
- c. Environmental safety norms
- d. Principles of sustainable development under Section 20 NGT Act

Thus, the Respondent's reliance on the 143 order is irrelevant to the environmental violations committed.

24. The contents of Para 15 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.3 of the OA are reaffirmed and reiterated. The allegation that the Applicant is acting on behalf of any rival business entity is baseless, unsupported by a single document, and intended only to deflect attention from the Respondent's own statutory violations.

The record shows that multiple complaints regarding illegal tree removal, land levelling, and environmental damage were already made by local residents and brought to the notice of the Forest Department and District Administration, as reflected in letters dated 12.09.2023 and 15.03.2024 (**Annex: A/12 @ typed-pages 65–67**) and the Forest Range Officer's report dated 26.02.2024 (**Annex: R-23 @ typed-pages 330–331**). These complaints predate the filing of the present OA and directly contradict the Respondent's plea.

Approaching this Hon'ble Tribunal without first filing a representation is not a bar under the NGT Act, especially where continuing environmental violations exist and statutory guidelines (including CPCB norms) are openly breached.

25. The contents of Para 17 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.4 of the OA are reaffirmed and reiterated. The

Respondent's reliance on *Khatauni* to claim that the land is purely "Bhumidhari" and therefore outside any forest-type classification is misconceived and factually incorrect. Forest-type classification does not depend on revenue title but on existing vegetation, ecological characteristics, and canopy cover, as repeatedly held by the Hon'ble Supreme Court.

The Respondent's own relied-upon Forest Range Officer's Report dated 26.02.2024 (**Annex: R-23 @ typed-pages 330–331**) acknowledges removal of trees and root damage, confirming that the area contained natural vegetation of the kind typically falling under broadleaf/Oak-dominated forest type in this region. Further, letters dated 12.09.2023 and 15.03.2024 (**Annex: A/12 @ typed-pages 65–67**) show that Oak species were present on the site.

Revenue ownership as Bhumidhari cannot negate the ecological character of the land nor exempt it from forest and environmental protections.

26. The contents of Para 18 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.4 of the OA are reaffirmed and reiterated. The Respondent's claim that UKPCB granted permission after proper inspection and in compliance with CPCB Guidelines dated 07.01.2020 is factually incorrect and contradicted by the record.

A. UKPCB never conducted any site inspection

The Respondent has not produced a single site-inspection report of UKPCB. In fact, the only inspection on record is by the Forest Range Officer dated 26.02.2024 (**Annex: R-23 @ typed-pages 330–331**), which itself shows land levelling, vegetation removal and environmental disturbance. UKPCB issued a generic letter without verifying mandatory distance requirements under CPCB norms.

B. Residential houses do exist within 30 metres – Respondent concealed them

The Applicant's photographs and Google Earth measurements (**Annex:A/31 @ typed-pages 101–108**) clearly show multiple houses **within 19–30 metres** of the outlet site. The Respondent's assertion that only one "self-owned" building exists is false and contradicted by ground reality and visual evidence.

C. A self-serving 'NOC from father' cannot override CPCB Guidelines

CPCB norms apply even if the nearby residence belongs to the project proponent or his relatives. A private affidavit (**Annex: R-26 @ Pg.336**) cannot exempt a statutory distance restriction. Compliance must be measured objectively, not by family NOCs.

D. Labelling a residence as "commercial" is an afterthought

The Respondent attempts to convert a residential house into a "commercial building" solely to escape the 30-metre

prohibition in CPCB Guidelines. No evidence has been produced to show consistent commercial use or municipal classification. A Zila Panchayat Shuttering License does not convert a house into a commercial complex nor legalize violation of siting norms.

E. UKPCB permission is invalid due to non-consideration of CPCB norms

Since mandatory setbacks, habitation distance and vegetation removal were never examined, UKPCB's letter cannot be treated as compliance.

27. That the contents of Para 19 do call for any comments being formal in nature.
28. That the contents of Para 20 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.8 of the OA are reaffirmed and reiterated. The Respondent's interpretation of Condition No. 6 of the Office Memorandum dated 16.06.2023 is legally incorrect. The CPCB Guidelines dated 07.01.2020 and OM 16.06.2023 prescribe a mandatory 30-metre distance from any habitation, and do not require a prior "declaration" of a residential area by local laws. The prohibition is based on actual existence of human habitation, not on municipal zoning labels.

The Respondent's attempt to re-characterize his own residential house as a "commercial building" solely to evade the 30-metre restriction is a self-serving

afterthought. A Zila Panchayat Shuttering License does not convert a dwelling into a commercial complex nor dilute statutory environmental norms.

All these facts may be verified by this Hon'ble Tribunal by way of site inspection through competent authority that property is residential and surrounded by residential houses for years together.

The Applicant's photographs and measurements (**Annex: A/31 @ typed-pages 101–108**) clearly show multiple houses within **19–30 metres** of the proposed outlet, which the Respondent has concealed. The existence of school or hospital is irrelevant—Condition No. 6 applies independently to all habitations.

The Respondent's contention that CPCB norms are “not applicable” is untenable; mandatory siting conditions cannot be circumvented by self-issued NOCs or unilateral reclassification of a residence as commercial.

29. That the contents of Para 21 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.9 of the OA are reaffirmed and reiterated. The Respondent's reliance on the PESO Circular dated 09.09.2024 (**Annex: R-27**) is wholly misplaced. The PESO circular pertains only to “additional safety measures” and does not dilute, override, modify, or relax the mandatory distance criteria prescribed under CPCB Guidelines dated 07.01.2020 and OM 16.06.2023.

PESO cannot, in law, alter environmental siting norms. Its circular merely prescribes operational safeguards *after* a site already satisfies CPCB's minimum 30-metre habitation distance. It is not a site-selection permission and cannot legalize an inherently non-compliant location.

The Respondent's assertion that the Applicant "concealed" the 09.09.2024 circular is incorrect. The circular is irrelevant because:

- a. CPCB Guidelines remain binding irrespective of PESO advisories;
- b. The Respondent's site fails the 30-metre habitation requirement as shown in Applicant's photographs and measurements (**Annex: A/31 @ typed-pages 101–108**);
- c. Additional safety measures cannot cure a violation of mandatory siting norms.

Compliance with PESO 09.09.2024 cannot confer legality where the very site selection violates CPCB norms and poses risk to nearby habitations.

30. The contents of para 22 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.10 and 1.11 of the OA are reaffirmed and reiterated. The Respondent's plea that the Applicant has "no locus" and that this Hon'ble Tribunal lacks jurisdiction over the issues raised is wholly misconceived. The Applicant's

challenge is not to the internal technicalities of the Petroleum Rules, 2002, but to the environmental consequences arising from the Respondent's non-compliance with:

- a. CPCB Guidelines dated 07.01.2020,
- b. OM dated 16.06.2023,
- c. Forest laws,
- d. Environmental safety norms affecting habitations, and
- e. Illegal vegetation removal (Forest Range Officer Report dated 26.02.2024 @ pages **330–331**).

Under Section 14, 15 and 20 of the NGT Act, environmental consequences flowing from siting, safety, hazard potential, and associated risks squarely fall within the jurisdiction of this Hon'ble Tribunal. Violations of siting norms affecting public health, ecology, habitation safety and natural vegetation cannot be insulated merely because the Respondent holds a PESO NOC.

PESO permissions or Rule 131 certification do not override environmental law, nor can they cure fundamental illegality in site selection, which remains contrary to mandatory 30-metre habitation norms and environmental safeguards. Multiple NOCs obtained on the basis of incomplete, misleading, or suppressed information (including concealment of nearby houses and vegetation) cannot sanitize the project's violations.

The remedy under Rule 154 of the Petroleum Rules is irrelevant where the grievance concerns environmental

degradation and risk, not mechanical compliance of petroleum-handling procedures.

31. The contents of Para 23 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.12, 1.13, 1.14 and 1.15 of the OA are reaffirmed and reiterated.

The Respondent's reliance on Building Construction & Development By-Laws, 2011 and RTI replies regarding "no declared residential area" is wholly misplaced. The applicability of CPCB Guidelines dated **07.01.2020** and OM **16.06.2023** does **not** depend on municipal declaration of a residential zone but on actual existence of human habitation.

32. The Respondent continues to ignore this fundamental distinction.

A. CPCB norms apply to any habitation — not only "notified" residential zones

Condition No. 6 of OM 16.06.2023 prohibits establishment of any fuel station within 30 metres of *any* residential house, irrespective of zoning labels. The RTI replies (**Annex: R-28**) merely state that no planning map sanction or formal residential zone declaration exists in a Village Panchayat—this is true of almost all hill villages in Uttarakhand and does not exempt CPCB norms.

B. Respondent has suppressed existence of multiple houses within 30 metres

Applicant's site photographs and measurements (**Annex: A/31 @ pages 101–108**) clearly demonstrate presence of several inhabited residential structures within 19–30 meters of the proposed outlet. The Respondent's denial is contrary to visual evidence.

Building by-laws regulate construction permissions, not environmental siting criteria for hazardous installations. A building may not require a sanctioned map, but that does not erase its existence as a residential habitation for applying CPCB norms.

C. NOCs obtained on incomplete or misleading disclosures do not cure statutory violation

NOCs from Forest/NHAI/PESO—obtained without disclosing nearby houses or vegetation—cannot override mandatory environmental restrictions or cure a fundamentally non-compliant site.

Therefore, the Respondent's claim of full compliance under by-laws or RTI replies is irrelevant and cannot justify violation of statutory CPCB distance requirements.

From **Annex: R/28 @Pg. 341** filed by Respondent No.2, it only indicates that the Village Panchayat Uprara has no separate residential area and for construction of house, sanction of map is not needed. However, the distance parameter are not only applicable to residential area but also applicable to residential houses, as is evident from **Annex:A/7 @Pg. 56** i.e. Building Construction and

Development Regulations (Amendment) 2021 issued by Govt. of Uttarakhand in Clause 7.14 (1)(ii), which provides as under:

“A minimum distance of 50 meters shall be maintained between a residential area/building and a school/college or hospital. If the safety standards prescribed by PESO are complied with, this distance may be reduced to 30 meters. Likewise, within a 50-meter radius of an existing filling station, residential buildings, schools, colleges, hospitals (with more than ten beds), etc., shall not be permissible.”

Therefore, these parameters are also applicable on residential buildings and residential area both.

Furthermore, the concerned area is undeniably a residential area as per all official records and statutory indicators. The following documentary facts conclusively demonstrate its residential classification:

1. House numbers are duly recorded in the Parivar Register, which is an official record of habitation maintained by the Gram Panchayat.
2. House numbers have also been allotted in the Voter List, which is done only for recognized residential houses.
3. Multiple Pradhan Mantri Gramin Awas Yojana (PMGAY) houses exist in the village, which is permissible exclusively in residential areas.

4. The households have valid electricity connections, issued only after verification of residential occupation.
5. Water supply connections have been sanctioned, further confirming the residential status.
6. Toilet certificates have been issued under government sanitation schemes, which are provided only to residential households.
7. Swamitva Card has been issued under Gram Panchayat Uprara, identifying the property as a residential holding under the Rural Abadi framework.

All these official documents and government-sanctioned facilities unmistakably confirm that the area is an established residential area under local laws and administrative practice.

