

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI.****ORIGINAL APPLICATION NO. 408/2023**

HARVINDER SINGH

APPLICANT

VERSUS

STATE OF HARYANA & ORS.

RESPONDENTS

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PLACE : New Delhi

DATE: 21/09/24

RESPONDENT NO 7

प्रशांत सिंह

मुख्य प्रबन्धक (रिटेल सेल्स)
इंडियन ऑयल कॉर्पोरेशन लि.
पानीपत मण्डल कार्यालय
पानीपत मार्केटिंग कॉम्प्लेक्स
रिफाइनरी रोड, पानीपत, हरियाणा-132140

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI.

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APPLICANT

VERSUS

STATE OF HARYANA & ORS.

RESPONDENTS.

**REPLY ON BEHALF OF THE RESPONDENT NO.7. THE INDIAN
OIL CORPORATION LIMITED, (IOCL)**

MOST RESPECTFULLY SHOWETH:-

A. That the Respondent No.7 herein, respectfully submits that the allegations raised by the Applicant regarding the alleged improper issuance of NOC for the establishment of a retail outlet near Hindu Girl College, Jagadhri, District Yamuna Nagar, are without any basis or merit. Respondent No 7 has adhered to all applicable laws, rules, regulations, and guidelines, including the Central Pollution Control Board (CPCB), in seeking and obtaining the NOC.

PRELIMINARY SUBMISSIONS

- B. That the Present Original Application (hereinafter referred as OA) was registered vide O.A.408/2023 before the Hon'ble NGT, PB, New Delhi .On 31.05.2023, the Applicant filed a complaint before this Hon'ble Tribunal, alleging that the NOC was granted on 15.05.2023, vide NOC no. 45/PLA for the proposed retail outlet at the location Between Jagadhri bus stand to Agrasen Chowk on NH, RD +1.400 (RHS) at Village/Town Jagadhri, District Yamuna Nagar, Haryana was in violation of by-laws, endangering the safety of children at the nearby Hindu Girl College and School. Copy of NOC granted is marked herewith as **Annexure R7/1**. On 30.06.2023, the District Magistrate, cancelled the NOC (Copy of NOC cancelled is marked herewith as **Annexure R7/2**), prompting Respondent No. 4 to challenge the cancellation before the Punjab and Haryana High Court. The Hon'ble High Court, in its order dated 25.07.2023, set aside the cancellation and restored the NOC.
- C. That the Hon'ble Tribunal directed the District Magistrate to follow due process and CPCB guidelines while keeping the NOC in abeyance until further clarification was received. That the Hon'ble Tribunal also directed the impleadment of CPCB and sought clarification in regard to the fact whether colleges are included in the guidelines dated 07.01.2020.

The CPCB vide its reply clarified that its siting criteria for sensitive locations applied only to schools and hospitals (with more than 10 beds) and not to colleges.

- D. That it is humbly submitted that on 20.08.2024, this Hon'ble Tribunal raised concerns regarding the presence of an auditorium within 11.3 meters of the proposed retail outlet, which was not shown in the original layout plan submitted by IOCL. The Tribunal further directed the production of the original records related to the grant of NOC and also impleaded the Deputy General Manager (Retail Sales), Panipat, as Respondent No. 7.
- E. That in response to the Hon'ble Tribunal's order dated 20.08.2024, it is relevant to mention that application for NOC for the proposed Retail Outlet sites are always filed by the answering Respondent and in the instant case, the answering Respondent respectfully submit that there has been no suppression or misrepresentation of material facts done by answering Respondent while obtaining the NOC for the establishment of Retail Outlet. The initial drawing/layout (annexed herein as **ANNEXURE R7/3**) submitted to the District Magistrate, Yamuna Nagar, for the grant of the NOC clearly indicated the presence of "Hindu Girls College Land" around the Retail Outlet site. At the time of submission of application for NOC, the answering Respondent had no

access to, nor knowledge of, the internal facilities of the college or their specific uses. As such, further detailed indications regarding the internal layout of the college were not included in the submission, as this information was not available to the answering Respondent.

F. Furthermore, the approved drawing/layout (annexed herein as **ANNEXURE R7/4**), which was prepared by an NHAI-approved consultant, fully complies with the relevant NHAI norms. This approved layout also explicitly identifies the presence of Hindu College, with the college's access point marked as "Hindu College Gate." Therefore, it is evident that there was no concealment of facts during the submission of the drawing/layout for obtaining the NOC, as all relevant information available to the answering Respondent was duly disclosed and inserted in the drawings while applying for NOC. We affirm that all actions were taken in compliance with the applicable regulations, and there was no intention to mislead or misrepresent facts.

G. That the complainant herein has failed to show locus standi in this matter, Hon'ble Supreme Court of India has in many cases indicated that person filing the complaint should exhibit his/her locus standi first in order to pray for cancellation of NOC, in this particular case complainant has no locus standi and complainant seems to be settling his personal score and

eventually delaying setting of petrol pump which is of public use and public utility.

H. That it is relevant to place on record that CPCB guidelines dated 7.1.2020 clearly mentions that in case of constraints in providing 50 mtrs distance, the retail outlet shall implement additional safety as prescribed by PESO. In no case, the distance between new Retail Outlet from school, hospitals (10 beds and above) and residential area designed as per local laws shall be less than 30 mtrs. Based on the aforesaid guidelines, PESO has issued a circular bearing no C.VIII(3)125/Circular/Petroleum dt 9.9.2024 whereby additional safety measures for setting up of new Retail Outlet within the radius of 30-50 mtrs of residential areas, school, hospitals (10 beds and above) have been prescribed. **Copy of PESO Circular bearing no C.VIII(3)125/Circular/Petroleum dt 9.9.2024 is annexed as Annexure R7-5)** In view of the above, it is very clear that the Retail Outlets can be established even within 30-50 mtrs of radius of school, residential area and hospitals (10 beds & above) by taking additional safety measures as prescribed by PESO in line with CPCB circular. As such the proposed site in the instant case is meeting the norms and NOC granted by DM was in line with CPCB guidelines.

REPLY ON MERITS:

1. At the outset it is respectfully submitted that the Answering Respondent deny all contents as well as averments, questions of law raised, and grounds taken in the Application unless specifically admitted and reply all together in the following paragraphs.
2. That the contents of the para no.1 of the application are denied for want of knowledge. The applicant be put to strict proof of the averments made in the para
3. That the content of para 2 is denied to extent to that answering Respondent has issued the letter to the Respondent NO 4 illegally without keeping safety of girl students of Hindu Girls College. It is humbly submitted that there has been no suppression or misrepresentation of material facts by the answering Respondent in the process of obtaining the NOC or otherwise. The initial drawing/layout, which was submitted to the District Magistrate, Yamuna Nagar, for the purpose of obtaining the NOC, clearly indicates the presence of "Hindu College Land" around the Retail Outlet site. The specific facilities within the college premises like auditorium are neither accessible nor known to the answering Respondent, and the purpose for which these facilities are used is also beyond the knowledge of the answering Respondent. As a result, no further detailed indications were made in the layout regarding the internal college facilities. Furthermore, it has been clarified by CPCB

in its reply that colleges are not part of point H in the guidelines dated 07.01.2020. That the said guidelines only identifies Schools as sensitive locations and that term does not include colleges/college.

4. That it is respectfully submitted that the allegation suggesting that the NGT Rules have been violated is incorrect and is categorically denied. It is further denied that the Administration issued the NOC in an illegal manner. It is respectfully submitted that answering Respondent, vide letter no. PDO/RO/Jagadhari dated 11.07.2020, applied for the issuance of an NOC, enclosing the requisite layout for the proposed project clearly depicting the existence of Hindu Girls College. After following all due processes, including the scrutiny and examination of the submitted documents and compliance with applicable regulations, the NOC was duly granted on 15.05.2023. This issuance was done in accordance with all statutory requirements and guidelines in place at the time. Therefore, the contention that the NOC was issued without due regard to the safety of the students of Hindu Girls College is completely unfounded and vehemently denied. That it is relevant to place on record that CPCB guidelines dated 7.1.2020 clearly mentions that in case of constraints in providing 50 mtrs distance, the retail outlet shall implement additional safety as prescribed by PESO. In no case, the distance between new Retail Outlet from school, hospitals (10 beds and above) and residential

area designed as per local laws shall be less than 30 mtrs. Based on the aforesaid guidelines, PESO has issued a circular bearing no C.VIII(3)125/Circular/Petroleum dt 9.9.2024 whereby additional safety measures for setting up of new Retail Outlet within the radius of 30-50 mtrs of residential areas, school, hospitals (10 beds and above) have been prescribed. In view of the above, it is very clear that the Retail Outlets can be established even within 30-50 mtrs of radius of school, residential area and hospitals (10 beds & above) by taking additional safety measures as prescribed by PESO in line with CPCB circular. As such the proposed site in the instant case is meeting the norms and NOC granted by DM was in line with CPCB guidelines. The issuance of guidelines by this Hon'ble Tribunal is a matter of record and is, therefore, admitted. However, upon a careful reading of the relevant guidelines, it is clear that while the establishment of a retail outlet near a school is restricted, there is no such prohibition with regard to its proximity to a college or other educational institution.

5. That with regard to the averment related to this answering respondent, it is humbly submitted that respondent No. 6 vide CPCB office memorandum No. B-13011/1/2019-20/AQM/0814, dated January 07, 2020, has issued guidelines for setting up of new petrol pumps in compliance with the Honourable National Green Tribunal (NGT) order

dated January 18, 2019 in the matter of OA No. 86/2019. The guidelines issued are based on the specific directions to prepare appropriate guidelines for setting up new petrol pumps in the country and the guidelines are to be got implemented by the State Government/ State Pollution Control Board (hereinafter referred as SPCBs)/ Pollution Control Committee.

That it is relevant to place on record that in line with aforesaid guidelines of CPCB, PESO has issued a circular bearing no C.VIII(3)125/Circular/Petroleum dt 9.9.2024 whereby additional safety measures for setting up of new Retail Outlet within the radius of 30-50 mtrs of residential areas, school, hospitals (10 beds and above) have been prescribed. In view of the above, it is very clear that the Retail Outlets can be established even within 30-50 mtrs of radius of school, residential area and hospitals (10 beds & above) by taking additional safety measures as prescribed by PESO in line with CPCB circular. As such the proposed site in the instant case is meeting the norms and NOC granted by DM was in line with CPCB guidelines.

6. It is respectfully submitted that, the Hon'ble Supreme Court order dated 14.03.2023 in Civil Appeal No. 421 of 2022 (Indian Oil Corporation Limited V/s V.B.R Menon & Ors [2023 SCC On Line SC 257]) has

clearly stated that the guidelines issued by CPCB vide its Office Memorandum dated 07.01.2020 are to be strictly adhered. In compliance to the order of the Hon'ble Supreme Court, CPCB has also issued an Office Memorandum dated 16.06.2023 (**copy of Office memorandum dated 16.06.23 is annexed as Annexure R7-6**) vide which it has been directed that all the SPCBs in the States and PCCs in the Union Territories are required to ensure that CPCB guidelines are strictly adhered to.

It is also submitted that the applicant has deliberately misrepresented the facts and attempted to mislead this Hon'ble Tribunal by conflating the distinctions between a school and a college.

7. Therefore, the establishment of the retail outlet near the Hindu Girls College is in full compliance with the applicable regulations, and any suggestion to the contrary is baseless and vehemently denied. That, it is further submitted that as per the CPCB guidelines, new petrol pumps/ Retail Outlets (hereinafter referred as 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 in case of constraints in complying with 50 m distance criteria, the petrol

pump/ RO shall implement additional safety measures as prescribed by the Petroleum Explosive Safety Organization (hereinafter referred as PESO). The guideline further insists on a minimum 30 m distance criteria between the new petrol pump/ RO and schools/ hospitals/ residential areas designated by local laws.

8. It is submitted that the answering respondent has not shown any disregard for the law or the guidelines issued by the National Green Tribunal (NGT) and the Central Pollution Control Board (CPCB) as alleged. That the answering Respondent has strictly adhere to the guidelines of the Hon'ble Tribunal and CPCB
9. It is respectfully submitted that the initial drawing/layout submitted to the District Magistrate, Yamuna Nagar for obtaining the NOC clearly indicates the presence of land belonging to Hindu Girls College in the vicinity of the proposed site. However, the specific facilities within the college premises were neither accessible to the Respondent and hence the purpose of the buildings in the college premises were not known to the answering Respondent. Consequently, further detailed indications were not provided in the layout. Additionally, the drawing/layout, which was duly approved by the District Magistrate, Yamuna Nagar, was prepared by an NHAI-approved consultant and is fully compliant with NHAI norms. This approved layout clearly identifies the presence of

Hindu College, with the access point to the college marked as "Hindu College Gate." Therefore, it is submitted that there has been no concealment or misrepresentation of facts in the drawings/layout submitted for the purpose of obtaining the NOC.

In view of the aforementioned facts, the allegation made by the applicant is conspicuously false and fabricated and does not support any action for the same. In circumstances, it just and necessary that this Hon'ble Tribunal may pleased to dismissed the application as may deem fit .

DATE: 21/09/2024

PLACE: New Delhi



Respondent No7

प्रशांत सिंह
मुख्य प्रबन्धक (रिटेल सेल्स)
इंडियन ऑयल कॉर्पोरेशन लि.
पानीपत मण्डल कार्यालय
पानीपत मार्केटिंग कॉम्प्लेक्स
रिफाइनरी रोड, पानीपत, हरियाणा-132140

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI.

ORIGINAL APPLICATION NO. 408/2023

HARVINDER SINGH

APPLICANT

VERSUS

STATE OF HARYANA & ORS.

RESPONDENTS

AFFIDAVIT

I Prashant Singh s/o Sh Charan Singh, aged about 42 years working as the Chief Manager (Retail Sales), Panipat Divisional Office, Indian Oil Corporation Ltd., Village Bohli, P.O. Panipat Refinery, District Panipat, Haryana, do hereby solemnly affirm and declare as under:

A. That the deponent is the Respondent No 7 in the accompanying Reply application. Being well conversant with the facts and circumstances of the present case, the deponent is fully competent to swear to this affidavit. The deponent will be referred to as Respondent No 7 herein after.

