SW-33(I)

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GOVERNMENT OF INDIA
MINISTRY OF SHIPPING, ROAD TRANSPORT & HIGHWAYS
(DEPARTMENT OF ROAD TRANSPORT & HIGHWAYS)

Parliament Street 1,
Transport Bhavan
New Delhi-110001

No.NH-14019/15/2004-P&M

Dated: 8th February, 2006

Sub: Examination of proposals involving minor deviations from the prescribed guidelines for grant of permission of approach road access to Petroleum outlets on National Highways.

The Minutes of the Meeting of Committee for deviations on Retail Outlets held on 23.1.2006 are enclosed for information and necessary follow up action.

A compliance report wherever required may be forwarded.

(S.B. Basu)
Chief Engineer (Planning)
Telefax: 23710134

Encl: As above.

To

1. The Chairman, National Highways Authority of India, G 5&6, Sector-10, Dwarka, New Delhi-110045.
2. The Director General (Road Development), DORT&H.
3. The Additional Director General, DORT&H.
4. The Addl. Secy. & Financial Advisor, M/o S, RT&H.
5. The Joint Secretary, Ministry of Petroleum & Natural Gas, Shastri Bhawan, New Delhi.

Issued

Copy to representatives of Oil Companies:

1. Director (M) – M/s Indian Oil Corpn. Ltd., Indian Oil Bhavan, G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai – 400 051.
2. Director (M) – M/s Bharat Petroleum Corpn. Ltd., ECE House, 28-A, Kasturba Gandhi Marg, New Delhi-110001.
3. Director (M) – M/s IBPC Ltd., Sarjan Plaza, Worli, Mumbai.
4. Director (M) - M/s Essar Oil Ltd., 21, Feroze Gandhi Road, Lajpat Nagar-III, New Delhi-110024.
5. Director (M) – M/s Hindustan Petroleum Corpn. Ltd., 8, S.V.Marg, Ballard Estate, Mumbai - 400 001.

(S.B. Basu)
Chief Engineer (Planning)

O/C

INTERNAL DISTRIBUTION:

(1) PS to Secretary (RT&H)

Issued (2) CE(P-1), CE(P-2), CE(P-4), CE(P-6), CE(P-7) and CE(P-8):- **It is requested to seek the approval for the relaxation of the deviation from the Competent Authority in the respective file dealing with this case. The minutes may not be considered as an approval.**

(3) CE(S&R)

(S.B. Basu)
Chief Engineer (Planning)

Minutes of the Meeting of the Committee held on 23.1.2006 to discuss the cases of minor deviations for the Retail Outlets

List of participants is at Annexure-I.

2. At the outset it was brought to the notice that the minutes of the meeting of the Committee held on 25.11.2005 which were circulated on 12.12.2005 included a proposal of retail outlet of M/s IBPCL at NH-88 of Himachal Pradesh. The kilometerage indicated in the minutes was 147/170. The correct kilometerage is 143/170. This may be noted for further necessary action.

3. The cases recommended for relaxation of the deviation from the prescribed norms were taken up one by one. The Ministry's officers concerned presented the cases alongwith the deviations as well as the justification for the relaxation. These were discussed in detail. A statement showing the locations of these retail outlets, name of Oil Company, the deviations and the decisions taken on these cases is at Annexure-II.

4. The meeting ended with a Vote of Thanks to the Chair.

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Annexure-I

Officers present in the Committee Meeting for Deviations held on 23.1.2006 at 15:00 hrs.

M/o Shipping, Road Transoort & Highways

Shri L.K. Joshi, Secretary (RT&H) - in Chair
Shri Indu Prakash, DG (RD)
Shri V. Velayutham, ADG
Shri C. Balakrishnan, AS & FA
Shri S.B. Basu, CE(PL)
Shri Prabhat Krishna, CE(P-2)
Shri H.S. Ahluwalia, CE(P-4)
Shri A.N. Dhodapkar, CE(P-6)
Shri N.S. Jain, CE(P-7)
Shri Manoj Kumar, SE(P-1)
Shri R.B. Singh, SE(P-2)
Shri H.C. Arora, SE(P-7)
Shri A.K. Yadav, SE(P-8)
Shri M.K. Wathore, EE(P-2)
Shri Sudip Chaudhry, EE(SG)S&R

National Highways Authority of India

Shri S.C. Jindal, CGM (CM)
Shri Vishal Gupta, DGM (CM)
Shri Rajeev Singh, DGM(NS-II)
Shri P. Ramesh Reddy, Mg. (EW-II)
Shri Pankaj Aggarwal, Mgr. INS)
Shri P.G. Khodaskar, Mgr. (NS-III)

Oil Companies

Shri A.K. Handa, DGM (Mktg.), M/s Essar Oil Ltd.
Shri K. Phani Rama Mohan, Chief Retail (Dev. Manager), M/s IOCL
Shri K. Sivakumar, Chief Manager (Retail), M/s BPCL
Shri Ashok Mehta, Chief Manager, M/s BPCL
Ms. Poonam Chopra, Sr. Mgr., M/s IBPCL
Shri J.N. Misra, Manager (NFB), M/s HPCL

Annexure - II

LIST OF CASES INVOLVING MINOR DEVIATIONS CONSIDERED DURING THE MEETING HELD ON 23.1.2006

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
1.	Gujarat	14	395.430 (LHS)	M/s IOCL	The existence of a level crossing at a distance of 730m from the proposed retail outlet.	NHAI has informed that a ROB in place of the existing level crossing is under construction and likely to be completed by November, 2007. As the distance between the level crossing and the proposed retail outlet is less than the prescribed distance (1000m), therefore, this deviation was not relaxed as it may affect the smooth flow of traffic on the National Highways. After construction of the ROB the condition for a level crossing at a distance of 1000m from the proposed retail outlet will not be applicable and no relaxation will be required.
2.	Haryana	2	79.300	M/s IBPCL	There is a gap in central median at a distance of 88m instead of 300m. This gap is provided for the inter section of Manpur-Sawali road with the National Highway. The above said intersecting road having carriageway width more than 3.5m is at	The median gap, intersection and side roads are towards acceleration lane. Acceleration lane as proposed in the modified proposal does not directly join to the NH but it joins to the NH via Manpur-Sawali road. The traffic entering the retail outlet will leave the NH at a distance of 203.73m (70m deceleration lane + 45.73 frontage + 88m distance of median opening from the fuel station). If the Oil Company agrees to extend this service road by 97m at their own cost so that the distance of 203m is

					a distance of 102m from the proposed fuel station.	increased to 300m then the deviation can be recommended for relaxation. The relaxation of the deviation can be considered only after receipt of the specific undertaking from the Oil Company for construction of the service road at their own cost.
3.	Karnataka	4	563.508	M/s IOCL	Existence of median opening at a distance of 50m towards entry side of the retail outlet from the proposed site against the minimum requirement of 300m.	The deviation was also discussed in the meeting of the Relaxation Committee on 6.10.2005 wherein it was decided to get the feedback from the field about the possibility of closure and shifting of the median opening. NHAI had informed that the closure of the existing facility would create a public uproar. Considering all the issues NHAI was again requested to reassess the situation objectively from the consideration of traffic about the closure / shifting of the median and / or access to the petrol pump and side road.
4.	Karnataka	13	297.295	M/s BPCL	Existence of a railway level crossing at a distance of 969m from the proposed retail outlet.	It was reported by the officers of the Project Zone that the number of closures of the level crossing is about 8 to 10 per day and consequent queuing of vehicles on the National Highways is maximum upto 250m therefore this would not affect the traffic movement or safety on the National Highways. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.

5.	Karnataka	206	211.70 (RHS)	M/s BPCL	Existence of another retail outlet at a distance of 130m on the opposite side of the proposed fuel station against the minimum requirement of 300m and existence of side road adjacent to the site as against the requirement of 100m.	It has been informed that the retail outlet is located within the city limits of Shimoga. Considering the restriction in the availability of land it was considered that if the Oil Company widens the road in front of the petrol pump for a minimum distance of about 430m so that minimum requirement of 300m is maintained. Alongwith the widening of the road proper median at the centre of the road, paved shoulders on both the sides are also to be constructed. It was also reported that the existing side road is catering to very few houses and is a dead end road which terminates at 625m. This deviation can be considered for relaxation if the Oil Company gives specific undertaking for widening of the road and construction of paved shoulders and median at their own cost.
6.	Maharashtra	4	672.106 (RHS)	M/s BPCL	Existence of a service road opening at about 45m (in place of specified distance of 300m) from the proposed access to the retail outlet and a median opening in front of this service road opening.	NHAI was requested to reassess the situation objectively from the consideration of traffic about the closure / shifting of the median and / or access to the petrol pump and side road.
7.	Rajasthan	114	73.940 (RHS)	M/s BPCL	The size of the plot is 47.63m (frontage) and average depth is varying from 0 to one end to 35m on the other end against the	The frontage available is 47.63m which his more than the specified dimension of the frontage. It was also reported that the triangular shape of the plot will not be a safety hazard to the traffic.

					requirement size of 35m x 35m.	In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
8.	Tamil Nadu	7	276/584	M/s IOCL	The existence of a small street of 100m length opposite to the proposed retail outlet.	It was reported by the Project officers that the side road of 100m length was connecting to a few houses and terminated at a dead end. There would not be any heavy vehicular traffic on this road. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
9.	Uttar Pradesh	24	17.000 (RHS)	M/s Essar Oil	There exists a Sales Tax Check post at a distance of 130m from the proposed fuel station against the minimum requirement of 1000m. There exists a junction at a distance of 26m with median opening and the side road adjacent to the plot against the minimum requirement of 300m.	On examination of the proposal it appeared that there are some discrepancies in the drawing as has been submitted and this may be rechecked and to be reported in future meeting.
10.	Uttar	27	7.667 (LHS)	M/s IOCL	There exist two retail	The two retail outlets on the opposite side are

	Pradesh				outlets on opposite side of the proposed fuel station at a distance of 120m and 239m against the minimum requirement of 300m.	of M/s HPCL and M/s BPCL. The representatives of the Oil Companies could not give a firm undertaking in the meeting that they would construct at their own cost the necessary service road for clustering of the two retail outlets and having sufficient distance for entry and exit of the vehicular traffic from National Highways. The representatives were requested to bring in the next meeting the undertakings of construction of the service roads for taking a decision.

