

कार्यालय प्रभागीय निदेशक, सामाजिक वानिकी प्रभाग, अलीगढ़।

पत्रांक 1695/अलीगढ़/14131/2015, दिनांक: अक्टूबर, 31 2023

सेवा में,

वन संरक्षक,
अलीगढ़ वृत्त, अलीगढ़।

विषय:-

कार्योपरान्त स्वीकृति (Ex. Post Facto) के अन्तर्गत जनपद-अलीगढ़ में अलीगढ़-रामघाट मार्ग (एम0डी0आर0-105) किमी0 चैनेज 9.10 की दांयी पटरी पर ग्राम-हरदुआगंज के खसरा सं0-176 में विकसित किये जा रहे रिटेल आउटलेट के सम्पर्क मार्ग निर्माण हेतु 0.0783 है0 संरक्षित वनभूमि के गैर वानिकी प्रयोग एवं उस पर अवस्थित 01 वृक्ष के पातन की अनुमति।

संदर्भ:-

अनुसचिव, उ०प्र० शासन, पर्यावरण, वन एवं जलवायु परिवर्तन अनुभाग-2 का पत्रांक पी-99/81-2-2020-800(108)/2020 दिनांक 05.11.2020 एवं मुख्य वन संरक्षक/नोडल अधिकारी, उत्तर प्रदेश, लखनऊ का पत्रांक 1094/11-सी-अलीगढ़/14131/2015 दिनांक 06.11.2020

महोदय,

उपरोक्त विषयक के सम्बन्ध में संदर्भित पत्र द्वारा लगायी गयीं आपत्तियों का निराकरण कर प्रयोक्ता एजेसी के प्रेषित पत्र दिनांक 21.10.2023 के आधार पर आपत्तियों का समेकित निराकरण निम्न प्रकार कर सुसंगत अभिलेख संस्तुति सहित प्रेषित हैं।

| S.No. | Observation | Reply |
|-------|---|---|
| 1 | विषयगत प्रस्ताव वर्ष 2015 में प्रस्तावित है, उल्लंघन कब किया गया है का साक्ष्य सहित विवरण उपलब्ध कराये। भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय के दिशा निर्देश दिनांक 29.01.2018 के बिन्दु-3 बी के अनुसार दण्डात्मक एन०पी०वी० की गणना लक्षित नहीं होता है? | प्रयोक्ता एजेसी के पत्र दिनांक 21.10.2023 द्वारा अवगत कराया गया है कि विषयगत प्रकरण में उल्लंघन दिनांक 17.01.2017 से किया जा रहा है। सम्बन्धित साक्ष्य संलग्न कर प्रेषित हैं। (संलग्नक-1) वन संरक्षण अधिनियम, 1980 के उल्लंघन के विषय में भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय के दिशा निर्देश दिनांक 29.01.2018 के बिन्दु-3 बी के अनुसार दण्डात्मक एन०पी०वी० की गणना संलग्न कर प्रेषित है। (संलग्नक-2) |
| 2 | प्रस्ताव के पृष्ठ-31 पर रक्षित प्रमाण पत्र (उ०प्र० प्रदूषण बोर्ड की अनापत्ति) दिनांक 31 | उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड की अद्यतन अनापत्ति निर्गत कर प्रेषित है। (संलग्नक-3) |

संलग्नक-उपरोक्तानुसार।

(दिवाकर कुमार वशिष्ठ)

प्रभागीय निदेशक,
सामाजिक वानिकी प्रभाग, अलीगढ़।

पत्रांक / दिनांकित।

प्रतिलिपि:- डिवीजनल मैनेजर, नायरा एनर्जी लि० (पूर्व में एस्सर ऑयल लि०), वर्ल्ड ट्रेड टावर, 1105-06 ग्यारवां तल, सेक्टर-16, नोएडा-201309 (उ०प्र०) को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

प्रभागीय निदेशक,
सामाजिक वानिकी प्रभाग, अलीगढ़।

To,
Divisional Director,
Social Forestry Division,
Aligarh.

Date 21/10/2023

Subject:- Construction of approach road to the retail outlet being developed in Khasra No. 176 of village-Harduaganj on the right track of Chainage 9.10 km of Aligarh-Ramghat road (MDR-105) in Aligarh district under post-work approval (MGA-Question-Thumbjav). For this reason, permission is given for non-forestry use of 0.783% protected forest land and felling of 01 tree situated on it.