B. That the deponent has read and understood the content of the application filed by the applicant/ complainant in the above-mentioned application and is filing this reply.

C. That the accompanying Reply has been drafted by my counsel under my instructions and the contents of the same are true and correct the same may kindly be read as part and parcel of this affidavit.

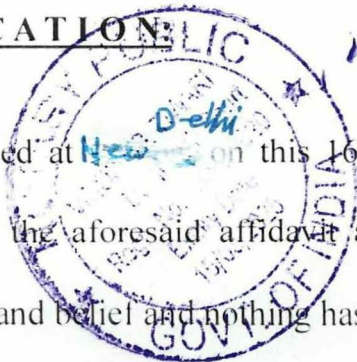


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प्रशांत सिंह
DEPONENT
मुख्य प्रबन्धक (रिटेल सेल्स)
इंडियन ऑयल कॉर्पोरेशन लि.
पानीपत मण्डल कार्यालय
पानीपत मार्केटिंग कॉम्प्लैक्स
रिफाइनरी रोड, पानीपत, हरियाणा-132140

VERIFICATION

18 SEP 2024



Verified at New Delhi on this 18th day of SEPTEMBER 2024 that the contents of the aforesaid affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

[Handwritten signature]

DEPONENT

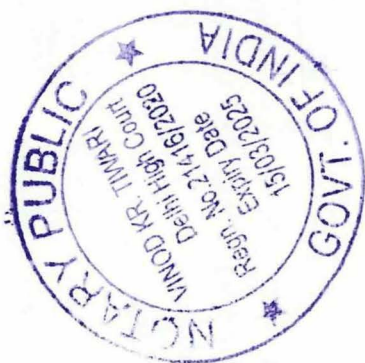
18 SEP 2024

CERTIFIED THAT THE CONTENTS EXPLAINED TO THE DEPONENT EXECUTANT WHO IS SEEMED PERFECTLY UNDERSTAND AND AFFIRMED & DEPOSED BEFORE ME AT NEW DELHI

[Handwritten signature]
IDENTIFY THE EXECUTANT/DEPONENT WHO HAS SIGNED IN MY PRESENCE
VINOD KUMAR TIWARI, Advocate, Reg. No. 21416/2020
NOTARY PUBLIC (NEW DELHI)

प्रशांत सिंह
मुख्य प्रबन्धक (रिटेल सेल्स)
इंडियन ऑयल कॉर्पोरेशन लि.
पानीपत मण्डल कार्यालय
पानीपत मार्केटिंग कॉम्प्लैक्स
रिफाइनरी रोड, पानीपत, हरियाणा-132140

I identified the Deponent who has signed/mwmb attached before me



No. 45Date 15/05/2023

Subject: - Issuance of NOC for development of proposed retail outlet situated Between Jagadhari Bus Stand to Aggarsen Chowk on NH, RD.+1.400(RHS) at Village/Town Jagadhari, District Yamuna Nagar(Haryana).

In reference to application No. PDO/RO/Jagadhari dated 11-07-2020 Submitted by Deputy General Manager(Retail Sales), Panipat Divisional Office, Panipat read with Rule 144 of the Petroleum Rules, 2002, there is no objection for granting licence under the Petroleum Rules, 2002 to Deputy General Manager(Retail Sales), Panipat Divisional Office, Indian Oil Corporation Limited(M.D), Panipat Marketing Complex, Vill. Baholi, Post office Panipat Refinery, Distt. Panipat (Haryana) for storage of petroleum products in their premises at Under Property ID-131C4U3(PPID WITH EQUAL LENGH J 131 C0004U0003A, Village/Town Jagadhari District Yamuna Nagar, Haryana. After taking into consideration the reports received from the various departments. No Objection Certificate for the installation of Retail Outlet at the proposed site given in the layout plan (copy enclosed) is hereby granted subject to the following conditions:-

1.	That the owner of the retail outlet will adhere the norms of the Environment (Protection) Act, 1986/water act, 1974/Air Act, 1981 and will not start any polluting process without prior permission of the Board. D.G. set to be installed should be adhering to the Noise standards as well as emission standards.
2.	In compliance of Hon'ble NGT order dated January 18, 2019 in OA No. 85/2019 the guidelines issued by the Central Pollution Control Board, Delhi vide letter No. B-13311/1/2019-20/AQM/10809 dated January 07, 2020 if the said company/owner of the retail outlet failed to comply the said guidelines the NOC would be revoked automatically without prior information(copy enclosed) and will follow the condition mentioned in the Memo No. HSPCB/YMN/2020/10769 dated 16-03-2021 (Copy enclosed) received from Regional Officer, Haryana State Pollution Control Board, Yamuna Nagar.
3.	The company will install fire safety arrangements/equipments as per the instructions of Fire Station Officer, Yamuna Nagar given in their letter No. 167/FSY/2021 dated 26-03-2021 (copy enclosed).
4.	That the company will follow the instructions issued by the Department of Ministry of Environment, Forest and Climate Change, Govt. of India, Integrated Regional Office, Chandigarh vide letter No. 9-HRB063/2023-CHA dated 28-03-2023 which is received through Dy. Conservator of forests, Yamunanagar, Forest Division Yamunanagar vide through office Endst. No. 7218-20 dated 31-03-2023 (copy enclosed).
5.	That the company/Owner will be bound to follow the order that may be passed by the Hon'ble High Court of Punjab & Haryana in writ petition (c) No. CWP- 15813 of 2020 - Harvinder Singh & Other Vs State of Haryana and Others as per affidavit mentioned by the applicant.
6.	That the company will follow the instructions issued by the Project Director, NHAI, PIU Chandigarh vide letter No. NHAI/PIU/CHD/11162/RO/PP/NH-73A/58 dated 23-10-2021 (Copy enclosed)
7.	The Oil Company/ Owner of the property may construct or develop the fuel station/private property along with its access as per approved drawing at their own cost within 12 months from the date of issue of provisional permission for access. In case, the construction is not done in one year, the provisional approval shall be deemed to be cancelled, unless renewed by the Highway Administration.


8.	That the Oil company/Owner shall arrange all the clearance required (if any) for constructing the proposed access as per approved drawing himself. The Oil company/ applicant shall also arrange for shifting of utilities if required at his own cost as per the direction of the concerned department.
9.	That the Oil company/Owner shall not do or cause to be done, in pursuance of access permission, any act by which safety and convenience of traffic on the Highway shall be disturbed.
10.	That the Oil Company/Owner shall arrange all the clearances including forest clearance (if any) required for constructing the proposed access as per approved drawing himself. The applicant shall also arrange for shifting of utilities if required at his own cost as per the direction of the concerned department.
11.	That the Oil Company/owner shall do necessary alternation including complete removal/shifting of the approach roads at its own cost if so required by Ministry/NHAI, for the development of National Highway or in the interest of safety in this section.
12.	That the Oil Company/Owner shall not do or cause to be done in pursuance of the access permission any acts which may cause any damage to Highway.
13.	That the Oil Company/Owner shall while utilizing permission shall observe guidelines relating to safety and convenience of traffic of the Highway, hygiene (in accordance with the requirement of Swachh Bharat Abhiyan), prevention of nuisance and pollution on the Highway.
14.	That the Oil Company/Owner shall ensure that proposed service road shall not be used for parking purpose and there is no overflow of vehicles on approach road.
15.	That there shall be adequate drainage system on the access to the private property and inside its area so as to ensure that surface water doesn't flow over the highway or any water logging takes place.
16.	Regarding traffic safety, all safety features shall be as per the approval plan to the satisfaction of NHAI or its authorized representative.
17.	That height restrictions of building structure shall be as per local Govt. guidelines and the building line shall be as per the statutory requirements and IRC guidelines.
18.	If any increase in license fee/bank guarantee or any discrepancy found in calculation of fee in future/later stage, owner of the private property will be liable to pay the same.
19.	That the Oil Company/ Owner shall install all the requisite road signs as per IRC:67 & provide road marking as per IRC:35 & in accordance with the Ministry's guidelines dated 26-06-2020 to the satisfaction NHAI.
20.	That the provisional approval/NOC shall be deemed to be cancelled if there will be any violation of the any applicable law(s).



In addition to the above, all other terms and conditions imposed by the Government from time to time will also be applicable.

Hence the company is directed to furnish the compliance report about the conditions of the NOC before starting the operation of the Retail Outlet.

If any condition mentioned above is breached, the present NOC shall be treated as withdrawn/cancelled.


District Magistrate,
Yamuna Nagar

Enclosure: - As above/Site Plan

ANNEXURE R7-2

Annexure R-7 19
96

Sh. Nishin Kany
for n.e. u.

प्राप्त किया
4157 258
12 JUL 2023
निदेशन आपल कॉर्पोरेशन लिमिटेड
पुणे मंडल कार्यालय, पानोपत

प्रत्येक,

जिलाधीस, यमुनानगर।

सेवा में

Deputy General Manager(Retail Sales),
Panipat Divisional Office, Indian Oil Corporation Limited(M.D),
Panipat Marketing Complex, Vill. Baholi,
Post office Panipat Refinery,
Distt. Panipat (Haryana)

कमंक 353 / पी०एल०ए० दिनांक 30/06/2023

विषय:- इस कार्यालय के पत्र कमंक 45/पी०एल०ए० दिनांक 15.05.2023 द्वारा जारी की गई एन.ओ.सी निरस्त करने बारे।

आपको सूचित किया जाता है कि आपको इस कार्यालय के पत्र कमंक 45/पी०एल०ए० दिनांक 15.05.2023 द्वारा Under Property ID-131C4U3(PPID WITH EQUAL LENGH J 131 C0004U0003A गांव/शहर- जगाधरी, जिला यमुनानगर (हरियाणा) में IOCL कम्पनी नया रिटेल आउटलेट लगाने के लिये अनापति प्रमाण पत्र जारी किया गया था।

इस बारे Application No. 408/2023 में माननीय नेशनल ग्रीन ट्रिब्यूनल (NGT) के द्वारा दिनांक 31.05.2023 को पारित आदेशों की पालना में संयुक्त समिति की मंका निरीक्षण रिपोर्ट प्राप्त की गई, जिसने स्पष्ट तौर पर लिखा गया है कि The distance of the auditorium situated in the college premises was measured on the spot by revenue department from the proposed vent pipe location shown in the drawing of the retail outlet and same was found approx 11.3 meter, In view of position explained above it is found that the said retail fuel outlet is not meeting the required siting criteria distance as laid down by central pollution control board vide memorandum dated 07-01-2020. जबकि इस कार्यालय द्वारा जारी किये गए अनापति प्रमाण पत्र के बिन्दु नं० 2 में लिखा गया था कि in compliance of Hon'ble NGT order dated January 18, 2019 in OA No. 86/2019 the guidelines issued by the Central Pollution Control Board, Delhi vide letter No. B-13011/1/2019-20/AQM/10809 dated January 07, 2020 if the said company/owner of the retail outlet failed to comply the said guidelines the NCC would be revoked automatically without prior information.

