



No.RW/BNG/NOC/N-4/Km 527.691/241/2017

Government of India

Ministry of Road Transport & Highways

(Regional Office (Civil), Bengaluru)

PWD Annexe Building, KR Circle, Bangalore-560 001

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

Dated: 21.01.2019

Invitation of Public Comments

Subject: Issue of NOC for construction of access road to new retail outlet by M/s. BPCL, abutting on LHS of NH-4 (Bangalore - Pune section) at Km 527.691 in sy no. 54/1 of Sutgatti Village, Belgaum taluk & District, Karnataka State-Reg.

Reference: GM (T) & Project Director, NHAI, PIU, Dharwad letter No. NHAI/PIU-DWD/24011/2018/2097 dated 09.11.2018 (Received in this office on 14.11.2018) and dated 11.12.2018.

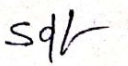
The proposal for Issue of NOC for construction of access road to new retail outlet by M/s. BPCL, abutting on LHS of NH-4 (Bangalore - Pune section) at Km 527.691 in sy no. 54/1 of Sutgatti Village, Belgaum taluk & District, Karnataka State was resubmitted by GM (T) & Project Director, NHAI, PIU, Dharwad vide letter cited under reference (Annexure - I). The same is examined and observed that, the intersection with NH/SH/MDR is at a distance of 304.90m as against minimum of 1000m as per Ministry's guidelines. As such the proposal necessitates relaxation. Further, Project Director, NHAI, PIU, Dharwad vide letter cited under reference has intimated that Oil company has proposed to widen existing 4.0m wide service road to 5.50m for a length of 237.5 m and intimated that access is from service road only and not from main carriageway and has sought relaxation.

2. 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.

3. 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.


(MK Chowdary)
Executive Engineer
for Regional Officer (C)

Copy to : (i) NIC, New Delhi for uploading in the Ministry's website.
(ii) The Territory Manager (Retail), M/s. Bharath Petroleum Corporation Ltd.,
Belgaum Territory, Near Desur Railway Station, Zadshahapur, Desur Post,
Belgaum - 590014 for information.

MK Chowdary
(MK Chowdary)
Executive Engineer
for Regional Officer (C)

Annexure-I

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण National Highways Authority of India

(सड़क परिवहन एवं राजमार्ग मंत्रालय)

(Ministry of Road Transport and Highways)

परियोजना कार्यान्वयन इकाई

Project Implementation Unit

दूसरा क्रोस, सत्तूर कॉलोनी, विद्यागिरी, धारवाड- 580004 (कर्नाटक राज्य)

2nd CROSS, SATTUR COLONY, VIDYAGIRI, DHARWAD- 580004 (KARNATAKA STATE)

Phone No.: (0836)2461442

Telefax: (0836)2461244

Website: www.nhai.org

E-mail : dha@nhai.org

piudharwad@gmail.com

No.NHAI/PIU-DWD/24011/2018/2097

09.11.2018

To,
The Regional Officer (Civil) cum Highway Administration,
Ministry of Road Transport and Highways
PWD Annexe Building,
K.R. Circle,
Bangalore - 560 001

Dy. No. 697

Date - 14/11/2018

Sub: Issue of No Objection Certificate for installation of New MS/HSD Retail Outlet abutting on the Left side boundary of NH 4 (Bangalore-Pune Section) at Km 527.691 in Survey No.54/1 of Sutgatti Village in the Taluk of Belgaum, Belgaum District Karnataka State- Reg.

Ref: 1.Your office letter No.RW/BNG/ NOC /N-4/Km 527.691/241/2017/850 dated 31.08.2018
2. M/s BPCL Letter No.Nil dated 05.10.2018

Sir,

This has reference to the letter afore cited at Sl.No.1 vide which this office was requested to examine the proposal for installation of New MS/HSD Retail Outlet abutting on the Left side boundary of NH 4 (Bangalore-Pune Section) at Km 527.691 in Survey No.54/1 of Sutgatti Village in the Taluk of Belgaum, Belgaum District Karnataka State.

In this regard, it is informed that M/s BPCL has complied the observations raised by this office vide their letter cited at Sl.No.2.

