



No. RW/BNG/N-206/NOC/Km 152.328/288/2018

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 : 20.02.2019

**Invitation of Public Comments**

Subject: Issue of NOC for existing MS/HSD retail outlet abutting on RHS boundary of NH - 206 (Tumkur - Honnavar section) at Km 152.328 in Sy. no. 156/3 of Jodithimmapura Village, Kadur Taluk, Chikkamagalur District, Karnataka State -Reg.

Reference: (i) The Project Director, NHAI, PIU, Tumkur, letter No. NHAI/PIU-TMK/12022/Retail outlet/01/2018-19/ 832 dated 04.12.2018.

(ii) M/s. Nayara Energy Ltd., letter no. Nil dated 28.01.2019.

The proposal for issue of NOC for construction of access road to New MS/HSD retail outlet at the location mentioned above is forwarded by the Project Director, NHAI, PIU, Tumkur vide letter cited under reference (i) (Annexure I) duly verified / certified. The proposal is examined and observed that, the intersection with rural roads / approach roads is at a distance of 64m & at 195.5m as against minimum of 300m as per Ministry's guidelines dated 23.07.2013. Oil company vide letter dated nil (Annexure - II) has sought relaxation stating that there are no heavy traffic movement on the above said roads.

2. Further, as per the DPR, service road is proposed at the said location and entry to the service road is adjacent to proposed retail outlet site. Oil company has proposed to extend the service road for a length of 218m along with shifting of entry to the service road. The Project Director, NHAI, PIU, Tumkur vide letter cited under reference (i) above, has stated that, the decision for closer of the proposed entry to the service road would be taken by the Concessionaire and IE during design and construction of project Highway.


3. Since the minimum distance of intersection with rural roads / approach roads is not meeting the Ministry's guidelines, the proposal necessitates 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 / Objections and the comments will be invited within 60 days from the day of uploading. The comments needs to be submitted in 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.

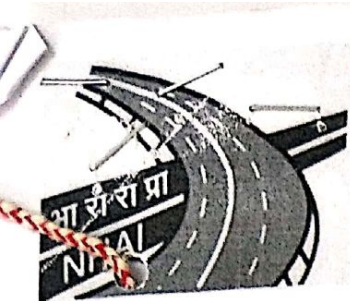
  
(Praveen Kumar P)  
Executive Engineer  
for Regional Officer (C)

✓  
Copy to: (i) NIC, New Delhi for uploading in the Ministry's website.

(ii) The Project Director, NHAI, PIU, Tumkur, # 64, Muneendra Nilaya, Mahalakshmi Layout, Madhugiri Road, Tumkur - 572106 for information.

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





भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

**National Highways Authority of India**

(Ministry of Road Transport & Highways)

Project Implementation Unit - Tumakuru

Website : www.nhai.org, e-mail ID: nhaitumkur@gmail.com; plushimoga@nhai.org  
#64, Muncendra Nilaya, Mahalakshmi Layout, Madhugiri Road, Sira gate, Tumkur-572106



भारतमाला  
प्रगति के पथ पर अग्रसर  
BHARATMALA  
ROAD TO PROSPERITY

NHAI/PIU-TMK/12022/Retail outlet/01/2018-19/ 832

04.12.2018

To,  
**The Regional Officer,**  
Ministry of Road Transport & Highways,  
PWD Annexe Building,  
K R Circle,  
Bangalore - 560 001.

Sl. No. 1 - (K)

Dy. No. 992  
Date - 21/12/2018

**Sub:** Issue of No Objection Certificate for installation of New MS/HSD retail outlet abutting on Right side boundary of NH-206, Tumkur Shimoga Section at Km.152+330 to in Sy. No. 156/3 of Joditimmapura Village, Kadur (T), Chikkamagaluru (D) - reg.

- Ref:**
1. M/s. Nayara Energy Ltd., Mangalore (Formerly M/s Essar oil Ltd.,) letter No. NEL/NH206/152.328/JODI TIMMAPURA/18 dated 18.07.2018.
  2. This office letter no. NHAI/PIU-TMK/12011/01/2018-19/372 dated 27.07.2018.
  3. M/s. URS Scott Wilson India Pvt. Ltd. letter no. URS-SWI/NH-206/KR/1116 dated 08.08.2018.
  4. This office letter no. NHAI/PIU-TMK/12022/01/2018-19/452 dated 16.08.2018.
  5. M/s. Nayara Energy Ltd., Mangalore letter No. nil dated 01.10.2018.
  6. M/s. Nayara Energy Ltd., Mangalore letter No. nil dated 27.11.2018

Sir,

This has reference to letter (1) cited above, regarding subject matter, wherein M/s. Nayara Energy Ltd., Mangalore (Formerly Essar oil Ltd.,) has sought No Objection Certificate for installation of New MS/HSD retail outlet abutting on right side boundary of NH-206, Tumkur to Shimoga Section at Km.152+330 in Sy. No. 156/3 of Joditimmapura Village, Kadur (T), Chikkamagaluru (D), Karnataka State.

