



No. RW/BNG/N-52/NOC/Km 57.890/331/2019

Government of India

Ministry of Road Transport & Highways

(Office of the Chief Engineer-Regional Officer, MoRTH, Bengaluru)

PWD Annexe Building, KR Circle, Bangalore-560 001

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

Dated: 23.09.2019

Invitation of Public Comments

Subject: Issue of NOC for NH access permission to new retail outlet by M/s. HPCL, abutting on LHS of NH-52 (Old NH 13) (Solapur - Bijapur section) at Km 57.890 (Design Chaninage 66.484) in Sy no. 67/2 of Kapanimbargi Village, Balloli Hobli, Indi taluk, Bijapur District, Karnataka State- Reg.

Reference : The Project Director, NHAI, PIU, Solapur letter No. NHAI/PIU/SLP/SB/Retail Outlet/15026/2018-19/1/4651 dated 03.09.2019.

The Project Director, NHAI, PIU, Solapur vide letter No. NHAI/PIU/SLP/SB/Retail Outlet/15026/2018-19/1/4651 dated 03.09.2019 (Annexure I) has submitted the above proposal to this office. The Project Director, NHAI, PIU, Solapur vide letter cited above, has stated that, the mud road shown in the earlier submitted drawing in Sy. No. 67/2 at a distance of 147m towards Vijayapura is not a government road and is not included in any road network of PMGSY or CMGSY of the district / block. Also it is not included in Road Development plan 2001-2021 for the district and the same is certified by AEE, PWD, Indi division vide letter dated 29.07.2019. Further, PD, NHAI, PIU, Solapur has reported that, the said mud road at a distance of 147 m is an unauthorized mud road serving to 2 farm houses located on agriculture land. One is a hut and the other is farm-house belonging to the LOI holder of the proposed retail outlet. Also, this road is not in the CA agreement for four laning of Solapur - Vijayapur road for Junction development, this clearly shows that this is unauthorized access and hence is not considered for criteria of intersection with rural road. Further, village road at 1200m is to be considered for intersection with rural road. Accordingly, the proposal is re-submitted without showing the mud road in the proposal. The drawings are enclosed as Annexure II. Justification is enclosed as Annexure IV.

2 As per Ministry vide OM No.RW/NH/33023/19/99-DO.III dated 16.03.2016 (Annexure III), the Highway Administrator will make available the relaxation proposal of Oil company for public comments, and the comments will be invited within 60 days from the day of uploading.

3 In view of the above, the comments from public on the above mentioned proposal is invited on public portal for access permission to fuel station on website of Ministry and Road Transport and Highways (www.morth.nic.in) and to the following address as per Form-A (copy enclosed).

The Chief Engineer - Regional Officer
Ministry of Road Transport & Highways
PWD Annexe Building, K.R.Circle
Bengaluru - 560001
Email Id: robengaluru@gmail.com

4 This is issued with the concurrence of Chief Engineer - Regional Officer, MORT&H, Bengaluru.

(S. Sadnanda Babu)

Superintending Engineer

For Chief Engineer - Regional Officer

Encl : As above.

Copy to:-

1. ✓ Senior Technical Director, NIC, Transport Bhawan, New Delhi- 110001 for uploading on Ministry's website.
2. The Deputy General Manager, Belgaum RRO, M/s. HPCL, Sambhaji Road, Rani Channamma Nagar, Box No. 529, Belgaum - 590006 for information.

(S. Sadnanda Babu)
Superintending Engineer
For Chief Engineer - Regional Officer



Annexure I

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)
National Highways Authority of India
(Ministry of Road, Transport & Highway)
परियोजना कार्यान्वयन, इकाई, सोलापूर (महाराष्ट्र)
Project Implementation Unit, Solapur (Maharashtra)

कार्यालय/Office :

प्लॉट नं. ई-२, जय जलाराम नगर, शिवदारे कॉलेजच्या मागे,
जुळे सोलापूर, सोलापूर - ४१३००४ (महाराष्ट्र)

Plot No. E- 2, Jai Jalaram Nagar, Behind Shivdare College,
Jule Solapur, Solapur - 413 004. Tel/Fax - 0217 2303379

ई-मेल/Email : solapur@nhai.org; piusolapur@gmail.com

No NHAI/PIU/SLP/SB/Retail Outlet/15026/2018-19/1/ 4651

Date 03/09/2019.

