

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

Original Application No 07 of 2021 (SZ)

IN THE MATTER OF:

Anwar K and Others

Applicant

Versus

Additional District Magistrate, Malappuram and others

Respondent (s)

INDEX

S. No	Particulars	Page No
01	Reply statement as per NGT orders in the matter of O. A. 07 of 2021 (SZ) (Anwar K and Others V/s. Additional District Magistrate, Malappuram and others on account of objection raised against proposed petrol pumps at Triprangode Village of Tirur Taluk, Malappuram District, Kerala.	01 to 06
02	Annexure R5-0: Honourable NGT order dated 02.06.2021	07 to 10
03	Annexure R5-1: Guidelines for setting up new petrol pumps issued as per the CPCB office memorandum No. B-13011/1/2019-20/AQM/0814 dated 07-01-2020	11 to 16
04	Annexure R5-2: CPCB clarification dated 29-01-2021 on exemption of siting criteria to petrol pumps/ ROs where prior clearance/ initial approval has been obtained from PESO and construction started before 07-01-2020.	17 to 21
05	Annexure R5-3: Prior approval No. A/P/SC/KL/14/3818 (P458155) dated 29-10-2019 issued by Petroleum & Explosive Safety Organization (PESO) to the M/s. Indian Oil Corporation Limited, Kozhikode, Kerala.	22 to 23

S. Suresh  
DEPONENT 22/6/2021

Place: Bengaluru

Date: 22.06.2021

S. SURESH  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE (SOUTH)  
MIN. OF ENV, FORESTS & CC, GOVT. OF INDIA  
BENGALURU - 560 079. MOB : 9480672128



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (Southern  
Zone), CHENNAI

IN

ORIGINAL APPLICATION No. 07 OF 2021

**IN THE MATTER OF:**

Anwar K and Others

...Applicants

Vs.

Additional District Magistrate,

Mallapuram and others

....Respondents

**REPLY AFFIDAVIT FILED ON BEHALF OF THE 5<sup>TH</sup>**

**RESPONDENT-CPCB**

***MOST RESPECTFULLY SHOWETH:***

I, Shri. S. Suresh, Son of S.R. Sathyanarayana, Hindu, aged about 59 years, working as Scientist "E" at Central Pollution Control Board (herein after referred as CPCB), Regional Directorate, having its registered office at: 1<sup>st</sup>& 2<sup>nd</sup> Floors, Nisarga Bhavan A- Block, Thimmaiah Main Road 7<sup>th</sup> D Cross, Shivanagar, Bengaluru – 560 079, do hereby solemnly affirm and state as follows:-

1. That I am, the above-named Deponent, authorized and well conversant with the facts and circumstances of the present case and thus competent to swear the present Reply Affidavit in my official capacity.



S. Suresh  
22/6/2021  
S. SURESH  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE (SOUTH)  
MIN. OF ENV. FORESTS & CC, GOVT. OF INDIA  
BENGALURU - 560 079. MOB : 9480672128

2. That I have read and understood the contents of the present Reply Affidavit. The contents thereof are true and correct and nothing material has been concealed therefrom.

3. It is submitted at the very outset that this Respondent No. 5 denies each averment and/ or submission made in the Original Application, that are contrary to and inconsistent with the averments made and facts stated in the present reply. It is submitted that nothing stated in the petition may be deemed to have been admitted by this Respondent unless and until the same is expressly admitted in the present reply.

**PARA-WISE COMMENTS:**

1. The 5<sup>th</sup> Respondent submits that they have perused the Application filed by the Applicants. The Application has been filed seeking an order restraining the Respondents from establishing a new petrol pump in the proposed site and other related directions.

2. This Respondent submits that Paras 1, 2 and 3 are matters of facts and require no reply from this answering Respondent.

3. With regard to the averments made in para 4, it is submitted that the representative of the 5<sup>th</sup> Respondent as a part of the joint committee visited the site on 17-02-2021 to ascertain the ground realities. As per the site plan provided by the proponent, approximate distance between the location of



S. Suresh  
22/6/2021  
S. SURESH  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE (SOUTH)  
MIN. OF ENV. FORESTS & CC, GOVT. OF INDIA  
BENGALURU - 560 079. MOB: 9480672128

fill point/ dispensing unit/ vent pipe of the proposed petrol pump/ retail outlet (RO) from the residences neighbouring the site is less than the mandated minimum 30 m distance as stipulated in the CPCB guidelines for setting up new petrol pump, issued vide CPCB Office Memorandum No. B-13011/1/2019-20/AQM/0814 dated 07-01-2020. A copy of the CPCB Office Memorandum dated 07-01-2020 is annexed herewith and marked as **ANNEXURE R5-1**.

