



No. RW/BNG/N-75/NOC/Km 153.887/273/2018

Government of India

Ministry of Road Transport & Highways

(Regional Office (Civil), Bengaluru)

PWD Annexe Building, KR Circle, Bangalore-560 001

Email: [robengaluru@gmail.com](mailto:robengaluru@gmail.com); Telephone: 080-22217457, 080-22105765 (F)

Dated: 19.11. 2018

Invitation of Public Comments

Subject: Issue of NH access permission for New MS/HSD retail outlet abutting on LHS boundary of NH 75 (Bangalore-Mangalore Section) at Km. 153.887 in Sy. No. 297 of Baladare Village, Dandiganahalli Hobli, Channarayapatna Taluk, Hassan District, Karnataka State - Reg.

The proposal seeking access permission to the above retail outlet of M/s. BPCL is forwarded by the Project Director, NHAI, PIU, Hassan vide letter No. NHAI/25011/PIU-HSN/2018/1287 dated 25.10.2018 (Annexure - I).

2. The proposal is examined and it is observed that the intersection with rural roads/approach roads is at a distance of 132m as against minimum of 300m as per the Ministry's guidelines dated 24.07.2013 which necessitates relaxation. M/s. BPCL has sought relaxation stating that the said road leads to small habitant village and agricultural lands, vide letter dated 21.06.2018 (Annexure II) and Project Director, NHAI, PIU, Hassan has recommended to consider the case under relaxation.


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


4. In view of the above, comments of the public on the above relaxation proposal is invited to the below mentioned address:

The Regional Officer (C)  
Cum Highway Administration,  
O/o the The Regional Officer (C)  
Cum Highway Administration,  
Ministry of Road Transport & Highways,  
PWD Annexe Building, K.R.Circle  
Bangalore - 560001.

Encl : As above.

Copy to : (i) NIC, New Delhi for uploading in the Ministry's website.  
(ii) The Territory Manager (Retail), M/s. Bharath Petroleum Corporation Ltd., Behind F.C.I godown, Metagalli, Mysuru - 570016 for information.

  
(Praveen Kumar P)  
Executive Engineer  
for Regional Officer (C)

  
(Praveen Kumar P)  
Executive Engineer  
for Regional Officer (C)



8/10-3 - R  
**भारतीय राष्ट्रीय राजमार्ग प्राधिकरण**  
(सड़क परिवहन एवं राजमार्ग मंत्रालय)  
**National Highways Authority of India**  
(Ministry of Road Transport and Highways)  
Project Implementation Unit, Hassan  
परियोजना कार्यान्वयन इकाई - हस्सान  
Kanaka Nilaya', Khatha No. 738, 5<sup>th</sup> Main Road, 2<sup>nd</sup> Cross, Indranagar, Sathyamangala Layout, Hassan-573201.  
कनाकानिलाया, खातानं. 738, 5 मुख्यरोड, 2 गली, इन्द्रानगर, सत्यमंगला लेआउट हस्सान. 573201

Tele : 08172-240215  
Email : piuhassan@nhai.org  
nhai@hassan@gmail.com



No. NHAI/25011/1/PIU-HSN/2018/886

25.10.2018

To

**The Superintending Engineer (Civil),**  
Ministry of Road Transport and Highways  
PWD Annexe Building  
K.R. Circle  
Bengaluru-560001.

Dy. No. 626  
Date - 5/11/2018

**Sub:** Work of Design Engineering, construction, Development, Finance, Operation and Maintenance of 4/6 lane divided carriageway facility of Devihalli-Hassan section Km 110.00 to 189.5 of NH-75 in the state of Karnataka- **Issue of NH Access Permission for New Retail outlet abutting on left side boundary of NH-75 (Bangalore-Mangalore section) at Km 153.887 in survey no.297 of Baladare-village, Dandiganahalli-Hobli, Channarayapatna-Taluk, Hassan-District, Karnataka-state-Reg;**

**Ref:** 1) BPCL Mysore letter no Nil dated 21.06.2018 addressed to PIU.  
2) PIU letter no. NHAI/25011/1/PIU-HSN/2018/680 dated 27.07.2018 addressed to IE and Concessionaire.  
3) M/s Devihalli Hassan Tollway Limited., Letter no. DHTL/NHAI-PD/2018/45z/636 dated 19.09.2018 addressed to PIU.  
4) M/s MSV International Inc., Hassan letter no.1002/MSV/D-H/IE/Tech/(Inspection)/322 dated 03.09.2018 addressed to PIU.

Sir,

Please refer to letter cited (1), wherein Territory Manager (Retail), BPCL, Mysore, submitted the proposal for according NH access Permission for installation of New Retail outlet abutting on left side boundary of NH-75 (Bangalore-Mangalore section) at Km 153.887 in survey no.297 of Baladare-village, Dandiganahalli-Hobli, Channarayapatna-Taluk, Hassan-District, Karnataka-state.