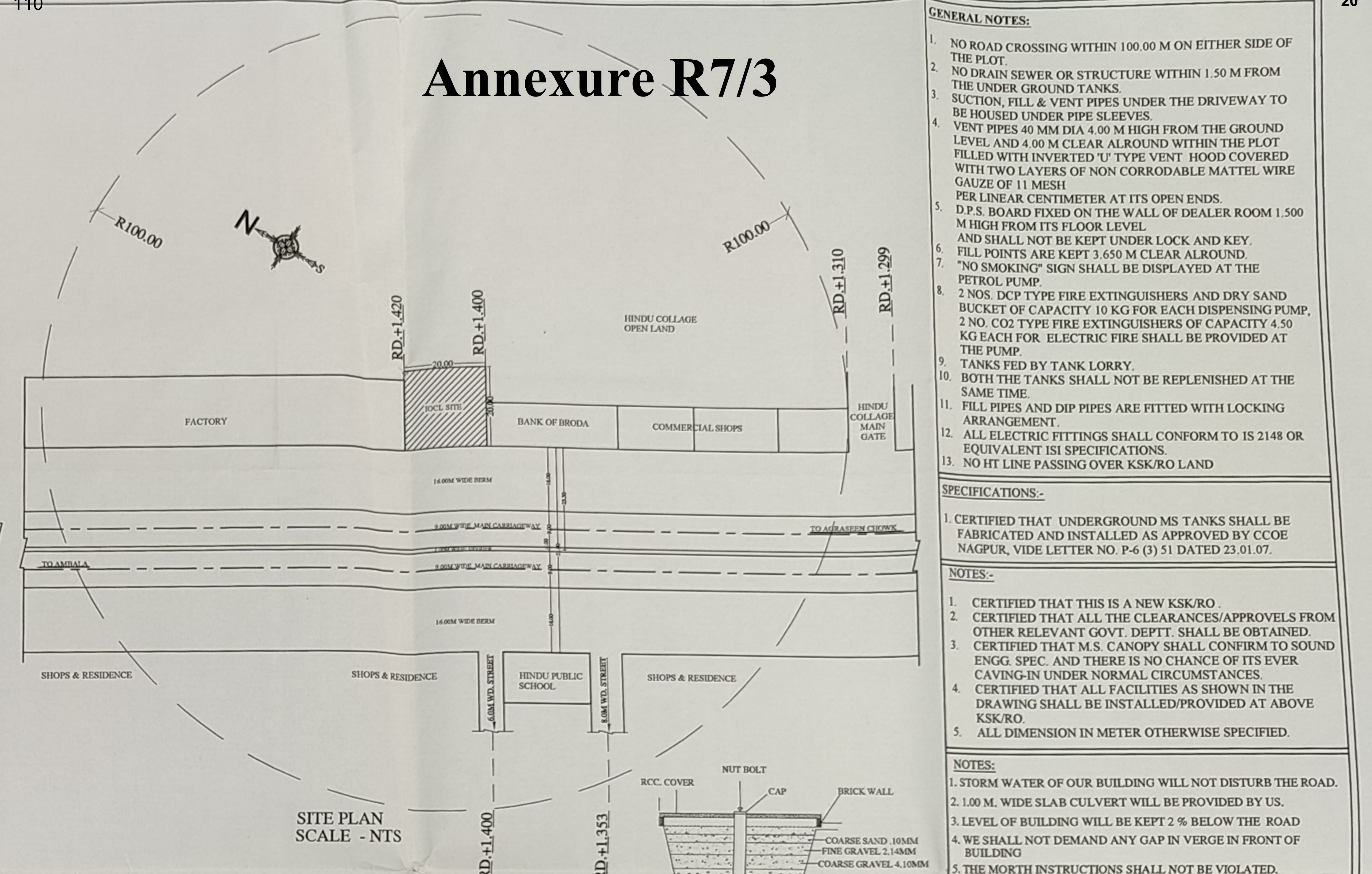
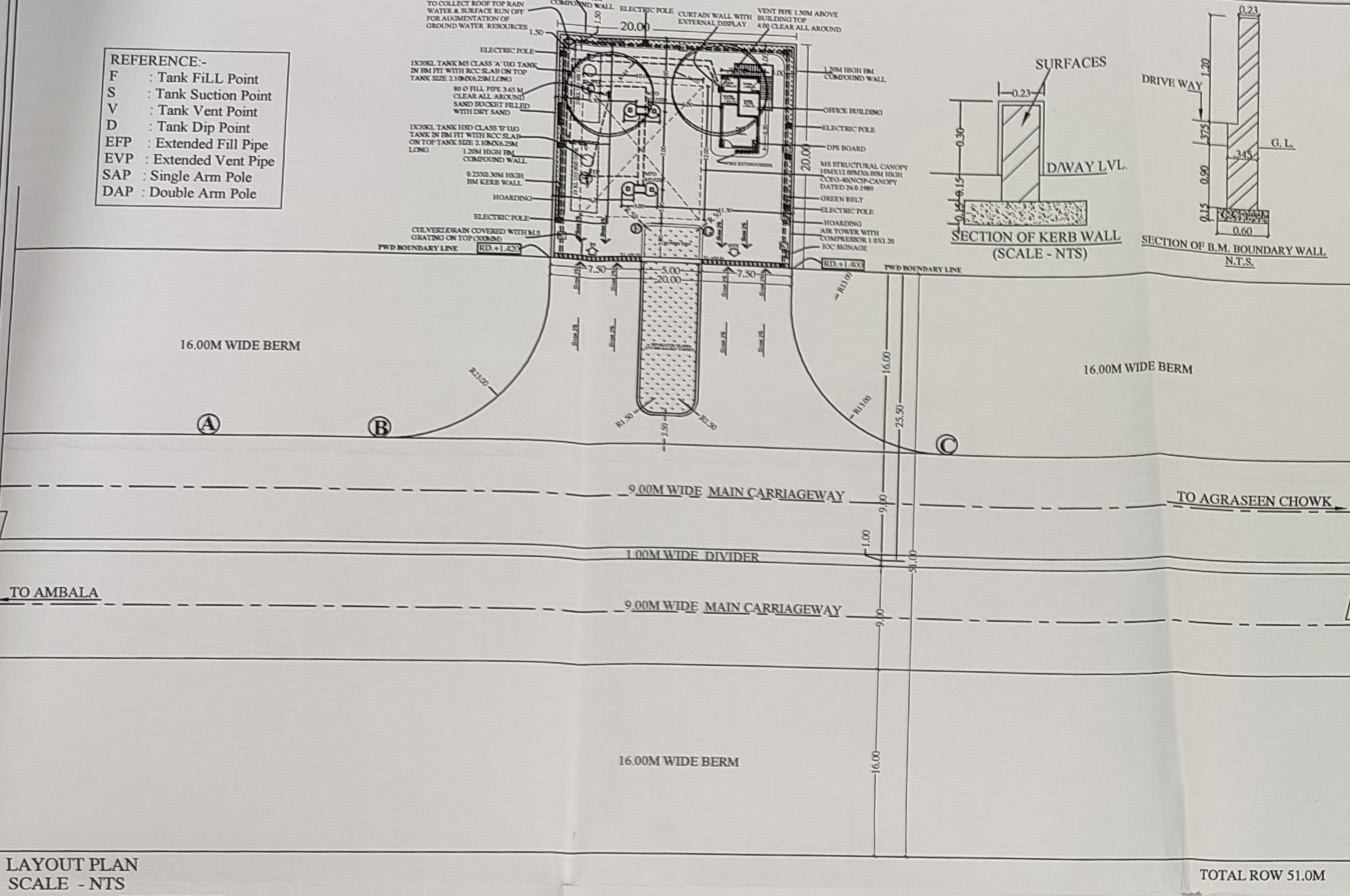
अतः संयुक्त समिति की रिपोर्ट दिनांक 28.06.2023 जो कि उपनगडलाधीस जगाधरी के कार्यालय के पत्र कमंक 842/ए०एल०सी० दिनांक 28.06.2023 के माध्यम से प्राप्त हुई है, के मध्यम से Under Property ID-131C4U3(PPID WITH EQUAL LENGH J 131 C0004U0003A गांव/शहर- जगाधरी, जिला यमुनानगर (हरियाणा) में IOCL कम्पनी नया रिटेल आउटलेट लगाने के लिये इस कार्यालय के पत्र कमंक 45/पी०एल०ए० दिनांक 15.05.2023 के द्वारा जारी किया गया अनापति प्रमाण पत्र को तुरन्त प्रभाव से निरस्त किया जाता है।

संदर्भ: संयुक्त रिपोर्ट।

जिलाधीस, यमुनानगर।

Annexure R7/3

- REFERENCE:-**
- F : Tank Fill Point
 - S : Tank Suction Point
 - V : Tank Vent Point
 - D : Tank Dip Point
 - EFP : Extended Fill Pipe
 - EVP : Extended Vent Pipe
 - SAP : Single Arm Pole
 - DAP : Double Arm Pole



- GENERAL NOTES:**
- NO ROAD CROSSING WITHIN 100.00 M ON EITHER SIDE OF THE PLOT.
 - NO DRAIN SEWER OR STRUCTURE WITHIN 1.50 M FROM THE UNDER GROUND TANKS.
 - SUCTION, FILL & VENT PIPES UNDER THE DRIVEWAY TO BE HOUSED UNDER PIPE SLEEVES.
 - VENT PIPES 40 MM DIA 4.00 M HIGH FROM THE GROUND LEVEL AND 4.00 M CLEAR AROUND WITHIN THE PLOT FILLED WITH INVERTED 'U' TYPE VENT HOOD COVERED WITH TWO LAYERS OF NON CORRODABLE MATTTEL WIRE GAUZE OF 11 MESH PER LINEAR CENTIMETER AT ITS OPEN ENDS.
 - D.P.S. BOARD FIXED ON THE WALL OF DEALER ROOM 1.500 M HIGH FROM ITS FLOOR LEVEL AND SHALL NOT BE KEPT UNDER LOCK AND KEY.
 - FILL POINTS ARE KEPT 3.650 M CLEAR AROUND.
 - "NO SMOKING" SIGN SHALL BE DISPLAYED AT THE PETROL PUMP.
 - 2 NOS. DCP TYPE FIRE EXTINGUISHERS AND DRY SAND BUCKET OF CAPACITY 10 KG FOR EACH DISPENSING PUMP.
 - 2 NO. CO2 TYPE FIRE EXTINGUISHERS OF CAPACITY 4.50 KG EACH FOR ELECTRIC FIRE SHALL BE PROVIDED AT THE PUMP.
 - TANKS FED BY TANK LORRY.
 - BOTH THE TANKS SHALL NOT BE REPLENISHED AT THE SAME TIME.
 - FILL PIPES AND DIP PIPES ARE FITTED WITH LOCKING ARRANGEMENT.
 - ALL ELECTRIC FITTINGS SHALL CONFORM TO IS 2148 OR EQUIVALENT ISI SPECIFICATIONS.
 - NO HT LINE PASSING OVER KSK/RO LAND

- SPECIFICATIONS:-**
- CERTIFIED THAT UNDERGROUND MS TANKS SHALL BE FABRICATED AND INSTALLED AS APPROVED BY COE NAGPUR, VIDE LETTER NO. P-6 (3) 51 DATED 23.01.07.

- NOTES:-**
- CERTIFIED THAT THIS IS A NEW KSK/RO
 - CERTIFIED THAT ALL THE CLEARANCES/APPROVALS FROM OTHER RELEVANT GOVT. DEPTT. SHALL BE OBTAINED
 - CERTIFIED THAT M.S. CANOPY SHALL CONFORM TO SOUND ENGG. SPC. AND THERE IS NO CHANCE OF ITS EVER CAVING-IN UNDER NORMAL CIRCUMSTANCES.
 - CERTIFIED THAT ALL FACILITIES AS SHOWN IN THE DRAWING SHALL BE INSTALLED/PROVIDED AT ABOVE KSK/RO.
 - ALL DIMENSION IN METER OTHERWISE SPECIFIED.

- NOTES:**
- STORM WATER OF OUR BUILDING WILL NOT DISTURB THE ROAD.
 - 1.00 M. WIDE SLAB CULVERT WILL BE PROVIDED BY US.
 - LEVEL OF BUILDING WILL BE KEPT 2% BELOW THE ROAD
 - WE SHALL NOT DEMAND ANY GAP IN VERGE IN FRONT OF BUILDING
 - THE MORTH INSTRUCTIONS SHALL NOT BE VIOLATED.
 - CERTIFIED THAT ALL MORTH CONDITIONS HAVE BEEN SPECIFIED.
 - CERTIFIED THAT WE WILL APPLY THE CASE FOR RENEWAL AS PER NORMS
 - WE WILL PAY THE NECESSARY RENT FOR THE USE OF ROAD LAND

- NOTES:**
- ORAL MARKINGS SHALL BE DONE AS PER DIRECTIONS OF PWD/MORTH AUTHORITY AS PER IRC-67.
 - ALL DIMENSION ARE IN METER/ MM UNLESS SPECIFIED.

SITE INFORMATION

PROPERTY ID-131C4U3(PWD WITH EQUAL LENGTH J 131 C0004U0003A)	
TOWN	JAGADHARI
TEHSIL	JAGADHARI
RAILWAY STATION	JAGADHARI
POLICE STATION	JAGADHARI
DISTRICT	YAMUNA NAGAR
STATE	HARYANA
RD	RD.+1.400 (RHS)
ROAD NAME/NO.	OLD CT ROAD
PIN CODE	135003

CLIENT

	INDIAN OIL CORPORATION LTD. MARKETING DIVISION PANIPAT DIVISIONAL OFFICE
--	--

SUBJECT LAYOUT & GENERAL DETAILS

LOCATION SITE/LAYOUT PLAN OF IOCL RETAIL OUTLET SITUATED AT BETWEEN JAGADHRI BUS STAND TO AGGARSEN CHOWK ON NH, RD.+1.400 (RHS) AT TOWN JAGADHRI TEH.& YAMUNA NAGAR HARYANA

PREPARED BY:

	DESIGNERS' ALCOVE ARCHITECTS • PLANNERS • ENGINEERS • INTERIORS 17-A, POCKET-2, SECTOR-6, DWARKA, NEW DELHI-75 PIL 011-4533451/25083451 • desi@designersalcove@gmail.com
--	---