4. With regard to the averments made in para 5, it is submitted that the issue of setting up of large number of petrol pumps without any environmental concern was considered by the Hon'ble National Green Tribunal in OA No. 86/2019: Gyanprakash@ Pappu Singh vs UoI & Ors. and the Hon'ble NGT directed MoPNG and CPCB to review the matter and issue appropriate guidelines. Accordingly, the guidelines for setting up of new petrol pumps including siting criteria, pollution prevention & control measures, were framed under guidance of Expert Committee and submitted to the Hon'ble National Green Tribunal in the report filed by CPCB and were subsequently circulated on January 07, 2020 for implementation by the concerned stakeholders. These guidelines were supplementary to the all existing guidelines, rules, orders etc.

5. With regard to the averments made in para 6, it is submitted that as per the CPCB guidelines, new petrol pumps/ ROs shall not be located within a radial distance of 50 m (from fill point/ dispensing unit/ vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential areas designated as per the local laws. It is also mandated that



S. Suresh  
22/6/2021

**S. SURESH**  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE (SOUTH)  
MIN. OF ENV. FORESTS & CC, GOVT. OF INDIA  
BENGALURU- 560 079. MOB : 9480672128

in case of constraints in complying with 50 m distance criteria, the petrol pump/ RO shall implement additional safety measures as prescribed by Petroleum Explosive Safety Organization (PESO). The guidelines further insist on a minimum 30m distance between new petrol pump/ RO and schools/ hospitals/ residential areas designated by local laws. Kerala State Pollution Control Board (KSPCB) further issued a circular on 18-08-2020 clarifying that the new petrol pumps/ ROs shall not be located within a minimum 30 m distance from the nearest residential building. Subsequent to the guidelines, references/ cases were received regarding the applicability of CPCB siting guidelines dated 07-01-2020 with respect to new petrol pumps/ ROs where letter of intents (LoIs) have been issued or applications have been made for obtaining NOC or prior/ initial approval has been obtained from Petroleum Explosive Safety Organization (PESO). In this respect, CPCB issued an OM dated 29-01-2021 clarifying that the above guidelines are applicable for petrol pumps/ ROs where construction by Oil Marketing Company (OMC) commenced on or after 07-01-2020. It was made clear that the siting criteria specified in the above guidelines is not applicable to petrol pumps/ ROs where prior clearance/ initial approval has been obtained from PESO and subsequently construction by OMC has been started before 07-01-2020. However, other measures listed in said guidelines with regard to pollution prevention and control has to be strictly adhered to by all new petrol pumps/ ROs. A copy of OM dated 29-01-2021 regarding clarification on applicability of CPCB siting criteria is annexed herewith and marked as **ANNEXURE R5-2**.

*S. Suresh*

22/6/2021



6. With regard to the averments made in para 7, it has been alleged that the proposed petrol pump/ RO in Re-Survey Nos. 253/9 & 253/10 of Triprangode Village of Tirur Taluk, Malappuram District is in violation of CPCB guidelines dated 07-01-2020. On verification of the documents submitted by the proponent of the new petrol pump/ RO (M/s. Indian Oil Corporation Ltd.), it is learnt that prior approval from PESO [No. A/P/SC/KL/14/3818(P458155)], has been secured by M/s Indian Oil Corporation Limited on 29-10-2019, i.e. well before the issue of CPCB guidelines dated 07-01-2020. During the inspection, boundary wall, open well and soil leveling was observed, but these can only be considered as site preparation activities. Further, the project proponent has not submitted any documentary evidence to prove that the constructions at the site have been done by the OMC. Hence, as per CPCB clarification dated 29-01-2021, the siting criteria specified in CPCB guidelines dated 07-01-2020 shall be applicable for this proposed petrol pump/ RO as construction has not been started by the OMC before 07-01-2020. Copy of the prior approval received from PESO for the said retail outlet dated 29-10-2019 is annexed herewith and marked as **ANNEXURE R5-3**.

7. With regard to the averments made in para 8, it is submitted that though the proposed petrol pump secured prior approval from PESO on 29-10-2019, it could not be ascertained through any documentary evidence that construction by OMC had commenced before the cutoff date (07-01-2020). Hence, the proposed petrol pump is not eligible to claim exception from applicability of the siting criteria of 30m as per CPCB office memorandum dated 29-01-2021.

