

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

**ORIGINAL APPLICATION NO.408 OF 2023**

**IN THE MATTER OF:**

Harvinder Singh

...Applicant

Versus

State of Haryana & Ors.

...Respondents

**INDEX**

**NDOH: 02.07.2025**

S. NO.	PARTICULARS	PAGE NOS.
1.	Reply on behalf of Respondent No.8/ Ministry of Road Transport and Highways along with affidavit.	1-12
2.	<b>Annexure R-8/1</b> True copy of the Order dated 18.01.2019 passed by the Hon'ble Tribunal in OA bearing no.86/2019	13-14
3.	<b>Annexure R-8/2</b> True copy of order dated 30.05.2025 passed by the Hon'ble Tribunal	15-19
4.	<b>Annexure R-8/3</b> True copy of letter dated 08.08.2023	20
5.	Proof of service.	21

**THROUGH**

**RESPONDENT NO.8**

*Maalvi Swete*

**Singhania & Partners LLP  
Solicitors & Advocates  
P-24, Green Park Extension  
New Delhi-110016**

**Dated: 28.06.2025  
Place: New Delhi**

BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO.408 OF 2023

**IN THE MATTER OF:**

Harvinder Singh

...Applicant

Versus

State of Haryana & Ors.

...Respondents

**REPLY ON BEHALF OF RESPONDENT NO.8/ MINISTRY OF ROAD  
TRANSPORT AND HIGHWAYS**

**MOST RESPECTFULLY SHOWETH:**

1. The present reply is being filed by the Answering Respondent/Ministry of Road Transport and Highways (“MoRTH”) in compliance with the Order dated 30.05.2025 passed by the Hon’ble Tribunal. The Hon’ble Tribunal vide Order dated 30.05.2025 has observed as under:

“8. *We have also noticed that as per notification no. RW/NH/33032/0112017/S&R (R) dated 28.01.2021 Ministry of Road Transport and Highways (MoRTH) amended minimum plot size for establishment of new petrol pump as 20 m x 20 m instead of 30 m x 30 m for urban areas. IOCL also issued policy circular no. 176-09/2010 dated 17.09.2010 fixing plot size for establishment of new petrol pump as 20 m x 20 m for KSKs allowing smaller plots in accordance with guidelines issued by MoRTH. IOCL issued advertisement of 2018 mentioning the plot size as 20 m x 20 m for appointment of Retail Outlet Dealership for Haryana.*

9. *Prima facie, it appears that plot size of 20 m x 20 m for establishment of new petrol pump has been fixed by notification issued by MoRTH and policy circular and advertisement issued by IOCL without taking into consideration order dated 18.01.2019 passed by this Tribunal in O.A. No. 86/2019 and also Guideline “H. Siting Criteria of Retail Outlets” of Guidelines dated*

07.01.2020 issued by CPCB which by necessary implication require minimum plot size of 30 m x 30 m and questions of the notification issued by MoRTH and policy circular and advertisement issued by IOCL being violative of the order dated 18.01.2019 passed by this Tribunal in O.A. No. 86/2019 and CPCB Guidelines dated 07.01.2020 arise in the present case.

10. *In these facts and circumstances, presence of MoRTH and IOCL before this Tribunal is essential for just and proper adjudication of the substantial environmental questions involved in the case as the question of validity of notification/policy fixing the plot size of 20 m X 20 m issued by MoRTH and IOCL cannot be decided without granting opportunity of being heard to them in compliance with the principles of natural justice.*

14. *MoRTH is impleaded as respondent no.8. The Registry is directed to amend the memo of parties and to issue notice to newly added respondent no.8 requiring it to file its response with respect to the aspects noticed herein above at least three days before the next date of hearing fixe with advance copies to the applicant and Counsels for other respondents."*

2. The brief factual background of the matter is as under-

2.1. On 24.07.2013 (Annexure-R7/11, Pg.252-264), the Answering Respondent issued guidelines/norms for access permission to Fuel Stations, Private Properties, Rest Area Complexes and such other facilities along the National Highways. As per Clause 5.2 (Pg.259) of the said Guidelines, the minimum size of the plot for fuel stations in the urban stretches along the National Highways were 20 m x 20 m i.e. 20 m front and 20 m depth.