SCALE:- NTS **DATE:-** 09-07-2020 **DRAWN BY:-** RANVEER

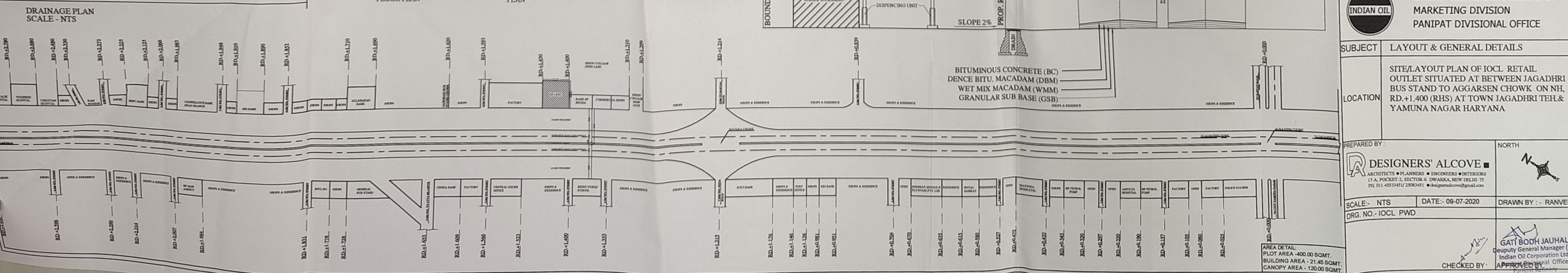
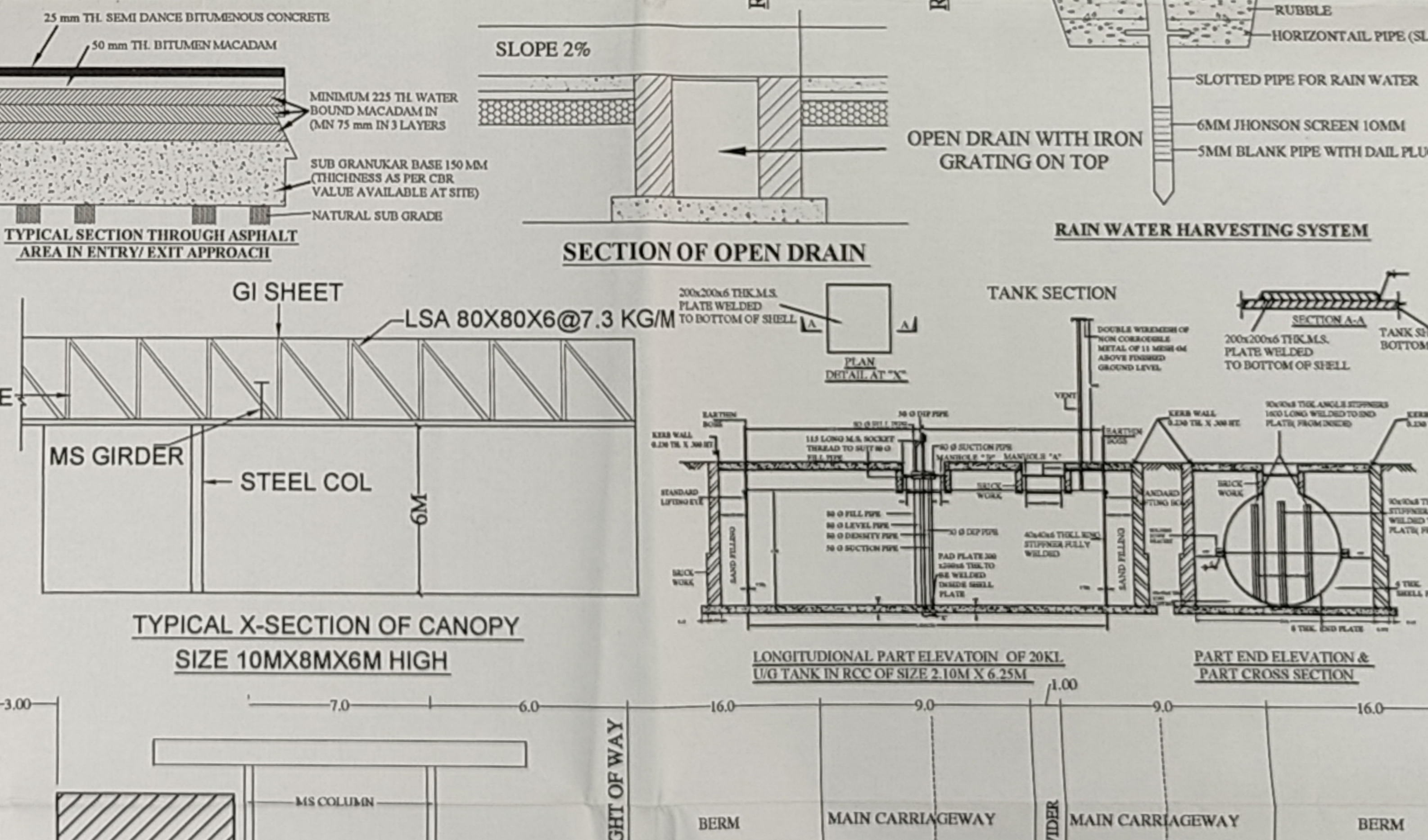
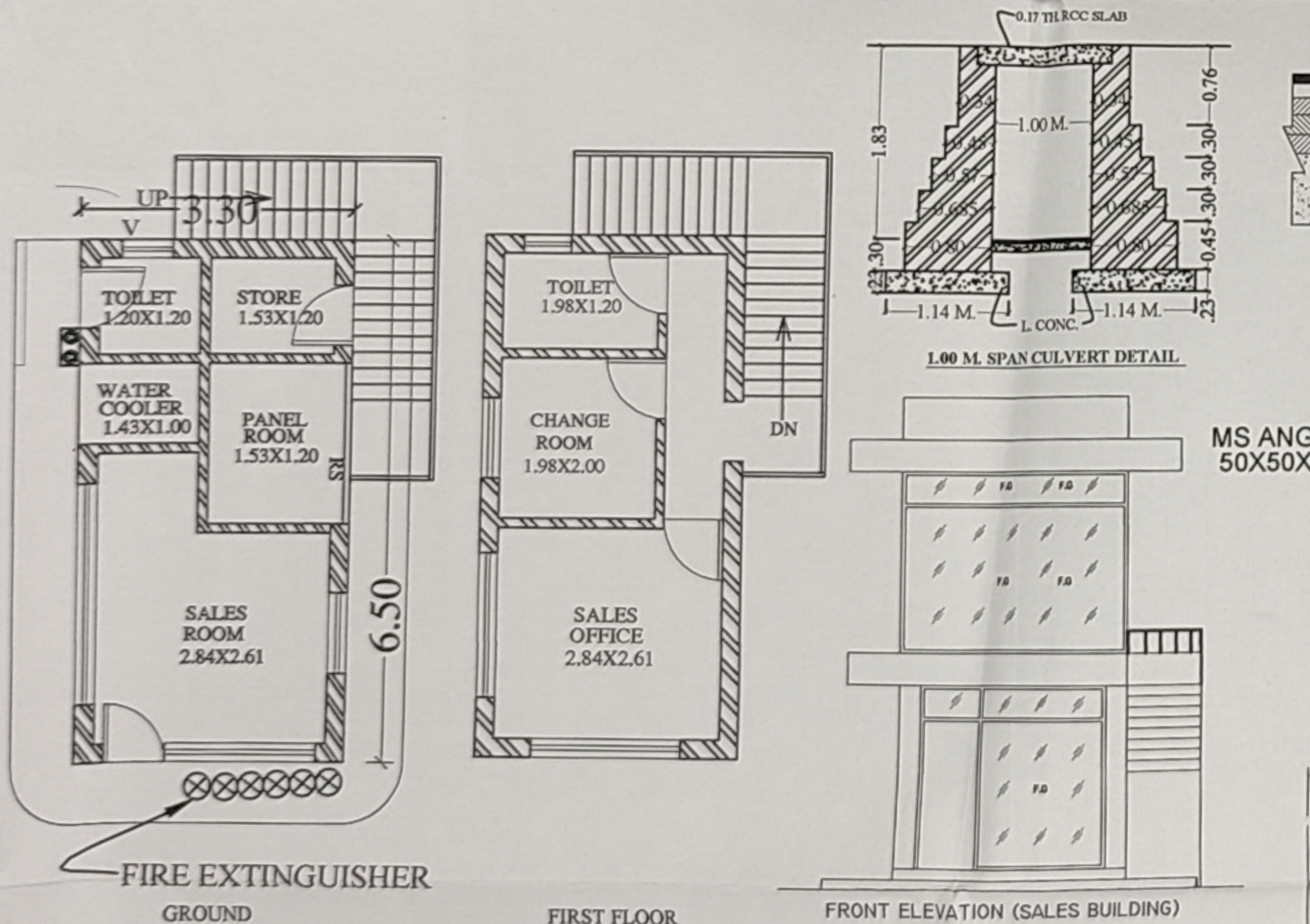
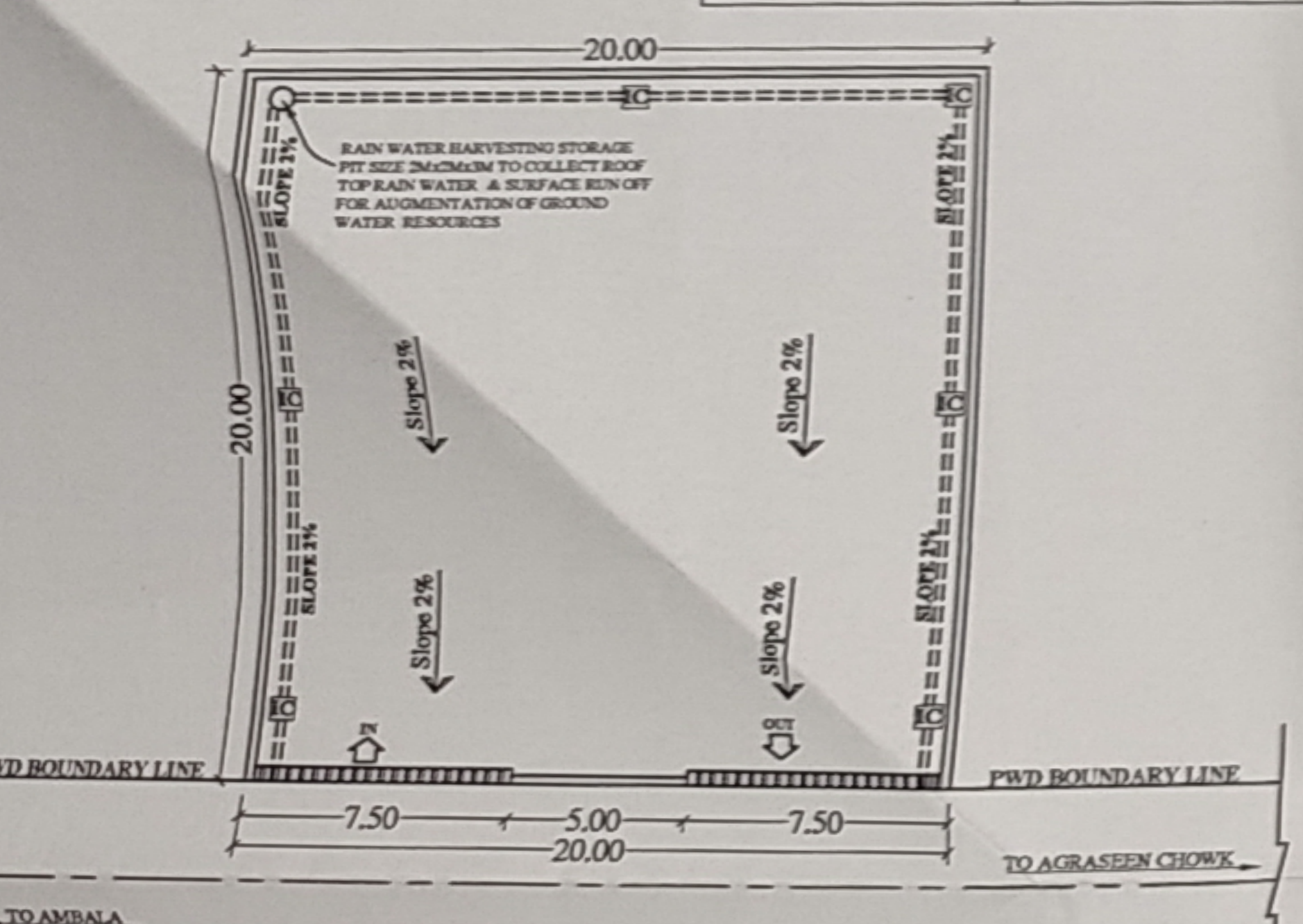
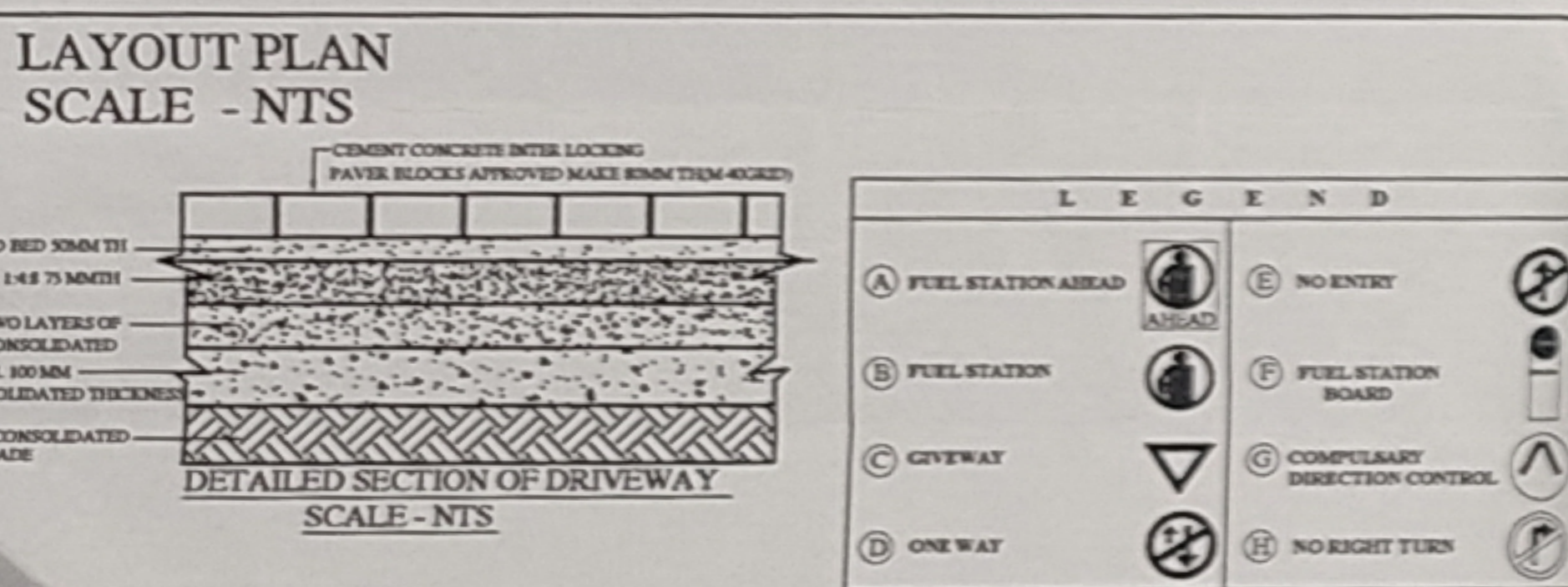
DRG. NO.- IOCL PWD

AREA DETAIL:
PLOT AREA - 400.00 SQMT.
BUILDING AREA - 21.45 SQMT.
CANOPY AREA - 120.00 SQMT.