Reference:- Letter No. P-99/81-2-2020-800(108)/2020 dated 05.11.2020 of Secretary, Uttar Pradesh Government, Environment, Forest and Climate Change Section-2, Chief Conservator of Forests/Nodal Officer, Uttar Pradesh, Lucknow. letter number 1094/11-C-Aligarh/14131/2015 dated 06.11.2020 and your letter number 2062/Aligarh dated 09.01.2021, 3559/Aligarh/14131/2015 dated 20.05.2021, letter number 2325/Aligarh/14131/2015, date 08.12.2021 and 582/Aligarh/14131/2015, dated 16.08.2022, 1189/Aligarh/14131/2015 dated 24.09.2022 and 3806/Aligarh/14131/2015 dated 27.03.2023

Sir,

The objections raised by the referred letter regarding the above subject are resolved as follows -

| S.No. | Observation | Reply |
|-------|---|--|
| 1 | Thematic proposal is proposed in the year 2015, provide details along with evidence of when the violation has been committed. According to point-3B of the guidelines dated 29.01.2018 of the Ministry of Environment, Forest and Climate Change, Government of India, the calculation of punitive NPV is not targeted? | Violation in the subject matter is being committed from date 07.01.2017. Related evidence is attached and sent. (Attachment-1) |
| 2 | The certificate reserved on page 31 of the proposal (no objection of Uttar Pradesh Pollution Board) dated 04.10.2003 | The updated no-objection of Uttar Pradesh Pollution Control Board has been issued and sent. (Attachment-2) |

श्रावण
आठ काठ करें
प्रभागीय निदेशक
MH
25-10-23

Attachment- As above.

M/s. Nayara Energy Ltd.

Ref : EOL / NZ / UPW 1657

Date : January 10, 2017

M/s Vardhman Fuel Point

Village – Harduangrej

Tehsil – Kol

District - Aligarh

Uttar Pradesh

Kind attention : Mr. Mahesh Jain
Mr. Atishaya Jain

Essar Oil Limited
2314, 3rd Floor, Tower "A"
The Corenthum, A-41, Sector 62,
Noida - 201 309 (U.P.)
India

Corporate Identity Number:
L11100GJ1989PLC032116

T +91 120 426 3049 / 426 3039
email: eolmarketing@essar.com
www.essaroil.co.in

Dear Sir

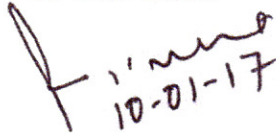
Sub : Franchise agreement dated 4th November 2016 executed between M/s Vardhman Fuel Point and Essar Oil Limited (the Company) – normative cost of the Retail Outlet.

This is to inform you that the Company has certified and approved on 10th January 2017 the Normative Cost in respect of your Retail Outlet at Rs.55,41,429.70/- (Fifty Five Lac Forty One Thousand Four Hundred Twenty Nine rupees & Seventy paise). The company shall pay a Return on Investment (ROI) at the rate of Rs.23,089.29/- (Twenty Three Thousand Eighty Nine rupees & Twenty Nine paise) per month, payable quarterly in terms of paragraph 5.5 read with paragraph 6.2 of the franchisee agreement. The said return on investment is payable to you with effect from 7th January 2017. The charges recoverable from you, in case of your failure to achieve the agreed targets, has been fixed at Rs.313.73/- (Three Hundred Thirteen rupees & Seventy Three paise) per KL for the quantity falling short of the agreed target, as per paragraph 5.4.7 the said franchisee agreement.

The above terms shall be subject to change by the Company from time to time. Any modification to the above terms shall be valid only when a written communication to that effect is sent to you by the Company.

Kindly return a duplicate of this letter duly signed as token of your acceptance and confirmation of the same.

Thanking you,
Yours truly,
For Essar Oil Ltd.


