



No.RW/BNG/N-206/NOC/Km 279.006/267/2018

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: 04.01.2019

**Invitation of Public Comments**

Subject: Issue of NH Access Permission for New MS/HSD retail outlet abutting on LHS boundary of NH - 206 (Tumkur - Honnavara section) at Km 279.006 in Sy No. 61/1 of Balasagodu village, Shimoga Taluk & District, Karnataka State-Reg.  
Ref: Executive Engineer, NH Division, Chitradurga letter No. ENH/CTD/NHD/AE-4/Retail Outlet /permission/2018-19/ dated 17.11.2018.

The proposal seeking access permission to the above retail outlet of M/s. Nayara Energy Ltd., is forwarded by the Executive Engineer, NH Division, Chitradurga vide letter cited under reference above along with compliance (Annexure - I).

2. The proposal is examined and it is observed that the intersection with rural roads/approach roads of carriageway width of 3.5m and above is at a distance of 9.5m on the opposite side and intersection with rural roads/approach roads of carriageway width of less than 3.5m is at a distance of 39.60m and as against minimum of 300m as per the Ministry's guidelines dated 24.07.2013 which necessitates relaxation. M/s. Nayara Energy Ltd., has sought relaxation stating that the said road at 9.5m leads to layout and there is no vehicular movement and the road at is a private road for private use and is part of sy. No. 61/1 also this road is not in village map, vide letter dated Nil (Annexure II) and Executive Engineer, NH Division, Chitradurga 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 - III), 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 Executive Engineer, NH Division, Chitradurga for information.

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

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



81-10-57



## Annexure-I

No. EE/NHD/CTA/AE-4/Retail outlet/Permission/2018-19/ Office of the Executive Engineer,  
National Highway Division,  
Chitradurga, Dated:- 12-11-2018

909

17

By. No. 779

Date - 26/11/2018

To,  
The Regional Officer  
MORT&H,  
PWD Annexe Building,  
Bangalore.

Sir,

**Sub:-**Permission for construction of use of approaches/access road for proposed Retail Outlet at NH-206, Km. 279.006 LHS of NH-206 in Shimoga survey No. 61/1, Balasagodu Village, Sagara Tq, Shimoga Dt in the Karnataka-reg

- Ref:** - 1. Your office letter No.RW/BNG/N-206/NOC/KM279.006 /267/2018/1036 Dated 5-10-2018  
2. Assistant Executive Engineer National Highway Sub Division, Shivamoga ltr no. 166, Dated: 18-08-0018  
3. This office letter No. ENH/CTA/AE4/NOC/2018-19/847, dated: 02-11-2018  
4. Assistant Executive Engineer National Highway Sub Division, Shivamoga, AEE/NHSD-smg/Retail Outlet/Permission/2018-19/ 289, dated 7-11-2018.

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With Reference to the above, the Retail outlet at NH-206, Km 279.006 of LHS of NH 206 in Shimoga survey No:61/1, Balasagodu Village, Sagar Tq, Shimoga district in Karnataka, site has inspected by the Assistant Executive Engineer, NH subdivision, Shimoga and submitted the compliance to the observations is here with submitted as below:

| Sl. No. | Observations                                                                                                                                                                                                                            | compliance                                                                                                                                                                     |
|---------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.      | Separate drawing/Checklist for existing carriageway and proposed carriage way configuration as per DPR needs to be submitted.                                                                                                           | The Separate drawing / Checklist for existing carriageway and proposed carriageway.                                                                                            |
| 2.      | There exists a road at a distance of 39.60m from the proposed retail outlet which does not meet the criteria of Ministry's norms.                                                                                                       | As per village map records, there is no road. Map is enclosed                                                                                                                  |
| 3.      | Land Conversion order copy not enclosed.                                                                                                                                                                                                | Copy is enclosed.                                                                                                                                                              |
| 4.      | Population is submitted under urban category, however, population certificate enclosed with the proposal does not mention about the village Balasagodu. Further, population details from the competent authority needs to be submitted. | The survey no 61/1 of village Balasagodu comes under ward no. 17 of Sagar. Which is in form No. 3 of Declaration of property, tax of City Municipal Council Sagar is enclosed. |
| 5.      | Agreement does not mention the name of oil company and all the pages of the agreement needs to be signed by authorized Signatory.                                                                                                       | The name of oil company is mentioned in the Agreement and all the pages are signed by Authorized Signatory.                                                                    |
| 6.      | Checklist column 1.2(a) (i) & (ii) has to be filled by measurement at site instead of " NO ".                                                                                                                                           | As per checklist column 1.2(a) (i)&(ii) has filled with respective measurements & duly examplaning the clause 4.5.2 & agency has submitted for seeking relaxation.             |

|    |                                                                                                               |                                                                                                |
|----|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| 7. | Land documents in the name OF Shri D.G.Basalingappa needs to be enclosed and NOC by land owner is not signed. | The signed copy of Land documents of Shri D.G.Basalingappa with NOC by land owner is enclosed. |
| 8. | Schedule mentioned in the agreement does not match with the documents enclosed.                               | Schedule mentioned in the agreement is matching with the documents enclosed.                   |
| 9. | Videography with odometer showing the distances needs to be furnished.                                        | Videography with odometer showing the distance, CD is enclosed.                                |

Under the above circumstances the proposal is resubmitted duly exempting the clause 4.5.2 and the agency is requesting to relaxation for checklist column 1.2 (a) (i) and (ii) for establishing the Retail outlet at Km 279.006 on left side of NH 206, Tumkur Honnavar section is recommended for issue of NOC.

Encl: Proposal with records in 3sets

Yours faithfully,  
  
Executive Engineer,  
National Highway Division,  
Chitradurga.



# Annexure-II

**NAYARA ENERGY LIMITED**  
Formerly Essar Oil Limited

To,

The Regional Officer  
Ministry Of Road Transport & Highways,  
(Regional Office(Civil),Bangaluru)  
PWD Annexe Building,  
K.R.Circle, Bangalore -560001

Sub: - Issue of NH Access Permission for New MS/HSD retail outlet abutting on LHS boundary of NH-206(Tumkur-Honnavaara section) at km 279.006 in Sy No. 61/1 of Balasagodu Village, Shimoga taluk & District, Karnataka State. – Relaxation.

Sir,

There are two roads, first 2 mts wide mud pathway on the same side of proposed retail outlet at a distance of 39.6 mts and another is 3.5 mts wide coal tar road to layout on the opposite side at a distance of 9.5 mts.

Mud pathway is a private road made for private use and this road is a part of land having Survey No. 61/1 . This road is not in village map, village map is enclosed. No vehicular movement on this road, shown in the video.

This layout is having only 5 houses as shown in the video. No heavy vehicular movement. Even after construction of divided carriage way layout road will be separated from carriageway infront of proposed retail outlet.

In view of the above it is requested to please accept our proposal for relaxation and bless us the access permission.

Thanking you,

For Nayara Energy Limited



Authorized Signatory (Mangalore)

Divisional Office: No.12, Mayo Centre, Commissariat Road, Near Garuda Mall, Bengaluru-560025. |T 080-25559216|

Registered Office: Khambhalia, P.O.Box.24, Dist Devbhumi Dwarka, Gujarat - 361 305, India |T +91 2833 661444

|F +91 2833 662929

CIN: U11100GJ1989PLC032116 | www.nayaraenergy.com

# 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 II

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.

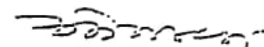
5. This circular will be read in continuation with circular of Ministry dated 24.7.2013 mentioned in first paragraph. The other provisions of the earlier circular will remain applicable.

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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