Minutes of the Meeting of the Committee held on 28.4.2006 to discuss the cases of minor deviations for the Retail Outlets

List of participants is at Annexure-I.

2. The minutes of the meeting held on 23.1.2006 circulated vide this Ministry's Letter No.NH-14019/15/2004-P&M dated 8th February, 2006 were confirmed.

3. The cases recommended for relaxation of the deviation from the prescribed norms were taken up one by one. The Ministry's officers concerned presented the cases alongwith the deviations as well as the justification for the relaxation. These were discussed in detail. A statement showing the locations of these retail outlets, name of Oil Company, the deviations and the decisions taken on these cases is at Annexure-II.

4. In addition there were some cases which were discussed in the previous meetings but the decisions were deferred for seeking clarification and further details. The cases where such details / clarifications were furnished by the project zones concerned were also discussed in detail. The list of such cases indicating the decisions taken is at Annexure-III.

5. The meeting ended with a Vote of Thanks to the Chair.

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Annexure-I

Officers present in the Committee Meeting for Deviations held on 28.4.2006 at 15:00 hrs.

M/o Shipping, Road Transoort & Highways

Shri L.K. Joshi, Secretary (RT&H) - in Chair
Shri C. Balakrishnan, AS & FA
Shri V. Velayutham, ADG 1
Shri V. K. Singha, ADG 2
Shri S. B. Basu, CE(PL)
Shri T.B. Banerjee, CE(P-1)
Shri Prabhat Krishna, CE(P-2)
Shri Arun Kumar Sharma, CE(P-3)
Shri A. N. Dhodapkar, CE(P-6)
Shri N. S. Jain, CE(P-7)
Shri A. B. Yadav, CE(P-9)
Shri R. D. Dohare, CE(R)(S&R)
Shri Manoj Kumar, SE(P-1)
Shri R.B. Singh, SE(P-2)
Shri H. C. Arora, SE(P-7)
Shri A. K. Yadav, SE(P-8)
Shri A. K. Kushwaha, EE(P-4)
Shri Shashi Bhushan, AEE(P-7)

National Highways Authority of India

Shri S.C. Jindal, CGM (CM)
Shri Rajeev Agrawal, DGM (DM)
Shri Pankaj Singh, Managar (DM)
Shri P. K. Choudhary, Manager (DM)

Oil Companies

Shri S. Anwar, Manager (Engg.), M/s Essar Oil Ltd.
Shri Pallav Ghosh, GM (Retail), M/s BPCL
Shri P. W. Bhomle, Sr. Manager (RD), M/s IOCL
Shri T.S. Sawhney, DGM, M/s HPCL
Shri Arvind Govil, Executive Marketing Officer, M/s HPCL
Ms. Poonam Chopra, Sr. Mgr., M/s IBPCL
Shri Ram Mehrotra, Associate Vice President, M/s RIL
Shri Arun Kumar, M/s RIL

Annexure - II

LIST OF CASES INVOLVING MINOR DEVIATIONS CONSIDERED DURING THE MEETING HELD ON 28.4.2006

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
1.	Andhra Pradesh	9	11/2 (LHS) Hyderabad-Vijayawada	M/s RIL	Median opening exists at a distance of 205m from the proposed retail outlet against the prescribed distance of 300m.	The proposed RO is in urban area having population more than 1 lakh where intersection with any category of road is allowed beyond 100m. The details regarding the population in urban area are to be got verified by the Ministry's project Chief Engineer.
2.	Bihar	84	67 (RHS)	M/s BPCL	The centre to centre distance between the proposed retail outlet and another existing retail outlet on the opposite side seems to be marginally short of 300m.	Actual distance between the proposed retail outlet and the other existing retail outlet on the opposite side is to be got physically verified by RO, Patna and to be reported.
3.	Haryana	10	74.150 (RHS)	M/s BPCL	Median opening at a distance of 101.60m from the proposed site against the prescribed distance of 300m.	It was reported by the project officers of the Ministry that the minimum distance of intersection with any category of road required in the present case as per the norms due to the population of 2,94,577 is 100m. The intersection in this case is a rotary. Therefore, this was considered for relaxation. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.

4.	Himachal Pradesh	22	343.544 (RHS)	M/s HPCL	The plot size is of 41.49m frontage and 20m width at the back. The depth of the plot varies from 19.2m to 16.2m. The prescribed plot size is 20m x 20m.	As the proposed retail outlet is in a hilly State where availability of regular size plot is difficult and the plot area which is 569.75 sq. m. is more than the minimum requirement of 400 sq. m. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
5.	Karnataka	17	264.700	M/s IOCL	Existence of a side road having carriageway width of 2.5m at a distance of 58m from the proposed retail outlet as against the minimum requirement of 100m.	It was reported by the project officers of this Ministry that the connecting road leads to four houses and terminates at the shore of the Arabian Sea. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
6.	Karnataka	17	286.974	M/s BPCL	The relaxation of this retail outlet was discussed in the meeting of the Committee held on 20.9.2005. In that meeting this was recommended for relaxation subject to the verification that there was no retail outlet within a distance of 12 km. Now it has been informed that there is a retail outlet at a	In view of the existence of another retail outlet at a distance of 394m from the proposed retail outlet this case was not considered for relaxation of the condition.

					distance of 394m from the proposed retail outlet.	
7.	Kerala	17	144/568 (RHS)	M/s HPCL	Existence of a side road and carriageway width more than 3.5m at a distance of 250m from the retail outlet against the minimum requirement of 300m. The High Court of Kerala directed to reconsider the claim of the petitioner for NOC in accordance with the law affording an opportunity of being hard to the owner. The Executive Engineer conducted a hearing and directed the Oil Company to propose an alternative site. The Oil Company intimated that there was no alternative site and requested for relaxation. In view of the above, the rejection order has been withdrawn and the proposal has been forwarded with the request for relaxation in norms.	This case was considered by the Committee and due to existence of a side road and carriageway width more than 3.5m at a distance of 250m from the retail outlet against the minimum requirement of 300m this case was not considered for relaxation.
8.	Maharashtra	3	388/664 (LHS)	M/s RIL	Existence of a retail outlet of M/s BPCL on the opposite side at a distance of 206m against the specified distance of 300m.	This stretch of NH-3 has been proposed for 4-laning under NHDP Phase-III. However, the same is not included under NHDP Phase-IIIA. As the 4-laning of this section has not yet been taken up this case was not considered for relaxation.

9.	Maharashtra	3	426/343 & 426/370 (RHS)	M/s HPCL	The octroi post is located at a distance of 650m from the prescribed outlet against the specified distance of 1000m.	It was brought out during the meeting that as per the information available with the State PWD there is a Octroi Naka at about 650m from the proposed retail outlet. The Octroi Naka is located on a service road. The Project CE brought out that CE, Nashik had clarified that there was no physical barrier on the National Highway at the location of the Octroi Naka, and also that there was no holding up of traffic on the NH due to the Octroi Naka. CE, Nashik had further informed that there was no disturbance to NH traffic because of the Octroi Naka. In view of the above the case was recommended for minor relaxation. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
10.	Maharashtra	211	121/797 & 121/831 (RHS)	M/s IOCL	Existence of an MDR at a distance of 954m against the requirement of 1000m.	The actual distance of the MDR from the proposed retail outlet is to be got physically measured and to be reported.
11.	Orissa	5	120/764 (RHS)	M/s RIL	Existence of a median cut within 300m distance from the retail outlet.	It was informed in the meeting that the Oil Company has proposed construction of 7m wide service road alongwith deceleration and acceleration lanes which are meeting the main carriageway at a distance of 300m from the existing median cut on both sides of it. Therefore, the NH traffic will not be disturbed at all due to existing median cut as the median cut shall be used only for U-turn and not for taking fuel from the proposed retail outlet.

						Also approach road to M/s Nippy Motors Pvt. Ltd. will have to be from the service road. It was also informed that the barriers would be constructed between the main road and the service road to prevent direct access. In view of the above this was recommended for consideration of relaxation provided non-surmountable barriers are constructed by the Oil Company at their own cost between the main road and the service road. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
12.	Rajasthan	76	127.050	M/s Essar Oil	Existence of median opening just in front of the proposed retail outlet against the specified distance of 300m.	The length of the service road for the existing median opening is to be got physically checked by NHAI and to be reported for further consideration.
13.	Tamil Nadu	47	89/192	M/s HPCL	Existence of one MDR at a distance of 833m from the proposed retail outlet as against the specified distance of 1000m.	The Project Zone intimated that the service roads are proposed to be constructed as a part of 4-lane project and not by the Oil Company. NHAI agreed for checking the ground conditions and report back for further consideration.
14.	Uttar Pradesh	74	63.764 (RHS)	M/s IBPCL	There exists a village road at a distance of 25m against the minimum requirement of 100m from the site of the proposed fuel station.	It was reported that the existing road was a bituminous road and goes to a sugar mill and the traffic on this road was few and seasonal. In view of this the traffic details on this road are to be collected by the Regional Officer, Lucknow, Deptt. Of Road Transport & Highways and to be reported in the next meeting for further consideration.

