

Item No. 04

(Court No. 1)

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

(By Video Conferencing)

Original Application No. 116/2021

Bhagwati Prasad Dabral

Applicant

Versus

State of Uttarakhand & Ors.

Respondent(s)

Date of hearing: 28.05.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE M. SATHYANARAYANAN, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**ORDER**

1. Grievance in this application is against construction of petrol pump at Khasra No. 1081, near Mothrowala Road, Dehradun by respondent no. 7, Mrs. Madhu Kamboj.

2. According to the applicant, the construction of the petrol pump is in violation of the CPCB guidelines dated 07.01.2020 whereby minimum distance from the schools, hospitals and residential areas is required to be maintained. The proposed petrol pump is within 30 mtrs. from two schools. Reference has also been made to an order of this Tribunal dated 18.01.2019 in *O.A. No. 86/2019, Gyanprakash @ Pappu Singh v. Union of India & Ors.*, wherein directions were issued for maintaining distance between two fuel stations and from highway, based on the siting guidelines laid down by the India Road Congress. The applicant has also alleged violation of Building Construction and Development Regulations, 2011 and Rule 144 of the Petroleum Rules, 2002.

3. Though, none appears for the applicant, we have considered the matter. The violations alleged in the application needs to be looked into, in the first instance, by the District Magistrate, Dehradun. Ordered accordingly.

The application is disposed of.

A copy of this order be forwarded to the applicant and the District Magistrate, Dehradun by e-mail for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

M. Sathyanarayanan, JM

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

May 28, 2021  
Original Application No. 116/2021  
SN