2.2. In the year 2019, Sh. Gyanprakash @ Pappu Singh filed an Original Application ("OA") bearing no.86/2019 titled as *Gyanprakash @ Pappu Singh vs. Union of India & Ors.* before the Hon'ble Tribunal seeking to limit the number of petrol pumps so as to avoid adverse impact on the environment.

- 2.3. On 18.01.2019, the Hon'ble Tribunal in the OA bearing no.86/2019 observed as under:

*"We are of the view that the matter needs to be looked into by a Joint Committee of representatives of the Central Pollution Control Board and the Ministry of Petroleum. The CPCB will be the nodal agency. The first meeting of the Committee may be held within one month and on review of the subject matter, appropriate guidelines be issued by the Central Pollution Control Board, in exercise of its statutory power within three months thereafter.*

*The Central Pollution Control Board may furnish an action taken report to the Tribunal by email at [ngt.filing@gmail.com](mailto:ngt.filing@gmail.com) on or before 30<sup>th</sup> April 2019."*

True copy of the Order dated 18.01.2019 passed by the Hon'ble Tribunal in OA bearing no.86/2019 is annexed herewith and marked as **Annexure R-8/1**.

- 2.4. Considering the direction in Order dated 18.01.2019 passed by the Hon'ble Tribunal, the Central Pollution Control Board ("CPCB") issued guidelines dated 07.01.2020 (Annexure P-2, Pg.44-52) for setting up of New Petrol Pumps. Clause H of the Guidelines issued by the CPCB is reproduced here under:

*"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 all points/dispensing units/ vent pipe whichever is nearest) from school, hospitals (10 beds and above) and residential areas designated as per local laws. In case of constraints in proving 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.”*

- 2.5. On 26.06.2020 (Annexure-R7/12, Pg.265-318), the Answering Respondent issued the revised guidelines for access permission to Fuel Stations, Private Properties, Rest Area Complexes and such other facilities on the National Highways, exercising its powers under Sections 28 & 29 of *The Control of National Highways (Land and Traffic) Act, 2002* and *The Highway Administration Rules, 2004*. Clause 4 of the revised guidelines is reproduced here under:

**“4.0 Plot size for Fuel Station:**

- i. *The minimum size and shape of the plot for fuel station should primarily be laid down by the Company/ Establishment concerned, for which they would need to consider suitable accommodation of all the facilities e.g. fuel pumps, offices, storerooms, compressor room, air pump and kiosks etc. The Highway Administration steps in primarily keeping in view that no hindrance is caused to the movement of vehicles of expected maximum dimensions, within the fuel station and in the access area. Sufficient space would need to be available to accommodate the number of fuel pumps to cater to the expected number of vehicles in peak time at this location so that the vehicles do not spill over to the access area. The air pump and kiosks for pollution control measurements be installed at some distance from the fuel pumps so that the vehicles requiring these services do not cause hindrance to the free movement of vehicles entering or exiting the fuel station.*
- ii. *Keeping the above considerations in view, the minimum size of the plot for a fuel station along National Highways shall be as follows-*

<b>Sr. No.</b>		<b>Frontage (In Metre)</b>	<b>Depth (In Metre)</b>
(i)	<i>On Rural stretches in plain and rolling terrain</i>	35	35
(ii)	<i>On Urban stretches in plain and rolling terrain</i>	30	30

(iii)	<i>In hilly and mountainous terrain</i>	20	20
<b>Note:</b>	<i>The proposed slot of new fuel stations should be such that the minimum frontage is achieved within the minimum total area as stipulated above.</i>		

*iii. For fuel station being part of the rest area complex, the area required for other facilities such as parking, restaurant, rest rooms, toilets, kiosks for selling sundry items, bathing facilities, repair facilities, shops etc. would be extra but there would be a single access/ egress."*

2.6. That in continuation to aforesaid guideline, the Answering Respondent vide letter no.RW/NH-33032/01/2017-S&R(R) dated 28.01.2021 (Annexure-R7/13, Pg.319-320) issued amendment that for the retail outlets allotted by Petroleum companies, plots acquired by applicants in urban areas as per earlier guidelines (prior to 26.06.2020) i.e. of 20 m x 20 m, the NOCs may be granted as per revised guidelines dated 26.06.2020 with relaxation for plot size of 20mx20m (instead of desired plot size of 30mx30m). This amendment was issued based on large number of grievances/notices being received by MoRTH from applicants/the applicant companies, which stated to be facing problems in getting NOC due to implementation of Revised Guidelines / Norms dated 26.06.2020.

