

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
O.A. NO. 170 OF 2024**

N.D.O.H:- 10.07.24

**IN THE MATTER OF: -**

**GURMAIL SINGH**

..... APPLICANT

Versus

**PUNJAB POLLUTION CONTROL BOARD AND ORS.**

RESPONDENTS

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**THROUGH****FILED BY**


**(Raman Yadav)**  
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**M.C. Setalvad,**  
**Bhagwan Das Road,**  
**Supreme Court of India,**  
**New Delhi- 110001.**  
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 Mob.: 7982778022, 9415140309

**PLACE: NEW DELHI****DATE: 07.06.24**

**BEFORE THE NATIONAL GREEN TRIBUNAL****PRINCIPAL BENCH NEW DELHI****O.A. NO. 170 OF 2024****IN THE MATTER OF: -****GURMAIL SINGH****..... APPLICANT**

Versus

**PUNJAB POLLUTION CONTROL BOARD AND ORS.****RESPONDENTS****REPLY ON BEHALF OF THE RESPONDENT NO.4****PRELIMINARY SUBMISSIONS:**

1. The deponent craves liberty of this Hon'ble Court to place on record the preliminary submissions before giving para wise reply of this Original Application. It is most respectfully submitted that on 24.11.2018, Indian Oil Corporation Limited (hereinafter referred to as "IOCL") published a notification on its website for the selection of dealers and the identification of locations for setting up of regular and retail outlets. Thereafter, in response to the said notification, Deponent applied for the dealership at a specified site in Ludhiana.
2. It is further submitted that as part of the aforesaid project and in consequence of the proposal, Deponent received a Letter of Intent from IOCL on 31.03.2020, for an MS/HSD Kisan Seva Kendra dealership at

Khasra No. 221/23/1, Doraha to Deep Nagar, Ludhiana (hereinafter referred as "Retail Outlet").

3. In furtherance of the project, all the relevant government authorities and departments, including the Punjab Pollution Control Board, issued No Objection Certificate (hereinafter mentioned as "NOC") No. 577 vide letter dated 9.04.2021. Subsequently, the Deputy Commissioner of Ludhiana granted NOC No. 9577-78 vide letter dated 17.07.2023. (Relevant NOCs are already annexed and filed with the original application).
4. Thereafter, the report has been submitted from the office of Sub Divisional Magistrate, Payal, Ludhiana vide letter No. 1 to the office of Deputy Commissioner-cum District Magistrate, Ludhiana that Hadbast No. 242, Record Khasra No. 75(SidhaCanal) to Khasra No. 22/24/12, 23/1(retail outlet), report states that the distance between the canal and mentioned Khasra No. is 95 feet (28. 956cm).
5. It is respectfully submitted that, according to the map approved by the appropriate authorities, the distance of Canal from the dispensing unit of the retail outlet is 51.5 meters and the storage tank is also beyond 50

meters. This distance ensures that the retail outlet maintains a safe buffer zone from the water body, thereby minimizing potential risks of contamination or other hazardous environmental impacts. The deponent further most respectfully submits that the Judgment passed by this Hon'ble Tribunal whereby this Hon'ble Tribunal has held that the distance of any waterbody from the retail outlet is beyond 50 meters and intent of this Hon'ble Tribunal was to safeguard the waterbody from the contamination by fuel. It is most respectfully submitted that the waterbody can only be contaminated if there is seepage of fuel either by dispensing unit or by the storage tank but in the present case it is accepted that the entire plot falls within 50 meters from the canal but the dispensing unit and the storage tank is beyond 50 meters. A true copy of the sanctioned Map is annexed herewith and marked as **ANNEXURE CA-1**.

6. Further it is submitted that the deponent wrote a letter to the Sub-Divisional Magistrate, Payal, Ludhiana, requesting an official report on the actual distance between the water bodies and the nearest fill point/dispensing unit and vent pipes of the retail outlet located at Khasra No. 22/23/1, 22/24/1, Village Deep Nagar, Tehsil-Payal, District Ludhiana.

This request was made to ensure compliance with the Central Pollution Control Board (CPCB) guidelines and for the purpose of submitting the report to this Hon'ble Tribunal in connection with the aforementioned case. But unfortunately, no action has been taken by the said SDM. A true copy of the letter dated 10.04.2024 is annexed herewith and marked as **ANNEXURE-CA-2.**

7. It is respectfully submitted that after the Notices have been issued by this Hon'ble Tribunal in the present application, the Deputy Commissioner Ludhiana vide its letter dated 28.03.2024 suspended the NOC and in consequence suspended the sale and construction activities at the site of the deponent.
8. Thereafter, IOCL approached the Hon'ble High Court of Punjab & Haryana (IOCL vs State of Punjab & Ors, CWP No. 8278 of 2024) challenging the said order. After consideration of the case, Hon'ble High Court, vide their order dated 15.04.2024 has set aside the suspension order dated: 28.03.2024. The court further held that DC, Ludhiana is at liberty to pass fresh order after granting an opportunity of hearing to IOCL in terms of Rule 152 of the Petroleum Rules, 2002. In view of the setting aside of suspension of NOC by the