Therefore, any contrary claim—such as the earlier incorrect statement given by the VPDO—stands disproven by multiple government records.

Consequently, the restrictions under:

- Uttarakhand Building Bye-laws 2011,
- Amended Building Bye-laws 2021 (including the 50-metre prohibition for fuel stations near residential areas),
- CPCB OM dated 16.09.2024 (mandating reliance on local Byelaws where classification exists or is not explicitly defined) are fully applicable to the location in question.

33. The contents of Para 24 as stated are wrong hence denied. The Respondent's reliance on the Kerala High Court

judgment in *Kaleshkumar K.K. v. State of Kerala, W.P.(C) 11578/2022* is wholly misplaced, factually distinguishable, and legally irrelevant to the present case.

The facts of the Kerala case are entirely different

In *Kaleshkumar (Supra)*:

- a. The area was governed by a municipal planning law,
- b. The land fell within a statutorily zoned municipal plan,
- c. The issue was limited to interpretation of “designated residential area” under local town planning statutes.

None of these facts exist in the present case.

Village Panchayat Uprada has no town planning statute, no zoning plan, and no building regulation scheme, which is why the Respondent obtained RTI replies stating that “no area is declared residential.” This lack of zoning cannot be used to defeat CPCB’s mandatory distance safeguards.

CPCB Guidelines dated 07.01.2020, and OM dated 16.06.2023 prohibit siting of petrol pumps within 30 metres of any residential house, irrespective of zoning status. The Respondent’s attempt to carve an exception based on a non-binding judgment is impermissible.

Even assuming *arguendo* that zoning was relevant, this Hon’ble Tribunal is bound by Environmental Rule of Law, Precautionary Principle, and Public Trust Doctrine, none of which were considered in the Kerala judgment.

Hence, the Kerala decision has no application to the present matter.

34. The contents of Para 25 do not call for any comments so far as they admitted the corresponding para of OA rest of the contents are wrong and hence denied.
35. The contents of Para 26 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.17 of the OA are reaffirmed and reiterated.

The Respondent's assertion that Notification dated 24.08.2023 of the Ministry of Road Transport & Highways (MoRTH) does not relate to Village Uprada is misleading and contrary to the factual alignment of NH-309A, which passes directly through Uprada. The widening proposal concerns the entire Ghat–Berinaag stretch, and Uprada lies squarely within this alignment. The Respondent's focus on the non-mention of individual village names is irrelevant.

It is further submitted that as per the Ministry of Road Transport and Highways (MoRTH) Notification issued for the acquisition of land for the two-lane widening of NH-309A, the name of Village Uprara is explicitly mentioned in the said statutory notification.

Despite the clear and unambiguous inclusion of Village Uprara in the official MoRTH notification, the respondent is incorrectly denying this fact. Such denial is wholly contrary to the documentary record and demonstrates a deliberate attempt to mislead the authorities by suppressing material facts.

The MoRTH notification, being a statutory instrument issued under the National Highways Act, carries binding legal sanctity. Once Village Uprara stands duly notified therein, the respondent cannot be permitted to dispute, dilute, or negate its inclusion.

Therefore, the respondent's denial is baseless, unsupported by any credible record, and liable to be rejected outright.

Such conduct amounts to deliberately misleading the Hon'ble Tribunal, which cannot be countenanced in law.

Google Earth measurements and photographs filed by the Applicant (**Annex: A/31 @ typed-pages 101–108**) demonstrate that the Respondent's proposed outlet lies immediately adjacent to the existing narrow bend of NH-309A, where future widening is inevitable. The Respondent has suppressed this material fact while seeking NOCs.

The allegation of "misleading" submissions is baseless. On the contrary, the Respondent has withheld the impact of proposed NH widening on turning radius, carriageway safety, and fuel-station set-back requirements, making the siting even more dangerous.

36. The contents of Para 27 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.18 of the OA are reaffirmed and reiterated.

The Respondent's repeated attempt to describe every complaint as originating from a "rival business person" is

false, misleading, and contrary to the record. The present Applicant has independently raised environmental concerns based on:

- a. Forest Range Officer Report dated 26.02.2024 (**Annex: R-23 @ typed-pages 330–331**) confirming vegetation removal and root damage,
- b. DFO correspondence dated 12.09.2023 and 15.03.2024 (**Annex: A/12 @ typed-pages 65–67**), and
- c. Photographs & Google Earth evidence (**Annex: A/31 @ typed-pages 101–108**) clearly showing tree-cover loss and existing habitations within prohibited distance.

These documents predate the present OA and are independent of any complaint by Mr. Aniruddh Singh. These documents are official records generated by statutory authorities on their own inspection and correspondence, and are entirely independent of any complaint or involvement of Mr. Aniruddh Singh.

The Respondent's reliance on electoral rolls (**Annex: R-30**) is irrelevant. A person's family relationship does not invalidate the substance of environmental violations. The Hon'ble Tribunal adjudicates environmental harm, not the family tree of complainants.

The Respondent suppresses that the Forest Department's action on the complaint itself acknowledges

damage to tree roots and removal of vegetation, which supports the Applicant, not the Respondent.

Further, even if a rival business independently made a complaint, environmental illegality cannot be legitimized merely because another citizen also objected. The doctrine of environmental locus standi permits any aggrieved or public-spirited individual to approach this Hon'ble Tribunal.

The Respondent's argument is therefore irrelevant, diversionary, and legally unsustainable.

37. The contents of Para 28 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.19 to 1.23 of the OA are reaffirmed and reiterated.

The Respondent's reliance on multiple NOCs is misplaced because each NOC was issued without examining mandatory CPCB siting norms and without disclosure of nearby residential houses within 19–30 metres (**Annex: A/31 @ typed-pp 101–108**).

The State PCB's statement that fuel outlets do not require consent under Air/Water Act is irrelevant—the issue is siting safety, not consent requirement. The Forest Range Officer's Report dated 26.02.2024 (**Annex: R-23 @ typed-pp 330–331**) itself records vegetation removal and root damage, contradicting any “clean” NOC.

DFO letters dated 12.09.2023 & 15.03.2024 (**Annex: A/12 @ typed-pp 65–67**) further show forest-related concerns ignored during NOC issuance. NOCs obtained without full disclosure cannot override binding CPCB Guidelines dated 07.01.2020 and OM 16.06.2023. Administrative NOCs cannot cure fundamental violations of environmental norms.

38. The contents of Para 29 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.24 to 1.25 of the OA are reaffirmed and reiterated.

The Respondent's reliance on the Tehsildar's report dated 25.06.2024 is incomplete and misleading, as the report ignores multiple residential houses within 19–30 metres, clearly visible in Applicant's photographs and measurements (**Annex: A/31 @ typed-pp 101–108**). A self-serving NOC from the Respondent's father cannot exempt the project from the mandatory 30-metre habitation restriction under CPCB Guidelines dated 07.01.2020 and OM 16.06.2023.

Re-labelling a residence as “commercial” on the strength of a Zila Panchayat shuttering license does not convert a dwelling into a commercial complex nor negate its status as a habitation. Environmental siting norms apply to any existing house, irrespective of ownership or zoning. Thus, the Respondent's claim of compliance is contrary to ground reality.

39. The contents of Para 30 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.26 of the OA are reaffirmed and reiterated.

Compliance with the PESO Circular dated 09.09.2024 cannot override or dilute the mandatory 30-metre habitation restriction under CPCB Guidelines dated 07.01.2020 and OM 16.06.2023. PESO NOCs address operational safety, not environmental siting compliance, and cannot legalize a fundamentally non-compliant location. Applicant's evidence (**Annex: A/31 @ typed-pp 101–108**) shows multiple houses within the prohibited distance, rendering PESO's clearance irrelevant to environmental illegality. Therefore, the Respondent's claim of full compliance is incorrect and unsupported.

40. That the contents of Para 31 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.27 of the OA are reaffirmed and reiterated.

The Respondent misreads both the Supreme Court judgment dated 14.03.2023 (Civil Appeal 421/2022) and the CPCB Guidelines dated 07.01.2020, which mandate a minimum 30-metre distance from any residential house, not merely from areas "designated" as residential under local planning laws. Village Upada is a non-planning Panchayat area, and therefore actual habitation, not zoning labels, determines applicability of siting norms. Applicant's photographs and Google Earth evidence (**Annex: A/31 @ typed-pp 101–108**) clearly show

multiple houses within 19–30 metres, completely defeating the Respondent’s claim of “no cluster of houses”. Authorities issued NOCs without disclosure of these habitations; such NOCs cannot override mandatory CPCB safeguards.

41. The contents of para 32 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.28 and 1.29 of the OA are reaffirmed and reiterated.

Allegations of “business rivalry” are irrelevant and cannot negate the independent statutory findings of the Forest Range Officer dated 26.02.2024 (**Annex: R-23 @ typed-pp 330–331**) and the DFO’s letters dated 12.09.2023 & 15.03.2024 (**Annex: A/12 @ typed-pp 65–67**) confirming vegetation removal and root damage. Environmental violations cannot be legitimized merely because another citizen also objected; the Applicant’s case rests on official records, not on any private complaint.

42. The contents of Para 33 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.29 to 1.37 of the OA are reaffirmed and reiterated.

Applicant’s photographs and Google Earth measurements (**Annex: A/31 @ typed-pp 101–108**) clearly show multiple inhabited houses within 19–30 metres, which the Respondent and S.O. Gangolihat report dated 04.03.2024 (**Annex: R-31**) conveniently ignore. A self-serving NOC from the Respondent’s father cannot cure violation of the mandatory 30-metre habitation

distance under CPCB Guidelines dated 07.01.2020 and OM 16.06.2023, nor can retrospective reclassification of a residence as “commercial” defeat environmental safeguard.

43. The contents of para 34 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.38 of the OA are reaffirmed and reiterated.

The PESO Circular dated 09.09.2024 concerns only additional operational safety and cannot dilute or override the mandatory 30-metre habitation prohibition under CPCB Guidelines dated 07.01.2020 and OM 16.06.2023. Applicant’s evidence (**Annex: A/31 @ typed-pp 101–108**) shows multiple houses within 19–30 meters, making the site fundamentally non-compliant irrespective of any PESO safety measures.

44. That the contents of Para 35 do not call for any comments so far as it admitted the corresponding paras, however, rest of the contents of paras are wrong and hence denied.
45. That the contents of Para 36 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.40 of the OA are reaffirmed and reiterated.

The Respondent’s own relied-upon Forest Range Officer Report dated 26.02.2024 (**Annex: R-23 @ typed-pp 330–331**) confirms vegetation removal and root damage to standing trees, establishing ecological disturbance inconsistent with the claim of “only bushes removed.” DFO letters dated 12.09.2023 & 15.03.2024

(**Annex: A/12 @ Pg. 65–67**) show Oak/broadleaf presence at the site, and such natural vegetation cannot be cleared for commercial use without forest permission, irrespective of revenue classification.

46. That the contents of Para 37 as stated are false, malicious, and emphatically denied and the contents of corresponding para 1.41 to 1.52 of the OA are reaffirmed and reiterated.