2. In this regard, PIU vide letter cited (2), forwarded the above Retail Outlet proposal to IE and Concessionaire of the project highway to verify as per site condition and also as per MORT&H circular No. RW/NH-33023/19/99-DO III dated 24.07.2013 and to submit reports, comments and recommendations.

3. In this regard, vide letter cited (3) the Concessionaire of the project Highway, M/s Devihalli Hassan toll way Limited, submitted the report along with comments. The same has been reproduced below.

a. The location of the new outlet for Bharath Petroleum Corporation is at Km 153.887 on Project Highway which is beside to Anand Adyar Bhavan Hotel on NH-75 in Baladare-Village, Dandiganahalli Hobli.

- b. The ROW at this location is 30 mtr on both sides of NH from the centre line.
- c. There is no Median opening within the 300mtr range from the location where the outlet has been proposed.
- d. An approach road at Km 153.730 on LHS of the Project Highway.
- e. There is no Median opening within the 300mtr range from the location where the outlet has been proposed.
- f. Currently there is only 4 laning of Highway in the proposed location at Km 153.887.
- g. It is understood from the DPR proposed from the M/s. MSV International Inc., that there is proposal of service road at this location from 153.600 to 154.600.
- h. The drawing to be resubmitted with the provisions of the service road and as per the stipulations of IRC-12-2009. A copy of revised drawing inclusive of service road has been given by the Agency. Revised drawing to be considered.
- i. Hence, considering the above comments and permission can be accorded for the retail outlet for the petrol bunk at Km 153.887 after fulfilling the terms and conditions as mentioned in the Annexure-1 which is herewith enclosed.

4. Vide letter cited (4), IE of the project Highway submitted the report along with comments. The same has been reproduced below.

- i. The location of the new outlet for Bharath Petroleum Corporation is at Km 153.887 on NH-75, Left side boundary, in Baladare-village, Dandiganahalli-Hobli, Channarayapatna-Taluk, Hassan. The Horizontal Alignment is in starting point of transition curve having 850m Radius and the vertical Alignment is with ascending gradient of 1.657%.
- ii. The ROW at the proposed site is 30mtrs from the centreline of National Highway. The building line of fuel Station is maintained at 40 Mts from the centre line of National Highway.
- iii. The nearest existing cross road on LHS is located at Km. 153.730 at a distance of 132m from the Retail outlet and is separated by build up area adjacent to cross road. Further Service Road is also proposed in DPR at the location from Km. 153.600 to Km. 154.600.  
In view of the above exemption can be given to the Stipulation of 300m distance from nearest cross road as per IRC-12-2009.
- iv. The modified drawing is also submitted includes future service road and satisfying the stipulations as per IRC-12-2009.
- v. In view of the above facts, it is recommended to accord permission for establishing Retail outlet at Km 153.887 Subject to the conditions that
  - a. The Concessionaire, consultants and NHAI have to be informed in advance about commencement of work and during execution.

b. The other terms and conditions are as per NHAI circular guidelines.

Further, vide letter cited (1), the oil company provided justification in respect of relaxation due to presence of intersection road at a distance of 132Mtrs, i.e., as there exist the cross road intersection at a distance of 132 Mtrs towards the Bangalore side as against the minimum distance of 300Mtrs as per the MORT&H Norms which is leading to a small habitant village and Agricultural Lands.

6. Finally, both IE and Concessionaire recommended for granting permission to issue for NH access Permission for installation of New Retail outlet abutting on left side boundary of NH-75 (Bangalore-Mangalore section) at Km 153.887 in survey no.297 of Baladare-village, Dandiganahalli-Hobli, Channarayapatna -Taluk, Hassan-District, Karnataka-state, Subject to the conditions mentioned above and condition enclosed as Annexure-I.

7. In view of the above, the proposal along with application of the oil company, its drawings, checklist, Agreement and undertaking also with copy of recommendation of the Concessionaire and Independent Engineer is forwarded herewith along with recommendation for according in Principle approval to issue of NH Access Permission under relaxation for installation of proposed New Retail outlet abutting on left side boundary of NH-75 (Bangalore-Mangalore section) at Km 153.887 in survey no.297 of Baladare-village, Dandiganahalli-Hobli, Channarayapatna-Taluk, Hassan-District, Karnataka-state.

Thanking You,

Encl: 1 Proposal only

Yours sincerely,

  
(H.S.Lingegowda)

Project Director

Copy to: Territory Manager (Retail), Bharat Petroleum Corporation Ltd, Mysore, for information.