To
The Superintending Engineer &
Regional Officer, MoRT&H,
PWD, Annexe Building,
K.R Circle, Bangluru 560001.

Sl. No. 3 (A)

Sub:- Four laning of Solapur to Vijaypura Section of NH-52 from Km 0+000 to 110+542 (Design Length-110.542 km) in the state of Maharashtra and Karnataka to be executed as BOT (Toll) - Issue of NH access permission for installation of new MS/HSD retail outlet abutting on the Left Side of Solapur- Bijapur Section road NH-13 (New NH-52) at Ch.57+890 (design Ch 66+484) in survey No 67/2 of the village Kapanimbargi, Taluka-Indi, Dist. Vijaypura in the Karnataka state.

Ref:

- M/s SAICPL-DCPL, Solapur Letter No SAICPL-DCSPL / NH13 / SBBOT / NHAI / 2019 / 078 dated 27.07.2019
- T/O letter No.NHAI / PIU / SLP / SB / Retail Outlet / 15026 / 2018-19 / 1 / 2683 dated 26.07.2019
- HPCL Letter No nil Dated 09.07.2019
- SE Mort & H letter No.RW / BNG / NOC / Km.52.890 / 331 / 2019 / 543 dated 04.07.2019.
- T/o letter No. NHAI / PIU / SLP / SB / Retail Outlet / 15026 / 2018-19 / 1 / 1670 dated 12.06.2019
- M/s SAICPL-DCPL, Solapur Letter No SAICPL -DCSPL / NH13 / SBBOT / NHA I / 2019 / 47 dated 06.06.2019.
- NHAI Letter No. NHAI / PIU / SLP / SB / Retail Outlet / 15026 / 2018- 19 / 1 / 1418 dated 28.05.2019.
- Authorized Signatory, Hindustan Petroleum Corporation Limited Letter Nill Received in NHAI on 27.05.2019.
- Ministry guidelines dated 24.07.2013.

With reference to above cited subject M/s Hindustan Petroleum Corporation Ltd vide letter under Reference No 3, has submitted amended proposal, for Issue of Access permission for installation of new MS/HSD retail outlet abutting on the Left Side Solapur-Bijapur Section road NH-13 (New NH-52) at Km57+890 (design Ch 66+484) in survey No 67/2 of the village Kapinimbargi, Taluka-Indi Dist. Vijaypura in the Karnataka state.

- This office has forwarded the proposal to the Independent Engineer M/s SAICPL-DCSPL to verify and submit their comments vide this office letter under reference no -2 dated 26.07.2019.
- Accordingly the Independent Engineer has submitted their report vide letter under reference No 1 dated 27.07.2019. and their comments are as below.
 - The location of proposed retailed outlet is from Ch. 66 + 457 To 66+512 on LHS of Solapur Vijayapur project highway.
 - The comments of IE regarding the said proposal have already been submitted vide Ref-6.
 - SE MORTH vide letter under Ref- 4 has mentioned that the intersection with rural roads/approach roads to the private and public properties is at distance of 147 mtr, as against minimum of 300 m, specified in the guidelines issued by ministry letter dated 24th July 2013 and retail outlet proposed at the mentioned location

P. examining
prop.
29/7/19
SE
on 29/7/19

Head Office : No. G 5 & 6, Sector 10, Dwarka, New Delhi-110 075
Tel. No.: 011-2507 4100 / 2507 4200 Fax No. : 011-2509 3507 / 2509 3514. Web Site : <http://www.nhai.org>
G:\Ganesh\DC BACK UP\Solapur Bijapur\SB- Retail Out Let\15026 New.Doc

is not suitable. In this regard IE has to submitted their comments and recommendation which are as below.