Multiple NOCs obtained without disclosure of nearby houses (**Annex: A/31 @ typed-pp 101–108**) and without considering vegetation removal recorded in the Forest Range Officer's Report dated 26.02.2024 (**Annex: R-23 @ Pg. 330–331**) cannot cure violation of mandatory CPCB siting norms.

So far as the contention that the underground tanks at the proposed fuel station have already been filled with petrol and diesel, raises serious questions regarding the legality of such an action.

As per the established regulatory framework, a fuel station can be energised and filled with petroleum products only after obtaining the Final NOC from the National Highways Authority (NHAI).

In the present case, the Final NOC from NHAI has not yet been granted, which makes the alleged energisation prima facie illegal and in violation of mandatory conditions.

Further, the District Supply Officer (DSO) has not granted permission for diesel storage, which is a statutory

requirement under the Uttarakhand Essential Commodities and Petroleum Storage Regulations.

Despite this, the respondent has allegedly stored both petrol and diesel without any lawful approval, thereby violating:

1. NHAI mandatory clearance norms,
2. District Supply Officer's licensing requirements, and
3. Petroleum Act & Petroleum Rules (including safety and storage permissions).

Storing petroleum products without the mandatory approvals not only constitutes a violation of statutory provisions but also amounts to a serious safety hazard and regulatory breach.

Such actions indicate deliberate disregard of the legal framework governing petroleum storage and operation of fuel stations.

Therefore, the respondent's conduct of storing petrol and diesel without the requisite approvals is illegal, unauthorized, and liable to strict scrutiny by the Hon'ble Tribunal.

Raising boundary walls or filling tanks does not legalize a fundamentally non-compliant and unsafe site; ongoing construction cannot override statutory environmental restrictions.

47. That the contents of Para 38 as stated are false, malicious, and emphatically denied and the contents of corresponding para 2 of the OA are reaffirmed and reiterated.

The present OA squarely concerns violations of CPCB Siting Guidelines (07.01.2020), illegal vegetation removal recorded in the Forest RO Report dated 26.02.2024 Pg. 330–331), and non-compliance with mandatory environmental safeguards, all matters falling directly within Section 14, 15 and Schedule-I of the NGT Act. The reliance on O.A. No. 73/2024 is misplaced, as that case concerned routine “change of land use”, whereas the present challenge is to environmental non-compliance and wrongful NOCs, issues exclusively within this Hon’ble Tribunal’s jurisdiction.

48. That the contents of Para 39 as stated are false, malicious, and emphatically denied and the contents of corresponding para 3 of the OA are reaffirmed and reiterated.

The cause of action arises squarely from multiple violations, including non-compliance with mandatory 30-meter siting criteria, concealment of existing residential structures, inconsistencies in NOC-granting processes, and illegal vegetation removal noted in the Forest RO Report dated 26.02.2024 (typed-pp 330–331). The blanket assertion that “all authorities granted NOCs” cannot override demonstrated procedural illegality, misrepresentation of facts, and non-adherence to CPCB Guidelines, all of which fall within the jurisdiction of this Hon’ble Tribunal.

49. That the contents of Para 40 as stated are false, malicious, and emphatically denied and the contents of corresponding para 4 of the OA are reaffirmed and reiterated.

The Application raises multiple substantial grounds, including violation of the mandatory 30-meter CPCB siting criteria, concealment of existing houses (as evident from SO Gangolihat Report dated 04.03.2024 and Forest RO Report dated 26.02.2024, typed-pp 330–331), lack of Section 143 applicability, and material inconsistencies in NOCs. The repeated assertion that “all authorities granted NOCs” cannot cure procedural illegality, factual suppression, and non-compliance with binding CPCB Guidelines and Supreme Court directions, all of which directly attract the jurisdiction of this Hon’ble Tribunal.

50. That the contents of Para 41 as stated are wrong hence denied. It is submitted that the Respondent No.2 is continuing the project in gross violation of the environmental laws

In view of the facts, violations, and material irregularities demonstrated hereinabove, it is most respectfully prayed that this Hon’ble Tribunal be pleased to set aside the impugned NOCs/permissions granted to Respondent No. 2 and direct immediate stoppage of all construction and operation activities at the proposed petrol pump site. It is further prayed that this Hon’ble Tribunal may be pleased to direct an independent joint inspection by Forest, PCB, Revenue, and Disaster Management

authorities to ascertain the factual and environmental violations on site.



APPLICANT

Through



V.K. SHUKLA

Advocate for the Applicant

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New Dehi-110024

Mob: 8800131234,

Email. vkslawoffices@gmail.com

Place: New Delhi

Date: 24.12.2025

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI**

Original Application No. 416 of 2025

IN THE MATTER OF :

Gopal Chandra Vanwassi

... Applicant

Versus

Indian Oil Corporation Limited (IOCL) & Ors.

... Respondents

AFFIDAVIT

I, Gopal Chandra Vanwassi, Aged about 39 years, S/o Sri Madhan Ram, R/o Ritha near Bhramari Kot Mandir (Dangoli) Maj Kot Dist. Bageshwar, Uttarakhand – 263635, do hereby solemnly affirm and states as under;

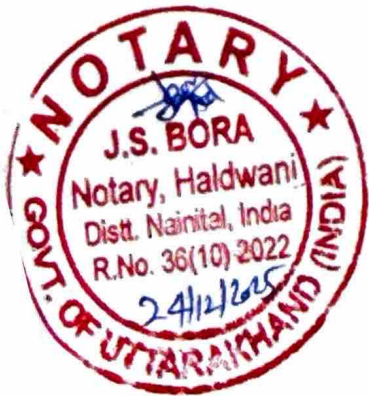
1. That deponent is applicant in the above stated matted and as such is well conversant with the facts and circumstances of the present case and is competent to swear this present affidavit.
2. That the deponent has gone through the contents of the rejoinder. The same has been drafted as per my instructions. The contents of the same are true and correct to the best of my knowledge and nothing material has been concealed there from.



DEPONENT



S.N.-118
Dt-24/12/2025



VERIFICATION

I, the deponent above named do hereby verify that the contents of this affidavit are true and correct to the best of my knowledge derived from the records and nothing relevant has been concealed therefrom. Verified at Haldwani on this 24 day of December, 2025.

DEPONENT



Certified That Sri/smt. Oropal Chandra Vanuassi
The Deponent Identified By Aayush Chauhan Advocate
Sworn & Verified The Contents Of The
Affidavit At Haldwani
On Date 24/12/2025 02:40 P.M

J.S. BORA
Advocate
Notary, Haldwani
Distt-Nainital (UK) India
24/12/2025

Aayush Chauhan
(Adv)

IDENTIFIED BY

सेवा में,

प्रथम अपीलीय अधिकारी/
खण्ड विकास अधिकारी,
गंगोलीहाट।

विषय :- श्री अनिरुद्ध सिंह धानिक द्वारा सी0एम0 हेल्पलाइन-1905 के अन्तर्गत दर्ज अपील के सम्बन्ध में।

महोदय,

पूर्व में श्री देवेन्द्र सिंह खाती, दशाईथल, उप्राड़ा, विकास खण्ड गंगोलीहाट, जनपद पिथौरागढ़ के सूचना अनुरोध पत्र में चाही गयी सूचना के क्रम में मेरे द्वारा प्रभारी सहायक विकास अधिकारी (पंचायत) के रूप में दिनांक 25.04.2025 को 03 बिन्दुओं पर सूचना विकास खण्ड कार्यालय में उपलब्ध करायी गयी थी जिसके बिन्दु संख्या 01 पर मेरे द्वारा "वर्तमान में ग्राम पंचायत उप्राड़ा के अन्तर्गत पृथक से कोई क्षेत्र आवासीय क्षेत्र घोषित नहीं किया गया है। अतः बिन्दु संख्या 01 पर सूचना धारित नहीं है" अवगत कराया गया था। मेरे द्वारा विकास खण्ड कार्यालय में उपलब्ध करायी गयी सूचना के आधार पर विकास खण्ड कार्यालय गंगोलीहाट द्वारा अपने कार्यालय पत्र संख्या 66/02-सूचना का अधिकार/2024-25, दिनांक 25.04.2024 के माध्यम से श्री देवेन्द्र सिंह खाती, निवासी दशाईथल, उप्राड़ा, विकास खण्ड गंगोलीहाट को सूचना प्रेषित की गयी।

उक्त क्रम में महोदय को सादर अवगत कराना है कि सन्दर्भित प्रकरण प्रकरण के सम्बन्ध में मुझे जानकारी नहीं होने के कारण मेरे द्वारा त्रुटिवश ग्राम पंचायत उप्राड़ा के अन्तर्गत पृथक से कोई क्षेत्र आवासीय क्षेत्र घोषित नहीं किये जाने के सम्बन्ध में सूचना उपलब्ध करा दी गयी थी।

वर्तमान में मैं ग्राम पंचायत उप्राड़ा के अन्तर्गत पृथक से कोई क्षेत्र आवासीय क्षेत्र घोषित नहीं किये जाने के सम्बन्ध में उपलब्ध करायी गयी सूचना हेतु खेद प्रकट करता हूँ तथा अपने द्वारा पूर्व में प्रस्तुत किये गये उक्त तथ्य का खण्डन करता हूँ।

दिनांक 14.11.2025

भवदीय


(योगेश भारती)

ग्राम पंचायत विकास अधिकारी
ग्राम पंचायत उप्राड़ा
विकास खण्ड गंगोलीहाट



TRUE COPY

पत्रांक: 2597 / वि०वि०ख०(पि०) / सू०अधि०

विषय:- सूचना का अधिकार अधिनियम-2005 के अन्तर्गत अधिनियम की धारा 6(3) में पत्र आन्तरित किये जाने
विषयक। दिनांक 21.09/2024

पंजीकृत।

Sh. Anirudha Dhanik,
House No. -1, Sangarh Berinag,
Near Forest Office Berinag, Pithoragarh.
Pin 262531, M.No. 8449298684

E-Mail
MLO

कृपया उपरोक्त विषयक अपने प्रार्थना पत्र संख्या शून्य व दिनांक 27.08.2024 का सन्दर्भ ग्रहण करें, जो कि लोक सूचना अधिकारी (मु०) एवं अधिशासी अभियन्ता (वाणिज्य), उपाकालि, देहरादून के कार्यालय पत्रांक 747/ उपाकालि०/लो०सू०अ०(मु०)/2024-25 UPCL/R/2024/60056, दिनांक 28.08.2024 द्वारा सूचना उपलब्ध कराये जाने हेतु सूचना का अधिकार अधिनियम 2005 की धारा 6(3) के अन्तर्गत इस कार्यालय को स्थानान्तरित की है। जो दिनांक 02.09.2024 को प्राप्त हुयी है।

