



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

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: 23.10.2019

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/CTA/AE-4/Retail Outlet /Permission/2018-19/931 dated 15.10.2019.

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 was examined and observed that the intersection with rural roads/approach roads of carriageway width of more than 3.5m is at a distance of 9.5m on the opposite side as against minimum of 300m and intersection with rural roads/approach roads of carriageway width of less than 3.5m is at a distance of 39.60m as against minimum of 100m as per the Ministry's guidelines dated 24.07.2013.

3. The Executive Engineer, NH Division, Chitradurga, vide letter cited under reference above has resubmitted the proposal stating that, the road of width more than 3.50m, at a distance of 9.5m is on the opposite side of the proposed retail outlet site. The City Municipal authority & Department of Town Planning authority has certified that there is no road passing in Sy. No. 14, which is converted for residential use purpose only and the said road is now closed. Further, the said road of width 3.50m or less at a distance of 39.6m is part of the Sy. No. 61/1 (Same as the Sy. No. of the proposed retail outlet) and formed for agricultural use only which also, is now closed. As such, has recommended to consider the proposal, enclosing therewith the drawing without showing the above roads.

4. As per the guidelines issued by the Ministry's O.M. 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. Justification is enclosed as Annexure - III.

5. In view of the above, the comments from public on the above mentioned proposal is invited 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

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

Encl : As above.


(S. Sadananda Babu)
Superintending Engineer
for Chief Engineer - Regional Officer

Copy to : ✓ (i) Senior Technical Director, NIC, Transport Bhawan, New Delhi- 110001 for uploading on Ministry's website..
(ii) The Executive Engineer, NH Division, Chitradurga for information.

(S. Sadananda Babu)
Superintending Engineer
for Chief Engineer - Regional Officer

Sl. No. 10 (R) Annexure I



No. EE/NHD/CTA/AE-4/Retail outlet/Permission/2018-19/

931

Office of the Executive Engineer,
National Highway Division,
Chitradurga, Dated:- 12-10-2019

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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

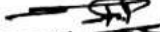


- Ref:** - 1. The Chief Engineer, Regional Officer, MORT&H, Bangalore letter No: RW/BNG/N-206/NOC/Km.279.006/267/2018/1877 Dated: 27-09-2019..
2. ESSAR OIL & GAS, BANGALURU there letter No: EOL/NH-206/Balasagodu/18, Dated: 16-05-2018.
3. This Office Letter No: 886 Dated: 03-10-2019.
4. Assistant Executive Engineer, National Highway Sub Division, Shimoga letter No: 261, Dated: 10-10-2019.

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 been inspected by the Assistant Executive Engineer, NH subdivision, Shimoga on 10-10-2019 the compliance to the observations is here with submitted as under:

SL. No.	Observations	Compliance
1	The check list is not signed by field authorities ie., Executive Engineer, NH Division, Chitradurga	Check List is signed & enclosed
2	The proposal may be forwarded with clear recommendation after visiting the site & giving justifiable reasons along with relevant documents	The road width is 3.50m & above at a distance of 9.50m on opposite side. The city municipal authority & Department of Town Planning authority has certified that there is no road passing in sy No. 14. Which is converted as residential purpose only (copy enclosed) now it is closed. Also road width less than 3.50m is at a distance of 39.60m which is lies in sy No. 61 & 78 of Balasagodu Village belongs to private property of Sri D.G. Basalingappa S/o D.B. Gurubasappa stating that the road belongs to his own & formed access for agricultural use only which is now closed (copy & videography enclosed).

Under the above circumstances the proposal for establishing the Retail outlet at Km 279.006 on left side of NH 206, Tumkur Honnavar section is recommended  herewith for issue of NOC.

Encl: Proposal with records in 3sets
Including originals with  D

Yours faithfully,

Executive Engineer,
National Highway Division,
 Chitradurga. 

GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS

Annexure II

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, 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-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

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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)

Annexure-III

Subject: Issue of NOC to 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.

Sl. No	State	NH No.	Chainage	Applicant	Deviation	Justification
1	Karnataka	206	279.006	M/s. Nayara Energy Ltd.	Earlier proposal submitted with 3.50 m wide road at a distance of 9.50m as against minimum of 300m and less than 3.5m width road at a distance of 39.60m as against minimum of 100m for intersection with rural roads as per Ministry's norms.	The Executive Engineer, NH Division, Chitradurga, vide letter dated 15.10.2019 has resubmitted the proposal stating that, the road of width more than 3.50m, at a distance of 9.5m is on the opposite side of the proposed retail outlet site. The City Municipal authority & Department of Town Planning authority has certified that there is no road passing in Sy. No. 14, which is converted for residential use purpose only and the said road is now closed. Further, the said road of width 3.50m or less at a distance of 39.6m is part of the Sy. No. 61/1 (Same as the Sy. No. of the proposed retail outlet) and formed for agricultural use only which also, is now closed. As such, has recommended to consider the proposal, enclosing therewith the drawing without showing the above roads.

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 to 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.

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.	