Annexure - III

LIST OF CASES DISCUSSED IN THE PREVIOUS MEETINGS

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Decision in previous meetings	Decision
1.	Andhra Pradesh	4	151/2 (RHS)	M/s RIL	Existence of one fuel station on opposite side of the proposed retail outlet at a distance of 117m against the requirement of 300m.	This case was taken up in the meeting held on 25.11.2005. It was observed that the length of this proposed service road was falling short of the required distance of 300m. It was, therefore, decided that the Oil Company would first construct the service road and the lengths of the service road would be confirmed by the Regional Officer of the Ministry. Thereafter, further action will be taken by the Project Zone. However, the in principle approval without signing the agreement could be communicated.	The Oil Company requested the Secretary to grant approval instead of in-principle approval without signing the License Deed. This was considered in the meeting and it was opined there may not be any difficulty for construction of the service road by the Oil Company on the basis of the in principle approval.
2.	Andhra Pradesh	4	174/2 (LHS)	M/s RIL	Existence of two fuel stations on the opposite side of the proposed retail outlet at a	This case was taken up in the meeting held on 25.11.2005. It was brought out that the Oil Company had agreed to	The Oil Company requested the Secretary to grant approval instead of in-principle approval without

					distance of 26.5m and 148m against the requirement of the minimum distance of 300m.	provide service road with separator island for access to the proposed retail outlet to keep the minimum distance of 300m. It was decided that the Oil Company would first construct this service road of the adequate length and to be confirmed by the Regional Officer of the Ministry, and thereafter, further action will be taken up by the Project Zone. However, the in principle approval without signing the agreement could be communicated.	signing the License Deed. This was considered in the meeting and it was opined there may not be any difficulty for construction of the service road by the Oil Company on the basis of the in principle approval.
3.	Karnataka	4	563.508	M/s IOCL	Existence of a median opening at a distance of 50m from the proposed retail outlet as against the minimum requirement of 300m.	This case was discussed in the meetings held on 6.10.2005 and 23.1.2006 wherein it was decided to reassess the situation objectively from the consideration of traffic about the closure / shifting of the median opening at the proposed site.	NHAI has now reported that the median opening is an 'at-grade' junction to Masoba Hitani road. Closure of an existing facility will create a public uproar. NHAI has also forwarded traffic movement arrangement after closing the existing opening between main carriageway and service road on retail outlet side and opening

							at two locations between main road and service road on both sides at 300m from the proposed retail outlet site. The width of the service road in this stretch is also proposed to be widened from 4.0m to 5.5m. On the retail outlet side there is no side road and the traffic movement arrangement appears to be satisfactory. Since there is no cross traffic from the retail outlet side, it was considered that there might not be any resistance from the public. In view of the above this case was considered for relaxation subject to the modification and as mentioned above by closing the existing median opening, opening of new median opening and widening

							of service road by the Oil Company at their own cost. The modified drawing of the proposal is to be got approved from this Ministry. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
4.	Karnataka	17	320.285	M/s RIL	Existence of two side roads having carriageway width less than 3.5m at a distance of 56m and 59m from the proposed site against the minimum requirement of 100m.	This case was taken up in the meeting held on 25.11.2005. It was decided in the last meeting that the possibility of providing service roads on both sides of the National Highway was to examined so that minimum requirement of distance of 100m was to be maintained. The report of the Regional Officer is to be obtained about the level of traffic in the side road and if required the service roads have to be constructed by the Oil Company for consideration of the proposal.	It was brought out in the meeting that the crossroads have carriageway width less than 3.5m and leads to small residential areas and traffic intensity on these roads was very low. It was requested that the traffic details on these crossroads might be ascertained and to be reported.
5.	Karnataka	206	211.70	M/s BPCL	Existence of	This case was taken up in the	It was brought out that

			(RHS)		another retail outlet at a distance of 130m on the opposite side of the proposed fuel station against the minimum requirement of 300m and existence of side road adjacent to the site as against the requirement of 100m.	meeting held on 23.1.2006. It has been informed that the retail outlet is located within the city limits of Shimoga. Considering the restriction in the availability of land it was considered that if the Oil Company widens the road in front of the petrol pump for a minimum distance of about 430m so that minimum requirement of 300m is maintained. Alongwith the widening of the road proper median at the centre of the road, paved shoulders on both the sides are also to be constructed. It was also reported that the existing side road is catering to very few houses and is a dead end road which terminates at 625m. This deviation can be considered for relaxation if the Oil Company gives specific undertaking for widening of the road and construction of paved shoulders and median at their own cost.	the Oil Company had now agreed to provide median and widening of the road for a distance of 430m i.e. 150m on each side from the proposed and existing retail outlet and provide earthen shoulder of 2.5m width for a length of 430m at their own cost. In view of above the case has been recommended for relaxation and subject to widening of the road and construction of median as mentioned above by the Oil Company at their own cost. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
6.	Rajasthan	8	32.210 to	M/s	Existence of a	This case was taken up in the	NHAI has informed the

			32.255 (LHS)	IBPCL	5.5m wide rural road (Kaccha road) at a distance of 105m in place of the stipulated distance of 300m.	meeting held on 25.11.2005. It was brought out that this section of NH is part of the Jaipur bypass Phase-II and which is an access control road with fencing on both sides. The service roads which were to be constructed were in place. There are no new proposals for construction of any other service road. Therefore, ground details had to be checked by NHAI and to be reported for further consideration in the Project Zone.	following: (i) The project road is having chain Link Type fencing along ROW in sections without service road and Steel Pedestrian Guard Rail Type fencing along drain between service road and main c/w. The portion between Ch.32+210 to Ch.32+255 is having fencing only along drain as the service road up to Ch.32+380 has been constructed. The gap in the median is of 30m length between Ch.32+345 to CH.32+375 and thus entry to the proposed retail outlet is through the median cut besides direct entry from service road on LHS. (ii) Service roads as provided in the Civil Works Contract have been constructed, the outer edge almost

							touching the ROW. (iii) Till date there is no proposal for additional length of service road near the proposed retail outlet in Ch.32+210 to CH.32+255 i.e. near Chandwaji. In view of the above this case was not considered for relaxation.
7.	Uttar Pradesh	24	17.000 (RHS)	M/s Essar Oil	There exists a Sales Tax Check post at a distance of 130m from the proposed fuel station against the minimum requirement of 1000m. There exists a junction at a distance of 26m with median opening and the side road adjacent to the plot against the	This case was taken up in the meeting held on 23.1.2006. On examination of the proposal it appeared that there are some discrepancies in the drawing as has been submitted and this may be rechecked and to be reported in future meeting.	Modified drawings have been submitted and it was reported and certified by the project officers that this meets the guidelines. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future

					minimum requirement of 300m.		and other cases.
8.	Uttar Pradesh	27	7.667 (LHS)	M/s IOCL	There exist two retail outlets on opposite side of the proposed fuel station at a distance of 120m and 239m against the minimum requirement of 300m.	This case was taken up in the meeting held on 23.1.2006. The two retail outlets on the opposite side are of M/s HPCL and M/s BPCL. The representatives of the Oil Companies could not give a firm undertaking in the meeting that they would construct at their own cost the necessary service road for clustering of the two retail outlets and having sufficient distance for entry and exit of the vehicular traffic from National Highways. The representatives were requested to bring in the next meeting the undertakings of construction of the service roads for taking a decision.	Representatives of M/s HPCL and M/s BPCL did not bring any undertakings of construction of the service road for taking a decision. It was also reported that there is no agreement between the Oil Companies and the Ministry for providing access to these retail outlets and M/s HPCL and M/s BPCL. Therefore, Ministry of Petroleum and the oil companies concerned may be requested for de-energizing of these unauthorized retail outlets. Therefore, this proposal may be submitted in the next meeting.

GOVERNMENT OF INDIA
MINISTRY OF SHIPPING, ROAD TRANSPORT & HIGHWAYS
(DEPARTMENT OF ROAD TRANSPORT & HIGHWAYS)

1, Parliament Street
Transport Bhavan
New Delhi-110001

No.NH-14019/15/2004-P&M **Dated: 29th May, 2006**

Sub: Examination of proposals involving minor deviations from the prescribed guidelines for grant of permission of approach road access to Petroleum outlets on National Highways.

The Minutes of the Meeting of Committee for deviations on Retail Outlets held on 28.4.2006 are enclosed for information and necessary follow up action.

A compliance report wherever required may be forwarded.

(S.B. Basu)
Chief Engineer (Planning)
Telefax: 23710134

Encl: As above.

To

1. The Chairman, National Highways Authority of India, G 5&6, Sector-10, Dwarka, New Delhi.
2. The Director General (Road Development), D/o RT&H
3. The Additional Director General-I, D/o RT&H
4. The Additional Director General-II, D/o RT&H
5. The Addl. Secy. & Financial Advisor, M/o S, RT&H.
6. The Joint Secretary, Ministry of Petroleum & Natural Gas, Shastri Bhawan, New Delhi.

Copy to representatives of Oil Companies:

1. Director (M) – M/s Indian Oil Corpn. Ltd., Indian Oil Bhavan, G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai – 400 051.
2. Director (M) – M/s Hindustan Petroleum Corpn. Ltd., 8, S.V.Marg, Ballard Estate, Mumbai - 400 001.
3. Director (M) – M/s Bharat Petroleum Corpn. Ltd., ECE House, 28-A, Kasturba Gandhi Marg, New Delhi-110001.
4. Director (M) – M/s Reliance Industries Ltd., 1st Floor, Gopal Das Bhawan, 28, Barakhamba Road, New Delhi-110001.
5. Director (M) – M/s IBPC Ltd., Sarjan Plaza, Worli, Mumbai.
6. Director (M) - M/s Essar Oil Ltd., 21, Feroze Gandhi Road, Lajpat Nagar-III, New Delhi-110024.

(S.B. Basu)
Chief Engineer (Planning)

INTERNAL DISTRIBUTION:

(1) PS to Secretary (RT&H).

(2) CE(P-1), CE(P-2), CE(P-3), CE(P-4), CE(P-6), CE(P-7), CE(P-8) and CE(P-9).:- **It is requested to seek the approval for the relaxation of the deviation from the Competent Authority in the respective file dealing with this case. The minutes may not be considered as an approval.**

(3) CE(R)(S&R)

(S.B. Basu)
Chief Engineer (Planning)

Minutes of the Meeting of the Committee held on 28.4.2006 to discuss the cases of minor deviations for the Retail Outlets

List of participants is at Annexure-I.

2. The minutes of the meeting held on 23.1.2006 circulated vide this Ministry's Letter No.NH-14019/15/2004-P&M dated 8th February, 2006 were confirmed.