अतः अवगत कराना है कि जैसा कि आप द्वारा कहा गया है कि "राष्ट्रीय हरित अधिकरण (NGT) और केंद्रीय प्रदूषण नियंत्रण बोर्ड (CPCB) द्वारा निर्धारित दिशा निर्देशों के अनुसार पेट्रोल पंप के स्थान का चयन करते समय यह सुनिश्चित किया जाना चाहिए कि वह आवासीय क्षेत्रों, स्कूलों, अस्पतालों और जल स्ट्रोतों से पर्याप्त दूरी पर हो। इन दिशानिर्देशों के अनुसार स्कूलों, अस्पतालों और रिहायशी इलाकों से पेट्रोल पंप की दूरी कम से कम 50 मीटर होनी चाहिए"। कृपया संज्ञान ले कि उक्त प्रकरण विद्युत विभाग के कार्यक्षेत्र कि परिधि से बाहर है एवम् उपखण्ड अधिकारी विद्युत वितरण उपखण्ड, गंगोलीहाट के कार्यालय पत्रांक संख्या 486/वि०वि०उप०(ग) दिनांक 01.02.2024 के माध्यम इस कार्यालय को अवगत कराया गया है कि उनके द्वारा निरीक्षण किये जाने के उपरान्त चयनित भूमि के आस पास किसी भी प्रकार की विद्युत लाईन नहीं है। प्रतिलिपि संलग्न संलग्न (संलग्नक-1) उपरोक्त निरीक्षण आख्या के क्रम में खण्ड द्वारा Additional Director, AQM Div. CENTRAL POLLUTION CONTROL BOARD, DELHI. के पत्रांक 13011/1/2019-20/ AQM 10802-10847 दिनांक 07.01.2020 में बिन्दु संख्या H में अंकित (No High tension line shall pass over the retail outlet). व भारतीय विद्युत नियमावली 1956 के नियम 79 तथा 80 व The Central Electricity Authority(Measures relating to Safety and Electric Supply) Regulation-2010 यथा संशोधित 2023 में प्रदत्त प्राविधानों के तहत अनापत्ति प्रमाण पत्र निर्गत किये गये। संलग्न (संलग्नक 02)

इसके अतिरिक्त बिन्दुवार सूचना निम्नवत है:-

बिन्दु संख्या 01: (a)- के कम में अवगत कराना है कि IOCL द्वारा प्रेषित मानचित्र उपाकालि के किसी भी अधिकारी एवम् कर्मचारी द्वारा सत्यापित एवम् हस्ताक्षरित नहीं किया गया है। अतः सूचना शून्य है।

(b) क्रमांक a में निहित तथ्यों के आधार पर सूचना शून्य है।

(c) क्रमांक a में निहित तथ्यों के आधार पर सूचना शून्य है।

बिन्दु संख्या 02, 03, 04, 05, 06, 07 व 08 में ऐच्छिक सूचना विद्युत विभाग से सम्बन्धित नहीं है अतः सूचना शून्य है।
संलग्न यथा उपरोक्त।

नोट- यदि आप उपरोक्त सूचना से असंतुष्ट हैं तो विभागीय अपीलीय अधिकारी के समक्ष अपील दायर कर सकते हैं।
जिनका पता निम्न प्रकार है:-

विभागीय अपीलीय अधिकारी/अधीक्षण अभियन्ता,
विद्युत वितरण मण्डल, 132 के०वी० उपसंस्थान परिसर,
भदेलवाड़ा, पितौरागढ़।

ई-मेल septh_upcl@yahoo.com

(ई० नितिन सिंह गर्खाल)
लोक सूचना अधिकारी
अधिशासी अभियन्ता
मो० नं०- 9412093020

TRUE COPY



दूरभाष (का०) 05964(225237)

फैक्स- 05964 (225237)

ई-मेल- cepltujs@gmail.com

कार्यालय अधिशासी अभियन्ता, उत्तराखण्ड जल संस्थान पिथौरागढ़

पत्रांक 2854/ सी0एम0हेल्पलाईन 1457 दिनांक 26/10/2024

सेवा में,

अधीक्षण अभियन्ता
उत्तराखण्ड जल संस्थान
पिथौरागढ़।

विषय- सी0एम0 हेल्पलाईन से प्राप्त शिकायत संख्या- 618681 दिनांक 27.10.2024 के निस्तारण के सम्बन्ध में।

महोदय,

उपरोक्त विषयक सी0एम0 हेल्पलाईन से प्राप्त शिकायत संख्या -618681 दि 27.10.2024 शिकायतकर्ता श्री एम0पी0 सिंह, गंगोलीहाट, जिला-पिथौरागढ़ द्वारा की गई शिकायत के क्रम में अवगत कराना है कि, विषयगत प्रकरण के सम्बन्ध में इस कार्यालय के पत्रांक संख्या 262/वि0ख0 गंगोलीहाट/04 दिनांक 27.01.2024 द्वारा ग्राम उपराडा, तहसील गंगोलीहाट जिला -पिथौरागढ़, के खसरा संख्या 478 में इंडियन ऑयल कार्पोरेशन लिमिटेड द्वारा नया आउटलेट खोले जाने हेतु पेयजल से सम्बन्धित अनापत्ति निर्गत की गयी है। शाखा द्वारा उक्त भूमि के किसी भी मानचित्र में स्वीकृत हेतु कोई भी संस्तुति नहीं की गयी है।

अतः शिकायत को पोर्टल पर आंशिक रूप से बन्द किया जा रहा है।

भवदीय

(सुरेश चन्द्र जोशी)

प्रभारी अधिशासी अभियन्ता

पृ0सं0 एवं दिनांक तदैव।

प्रतिलिपि-

1. महाप्रबन्धक महोदय, उत्तराखण्ड जल संस्थान, पिथौरागढ़ को सादर सूचनार्थ प्रेषित।

प्रभारी अधिशासी अभियन्ता

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ANNEXURE: A/35

Indian Oil Corporation Limited
Dehradun Divisional Office
1st Floor, Paras Tower, Saharanpur Road,
Majra, Dehradun – 248171 (Uttarakhand)
Tel.: 0135-2750107, 2750111
Ref: NRO / Uprada

Date: 13.03.2025

UNDERTAKING

We hereby declare that the site whose details are given below is under our legal authorized possession and have clear right to use the same for storage of petroleum and we further declare that no court case or other legal proceedings are underway in any Court of Law in respect of the said site/land.

Further, no school, hospitals, residential building/premises exists within the 50 m distance from the premises (as per CPCB guidelines) and the retail outlet shall be energized only after obtaining statutory licenses/NOCs including PWD/NH/NGT or other equivalent authorities including local authorities.

New Retail Outlet Between KM stone 51 & 55 on NH 309A (Pantnagar–Gangolihat–Berinag Marg) at Khasra No. 478, Village Uprada, Tehsil Gangolihat, District Pithoragarh, State Uttarakhand.

Details of Site:

- a) Khasra No.: 478
- b) Name of Revenue Village: Uprada
- c) Taluka: Gangolihat
- d) Road: NH 309A (Pantnagar–Gangolihat–Beri-nag Marg)
- e) District: Pithoragarh
- f) State: Uttarakhand
- g) Police Station: Gangolihat
- h) Railway Station: Kathgodam

For Indian Oil Corporation Ltd.

Sd/-

13-03-25


TRUE TYPED COPY

इंडियन ऑयल कॉर्पोरेशन लिमिटेड
 देहरादून मंडल कार्यालय :
 प्रथम तल, पारस टावर, सहारनपुर रोड, माजरा,
 देहरादून-248171 (उत्तराखण्ड)

आरटीआई एक्ट 2005 के अन्तर्गत जारी
 Issued Under RTI Act 2005



Indian Oil Corporation Limited
 Dehradun Divisional Office :
 1st Floor, Paras Tower, Saharanpur Road,
 Majra, Dehradun - 248171 (Uttarakhand)
 Tel.: 0135-2750107, 2750111

Date: 13.03.2025

Ref: NRO /Uprada

UNDERTAKING

We hereby declare that the site whose details are given below is under our legal authorized possession and have clear right to use the same for storage of Petroleum and we further declare that no court case or other legal proceedings are underway in any Court of Law in respect of the said site/land.

Further, No school, hospitals, residential building/premises exists within the 50 m distance from the premises (As per CPCB guidelines) and the retail outlet shall be energized only after obtaining statutory licenses/NOCs including PWD/NH/NGT or other equivalent authorities including local authorities.

New Retail Outlet Between KM stone 51& 55 on NH 309A (Panar Gangolihat-Bering Marg) at Khasra no 478 Vill Uprada, Tehsil Gangolihat, Dist Pithoragarh, State, Uttarakhand

Details of site:

a) Khasra No.	: 478
b) Name of Revenue Village	: Uprada
c) Taluka	: Gangolihat
d) Road	: NH 309A (Panar-Gangolihat-Bering Marg)
e) District	: Pithoragarh
f) State	: Uttarakhand
g) Police Station	: Gangolihat
h) Railway Station	: Raibgodam

For Indian Oil Corporation Limited

[Handwritten signature]

TRUE COPY

[Handwritten mark]

[Handwritten signature] 13.03.25

For Indian Oil Corporation Limited

For Indian Oil Corporation Limited

For Indian Oil Corporation Limited

For Indian Oil Corporation Limited

For Indian Oil Corporation Limited

For Indian Oil Corporation Limited

Reg. Office : Indian Oil Bhavan, G-9,
 Ali Yavar Jung Marg, Bandra East, Mumbai,
 Maharashtra - 400051 (India)
 CIN : L23201MH1959G01011388

पंजीकृत कार्यालय : 'इंडियन ऑयल भवन', जी-9,
 अली यावर जंग मार्ग, बान्द्रा (पूर्व),
 मुंबई - 400 051 (भारत)
 iocl.com

::अनापत्ति प्रमाण पत्र::

इंडियन ऑयल कॉर्पोरेशन लिमिटेड देहरादून डिविजनल ऑफिस : 25 निम्बूवाला गढ़ी कैंन्ट, देहरादून के पत्र संख्या-DDN DO/NRO/51& 55 दिनांक 03.01.2024 का अवलोकन करने का कष्ट करें, जिसके द्वारा जनपद के ग्राम उपराड़ा तहसील गंगोलीहाट, जिला पिथौरागढ़ में पेट्रोल पम्प (रिटेल आउटलेट) लगाये जाने हेतु निरापत्ति प्रमाण पत्र के लिये अनुरोध किया गया है।

तेल कम्पनी के उक्त पत्र के संदर्भ में महोदय के कार्यालय पत्रांक-ज्ञाप/XXXI-विविध/2022 दिनांक 20.01.2024 द्वारा 1. प्रभागीय वनाधिकारी, पिथौरागढ़, 2. पुलिस अधीक्षक पिथौरागढ़, 3.उप जिलाधिकारी, गंगोलीहाट, 4. भू-वैज्ञानिक, टास्क फोर्स पिथौरागढ़, 5. अधिशासी अभियन्ता, विद्युत वितरण खण्ड पिथौरागढ़, 6. क्षेत्रीय अधिकारी, पर्यावरण संरक्षण एवं प्रदूषण नियन्त्रण बोर्ड हल्द्वानी, 7. अधिशासी अभियन्ता, एन0एच0 लोहाघाट, 8. उप मण्डल अभियन्ता, दूर संचार विभाग, पिथौरागढ़ तथा 9.अधिशासी अभियन्ता, जल संस्थान पिथौरागढ़ को प्रकरण में संयुक्त जाँच कर आख्या स्पष्ट संस्तुति सहित एवं मानचित्र में हस्ताक्षर सहित जिला पूर्ति कार्यालय को उपलब्ध कराये जाने को निर्देशित किया गया था।

