

श्रीवा में,

अपर प्रधान मुख्य जन संरक्षक (बी.पी.)

-सह-नोडल प्राधिकारी (जन संरक्षण),

बिहार, 427/1

विषय: राकेश कुमार द्वारा जमा जिलान्तर्गत मण्डिहानी मौजा के खाता संख्या - 28 (लैण्ड संख्या 260 (पु०) भाना - म० वि० वि० बोचिंगवा, NH-83 (NEW NH 22) पथ के किनारे BPCL का रिटेल आउटलेट स्थापित करने के क्रम में पट्टा पथ निर्माण हेतु जन (संरक्षण) अधिनियम, 1986 के तहत 0.028875 हे. जन भूमि अपभोजन प्रस्ताव पर अंतिम स्वीकृति के संबंध में

प्रसंग:- आपका पत्रांक 984, दिनांक 03.11.2021

महोदय,

उपर्युक्त विषयक संबंध में कहना है कि आपके पत्रांक 984, दिनांक 03.11.2021 प्रदूषण नियंत्रण वेडि एवं NHAI/RCO/PWD विभाग से निर्गत अनापति प्रमाण पत्र को भारत सरकार द्वारा निर्धारित वेबसाइट - [passivesh.nic.in](http://passivesh.nic.in) पर ऑनलाइन अपलोड कराने हेतु निर्देशित किया गया है। सोरें द्वारा प्रदूषण नियंत्रण वेडि एवं भारतीय राष्ट्रीय राजमार्ग प्राधिकरण विभाग से निर्गत अनापति प्रमाण - पत्र को वेबसाइट [passivesh.nic.in](http://passivesh.nic.in) पर अपलोड कर भिजा गया है। साथ ही प्रदूषण नियंत्रण वेडि एवं भारतीय राष्ट्रीय राजमार्ग प्राधिकरण विभाग से निर्गत अनापति प्रमाण-पत्र इस पत्र के साथ संलग्न है।

अतः - अनुरोध है कि उपरोक्त को स्वीकार करते हुए विषयक प्रस्ताव पर अग्रेतर कार्रवाई करने की कृपा की जाए।  
अनु० अभ्योक्त।

विश्वासमान

Rakesh Kumar

20-12-2021

नाम - राकेश कुमार

ग्राम - भौरा, पोस्ट - सद्वेवखाप

थाना - म० वि० वि० बोचिंगवा

जिला - गया, पिन - 824234

मोबाइल नं. - 9661384451







**BIHAR STATE POLLUTION CONTROL BOARD**  
Parivesh Bhawan, Industrial Area, Patliputra, Patna – 800 010

Ref. No.

Patna, Dated:-

**'CONSENT-TO-ESTABLISH' (NOC)**

**UNDER SECTIONS 25/26 OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 AND 21 OF THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981**

**REFERENCE**

- (i) Name and address of the Proponent: Sri Rakesh Kumar, M/s Maa Kamla Petrol Pump, Vill- Aura, P.O.- Sahdeokhap, P.S.- Magadh University, Bodh Gaya, Dist.-Gaya and
- (ii) On-line application No. 5420066 dated 22.11.2021 of the proponent for setting up of new 'Petrol Pump'/outlet of MS/HSD only of Bharat Petroleum Corporation Ltd. at Khata No.-28, Khesra No.-260, At+Mauza-Matihani, P.O.- Sahdeokhap, P.S.- Bodh Gaya, Dist.-Gaya for capacity: Retail outlet for sale of Petrol/Diesel-35 Kilo Liters/Day.

**AFTER CONSIDERING**

- (i) The facts stated in their application;
- (ii) Letter of Intent issued by Bharat Petroleum Corporation Limited ref. no.- PT/DSG2018/565 date 30.08.2019.
- (iii) Bihar State Pollution Control Board's Notification No. 26 dated 08.11.2003, 07 dated 27.06.2011 and 04 dated 12.03.2021;
- (iv) Provisions of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981; and
- (v) Affidavit dated 18.11.2021 in compliance of sitting guideline of the Board