3. The cases recommended for relaxation of the deviation from the prescribed norms were taken up one by one. The Ministry's officers concerned presented the cases alongwith the deviations as well as the justification for the relaxation. These were discussed in detail. A statement showing the locations of these retail outlets, name of Oil Company, the deviations and the decisions taken on these cases is at Annexure-II.

4. In addition there were some cases which were discussed in the previous meetings but the decisions were deferred for seeking clarification and further details. The cases where such details / clarifications were furnished by the project zones concerned were also discussed in detail. The list of such cases indicating the decisions taken is at Annexure-III.

5. The meeting ended with a Vote of Thanks to the Chair.

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Annexure-I

Officers present in the Committee Meeting for Deviations held on 28.4.2006 at 15:00 hrs.

M/o Shipping, Road Transoort & Highways

Shri L.K. Joshi, Secretary (RT&H) - in Chair
Shri C. Balakrishnan, AS & FA
Shri V. Velayutham, ADG 1
Shri V. K. Sinha, ADG 2
Shri S. B. Basu, CE(PL)
Shri T.B. Banerjee, CE(P-1)
Shri Prabhat Krishna, CE(P-2)
Shri Arun Kumar Sharma, CE(P-3)
Shri A. N. Dhodapkar, CE(P-6)
Shri N. S. Jain, CE(P-7)
Shri A. B. Yadav, CE(P-9)
Shri R. D. Dohare, CE(R)(S&R)
Shri Manoj Kumar, SE(P-1)
Shri R.B. Singh, SE(P-2)
Shri H. C. Arora, SE(P-7)
Shri A. K. Yadav, SE(P-8)
Shri A. K. Kushwaha, EE(P-4)
Shri Shashi Bhushan, AEE(P-7)

National Highways Authority of India

Shri S.C. Jindal, CGM (CM)
Shri Rajeev Agrawal, DGM (DM)
Shri Pankaj Singh, Managar (DM)
Shri P. K. Choudhary, Manager (DM)

Oil Companies

Shri S. Anwar, Manager (Engg.), M/s Essar Oil Ltd.
Shri Pallav Ghosh, GM (Retail), M/s BPCL
Shri P. W. Bhomle, Sr. Manager (RD), M/s IOCL
Shri T.S. Sawhney, DGM, M/s HPCL
Shri Arvind Govil, Executive Marketing Officer, M/s HPCL
Ms. Poonam Chopra, Sr. Mgr., M/s IBPCL
Shri Ram Mehrotra, Associate Vice President, M/s RIL
Shri Arun Kumar, M/s RIL

4.	Himachal Pradesh	22	343.544 (RHS)	M/s HPCL	The plot size is of 41.49m frontage and 20m width at the back. The depth of the plot varies from 19.2m to 16.2m. The prescribed plot size is 20m x 20m.	As the proposed retail outlet is in a hilly State where availability of regular size plot is difficult and the plot area which is 569.75 sq. m. is more than the minimum requirement of 400 sq. m. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
5.	Karnataka	17	264.700	M/s IOCL	Existence of a side road having carriageway width of 2.5m at a distance of 58m from the proposed retail outlet as against the minimum requirement of 100m.	It was reported by the project officers of this Ministry that the connecting road leads to four houses and terminates at the shore of the Arabian Sea. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
6.	Karnataka	17	286.974	M/s BPCL	The relaxation of this retail outlet was discussed in the meeting of the Committee held on 20.9.2005. In that meeting this was recommended for relaxation subject to the verification that there was no retail outlet within a distance of 12 km. Now it has been informed that there is a retail outlet at a	In view of the existence of another retail outlet at a distance of 394m from the proposed retail outlet this case was not considered for relaxation of the condition.

					distance of 394m from the proposed retail outlet.	
7.	Kerala	17	144/568 (RHS)	M/s HPCL	Existence of a side road and carriageway width more than 3.5m at a distance of 250m from the retail outlet against the minimum requirement of 300m. The High Court of Kerala directed to reconsider the claim of the petitioner for NOC in accordance with the law affording an opportunity of being hard to the owner. The Executive Engineer conducted a hearing and directed the Oil Company to propose an alternative site. The Oil Company intimated that there was no alternative site and requested for relaxation. In view of the above, the rejection order has been withdrawn and the proposal has been forwarded with the request for relaxation in norms.	This case was considered by the Committee and due to existence of a side road and carriageway width more than 3.5m at a distance of 250m from the retail outlet against the minimum requirement of 300m this case was not considered for relaxation.
8.	Maharashtra	3	388/664 (LHS)	M/s RIL	Existence of a retail outlet of M/s BPCL on the opposite side at a distance of 206m against the specified distance of 300m.	This stretch of NH-3 has been proposed for 4-laning under NHDP Phase-III. However, the same is not included under NHDP Phase-IIIA. As the 4-laning of this section has not yet been taken up this case was not considered for relaxation.

9.	Maharashtra	3	426/343 & 426/370 (RHS)	M/s HPCL	The octroi post is located at a distance of 650m from the prescribed outlet against the specified distance of 1000m.	It was brought out during the meeting that as per the information available with the State PWD there is a Octroi Naka at about 650m from the proposed retail outlet. The Octroi Naka is located on a service road. The Project CE brought out that CE, Nashik had clarified that there was no physical barrier on the National Highway at the location of the Octroi Naka, and also that there was no holding up of traffic on the NH due to the Octroi Naka. CE, Nashik had further informed that there was no disturbance to NH traffic because of the Octroi Naka. In view of the above the case was recommended for minor relaxation. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
10.	Maharashtra	211	121/797 & 121/831 (RHS)	M/s IOCL	Existence of an MDR at a distance of 954m against the requirement of 1000m.	The actual distance of the MDR from the proposed retail outlet is to be got physically measured and to be reported.
11.	Orissa	5	120/764 (RHS)	M/s RIL	Existence of a median cut within 300m distance from the retail outlet.	It was informed in the meeting that the Oil Company has proposed construction of 7m wide service road alongwith deceleration and acceleration lanes which are meeting the main carriageway at a distance of 300m from the existing median cut on both sides of it. Therefore, the NH traffic will not be disturbed at all due to existing median cut as the median cut shall be used only for U-turn and not for taking fuel from the proposed retail outlet.

						Also approach road to M/s Nippy Motors Pvt. Ltd. will have to be from the service road. It was also informed that the barriers would be constructed between the main road and the service road to prevent direct access. In view of the above this was recommended for consideration of relaxation provided non-surmountable barriers are constructed by the Oil Company at their own cost between the main road and the service road. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
12.	Rajasthan	76	127.050	M/s Essar Oil	Existence of median opening just in front of the proposed retail outlet against the specified distance of 300m.	The length of the service road for the existing median opening is to be got physically checked by NHAI and to be reported for further consideration.
13.	Tamil Nadu	47	89/192	M/s HPCL	Existence of one MDR at a distance of 833m from the proposed retail outlet as against the specified distance of 1000m.	The Project Zone intimated that the service roads are proposed to be constructed as a part of 4-lane project and not by the Oil Company. NHAI agreed for checking the ground conditions and report back for further consideration.
14.	Uttar Pradesh	74	63.764 (RHS)	M/s IBPCL	There exists a village road at a distance of 25m against the minimum requirement of 100m from the site of the proposed fuel station.	It was reported that the existing road was a bituminous road and goes to a sugar mill and the traffic on this road was few and seasonal. In view of this the traffic details on this road are to be collected by the Regional Officer, Lucknow, Deptt. Of Road Transport & Highways and to be reported in the next meeting for further consideration.

Annexure - III

LIST OF CASES DISCUSSED IN THE PREVIOUS MEETINGS

Sr. No.	State	NH No.	Kilometerage	Name of the Oil Co.	Deviations	Decision in previous meetings	Decision
1.	Andhra Pradesh	4	151/2 (RHS)	M/s RIL	Existence of one fuel station on opposite side of the proposed retail outlet at a distance of 117m against the requirement of 300m.	This case was taken up in the meeting held on 25.11.2005. It was observed that the length of this proposed service road was falling short of the required distance of 300m. It was, therefore, decided that the Oil Company would first construct the service road and the lengths of the service road would be confirmed by the Regional Officer of the Ministry. Thereafter, further action will be taken by the Project Zone. However, the in principle approval without signing the agreement could be communicated.	The Oil Company requested the Secretary to grant approval instead of in-principle approval without signing the License Deed. This was considered in the meeting and it was opined there may not be any difficulty for construction of the service road by the Oil Company on the basis of the in principle approval.
2.	Andhra Pradesh	4	174/2 (LHS)	M/s RIL	Existence of two fuel stations on the opposite side of the proposed retail outlet at a	This case was taken up in the meeting held on 25.11.2005. It was brought out that the Oil Company had agreed to	The Oil Company requested the Secretary to grant approval instead of in-principle approval without

					distance of 26.5m and 148m against the requirement of the minimum distance of 300m.	provide service road with separator island for access to the proposed retail outlet to keep the minimum distance of 300m. It was decided that the Oil Company would first construct this service road of the adequate length and to be confirmed by the Regional Officer of the Ministry, and thereafter, further action will be taken up by the Project Zone. However, the in principle approval without signing the agreement could be communicated.	signing the License Deed. This was considered in the meeting and it was opined there may not be any difficulty for construction of the service road by the Oil Company on the basis of the in principle approval.
3.	Karnataka	4	563.508	M/s IOCL	Existence of a median opening at a distance of 50m from the proposed retail outlet as against the minimum requirement of 300m.	This case was discussed in the meetings held on 6.10.2005 and 23.1.2006 wherein it was decided to reassess the situation objectively from the consideration of traffic about the closure / shifting of the median opening at the proposed site.	NHAI has now reported that the median opening is an 'at-grade' junction to Masoba Hitani road. Closure of an existing facility will create a public uproar. NHAI has also forwarded traffic movement arrangement after closing the existing opening between main carriageway and service road on retail outlet side and opening

							at two locations between main road and service road on both sides at 300m from the proposed retail outlet site. The width of the service road in this stretch is also proposed to be widened from 4.0m to 5.5m. On the retail outlet side there is no side road and the traffic movement arrangement appears to be satisfactory. Since there is no cross traffic from the retail outlet side, it was considered that there might not be any resistance from the public. In view of the above this case was considered for relaxation subject to the modification and as mentioned above by closing the existing median opening, opening of new median opening and widening

							of service road by the Oil Company at their own cost. The modified drawing of the proposal is to be got approved from this Ministry. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
4.	Karnataka	17	320.285	M/s RIL	Existence of two side roads having carriageway width less than 3.5m at a distance of 56m and 59m from the proposed site against the minimum requirement of 100m.	This case was taken up in the meeting held on 25.11.2005. It was decided in the last meeting that the possibility of providing service roads on both sides of the National Highway was to examined so that minimum requirement of distance of 100m was to be maintained. The report of the Regional Officer is to be obtained about the level of traffic in the side road and if required the service roads have to be constructed by the Oil Company for consideration of the proposal.	It was brought out in the meeting that the crossroads have carriageway width less than 3.5m and leads to small residential areas and traffic intensity on these roads was very low. It was requested that the traffic details on these crossroads might be ascertained and to be reported.
5.	Karnataka	206	211.70	M/s BPCL	Existence of	This case was taken up in the	It was brought out that