Hon'ble High Court, sale and construction activities were started at the subject RO Location. A true copy of the order dated 15.04.2024 passed by the Hon'ble High Court of Punjab & Haryana, in CWP No. 8278 of 2024 is annexed herewith and marked as **ANNEXURE CA-3.**

9. In consequence to the aforementioned suspension, the Punjab Pollution Control Board filed a complaint against the Deponent for contempt of Court by willfully disobeying the Direction of the Hon'ble NGT, New Delhi and continuing the constructions of the Petrol pump even after the suspension of NOC. A true translated copy of the complaint filed by the Punjab Pollution Control Board, dated 29.04.2024 against the deponent for contempt of Court by willfully disobeying the Direction of the Hon'ble NGT, New Delhi is annexed herewith and marked as **ANNEXURE CA-4.**

10. In consequence of letter no. 899-900 issued by PPCB, the deponent wrote a letter to the Executive Environment Engineer, The Punjab Pollution Control Board requesting to reconsider the decision regarding Kissan Sewa Kendra. (petrol pump) situated at Khasra No. 22//23/1, 22//24/1 at Deep Nagar on Canal Road, Doraha (OML), Dist.- Ludhiana. A true copy of

the letter dated 08.05.2024 is annexed herewith and marked as **ANNEURE CA-5**.

11. The IOCL in its reply vide letter ref-IOC/ REPLY/ 19997/M. A/01 dated 01.04.2024 stated that the guidelines issued by the CPCB dated 16.08.2021 prescribe that retail outlets shall not be located within 50 meters from the nearest point of water bodies. Guidelines dated 16.08.2021 are an "addendum" to the Guidelines issued by the Central Pollution Control Board dated 07.01.2020. It is submitted that in the guidelines dated 07.01.2020, the distance for the purpose of siting criteria for setting up of retail outlet is calculated from the fill point/ dispensing unit / vent pipe nearest to the school, hospital and residential area designated as per the local laws. Furthermore, it is humbly submitted that The IOCL in its reply has mentioned that the said distance between the fill points/ dispensing unit / vent pipes of the retail outlet is more than 50 meters from the nearest point of water bodies.
12. Thereafter, the IOCL approached the Government of India, Ministry of Commerce and Industry, Petroleum & Explosives Safety Organization for approval of the revised construction plan, and as per the revised plan

the distance between the dispensing unit and the canal is 60 meters. It is humbly submitted that the Government of India, Ministry of Commerce and Industry, Petroleum & Explosives Safety Organization vide letter dated 13.05.2024 replied to the aforementioned request of IOCL. A true copy of the letter dated 13.05.2024 and Revised Construction plan Map is annexed herewith and marked as **ANNEXURE CA-6**.

#### **PARA WISE REPLY**

1. The contents of para 6 are admitted to the extent that the plot of the deponent falls within 50 meters from the canal but it is most respectfully submitted that according to the map approved by the appropriate authority, the measured distance between the nearest water body and the dispensing unit of the proposed retail outlet is 51.5 meters. The applicant has, with malafide intention and ulterior motives, lodged this complaint and initiated the proceedings before this Hon'ble Tribunal without any merit.
2. In reply to the contents of paragraph 07 it is submitted that the guidelines framed by CPCB for implementation in case of petrol pumps near water bodies, all the water bodies irrespective of utility shall

be protected from any possible contamination. Retail outlet shall not be located within a distance of 50 meters from the nearest point of water bodies. Furthermore, it is submitted that in the guidelines dated 07.01.2020, the distance for the purpose of siting criteria for setting up of retail outlet is calculated from the fill point/ dispensing unit / vent pipe nearest to the school, hospital and residential area designated as per the local laws. The IOCL in its reply has mentioned that the said distance between the fill points/ dispensing unit / vent pipes of the retail outlet is more than 50 meters from the nearest point of water bodies, hence, is not in violation of siting criteria prescribed by the CPCB Guidelines.

3. The contents of paragraph no. 8, 9 & 10 are a matter of record hence need no reply.
4. The contents of paragraph No. 11 are wrong and denied. It is denied that the dispensing unit is located just around 31 meters from the nearest point of canal and thus, not complying with the guidelines dated 07.01.2020. It is most respectfully submitted that the measured distance between the dispensing unit of the retail outlet and the nearest canal is 51.5 meters, and the distance is to be calculated from the fill points/

dispensing unit/ vent pipes nearest to the school, hospital and residential area designated as per local laws.