2.7. Thereafter, in the year 2023, the Applicant filed the present OA before the Hon'ble Tribunal. It is pertinent to note that the OA was filed seeking prayer for directing cancellation of the NoC, since the grant of permission by Indian Oil Corporation and grant of NoC by District Administration, Yamuna Nagar, Haryana for establishment of petrol pump in the premises of Hindu Girls College and Hindu Girls Schools, Jagadhri, District

Yamuna Nagar, was given ignoring the byelaws, rules and regulations and safety of the children.

- 2.8. The OA was listed on 20.03.2024, 17.10.2024, 10.12.2024, 18.02.2025 and the judgment was reserved by the Hon'ble Tribunal.
- 2.9. On 30.05.2025, the OA was listed in which the Hon'ble Tribunal impleaded the Answering Respondent as Respondent No.8. True copy of order dated 30.05.2025 passed by the Hon'ble Tribunal is annexed herewith and marked as **Annexure R-8/2**.
3. It is evident from the aforesaid factual background that the basis for impleading the Answering Respondent as a party in the present proceedings is that the Amendment dated 28.01.2021 by the Answering Respondent is in violation of the Order dated 18.01.2019 passed by this Hon'ble Tribunal in OA bearing no.86/2019 and the guidelines dated 07.01.2020 issued by the CPCB.
4. In this regard, the Answering Respondent submits as under-
  - 4.1. A perusal of the Order dated 18.01.2019 passed by this Hon'ble Tribunal makes it clear that there was no direction regarding the reduction of the plot size for granting permission for construction of fuel stations, and as such there is no violation of the Order dated 18.01.2019 by the Answering Respondent.
  - 4.2. Reference is also made to Clause H (*Siting Criteria of Retail outlets*) of the CPCB guidelines dated 07.01.2020 which merely specifies the radial distance of the new retail outlets from School, Hospitals (10 beds and above) and residential areas designated as per local laws, and no such guidelines is there regarding the plot size of retail outlets.

- 4.3. It is pertinent to state that the Answering Respondent has issued the amendment dated 28.01.2021 for reducing the plot size from 30 m x 30 m to 20 m x 20 m in view of receipt of various grievances raised by the applicants/applicant companies who were facing problems in getting NOC due to the implementation of the guidelines dated 26.06.2020.
- 4.4. It is further submitted that during setting up of a Fuel Station, the concerned applicant/Fuel Station agency has to take NOC's from all concerned departments and the Answering Respondent/MoRTH, and has to comply to guidelines/norms stated in above mentioned guidelines and subsequent amendments w.r.t Access from National Highway only. However as far as criteria/norms of various departments are concerned, the same shall be dealt with by concerned department accordingly before issuing NOC or energizing the fuel station. This implies that the applicant has to parallelly fulfil criteria pertaining to all departments based on which the fuel station can be energized, and the same is decided by relevant/concerned department of State Government/Local body. Accordingly, the minimum criteria set forth by concerned department shall prevail in order to issue NOC. Further, the Provisional Access Permission granted to Retail Outlet in question stands cancelled w.e.f. 20.07.2024 since the extension of time granted upto 19.07.2024 for obtaining final permission from Highway Administration has lapsed. True copy of letter dated 08.08.2023 is annexed herewith and marked as **Annexure R-8/3**.
- 4.5. It is further submitted that the Answering Respondent in its previous guideline dated 26.06.2020 categorically stated that the minimum size and shape of the plot for fuel station should primarily be laid down by the

Company/ Establishment concerned. The Answering Respondent only steps in primarily keeping in view that no hindrance is caused to the movement of vehicles of expected maximum dimensions, within the fuel station and in the access area. Thus, the role of the Answering Respondent is very limited to the same.