			(RHS)		another retail outlet at a distance of 130m on the opposite side of the proposed fuel station against the minimum requirement of 300m and existence of side road adjacent to the site as against the requirement of 100m.	meeting held on 23.1.2006. It has been informed that the retail outlet is located within the city limits of Shimoga. Considering the restriction in the availability of land it was considered that if the Oil Company widens the road in front of the petrol pump for a minimum distance of about 430m so that minimum requirement of 300m is maintained. Alongwith the widening of the road proper median at the centre of the road, paved shoulders on both the sides are also to be constructed. It was also reported that the existing side road is catering to very few houses and is a dead end road which terminates at 625m. This deviation can be considered for relaxation if the Oil Company gives specific undertaking for widening of the road and construction of paved shoulders and median at their own cost.	the Oil Company had now agreed to provide median and widening of the road for a distance of 430m i.e. 150m on each side from the proposed and existing retail outlet and provide earthen shoulder of 2.5m width for a length of 430m at their own cost. In view of above the case has been recommended for relaxation and subject to widening of the road and construction of median as mentioned above by the Oil Company at their own cost. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
6.	Rajasthan	8	32.210 to	M/s	Existence of a	This case was taken up in the	NHAI has informed the

			32.255 (LHS)	IBPCL	5.5m wide rural road (Kaccha road) at a distance of 105m in place of the stipulated distance of 300m.	meeting held on 25.11.2005. It was brought out that this section of NH is part of the Jaipur bypass Phase-II and which is an access control road with fencing on both sides. The service roads which were to be constructed were in place. There are no new proposals for construction of any other service road. Therefore, ground details had to be checked by NHAI and to be reported for further consideration in the Project Zone.	following: (i) The project road is having chain Link Type fencing along ROW in sections without service road and Steel Pedestrian Guard Rail Type fencing along drain between service road and main c/w. The portion between Ch.32+210 to Ch.32+255 is having fencing only along drain as the service road up to Ch.32+380 has been constructed. The gap in the median is of 30m length between Ch.32+345 to CH.32+375 and thus entry to the proposed retail outlet is through the median cut besides direct entry from service road on LHS. (ii) Service roads as provided in the Civil Works Contract have been constructed, the outer edge almost

							touching the ROW. (iii) Till date there is no proposal for additional length of service road near the proposed retail outlet in Ch.32+210 to CH.32+255 i.e. near Chandwaji. In view of the above this case was not considered for relaxation.
7.	Uttar Pradesh	24	17.000 (RHS)	M/s Essar Oil	There exists a Sales Tax Check post at a distance of 130m from the proposed fuel station against the minimum requirement of 1000m. There exists a junction at a distance of 26m with median opening and the side road adjacent to the plot against the	This case was taken up in the meeting held on 23.1.2006. On examination of the proposal it appeared that there are some discrepancies in the drawing as has been submitted and this may be rechecked and to be reported in future meeting.	Modified drawings have been submitted and it was reported and certified by the project officers that this meets the guidelines. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future

GOVERNMENT OF INDIA
MINISTRY OF SHIPPING, ROAD TRANSPORT & HIGHWAYS
(DEPARTMENT OF ROAD TRANSPORT & HIGHWAYS)

1, Parliament Street
Transport Bhavan
New Delhi-110001

No.NH-14019/15/2004-P&M Dated: 19th June, 2006

Sub: Examination of proposals involving minor deviations from the prescribed guidelines for grant of permission of approach road access to Petroleum outlets on National Highways.

The Minutes of the Meeting of Committee for deviations on Retail Outlets held on 6.6.2006 are enclosed for information and necessary follow up action.

A compliance report wherever required may be forwarded.

(S.B. Basu)
Chief Engineer (Planning)
Telefax: 23710134

Encl: As above.

To

1. The Chairman, National Highways Authority of India, G 5&6, Sector-10, Dwarka, New Delhi.
2. The Director General (Road Development), D/o RT&H
3. The Additional Director General-I, D/o RT&H
4. The Additional Director General-II, D/o RT&H
5. The Addl. Secy. & Financial Advisor, M/o S, RT&H.
6. The Joint Secretary, Ministry of Petroleum & Natural Gas, Shastri Bhawan, New Delhi.

Copy to representatives of Oil Companies:

1. Director (M) – M/s Indian Oil Corpn. Ltd., Indian Oil Bhavan, G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai – 400 051.
2. Director (M) – M/s Bharat Petroleum Corpn. Ltd., ECE House, 28-A, Kasturba Gandhi Marg, New Delhi-110001.
3. Director (M) – M/s Reliance Industries Ltd., 1st Floor, Gopal Das Bhawan, 28, Barakhamba Road, New Delhi-110001.
4. Director (M) – M/s IBPC Ltd., Sarjan Plaza, Worli, Mumbai.

(S.B. Basu)
Chief Engineer (Planning)

INTERNAL DISTRIBUTION:

(1) PS to Secretary (RT&H)

(2) CE(P-1), CE(P-2) and CE(P-7).:- **It is requested to seek the approval for the relaxation of the deviation from the Competent Authority in the respective file dealing with this case. The minutes may not be considered as an approval.**

(3) CE(R)(S&R)

(S.B. Basu)
Chief Engineer (Planning)

Minutes of the Meeting of the Committee held on 6.6.2006 to discuss the cases of minor deviations for the Retail Outlets

List of participants is at Annexure-I.

2. The minutes of the meeting held on 28.4.2006 circulated vide letter No. NH-14019/15/2004-P&M dated 29.5.2006 was confirmed.

3. The meeting held on 28.4.2006 decided to consider two cases to be discussed in the next meeting after taking necessary action as per the decision. The recent details were furnished by the concerned Project Chief Engineer. These cases were discussed and the decision taken alongwith the details of these cases are at Annex. II.

4. The new cases recommended for relaxation of the deviation from the prescribed norms were taken up one by one. The Ministry's officers concerned presented the cases alongwith the deviations as well as the justification for the relaxation. These were discussed in detail. Out of 5 such cases only four cases could be discussed. The remaining one case was not taken up as sufficient notice period was not given to the Oil Company. A statement showing the locations of these retail outlets, name of Oil Company, the deviations and the decisions taken on these cases is at Annexure-III.

5. The meeting ended with a Vote of Thanks to the Chair.

Annexure-I

Officers present in the Committee Meeting for Deviations held on 6.6.2006 at 11:00 hrs.

M/o Shipping, Road Transport & Highways

Shri L.K. Joshi, Secretary (RT&H) - in Chair
Shri C. Balakrishnan, AS & FA
Shri V. Velayutham, ADG 1
Shri V. K. Sinha, ADG 2
Shri S. B. Basu, CE(PL)
Shri T.B. Banerjee, CE(P-1)
Shri Prabhat Krishna, CE(P-2)
Shri N. S. Jain, CE(P-7)
Shri R. D. Dohare, CE(R)(S&R)
Shri H. C. Arora, SE(P-7)

National Highways Authority of India

Shri S.C. Jindal, CGM (CM)
Shri MPS Rana, CGM
Shri Vishal Gupta, DGM (T)

Oil Companies

Shri Ram Mehrotra, Associate Vice President, M/s RIL
Shri Arun Kumar, M/s RIL
Ms. Poonam Chopra, Sr. Mgr., M/s IBPCL
Shri Arvind Govil, Executive Marketing Officer, M/s HPCL
Shri K. Phani Rama Mohan, Chief Retail (Dev. Manager), M/s IOCL
Shri K. Sivakumar, Chief Manager (Retail), M/s BPCL
Shri Onkar Nath, Sr. Mgr.- Highway (North Zone), M/s HPCL

Annexure II

LIST OF CASES DISCUSSED IN THE PREVIOUS MEETING

Sl. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Decision
1.	Uttar Pradesh	27	7.667 (LHS)	M/s IOCL	There exist two retail outlets on opposite side of the proposed fuel station at a distance of 120m and 239m against the minimum requirement of 300m.	It was noted that as per the decision taken in the previous meeting held on 28.4.2006 Ministry of Petroleum and the oil companies i.e. M/s HPCL and M/s BPCL have been requested for de-energising of their unauthorized retail outlets. The committee considered that the present applicant was following the proper procedure and there was no other restriction except the requirement of minimum distance from the two unauthorised existing retail outlets. The Chief Engineer concerned of the Ministry will take follow up action for de-energising these retail outlets. In view of above the case is recommended for relaxation considering the reason of deviation and justification for this particular retail outlet and grant of NOC for the approach road to this outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.