5. The contentions in paragraph no. 12 are incorrect and are hereby denied. The No Objection Certificate (NOC) issued by the Punjab Pollution Control Board and the Deputy Commissioner of Ludhiana fully complies with the mandatory guidelines set by the Central Pollution Control Board (CPCB). These CPCB guidelines aim to prevent the contamination of water bodies by establishing required minimum distances from potential pollution sources, such as fill points, dispensing units, and vent pipes. In the current case, the distance between the canal and the retail outlet is 51.5 meters. Therefore, the issued NOC adheres to the CPCB guidelines and is not in violation of any regulatory requirements.

6. The contentions of paragraph No. 13 to 17 are a matter of record and hence need no reply.

7. In reply to Paragraph no. 18, it is submitted that the applicant is trying to mislead this Hon'ble Tribunal by stating that the NOC issued by the Respondent No. 1 & 2 are illegal. It is submitted that the present retail

outlet (Kissan Sewa Kendra) is in compliance with the guidelines framed by the CPCB, hence, not illegal.

8. The submissions made in paragraph no. 19 & 20 are general in nature and need no specific reply.

9. The contentions made in paragraph no. 21 is specific in nature and need no specific reply.

In the light of the above facts and circumstances, the present original application is replied accordingly.

**THROUGH**

*Raman Yadav*

**(Raman Yadav)**

**Ch. No. 203,**

**M.C. Setalvad,**

**Bhagwan Das Road,**

**Supreme Court of India,**

**New Delhi- 110001.**

**RAMAN YADAV**  
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**PLACE: NEW DELHI**

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..... APPLICANT

Versus

**PUNJAB POLLUTION CONTROL BOARD AND ORS.**

RESPONDENTS

**AFFIDAVIT**

I, Aashish Garg, aged about 28 years, S/o Bhagwan Das Garg, R/o 2543 Phase 1, Urban Estate, Dugri, Ludhiana-1410021, do hereby solemnly affirm and state on oath as under: -

1. That I am the Respondent No. 4 in the accompanying Original Application and as such well acquainted with the facts and circumstances of the case and such competent to swear this Affidavit.
2. That I have gone through the contents of thereply of the Original Application, and I have fully understood the same. I say that the averments made therein are all true to my knowledge and belief derived from the record of the case.
3. The annexures annexed with the Reply of the Original Application are true copies of their respective originals.



*(Signature)*  
**DEPONENT**

**VERIFICATION :**

I, the deponent abovenamed do hereby verify that averments made in this affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

07 JUN 2024

Verified at New Delhi on this the <sup>07<sup>th</sup></sup> day of June, 2024.

*I identify the deponent who has Signed/Put T.I. in my presence*

*(Signature)*  
**DEPONENT**



*(Signature)*  
**ATTESTED**  
A.N. Singh, Adv.  
Notary Public  
of India, New Delhi

07 JUN 2024



**Aashish Garg**

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H.No-2543, Urban Estate, Phase-1, Dugri, Ludhiana

Date: 10.04.2024

To,  
The Sub-Divisional Magistrate  
Payal  
Ludhiana

**Subject: Report on Actual Distance of water body from nearest Fill Point/Dispensing Unit/ Vent Pipe of our retail outlet at Khasra Nos. 22//23/1, 22//24/1, Village: Deep Nagar, Tehsil-Payal, District-Ludhiana.**

Sir,

IOCL had recently commissioned retail outlet at Khasra Nos. 22//23/1, 22//24/1, Village: Deep Nagar, Tehsil-Payal, District-Ludhiana after obtaining NOC from Distract Magistrate, Ludhiana.

A case has been listed in the Hon'ble National Green Tribunal in Original Application No. 170 of 2024 titled as Gurmail Singh Vs Punjab Pollution Control Board & Ors prima facie that retail outlet has been constructed in contravention of the Central Pollution Control Board, guidelines dated 16.08.2021 to be followed with respect to construction of new petrol Pump which should be not located within the distance of 50m from the nearest point of water bodies.

The report has been submitted from your good office vide letter no.-1 special dated:02.04.2024 to the Office of OFFICE OF THE DEPUTY COMMISSIONER - CUM -DISTRICT MAGISTRATE, LUDHIANA that Hadbast No. 242, RecordKhasra no. 75 (SidhwaCanal) to Khasra no. 22//24/ 12, 23/1(retail outlet), report states that canal to mentioned khasra no. exact distance is 95 foot(28.956m)

Without prejudice to the above we would liketo submit that the guidelines issued by Central Pollution Control Board, dated 16.08.2021 prescribe that retail outlets shall not be located within 50 meters from the nearest point of the water body. It is submitted that the Guidelines dated 16.08.2021 are an "addendum" to the Guidelines issued by Central Pollution Control Board, dated 07.01.2020. It is submitted that in the Guidelines dated 07.01.2020, the distance for the purpose of siting criteria for setting up retail outlet is calculated from the fill points/dispensing unit/vent pipe nearest to the school, hospital and residential area designated as per local laws.