उक्त के सम्बन्ध में जिला पूर्ति कार्यालय के पत्रांक-1344/जि0पू0अ0/40-पे0उ0/(पेट्रोलपम्प)/2024 दिनांक 19.03.2024, पत्रांक-391/जि0पू0अ0/40-पे0उ0/(एन0ओ0सी0)/2024 दिनांक 06.07.2024, तथा पत्रांक-478/जि0पू0अ0/40-पे0उ0/(एन0ओ0सी0)/2024 दिनांक 25.07.2024, के द्वारा जनपद पिथौरागढ़ से उक्त भूमि पर प्रस्तावित पेट्रोल पम्प संचालित किये जाने हेतु अपनी आख्या अधोहस्ताक्षरी को उपलब्ध कराये जाने हेतु पत्र प्रेषित किया गया था।

इसी क्रम में 1.उप जिलाधिकारी, गंगोलीहाट ने अपने पत्रांक-128/विविध-पेट्रोल पम्प-जाँच-आख्या/2024 दिनांक 27.06.2024, के माध्यम से मानचित्र पर हस्ताक्षर सहित जाँच आख्या उपलब्ध कराई गई है, किन्तु प्रकरण में संस्तुति का उल्लेख नहीं है। 2.-क्षेत्रीय कार्यालय उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड, हल्द्वानी के पत्रांक-यूकेपीसीबी/आर0ओ0एच0/शा0प्रशा0/24/2022-922 दिनांक 12.03.24 द्वारा अवगत कराया गया है कि Auto mobile fuel outlet (Only Dispensing)जल/वायु सहमति में आच्छादित नहीं है। 3. प्रभागीय वनाधिकारी, वन प्रभाग पिथौरागढ़, ने अपने पत्रांक-4970/12-1 दिनांक 15.03.2024, द्वारा केवल जाँच आख्या प्रेषित की गयी है परन्तु मानचित्र में हस्ताक्षर अंकित नहीं है। 4. पुलिस अधीक्षक पिथौरागढ़, ने अपने पत्रांक वाचक-40/2024 दिनांक 19.07.2024, द्वारा केवल जाँच आख्या प्रेषित की गयी है तथा मौखिक रूप से यह भी अवगत कराया है कि मानचित्र में हस्ताक्षर तकनीकी क्षेत्र से सम्बन्धित है जबकि उनका कार्य क्षेत्र कानून एवं व्यवस्था से सम्बन्धित है।

उपरोक्त के अतिरिक्त 5.अधिशासी अभियन्ता, जल संस्थान पिथौरागढ़ ने अपने पत्रांक-262/वि0ख0 गंगोलीहाट/4 दिनांक 27.01.2024, 6.अधिशासी अभियन्ता, विद्युत वितरण खण्ड पिथौरागढ़, ने अपने पत्रांक-344/वि0वि0ख0(पि0) दिनांक 01.02.2024, 7.अग्निशमन अधिकारी पिथौरागढ़ ने अपने पत्रांक:न-02/एफ0एस0/2022 दिनांक 06.03.2024, 8.कार्यालय मण्डल अभियन्ता (प्रचा0), भारत संचार निगम लि0, पिथौरागढ़ ने अपने पत्रांक: म0अ0(प्रचा0)विविध/पिथौरागढ़/97 दिनांक 12.02.2024, 9.उपनिदेशक/भूवैज्ञानिक भूतत्व एवं खनिजकर्म विभाग, पिथौरागढ़ ने अपने पत्रांक: 1408/भू0खनि0वि0पिथौ0/भू0नि0/भवन/2023-24 दिनांक 29.02.2024 तथा 10.अधिशासी अभियन्ता राष्ट्रीय राजमार्ग खण्ड, लो0नि0वि0,

क्रमशः.....02



Uchi

(02)

लोहाघाट ने अपने पत्रांक-727/15सी0 दिनांक 06.05.2025, द्वारा प्रकरण में नये रिटेल आउटलेट स्थापना के सम्बन्ध में अनापत्ति प्रदान करते हुए मानचित्र पर हस्ताक्षर सहित जाँच आख्या उपलब्ध करायी गयी है जो पत्रावली में संलग्न है।

1.उप जिला अधिकारी, गंगोलीहाट द्वारा तहसीलदार, गंगोलीहाट के माध्यम से प्रस्तावित स्थल का स्थलीय निरीक्षण कराते हुए जांच आख्या प्रेषित की गयी है जिसका विवरण निम्न प्रकार है-

1- ग्राम उप्राडा पट्टी दशाईथल तहसील गंगोलीहाट अन्तर्गत वर्तमान में इंडियन ऑयल कम्पनी का पेट्रोल पम्प स्थापित किया जाना प्रस्तावित है। जो श्री देवेन्द्र सिंह खाती पुत्र श्री पुष्कर सिंह खाती ग्राम उप्राडा की भूमि जो कि ग्राम उप्राडा की गै०वि०ज०ख०ख०स० 41 ब०स० 478म श्रेणी 7(क) की जिसमें की मालिकाना हक प्राप्त है, के मध्ये की 0.060 हेक्टेयर भूमि मे मौके में समतलीकरण का कार्य किया जाना पाया गया उक्त भूमि पनार गंगोलीहाट बेरीनाग राष्ट्रीय राजमार्ग 309A के हिलसाईड में उक्त ग्राम के तोक में स्थित है।

2- प्रस्तावित पेट्रोल पम्प की भूमि के मध्य बिन्दु के आस पास स्थित भवनो, सरकारी भवनों एवं विद्यालयों की दूरी दिशा निम्नानुसार है।

1- पूरब दिशा में- श्री महाकाली माध्यमिक विद्या मन्दिर दशाईथल की दूरी 121 मी० एवं रियासी मकानों की दूरी 60 मी० है।

2- पश्चिम दिशा- श्री राजेन्द्र लाल वर्मा पुत्र जोगा लाल वर्मा ग्राम उप्राडा (सुनारगांव) के भवन की दूरी 34 मीटर एवं तदोपरान्त पडाव दशाईथल का स्थानीय बाजार है।

3- उत्तर दिशा में विकास खण्ड गंगोलीहाट के कार्यालय भवन की दूरी 37 मीटर एवं 16.20 मीटर की गहरायी विकास खण्ड गंगोलीहाट के कैन्टीन की दूरी 34 मीटर समयान्तर एवं 22 मीटर गहराई है।

4- दक्षिण दिशा में - गंगोलीहाट दशाईथल बेरीनाग मोटर मार्ग राष्ट्रीय राजमार्ग 309A 22 मीटर की दूरी पर है।

5- उत्तर पूरब दिशा की ओर श्री पुष्कर सिंह खाती पुत्र श्री दलीप सिंह निवासी ग्राम उप्राडा के वर्तमान में आवासी भवन की दूरी 19 मी० समायानतर एवं 10 मीटर गहराई।

6- उत्तर पश्चिम दिशा की ओर -राजकीय पशु चिकित्सालय गंगोलीहाट का पुराना गैर उपयोगी भवन 35 मीटर एवं दशाईथल पडाव विकास खण्ड कार्यालय गंगोलीहाट आन्तरिक हल्का वाहन मार्ग की दूरी 21 मी० तथा राजकीय पशु चिकित्सालय गंगोलीहाट मुख्य भवन की दूरी 90 मीटर 11 मीटर समयान्तर एवं 16 मी० गहराई है।

दक्षिण पश्चिम दिशा की ओर श्री पूरन चन्द्र पुत्र दुर्गा दत्त ग्राम कसेडी हाल उप्राडा तहसील गंगोलीहाट का आवासीय भवन की दूरी 35 मीटर है।

7- प्रस्तावित भूमि जिसमें इंडियन ऑयल कम्पनी के पेट्रोल पम्प मौके में भू समतलीकरण एवं रिट्रेनिंग वॉल का प्रगति पर है। के मध्य बिन्दु से पूरब पश्चिम एवं उत्तर दिशा की ओर 10-12 मीटर की दूरी पर तीनों ओर लगभग 15-20 मीटर ऊचाई के सुरक्षा दीवालो का निर्माण कार्य किया जाना दौराने जांच तस्दीक हुआ दक्षिण दिशा की ओर खुला हुआ भाग स्थित है, जिससे कि 22 मीटर की दूरी पर उक्त N.H. प्रचलित है।

2- क्षेत्रीय कार्यालय उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड, हल्द्वानी ने दिनांक 12.03.24 द्वारा अवगत कराया गया है कि राज्य बोर्ड द्वार केन्द्रीय प्रदूषण नियंत्रण बोर्ड एवं राज्य बोर्ड द्वारा जारी दिशा निर्देश के अनुसार इकाईयों को जल/वायु अधिनियमों के अन्तर्गत सहमति निर्गत की जाती है।

क्रमशः.....03



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Auto mobile fuel outlet (Only Dispensing) जल/वायु सहमति में आच्छादित नहीं है।

3-प्रभागीय वनाधिकारी, पिथौरागढ़ वन प्रभाग, ने दिनांक 15.03.2024, की आख्या में यह अंकित किया गया है, वन क्षेत्राधिकारी डीडीहाट के माध्यम से कराये गये स्थलीय निरीक्षण अनुसार प्रस्तावित पेट्रोल पम्प लगाये जाने के लिये चयनित भूमि देवेन्द्र सिंह खाती की नाप भूमि है। उक्त भूमि से आरक्षित वन की दूरी लगभग 12 किमी० है। उक्त नया रिटेल आउटलेट लगाये जाने से इस प्रभाग को कोई आपत्ति नहीं है।

4- पुलिस अधीक्षक पिथौरागढ़ ने दिनांक 19.07.2024 के द्वारा अवगत कराया है कि क्षेत्राधिकारी पिथौरागढ़, थानाध्यक्ष गंगोलीहाट से आख्या प्राप्त की गयी। क्षेत्राधिकारी पिथौरागढ़, थानाध्यक्ष गंगोलीहाट द्वारा ग्राम उपराड़ा, तहसील गंगोलीहाट जिला पिथौरागढ़ के खसरा संख्या 478 में निर्धारित मानकों का पालन किये जाने पर रिटेल आउटलेट लगाये जाने से सम्बन्ध में कोई आपत्ति प्रकट नहीं की गयी है।

5-अधिशाली अभियन्ता उत्तराखण्ड जल संस्थान, पिथौरागढ़ ने दिनांक 27.01.24 के माध्यम से प्राप्त आख्या के अनुसार अवगत कराया गया है कि ग्राम उपराड़ा, तहसील गंगोलीहाट जिला पिथौरागढ़ के खसरा संख्या 478 में इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा नया रिटेल आउटलेट खोले जाने में इस विभाग को कोई आपत्ति नहीं है।

