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भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय)
National Highways Authority of India
(Ministry of Road Transport & Highways)
क्षेत्रीय कार्यालय, मदुरै / **Regional Office, Madurai**
दूसरा व तीसरी तल, विजय कृष्ण प्लाजा, संख्या-1 लेक एरिया, मेलूर मेन रोड, माट्टुतावनी, मदुरै-625 107
2nd & 3rd Floor, Vijay Krishna Plaza, No.1, Lake Area, Melur Main Road, Mattuthavani, Madurai-625 107



BHARATMALA
ROAD TO PROSPERITY

NHAI/15018/1.7/2019/512

05th March' 2020

Invitation of Public Comments

Sub: NHAI, RO-Madurai - PIU, Tuticorin - Access Permission for construction of culvert and approaches road for the Retail outlet M/s BPCL on (LHS) at km 20/733 to 20/792.67 of NH-7A in Survey No. 569B/1B2, 573/2A1 & 573/2B1 of Mudivaithanendal Village, Thoothukudi Taluk, Thoothukudi District in Tamil Nadu - **Proposal for Issue of Extension of Time for In-Principle Approval/Provisional NOC - Requested upto 31.03.2020 - Reg.**

The proposal is regarding Permission for construction of culvert and approaches road for the Retail outlet of M/s. BPCL on LHS at Km 20/733 to 20/792.67 of NH-7A in Survey No. 569B/1B2, 573/2A1 & 573/2B1 of Mudivaithanendal Village, Thoothukudi Taluk, Thoothukudi District in Tamil Nadu.

- 2) RO, MoRTH, Chennai vide letter No. RW-MD/TN/NH 7A/ROL/42/ 2015-16 dated 07.03.2017 had accorded "In-principle" approval for construction of culvert and approaches road for the Retail outlet of M/s BPCL on LHS at Km 20/733 to Km 20/792.67 of NH-7A in Survey No. 569B/1B2, 573/2A1 & 573/2B1 of Mudivaithanendal Village, Thoothukudi Taluk, Thoothukudi District in Tamil Nadu. Also it was mentioned that in case, the construction was not done in one year the provisional approval shall be deemed to be cancelled unless got renewed.
- 3) However, the NOC from the District Revenue officer i.e. District Magistrate was not received on time and received only on 11.09.2018. Based on the NOC received from the District Magistrate, M/s. BPCL, Tirunelveli, the Retail Outlet agency has requested for "Extension of Time" to PIU, Nagercoil vide letter No. NIL dated 12.11.2018, however, "In-Principle" period was already lapsed for more than eight months since the approved "in-principle" period was in force for the period from 07.03.2017 to 06.03.2018. In the mean time, due to the formation of new PIU i.e. PIU, Tuticorin, the files relating to the subject matter were transferred to PIU, Tuticorin from PIU-Nagercoil.
- 4) Meanwhile, quoting the policy guidelines of Gazette Notification S.O 3293 (E) dated on 16.09.2019, RO, MoRTH, Chennai had returned the proposal and directed to take further appropriate action. Consequently, PD, PIU, Tuticorin vide letter No. NHAI/PIU/NH-7A/2019/775 dated 30.10.2019 has recommended the proposal to this office citing the delegation of powers as per Gazette Notification dated 16.09.2019.
- (xiv) Upon examining the proposal, this office vide letter No. NHAI/15018/1.7/2019/RO Madurai/ 2610 dated 08.11.2019 had sought for certain clarifications.

[Signature]

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Further, it was also informed that, as per the Ministry's Guidelines dated 24.07.2013, "the Highway Administration may grant one-time extension up to one year for the construction, on genuine grounds and with proper justification(s) for the delay." In this instant proposal, it is observed that the instant proposal has been delayed of 1 year 8 months which is beyond the power delegated to Highway Administration.

5) However, quoting the above facts, the Retail Outlet Agency i.e. M/s. BPCL Ltd., Tirunelveli vide letter No. TTO/NH38/MUDIVAITHANENDAL/07 dated 29.02.2020 has requested to consider the aforesaid reasons for the delay occurred for more than 24 months beyond the approved "In-Principle" period i.e. from 06.03.2018 to 31.03.2020, to enable the Retail Outlet Agency to apply for the final grant.

6) As per Ministry's letter No. RW-NH-33023/19/99-DO-III dated 01.12.2014 "the highway administration may grant one time extension upto one year for the period of construction on genuine grounds with proper justification for the delay. In this instant case, the requested EOT period is beyond 2 years. Hence, the Policy guidelines do not cover beyond the one time extension of one year period i.e. beyond 05.03.2019. However, the Retail Outlet Agency has requested to issue the extension of time upto 31.03.2020 i.e. more than 12 months delayed beyond 05.03.2019. As such, issue of extension beyond already granted "In-Principle" approval for construction of culvert and approaches road for the Retail outlet i.e. M/s BPCL on (LHS) at Km 20/733 to Km 20/792.67 of NH-7A in Survey Nos. 569B/1B2, 573/2A1 & 573/2B1 of Mudivaithanendal Village, Thoothukudi Taluk, Thoothukudi District in Tamil Nadu, upto 31.03.2020 will tantamount to relaxation.

In view of the above, comments of the public on the above proposal is invited to the below mentioned address within a period of one month from the date of inviting comments:

The Regional Officer,
National Highways Authority of India,
2nd & 3rd Floor, Vijay Krishna Plaza,
No.1, Lake Area, Melur Main Road, Mattuthavani,
Madurai - 625 007.

Encl: As Above.

Yours Sincerely,

K. Govindasamy
(Govindasamy K), 05/03/2020

Deputy General Manager (Tech.),
For Regional Officer

Copy to:

1. Web Admin, NHAI HQ - for uploading in the website
2. The NIC, New Delhi - for uploading in the Ministry's website.
3. The PD, Tuticorin - for information.