**NOC IN FAVOUR OF THE PROPONENT AT THE SAID SITE IS HEREBY ACCORDED SUBJECT TO THE FOLLOWING CONDITIONS**

**General Conditions:**

1. That, the proponent shall obtain 'Consent-to-Operate' under sections 25 & 26 of the Water Act, 1974 and 21 of the Air Act, 1981 from Pollution Control Board before commissioning of the petrol pump;
2. That, sludge shall be collected, stored and disposed as per Rules 8 of the Hazardous Waste (Management and Transboundary Movement) Rules, 2016 and as amended to date and record shall be maintained.
3. That, the effluent (domestic or trade) and emission, if any, shall conform to the standard as prescribed by the Board;
4. That, they shall comply with the terms & conditions imposed by the Bharat Petroleum Corp. Ltd. regarding location of the outlet like construction of retaining wall and compound wall of 1.5 m height, safety and other related facilities etc;
5. That, diesel power generating sets (DG Sets), if any as source of power backup should be of 'Acoustic Enclosed Type' and shall conform to the Rules



made under the Environment (Protection) Act, 1986. The height of stack of DG sets should be as under:

Stack Height formula:- $(\text{Ht of Building in meter} + 0.2\sqrt{\text{KVA}})$  m;

6. That, the D.G. Set should be provided with an integral acoustic enclosure and the maximum permissible sound pressure level for new D.G. set shall be 75 dB(A) at 1 meter from the enclosure surface. They shall meet the noise level due to the D.G. set out-side the premises, within the Ambient Air quality standards;
7. That, the occupier shall ensure that the noise from the operations in the unit does not exceed the prescribed ambient noise standards for the industrial area i.e. 75 dB (A) Leq during the day time and 70 dB (A) Leq during the night. The day time is reckoned in between 6 am and 9 pm the night time is reckoned between 9 pm and 6 am;
8. That, the unit shall submit approved On Site & Off Site Management Plan under the provisions of the Manufacture, Storage and Import of Hazardous chemical Rules, 1989, as amended to date, before operation of the petrol pump;
9. That, they shall make adequate arrangement of fire safety and maintain good housekeeping inside the premises and obtained statutory permission/license from District Fire Brigade Office;
10. That, they shall obtain explosive license from the competent authority;
11. That, they shall have a display board near the site stating name of pump with address/name of proprietor with address and ref memo no and date of consent with its validity period granted by the Board;
12. That, all workers engaged at retail outlets will be covered under ESI. Oil Marketing Company (OMC) dealers shall implement the personal protective equipment (PPE) as per labor laws;
13. That, IEC (Information Education Communication) activities should be organized by OMC dealers for workers at regular Intervals in order to sensitize them about harmful impacts of VOC emissions;
14. That, they shall have to obtain NOC or prior clearance from Petroleum and Explosives Safety Organization (PESO) and copy shall be submitted to this Board before commissioning;
15. That, PESO shall conduct audit of tanks and fuel equipment including pipes, overfill protection equipment and alarm system on annual basis and maintain records; and
16. That, the petrol pumps/ Retail Outlets shall not be located within a radial distance of 50 meters (from fill point/ dispensing units (DU)/ vent pipe whichever is nearest) from schools, hospitals (10 beds and above) and residential areas designated as per local laws. No high tension line shall pass over the retail outlet.

**Specific Conditions:**

1. The petrol pump shall be established at distance as mentioned in the affidavit, dated submitted and ensure minimum distance of the site be away from Habitation, Hospital, Govt. School, Highway Road, Railway line and river as mentioned in the NOC sitting guideline of the Board;