The point wise comments of this office along with proponent compliances are as follows:

Sr. No.	Observations	Applicant's Compliances	This office comments
(i)	As per proposal submitted earlier by the oil company, there was no mention of State Highway either in the checklist or the drawing. However, it is observed from the proposal (Only one copy is received) forwarded vide letter cited under reference, the State Highway is at a	The norm of 1000m distance is applicable when fuel station is directly located on national highway and in our case it is proposed on existing service road. However as per the letter received from RO office no RQ/BNG/NOC/N-4/KM527.691/241/2017/851 Dated 31.08.2018 it is	As the proposed MS/HSD outlet is on service road & not directly abutting main carriageway, earlier proposal was prepared with a provision of widening of service road however proposal may

	<p>distance of 304.90m from the proposed retail outlet as against minimum of 1000m as per Ministry's norms. The intersection of this State Highway is with the existing 4.00m wide service road and the oil company proposes to widen the existing 4.00m wide service road to 5.50m wide for a length of 237m which necessitates relaxation. The justification reasons for the same needs to be submitted for considering it under relaxation category as per Ministry's letter dated 16.03.2016.</p>	<p>indicated that the proposal should be put up under relaxation citing ministry's letter dated 16.03.2016. Hence it is proposed to be approved under relaxation. Further the oil company proposes to widen the service road upto 5.50m from existing 4.0m. We have also obtained NOCs from all the other related departments, however there is no much traffic flow in this mentioned State highway which will hurdle the junction. There is no disturbance to natural flow of traffic on main carriageway. Also the proposed Retail Outlet is not disturbing the adjacent commercial & other traffic in anyway.</p> <p>This proposal with same chainage is sanctioned earlier by MORT&H vide letter no NHAI/PIU-DWD/PD/NOC/653 Dated 11.07.2007, Due to non receipt of DM NOC well in time we could not start the access road work, hence resubmitted the proposal as per oral instructions.</p>	<p>now be considered under relaxation category as suggested by Ministry's letter dated 31.08.2018.</p>
(ii)	<p>Measurements at site such as intersection with NH/SH/MDR, intersection with rural/ approach roads, gap in the median, distance from the nearest fuel station etc., are not filled in the check list as per the drawing submitted.</p>	<p>Necessary corrections are done and corrected documents are being submitted</p>	<p>Complied.</p>
(iii).	<p>Hume pipe culvert of 900mm dia is proposed at the entry and exit of the proposed retail outlet instead of slab culvert, which is not allowed. Further, box culvert with gratings upto the edge of the property needs to be provided as per Standard</p>	<p>It is true that some part is proposed with hume pipe and 12m entry and exit with rcc slab culvert was proposed. Now as suggested full width of entry and exit is proposed with rcc slab culvert as per directions.</p>	<p>Necessary correction has been done in the drawing. Hence complied.</p>

	drawing of the Ministry's guidelines dated 24.07.2013.		
(iv)	Undertaking for widening of service road by the oil company at their own cost is not submitted.	Necessary undertaking is being submitted.	Necessary undertaking is being submitted. Hence complied. ✓
(v)	NOC from the land owner in favor of Letter of Intent holder/Oil company is not submitted.	Necessary undertaking is being submitted.	Necessary undertaking is being submitted. Hence complied. ✓
(vi)	Non-turning radius curve is shown as 3m in the checklist where as the same is shown as 1.5m in the drawing.	Necessary correction is done in check list and resubmitted.	Necessary correction is done in check list and resubmitted. Hence complied. ✓
(vii)	Level difference is shown as 150mm in the drawing as against minimum of 300mm marked in the checklist.	Necessary correction is done in drawing and resubmitted.	Necessary correction is done in checklist and resubmitted. Hence complied. ✓
(viii)	Population certificate from the competent authority needs to be submitted	Population certificate from the competent authority is being submitted.	Population certificate from the competent authority is being submitted. Hence complied. ✓
(ix)	The proposal needs to be submitted in two original and one copy duly verified and certified by field authority.	The proposal is being submitted in two original and one copy duly verified and certified by field authority.	The proposal is being submitted in two original and one copy duly verified and certified by field authority. ✓
(x)	The License agreement enclosed with the proposal is not true copy of the Ministry's format and the date of agreement shall be left blank. The same needs to be reconciled.	Correct License agreement is being submitted as instructed.	Correct License agreement is being submitted as instructed. Hence complied. ✓
(xi)	Processing fee amounting to Rs. 10,000/- in the form of DD is not submitted along with proposal, in place of DD returned earlier vide this office letter of even no. dated 15.03.2018.	Processing fee amount to Rs.10000/- in the form of revalidated DD is being submitted along with proposal.	Compiled.

In view of above, the verified checklist and certified drawing are attached herewith for necessary action at your end.

Thanking you,

Yours faithfully,

Col AK Janbaz

GM (Tech) & Project Director

Encl: 3 Flat files

Copy to: The Territory Manager (Retail), Bharat Petroleum Corporation Ltd, Near Desur Rly Station, Desur, Belgavi - 590 014 Ph: 0831 - 2494951- for information.

Annexure-II

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 16th 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.

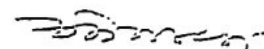
5. This circular will be read in continuation with circular of Ministry dated 24.7.2013 mentioned in first paragraph. The other provisions of the earlier circular will remain applicable.

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)

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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