2.	Uttar Pradesh	74	63.764 (RHS)	M/s IBPCL	There exists a village road at a distance of 25m against the minimum requirement of 100m from the site of the proposed fuel station.	As per decision taken in the previous meeting held on 28.4.2006 RO, Lucknow has forwarded the details of 3-day traffic data on the village road which is at a distance of 25m from the proposed fuel station. It is reported that traffic includes 10 buses and 31 trucks per day. In view of the traffic volume as mentioned above, the case is recommended for relaxation and grant of NOC for the approach road to this outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.

Annexure - III

LIST OF CASES INVOLVING MINOR DEVIATIONS DISCUSSED IN THE MEETING HELD ON 6.6.2006

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
1.	Andhra Pradesh	5	0/100 (LHS)	M/s BPCL	Existence of a side road with a carriageway of 7.2m width (more than 3.5m) at a distance of 90m and coinciding with the median opening at that location. The median opening is also less than the minimum distance of 300m.	Due to existence of the side road at a distance of 90m and coinciding with the median opening at that location this case was not recommended for relaxation.
2.	Andhra Pradesh	5	712.900	M/.s RIL	Existence of a side road of more than 3.5m width at a distance of 69m from the edge of the proposed retail outlet against the minimum requirement of 100m.	The Oil Company M/s RIL has agreed for construction of service road for a sufficient length so that the entry and exit are at a minimum distance of 100m as prescribed. The Oil Company would submit modified drawings.
3.	Kerala	17	135/600	M/s RIL	(i) Existence of a side road of more than 3.5m width at a distance of 264m against the minimum requirement of 300m. (ii) Existence of a fuel station at a distance of 74m against the minimum requirement of 300m.	The Oil Company M/s RIL has agreed for construction of service road for a sufficient length so that the entry and exit are at a minimum distance of 300m as prescribed. The Oil Company would submit modified drawings. In view of above the case has been recommended for in principle approval for relaxation considering the reason of deviation

						and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
4.	Uttar Pradesh	56	229.560 (LHS)	M/s IOCL	There exists a level crossing (check barrier) at a distance of 160m against the minimum requirement of 1000m from the site of the proposed fuel station.	It was reported that there is a closure of the level crossing for only four times a day. Therefore there would not be significant traffic held up at the front of the retail outlet. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
5.	Haryana	73	74.945 (LHS)	M/s BPCL	The distance of tangent point of curve of side road from edge of plot is 295m against 300m. Therefore, the proposal needs to be referred to Committee constituted to consider the cases of relaxation.	The Oil Company concerned M/s BPCL informed that they are not ready for discussion on this case due to short notice. This case would be considered in the next meeting.

S.No 6(5)

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GOVERNMENT OF INDIA
MINISTRY OF SHIPPING, ROAD TRANSPORT & HIGHWAYS
(DEPARTMENT OF ROAD TRANSPORT & HIGHWAYS)

1, Parliament Street
Transport Bhavan
New Delhi-110001

No. NH-14019/13/2006-P&M Dated the 1st September, 2006

Sub: Examination of proposals involving minor deviations from the prescribed guidelines for grant of permission of approach road access to Petroleum outlets on National Highways.

The Minutes of the Meeting of Committee for deviations on Retail Outlets held on 21.8.2006 are enclosed for information and necessary follow up action.

A compliance report wherever required may be forwarded.

(S.B. Basu)
Chief Engineer (Planning)
Telefax: 23710134

Encl: As above.

To

Sl. No 1, 6 issued by post 4/9

1. The Chairman, National Highways Authority of India, G 5&6, Sector-10, Dwarka, New Delhi.
2. The Director General (Road Development), D/o RT&H
3. The Additional Director General-I, D/o RT&H
4. The Additional Director General-II, D/o RT&H
5. The Addl. Secy. & Financial Advisor, M/o S. RT&H @ 4/9/06
6. The Joint Secretary, Ministry of Petroleum & Natural Gas, Shastri Bhawan, New Delhi.

Copy to representatives of Oil Companies:

Issued 4/9

1. Director (M) – M/s Indian Oil Corpn. Ltd., Indian Oil Bhavan, G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai – 400 051.
2. Director (M) – M/s Hindustan Petroleum Corpn. Ltd., 8, S.V.Marg, Ballard Estate, Mumbai - 400 001.
3. Director (M) – M/s Bharat Petroleum Corpn. Ltd., ECE House, 28-A, Kasturba Gandhi Marg, New Delhi-110001.
4. Director (M) – M/s Reliance Industries Ltd., 1st Floor, Gopal Das Bhawan, 28, Barakhamba Road, New Delhi-110001.
5. Director (M) – M/s IBPC Ltd., Sarjan Plaza, Worli, Mumbai.
6. Director (M) - M/s Essar Oil Ltd., 21, Feroze Gandhi Road, Lajpat Nagar-III, New Delhi-110024.

(S.B. Basu)
Chief Engineer (Planning)

(69)

INTERNAL DISTRIBUTION:

(1) PS to Secretary (RT&H)

(2) CE(P-1), CE(P-3), CE(P-4), CE(P-5), CE(P-6) and CE(P-7):- **It is requested to seek the approval for the relaxation of the deviation from the Competent Authority in the respective file dealing with this case. The minutes may not be considered as an approval.**

(3) CE(R)(S&R)

(S.B. Basu)
Chief Engineer (Planning)

(70)

Minutes of the Meeting of the Committee held on 21.8.2006 to discuss the cases of minor deviations for the Retail Outlets

List of participants is at Annexure-I.

2. The minutes of the meeting held on 6.6.2006 circulated vide this Ministry's Letter No.NH-14019/15/2004-P&M dated 19th June, 2006 were confirmed.

3. The cases recommended for relaxation of the deviation from the prescribed norms were taken up one by one. The Ministry's officers concerned presented the cases alongwith the deviations as well as the justification for the relaxation. These were discussed in detail. A statement showing the locations of these retail outlets, name of Oil Company, the deviations and the decisions taken on these cases is at Annexure-II.

4. The meeting ended with a Vote of Thanks to the Chair.

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Annexure-I

Officers present in the Committee Meeting for Deviations held on 21.8.2006 at 11:00 hrs.

M/o Shipping, Road Transoort & Highways

Shri Vijay Singh, Secretary (RT&H) - in Chair
Shri C. Balakrishnan, AS & FA
Shri Indu Prakash, Director General (RD)
Shri V. Velayutham, ADG 1
Shri V. K. Sinha, ADG 2
Shri S. B. Basu, CE(PL)
Shri R. D. Dohare, CE(R)(S&R)
Shri T.B. Banerjee, CE(P-1)
Shri Arun Kumar Sharma, CE(P-3)
Shri R.S. Ninan, CE(P-5)
Shri A.N. Dhodapkar, CE(P-6)
Shri N.S. Jain, CE(P-7)
Shri H.C. Arora, SE(P-7)
Shri A.K. Kushwaha, EE(P-4)I

National Highways Authority of India

Shri S.C. Jindal, CGM (CM)
Shri Rajeev Agrawal, DGM (Tech.)
Shri Vishal Gupta, DGM (CM)

Oil Companies

Shri Ashok Mehta, Chief Manager, M/s BPCL
Shri K. Sivakumar, Chief Manager (Retail), M/s BPCL
Shri K.P. Rama Mohan, Chief Manager (Retail), M/s IOCL
Shri R.S. Tulsi, Divisional Manager, M/s IBPCL
Shri Arun Marwaha, Manager (P-RD)-SR, M/s IBPCL
Ms. Poonam Chopra, Sr. Mgr., M/s IBPCL
Shri Ram Mehrotra, Associate Vice President, M/s RIL
Shri Arun Kumar, M/s RIL
Shri Onkar Nath, Sr. Mgr.- Highway (North Zone), M/s HPCL
Shri T.S. Sawhney, DGM, M/s HPCL

Annexure - II

LIST OF CASES INVOLVING MINOR DEVIATIONS CONSIDERED DURING THE MEETING HELD ON 21.8.2006

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
1.	Haryana	73	74.945 (LHS)	M/s BPCL	The distance of tangent point of curve of side road from edge of plot is 295m against 300m.	It was brought out that the shortfall was only 5m and the side road leads to a village having few numbers of traffic. It was considered this would not be a safety hazard for the traffic on National Highway as the shortfall was only 5m. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
2.	Andhra Pradesh	5	221/800 (RHS)	M/s IBPCL	Existence of a check barrier at a distance of 950m as against the minimum requirement of 1000m.	It was reported that the check barrier was being operated by the Transport Department of Andhra Pradesh Government and was of temporary nature. Considering the temporary nature of the check barrier NHAI has recommended for relaxation. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
						precedent for future and other cases.
3.	Andhra Pradesh	9	32/0	M/s IOCL	The drawing indicates existence of 33 feet wide road passing through agricultural fields by the side of the proposed retail outlet.	RO, Hyderabad has reported that this side road adjacent to the proposed retail outlet is an earthen track leading to the agricultural fields. RO has further reported that there is no vehicular traffic on this road and hence may not be considered as an intersection. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
4.	Haryana	1	111.300 (LHS)	M/s IBPCL	There is a side road (village road) at 50.00m from the proposed retail outlet leading to village Hassanpur. Also, there is a cut between the main carriageway and service road separator at 50.00m from the proposed retail outlet, facilitating direct access to above side road with main carriageway.	It was brought out that the main access to the retail outlet would be through a service road of 7.00m width, the egress of which is merging with side road leading to village Hassanpur. The complete details were not available to examine this case further. Therefore, further details would be sought by the Ministry (Project Zone concerned) from NHAI for examination of this case.
5.	Haryana	1	126.506 (RHS)	M/s Essar Oil	Existence of a side road at 9m from the proposed retail outlet leading to a village and coinciding with	Further details would be called by the Ministry (Project Zone concerned) from NHAI for examination of this case.