- 4.6. It is submitted that the OA. 408/2023 was filed by the Applicant regarding violation of the sitting criteria by the fuel station located near the premises of the Hindu Girls School, Jagadhri, District Yamuna Nagar by ignoring the bylaws, rules, regulation, orders of NGT and CPCB guidelines. While going through the record, the Hon'ble Tribunal has observed that Ministry's guidelines of access permission issued vide letter No.RW/NH/33032/011/2017/S&R (R) dated 28.01.2021 which amended the minimum plot size for establishment of new fuel station as 20 x 20 m instead of 30m x 30m is without taking into consideration the order passed by the NGT dated 18.01.2019 in OA No. 86/2019. In this regard, it is stated that the Answering Respondent was not a party in the OA 86/2019.
- 4.7. It is further clarified that the Answering Respondent vide letter no.RW/NH-3302/01/2017-S&R(R) dated 26.06.2020 issued revised guidelines/norms for grant of permission for construction of access to fuel stations, way side amenities, connecting roads, other properties, Rest Area Complexes and such other facilities.
- i. As per revised guidelines dated 26.06.2020, minimum plot size of 30m x 30m was mandated for new fuel stations abutting the NHs in urban stretches.
  - ii. The Answering Respondent vide letter no. RW/NH-33032/01/2017-S&R (R) dated 28.01.2021 issued amendments to

the guideline dated 26.06.2020. As per this amendment, for the applications of access permissions submitted on online portal of MoRTH for the retail outlets allotted by Petroleum companies, plots acquired by applicants in urban areas (i.e. 20 m x 20 m) as per earlier guideline dated 24.07.2013, the NOCs may be granted as per revised guideline dated 26.06.2020 with relaxation in plot size, as 20 m x 20 m instead of desired plot size of 30 m x 30 m.

- 4.8. It is further clarified that the above temporary relief was granted to the applications submitted prior to 26.06.2020 only, and that all the new applications are being processed by considering the minimum plot size of 30m x30 m for urban stretches without deviations.
- 4.9 Moreover, the issue in the present OA being filed by the Applicant is related to the NOC's issued by various departments. There is no dispute or any averment regarding the reduction of the plot size by the Answering Respondent.
- 4.10 It is submitted that the Answering Respondent is an apex organisation under the Central Government entrusted with the task of formulating and administering policies for road transport, national highways and transport research in consultation with other Central Ministries/Departments, State Governments/Union Territory Governments, organizations and individuals. The Answering Respondent has the highest regard for this Hon'ble Tribunal and thus, the Answering Respondent would not violate any order(s) passed by this Hon'ble Tribunal.
5. Thus, in the light of the aforesaid submissions, the Answering Respondent has not violated the Order dated 18.01.2019 and the

guidelines issued by the CPCB dated 07.01.2020. The Answering Respondent most humbly prays that the present OA be dismissed in favour of the Answering Respondent.

6. The Answering Respondent further reserves its right to file additional reply/objection, if required, with the permission of the Hon'ble Tribunal.

**THROUGH**

**Dated: 28.06.2025**  
**Place: New Delhi**

*Asim*  
**RESPONDENT NO.8**

*Moelke Sueto*  
**Singhania & Partners LLP**  
Solicitors & Advocates  
P-24, Green Park Extension  
New Delhi-110016

परियोजना निदेशक  
Project Director

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
National Highways Authority of India

परिसर, प्लॉट नं. 24, ग्रीन पार्क एक्सटेंशन, नई दिल्ली-110016  
P-24, Green Park Extension, New Delhi-110016

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

**ORIGINAL APPLICATION NO.408 OF 2023**

**IN THE MATTER OF:**

Harvinder Singh

Versus

State of Haryana & Ors.



...Applicant

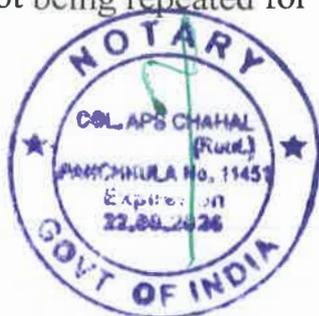
...Respondents

**AFFIDAVIT**

28 JUN 2025

I, Aashim Bansal S/o Sh. Madan Bansal aged about 35 years, working as Project Director at National Highways Authority of India, under autonomous body of Ministry of Road Transport and Highways, having office at PIU-Chandigarh, NHAI Building, Sector-30 B, Chandigarh (UT)-160030, do hereby on solemn affirmation state and submit as under:

1. That I am the Project Director, NHAI, PIU-Chandigarh and am authorized and competent to represent the Respondent No.8 in the present proceedings. I have gone through the reply and the documents annexed alongwith the reply and as such am well aware with the facts and circumstances of the present case. Hence, I am competent to depose by way of the present affidavit.
2. I say that the accompanying reply has been drafted by my counsel on my instructions and I have read and understood the contents of the same. The contents of the reply are true and correct, which are reiterated herein and are not being repeated for the sake of brevity.