10-01-17

Authorised Signatory

Read and understood the contents
I / We hereby agree and accept the same

Signature of the Franchisee
with Seal /Stamp

वन (संरक्षण) अधिनियम, 1980 के उल्लंघन के विषय में दण्डात्मक एन.पी.वी. की गणना

कार्योपरान्त स्वीकृति (Ex. Post Facto) के अन्तर्गत जनपद-अलीगढ़ में अलीगढ़-रामघाट मार्ग (एम0डी0आर0-105) किमी0 चैनेज 9.10 की दांयी पटरी पर ग्राम-हरदुआगंज के खसरा सं0-176 में विकसित किये जा रहे रिटेल आउटलेट के सम्पर्क मार्ग निर्माण हेतु 0.0783 है0 संरक्षित वनभूमि के गैर वानिकी प्रयोग एवं उस पर अवस्थित 01 वृक्ष के पातन की अनुमति हेतु प्रेषित प्रस्ताव के अन्तर्गत प्रयोक्ता एजेंसी द्वारा भारत सरकार की पूर्वानुमति के कार्य पूर्ण कराकर, वन (संरक्षण) अधिनियम, 1980 का उल्लंघन किया है। उल्लंघन के सम्बन्ध में भारत सरकार, वन पर्यावरण एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली के पत्रांक-F.No. 11-42/2017-FC दिनांक 29.01.2018 द्वारा जारी गाइडलाइन के अनुसार निम्न प्रकार Penalty का प्राविधान किया गया है।

B. In cases where the proposal under FC Act is under consideration and forest land is diverted before grant of FC:


i- The penalty for violation shall be equal to NPV of forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting officer with maximum upto five (5) times the NPV plus 12 percent simple interest till the deposits is made.

ii- In case of public utility projects of the government, penalty shall be 20% of the penalty proposed in para (i) above.

1. प्रस्ताव के अन्तर्गत प्रस्तावित एन०पी०वी०-प्रभावित वन भूमि (0.0783) × 9,57,780 = 74994.00
2. प्रस्ताव के प्रकिया में होने के अन्तर्गत उल्लंघन किये जाने के कारण 5 × 74,994 = 374970.00
(दिनांक 07.01.2017 से उल्लंघन हेतु-5 गुना अधिकतम)
3. 12 प्रतिशत Simple Interest = 374970 × 12% = 44996.40
4. पांच वर्ष की एन०पी०वी० पर एक वर्ष का ब्याज (44996.40/5) = 8999.28
5. सात वर्ष की एन०पी०वी० का ब्याज (8999.28 × 7) = 62995.00

$$(374970 + 62995) = 437965.00$$

(चार लाख सैंतीस हजार नौ सौ पैंसठ)


(दिवाकर कुमार वशिष्ठ)

प्रभागीय निदेशक,
सामाजिक वानिकी प्रभाग, अलीगढ़।



UTTAR PRADESH POLLUTION CONTROL BOARD

Building. No TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone:0522-2720828,2720831, Fax:0522-2720764, Email: info@uppcb.com, Website: www.uppcb.com

Validity Period :23/09/2023 To 31/12/2026

Ref No. - 193201/UPPCB/Aligarh(UPPCBRO)/CTE/ALIGARH/2023 Dated:- 04/10/2023

To ,

Shri MAHESH JAIN

M/s M/s ESSAR OIL LIMITED

GATA NO. 176, VILL. HARDUAGANJ, TAHSIL KOIL, DISTT. ALIGARH,ALIGARH,
ALIGARH

Sub : Consent to Establish for New Unit/Expansion/Diversification under the provisions of Water (Prevention and control of pollution) Act, 1974 as amended and Air (Prevention and control of Pollution) Act, 1981 as amended.

Please refer to your Application Form No.- 22837079 dated - 17/09/2023. After examining the application with respect to pollution angle, Consent to Establish (CTE) is granted subject to the compliance of following conditions :

1. Consent to Establish is being issued for following specific details :

A- Site along with geo-coordinates : --

B- Main Raw Material :

| Main Raw Material Details | | |
|---------------------------|------------------------|-----------------------|
| Name of Raw Material | Raw Material Unit Name | Raw Material Quantity |
| MS & HSD | Kilo Liters/Day | 140 |

C- Product with capacity :

| Product Detail | |
|----------------------|------------------|
| Name of Product | Product Quantity |
| RETAIL OUTLET OF HSD | 100 |
| RETAIL OUTLET OF MS | 40 |

D- By-Product if any with capacity :

| By Product Detail | | | |
|--------------------|-------------------|--------------------------|--------------------------|
| Name of By Product | Unit Name | Licence Product Capacity | Install Product Capacity |
| N.A. | Metric Tonnes/Day | 0 | 0 |

2. Water Requirement (in KLD) and its Source :

| Source of Water Details | | |
|--------------------------------|----------------|-----------------|
| Source Type | Name of Source | Quantity (KL/D) |
| Ground Water (within premises) | borewell | 2.0 |

3. Quantity of effluent (In KLD) :

| Effluent Details | |
|--------------------|-----------------|
| Source Consumption | Quantity (KL/D) |
| Domestic | 2.0 |
| Process | 0.0 |

4. Fuel used in the equipment/machinery Name and Quantity (per day) :

| Fuel Consumption Details | | |
|--------------------------|----------------------|-------------------|
| Fuel | Consumption(tpd/kld) | Use |
| Diesel | 0.03 | FOR 15 KVA DG SET |

5. For any change in above mentioned parameters, it will be mandatory to obtain Consent to Establish again. No further expansion or modification in the plant shall be carried out without prior approval of U.P. Pollution Control Board.