S. Suresh  
22/6/2021



**S. SURESH**  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE (SOUTH)  
MIN. OF ENV, FORESTS & CC, GOVT. OF INDIA  
BENGALURU - 560 079. MOB: 9480672128

8. With regard to the averments made in para 9 to 12, it is submitted that these are not concerned with this Respondent and response to these may be provided by the concerned respondents. With regard to the grounds raised by the Applicants, it is once again reiterated that the guidelines issued by CPCB for setting up new Petrol pumps, including the siting criteria is applicable to the Project proponents, since construction by OMC had not started before the cutoff date i.e. 07-01-2020.

In the light of the above submissions, it is respectfully prayed that this Respondent No. 5, the Central Pollution Control Board shall abide by any order/direction passed by this Hon'ble Tribunal.

Dated at Bengaluru on this the 22<sup>nd</sup> day of June 2021.



*S. Suresh*  
Deponent 22/6/2021

**S. SURESH**  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE (SOUTH)  
MIN. OF ENV, FORESTS & CC, GOVT. OF INDIA  
BENGALURU - 560 079. MOB : 9480672128

### VERIFICATION

I, S. Suresh, working as Scientist 'E' and posted as Regional Director (Bengaluru), Central Pollution Control Board of the 5<sup>th</sup> Respondent herein do hereby state that what is stated in paragraph 1 to 8 above are true to the best of my knowledge, belief and information.

Verified at Bengaluru on this the 22<sup>nd</sup> day of June 2021.

Counsel for 5<sup>th</sup> Respondent

Deponent-5<sup>th</sup> Respondent

*S. Suresh*  
22/6/2021

**S. SURESH**  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE (SOUTH)  
MIN. OF ENV, FORESTS & CC, GOVT. OF INDIA  
BENGALURU - 560 079. MOB : 9480672128



**Item No.4:**

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

**Original Application No. 07 of 2021 (SZ)**

(Through Video Conference)

IN THE MATTER OF:

K. Anwar  
S/o. K. Hamsu,  
R/o. Kuroor House, Perunthalloor P.O.,  
Tirur Taluk, Malappuram District,  
Kerala and Ors.

...Applicant(s)

*Versus*

Additional District Magistrate,  
Malappuram,  
Office of the District Collector,  
Civil Station, Up Hill,  
Malappuram District, Kerala and Ors.

...Respondent(s)

**Date of hearing: 02.06.2021.**

**CORAM:**

**HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER**  
**HON'BLE MR. Dr. SATYAGOPAL, EXPERT MEMBER**

For Applicant(s): Mr. Sreelal Warriar.

For Respondent(s): Mr. B. Sarath Babu represented  
Mr. E.K. Kumaresan for R1, R8, R10.  
Mr. Abdul Saleem and  
Mr. Saravanan for R2.  
Mr. P. Sreehari for R3, R4.  
Mr. R. Thirunavukarasu for R5.  
Mrs. V.K. Rema Smrithi for R6.

**ORDER**

1. The above case has been posted to today for completion of pleadings and also for consideration of report to be filed.
2. When the matter came up for hearing today through Video Conference, Mr. Sreelal Warriar represented the applicant. Mr. B. Sarath Babu represented Mr. E.K. Kumaresan, counsel appearing for respondents 1, 8 & 10, Mr. Abdul Saleem and Mr. Saravanan represented 2<sup>nd</sup> respondent, Mr. P. Sreehari represented respondents 3 & 4, Mr. R. Thirunavukarasu represented 5<sup>th</sup> respondent and Mrs. V.K. Rema Smrithi represented 6<sup>th</sup> respondent.
3. The committee has filed a report. The respondents 3, 4 & 9 filed their statement.
4. The 6<sup>th</sup> respondent/Kerala State Pollution Control Board also filed their statement in the form of report.
5. The District Collector /8<sup>th</sup> respondent also filed the report.
6. The learned counsel appearing for the Kerala State Pollution Control Board (KSPCB) as well as the Central Pollution Control Board (CPCB) submitted that they want to file a further clarification report regarding the feasibility of establishing the retail petrol pump in this area and whether it conforms with the distance criteria as per the guidelines provided after making further inspection.