28 JUN 2025

*Aashim*

परियोजना निदेशक  
Project Director  
भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
National Highways Authority of India  
परियोजना कार्यालय, बसंत, दिल्ली

3. I say that the annexures filed along with the present reply are true copies of their respective originals.

28 JUN 2025



*Aashim*  
**DEPONENT**

परियोजना निदेशक  
Project Director  
भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
National Highways Authority of India  
परियोजना कार्यान्वयन इकाई-चण्डीगढ़  
Project Implementation Unit-Chandigarh

**VERIFICATION:**

Verified at Chandigarh on this 28 JUN 2025 day of June, 2025 that the contents of the above affidavit are true and correct to the best of my knowledge. No part of it is wrong and nothing material has concealed there from.

*Aashim*  
**DEPONENT**

परियोजना निदेशक  
Project Director  
भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
National Highways Authority of India  
परियोजना कार्यान्वयन इकाई-चण्डीगढ़  
Project Implementation Unit-Chandigarh



*Chahal*  
**ATTESTED**  
APS CHAHAL No. 11451  
NOTARY PANCHKULA

28 JUN 2025

Item No. 06

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 86/2019

Gyanprakash @ Pappu Singh

Applicant(s)

Versus

Union of India &amp; Ors.

Respondent(s)

Date of hearing: 18.01.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s):  
For Respondent(s):

**ORDER**

The issue raised in this application is to limit number of petrol pumps so as to avoid adverse impact on the environment.

The applicant has referred to news item dated 24.12.2018 in 'Live Mint' under the heading "Indian Oil, HP and BP's plan to open 80,000 petrol pumps hits land hurdle" to submit that large number of petrol pumps are being opened without any concern for environment and without any guideline about sustainability of such large number of petrol pumps.

Reference has been made to the guidelines issued by Indian Road Congress "General Conditions of Siting" laying down distance from the highways and distance between the two fuel stations. Photographs of unregistered and indigenously assembled vehicles have also been filed, with further averments that such vehicles create air pollution and safety hazardous.

We are of the view that matter needs to be looked into by a Joint Committee of representatives of the Central Pollution Control Board and the Ministry of Petroleum. The CPCB will be the nodal agency. The first meeting of the Committee may be held within one month and on review of the subject matter, appropriate guidelines be issued by the Central Pollution Control Board, in exercise of its statutory power within three months thereafter.

The Central Pollution Control Board may furnish an action taken report to the Tribunal by email at [ngt.filing@gmail.com](mailto:ngt.filing@gmail.com) on or before 30<sup>th</sup> April, 2019.

The application is disposed of.

Put up the report for consideration on 05.07.2019



Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

January 18, 2019  
Original Application No. 86/2019  
JG

Item No.02

Court No. 2

**BEFORE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 408/2023

Harvinder Singh

Applicant

Versus

State of Haryana &amp; Ors.

Respondents

Date of hearing: 30.05.2025

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None for the applicant.

Respondents: Mr. Rahul Khurana, Advocate for Respondents No. 1, 2  
and 5.Mr. Robin Dutt, Advocate for Respondent No. 4  
(through VC).Mr. Raj Kumar, Advocate for Respondent no. 6.  
(Through VC)Mr. Manish Sharma, Advocates for Respondent no. 7.  
(Through VC).

None for Respondent no. 3.

**ORDER**

1. The applicant-Mr. Harvinder Singh has filed the present application under the provisions of the National Green Tribunal Act, 2010.

2. The applicant has raised the grievances regarding grant of permissions by the officers of the Indian Oil Corporation and grant of NoC

by the officers of the District Administration, Yamuna Nagar, Haryana for establishment of petrol pump in the premises of Hindu Girls College and Hindu Girls School, Jagadhri, District Yamuna Nagar by ignoring the byelaws, rules and regulations, order of this Tribunal and CPCB guidelines besides safety of the girls with the prayer for directing cancellation of the NoC.

3. Vide order dated 31.05.2023 this Tribunal impleaded the respondents no. 1 to 5 and ordered issuance of notices to them and also constituted a Joint Committee with direction to verify the factual position and file Factual and Action taken Report suggesting appropriate remedial action.

4. Report dated 28.06.2023 of the Joint Committee was submitted by the District Magistrate, Yamuna Nagar. The Joint Committee found the retail outlet to be violative of the siting criteria as per CPCB guidelines dated 07.01.2020. NoC dated 15.05.2023 was cancelled by the District Magistrate vide order dated 30.06.2023 which was set aside by the Hon'ble Punjab and Haryana High Court vide order dated 25.07.2023 passed in CWP No. 15708/2023 on the ground of violation of principles of natural justice.

