

Government of India

Ministry of Road Transport & Highways  
(Chief Engineer - Regional Office, Lucknow)

N.H. Bhawan, Biotech Chowk, Lucknow Ring Road, Vikas Nagar, Lucknow - 226 022  
Ph.: (0522) - 2967112, 2738226 (Tele-Fax)

Dated: 07.03.2019

Invitation of public comments

Sub.: Proposal for final formal permission and signing of license deed for access to the fuel station of M/s Essar Oil Limited in Km. 78 (Ch. 77.013, LHS) on NH-330 (Old NH-96) at Village - Pakri, Tehsil - Sadar & District - Sultanpur in the State of Uttar Pradesh - Time Extension - Reg.

1. The provisional NOC for the instant retail outlet was granted by this office vide letter no. RO/LKO/HA/NH-330(96)/Km.77.013/2015/1055 (a) dated 24.06. 2015 with the condition that "in case the construction is not done in one year of the issue of this provisional NOC, the same shall be deemed to be cancelled, unless renewed by the Competent Authority."

Earlier, this office vide letter dated 21.03.2017 had approved the extension of time of provisional NOC upto 23.06.2017 with respect to subject cited retail outlet. The Executive Engineer vide his work completion certificate dated 10.01.2019 has certified that the construction work was completed on 08.03.2018 as per approved drawing by the Ministry. Thus, it is seen that there is delay in construction of the instant retail outlet and involves deviation from the Ministry's extant guidelines.

2. As the construction is not completed within 2 years of the provisional NOC, the oil company has requested for relaxation towards delay in completion of the construction work on the following ground, duly recommended by State PWD:

(i) NOC from forest department has been received on 30.12.2017 and subsequently NOC from DM received on 27.01.2018 i.e. around 2 years, 8 months & 3 days after the provisional NOC was issued. This resulted in delay in construction work at fuel station.

(ii) Thus applicant could not start work immediately on the site in absence of these statutory approvals as budget is approved only when all the statutory approvals are in hand.

(iii) Construction work has been completed on 08.03.2018 i.e. the proposal was submitted after the elapsed deadline of provisional NOC period.

3. As per the guidelines, issued by the Ministry vide OM No.RW/NH-33023/19/99-DO.III dated 16.03.2016, the Highway Administration will make available the relaxation application for public comments will be invited within 60 days from the day of uploading as per the format enclosed as Form-A (Annexure-I).

4. In view of the above, comments of the public on the above relaxation proposal is invited to the below mentioned address:

The Chief Engineer - Regional Officer,  
Ministry of Road Transport & Highways,  
N.H. Bhawan, Biotech Chowk, Lucknow Ring Road,  
Vikas Nagar, Lucknow - 226 022.

Encl.: As above

Yours faithfully,



(Ankit Verma)

Executive Engineer

For Chief Engineer - Regional Officer

**Copy to:**

- (i) NIC, New Delhi - for uploading in the Ministry's website.
- (ii) The Chief Engineer (NH), Public Works Department, Government of Uttar Pradesh, Nirman Bhavan, 96, M. G. Marg, Lucknow - 226 001. - for information.

(Ankit Verma)

Executive Engineer

For Chief Engineer - Regional Officer

## List of cases (Retail outlets) involving minor deviations

S. No.	State	Chainage (Km)/District	Name of Oil Company	Deviation	Justification
1.	Uttar Pradesh	Km.78 (Ch.77.013, LHS)	Nayara Energy Limited	Extension of time for provisional NOC period	1. NOC from Forest Department has been received on 30.12.2017 and subsequently NOC from DM received on 27.01.2018 i.e. around 2 years, 8 months & 3 days after the provisional NOC was issued. This resulted in delay in construction work at fuel station.
		NH-330 (New NH No.96)	formerly Essar Oil Limited	As per provisional NOC terms "in case the proposal for grant of final permission and signing of license deed are not received within one year of grant of provisional NOC the same shall be treated as cancelled and provisional NOC granted by the Ministry be treated as withdrawn".	2. Thus applicant could not start the work immediately on the site in absence of these statutory approvals as budget is approved only when all the statutory approvals are in hand.
		Village- Pakri, Tehsil- Sadar & District- Sultanpur		Provisional NOC has been issued by RO, MORTH, Lucknow vide its letter No. RO/LKO/HA/NH/NH-330 (96)/ Km.77.013/2015/1055 dt.24.06.2015. Accordingly, provisional NOC has been withdrawn on 23.06.2016.	3. Construction work has been completed on 08.03.2018 i.e. the proposal was submitted after the elapsed deadline of provisional NOC period.
					4. Keeping in view the justification cited above, we request you for relaxation of Ministry's access permission norms to extend the provisional NOC period till issuing final formal permission including signing of license deed.



*[Signature]*  
 Divisional Manager  
 Nayara Energy Limited  
 Formerly Essar Oil Ltd.

**Sambit Kumar Lenka**  
 Divisional Manager  
 NAYARA ENERGY LTD,  
 Sigra, Varanasi

*[Signature]*  
 सहायक अभियन्ता  
 इन्फ्रास्ट्रक्चर (राजमार्ग), लोकनिर्वाह  
 कुलतानपुर (मुंबई)

*[Signature]*  
 अधिशासी अभियन्ता  
 वास्तु एवं संरचना (राजमार्ग) विभाग, सि. नि. वि.  
 मुंबई, मुंबई  
 सुलतानपुर (मुंबई)  
 Sultanpur

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.	