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
					the cut between the main carriageway and the service road.	
6.	Karnataka	7	489.602 (RHS)	M/s Essar Oil	Existence of an MDR at a distance of 314m from the proposed retail outlet against the requirement of 1000m.	The PD, Palghat, NHAI in his Inspection Report has reported that the entry to the proposed retail outlet is through service road proposed by NHAI. He has also further reported that vehicular underpass has also been proposed for the traffic coming from MDR and joining the NH traffic through this service road. Since the MDR is abutting the service road there will not be any hindrance to the traffic movement on the main carriageway. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
7.	Karnataka	13	297.405	M/s Essar Oil	Existence of another retail outlet at a distance of 110m and existence of a railway crossing at a distance of 745m as against the minimum requirement of 300m and 1000m respectively.	This case was not recommended for relaxation keeping in view the distance of the railway crossing from the proposed retail outlet.
8.	Karnataka	206	211.182	M/s HPCL	Existence of two black topped roads having	This case was not recommended for relaxation due to existence of two side roads.

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
					carriageway width less than 3.5m and intersecting at a distance of 19m (on same side) and 49m on opposite side from the proposed retail outlet as against the specified distance of 100m.	
9.	Madhya Pradesh	3	579/6 (LHS)	M/s RIL	The retail outlet has been energized before taking approval for construction of access road from the Ministry.	It was brought out that the constructed retail outlet was as per the approved guidelines. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
10.	Madhya Pradesh	3	569/8 (RHS)	M/s RIL	The retail outlet has been energized before taking approval for construction of access road from the Ministry.	It was brought out that the constructed retail outlet was as per the approved guidelines. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
11.	Madhya Pradesh	3	598/2 (LHS)	M/s IBPCL	Gap in a median at a distance of 200m from the proposed retail outlet.	There is a proposal of construction of service road and clustering of the retail outlets. This proposal alongwith the shifting of the median gap may be examined and a revised proposal

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
						alongwith detailed drawings may be submitted to the Ministry for further examination.
12.	Madhya Pradesh	3	598/4 (LHS)	M/s Essar Oil	Existence of retail outlets at a distance of 200m.	There is a proposal of construction of service road and clustering of the retail outlets. This proposal alongwith the shifting of the median gap may be examined and a revised proposal alongwith detailed drawings may be submitted to the Ministry for further examination.
13.	Maharashtra	4	658.720 (LHS)	M/s RIL	Existence of a Kuchha road of width 2.5m at a distance of 68m as against the requirement of 100m.	Project Director, Pune, NHAI reported that the track was insignificant and caters to bullock carts going to the adjacent fields. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
14.	Punjab	1	316.551 (LHS)	M/s RIL	There are a number of side roads / urban streets and kutcha passages on both sides adjacent to the proposed site. These side roads / urban streets and kutcha passages lead to shops and private property.	This case was not recommended for relaxation due to existence of number of side roads.
15.	Punjab	15	327.260 (LHS)	M/s HPCL	There is a side road (ODR) in opposite side with carriageway width more than 3.5m at a distance of	This case was not recommended for relaxation due to existence of two side roads.

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
					220m from the proposed site against minimum 300m.	
16.	Punjab	64	88.100 (RHS)	M/s RIL	There is an IOCL retail outlet at 55m on opposite side of the proposed RO.	M/s RIL have to submit the necessary details alongwith relevant drawings for widening the existing two lane NH to divided four lane with median for sufficient length for segregation of traffic so that there is no safety hazard for traffic on the National Highways. Thereafter, this case would be examined.
17.	Punjab	64	187.475 (RHS)	M/s BPCL	There is an earthen track leading to private property (Poultry Farm) at a distance of 30m (on opposite side of proposed retail outlet) as against 100m.	Further details in this case would be requested by the Ministry (Project Zone concerned) from Punjab PWD for examination of this case.
18.	Punjab	64	207.893 (RHS)	M/s RIL	There are 4 No. streets of M.C. Bhatinda (2 No. in the side of R.O. & 2 No. on the opposite side) within 100m.	This case was not recommended for relaxation due to existence of number of side roads.
19.	Punjab	95	65.450 (RHS)	M/s BPCL	The plot size for the proposed fuel station is (27.43 + 21 + 12.62m) / 3 x 40.00m against the minimum requirement of 20x20m for fuel station located in urban areas. The width of the plot is	Considering that the frontage is 27.43m, against the minimum requirement of 20.00m for urban area and all items of the fuel station could be accommodated within the criteria the traffic hindrance on the National Highway would not be created. In view of above the case has been

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
					varying from 27.43m (frontage to 12.62 non outer side at the depth of 40m against the minimum of 20m.	recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
20.	Rajasthan	8	17.545 to 17.595 (LHS)	M/s Essar Oil	Existence of a retail outlet at a distance of 305m against the minimum requirement of 300m for 2-lane and again 1000m for divided carriageway as this section is proposed to be widened to 4-lane divided carriageway under NHDP Phase-III. However, preparation of DPR has not yet been taken up.	It was noted that at present the National Highway is of two-lane standard and the proposal meets the requirement specified for the two-lane National Highways. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
21.	Bihar	84	67 (RHS)	M/s BPCL	The distance between two retail outlets is 256m against the minimum requirement of 300m.	It was brought out in the meeting that as now ascertained the distance between two retail outlets was within the specified distance. Therefore, this case was recommendation for relaxation.
22.	Maharashtra	222	37/978 & 37/945 (RHS)	M/s BPCL	The distance of the proposed retail outlet from the intersection with the State Highway as per actual measurement is 856m against the specified requirement of 1000m.	The LOI for the proposed retail outlet was issued by the Oil Company to the applicant before this road was declared as State Highway and the shortfall from the specified distance of 1000m for intersection with the State Highway is only 146m and the dealer of the proposed retail outlet is a handicapped lady.

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
						In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
23.	Rajasthan	76	127.050 to 127.100 (LHS)	M/s Essar Oil	Existence of a median opening just in front of the proposed retail outlet against the minimum requirement of 300m from the proposed site.	NHAI has informed that it does not affect the traffic because the entry to the above retail outlet is through service road and the existing median opening is only for the service road on the opposite side of the retail outlet. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.

S.No. 13 (1)

GOVERNMENT OF INDIA
MINISTRY OF SHIPPING, ROAD TRANSPORT & HIGHWAYS
(DEPARTMENT OF ROAD TRANSPORT & HIGHWAYS)

1, Parliament Street
Transport Bhavan
New Delhi-110001

No. NH-14019/13/2006-P&M

Dated the 3rd November, 2006

Sub: Examination of proposals involving minor deviations from the prescribed guidelines for grant of permission of approach road access to Petroleum outlets on National Highways.

The Minutes of the Meeting of Committee for deviations on Retail Outlets held on 30.10.2006 are enclosed for information and necessary follow up action.

A compliance report wherever required may be forwarded.

3/11

(S.B. Basu)
Chief Engineer (Planning)
Telefax: 23710134

Encl: As above.

To

1. The Chairman, National Highways Authority of India, G 5&6, Sector-10, Dwarka, New Delhi.
2. The Director General (Road Development), D/o RT&H
3. The Additional Director General-I, D/o RT&H
4. The Additional Director General-II, D/o RT&H
5. The Addl. Secy. & Financial Advisor, M/o S, RT&H.
6. The Joint Secretary, Ministry of Petroleum & Natural Gas, Shastri Bhawan, New Delhi.

Issued 3/XI

Copy to representatives of Oil Companies:

1. Director (M) – M/s Indian Oil Corpn. Ltd., Indian Oil Bhavan, G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai – 400 051.
2. Director (M) – M/s Hindustan Petroleum Corpn. Ltd., 8, S.V.Marg, Ballard Estate, Mumbai - 400 001.
3. Director (M) – M/s Bharat Petroleum Corpn. Ltd., ECE House, 28-A, Kasturba Gandhi Marg, New Delhi-110001.
4. Director (M) – M/s Reliance Industries Ltd., 1st Floor, Gopal Das Bhawan, 28, Barakhamba Road, New Delhi-110001.

Issued 3/XI

3/11

(S.B. Basu)
Chief Engineer (Planning)

INTERNAL DISTRIBUTION:

Issued 3/11

(1) PPS to Secretary (RT&H)

(2) CE(P-1), CE(P-2), CE(P-3), CE(P-4), CE(P-7) and CE(P-9):- **It is requested to seek the approval for the relaxation of the deviation from the Competent Authority in the respective file dealing with this case. The minutes may not be considered as an approval.**

(3) CE(R)(S&R)

3/11

(S.B. Basu)
Chief Engineer (Planning)

Minutes of the Meeting of the Committee held on 30.10.2006 to discuss the cases of minor deviations for the Retail Outlets

List of participants is at Annexure-I.

2. The minutes of the meeting held on 21.8.2006 circulated vide this Ministry's Letter No. NH-14019/13/2006-P&M dated 1st September, 2006 were confirmed.

3. The cases recommended for relaxation of the deviation from the prescribed norms were taken up one by one. The Ministry's officers concerned presented the cases alongwith the deviations as well as the justification for the relaxation. These were discussed in detail. A statement showing the locations of these retail outlets, name of Oil Company, the deviations and the decisions taken on these cases is at Annexure-II.

4. There were two additional cases which were presented at the time of meeting. The details of such cases and the decisions taken are indicated in Annexure-III.

5. Ministry has taken up various programmes for 2-laning, 4-laning and 6-laning of National Highways under different phases of NHDP. It was decided that Oil Companies and the Ministry of Petroleum would be informed about these programmes so that the Oil Companies could consider the proposal of allocation of the new retail outlets keeping in view the proposed widening programmes of National Highways.

6. It was brought out that many of the retail outlets are not being constructed as per the approved drawings. It was decided that the Project Chief Engineers of the Department might prepare a list of such cases, if any, and accordingly the matter might be taken up with the Ministry of Petroleum at an appropriate level for necessary corrective measures.

7. The meeting ended with a Vote of Thanks to the Chair.

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Annexure-I

Officers present in the Committee Meeting for Deviations held on 30.10.2006 at 11:00 hrs.