Thus, in order to check the compliance of CPCB guidelines, distance of nearest point of water body is also required to be checked from nearest fill point/dispensing unit/vent pipe and not through the distances of khasra nos of water body and retail outlet.

Auth.Dealer:-Kisan Sewa Kendra (IndianOilCorp.Ltd) LOI holder of RO dealership of Indian Oil Company at Doraha To Deep Nagar on Canal Road,Doraha (Omi)

# Aashish Garg

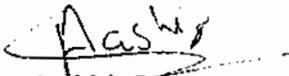
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H.No-2543, Urban Estate, Phase-1, Dugri, Ludhiana

You are requested to please provide thereport on actual distance of water body from nearest Fill Point/Dispensing Unit/ Vent Pipe of our retail outlet at Khasra Nos. 22//23/1, 22//24/1, Village: Deep Nagar, Tehsil-Payal, District-Ludhiana in order to ensure the compliance of CPCB guidelines and for onward submission to Hon'ble National Green Tribunal against the aforementioned case.

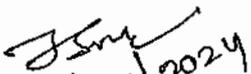
Thanking You

Yours faithfully,

  
Aashish Garg

  
T.C.

2543, Urban Estate, Phase-1, Dugri, Ludhiana

  
12/04/2024

Auth. Dealer:-Kisan Sewa Kendra (Indian Oil Corp. Ltd) LOI holder of RO dealership of Indian Oil Company at Doraha To Deep Nagar on Canal Road, Doraha (Oml)



CWP No.8278 of 2024

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2024:PHHC:049854

(16)

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

104

CWP No.8278 of 2024

Date of Decision:15.04.2024

**M/s Indian Oil Corporation Limited**

....Petitioner

vs.

**State of Punjab and others**

....Respondents

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Ashish Kapoor, Advocate  
for the petitioner

Mr. Aman Dhir, DAG, Punjab

\*\*\*

**JAGMOHAN BANSAL, J. (ORAL)**

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 28.03.2024 (Annexure P-4) whereby respondent has suspended 'No Objection Certificate' dated 10.11.2023 (Annexure P-1) granted to it to establish petrol pump.

2. The petitioner is a public sector undertaking. It allotted petrol pump to one gentleman namely Ashish Garg. In terms of Rule 144 of Petroleum Rules, 2002 (in short "the Rules"), the petitioner applied for NOC to the jurisdictional Deputy Commissioner who asked different departments to send their reports. The Deputy Commissioner (hereinafter called as



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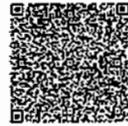
'Respondent') after receipt of reports from different departments including Pollution Control issued NOC dated 10.11.2023. The petitioner established petrol pump which as on day is operational.

The respondent/Deputy Commissioner by impugned order dated 28.03.2024 has suspended NOC till further inquiry and report is received from Punjab Pollution Control Board.

3. Mr. Ashish Kapoor, Advocate, submits that Deputy Commissioner, as per Rule 152 of the Rules, cannot pass suspension order without granting opportunity of hearing. Rule 152 of the Rules empowers Deputy Commissioner to suspend or cancel NOC if there is violation of provisions of the Act or Rules made thereunder or any condition embodied in the license. The respondent in the impugned order has not pointed out any violation on the part of petitioner except jotting down that construction of new petrol pump cannot be within 50 meters from nearest point of water bodies as per instructions of Central Pollution Control Board. The Deputy Commissioner prior to issuance of NOC had received report dated 09.04.2021 (Annexure P-5) from Punjab Pollution Control Board.

4. Notice of motion.

5. Mr. Aman Dhir, DAG, Punjab, who on advance notice is present in Court, accepts notice and waives service. He concedes that impugned order has been passed without granting opportunity of hearing. He further submits that hearing was dispensed with in terms of sub-rule (2) of Rule 152 of the Rules. The authority has found that petrol pump was established in violation of guidelines of Pollution Control Board.