5. In the course of hearing CPCB was impleaded as respondent no. 6. Replies/responses were filed by the respondents. Arguments were heard and Judgment was reserved vide order dated 20.03.2024 but while going through the material on record it was found that NOC was issued in favour of the Deputy General Manager (Retail Sales), IOCL, Panipat Divisional Office, Panipat who had not been impleaded as party and that the original record had not been produced by the District Magistrate, Yamuna Nagar on which the case was relisted for hearing.

6. The Deputy General Manager (Retail Sales), IOCL, Panipat Divisional Office, Panipat was impleaded as respondent no. 7 and replies/additional replies were filed by respondents no. 6 and 7. Original record was also produced by the District Magistrate, Yamuna Nagar which was returned while retaining photostat copy thereof. Arguments were heard and Judgment was again reserved vide order dated 18.02.2025.

7. While going through the material on record, we have noticed that as per order dated 18.01.2019 passed by this Tribunal in O.A. No. 86/2019 and guideline (H) siting criteria of retail outlet of CPCB Guidelines dated 07.01.2020 in case of sitting criteria for petrol pumps new Retail Outlets shall not be located within a radial distance of 50 meters (from fill point/dispensing units/vent pipe whichever is nearest) from Schools, Hospitals (10 beds and above) and residential areas designated as per local laws. In case of constraints in providing 50 meters distance, the retail outlet shall implement additional safety measures as prescribed by PESO. In no case the distance between new Retail outlet from schools, hospital (10 beds and above) and residential area designated as per local laws shall be less than 30 meters. No high tension line shall pass over the retail outlet.

8. We have also noticed that as per notification no. RW/NH/33032/0112017/S&R (R) dated 28.01.2021 Ministry of Road Transport and Highways (MoRTH) amended minimum plot size for establishment of new petrol pump as 20 m x 20 m instead of 30 m x 30 m for urban areas. IOCL also issued policy circular no. 176-09/2010 dated 17.09.2010 fixing plot size for establishment of new petrol pump as 20 m x 20 m for KSKs allowing smaller plots in accordance with guidelines issued by MoRTH. IOCL issued advertisement of 2018 mentioning the plot

size as 20 m x 20 m for appointment of Retail Outlet Dealership for Haryana.

9. Prima facie, it appears that plot size of 20 m x 20 m for establishment of new petrol pump has been fixed by notification issued by MoRTH and policy circular and advertisement issued by IOCL without taking into consideration order dated 18.01.2019 passed by this Tribunal in O.A. No. 86/2019 and also Guideline "H. Siting Criteria of Retail Outlets" of Guidelines dated 07.01.2020 issued by CPCB which by necessary implication require minimum plot size of 30 m x 30 m and questions of the notification issued by MoRTH and policy circular and advertisement issued by IOCL being violative of the order dated 18.01.2019 passed by this Tribunal in O.A. No. 86/2019 and CPCB Guidelines dated 07.01.2020 arise in the present case.

10. In these facts and circumstances, presence of MoRTH and IOCL before this Tribunal is essential for just and proper adjudication of the substantial environmental questions involved in the case as the question of validity of notification/policy fixing the plot size of 20 m X 20 m issued by MoRTH and IOCL cannot be decided without granting opportunity of being heard to them in compliance with the principles of natural justice.

11. IOCL is also represented before this Tribunal through its Deputy General Manager (Retail Sales) but MoRTH is required to be impleaded as respondent no. 8 in the present case.

12. Since, this aspect was not specifically referred, and arguments were not addressed in this regard, opportunity is also required to be given to the parties to make their submissions in this regard for compliance with principles of natural justice.

13. Consequently, the matter requires relisting for further hearing and the matter is accordingly relisted for further hearing.

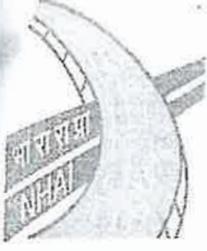
14. MoRTH is impleaded as respondent no. 8. The Registry is directed to amend the memo of parties and to issue notice to newly added respondent no. 8 requiring it to file its response with respect to the aspects noticed herein above at least three days before the next date of hearing fixed with advance copies to the applicant and Counsels for other respondents.