### Annexure-I

1. In the existing ROW of the project Highway, the utility corridor is earmarked at the end strip of 2m i.e., 28-30m from the project centre line and the same shall be used for the proposed utilities without disturbing the existing utilities, if any available in the utility corridor. If the utility corridor is inadequate to accommodate the proposed utilities, M/s Bharath Petroleum Corporation (hereinafter referred as "the Company") will procure the required land for providing the proposed utilities without disturbing the project Highway and/or its assets.
2. No excavation will be done for the proposed utilities within 1.5m from the outer edges of the existing side drains. Likewise no excavation will be done adjacent to the foundation of the structures.
3. As the project Facilities are provided at certain designated locations, no excavation will be done adjacent to these project Facilities. Existing utilities like OFC cables etc., will be taken care for its continuous satisfactory use and reinstated without any delay, if cut/disturbed. It is also necessary to inform the utility agencies (like BSNL, Reliance etc.,) before excavation starts at this location.
4. We will keep the project Highway and/or its assets intact and keep indemnify the concessionaire for any damages to the project Highway and/or its assets and any loss to the Concessionaire directly related to the said damages.
5. Advance written intimation will be given to the project Manager of the Concessionaire, DHTL at least 48 hours before executing the proposed utility works at any project chainage and proposed methodology of work will be shared in advance.
6. In case if the proposed utility is crossing the project Highway, specific consent will be obtained from the Concessionaire for such crossing.
7. All the works will be executed according to the submitted Layout diagram and as per the specifications and standards mentioned in the methodology.
8. Refilling the excavated portions will be done as per the said specifications and standards. Adequate safety measures will be taken by us during the progress of works.
9. Due care will be taken during the work of proposed utilities and any damages, if occurred to the project Highway and/or its assets, the same will be restored as per the specifications and standards stipulated in the Concession Agreement at our without any delay ( to be rectified within 24 hours).
10. All the restoration of damages will be supervised by the Concessionaire to ensure the quality of the restoration works as per the said specifications and standards.
11. In case such damages are not rectified within the said time period or any damages found at a later date by the Concessionaire, we will pay the demand note raised by the Concessionaire for rectification of such damages together with a penalty of Rs. 15,000/- (Fifteen Thousand only) per day of delay from such notification of damages.
12. Three copies of 'as laid drawings' of utilities (hard and soft copies) will be submitted to NHAI/Concessionaire for verification and record within a month of completion works.

13. The works of proposed utilities can be stopped by the Concessionaire at any time without assigning reasons, in case we defaulted in rectifying the damages or not adhered to the conditions mentioned herein.
14. We are well aware that NHAI/Concessionaire shall not be liable for any damage or disruption to the work of proposed utilities for any reason whatsoever and indemnify the NHAI/Concessionaire regarding any loss suffered by the NHAI/Concessionaire due to the provision of proposed utilities and its maintenance. On receiving notice from NHAI/Concessionaire at any time for whatsoever reason to remove the utilities of M/s Bharath Petroleum Corporation, we will remove the same from the project Highway, or, Shift the utility forthwith to alternate space and will not claim anything from the NHAI/Concessionaire.





To,

Date: 21.06.2018

The Project Director,  
National Highways Authority of India  
Project Implementation Unit,  
Hassan.

Dear Sir,

**Subject:- Issue of NH Access Permission for New Retail Outlet abutting on Left side boundary of NH-75 (Bangalore - Mangalore Section) at KM153.887 in Survey No.297 of Baladare village, Dandiganahalli Hobli, Channarayapatna Taluk, Hassan District, Karnataka State.**

With reference to the above subject proposal for the NH access permission as per the MoRT & H circular No: RW/NH-33023/19/99-DO III dated 24.07.2013 we hereby submit the above proposal (5Nos – 2 Original & 3 Copies) for verifying and certifying the proposal as per the site conditions, and request to forward the proposal to the Regional Office, MoRT & H for the issue of the NH Access permission.

We propose to install New MS/HSD Retail outlet abutting on Left side boundary of NH-75 (Bangalore - Mangalore Section) at KM153.887 in Survey No.297 of Baladare village, Dandiganahalli Hobli, Channarayapatna Taluk, Hassan District, Karnataka State.

The above site is located on the Left side boundary of National Highway NH-75 (Bangalore - Mangalore Section). The ROW at the proposed site is 30Mts from the centerline of National Highway. The building line is maintained at 40Mts from the center line of National Highway.

The above proposed site is a company owned company operated (COCO) retail outlet hence letter of Intent i.e the appointment letter for the dealership will not be applicable & also we hereby inform that the undertaking from the land owner stating that the land owner is ready to lease the above property to Oil Company to run the retail outlet.

**Relaxation reason and justification:**

*As there exist the cross road intersection at a distance of 132Mts towards the Bangalore side as against the minimum distance of 300Mts as per the MoRT & H Norms which is leading to a small habitant village and Agricultural Lands. so hence the relaxation is been sought for the same.*

In the above regard we duly are submitting 5Nos of Proposal, with 2Nos. of original Proposal containing the following documents:

*[Signature]*

Cont2...