M/o Shipping, Road Transoort & Highways

Shri Vijay Singh, Secretary (RT&H) - in Chair
Shri G. Sharan, Additional Director General
Shri Indu Prakash, Additional Director General
Shri S.B. Basu, CE(PL)
Shri R.D. Dohare, CE(R)(S&R)
Shri T.B. Banerjee, CE(P-1)
Shri Prabhat Krishna, CE(P-2)
Shri H.S. Ahluwalia, CE(P-4)
Shri N.S. Jain, CE(P-7)
Shri A.B. Yadav, CE(P-9)
Shri Manjoj Kumar, SE(P-1)
Shri R.B. Singh, SE(P-2)
Shri M.K. Wathore, EE(P-2)I
Shri Shashi Bhushan, AEE(P-7)

National Highways Authority of India

Shri S.C. Jindal, CGM (CM)
Shri Rajeev Singh, DGM
Shri Vishal Gupta, DGM (CM)

Oil Companies

Shri Ashok Mehta, Chief Manager, M/s BPCL
Shri T.S. Sawhney, DGM, M/s HPCL
Shri Praveen Kumar, M/s HPCL
Shri Raja Tikkoo, CM & Mgr., M/s HPCL
Shri Sanjay Kaushik, Manager, M/s HPCL
Shri K. Phani Rama Mohan, Chief Manager (Retail), M/s IOCL
Shri Ram Mehrotra, Associate Vice President, M/s RIL
Shri Arun Kumar, M/s RIL

Annexure - II

LIST OF CASES INVOLVING MINOR DEVIATIONS CONSIDERED DURING THE MEETING HELD ON 30.10.2006

Sr. No.	State	NH No.	Kilometerage	Name of the Oil Co.	Deviations	Justification and Decision
1.	Haryana	65	81.335 (RHS)	M/s BPCL	Existence of a side road (Village road) at 60.00 m (RD 81.400) from the proposed retail outlet leading to Village Shergarh.	It was reported by the Oil Company that the traffic on the side roads which leads to a village is not to that extent which will cause traffic hazardous. There is a proposal also for construction of service roads by the Oil Company at their own cost. In view of this, this case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet with a company that the proposed service road will be constructed by the Oil Company at their own cost after getting the layout of the service roads approved from the Ministry. This relaxation and the reason for relaxation are not to be cited as a precedent for future and other cases.
2.	Jharkhand	2	419.281 (RHS)	M/s IOCL	The distance of the nearest median cut from the proposed retail outlet is 272.50m against the minimum requirement of 300m.	NHAI has reported that the applicant has taken the plot on lease on 12.12.2003 before issuance of the clarification (31.3.2005) of median opening distance by the Ministry. The extent of deviation is only 27.5m which was considered as a minor deviation.

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
						In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
3.	Karnataka	13	156.471 (RHS)	M/s HPCL	Existence of a MDR at a distance of 635m on the opposite side of the proposed retail outlet as against the minimum requirement of 1000m as per the Ministry's guidelines.	It was brought out that this stretch has been included under NHDP Phase-IIIA. Considering that this section of road will be 4-laned the existence of a side road on the opposite side for a 4-lane road would not be a deviation. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
4.	Karnataka	48	103.200	M/s HPCL	Existence of a check barrier at a distance of 570m from the proposed retail outlet.	It was brought out that the check barrier is a toll plaza for collecting users' fee for Veeravaishnavi Bridge and this section has been identified for 4-laning on BOT basis. This toll plaza would be closed. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
5.	Karnataka	48	125/450	M/s IOCL	At present, this stretch is having 2-lane carriageway and is proposed to be 4-laned under NHDP Phase IIIA. Presently, there is one State Highway on the opposite side at a distance of 410m from the proposed retail outlet and there is a side road having carriageway width of more than 3.5m at a distance of 135m as against the minimum requirement of 300m as per the Ministry's guidelines. However, it has been mentioned that as this NH is going to be 4-laned divided carriageway this SH is going to intersect on the opposite side and as such is not applicable for distance criteria and other side road is meeting proposed service road in this section and will not interfere with the NH traffic. In addition to the above the size of the proposed retail outlet is 43m x 35m against the plot size requirement of 35m x 45m.	As this median opening and the proposed 4-laning does not meet the specified requirement this case was not recommended for relaxation.

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
					As per the DPR for the proposed 4-laning there is a median opening at a distance of 190m from the proposed retail outlet against the minimum requirement of 300m.	
6.	Punjab	64	88.100 (RHS)	M/s RIL	This case was also discussed in the meeting held on 21.8.2006. Existence of an IOCL retail outlet at 55m on opposite side of the proposed retail outlet.	The construction of service road as proposed by the Oil Company would require substantial investment. The Oil Company at the first instance may construct this service road for sufficient length to provide segregation of traffic.
7.	Punjab	64	116.100 (LHS)	M/s RIL	Existence of an earthen road adjacent to the retail outlet against the specified requirement of 100m. Presence of another retail outlet at 60.50m on the opposite side of the proposed retail outlet against the minimum distance of 300m.	The construction of service road as proposed by the Oil Company would require substantial investment. The Oil Company may construct this service road for sufficient length to provide segregation of traffic.
8.	Punjab	64	207.893 (RHS)	M/s RIL	There are 4 No. of streets of Municipal Corporation of Bhatinda (2 No. in the side of retail outlet and 2 No. on the opposite side) within the specified distance of 100m.	The proposed retail outlet is located in a Municipal area for which the Municipal Corporation of Bhatinda has furnished the NOC and the proposed entry will be through service roads to be constructed by the Oil Company at their own cost.

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
						In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
9.	Rajasthan	8	214.151	M/s HPCL	Existence of a median opening at a distance of 90m from the proposed retail outlet against the minimum requirement of 300m.	This section is a part of Golden Quadrilateral for which 6-laning of the National Highway section has already been approved. Therefore, this proposal may be re-examined keeping in view the 6-laning proposal.
10.	Uttar Pradesh	28	173.088 (RHS)	M/s BPCL	On date the National Highway section where proposed retail outlet is located is undivided carriageway road. 4-laning of the existing 2-lane NH section is under implementation as a part of East West Corridor Project. There exists a petrol pump on the opposite side at a distance of 111m against the minimum required distance of 300m.	The 4-laning of this section of National Highway is under implementation from the East West Corridor project of NHDP. There will be no requirement of maintaining 300m distance in a 4-lane road. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
11.	Uttar Pradesh	29	198.425 (LHS)	M/s IOCL	The size of the plot is pentagonal having dimensions as 42.79m (front) 20.13m, 39.31m, 20.11m and 21.34m against the required size of 35m x 35m.	It was brought out that the frontage of the plot is 42.97m which is more than the minimum requirement of 35m. The area of the plot has been reported to be 4900 sq.m. which is more than the specified area. It was also informed that all the constructions are beyond the building line.

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
						In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
12.	West Bengal	2	463.112 (RHS)	M/s HPCL	Existence of a median opening at a distance of 64m from the proposed retail outlet. The plot size is irregular having frontage of 43.28m more than the specified width of 35m. However, the width inside the proposed outlet reduces with depth.	The proposal does not meet the specified requirement in respect of the median opening and the plot size. Therefore, this case could not be considered for relaxation. However, this section is a part of Golden Quadrilateral for which 6-laning of the National Highway section has already been approved. Therefore, this proposal may be re-examined keeping in view the 6-laning proposal as well as removal of existing deviations.
13.	West Bengal	34	61.947	M/s BPCL	Existence of a 2.5m wide kuchha road opposite to the proposed retail outlet at a distance of 63m against the minimum requirement of 100m.	It was brought out that this road connecting to a village has a population of 300 as per the certification of the pradhan of the Gram Panchayat concerned and the existing NH is of 2-lane standard and preparation of DPR for 4-laning has been awarded. There will be no requirement of maintaining 100m distance for a 4-lane road. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.

Annexure - III

LIST OF ADDITIIONAL CASES INVOLVING MINOR DEVIATIONS CONSIDERED DURING THE MEETING HELD ON 30.10.2006

Sr. No.	State	NH No.	Kilometer age	Name of the Oil Co.	Deviations	Justification and Decision
1.	Uttar Pradesh	2	219.610 (RHS)	M/s HPCL	There is a median cut opening at a distance of 235m from the boundary of the proposed retail outlet against the minimum requirement of 300m.	It was brought out that this retail outlet has been allotted under special scheme for widows of defence personnel killed in Kargil action. The deviation is only 65m. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.
2.	Kerala	17	100/358 (RHS)	M/s BPCL	Existence of a cross road of 3.8m width at 222m from the proposed retail outlet against the minimum requirement of 300m.	It is seen from the records that a case was filed in a Court and the retail outlet started functioning without getting the necessary approval from this Ministry. It was brought out that four-laning of this section of NH has been included under NHDP PhaseIIIB. As NHDP PhaseB is to be sanctioned shortly and after four-laning the existence of side road on the opposite side will not be a deviation. In view of above the case has been recommended for relaxation considering the reason of deviation and justification for this particular retail outlet. This relaxation and the reasons for relaxation are not to be cited as a precedent for future and other cases.

					minimum requirement of 300m.		and other cases.
8.	Uttar Pradesh	27	7.667 (LHS)	M/s IOCL	There exist two retail outlets on opposite side of the proposed fuel station at a distance of 120m and 239m against the minimum requirement of 300m.	This case was taken up in the meeting held on 23.1.2006. The two retail outlets on the opposite side are of M/s HPCL and M/s BPCL. The representatives of the Oil Companies could not give a firm undertaking in the meeting that they would construct at their own cost the necessary service road for clustering of the two retail outlets and having sufficient distance for entry and exit of the vehicular traffic from National Highways. The representatives were requested to bring in the next meeting the undertakings of construction of the service roads for taking a decision.	Representatives of M/s HPCL and M/s BPCL did not bring any undertakings of construction of the service road for taking a decision. It was also reported that there was no agreement between the Oil Companies and the Ministry for providing access to these retail outlets and M/s HPCL and M/s BPCL. Therefore, Ministry of Petroleum and the oil companies concerned may be requested for de-energizing of these unauthorized retail outlets. Therefore, this proposal may be submitted in the next meeting.