6-अधिशाली अभियन्ता विद्युत वितरण खण्ड उत्तराखण्ड पावर कारपोरेशन लि० पिथौरागढ़ ने दिनांक 01.02.24 के माध्यम से प्राप्त आख्या के अनुसार इंडियन ऑयल कॉर्पोरेशन लिमिटेड, डिविजन ऑफिस देहरादून द्वारा नये रिटेल आउटलेट लगाये जाने के लिये ग्राम उपराड़ा, तहसील गंगोलीहाट जिला पिथौरागढ़ के खसरा संख्या 478 की एन०ओ०सी० चाहे जाने के क्रम में उपखण्ड अधिकारी, विद्युत वितरण उपखण्ड, गंगोलीहाट द्वारा अपने कार्यालय पत्रांक 486/वि०वि०उप०(गं०) दिनांक 01.02.2023 के माध्यम से अवगत कराया गया है कि अवर अभियन्ता, उपाकालि, विद्युत वितरण अनुभाग, पिथौरागढ़ की स्थलीय निरीक्षण आख्या के अनुसार ग्राम उपराड़ा, तहसील गंगोलीहाट जिला पिथौरागढ़ के खसरा संख्या 478 जिला पिथौरागढ़ में इंडियन ऑयल कारपोरेशन का रिटेल आउटलेट हेतु चयनित भूमि के आस-पास किसी भी प्रकार की विद्युत लाईन नहीं गुजर रही है। इसके अतिरिक्त भारतीय विद्युत नियमावली 1956 के नियम 79 तथा 80 के अनुसार सबसे पास के चालक (विद्युत लाईन) की कम से कम दूरी निम्नवत् है।

लम्बवत्	क्षैतिज
2.5 mtr निम्न एवं मध्यम वोल्टेज लाईन	1.2 mtr निम्न एवं मध्यम वोल्टेज लाईन
2.5 mtr 33 के० वी० लाईन	2.0 mtr 33 के० वी० लाईन

अतः मानकों के अनुसार उपरोक्त निर्धारित दूरी को छोड़कर स्थल पर रिटेल आउटलेट के निर्माण हेतु विद्युत विभाग द्वारा अनापत्ति प्रदान की जाती है।

7-अग्निशमन अधिकारी पिथौरागढ़ ने दिनांक 06.03.2024 द्वारा अवगत कराया गया है कि इंडियन ऑयल कॉर्पोरेशन लिमिटेड डिविजनल ऑफिस देहरादून के द्वारा नया रिटेल आउटलेट

क्रमशः.....04



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लगाये जाने के लिये ग्राम उपराड़ा, तहसील गंगोलीहाट, जिला पिथौरागढ़ के खसरा संख्या-478 का अग्निशमन के दृष्टिकोण से प्रभारी अग्निशमन अधिकारी दया किशन द्वारा दिनांक 05.03.2024 को प्रस्तावित स्थल का निरीक्षण किया गया। उक्त प्रस्तावित स्थल पर अग्निशमन का वाहन आसानी से जा सकता है। प्रस्तावित स्थल के ऊपर से किसी भी प्रकार की हाईटेंशन लाइन नहीं है। अतः आवेदक को प्रस्तावित स्थल पर पेट्रोल पम्प स्थापित किये जाने में अग्निशमन के दृष्टिकोण से कोई आपत्ति नहीं है। किन्तु आवेदक द्वारा पेट्रोल पम्प के संचालन से पूर्व निम्नांकित अग्निशमन व्यवस्था सुनिश्चित की जानी अति आवश्यक है।

- 01:- पेट्रोल पम्प का निर्माण मानचित्र के अनुरूप करते हुए एक्सप्लोसिव रूल्स, पेट्रोलियम रूल्स 2002 एवं ओ०आई०एस०डी० द्वारा निर्धारित मानकों को पूर्ण किया जाना अति आवश्यक होगा।
- 02:- पेट्रोल पम्प के तीनों ओर बाउन्ड्री वॉल का निर्माण कराया जाय।
- 03:- वेट पाइप ओटीएस नहीं होगा, उसमें जाली का प्राविधान किया जाए।
- 04:- प्रत्येक आउटलेट पर 01 अद् फोम टाइप फायर एक्सटिंग्यूशर क्षमता 09 लीटर अथवा 02 अद् फोम टाइप फायर एक्सटिंग्यूशर क्षमता 4.5 किग्रा का प्राविधान किया जाय।
- 05:- प्रस्तावित स्थल पर 09 अद् सेंड बकैट मय स्टेण्ड का प्राविधान किया जाय साथ ही प्रत्येक आउटलेट के पास न्यूनतम 04 अद् सैण्ड बकैट का प्राविधान किया जाय।
- 06:- कार्यालय भवन में यदि लुग्रीकेन्टस का भण्डारण किया जाता है तो पृथक से सीओटू फायर एक्सटिंग्यूशर क्षमता 4.5 किग्रा के 02 अद् का प्राविधान किया जाय।
- 07:- पेट्रोलियम भण्डारण के पास धुम्रपान निषेध बोर्ड लगाया जाय तथा सेप्टी जोन में इसका कढ़ाई से पालन किया जाय।
- 08:- पेट्रोल पम्प पर कार्य करने वाले प्रत्येक कर्मचारी को स्थापित अग्निशमन उपकरणों के संचालन का ज्ञान होना अति आवश्यक है। पेट्रोल पम्प पर कार्यरत कर्मचारी को उपकरणों के संचालन का ज्ञान न हो तो उन्हें स्थानीय फायर सर्विस द्वारा प्रशिक्षितकराये जाने का उत्तरदायित्व स्वामी/प्रबन्धक का होगा।
- 09:- स्थानीय फायर स्टेशन/आपातकालीन टेलीफोन नम्बरों को प्रदर्शित करने वाले साइन बोर्ड को सुलभ दृश्य स्थान पर अंकित कराया जाय।
- 10:- स्पष्ट एवं उच्चतम सुलभ दृश्य स्थान पर एक साइन बोर्ड स्थापित किया जाय जिसमें पेट्रोल पम्प में प्रवेश से पूर्व मोबाइल फोन बन्द किये जाने का अनुरोध अंकित किया गया हो।
- 11:- आन्तरिक भण्डारण क्षेत्र को स्वच्छ रखा जाय।
- 12:- स्पष्ट दृश्य स्थान पर चेतावनी बोर्ड स्थापित किया जाय जिसमें पेट्रोल पम्प में किसी प्रकार के ज्वलनशील पदार्थ यथा माचिस, विस्फोटक पदार्थों को ले जाना निषेध अंकित किया जाय।
- 13:-स्वामी/प्रबन्धन द्वारा आवश्यक रूप से यह सुनिश्चित किया जाय कि पेट्रोल, डीजल सम्बन्धी उत्पाद नाली/सीवर सार्वजनिक सड़क मार्ग में प्रवाहित न हो।
- 14:- अग्निसुरक्षा के दृष्टिगत अत्यधिक संवेदनशील क्षेत्र के विद्युत पैनल आदि को पेट्रोलियम एक्ट 1934 व नियम 2002 तथा आई०ओ०एस०डी० मानक 118 के अनुसार स्पार्कप्रूफ लाईट्स द्वारा सुरक्षित किया जाय।
- 15:- सुझाये गये सभी अग्निशमन उपकरण/यंत्र भारतीय मानक ब्यूरो द्वारा प्रमाणित होने चाहिए।

अतः उपरोक्तानुसार इंडियन ऑयल कारपोरेशन लिमिटेड द्वारा प्रस्तावित पेट्रोलियम रिटेल आउटलेट स्थापित किये जाने हेतु अनुबन्धात्मक अनापत्ति प्रमाण-पत्र इस आशय पर प्रदान

क्रमशः.....05



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किया जाता है कि पेट्रोल पम्प के संचालन से पूर्व उपरोक्त अग्निशमन व्यवस्था पूर्ण कर इस कार्यालय को अवगत कराना आवश्यक होगा। ताकि प्रस्तावित अग्निशमन व्यवस्था का भौतिक सत्यापन किया जा सकें। यदि स्वामी/प्रबन्धक द्वारा उपरोक्तानुसार दिये गये अग्निशमन सुरक्षा निर्देशों का पालन नहीं किया जाता है तो यह संस्तुति स्वतः ही निरस्त समझी जायेगी।

8- कार्यालय मंडलीय अभियंता (प्रचा0), भारत संचार निगम लि0, पिथौरागढ़ ने दिनांक 12.02.2024, कि आख्या में अवगत कराया गया है कि ग्राम उपराड़ा, तह0-गंगोलीहाट, जिला पिथौरागढ़ के खसरा संख्या 478 में इंडियन ऑयल कारपोरेशन लिमिटेड के नए रिटेल आउटलेट हेतु सम्बंधित भूमि के संलग्न मानचित्र के अनुसार बीएसएनएल की भूमिगत फाइबर एवं कॉपर केबल प्रस्तावित भूमि से होकर नहीं गुजरती है। प्रस्तावित खसरा संख्या-478 में इंडियन आयल कारपोरेशन लिमिटेड के नए रिटेल आउटलेट लगाने में किसी प्रकार कि आपत्ति नहीं है।

9- उपनिदेशक/भूवैज्ञानिक भूतत्व एवं खनिजकर्म विभाग, पिथौरागढ़ ने दिनांक 29.02.2024 द्वारा अपनी आख्या में अवगत कराया गया है कि रिटेल आउटलेट निर्माण हेतु प्रस्तावित स्थल तहसील गंगोलीहाट, जनपद पिथौरागढ़ में, गंगोलीहाट-बेरीनाग मोटर मार्ग पर, गंगोलीहाट से 03 किलोमीटर की दूरी पर स्थित ग्राम उपराड़ा में चयनित किया गया है। प्रस्तावित स्थल मोटर मार्ग के उत्तर-पश्चिम की ओर स्थित है। प्रस्तावित स्थल खुले पहाड़ी भूभाग का भाग है जिसे पूर्व में ही कटान कर एक स्तर में विकसित किया गया है। प्रस्तावित स्थल के उत्तर-पूर्व की ओर आवासीय भवन तथा सीढ़ीदार खेत स्थित हैं। स्थल के उत्तर-पश्चिम की ओर, स्थल से अधिक ऊंचाई वाले भूभाग में खुला भूखण्ड तथा उसके बाद टिन शेड वाला भवन स्थित है। स्थल के दक्षिण-पश्चिम की ओर एक पैदल मार्ग तथा उसके बाद पशुपालन विभाग का एक भवन स्थित है। स्थल के दक्षिण-पूर्व की ओर, गंगोलीहाट-मुनस्यारी मोटर मार्ग तथा उसके बाद, स्थल से कम ऊंचाई वाला पहाड़ी ढालदार भूभाग अवस्थित है। स्थल के निकट गंगोलीहाट-मुनस्यारी मोटर मार्ग का समरेखण $70^{\circ}-250^{\circ}$ है। प्रस्ताव के साथ उपलब्ध कराये गये मानचित्र/अभिलेखों के अनुसार प्रस्तावित स्थल ग्राम उपराड़ा, तहसील गंगोलीहाट, जिला पिथौरागढ़ के खसरा संख्या-478 के अन्तर्गत आता है तथा राष्ट्रीय राजमार्ग 309A (गंगोलीहाट-बेरीनाग मार्ग) पर मीलोमीटर स्टोन 51 तथा 55 के मध्य स्थित है। प्रस्तावित भूभाग का कुल क्षेत्रफल 400.00 वर्गमीटर है। स्थल पर उत्तर-पश्चिम की ओर 20 के०एल० क्षमता के एच०एस०डी० (क्लास 'बी' श्रेणी) के दो टैंक तथा 20 के०एल० क्षमता का एम०एस० (क्लास 'ए' श्रेणी) का एक टैंक, पेट्रोलियम के भण्डारण हेतु भूमिगत टैंकों का निर्माण किया जाना प्रस्तावित है तथा स्थल के उत्तर-पूर्व की ओर कार्यालय भवन तथा जनरेटर कक्ष तथा भूमिगत जल टैंक का निर्माण किया जाना प्रस्तावित है। प्रस्तावित स्थल को मोटर मार्ग के स्तर तक विकसित किया जाना प्रस्तावित है।