2. This office vide letter (4) cited above raised observations as below;

- i. Drawing submitted by you is not as per the proposed NH design.
- ii. One more drawing as per existing site condition of highway may be submitted.
- iii. Undertaking may be submitted, stating that "After completion of four laning the retail outlet will be developed as per drawings approved as per proposed four laning.
- iv. Proper drainage arrangement is not shown in drawings.
- v. Clarification regarding a mud road at a distance of 63 M from the proposed outlet may be given as per MORTH Circular No.RW/NH-33023/19/99-DO-III Dated 24.07.2013.

3. M/s. Nayara Energy Ltd., Mangalore vide letter (5) cited above submitted the compliance report as below and re-submitted the proposal;

- i. We are re-submitting the drawing as per the proposed NH design.
- ii. We are submitting drawing of existing two lanes as per existing site condition of highway.
- iii. Undertaking stating that "After completion of four laing the retail outlet will be developed as per drawing approved as per proposed four laning" is enclosed here.
- iv. We are re-submitting proper drainage arrangement.
- v. Mud road at a distance of 63 M from the proposed Regional Office has a dead end after 200 mts approximately with no traffic movement. This mud road is only used for going to pond. After construction of proposed four lane with service road in this stretch, this mud road will be on service road separated from main carriage way.

21/12

21/12

21/12



4. Meanwhile, DPR Consultant M/s URS Scott Wilson India Pvt. Ltd was requested to submit their comments as per site conditions and MoRTH Guidelines vide this office letter (2) cited above. DPR Consultant vide their letter (3) cited above, submitted their comments to this office, copy enclosed for reference.

5. Further, the site was inspected by the Site Engineer on 30.07.2018. The site inspection report in this regard is enclosed for your kind perusal.

6. The re-submitted proposal vide letter (5) cited above, was scrutinized and certain suggestion were made during the discussions in this office. Accordingly, the kerb/separation island has been provisioned beyond paved shoulder, service road has been provided for length of 150m etc., and oil Company has re-submitted the revised drawings vide letter (6) cited above.

In view of the above, following is brought out;

- a. As per MORTH circular no. RW/NH-33023/19/99-DO-III dated 24.07.2013; the proposal is checked with site and found ok. After taking NOC following points to be noted and shall be implemented by the oil company as per circular.
  - i. *As per circular safety measures to be done while constructing fuel station.*
  - ii. *For Concessionaire there is no obligation while doing work.*
  - iii. *The oil company owner shall not hinder the construction work of 4/6/8 laning of NH and that temporary access shall be replaced by permanent access on completion of the work of NH.*
- b. There exists a Mud road on L.H.S of Retail Outlet at 64 m, for which M/s. Nayara Energy Ltd., has given clarification as mentioned above.
- c. There exists a road on opposite side at a distance of 195.5 m.
- d. Regarding the closer of proposed entry to service road, the decision would be taken by the Concessionaire and IE during the design and construction of project highway. ✓

In view of the above, the proposal of M/s. Nayara Energy Ltd., in 2 sets is forwarded herewith for further needful action, please.

Thanking you,

Yours faithfully,



**(Shirish Gangadhar)**  
Project Director  
NHAI, PIU-Tumkur

Encl: As above

# Annexure-II



**NAYARA**  
ENERGY

To,

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

Sub: - Issue of No Objection Certificate for Installation of New MS/HSD retail outlet abutting on Right Hand Side of NH-206, Tumkur Shlmoga Section at Km 152+328 to Sy No. 156/3 of Joditimpapura Village, Kadur(T), Chikkamagaluru(D)- Relaxation.

Sir,

There are two roads, first 4.7 mts wide mud road on the same side of proposed retail outlet towards birur at a distance of 63.3 mts and another is 5.5 mts wide coal tar road to dodgatte village on the opposite side towards tarikere at a distance of 195.5 mts.

4.7 m wide mud road to pond, ends upto a length of 200 mts approx. After construction of four lane this mud road will be on service road at a distance of 63.3 mts from proposed RO. No vehicular movement on this road, as shown in the video.

5.5 mts wide coal tar road to dodgatte village on the opposite side towards tarikere at a distance of 195.5 mts. No heavy vehicular movement. Even after construction of divided carriage way this village road will be separated from carriageway in front of proposed retail outlet.

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

Thanking you,

For Nayara Energy Limited,

Authorized Signatory



# 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.

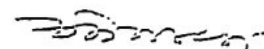
5. This circular will be read in continuation with circular of Ministry dated 24.7.2013 mentioned in first paragraph. The other provisions of the earlier circular will remain applicable.

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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