15. List on 02.07.2025 for further proceedings/orders as directed above.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 30<sup>th</sup>, 2025  
O.A. No. 408/2023  
AB



# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

## NATIONAL HIGHWAYS AUTHORITY OF INDIA

(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)

(Ministry of Road Transport and Highways, Govt. of India)

परियोजना क्रियान्वयन इकाई, चण्डीगढ़- बेज नम्बर 35-38, सैक्टर-4, पंचकुला ।

Project Implementation Unit, Chandigarh - Bays No. 35-38, Sector-4, Panchkula.

दूरभाष एवं फ़ैक्स :- 0172-2587446, 2587447, ई-मेल :- [chandigarh@nhai.org](mailto:chandigarh@nhai.org), [piuchct@gmail.com](mailto:piuchct@gmail.com)

NHAI/PIU/CHD/11162/RO/PP/NH-73A/ 12)

Dated: 8<sup>th</sup> August, 2023

To

Authorized Signatory,  
M/s Indian Oil Corporation Limited  
Panipat Divisional Office, Panipat Refinery,  
Panipat, Haryana - 132140

**Sub: Regarding Extension of Time proposal for access permission to proposed Retail Outlet of M/s IOCL at km. 0.243 (LHS) on Jagadhari Ponta Sahib road section of NH-73A in Village and Tehsil Jagadhari and District Yamunanagar in the State of Haryana.**

**Ref:** (i) NHAI Regional Office letter no. NHAI/RO/CHD/11011/PD-CHD/JAG-PONTA/NH-73A/NOC/91-2439 dated 02.08.2023 (copy enclosed)  
(ii) NHAI Regional Office letter no. NHAI/RO/CHD/11011/PD-CHD/JAG-PONTA/NH-73A/NOC/77-4892 dated 31.01.2023  
(iii) Regional Office Chandigarh letter no. NHAI/RO/CHD/11011/PD-CHD/JAG-PONTA/NH-73A/NOC/45-4152 dated 21.10.2021

Sir,

This is in reference to your request for extension of time for access permission to proposed Retail Outlet of M/s IOCL at km. 0.243 (LHS) on Jagadhari Ponta Sahib road section of NH-73A in Village and Tehsil Jagadhari and District Yamunanagar in the State of Haryana.

2. In this regard, it is intimated that the Regional Office Chandigarh vide letter dated 02.08.2023 (ref-i) has approved the time extension for **one year** from **21.07.2023** to **19.07.2024** (leap year) for construction of access to subject cited proposed IOCL fuel station; subject to conditions conveyed by the Highway Administrator during conveying the in principle approval vide letter no. 45-4152 dated 21.10.2021 shall remain the same.

3. Further, approval of **EOT is upto 19.07.2024**, construction of access to subject fuel station shall be completed well before this date in all respects and the proposal for Final Permission/ NOC shall be submitted to this office within stipulated time period; failing which provisional NOC/ EOT issued by Highway Administration is liable to be cancelled without further notice to you.

4. This is for your information and further necessary action please.

Yours faithfully,

*(Handwritten signature)*

(Pardeep Atri)

GM (T)-cum-Project Director  
NHAI, PIU Chandigarh

Encl: As above

Copy to:- Authority's Engineer, M/s G-Eng Advisory Services Pvt. Ltd.

**Rajesh Kumar**

---

**From:** Rajesh Kumar  
**Sent:** 29 June 2025 14:32  
**To:** dcynr@hry.nic.in; iocl.coccc@indianoil.in; environment@hry.nic.in; mscb.cpcb@nic.in; hspcb.ms@gmail.com; cs@hry.nic.in; hgcjagadhri\_girls@rediffmail.com; secy-road@nic.in; as-transport-morth@gov.in  
**Cc:** Madhu Sweta; Yash Kapoor  
**Subject:** RE: Advance Service of Reply in the matter of Harvinder Singh Vs State of Haryana & Ors, OA 408 of 2023, before National Green Tribunal  
**Attachments:** Reply by R8 in OA 408 of 2023.pdf

Dear Sir,

Please find attached herewith the Reply on behalf of Respondent No.8/MoRTH, in the subject matter for your reference.

Kindly accept the same as advance service.

Best Regards,

Rajesh | Executive Assistant



**SINGHANIA & PARTNERS** LLP  
SOLICITORS AND ADVOCATES

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