आवेदित स्थल, भारतीय सर्वेक्षण विभाग के टोपो शीट सं० 62 C/2 के अन्तर्गत आता है। स्थल समुद्र तल से लगभग 1820 मीटर की ऊंचाई पर तथा निम्न अक्षासं व देशान्तर पर स्थित है :-

उत्तर $29^{\circ} 40' 32.5''$ अक्षासं

पूर्व $80^{\circ} 02' 18.4''$ देशान्तर

क्षेत्रीय भूगर्भीय स्थिति:



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विगत समय में किये गये भूवैज्ञानिक अध्ययनों के उपरान्त, सम्पूर्ण कुमाऊँ क्षेत्र को कई Lithotectonic Units में बाँटा गया है, जहाँ पूर्व में किये गये भूगर्भीय अध्ययनों में मुख्यतः गोपेन्द्र कुमार (1970), ए०के० सिन्हा, ने कुमाऊँ क्षेत्र का विस्तृत अध्ययन कर उच्च हिमालयी क्षेत्रों के Stratigraphical sections एवं Tectonic study करते हुये भूवैज्ञानिक अध्ययन किये हैं, इसी प्रकार वल्दिया (1964), (1971 से 1980) तथा ए०गेन्सर (1935) द्वारा भी कुमाऊँ क्षेत्र के विस्तृत भूवैज्ञानिक अध्ययनों के उपरान्त Geogigical maps एवं Lithotectonic Units को तैयार किया गया।

वर्तमान अध्ययनत् क्षेत्र उच्च हिमालय क्षेत्रान्तर्गत वर्गीकृत किया गया है जहाँ पूर्व के अध्ययनों के अनुसार Garhwal Group की स्वस्थानें चट्टानें उक्त क्षेत्र की सबसे पुरानी चट्टानों में से एक है जो कि Garhwal Group की Sedimentary, Meta-Sedimentary Rocks और Central Crystalline के बीच Main Central Thrust के द्वारा पृथक की गयी है।

प्रस्तावित स्थल की भूगर्भीय स्थिति:-

भूगर्भीय संरचना के दृष्टिकोण से प्रस्तावित स्थल लघु हिमालय पर्वत श्रंखला के विकसित सोपानों के अन्तर्गत स्थित है जहां उक्त क्षेत्र में वल्दिया सन् 1980 के अनुसार तेजम समूह की मन्धाली (सोर तथा थलकेदार) फोरमेशन तथा जौनसार समूह की नागथाट-बेरीनाग फोरमेशन के जंकशन पर स्थित है। प्रस्तावित स्थल की सतह पर भूरे रंग की मूदा का लगभग एक फिट मोटाई का आवरण है। स्थल के निकटवर्ती क्षेत्र में, सतह पर, स्वस्थानिक प्रकृति की चट्टानों के छोटे से बड़े आकार के बोल्टर भी बिखरी हुयी अवस्था में विद्यमान हैं। स्थल पर तथा स्थल के निकटवर्ती क्षेत्र में स्थित उर्ध्वाधर खुले भूभागों के अध्ययन से ज्ञात होता है कि सम्पूर्ण स्थल पर नीचे की ओर ग्रे रंग की पतली परतदार फिलाइट प्रकृति की चट्टानें तथा भूरे-ग्रे रंग की पतली परतदार क्वार्टजाइट प्रकृति की चट्टानें अवस्थित हैं। स्थल पर स्थित चट्टानों के विस्तार की दिशा 110° - 290° है। स्थल पर चट्टानों की नति 40° है तथा नति की दिशा उत्तर 20° है। स्थल तथा स्थल के निकटवर्ती क्षेत्र में पहाड़ी का ढाल 20° - 30° तथा ढलानो की दिशा उत्तर 160° है। प्रस्तावित सम्पूर्ण स्थल के निकटवर्ती क्षेत्र को पूर्व में ही कृषि कार्य हेतु छोटे छोटे स्तरों में विकसित कर सीढ़ीनुमा खेतों को निर्माण किया गया है तथा प्रस्तावित स्थल को पूर्व में ही कटान कर, एक स्तर में विकसित किया गया है। प्रस्तावित स्थल तथा उसके निकटवर्ती क्षेत्र में निर्मित सीढ़ीनुमा खेतों में कोई कृषि कार्य नहीं किया जा रहा है। स्थल के अन्तर्गत कोई अधिक ढालदार भूभाग तथा कोई नाला आदि नहीं पाया गया। स्थल के अन्तर्गत तथा निकटवर्ती क्षेत्र में कोई प्राकृतिक जल श्रोत आदि दृष्टिगोचर नहीं होता है। प्रस्तावित स्थल/क्षेत्र भारतीय सीजमिक मानचित्र मे सक्रिय भूकम्पीय पट्टी में वर्गीकृत किया गया है जहाँ स्थल अधिकांशतः लघु से मध्यम व यदाकदा वृहद तीव्रता के भूकम्पनों से प्रभावित हो सकता है। स्थल पर वर्तमान में भूधंसाव के कोई चिन्ह दृष्टिगोचर नहीं होते हैं। स्थल वर्तमान में स्थिर (प्राकृतिक आपदा को छोड़कर) प्रतीत होता है।

सुझाव एवं शर्त:-

प्रथम दृष्टया निरीक्षण के दौरान वर्तमान में ऐसा कोई तथ्य प्रकाश में नहीं आया जिससे कि भवन निर्माण से भूखण्ड को कोई खतरा उत्पन्न हो, तथापि भूगर्भीय संरचना के

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दृष्टिकोण से सन्दर्भित निर्माण करते समय निम्नलिखित सुझावों का अनुपालन किया जाना अनिवार्य होगा:-

1. प्रस्तावित स्थल पर कटान किया गया है इसलिये स्थल के निकट स्थित उर्ध्वाधर खुले भूभागों में स्तरों में व्हीपहोलयुक्त मजबूत धारक दीवारों का निर्माण किया जाना आवश्यक होगा।
2. स्थल पर टैंक स्थापित करने के लिए स्थल की खुदाई ठोस सतह तक की जाये और गड्ढे की सतह को आर०सी०सी० से अच्छी प्रकार से ग्राउट कर दिया जाये जिससे नमी के कारण भूतल में घंसाव न होने पाये तथा दीवारों को मजबूती प्रदान की जाये।
3. निर्मित गड्ढों से निकलने वाले मलवे को स्थल पर निचली सतही भूमि पर फैला दिया जाये जिससे पम्प के आउटर व इनर मार्ग बनाने में आसानी होगी तथा भारी वाहनों की आवाजाही सुचारु रूप से हो सके।
4. कार्यालय भवनों का निर्माण बीम एवं कॉलम्स पर किया जाये, कॉलम्स की नींव को ठोस सतह पर आरोपित किया जाये एवं भवनो का निर्माण पर्वतीय क्षेत्रों हेतु निर्धारित मानकों एवं भूकम्परोधी तकनीकों का समावेश करते हुए किया जाये।
5. प्रस्तावित स्थल पर चारों ओर वर्षा जल एवं प्रयुक्त जल के निकास हेतु सक्षम जल प्रवाह तन्त्र विकसित किया जाना भूगर्भीय संरचना के दृष्टिकोण से अनिवार्य होगा अन्यथा जल भराव व जल रिसाव के कारण स्थल पर भूघंसाव की सम्भावना से इंकार नहीं किया जा सकता है।
6. स्थल, मोटर मार्ग से अधिक ऊंचाई वाले भूभाग में स्थित है। अतः निर्माण कार्य से पूर्व स्थल का स्तर मार्ग के बराबर कर लेना उचित होगा।
7. स्थल पर शेष सभी कार्य शासनोदश सं० 4752/पाँच-श०वि०आ०-4-4(L.U.C.)/2004, दिनांक: 1 नवम्बर 2004 तथा उत्तराखण्ड शासन के द्वारा भवन निर्माण के सम्बन्ध में प्रख्यापित "भवन निर्माण एवं विकास उपविधि/विनियम-2011 (संशोधन, 2015)" एवं यथा संशोधित शासनादेशों में दिये गये निर्देशों के अनुसार ही किये जाने होंगे।

निष्कर्ष:-

अतः उपरोक्त सुझावों के पूर्णतया अनुपालन की दशा में ही उपरोक्त स्थल भूगर्भीय संरचना के दृष्टिकोण से रिटेल आउटलेट पम्प निर्माण हेतु उपयुक्त प्रतीत होता है। यदि कार्यदायी संस्था द्वारा उपरोक्त सुझावों का पूर्णतया अनुपालन नहीं किया जाता है तो यह अनापत्ति प्रमाण पत्र स्वतः ही निरस्त समझा जायेगा तथा उक्त के फलस्वरूप उत्पन्न होने वाली भूगर्भीय दृष्टिकोण से विपरीत परिस्थितियों के लिए कार्यदायी संस्था स्वयं उत्तरदायी होगी।

10-अधिशाली अभियंता राष्ट्रीय राजमार्ग खण्ड, लो०नि०वि०, लोहाघाट ने दिनांक 06.05.2025, के द्वारा अवगत कराया गया है कि कि प्रश्नगत पेट्रोल पम्प जो राष्ट्रीय राजमार्ग 309ए के पुराना किमी० 52.900, नया किमी० 48.900 में हिल साइड में प्रस्तावित है। प्रस्तावित स्थल पर मार्ग की चौड़ाई 6 मी० है व आर०ओ०डब्ल्यू० वर्तमान में निर्मित मार्ग (चौड़ाई 6 मीटर) के दोनों किनारों से, 9 मीटर (हिल साइड की ओर) एवं 3 मीटर (खड्ड साइड की ओर) प्रस्तावित है। प्रस्तावित स्थल पर वर्तमान में कोई भी कार्य गतिमान नहीं है। विषयक प्रकरण में प्रस्तुत मानचित्र प्रस्तावित पेट्रोल पम्प का निर्माण मार्ग के मध्य बिन्दु से 12 मीटर छोड़ते हुए किया जाना है, जिसका स्थलीय निरीक्षण सहायक अभियन्ता, कनिष्ठ अभियन्ता, खण्डीय अमीन द्वारा स्थल पर कर दिया गया है। जो Morth की विशिष्टियों के अनुरूप है।

क्रमशः.....08



Uth

(08)

अतः सहायक अभियन्ता की संस्तुति एवं मुख्य अभियन्ता क्षेत्रीय अधिकारी सड़क परिवहन एवं राष्ट्रीय राजमार्ग मंत्रालय देहरादून के द्वारा निर्गत के Provisional NOC के आधार पर प्रश्नगत पेट्रोल पम्प जो राष्ट्रीय राजमार्ग 309ए के पुराना किमी० 52.900 नया किमी० 48.900 में प्रस्तावित पेट्रोल पम्प बनाने की संस्तुति दी गयी है।

अतः उपरोक्त सभी सम्बन्धित विभागों के अधिकारियों से प्राप्त जाँच आख्याओं में उल्लिखित प्रतिबन्धों/शर्तों के तथा केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी गाइडलाइन का अनुपालन किये जाने की शर्तों के आधार पर अनापत्ति प्रमाण पत्र निर्गत किया जाता है। उल्लिखित प्रतिबन्धों/शर्तों का तथा केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी गाइडलाइन का उल्लंघन होने की दशा में प्रदत्त अनापत्ति प्रमाण पत्र स्वतः ही निरस्त समझा जाएगा।

संलग्न – अनापत्ति प्रमाण पत्र का प्रारूप संलग्न।



(विनोद गोस्वामी)
जिलाधिकारी, पिथौरागढ़।
पिथौरागढ़

कार्यालय जिला अधिकारी, पिथौरागढ़।

संख्या- 1862/जि०पू०अ०/40- पे०उ०(पे० पम्प) /2025
प्रतिलिपि-

दिनांक मई 24, 2025.