2. That, petrol pump located in areas with high groundwater table i.e. Ground water levels less than 04 meters shall have secondary containment by way of double walled tanks or concrete protection walls so as to minimize groundwater and soil contamination. It shall be the responsibility of OMC to properly get measured groundwater level at the site of proposed petrol pump and ensure implementation of these adequate protection measures for such sites. Details of measures taken by OMC shall be placed in public domain and in case of contradictory view; view of State/ Central Ground Water Board/ Authority will prevail;
3. That, retail outlets shall have underground tanks/ above ground tank and its ancillary components such as pipes, flexible connectors, pumps, fittings etc. protected from leaks due to corrosion by adopting materials (HDPE/ Mild Steel etc.) with required protective coating, as applicable, duly approved by PESO;
4. That, they shall report any major leakage/ spillage of Petrol, Diesel, Lube Oil (more than 1 barrel-165 liters) to this Board, PESO and District Administration under intimation to CPCB within 24 hours of occurrence;
5. That, operation of concerned Underground Storage Tank (UST) and its ancillary components shall be stopped immediately and not be resumed till corrective measures to contain and stop leakage/ spillages are implemented to the satisfaction of PESO and this Board;
6. That, OMCs will be held liable for Environmental Compensation (imposed by this Board) and assessment of environmental damage (depending on extent of contamination in soil and ground water) and site remediation. Consultant/ Expert agency appointed by OMCs for damage assessment and site remediation shall have minimum national/ international experience of 5 years in this field. Various approved methods shall be considered for cleaning underground contaminants;
7. That, the unit shall have Auto Cut off Nozzles which shuts dispensation of fuel if its level in customer fuel tank reaches full capacity;
8. That, Breakaways to be installed for all the hoses of dispensing units to reduce spillage in the event of customer vehicles moves away with nozzle still in the fueling position;
9. That, single/double plane swivel with breakaway coupling shall be installed for all the dispensing units for better positioning of nozzle while refueling so that it does not fall off accidentally;
10. That, in pressurized dispensation, the DU shall be installed with shear valves to cut the fuel flow from pipe line immediately upon accidental knocking of dispensing units from its position;
11. That, in pressurized system, all Submersible Turbine Pumps (STPs) are to be installed with line leak detectors and in the event of pipeline leaks STPs shall stop pumping fuel from underground tanks;
12. That, emergency stop button switch shall be provided on the Multi-Product Dispenser (MPD) to stop the dispensation in case of emergency;
13. That, automation system shall be installed at all new retail outlets to alert in case of tank leak by way of auto gauging system approved by PESO;
14. That, the retail outlet shall provide overfill alarm through automation;
15. That, measures for spill containment in fill point chambers and forecourt area shall be implemented as prescribed by PESO;
16. That, the retail outlets will have automation system installed which will provide reports on volume balance after every day operation and records shall be maintained;



17. That, manual gauging shall be done once in a month and compare the same with Automatic Tank Gauging for accuracy;
18. That, daily MS and HSD loss shall not exceed MoPNG prescribed limits. In case of leakage beyond such limits, matter shall be got analyzed by OMCs and further action shall be taken for ascertaining the reasons of losses. In case of leakage resulting in soil/ groundwater contamination:-
  - a. The unit and the concerned OMC shall report to this Board, PESO and District Administration under intimation to CPCB within 24 hours of occurrence. Operation of such UST and its ancillary components shall be stopped immediately.
  - b. Fuel shall be removed immediately from UST to prevent further release to environment. Measures to prevent explosion due to vapors released due to leakage as recommended by PESO shall be implemented immediately.
  - c. OMCs will be held liable of Environmental Compensation (imposed by SPCBs/PCCs) and assessment of environmental damage (depending on extent of contamination in soil and groundwater) and site remediation. Consultant and site remediation shall have minimum national/ international experience of 05 years in this field. Various approved methods shall be considered for cleaning underground contaminants.
  - d. Operation of Underground tank and its ancillary components shall not be resumed till corrective measures to contain and stop leakages are implemented to the satisfaction of PESO and concerned SPCB.
19. That, all underground tanks and pipelines shall be subjected to test for leaks every 7 years and report shall be submitted accordingly;
20. That, the retail outlet set up with sale potential of 300 KL MS per month and setting up in cities with population more than 1 lakh will be provided with Vapour Recovery System (VRS). VRS should be functional by the time of sale of MS touch 300 KL. In case of failure of installation of VRS, Environment Compensation will be levied by this Board equivalent to the cost of VRS and this will further increase proportionate to the period of non-compliance;
21. That, the retail outlet set up in cities having population more than 10 lakh and having sale potential of 100 KL MS per month will be provided with VRS. VRS should be installed within a period 03 months from the day of sale of MS touch 100 KL. In case of failure of installation of VRS, Environment Compensation will be levied by this Board equivalent to the cost of VRS and this will further increase proportionate to the period of non-compliance;
22. That, in case of Stage-II VRS, nozzle shall be provided with flexible cover flap or other alternative system for proper covering of filling tank and therefore proper recovery of vapours;
23. That, OMCs are responsible for maintaining installed VRS. They have to maintain periodic inspections for A/L regulator as prescribed by Legal Metrology. Proper record shall be maintained;
24. That, working of dispenser unit shall be interlinked with VRS functioning. Online system shall be developed within 06 months to monitor status of operation of VRS. In case of non-operation of VRS, the same shall be automatically reported to concern OMC. VRS shall be brought into operation immediately within 24 hrs and in any case within 72 hrs falling which sale of MS shall be stopped from the fuelling station. Proper records of operation of VRS shall be maintained;