6. I have heard counsel for the parties and perused the record with their able assistance.

7. From the perusal of impugned order, it is evident that respondent has called upon the petitioner to show cause as to why NOC should not be cancelled. The respondents have further suspended NOC till further inquiry and report is received from Punjab Pollution Control Board. For the sake of convenience, the impugned order dated 28.03.2024 is reproduced below:-

*"With reference to above, it has come to the notice of the office of Deputy Commissioner, Ludhiana that you were prima facie in contravention of the guidelines to be followed with respect to construction of new petrol Pump which should be not located within the distance of 50m from the nearest point of water bodies as per the instruction issued by Central Pollution Control Board, dated 16.08.2021. In fact a case has also been listed in the Hon'ble National Green Tribunal in Original Application No. 170 of 2024 titled as Gurmil Singh Vs. Punjab Pollution Control Board and Ors.*

*In the light of the above, you are directed to show cause as to why your NOC should not be cancelled. You are also directed to immediately desist from any further construction, working and sales and your NOC is suspended till further inquiry and report is received from the Punjab Pollution Control Board."*



M

8. It appears that respondent has passed the impugned order on account of filing of an application before National Green Tribunal. Rule 152 of the Rules categorically provides that before suspending or cancelling a licence, the holder of the license shall be given an opportunity of being heard. As per sub-rule (2) of Rule 152 of the Rules, an opportunity of being heard may not be given if license is suspended as an interim measure for violation of any of the provisions of the Petroleum Act or the Rules and in the opinion of the Licensing Authority such violation is likely to cause imminent danger to the public. Rule 152 of the Rules is reproduced herein below:-

*“Suspension and cancellation of licence.-(1) Every licence granted under these rules shall-*

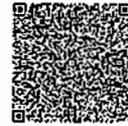
*(i) stand cancelled, if the licensee ceases to have any right to the site for storing petroleum;*

*(ii) stand cancelled, if the no-objection certificate is cancelled by the District Authority or the State Government in accordance with sub- rule (1) of rule 150;*

*(iii) be liable to be suspended or cancelled by an order of the licensing authority for any contravention of the Act or of any rule thereunder or of any condition contained in such licence, or by order of the Central Government, if it is satisfied that there are sufficient grounds for doing so:*

*Provided that-*

*(a) before suspending or cancelling a licence under this rule, the holder of the licence shall be given an opportunity of being heard;*



*(b) the maximum period of suspension shall not exceed three months; and*

*(c) the suspension of a licence shall not debar the holder of the licence from applying for its renewal in accordance with the provisions of rule 148.*

*(2) Notwithstanding anything contained in sub-rule (1), an opportunity of being heard may not be given to the holder of a licence before his licence is suspended or cancelled in cases-*

*(a) where the licence is suspended by a licensing authority as an interim measure for violation of any of the provisions of the Act or these rules, or of any conditions contained in such licence and in his opinion such violations is likely to cause imminent danger to the public:*

*Provided that where a licence is so suspended, the licensing authority shall give the holder of the licence an opportunity of being heard before the order of suspension is confirmed; or*

*(b) where the licence is suspended or cancelled by the Central Government, if that Government considers that in the public interest or in the interest of the security of the State, such opportunity should not be given.*

*(3) XXX XXX XXX."*

9. From the reading of above quoted Rule, it is evident that general rule is to grant opportunity of personal hearing and in exceptional and emergent situation, the hearing may be dispensed with. In the case in hand, the petrol pump is operational since November' 2023. From the perusal of impugned order, it does not come out that there was imminent danger to the public which prompted the respondents to pass impugned order



CWP No.8278 of 2024

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without granting opportunity of hearing. It is apt to notice that NOC was issued after getting approval from Punjab Pollution Control Board and there is nothing on record disclosing that Punjab Pollution Control Board had informed the respondents that approval was granted on account of mis-representation or concealment of facts.

10. Rule 152 of the Rules specifically provides for grant of opportunity of hearing. Even otherwise, it is settled proposition of law that if civil or criminal consequences ensue, even the quasi judicial and administrative authorities are bound to grant opportunity of hearing. The petitioner has already installed petrol pump and respondent had issued NOC after completing complex exercise of approval of multiple departments. The suspension of NOC is going to adversely affect the petitioner, thus, respondent was bound to grant opportunity of hearing. The respondent has not even thought it appropriate to confront the petitioner with adverse material.

11. In the wake of above discussion and findings, this Court is of the considered opinion that impugned order deserves to be set aside and accordingly set aside. The respondent is at liberty to pass fresh order after granting petitioner an opportunity of hearing in terms of Rule 152 of the Rules.

12. The petition stands disposed of in the above terms.

(JAGMOHAN BANSAL)  
JUDGE

15.04.2024  
paramjit

Whether speaking/reasoned: Yes

Whether reportable: Yes

*Raman Yadav*  
T.C.

**ANNEXURE-CA-4****PUNJAB POLLUTION CONTROL BOARD****Regional office- II****E- 648- B 3<sup>RD</sup> FLOOR, Phase- 5, Focal Point, Ludhiana**

No. 899-900

Regd

Dated 29.04.2024

To,

1. Deputy General Manager (Retail Sales),  
Indian Oil Corporation Limited  
Divisional Office, SCO 35-36,  
Madhya Marg, Sector 7-C,  
Chandigarh.
  