For any change in above mentioned parameters, it will be mandatory to obtain Consent to Establish again. No further expansion or modification in the plant shall be carried out without prior approval of U.P. Pollution Control Board.

2. You are directed to furnish the progress of Establishment of plant and machinery, green belt, Effluent Treatment Plant and Air pollution control devices, by 10th day of completion of subsequent quarter in the Board.
3. Copy of the work order/purchase order, regarding instruction and supply of proposed Effluent Treatment Plant/Sewerage Treatment Plant /Air Pollution control System shall be submitted by the industry till 31/12/2026 to the Board.
4. Industry will not start its operation, unless CTO is obtained under water (Prevention and control of Pollution) Act, 1974 and Air (Prevention and control of Pollution)Act, 1981 from the Board.
5. It is mandatory to submit Air and Water consent Application,complete in all respect, four months before start of operation, to the U.P. Pollution Control Board.
6. Legal action under water (Prevention and control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act,1981 may be initiated against the industry With out any prior information,in case of non compliance of above conditions.

Specific Conditions:

1. This CTE is granted for M/s Essar Oil Limited, Gata No. 176, Vill. Harduaganj, Tahsil Koil Distt. Aligarh for Retail outlet of M.S.- 40 KL & H.S.D- 100 KL.
2. This Consent is valid for the Establishment of unit only. The industry can only manufacture products, at the rate of production as mentioned in consent order. In case of any change in production capacity, process, raw materials use etc. Industry will have to be intimate to the Board. For any enhancement of the above, fresh Consent to Establish has to be obtained from U.P. Pollution Control Board.
3. Industry shall ensure adequate plantation and green belt within its premises.
4. Water shall not be discharged from the premises. The domestic effluent shall be discharged into septic tank followed by soak pits.
5. The industry shall take adequate measures for control of noise from its own sources within the premises so as to maintain ambient air quality standards with respect to noise.
6. Industry shall abide by directions given by Hon'ble Supreme Court, High Court, National Green Tribunals, Central Pollution Control Board and Uttar Pradesh Pollution Control Board for protection and safeguard of environment from time to time.
7. The industry shall provide adequate arrangement for fighting the accidental leakages/discharge of any air pollutant/gas/liquid from the vessel, machinery etc. which are likely to cause fire hazard including environmental pollution.
8. The industry shall adhere to general standards terms and conditions of Water/Air Acts and compliance of Environment standards as per Environment (protection) Act 1986.
9. In case of violation of above mentioned conditions or any public complaint the consent to establish (NOC) shall be withdrawn.
10. Retail outlet compliance the Plastic Waste Management Rules, 2016.
11. Retail outlet compliance the Municipal Solid Waste Management Rules, 2016.
12. Retail outlet compliance the Hazardous Waste Rules, 2016.
13. Industry shall submit first compliance report with respect to conditions imposed within 30 days of issue of this permission.
14. The height of stack attached to 15 K.V.A. D.G. set should be raise about 1.5 meter respectively from nearest roof top of the building.
15. This CTE is valid for Retail-Outlet Storage Capacity-HSD-100 KL. & M.S.-40 KL.

Please note that consent to Establish will be revoked, in case of, non compliance of any of the above mentioned conditions. Board reserves its right for amendment or cancellation of any of the conditions specified above. Industry is directed to submit its first compliance report regarding above mentioned specific and general conditions till 04/11/2023 in this office. Ensure to submit the regular compliance report otherwise this Consent to Establish will be revoked.

Jaipal Singh Digitally signed
by Jaipal Singh
Date: 2023.10.04
17:46:05 +05'30'
JAIPAL SINGH
REGIONAL OFFICER (I)

Dated:- 04/10/2023

Copy To -

Chief Environment Officer, C-4, U.P. Pollution Control Board, Lucknow.

Jaipal Singh Digitally signed
by Jaipal Singh
Date: 2023.10.04
17:46:12 +05'30'
JAIPAL SINGH
REGIONAL OFFICER (I)