25. That, work zone monitoring for Total VOC and Benzene shall be conducted by OMCs for petrol pumps selling more than 300 KL/ month and more than 10 lakh population (in first phase) by E(P) Act, 1986 approved labs once in a year to check compliance with OSHA norms (Time-Weighted Average) and report shall be submitted to this Board. In addition, pilot study shall be conducted by OMCs through expert institutions for online monitoring of VOCs;
26. That, ground water and soil quality monitoring within petrol pump selling more than 300 KL/month and more than 10 lakh population shall be conducted by OMCs once in two years through E(P) Act, 1986 approved labs for the following parameters from the nearest source and report submitted to SPCB:-

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

**NOTE:**

- Bihar State Pollution Control Board reserves the option to revise or add other conditions, if necessary, for protection of Environment in general and for Pollution Control in particular;
- The present NOC should not be construed as an assurance for the grant of 'Consent-to-Operate' the proposed petrol pump but shall be subject to compliance of all the conditions indicated above; and
- The NOC, for the Petrol Pump granted shall be valid for a period of six months from the date of issue.

Sd/-

(A. K. Gupta)

Regional Officer, Gaya

Patna Dated:- 07.12.2021

**Memo No.:- /033.**

**Copy forwarded to:** Sri Rakesh Kumar, M/s Maa Kamla Petrol Pump, Vill- Aura, P.O.- Sahdeokhap, P.S.- Magadh University, Bodh Gaya, Dist.-Gaya/Territory Officer, Bharat Petroleum Corporation Limited, At & P.O.-Pakri, Via-Anishabad, Patna-800002 for favour of information and necessary action.

*(Signature)*  
2-12-21

(A. K. Gupta)

Regional Officer, Gaya





**भारतीय राष्ट्रीय राजमार्ग प्राधिकार**  
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)  
**National Highways Authority of India**  
(Ministry of Road Transport and Highways, Govt. of India)

क्षेत्रीय कार्यालय - पटना  
Regional Office - Patna  
डी-63, प्रथम तल, श्री कृष्णापुरी, पटना-800 001, बिहार  
D-63, First Floor, Sri Krishnapuri, Patna-800 001, Bihar  
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**NHA/RO-PAT/PIU-Gaya/NH-83/Ch. 114.355-114.390(RHS) /Matihani /2019 /RO-PAT**

Letter No. - 962

Dated- 27.05.2020



To  
Project Director  
PIU, Gaya

**Sub:-** Application of BPCL for access permission to the proposed Retail Outlet at NH- 83 Ch. 114.355 to 114.390(RHS), Mauza- **Matihani**, District- Gaya in the State of Bihar.

**Ref:-** (i) PD, PIU-Gaya Letter No. 11026/NOC-PP/PIU-GAYA/1/2014/5135 dated 22.02.2020.  
(ii) M/s BPCL letter no. 2019/BPCL/MATIHANI/565 dated 25.11.2020.

Sir,

Please refer to your letter u/r (i) forwarding the proposal/application of M/s BPCL seeking access permission to the proposed Retail Outlet on NH-83 at Ch. 114.355 to 114.390(RHS), Mauza- **Matihani**, District- Gaya in the State of Bihar.