2. Kisan Seva Kendra,  
Ward No. 22//23/1,22//24/1,  
Doraha, Deep Nagar, Canal Road, Doraha,  
Dist. Ludhiana

Correspondence Address: -

Sh. Ashish Garg, #2543, Phase 1,  
Urban Estate, Dugri, Ludhiana.

Subject: Complaint against Mr. Ashish Garg for contempt of court by willfully disobeying the Directions of the Hon'ble ~~NGT~~ NGT, New Delhi and continuing the constructions of the petrol pump at (Kisan Seva Kendra) situated at Khasra No. 221/23/1,221/24/1 at Daroha to Deep Nagar on Canal Road, Daroha (OML) Dist. Ludhiana even after suspension of the NOC by your office as mentioned in order dated 04.04.2024 as prescribed by the Hon'ble NGT in the matter

of "Gurmail Singh vs. Punjab Pollution Control Board & Ors."(OA No. 170 of 2024)

Reference: - Deputy Commissioner, Ludhiana office letter No. 8396 dated 19.04.2024 and 8680. In the reference dated 26.04.2024

In relation to the above subject, as you are well aware that your petrol. The NOC of the district administration, Ludhiana vide its letter no. 6686 A.A. suspended from date 28.03.2024, its construction and sale etc has been banned and the case in this regard has been heard by the Hon'ble National Green Tribunal in O.A. No. 170 of 2024( titled as "Gurmail Singh vs. Punjab Pollution Control Board & Ors) in which the Hon'ble National Green Tribunal has passed the order dated 04.04.2024 as follows:

" In this original application, grievance of the applicant is that the respondent no. 4 is setting up a petrol pump within 30m of the canal which is not permissible. Responses on behalf of the respondent No. 1 and 2 have been filed. Learned Counsel for Respondent No.3 and 4 seek three weeks time to file the responses. Respondent No. 2 is his reply has disclosed that looking into the seriousness of the matter, Respondent No. 2 has issued show cause notice to respondent No. 3 and also suspended the NOC issued under rule 144 of the Petroleum Act and Rules, 1976 with a direction to immediately desist from any further

constructions, working and sales till further inquiry. In view of this, at this stage no interim order is required. List on 10.07.2024.

Now it has come to the attention of the district administration and this office that despite the NOC has been suspended, you are still doing construction work at the petrol pump site. On 26.04.2024 the official of the Board visited the petrol pump site and found that at the Petrol pump site two dispensers have been installed and the work of the installation bricks on the roof of the petrol pump office was in progress, which is a complete violation of the aforementioned order.

Keeping the above fact in mind, you are directed to immediately stop the any kind of construction work, installation of machinery, trying to sell at the petrol pump site and as long as the case is going on in the Hon'ble Nation Green Tribunal.

Back No. \_\_\_\_\_

Signature illegible

Dated:

Copy of the above to the Deputy Commissioner, Ludhiana vide his office letter no. Reference 8396 dated 19.04.2024 and 8680 dated 26.04.2024 are referred for information and further action.

Back No. \_\_\_\_\_

Signature illegible

Dated:

A copy of the above is sent for information to the Senior Environmental Engineer, Punjab, Pollution Control Board, Zonal Office-1, Ludhiana.

Signature illegible

Environmental Engineer

*Raman Yadav*  
/True Typed Copy/

# Aashish Garg

H.No- 2543, Urban Estate, Phase-1, Dugri, Ludhiana

ANNEXURE-CA-5 (26)

To,  
The Executive Environmental Engineer  
The Punjab Pollution Control Board  
Regional Office-II,  
Ludhiana

Dated :- 08.05.2024

Sub: - Request for reconsideration against your letter no- 899-900 dated 29.04.2024

Respected Sir,

With reference to your letter no-899-900 dated 29.04.2024, we have already hired a legal attorney at The National Green Tribunal, Delhi. Further we would also like to state that IOCL has already submitted their reply to your office vide email.

Keeping in consideration the fact that all the guidelines have been followed which were issued by Central Pollution Board and India Oil Corporation Ltd , we would like to request you to please reconsider your decision regarding Kissan Sewa Kendra.( Petrol Pump) situated at Khasra No- 22//23/1,22//24/1 at Deep Nagar on Canal Road, Doraha (OML), Distt- Ludhiana.

Hoping for your kind consideration.

Thanking You

Yours Faithfully



Aashish Garg



9/5/24  
Javed

- Encl :- 1.Copy of Reply to Punjab Pollution Board by IOCL dated 07.05.2024.  
2. Copy of Reply to Deputy Commisioner, Ludhiana by IOCL dated 27.04.2024  
3. Copy of Order of High Court dated 15.04.2024

Auth. Dealer :- Kisan Sewa Kendra ( Indian Oil Corp.Ltd) LOI holder of RO dealership of Indian Oil Company at Doraha To Deep Nagar on Canal Road, Doraha (Oml)

Raman Yadav  
T.C.