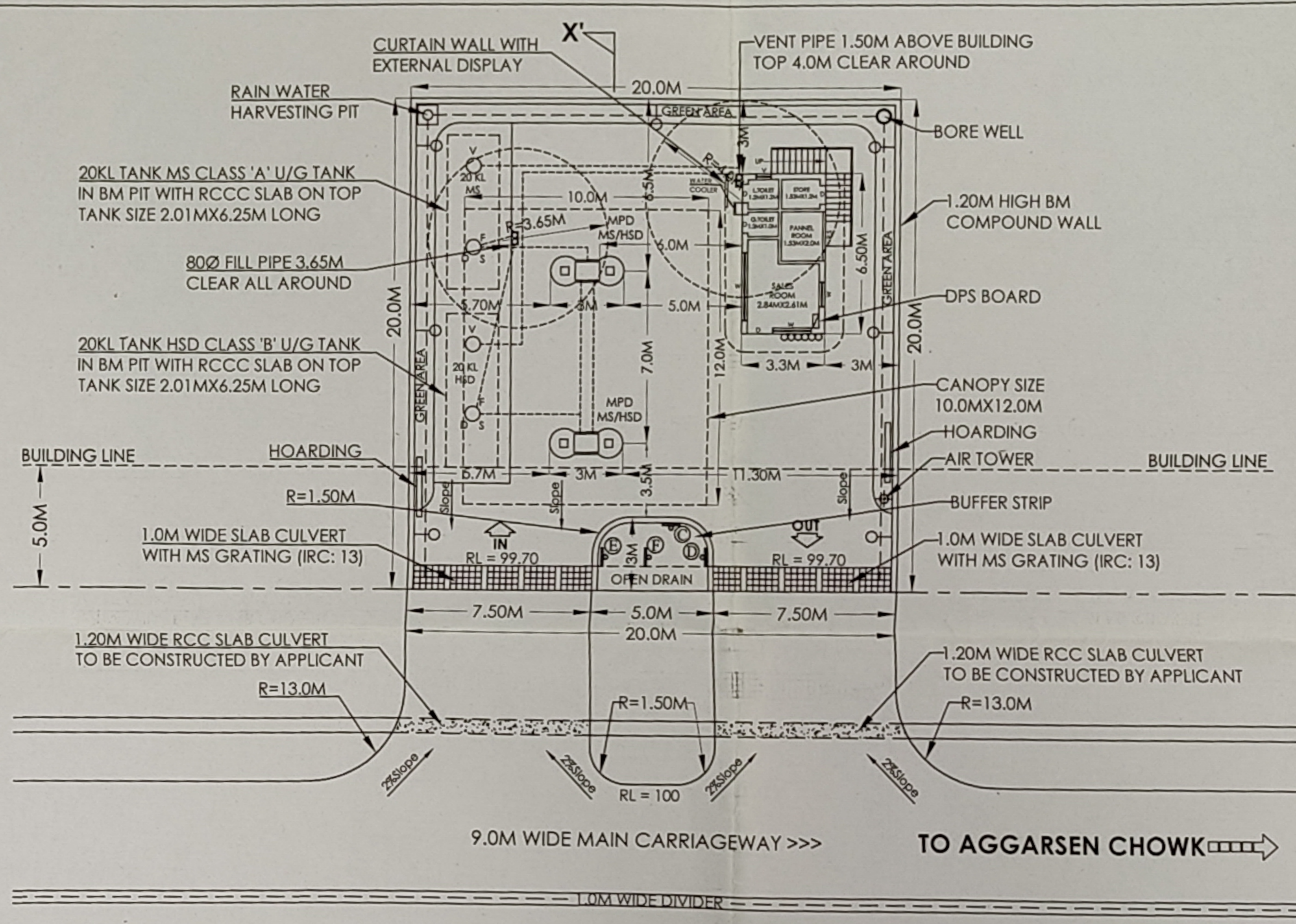
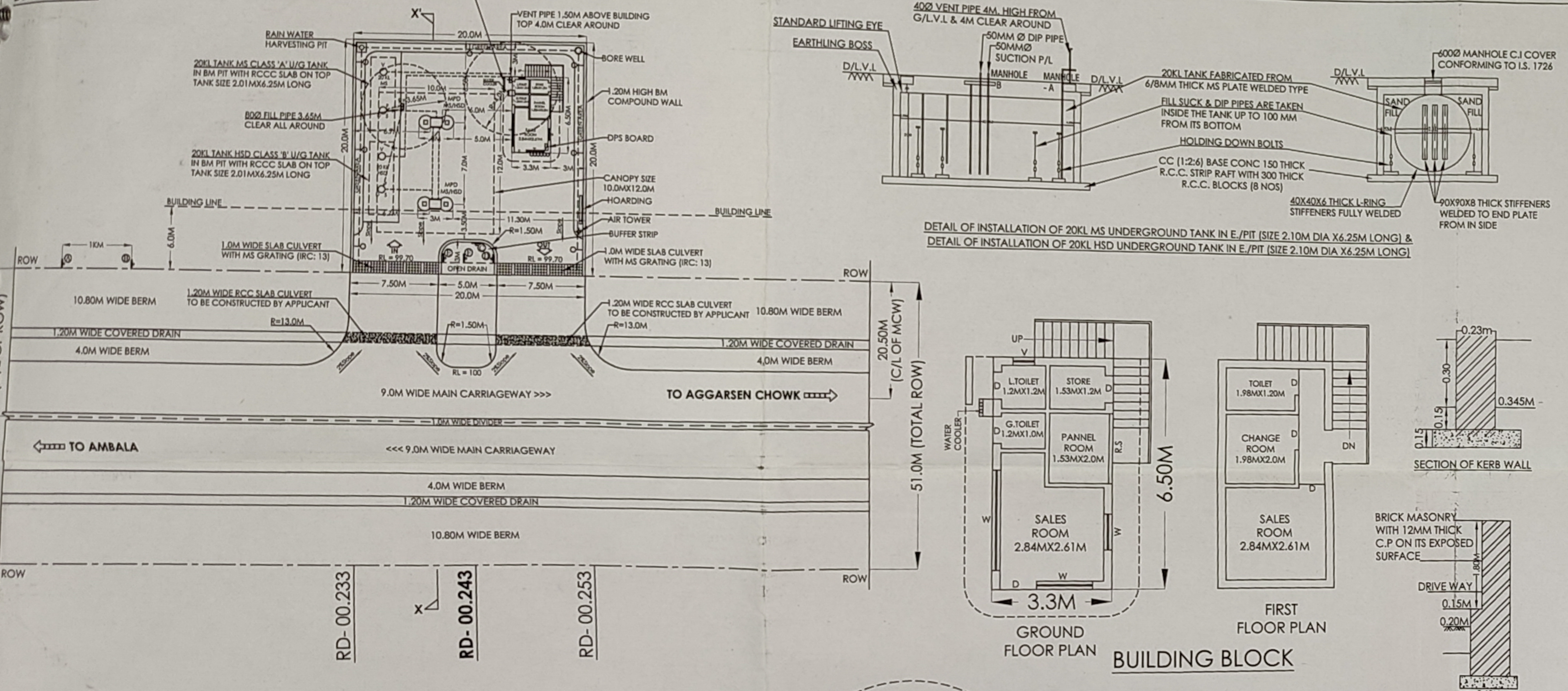
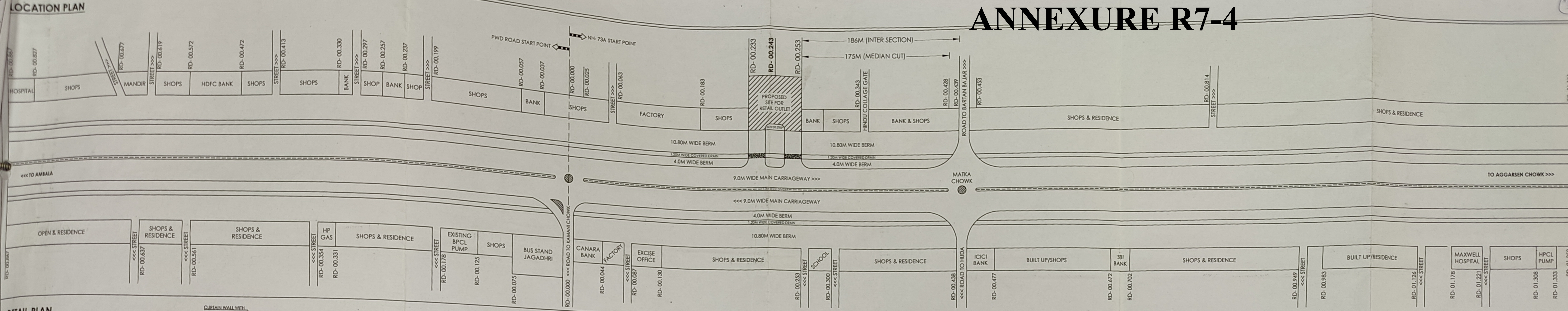
APPROVED BY:

CHECKED BY:

GATT BODH JAHAJAL
Deputy General Manager (RS)
Indian Oil Corporation Ltd.
Regional Office
Panipat-132140



ANNEXURE R7-4

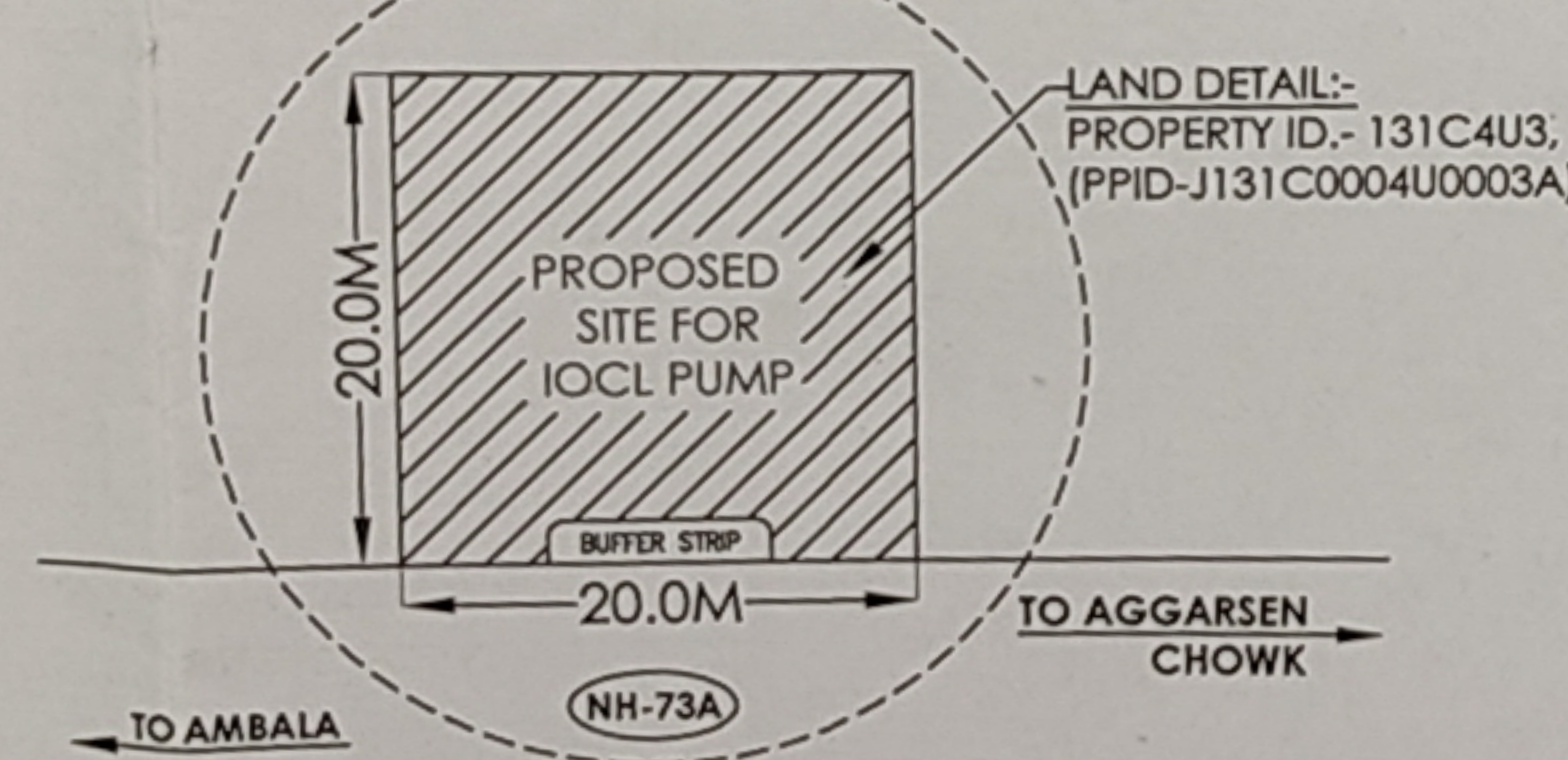
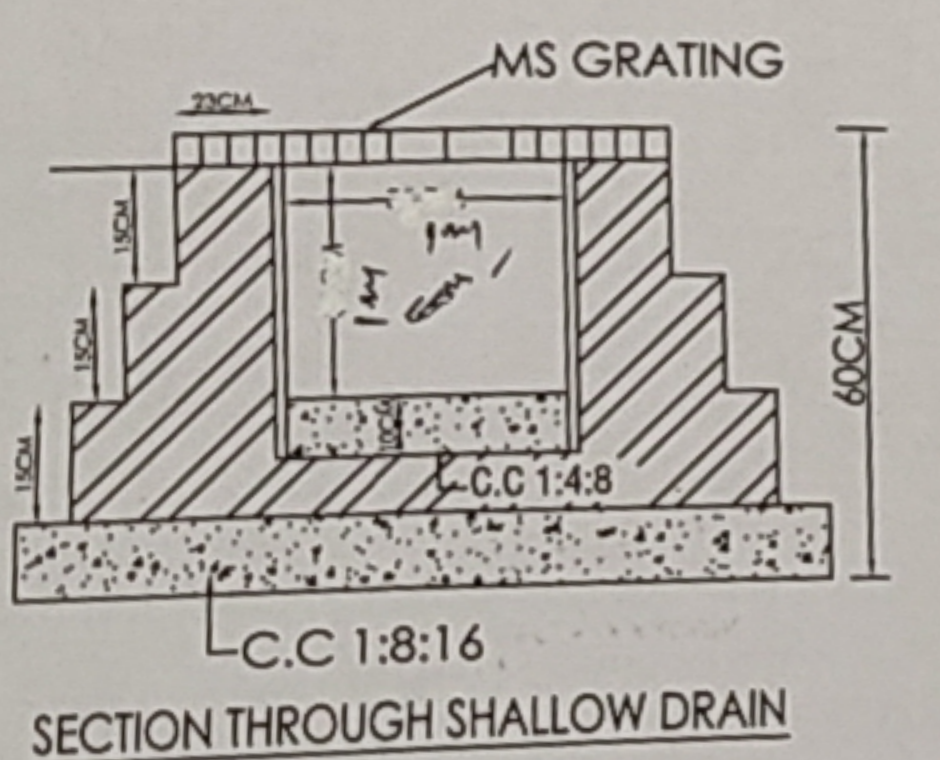
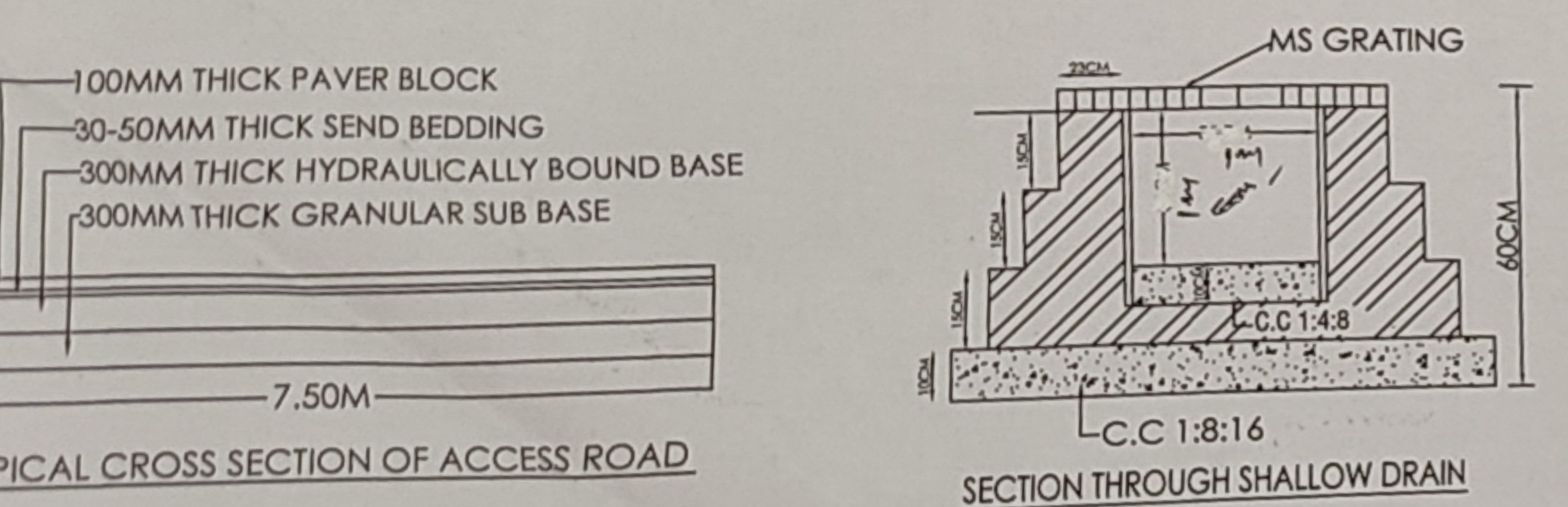