1-इंडियन ऑयल कॉर्पोरेशन लिमिटेड देहरादून डिविजनल ऑफिस 25, निम्बूवाला, गढ़ी केन्ट, देहरादून।

2-उपरोक्त समस्त विभागों को इस निर्देश के साथ प्रेषित कि वे समय-समय पर डीजल ईंधन स्टेशन का स्थलीय निरीक्षण कर अपनी आख्याओं में उल्लिखित प्रतिबन्धों/शर्तों के क्रियान्वयन के सम्बन्ध में अध्यावधिक आख्या उपलब्ध कराना सुनिश्चित करेंगे।

(विनोद गोस्वामी)
जिलाधिकारी, पिथौरागढ़।

(विनोद गोस्वामी)
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कार्यालय सहायक अभियन्ता
राष्ट्रीय राजमार्ग खण्ड, लो०नि०वि०, लोहाघाट



पत्रांक
संख्या में

78/cm helpline

दिनांक 27/07/2025

श्री देवेन्द्र सिंह खाती,
दरगाईयत उप्राडा गंगोलीहाट,
पिन कोड- 262522, गों०न०- 8813900475.

विषय - सी०एन०हेल्पलाइन संख्या MORTH/E/2025/0012517 date 03-07-2025 के सम्बन्ध में।

महोदय,

उपरोक्त विषयक अवगत कराना है कि शिकायत संख्या MORTH/E/2025/0012517 date 03-07-2025 द्वारा श्री एन०पी० सिंह Himmatpuram Bishtdhar, Laldath Bypass Road Haldwani द्वारा निम्न बिन्दुओं हेतु आपत्ति/सूचना चांही गयी है कि आपके द्वारा प्राप्त की गयी NOC में निम्न बिन्दु गिथ्या है।

जिस क्रम में आपसे अनुरोध है कि निम्न बिन्दुओं हेतु अपनी सूचना प्रस्तुत करें।

01:- That the provisional NOC No. CE-OR/UK/NOC-RT/2024/09 issued to M/s IOCL for the proposed retailed outlet on Khasra No. 478 be revoked immediately in accordance with clause 5 of the said NOC.

02:- That a show cause notice be issued to the applicant (LOI holder) as well as Indian oil corporation Limited for :

- Submitting misleading drawings,
- Suppressing facts about residential surroundings,
- Failing to disclose ROW acquisition.
- And relying on an illegally converted land (7-क under disputed 143).

03:- That no final license deed or energization permission be issued under this NOC, as its foundation is legally and factually fraudulent.

04:- That an independent team from MoRTH or NHAI conduct a field-level verification to cross-check the facts I have provided- all backed with official investigation reports and evidence.

अतः उपरोक्तानुसार अपने स्पष्ट अगितेख खण्डीय कार्यालय में जमा करने का कष्ट करें, जिससे शिकायतकर्ता को संतुष्ट किया जा सके।

27/07/25

सहायक अभियन्ता पंचम
राष्ट्रीय मार्ग खण्ड, लो०नि०वि०
लोहाघाट।

पत्रांक:-

प्रतिलिपि:- अधिशासी अभियन्ता रा०मा० खण्ड लो०नि०वि०, लोहाघाट को सादर सूचनार्थ प्रेषित।

दिनांक

[Handwritten signature]

सहायक अभियन्ता पंचम
राष्ट्रीय मार्ग खण्ड, लो०नि०वि०,
लोहाघाट।

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ANNEXURE: A/38



UKPCB

Ph No- 05946-225618, 221532 Web Site-www.ueppcb.uk.gov.in

पत्रांक-यूकेपीसीबी/आरओएचओ/112/25/1812-867

दिनांक:-24/09/25

क्षेत्रीय कार्यालय

उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड

आवास विकास कालोनी, हल्द्वानी (नैनीताल)

सेवा में

सदस्य सचिव महोदय,
उत्तराखण्ड प्रदूषण नियंत्रण बोर्ड,
देहरादून।

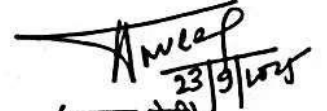
विषय: मा0 एन0जी0टी0 में योजित मूल आवेदन संख्या 416/2025 गोपाल सिंह बनवासी बनाम इण्डियन ऑयल कॉरपोरेशन लि0 एवं अन्य में पारित आदेश के संबंध में।

महोदय,

कृपया उपरोक्त विषयक बोर्ड मुख्यालय के पत्र यूकेपीसीबी/एचओ/सा0-183-935/2025/1033 दिनांक 20.09.2025 के अनुपालन में कार्यालय द्वारा दिनांक 21.09.2025 को संदर्भित स्थल का निरीक्षण किया गया है। आख्यानसार Automobile Fuel Outlet (Only dispensing) राज्य बोर्ड के गैर औद्योगिक श्रेणी में चिन्हित प्रक्रियाओं के वर्गीकरण में जल/वायु सहमति में आच्छादित नहीं है तथा बोर्ड द्वारा जल/वायु अधिनियमों के अन्तर्गत स्थापनार्थ सहमति निर्गत नहीं की गयी है।

अतः उक्त प्रकरण पर स्थलीय निरीक्षण आख्या एवं पैरावाईज नैरेटिव पत्र के साथ संलग्न कर अग्रिम आवश्यक कार्यवाही हेतु सादर प्रेषित है।
संलग्नक-यथोपरि।

भवदीय


(अनुराग नेगी)
क्षेत्रीय अधिकारी

निरीक्षण आख्या

कृपया बोर्ड मुख्यालय के पत्रांक: यूकेपीसीबी/एचओ/साओ-183-935/2025/1033 दिनांक 20.09.2025 के अनुपालन में मै0 इण्डियन ऑयल कॉरपोरेशन लि0 ग्राम-उप्राड़ा, दशाईथल तहसील-गंगोलीहाट जिला-पिथौरागढ़ में पेट्रोल पंप का निरीक्षण दिनांक 21.09.2025 को श्री पुष्कर सिंह खाती (इकाई प्रतिनिधि) की उपस्थिति में अधोहस्ताक्षरकर्ताओं द्वारा किया गया है। बिन्दुवार निरीक्षण आख्या निम्नवत है:-

1. संदर्भित स्थल गंगोलीहाट-बेरीनाग सड़क मार्ग में ग्राम-उप्राड़ा दशाईथल तहसील-गंगोलीहाट जिला-पिथौरागढ़ में स्थित है।
2. स्थल पर पेट्रोल पंप के स्थापना हेतु भूमि समतलीकरण तथा दीवारों का निर्माण कर दो डिस्पेंसिंग यूनिट की स्थापना की गयी है तथा निरीक्षण के दौरान निर्माण कार्य प्रगति पाया गया है। (संलग्नक-01)
3. केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा दिनांक 07.01.2020 को निर्गत नये पेट्रोल पंप की स्थापना हेतु दिशा निर्देशों के अन्तर्गत प्रस्तावित पेट्रोल पंप से 50 मी0 की परिधि में आवासीय भवन स्थित है तथा श्री महाकाली विद्या मंदिर ग्राम-उप्राड़ा दशाईथल 50 मी0 की परिधि से अधिक दूरी पर स्थित है। प्रस्तावित स्थल से 50 मी0 के अन्तर्गत कोई चिकित्सालय (10 बेड अधिक) स्थित नहीं है।
4. उपरोक्त के संबंध में प्रस्तावक द्वारा निरीक्षण के दौरान खण्ड विकास अधिकारी विकास खण्ड गंगोलीहाट तथा तहसीलदार गंगोलीहाट जिला-पिथौरागढ़ की पेट्रोल पंप से दूरियों के संबंध में आख्या प्रस्तुत की गयी है। आख्या संलग्न (संलग्नक-02)
5. राज्य बोर्ड के गैर औद्योगिक श्रेणी में चिन्हित प्रक्रियाओं के वर्गीकरण में Automobile Fuel Outlet (Only dispensing) जल/वायु सहमति में आच्छादित नहीं है। बोर्ड द्वारा जल/वायु अधिनियमों के अन्तर्गत स्थापनार्थ सहमति निर्गत नहीं की गयी है।
अतः आख्या अवलोकनार्थ एवं अग्रिम आवश्यक कार्यवाही हेतु सादर प्रस्तुत है।


(चन्द्रबल्लम जोशी)
अनुसहायक


(हरीश चन्द्र जोशी)
सहायक निरीक्षक

क्षेत्रीय अधिकारी





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SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<p>WPCRL No.1276 of 2025 <u>Hon'ble Ashish Naithani, J.</u></p> <p>Mr. Girish Chandra Lakhchaura, learned counsel for the Petitioner.</p> <p>2. Mr. Vipul Painuly, learned AGA for the State.</p> <p>3. Present writ petition has been filed by the petitioner for quashing the impugned FIR No.21 of 2025 dated 19.09.2025 under Section 308(2), 308(4), 316(2) of the Bhartiya Nyaya Sanhita, 2023 registered at P.S. Baijnath, District Bageshwar lodged by respondent no.5. Further prayer has been made for direction respondent nos.1 & 2 not to take any coercive measures against the petitioner in connection with aforesaid FIR.</p> <p>4. Learned State counsel makes a statement that the present petitioner has been convicted with the rigorous imprisonment of seven years and no consideration can be granted whatsoever in favour of the petitioner.</p> <p>5. Learned counsel Mr. Dushyant Mainaly, learned counsel for the petitioner appearing through V.C. makes a statement that the said remark made by learned State counsel regarding conviction of seven years rigorous imprisonment is incomplete as in that matter the petitioner has been convicted.</p> <p>6. Admit.</p> <p>7. Issue notice to respondent nos.4 & 5.</p> <p>8. Steps to be taken within one week.</p> <p>9. Let the objection be filed by the State within two weeks.</p> <p>10. List on 18.12.2025.</p>

11. As an interim measure till the next date of listing, no coercive measures shall be taken against the petitioner in connection with impugned FIR No.21 of 2025 dated 19.09.2025 under Section 308(2), 308(4), 316(2) of the Bhartiya Nyaya Sanhita, 2023 registered at P.S. Baijnath, District Bageshwar provided he cooperates with the Investigating Agency.

12. Interim relief application stands disposed of.

(Ashish Naithani, J.)

16.10.2025

Arti



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