



**National Highways & Infrastructure Development Corporation Limited**  
**(Ministry of Road Transport & Highways, Govt. of India)**

**Executive Director (Projects)**  
**Kohima, Nagaland**

**Email: edpkohimaoffice@gmail.com**



**BHARATMALA**  
**ROAD TO PROSPERITY**

NHIDCL/RO-Kohima/NH Acc/2020-21/Vol-I/001

22.05.2020

To  
General Manager (IT)  
NHIDCL-HQ  
New Delhi

**Subject:- Access permission to Fuel Stations, private properties, Rest Area Complexes and such other facilities along National Highways in the state of Nagaland-reg.**

Sir,

As you may already be aware that the power to give access to National Highways lies with Highway Administration as per Highway Administration Rule, 2004 under The Control of National highways (Land & Traffic) Act, 2002 . While exercising this power, the Ministry vide Gazette Notification no. S. O. 3293 (E) dt. 16.10.2019 has ordered that Executive Director, NHIDCL shall exercise the powers conferred under Sections 25, 28, 31 and 43 of the said Act.

2. In this context, it is to state that various applicants have been submitting proposals for seeking access permission to the RO-Kohima and its PMUs in offline mode in accordance with guidelines issued by MoRTH vide its Circular No. RW/NH-33023/19/99-DO-III dt. 24.07.2013.

3. However, some proposals doesn't comply all the criteria viz. distance from the intersection, distance from toll plaza/nearest fuel station etc. Further, it is to mention that vide Circular No. RW/NH-33023/19/99-DO-III dt. 16.03.2016, MoRTH (copy enclosed) has created a mechanism to grant such relaxation through its website for receiving such proposals from Applicants in online mode. Such proposals will then be forwarded to concerned Highway Administrator and accordingly before issue of NoC and in-principle approval, the Highway Administrator will make available the complete application on the MoRTH's portal for inviting public comments and subsequently take the decision.

4. In view of above, credentials for accessing the MoRTH's platform i.e. <https://morthnoc.nic.in/morthnoc/login.asp> are not available with this office for following the guidelines of MoRTH circular dt. 16.03.2016 referred above, on such

proposals and accordingly it is requested that necessary credentials for accessing the platform may be sought from MoRTH and provided to this office.

Yours sincerely,

Enclosure - AS above (Three pages)

MS Deol

MS Deol

ED (P), RO-Kohima

Copy to : (i) Director (Tech), NHIDCL-for similar <sup>request</sup> action please.  
(ii) Director (NIC), MoRTH for advance information.

(iii) PMUs under RO Kohima .

GOVERNMENT OF INDIA  
MINISTRY OF ROAD TRANSPORT & HIGHWAYS

Parivahan Bhavan,  
1, Sansad Marg  
New Delhi-110001

F. No. RW/NH-33023/19/99-DO III

Dated: the 16<sup>th</sup> March, 2016

To

1. The Chief Secretaries of all the State Governments/UTs
2. The Principal Secretaries/Secretaries of all States/UTs Public Works Department dealing with National Highways, other centrally sponsored schemes.
3. All Engineers-in-Chief and Chief Engineers of Public Works Department of States/UTs dealing with National Highways, other centrally sponsored schemes.
4. The Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi-110010.
5. The Chairman, National Highways Authority of India, G-5&6, Sector-10, Dwarka, New Delhi-110075.
6. The Managing Director, NHIDCL, PTI Building, New Delhi-110001.

**Sub: Guidelines/norms for access permission to Fuel Stations, Private Properties, Rest Area Complexes and such other facilities along National Highways- reg.**

The power to give for access to National Highways lies with the Highway Administration as per the Highway Administration Rule, 2004 under the control of National Highways (Land and Traffic) Act, 2002. While exercising this power, the Ministry issued the general guidelines/norms for access permission to fuel stations, private properties, rest area complexes and other facilities vide Ministry's Circular No. RW/NH-33023/19/99-DO-III dated 24.7.2013. The norms and guidelines were issued as per enclosures of the Circular at Appendix-1 (along with Annex-I, II & III to Appendix-1) and Appendix-II (along with Annex-I, II and III to Appendix-II).