NOC CASE FOR PROPOSED RETAIL OUTLET OF M/S INDIAN OIL CORPORATION LIMITED ON NH- 73A (BETWEEN JAGADHRI BUS STAND TO AGGARSEN CHOWK ROAD) AT KM. 00.243 (LHS), IN VILLAGE - JAGADHRI, TEHSIL- JAGADHRI, DISTRICT- YAMUNANAGAR (HARYANA).

INDIAN OIL CORPORATION LIMITED

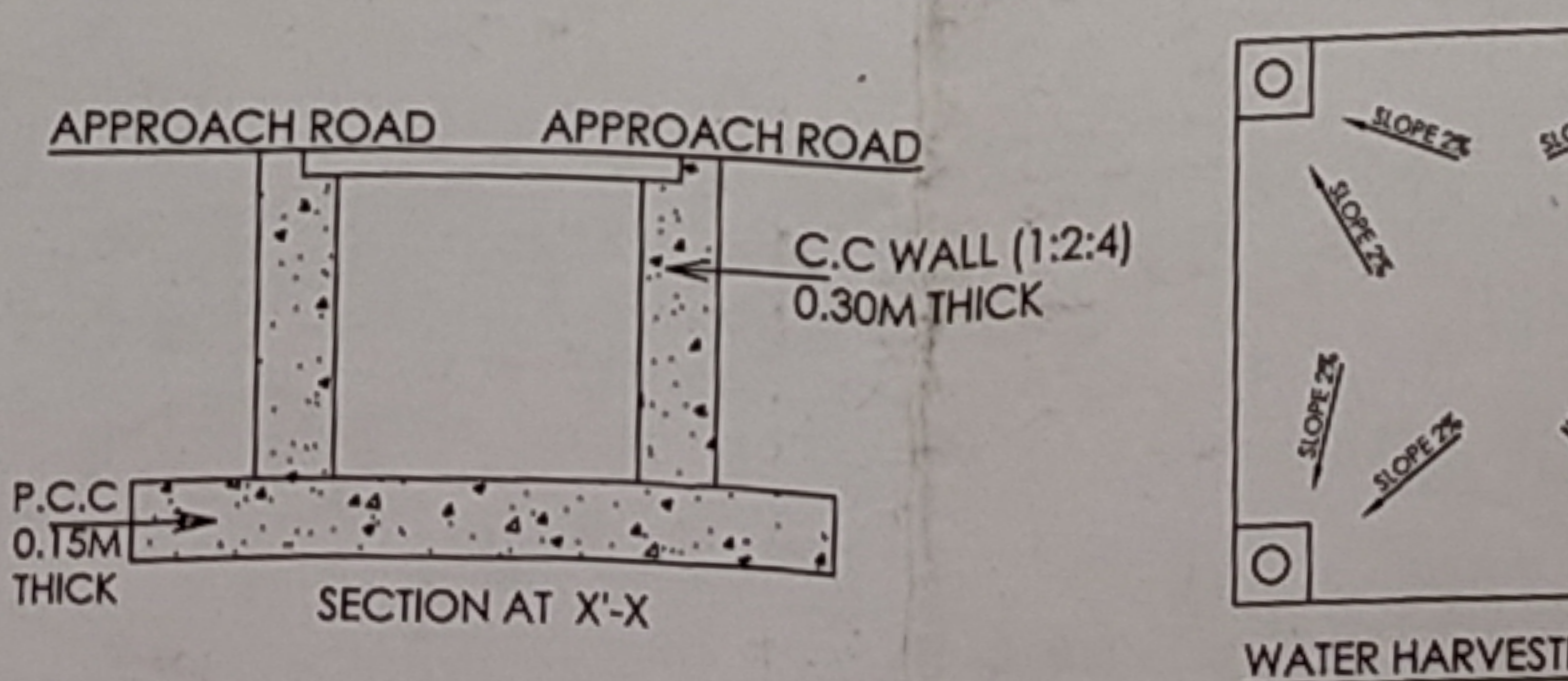
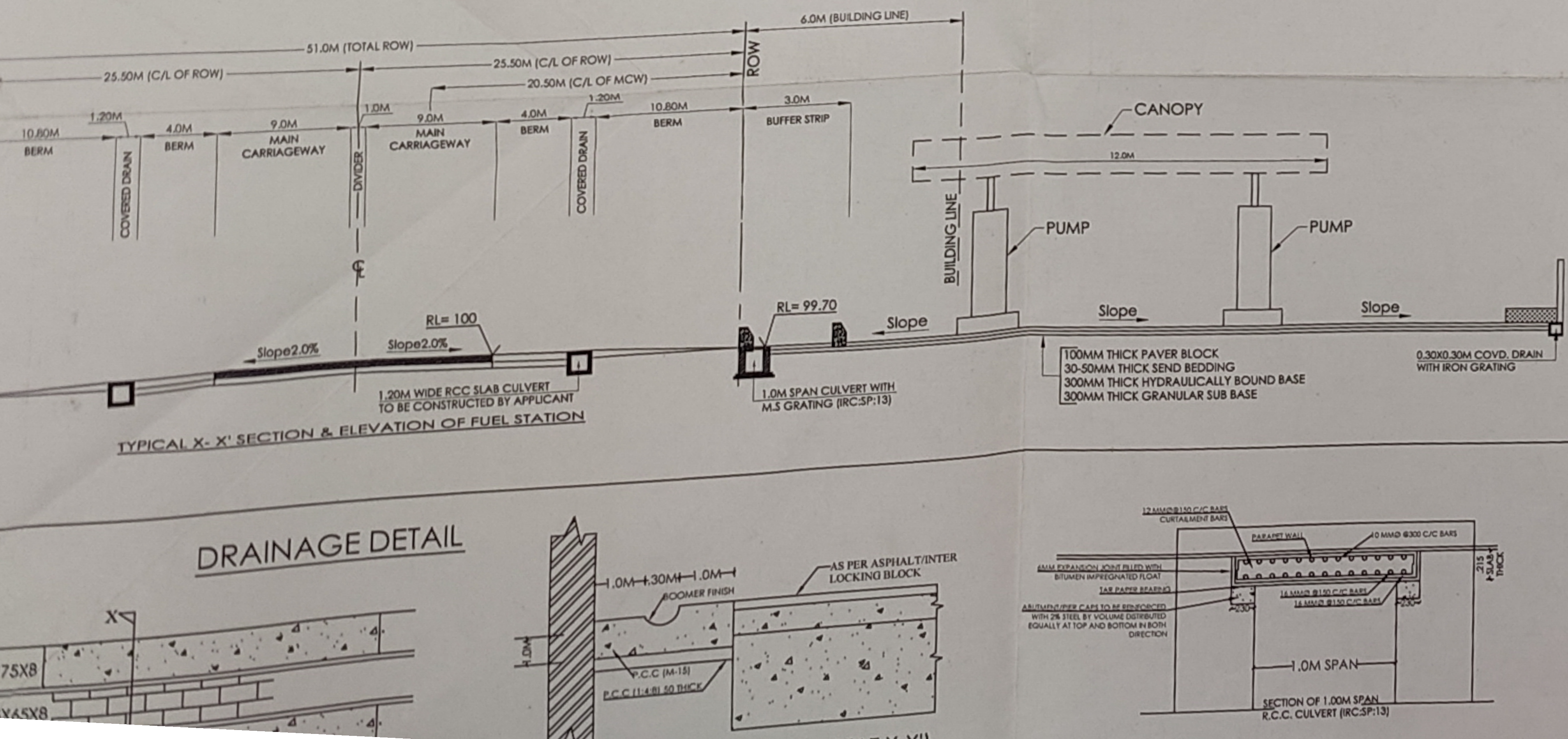
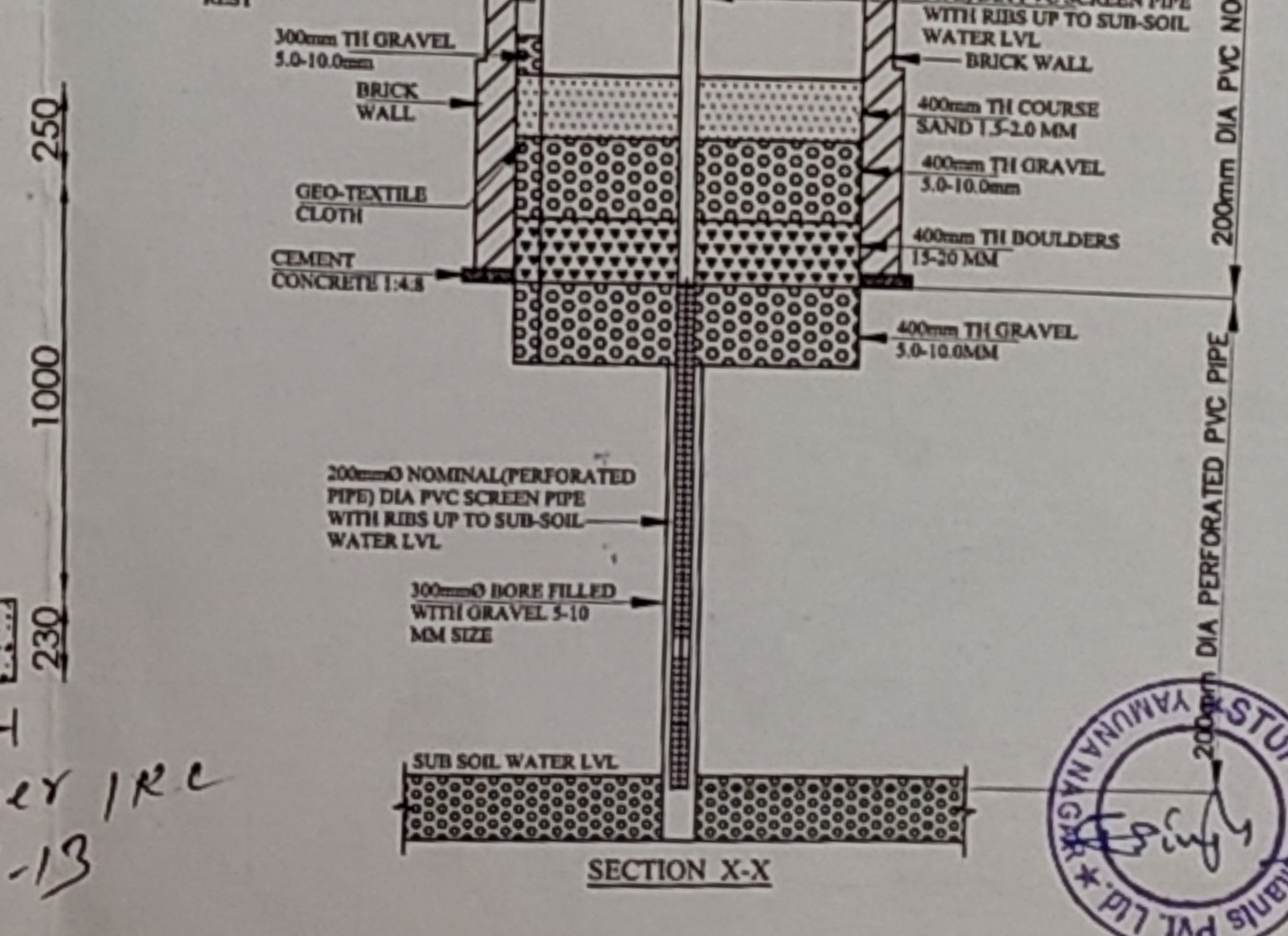
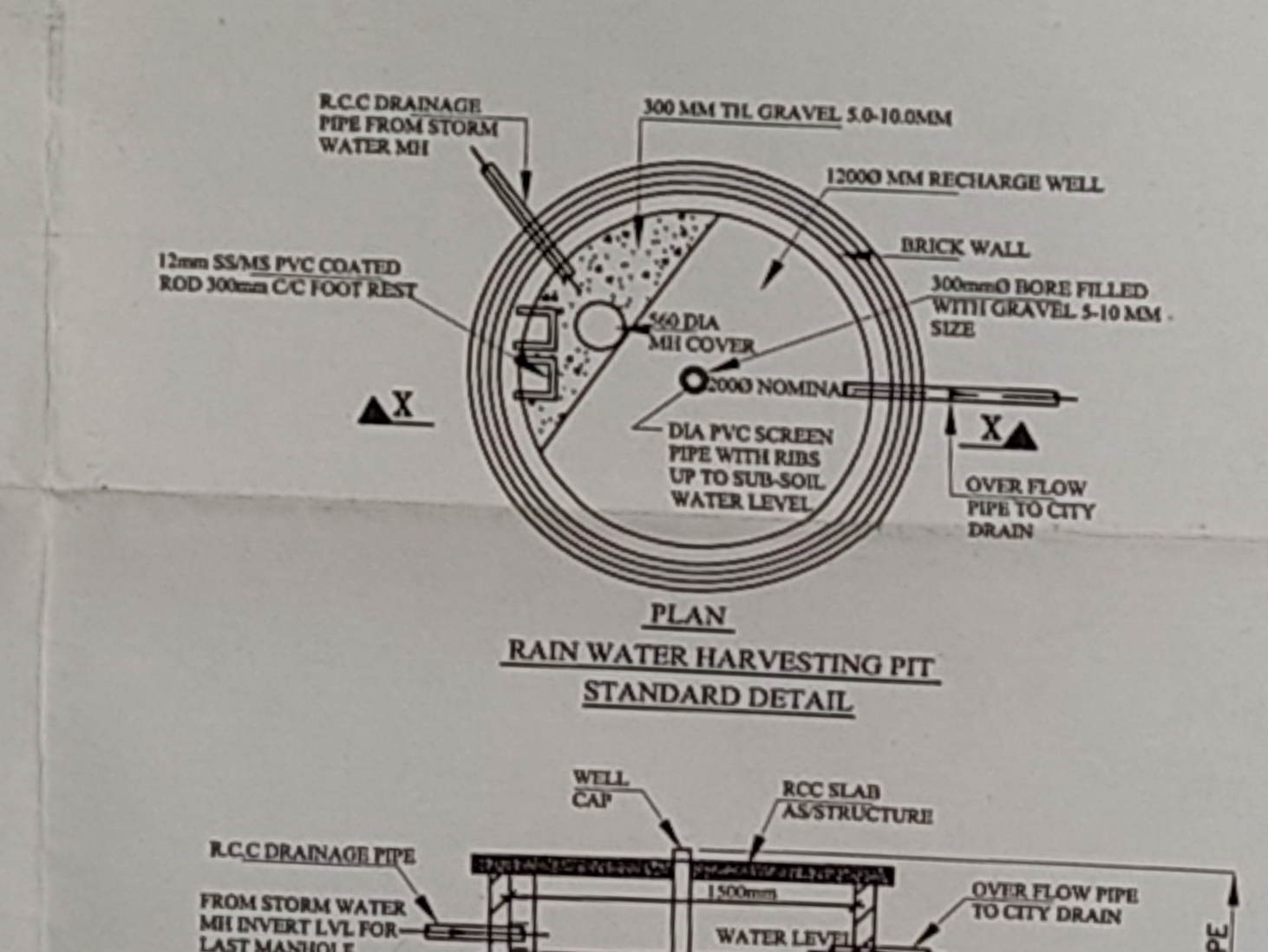
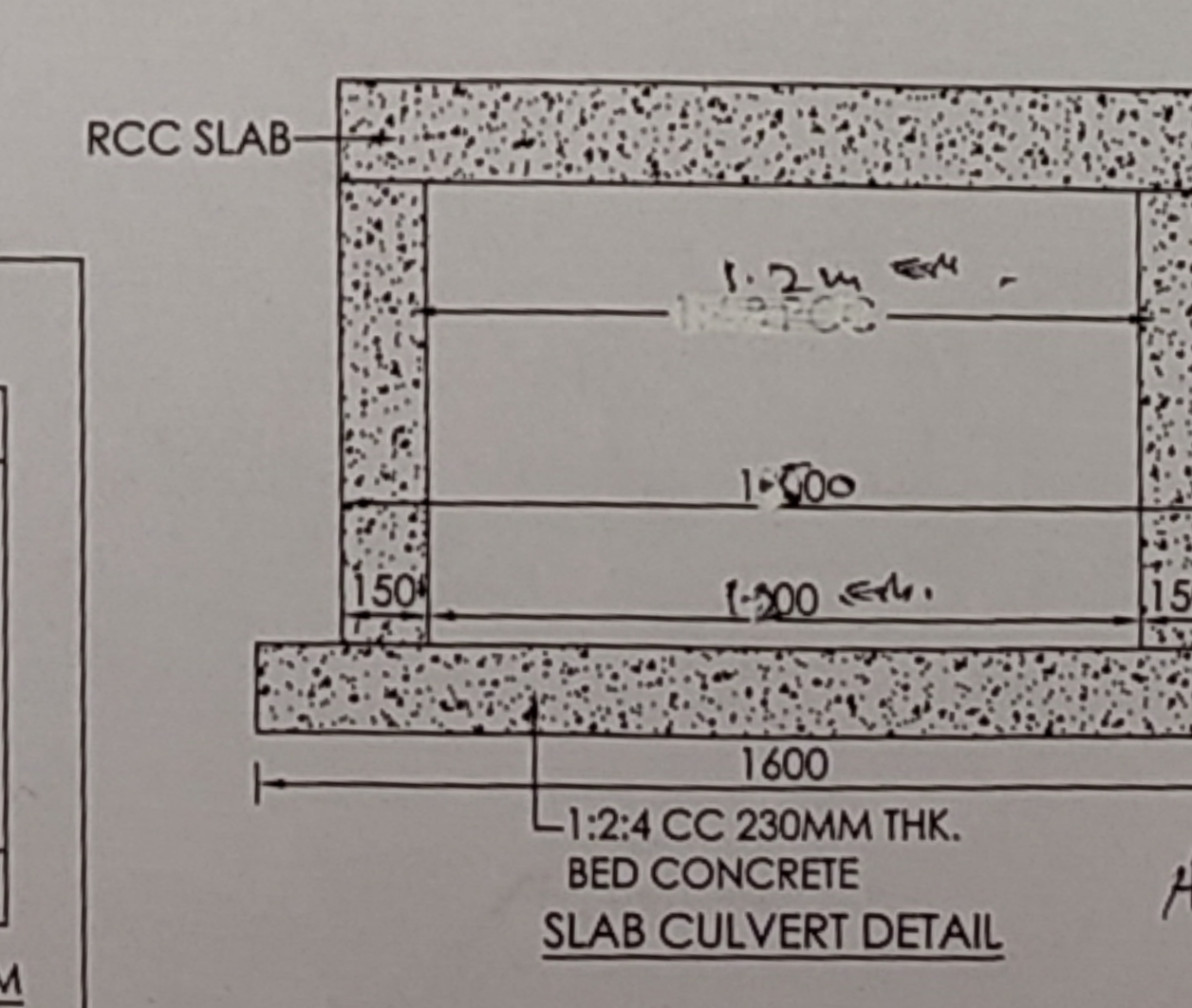
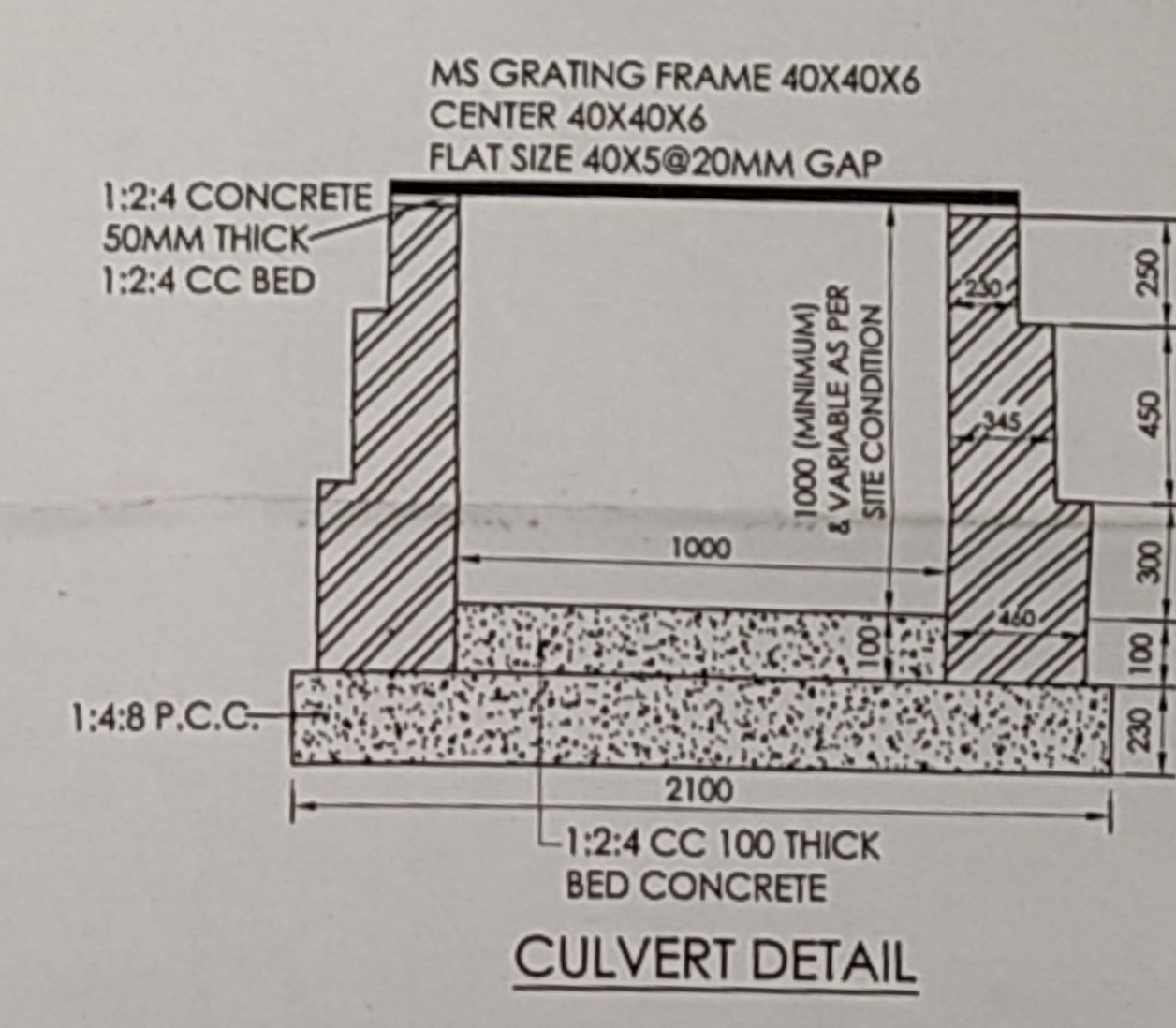
- HIGHWAY NOTES:-**
- (1) DRAWING AS PER THE MORTHSAH GUIDELINES (LETTER NO-RW/NH-33032/01/2017-5&R(R) DATED 24.06.2020).
 - (2) ALL PAVEMENT MARKINGS SHOULD BE AS PER IRC-35.
 - (3) ACCESS ROAD SHOULD HAVE MIN. PAVEMENT COMPOSITION OF 100MM THICK PAVER BLOCK, 30.50MM THICK SAND BEDDING, 300MM THICK HYDRAULICALLY BOUND BASE & 300MM THICK GRANULAR SUB BASE.
 - (4) ALL TRAFFIC SIGNS SHOULD BE AS PER IRC-47 & IRC-SP-55 IN CASE OF A FUEL STATION LOCATION ON THE OTHER SIDE OF TRAVEL DIRECTION THE USER SHOULD BE INFORMED OF THE LOCATION OF THE FUEL STATION IN HIS/HER DIRECTION OF TRAVEL THROUGH INFORMATION SIGN AS AT 'C' OF THE TABLE OF THIS DRAWING.
 - (5) THE LENGTH OF SEPARATOR ISLAND SHALL BE DETERMINED AS PER SITE CONDITION ITS MIN WIDTH SHOULD BE 3.0M.
 - (6) CULVERTS TO BE PROVIDED IN THE LINE OF STORM WATER DRAIN ON ENTRY & EXIT APPROACHES TO CATER TO THE EXPECTED DISCHARGE.

LAND DETAIL:- PROPERTY ID.- 131C4U3, (PPID-J131C0004U0003A)



Date	25-Mar.-2021
Drg. No.-	S1 of S1
Scale	N.T.S
Drg. By	S.Verma

SIGNAGES:-		