**ANNEXURE-CA-6**

**Government of India**  
**Ministry of Commerce & Industry**  
**Petroleum & Explosives Safety Organisation (PESO)**  
 - Shop cum Office 802,  
**Second floor, NAC, Manimajra,**  
**Chandigarh - 160101**

E-mail : [dyccechandigarh@explosives.gov.in](mailto:dyccechandigarh@explosives.gov.in)

Phone/Fax No : 0172 - 2731035, 2731040

No. : P/NC/PB/14/5157 (P574403) /Dated : 13/05/2024

To,

**M/s. INDIAN OIL CORPORATION LIMITED,**  
**SCO 35-36 Sec 7C Chandigarh,**  
**Madhya Marg,**  
**SCO 35-36 Sec 7C,**  
**Basti Bhagwanpura (C.T.),**  
**Taluka: Basti Bhagwanpura (C.T.),**  
**District: CHANDIGARH,**  
**State: Chandigarh**  
**PIN: 160036.**

Sub :Khasra No, 22//23/1,24/1, On Doraha to Ludhiana Road (Doraha Canal Road, at Deep Nagar, Ludhiana, Punjab, DEEP NAGAR, Ludhiana (West), Taluka: Ludhiana (East), District: LUDHIANA, State: Punjab, PIN: 141421 □ A,B Retail Outlet /NC/PB/14/5157 (P574403). Petroleum Class A,B Retail Outlet at Khasra No, 22//23/1,24/1, On Doraha to Ludhiana Road (Doraha Canal Road, at Deep Nagar, Ludhiana, Punjab, DEEP NAGAR, Ludhiana (West), Taluka: Ludhiana (East), District: LUDHIANA, State: Punjab, PIN: 141421 - proposed Addition/Alteration. License No. : P/NC/PB/14/5157 (P574403)

Sir(s),

**OIN1664495 03/05/2024** Reference to your letter No. **OIN1664495** dated **03/05/2024** on the above subject.

Drawing(s) nos. **DEMO** dated **01/05/2024**, **DEMO** dated **01/05/2024** Drawing(s) nos. **DEMO** dated **01/05/2024**, **DEMO** dated **01/05/2024** showing in red/yellow/green the additions/alteration proposed to be carried out in the above installations is approved a copy (of each) of the same is returned herewith duly endorsed.

Please forward the following documents for Amendment of the license when additions and alterations as per approved plan is/are completed.

1. Four copies of each of the replica of the drawings approved as above.
2. Specimen signature(s) of the person(s) authorised to sign on the correspondence addressed to this office.
3. Original License along with approved plan attached to it.
4. An application in Form IX duly filled in and signed.
5. Requisite fees to be submitted online through e-payment facility available on online application portal under petroleum Rules, 2002.
6. Safety and Tank Test Certificate required under rule 130 and 126 of the Petroleum Rules 2002 issued by Competent Person and generated through On-line

Competent Person Module available at  
<http://Peso.gov.in>

7. In case of increase in plot size No objection certificate issued under Rule 144 of the Petroleum Rules, 2002 as per prescribed proforma by the District Authority through Licensing System for District Authority (LSDA) module only together with a copy of drawings/plans endorsed with his sign and seal. Online NOC application e-Filing may be accessed through URL :  
<https://lsda.peso.gov.in/LSDAOnline/Login.aspx>