2. The Ministry has been receiving many cases of relaxation from the Ministry's norms stipulated in the Circular under reference. It has been observed that many cases of deviations from the extant guidelines, specifically distance from intersection, gap in central median, distance from nearest fuel station, distance from toll plaza and non-fulfillment of the criteria of construction within a year of issuing NOC have been received for relaxation by the Ministry. Further, many complaints and RTI applications against relaxation have also been received in the Ministry.

3. In view of the above, it has been decided that the application for relaxation in the guidelines/norms for access permission to fuel stations, private properties, rest area complexes and other such facilities along National Highway will be filled up by the applicants through online forms and will be submitted to the concerned Highway Administrator. Before the issue of provisional NOC and in principle approval, the Highway Administrator will make available in the Ministry's website (morth.nic.in) the complete application for public comments, thereby bringing out the relaxation sought by the applicant. Comments will be invited within 60 days



from day of uploading and will be in the format as enclosed as Form-A. The Highway Administrator will subsequently take the decision on the application in a speaking order for accepting or rejecting the relaxation sought and taking into consideration the objections received on the matter. The applicant may have a further period of 30 days for appealing against the Highway Administrator to the Appellate Authority who will be the Chief Engineer of the respective Project Zone in Ministry of Road Transport & Highways. Chief Engineers will take into consideration the application of the applicant seeking relaxation, the objections received from the general public and the speaking order of Highway Administrator to decide on the appeal. The order of the Appellate Authority shall be final.

4. The Highway Administrator will issue the 'in principle' approval and the Provisional NOC for the applications, where relaxation of norms has been sought, only after the completion of the process illustrated in the preceding paragraph.

5. This circular will be read in continuation with circular of Ministry dated 24.7.2013 mentioned in first paragraph. The other provisions of the earlier circular will remain applicable.

6. The competent authority in the Ministry shall notify the Appellate Authorities for their respective Highways Administration. The contents of this Circular may be brought to the notice of all the concerned in your organization.

7. This issues with the approval of the competent authority.

Yours faithfully,

Encls. As above.



( U.C. Katara )

Superintending Engineer (S,R&T) (Roads)  
For Director General (Road Development) & SS

Copy to:

1. All Technical Officers in the Ministry of Road Transport & Highways
2. All ROs and ELOs of the Ministry
3. The Secretary General, Indian Roads Congress
4. The Director, IAHE
5. Technical circular file of S&R (R) Section
6. NIC- for uploading on Ministry's website under "What's new"

Copy for kind information to:

1. PS to Hon'ble Minister (RTH&S)
2. PS to Hon'ble MOS (RTH&S)
3. PPS to Secretary (RT&H)
4. PPS to DG(RD)&SS
5. PPS to SS&FA
6. PS to ADG-I/ADG-II
7. PS to JS(T)/JS(H)/JS(LA&P)/JS(EIC)

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**Form-A**

**Form for inviting public comments on the application for relaxation in the guidelines/norms for access permission to fuel stations, private properties, rest areas complexes and other such facilities along National Highways**

*The comments by the general public needs to be given within 60 days of uploading the online application for comments.*

<u>Sl. No.</u>	<u>Item</u>	<u>Details</u>
1.	Name of the person who is desiring to give comments	
2.	Address of the person	
3.	Details of the application for access permission against which comments are being given (name of applicant and other details like site address etc.)	
	a) Application No.	
	b) Name of Applicant (who applied to access permission)	
	c) Details of Application	
4.	Whether the specific permission, if given, shall cause any damage to Highways? If yes, please give details.	
5.	Whether specific permission, if given, shall adversely affect safety and convenience of the traffic on the Highways? If yes, please give the details.	
6.	Whether specific permission, if given, shall adversely affect hygiene or cause nuisance and pollution on the Highways? If yes, please give the details.	

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