(A) FUEL STATION AHEAD	(D) NO ENTRY	(F) PUBLIC FACILITY
(B) FUEL STATION	(E) FUEL STATION BOARD	
(C) NO RIGHT TURN		



GSP INFRA & TRADING CONSULTANTS PVT. LTD. MOB. 09215563375 Email-sondeepverma131181@gmail.com

APPLICANT:- CHIRAG MITTAL Dy. Manager (Tech) National Highway Authority of India Regional Office Chandigarh. APPROVED BY: District Magistrate Yamuna Nagar.

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

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



भारत सरकार

GOVERNMENT OF INDIA

पेट्रोलियम तथा विस्फोटक सुरक्षा संगठन

Petroleum and Explosives Safety Organisation

(पूर्व नाम - विस्फोटक विभाग)

(Formerly- Department of Explosives)

"ए-ब्लॉक ५, पाँचवा तल, केन्द्रीय कार्यालय परिसर,

"A" Block, 5th Floor, CGO Complex,

सेमिनरी हिल्स, नागपूर - 440 006 (महा)

Seminary Hills, Nagpur- 440006

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

दिनांक/ dated 09/09/2024

C I R C U L A R

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

As per CPCB guidelines dated 07.01.2020 for setting up of new petrol pumps, new retail outlets shall not be located within the radial distance of 50 meters (from fill point/ dispensing units/ vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential area designated as per local laws. In case of constraints in providing 50 meters distance, the retail outlet shall implement additional safety measures as prescribed by PESO. In no case the distance between new retail outlet from school, hospitals (10 beds and above) and residential area designated as per local laws shall be less than 30 meters.