7. The learned counsel appearing for the 2<sup>nd</sup> respondent wants to file their independent counter and they want some more time for that purpose.
8. It is informed by the office that though the 9<sup>th</sup> respondent has sent a reply by post, they have not e-filed the same.
9. Though in the reply statement of the 9<sup>th</sup> respondent, name of the counsel was shown as Mr. Vinunath, he has not filed any vakalat as well. So, the 9<sup>th</sup> respondent is directed to rectify the mistake and e-file the document so as to regularize the same.
10. Though notice was served on the 7<sup>th</sup> respondent, there was no appearance for the 7<sup>th</sup> respondent. So, service is complete.
11. The parties are directed to cure the defect that has been mentioned above and also complete the pleadings by serving copies of the statement to other side so that rejoinder, if any, they want to file can be filed by them before the Tribunal.
12. The parties are directed to complete the pleadings within a period of 3 (Three) weeks from today including filing of rejoinder.
13. The committee is directed to submit a further report as requested for by them on or before 30.06.2021 by e-filing in the form Searchable PDF/OCR Supportable PDF and not in the form of Image PDF along with necessary hardcopies to be produced as per Rules.

14.The Registry is directed to communicate this order to the members of the committee, official respondents and also to the 9<sup>th</sup> respondent panchayat by e-mail immediately so as to enable them to comply with the direction.

15.For completion of pleadings and filing further report, post on 02.07.2021.

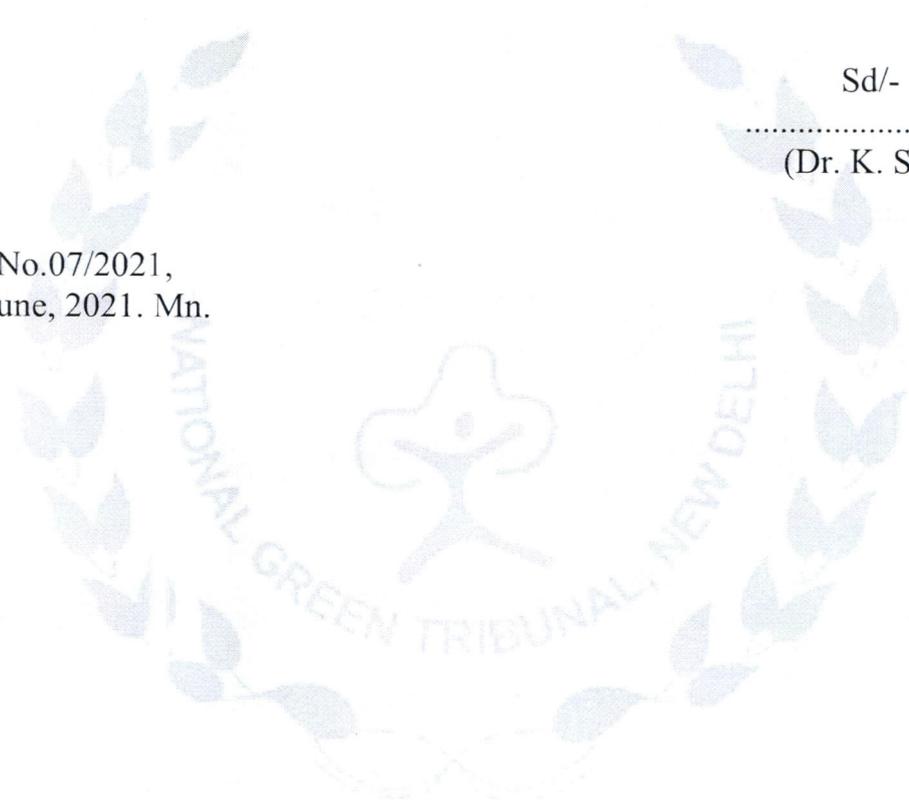
Sd/-

.....J.M.  
(Justice K. Ramakrishnan)

Sd/-

.....E.M.  
(Dr. K. Satyagopal)

O.A. No.07/2021,  
02<sup>nd</sup> June, 2021. Mn.





## CENTRAL POLLUTION CONTROL BOARD

DELHI 110 032

January 07, 2020

B-13011/1/2019-20/AQM

10802-10847

## OFFICE MEMORANDUM

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

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

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

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

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

(V.K. Shukla)

Additional Director, AQM Div.

Encl.: As Above

To.