**P.G.V.R.A.J. RAO**  
TERRITORY MANAGER (RETAIL)  
BHARAT PETROLEUM CORPORATION LTD.  
MYSORE

एफ.सी.आई. गोदाम के पीछे, मेटगल्लि, मैसूर - 570 016. ☎: 0821-2414700, 0821-2510031, Fax: 0821-2510019  
रजिस्टर्ड ऑफिस भारत भवन, 4 & 6, करिम्भाय रोड, बलार्ड इस्टेट, पोस्ट बॉक्स क्र 688, मुंबई 400001

Behind F.C.I. Godown, Metagalli, Mysuru - 570 016. ☎: 0821-2414700, 0821-2510031, Fax: 0821-2510019  
Registered Office: Bharat Bhavan, 4 & 6, Currimbhoy Road, Ballard Estate, P.B.No.688, Mumbai - 400 001.  
CIN: L23220MH1952GO1008931, Ph: 022-22713000/4000 Fax: 022-22713074, email: info@bharatpetroleum.in, Web: www.bharatpetroleum.in



-2-

1. Copy of license deed. The draft is at Annex-III.
2. Certified copy of location plan of the Fuel Station along the National Highway shown details of Right of Way (ROW) of National Highway, existing intersections and the intersecting roads including existing public roads and other developments falling within a reach of 1.5 km in each side of the Fuel Station and carriageway.
3. Certified copy of plan of the proposed Fuel Station showing details of deceleration, acceleration lanes, service road (if provided), buffer strip, fuel pump, office, kiosk, lubricatorium, air and water supply, toilet & drinking water facilities, drainage details, signs and markings conforming to applicable figures enclosed with these Norms.
4. Certified copy of sectional view showing elevation of fuel station with respect to National Highway and slopes to be provided for adequate drainage and preventing water logging on National Highway.
5. Drainage plan of the fuel station.
6. Detail of the material for pavement composition for deceleration lane, service road and acceleration lane.
7. Undertaking from the oil company that the oil company would pay necessary fee for the use of the National Highway land whenever the fee is asked by the Highway Authorities in future.
8. Undertaking from the oil company that necessary alteration including complete removal / shifting of the approach roads at its own cost if so required by Ministry, for the development of National Highway or in the interest of safety in this section.
9. Undertaking from Oil Company that they shall take all the action as prescribed in Appendix I to ensure conformity of these Norms.
10. Undertaking from the oil company that the fuel station is neither in operation nor energized and that construction of the fuel station has not been commenced.
11. Documentary evidence of additional land acquisition details (if required) beyond the available ROW (to accommodate service roads, deceleration / acceleration lanes, turning radius etc) done by the owner of the fuel station.

We shall be grateful if you could verify and certify the above proposal for the access to the petroleum retail station at the earliest.

As Per the Ministry Circular No. RW/NH-33023/19/99-DOIII dated 24.07.2013, we will be submitting the Non refundable NH application processing fee of Rs 10,000/- in the form of Demand Draft favoring "Regional Pay & Accounts officer, NH MoRT&H" payable at Bangalore, along with above Certified Proposal from your esteemed office, to the RO, MoRT&H Bangalore for further Necessary action.

Thanking you,

Yours faithfully,

For Bharat Petroleum Corporation Limited

Authorised Signatory  
P.G.V.R.A.J. RAO

TERRITORY MANAGER (RETAIL)

BHARAT PETROLEUM CORPORATION LTD.

एफ.सी.ओ. मैसूर के पीछे, मेटागल्लि, मैसूर - 570 016. ☎: 0821-2414700, 0821-2510031, Fax : 0821-2510019

रजिस्टर्ड ऑफिस भारत भवन, 4 & 6, करिम्भोय रोड, बलार्ड इस्टेट, पोस्ट बॉक्स क्र 688, मुंबई 400001

Behind F.C.I. Godown, Metagalli, Mysuru -570 016. ☎: 0821-2414700, 0821-2510031, Fax : 0821-2510019

Registered Office : Bharat Bhavan, 4 & 6, Currimbhoy Road, Ballard Estate, P.B.No.688, Mumbai - 400 001.

CIN : L23220MH1952001000001. Web : www.bharatpetroleum.in



# Annexure-III

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, NHIDCI, P11 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-I (along with Annex-I, II & III to Appendix-I) 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.

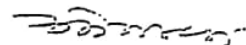
5. This circular will be read in continuation with circular of Ministry dated 24.7.2013 mentioned in first paragraph. The other provisions of the earlier circular will remain applicable.

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.

Encls. As above.

Yours faithfully,



( 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 web-site 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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