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

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

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

Encl : As above

Yours faithfully,



(P.Kumar)

Chief Controller of Explosives

To

All Stake holders for Petroleum Service Stations.

Copy to:

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

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

Udyog Bhawan, New Delhi-110011
Dated: 7th August, 2024

OFFICE MEMORANDUM

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

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

2. This issues with the approval of competent authority.

Encl: As above

[Handwritten Signature]

(Pritam Kumar)

Under Secretary to the Govt. of India

Tel: 011-23063148

Email ID: pritam.k@gov.in

To,

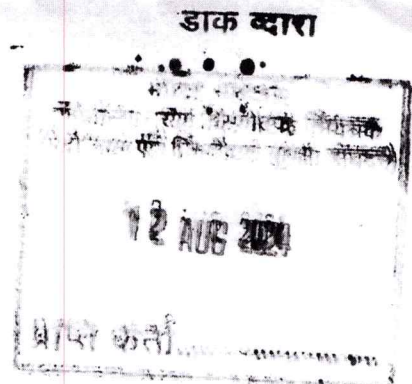
1. The Secretary, Ministry of Petroleum and Natural Gas
- ✓ 2. Shri P. Kumar, CCE, PESO
3. The Chairman, Central Pollution Control Board

Copy to,

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

Mail may be sent alongwith proceedings in support site for compliance.

[Handwritten Signature]
14/8/24



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

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

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

Safety Measures and views of the participants thereto : -

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



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

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

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

It was also decided: -

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

The meeting concluded with a vote of thanks.



Annexure-I

- 2 -

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

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

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

Annexure – II**List of Participants**

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

Speed Post
119
ANNEXURE R7-6

29

EQ-11099/25/2021-AQM-HO-CPCB-HO

1830-1879

June 16, 2023


OFFICE MEMORANDUM

Sub: Guidelines for setting up of new petrol pumps issued by CPCB- reg.

The Hon'ble Supreme Court of India vide order dated 14.03.2023 in Civil appeal no. 421 of 2022: M/s Indian Oil Corporation Limited v/s V.B.R. Menon & Others, with Civil appeal no. 494 of 2022, Civil appeal no. 1695 of 2022, Civil appeal no. 2039 of 2022, Civil appeal no. 1758 of 2022 and Civil appeal no. 1912 of 2022 directed CPCB to instruct all the State Pollution Control Boards to ensure that the guidelines issued by it vide the Office Memorandum dated 07.01.2020 are strictly adhered to. If there is breach of any of the guidelines issued by the CPCB vide Office Memorandum dated 07.01.2020, then the concerned State Pollution Control Board shall proceed against the erring outlet in accordance with law at the earliest. Copy of the order of the Hon'ble Supreme Court is enclosed herewith.

Accordingly, all SPCBs and PCCs are directed to ensure that CPCB guidelines for setting up of new petrol pumps issued vide Office Memorandum dated 07.01.2020 and addendum dated 16.08.2021 are strictly adhered to. In case of violation of these guidelines, concerned SPCB/PCC shall take action against the erring outlet as per law.

o/c
(45)


(P.K. Gupta)

**Scientist 'F' and Head
Air Quality Management Division**

Encl: As above

To:

All SPCBs and PCCs (as per list enclosed)

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
निर्गत
दिनांक 21/6/2023



120

30

FIR NO
U/S.....
P.S.....

IN THE COURT OF HON'BLE NATIONAL GREEN TRIBUNAL
Suit /Appeal No /CWP PRINCIPAL BENCH, NEW DELHI JURISDICTION of 20

In re: ORIGINAL APPLICATION NO. 408/2023
HARVINDER SINGH .. Pltff/Appllt/Petitioner/Complainant

VER S US

STATE OF HARYANA & ORS. Defendant/Respondent/Accused

KNOW ALL to whom these present shall come that I/We

the above named .. do hereby appoint



DIVYE CHUGH AND ASSOCIATES

Office: E-56 Basement, Lajpat Nagar II, New Delhi 110024
Tel: +91 9971920913
Email: cli111@il.dl, c.o.:11wil.cl111

DIVYE CHUGH- D/965/2008, MANISH SHARMA D-864/2011. AJAY MISHRA UP-3805/14, PREENA KASHYAP- D/9350/2021, SHAILESH CHAUHAN D/7531/2021

(herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him:-

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 execution 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

To file 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 that may arise touching or in any manner relating to the said case

To take execution proceedings

To deposit, draw and receive money, cheques, cash and grant receipts thereof 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 it 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 purposes

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates 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 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 fee is paid, I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereon.

IN WITNESS WHEREOF I (the undersigned) do hereby present the contents of which have been understood

Accepted subject to the terms of fees

Advocate

SHAILESH CHAUHAN
D/7531/2021

Manish Sharma
D/864/2011

Divye Chugh
D/965/2008

Prashant Singh Client
मुख्य प्रबन्धक (रिटेल सेल्स)
इंडियन ऑयल कॉर्पोरेशन लि.
पानीपत मण्डल कार्यालय
पानीपत मार्केटिंग कॉम्प्लेक्स
रिफाइनरी रोड, पानीपत, हरियाणा-132140

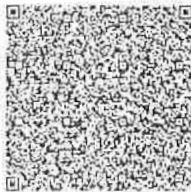


INDIA NON JUDICIAL

Government of National Capital Territory of Delhi

e-Stamp

Certificate No.	: IN-DL73814493629039W
Certificate Issued Date	: 15-Apr-2024 12:28 PM
Account Reference	: IMPACC (IV)/ dl859003/ DELHI/ DL-DLH
Unique Doc. Reference	: SUBIN-DL85900306438598632617W
Purchased by	: INDIAN OIL CORPORATION LIMITED
Description of Document	: Article 48(c) Power of attorney - GPA
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0 (Zero)
First Party	: INDIAN OIL CORPORATION LIMITED
Second Party	: Not Applicable
Stamp Duty Paid By	: INDIAN OIL CORPORATION LIMITED
Stamp Duty Amount(Rs.)	: 50 (Fifty only)



POWER OF ATTORNEY

TO ALL TO WHOM these present shall come, I, **Manoj Kumar Gupta, Executive Director & State Head, Delhi & Haryana State Office, Indian Oil Corporation Ltd., Marketing Division, New Delhi-110001** send greetings:-

Contd... 2/-

Manoj Kumar Gupta

मनोज कुमार गुप्ता / MANOJ KUMAR GUPTA
 कार्यकारी निदेशक एवं राज्य प्रमुख
 Executive Director & State Head
 इंडियन ऑयल कॉर्पोरेशन लि. (वि.प्र.)
 Indian Oil Corporation Ltd. (M.D.)
 दिल्ली एवं हरियाणा राज्य कार्यालय
 Delhi & Haryana State Office
 नए दिल्ली / New Delhi



- 2 -

WHEREAS I, **Manoj Kumar Gupta**, am the constituted General attorney of the Indian Oil Corporation Ltd. by virtue of the power of attorney executed in my favour on 18/05/2023.



AND WHEREAS by virtue of the said General Power of Attorney, I have been authorised to execute agreements deeds etc. on behalf of the said Corporation and also to represent the said Corporation in all judicial proceedings instituted by or against the said Corporation and also to commence and prosecute all actions, suits, claims etc. for and on behalf of the said Corporation.

AND WHEREAS by the said Power of Attorney, I am competent to sub-delegate any of the powers given to me to any officer(s), representative(s) of the said Corporation.

AND WHEREAS in view of the powers given to me to appoint a substitute or substitutes and of delegating and/or sub-delegating any one or more of the various powers and authorities conferred on me, the said **Manoj Kumar Gupta, Executive Director & State Head, Delhi & Haryana State office, New Delhi** and duly Constituted Attorney of the Corporation, appoint **Shri Prashant Singh, Chief Manager (Retail Sales), Panipat Divisional Office, Indian Oil Corporation Ltd. (M/D)** as my attorney and as the attorney of the said Corporation.

NOW FROM YE AND THESE PRESENTS WITNESS that in pursuance of the power of sub-delegation and substitution given to me by virtue of the hereinbefore recited General Power of Attorney dated 18/05/2023, I, **Manoj Kumar Gupta, Executive Director & State Head, Delhi & Haryana State office, New Delhi** and duly appointed Constituted Attorney of the Corporation, do hereby nominate, appoint and constitute the said **Shri Prashant Singh, Chief Manager (Retail Sales), Panipat Divisional Office, Indian Oil Corporation Ltd., (M.D.)**, as the attorney of the said Corporation with full powers and authorities in my name and/or in the name of and for and on behalf of the Corporation to exercise the following powers and authorities and to do the following acts, deeds, matters and things or any of them i.e. :-

1. To sign and execute lease agreements/sub-lease agreements/ licence deeds for land for retail outlets and SKO sites and sale/distribution of other petroleum products with Govt., Semi-Govt. and private parties on behalf of the Corporation.
2. To present the documents for registration, if required by law, before the competent Registrar or Sub-registrar at the appropriate place or places to get the same duly registered.
3. To apply for and appear before various authorities with regard to change of land use and for arranging applying NOC and file & execute all connected documents/deeds/papers in regard to the same.
4. To sign, verify, declare and execute written statements, counter-claims, petitions, appeals, review application, affidavits and papers of every description that may be necessary to be signed, verified and executed for the purpose of any suit, actions, appeals, reviews, legal applications, criminal and civil proceedings of any kind whatsoever in any court of law or justice whether original, appellate or revisional jurisdiction.

Contd....3

Manoj Kumar Gupta
 मनोज कुमार गुप्ता / MANOJ KUMAR GUPTA
 कार्यकारी निदेशक एवं राज्य प्रमुख
 Executive Director & State Head
 इंडियन ऑयल कॉर्पोरेशन लि. (वि.प्र.)
 Indian Oil Corporation Ltd. (M.D.)
 दिल्ली एवं हरियाणा राज्य कार्यालय
 Delhi & Haryana State Office
 नई दिल्ली / New Delhi



5. To institute, defend, prosecute, conduct any legal or other proceedings, claim or dispute by or against the Corporation in which the Corporation may be concerned or interested.
6. To commence, institute, file carry or continue, prosecute, defend or oppose all actions, suits, writs, objections or other legal proceedings and to appear in any court of law in any actions or other proceedings which may be instituted against the Corporation.
7. To appoint advocate or advocates in the proceedings aforesaid.
8. AND generally to make to do all acts, deeds, matters and the things on behalf of the Corporation as may be necessary and incidental to the powers hereinabove mentioned.

AND IT IS FURTHER hereby declared that the fact of the said, **Manoj Kumar Gupta** at any time and times hereafter himself performing or doing all or any of the acts, matters, deeds or things hereinbefore mentioned shall not be deemed to revoke, cancel or otherwise prejudice any of the powers or authorities conferred by these presents.


AND I, the said **Executive Director & State Head, Delhi & Haryana State office, New Delhi**, do hereby agree to allow, ratify and confirm all and whatsoever the said **Shri Prashant Singh, Chief Manager (Retail Sales), Panipat Divisional Office**, Indian Oil Corporation Ltd., (M.D.), shall or may lawfully do or cause to be done in or about the premises by virtue of these presents.

AND I, the said **Executive Director & State Head, Delhi & Haryana State office, New Delhi** of the Corporation hereby lastly declare that unless previously revoked by me or by the Corporation these presents shall remain in force till the date of retirement or transfer or vacation of office by said **Shri Prashant Singh, Chief Manager (Retail Sales), Panipat Divisional Office**, Indian Oil Corporation Ltd., (M.D.), whichever is earlier.

IN WITNESS THEREOF THE **Executive Director & State Head Delhi & Haryana State office, New Delhi** HAS HEREUNTO SET AND SUBSCRIBED HIS HAND AT NEW DELHI ON THIS ____ DAY OF **MAY, 2024**.

EXECUTED BY THE WITHIN
NAMED **Executive Director & State Head, Delhi & Haryana State office, New Delhi**
FOR AND ON BEHALF OF THE
INDIAN OIL CORPORATION LTD. IN THE PRESENCE OF :

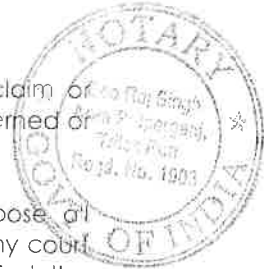

1. (Sonia Sahijwani Saini)
Manager (Law)
Indian Oil Corporation Ltd.
Delhi & Haryana State Office,
World Trade Centre, New Delhi.


2. (Devinder Kumar)
Personal Assistant, Law Deptt.,
Indian Oil Corporation Ltd.,
Delhi & Haryana State Office,
World Trade Centre, New Delhi.


मनोज कुमार गुप्ता / MANOJ KUMAR GUPTA
कार्यकारी निदेशक एवं राज्य प्रमुख
Executive Director & State Head
इंडियन ऑयल कॉर्पोरेशन लि. (वि.प्र.)
Indian Oil Corporation Ltd. (M.D.)
दिल्ली एवं हरियाणा राज्य कार्यालय
Delhi & Haryana State Office
नई दिल्ली / New Delhi

ATTESTED

NOTARY PUBLIC
DELHI (INDIA)
07 MAY 2024





+91 94163 58308 124



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Today

🔒 Messages and calls are end-to-end encrypted. No one outside of this chat, not even WhatsApp, can read or listen to them. Tap to learn more.

Dear Sir,
Please find attached the reply filed on behalf of Respondent 7[IOCL] in Harvinder Singh Vs State of Haryana and ors. [O.A.408/2023].

Kindly consider this as service. If you require this document on any email kindly message the same and the reply will also be sent on such email.

Regards

Manish Sharma
Advocate for Resp 7 [IOCL]

10:38 pm ✓✓

1

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 408/2023



Harvinder Singh - Reply IOCL Final.pdf

33 pages · 24 MB · PDF

Harvinder Singh - Reply IOCL Final.pdf

10:38 pm ✓✓

Found 1 contact card for this number. Add to your contacts?



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Message