1. As per List Enclosed

Copy to:

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

2. PS to CCB

3. PS to MS

## GUIDELINES FOR SETTING UP OF NEW PETROL PUMPS

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

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

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

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

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

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

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

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

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

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

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

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

Permissible Limit

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

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

**F. Measures for protection of Worker's Health**

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

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

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

**H. Siting criteria of Retail Outlets:**

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

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



## CENTRAL POLLUTION CONTROL BOARD

DELHI 110032

B-13011/1/2020-21/AQM

January 29, 2021

## OFFICE MEMORANDUM

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

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

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

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

This is issued with the approval of Competent Authority.

(P. K. Gupta)

Additional Director and Head  
AQM division

To:

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

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

Copy to:

Page 19

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

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

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



**Government of India**  
**Ministry of Commerce & Industry**  
**Petroleum & Explosives Safety Organisation (PESO)**  
**A & D - Wing, Block 1-8, IInd Floor, Shastri Bhavan, 26 Haddous Road, Nungambakkam,**  
**Chennai - 600006**

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

Phone/Fax No : 044 - 28287118,28284848

Prior Approval No : A/P/SC/KL/14/3818 (P458155)

Dated : 29/10/2019

To,

**M/s. INDIAN OIL CORPORATION LIMITED,**  
**II nd Floor, PMK Towers, Civil Station Post,,**  
**Wayanad Road, Kozhikode**  
**Kozhikode,**  
**Taluka: Kozhikode,**  
**District: KOZHIKODE**  
**State: Kerala**  
**PIN: 673020**

**Sub : Proposed Petroleum Class A,B Retail Outlet at Survey No, 253/3,253/4, TRIPRANGODE VILLAGE , TIRUR TALUK MALAPPURAM Dist, TRIPRANGODE, Tirur, Taluka: Tirur, District: MALAPPURAM, State: Kerala, PIN: 676102**

Sir(s),

Please refer to your letter No. **OIN381765** dated **04/10/2019** on the subject.

The Drawing no. **4** dated **04/10/2019** , showing the site/layout/construction details forwarded with your letter under reference is approved and a copy(of each) of the same is returned herewith duly signed in token of approval.

**Conditions of the Approval:-**

**Fire fighting facility shall be as per condition of licence and Standard note regarding fire fighting shall be mentioned.**

**Position of DG set shall be shown. Exhaust of DG shall be provided with CCOE approved spark arrestor.**

**Open end of vent pipe shall be extended 1.5 M above roof level.**

**radius of curvature shall be shown properly**

**Minimum distance of 6 M between rear DU to sales building shall be maintained.**

On completion of the construction as shown in the approved plan please forward the following documents for grant of licence in Form XIV of the Petroleum Rules, 2002.

1. Form IX (enclosed) duly filled in and signed.
2. A Bank Draft for Rs. **10000/-** (per year - maximum upto 10 years) being the requisite licence fee for one year. The bank draft should be drawn on any Nationalised Bank in the favour of **Jt. Chief Controller of Explosives Payable at Chennai.**
3. Three copies of the approved drawings.
4. Safety and Test Certificate as required under rule 130 and 126 of the Petroleum Rules, 2002 (enclosed) issued by Competent person approved by CCE, Nagpur and generated through On-line Competent Person Module available at <http://Peso.gov.in>
5. Original copy of ' No Objection Certificate' from the District Authority together with site plan duly endorsed by him with his office seal thereon.
6. Specimen signature(s) of the person(s) authorised to sign the correspondence addressed to this office.
7. A confirmation to the effect that all work as per approved drawings has been fully completed by you in all respects.
8. One set of colour photographs of the petrol pump taken from different angles.

2/17/2021

Page 23

Please follow the requirement/provision of " Solvent, Raffinate and Slop ( Acquisition, Sale, Storage & Prevention of use in Automobiles)" Order 2000 notified by Government of India, Ministry of Petroleum and Natural Gas vide G.S.R. 519(E) dated 05/06/2000.

Please quote this office file No. **A/P/SC/KL/14/3818 (P458155)** in all your future correspondences.

This approval/permission, however, does not absolve from obtaining necessary permission/clearance from other authorities or under other statutes as applicable.

Yours faithfully,

**(AHIN NANDI)**  
**Dy. Controller of Explosives**  
**For Jt. Chief Controller of Explosives**  
**Chennai**

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

**Disclaimer :** This page gives the latest action taken by this organization on your application. This page is made available for the information of concerned applicant/licensee only. All efforts have been made to secure this information. However, PESO will not be responsible for any misuse of the information by unauthorized persons including the hackers.