- i. The mud road shown in the drawing is not included in any road network of PMGSY or CMGSY of the district/block. Also it is not included in Road Development Plan 2001-2021 for the district.
 - ii. The mud road mentioned in the drawing submitted in earlier proposal is unauthorized road serving to 2 farm houses located on agriculture land. One is a hut and the other is farm-house belonging to the LOI holder of the proposed outlet.
 - iii. As such, this unauthorized road was not considered as rural road/approach road to private and public properties by IE while submitting the comments on earlier proposal. Hence, IE sticks up to the comments submitted vide Ref-6 only.
 - iv. IE had mentioned the distance of VR as 1200 M towards Vijayapur side, which is more than 300 M vide Ref-6 and hence recommended for granting access permission to the retailed outlet.
- C. Also this road is not in the CA agreement for Four laning of Solapur Vijayapur road for Junction development, this clearly shows that this is unauthorized access. However, if required the said proposal may be approved with relaxation.
- D. As per the MoRT&H guidelines RW/NH-33023/19/99-DO-III dated 24.07.2013 the nonrefundable processing fee of Rs 10,000/- is paid through bharatkosh.gov.in payable at Bangalore. (The copy of receipt is attached)

In view of above this office concurs with the comments of Independent Engineer and hereby recommends for issue of NOC for NH access permission to retail outlet by M/s HPCL abutting on LHS of NH-52 (old NH-13) Solapur- Vijayapura Road Section at Km 66+484 in survey no 67/2 of Kapanimbargi village, Balloli Hobli, in taluka Indi, Dist. Vijayapura in the state of Karnataka as per the earlier proposal submitted vide letter under ref-5. as per Ministry's policy guidelines from the Competent Authority

Thanking You

Yours Sincerely



Project Director,
NHAI PIU Solapur

Encl. As above

Copy to: - i) CGM(Tech) & RO Mumbai for information please.
ii) Deputy General Manager, HPCL, Sambhaji Road, Rani Channamma Nagar, Belgaum, RRP for Information please.

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, NHIDCL, PTI 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-1) 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

200

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.

Yours faithfully,

Encls. As above.



(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 website 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 (RTH&S)
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)

Subject: Issue of NOC for NH access permission to new retail outlet by M/s. HPCL, abutting on LHS of NH-52 (Old NH 13) (Solapur - Bijapur section) at Km 57.890 (Design Chainage 66.484) in Sy no. 67/2 of Kapanimbargi Village, Balloli Hobli, Indi taluk, Bijapur District, Karnataka State- Reg.

Sl. No	State	NH No.	Chainage	Applicant	Deviation	Justification
1	Karnataka	52	57.890	M/s. HPCL	Earlier proposal submitted with 3.0 m wide mud road at a distance of 147m as against minimum of 300m for intersection with rural roads as per Ministry's norms.	The Project Director, NHAI, PIU, Solapur vide letter dt. 03.09.2019, has stated that, the mud road shown in the earlier submitted drawing in Sy. No. 67/2 at a distance of 147m towards Vijayapura is not a government road and is not included in any road network of PMGSY or CMGSY of the district / block. Also it is not included in Road Development plan 2001-2021 for the district and the same is certified by AEE, PWD, Indi division vide letter dated 29.07.2019. Further, PD, NHAI, PIU, Solapur has reported that, the said mud road at a distance of 147 m is an unauthorized mud road serving to 2 farm houses located on agriculture land. One is a hut and the other is farm-house belonging to the LOI holder of the proposed retail outlet. Also, this road is not in the CA agreement for four laning of Solapur - Vijayapur road for Junction development, this clearly shows that this is unauthorized access and hence is not considered for criteria of intersection with rural road. Further, village road at 1200m is to be considered for intersection with rural road.

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

Subject: Issue of NOC for NH access permission to new retail outlet by M/s. HPCL, abutting on LHS of NH-52 (Old NH 13) (Solapur - Bijapur section) at Km 57.890 (Design Chaninage 66.484) in Sy no. 67/2 of Kapanimbargi Village, Balloli Hobli, Indi taluk, Bijapur District, Karnataka State- Reg.

The comments by the general public needs to be given within 60 days of uploading the online application for comments

Sl. No	Item	Details
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.	

Annexure II