Yours faithfully,

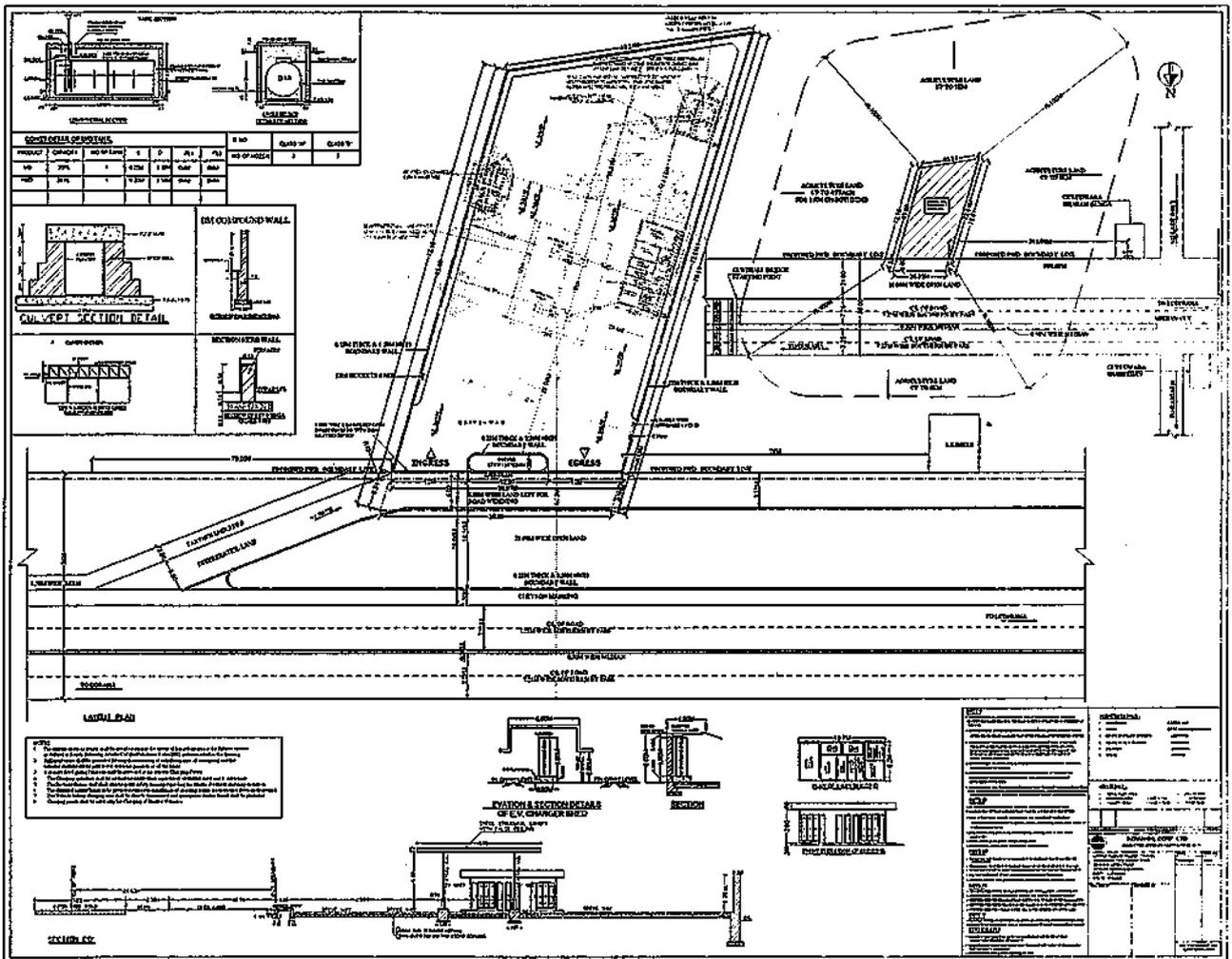
**(DR SANJAY KUMAR SINGH)**  
**Dy. Chief Controller of Explosives**  
**Chandigarh**

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

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

**Digitally signed by Sanjay Kumar Singh**  
**Reason: License No. P/NCB/PB/14/5157.**  
**Location: Chandigarh [P574403]**

*Sanjay Yadav*  
**/True Typed Copy/**



*Raman Yadav*  
T.C.

GURMAIL SINGH  
VERSUS

\_\_\_\_\_Petitioner(s)/Appellant(s)

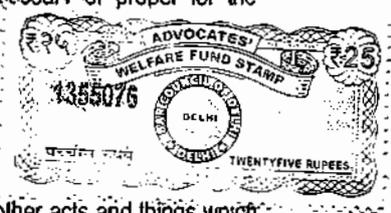
Punjab Pollution Control Board & Co.

\_\_\_\_\_Defendant(s)/Respondent(s)

KNOW ALL to whom these present shall come that I/We Aashish Garg .....the above-named Respondent No 4,  
do hereby appoint. Raman Yadav, Advocate Enrolment No. UP /3453/ 2009.

(herein after called the advocates) to be my/our Advocate in the above-noted case authorize them :-

- To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each court by me/us.
- To sign file verify and present pleadings appeals cross-objections or petitions for executions review revision withdrawal compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage.
- To fill and take back documents to admit and/or deny the documents of opposite party.
- To withdraw or compromise the said case or submit to arbitration any differences or disputes in any manner relating to the said case.
- To take execution proceedings.
- To deposit draw and receive money cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
- To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.



And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purpose.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I/We or my/our duly authorized agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.

And I/We the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fees is paid. I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more that 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these present the contents of which have been understood

by me/us on this..... Day of ..... 2024

Accepted subject to terms of fees.

*Raman Yadav*  
Advocate

**RAMAN YADAV**  
Advocate, Supreme Court of India  
Chamber 203, M.C. Setalvad Block,  
Bhagwan Dass Road, Supreme Court of India,  
New Delhi-110001  
Mob.: 7982778022, 9415140309

*Aashish Garg*  
CLIENT