2. The proposal has been examined in light of NHA's SOP and MORTH's circular no. RW/NH-33023/19/99-DO-III, dated 24.07.2013. Following has been observed:

- (i) The processing fee of Rs. 10,000 ( Rs. Ten Thousands) has been deposited through Bharatkosh.gov.in with transaction ref no. 2511190001967 dated 25.11.2019.
- (ii) The proposal in hard copy was submitted to PD, PIU, Gaya, NHA who forwarded the proposal to this office vide letter u/r (i) after publication of the Gazette Notification.
- (iii) PD, PIU Gaya, in its inspection report has mentioned that the site fulfills all the standard condition as per Ministry's circular no. RW/NH/33023/19/99-DO-III dated 24.07.2013 and has recommended for grant of No Objection Certificate to M/s. BPCL for development of approach road to new proposed Retail Outlet on NH-83 at Ch. 114.355 to 114.390(RHS), Mauza- **Matihani**, District- Gaya in the State of Bihar.
- (iv) As information provided in the proposal and inspection report and checklist provided by PD, PIU Gaya, the proposal satisfies all the criteria required as per MORTH's circular no. RW/NH-33023/19/99-DO-III, dated 24.07.2013. However, it has been observed that the proposal has been for access to the 4 lane standard road. 4 laning of the Patna-Gaya-Dobhi section is under progress.
- (v) In this regards, para 12.3 of the of the Appendix-I of the Ministry Guidelines says that:  
If the approach roads for access to fuel stations cannot be constructed owing to 4/6/8 laning of National Highways being in progress or even in award stage, permission for constructing temporary access, satisfying the norms from the national highway shall be accorded by Regional Officer, NHA. There shall, however be no deviations from the approved plan while approving the layout for temporary access and safe & smooth flow of traffic shall be ensured. The Oil Company/Owner shall furnish an undertaking for not hindering the construction work of 4/6/8 laning of the National Highway and that the



temporary access shall be replaced by permanent access on completion of the work of National Highway. The dismantling of temporary access shall be borne by the Oil Company/Owner of fuel station.

(vi) In view of this it is requested to ensure that 4 laning has been done in the vicinity of this location. If not done then the proposed A/D lanes need to be extended to existing 2 lane road if required as temporary access. The Oil Company/Owner shall furnish an undertaking for not hindering the construction work of 4/6/8 laning of the National Highway and that the temporary access shall be replaced by permanent access on completion of the work of National Highway. The dismantling of temporary access shall be borne by the Oil Company/Owner of fuel station. The drawings needs to be modified accordingly.


(vii) Further, drawings also need to be modified on following grounds:

(a) In the drawing, the Driveway/Approach roads have been shown to be covered with the paver block. However, crust composition given for the same is not as per IRC:SP:63. Hence, the crust composition of A/D lanes should be as per the provision of MoRTH guidelines/ IRC:SP:63.

(b) RL of fuel station appears to be same/higher as the RL of edge of the shoulder on the highway. Moreover, RL of catch water drain has also been mentioned as 80mm below the RL of edge of the shoulder on the highway. However, in order to ensure that surface water does not flow over the highway or any water logging takes place, the fuel station and access area would be a least 300 mm below the level at the edge of the shoulder on the highway as per MORTH's Circular. The same needs to be reviewed & revised as per MORTH's Circular.

3. In view of above, as recommended by PD, PIU Gaya, in-principle approval is hereby granted to the proposal/application of M/s BPCL seeking access permission for proposed Retail Outlet on NH-83 at Ch. 114.355 to 114.390(RHS), Mauza- **Matihani**, District- Gaya in the State of Bihar subject to the condition that if 4 laning has not been done in the vicinity of this location the proposed A/D lanes need to be extended to existing 2 lane road as part of temporary access. The Oil Company/Owner shall furnish an undertaking for not hindering the construction work of 4/6/8 laning of the National Highway and that the temporary access shall be replaced by permanent access on completion of the work of National Highway. The dismantling of temporary access shall be borne by the Oil Company/Owner of fuel station. The drawing needs to be modified accordingly and as mentioned at para 2 (vii) above. It is also requested to ask the Oil Company to submit the modified drawings and thereafter to deposit the required license fee (Rs. 2,81,420/-) as per MoRTH's circular no. RW/NH-33023/19/99-DO-III, dated 24.07.2013.

4. Further, you are requested to visit the site personally at least once to ensure road safety aspects and ensure sending the proposal for issuing provisional NOC only after the site visit in the instant case, modification in drawings to your satisfaction and deposition of the required license fee (Rs. 2,81,420/-) as mentioned above.

 27.05.2022  
(Ghanshyam Kumar)

DGM (Tech)

Copy to:- (i) Regional Officer, MoRTH, Lucknow for kind information.  
(ii) M/s BPCL for kind information.