

Dated: 12.11.2018

Invitation of public comments

Sub.: Proposal for final formal permission and signing of license deed for access to the fuel station of M/s Essar Oil Limited in Km. 41 (Ch.40.777, LHS) on NH-28 (New NH No. 27), Village - Dadra, Tehsil - Nawabganj & District - Barabanki in the State of Uttar Pradesh.

1. The provisional NOC for the instant retail outlet was granted vide this office letter no. RO/LKO/HA/NH-28/108/2014/1356 dated 10.12.2014 with the condition that "in case the construction is not done in one year of the issue of this provisional NOC, the same shall be deemed to be cancelled, unless renewed by the Competent Authority". However, it is seen that the case has been submitted after the elapse of said deadline. Thus, it is seen that there is delay in construction of the instant retail outlet and involves deviation from the Ministry's extant guidelines.

2. The Oil Company M/s Nayara Energy has submitted justifications for the delay, wherein it is mentioned that:

(i) NOC from forest department has received on Aug, 2017 and subsequently NOC from DM received on 28.09.2017 i.e. around 2 years 9 months & 18 days after the provisional NOC was issued. This resulted in delay in construction work at fuel station.

(ii) Thus applicant could not start the work immediately on the site in absence of these statutory approvals as budget is approved only when all the statutory approvals are in hand.

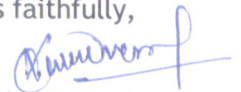
(iii) Construction work has been completed on 14.11.2017 i.e. the proposal was submitted after the elapsed deadline of provisional NOC period.

3. As per the guidelines, issued by the Ministry vide OM No.RW/NH-33023/19/99-DO.III dated 16.03.2016, the Highway Administration will make available the relaxation application for public comments will be invited within 60 days from the day of uploading as per the format enclosed as Form-A (Annexure-I).

4. In view of the above, comments of the public on the above relaxation proposal because of non-fulfillment of completion of the criteria of construction with stipulated time-period, is invited to the below mentioned address:

The Chief Engineer - Regional Officer,
Ministry of Road Transport & Highways,
N.H. Bhawan, Biotech Chowk, Lucknow Ring Road,
Vikas Nagar, Lucknow - 226 022.

Yours faithfully,



(Ankit Verma)

Assistant Executive Engineer
For Chief Engineer - Regional Officer

Encl.: As above

Copy to:

(i) NIC, New Delhi - for uploading in the Ministry's website.

(ii) The Regional Officer (CGM), UP - East, NHAI, S-2/656, A-3B, Varuna Vihar Colony, 2nd & 3rd Floor, One Place Tower, Sikraul, Varanasi - 221 002.

(Ankit Verma)

Assistant Executive Engineer
For Chief Engineer - Regional Office

List of cases (Retail outlets) involving minor deviations

S. No.	State	Chainage (Km)/District	Name of Oil Company	Deviation	Justification
1.	Uttar Pradesh	Km.41 (Ch.40.777, LHS), NH-28 (New NH No.27) Village- Dadra, Tehsil- Nawabganj District- Barabanki	Essar Oil Limited	Extension of time for provisional NOC period As per provisional NOC terms "in case the proposal for grant of final permission and signing of license deed are not received within one year of grant of provisional NOC the same shall be treated as cancelled and provisional NOC granted by the Ministry be treated as withdrawn". Accordingly, provisional NOC has been withdrawn on 09.12.2014. Provisional NOC has been issued by RO, MORTH, Lucknow vide its letter No. RO/LKO/HA/NH-28/2014/1356 dt.10.12.2014.	1. NOC from Forest Department has received on Aug.2017 and subsequently NOC from DM received on 28.09.2017 i.e. around 2 years, 9 months & 18 days after the provisional NOC was issued. This resulted in delay in construction work at fuel station. 2. Thus applicant could not start the work immediately on the site in absence of these statutory approvals as budget is approved only when all the statutory approvals are in hand. 3. Construction work has been completed on 14.11.2017 i.e. the proposal was submitted after the elapsed deadline of provisional NOC period. 4. Keeping in view the justification cited above, we request you for relaxation of Ministry's access permission norms to extend the provisional NOC period till issuing final formal permission including signing of license deed.



Authorized Signatory
Empanelled Consultant with the MORTH

Divisional Manager
Essar Oil Limited
(NAYARA ENERGY LTD)

Qureshi
NAYARA ENERGY LTD.
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[Signature]
Project Director,
परियोजना निदेशक,
NHAI, PWD,
भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)
3/248, विशाल खण्ड, गौमती नगर, लखनऊ

[Signature]
Sudot K Gupta
16th Manager (Tech.)
National Highways Authority of India
Project Implementation Unit, Lucknow
3/248, Vishal Khand, Gomti Nagar, Lucknow