



GOVERNMENT OF INDIA  
MINISTRY OF ROAD TRANSPORT & HIGHWAY  
O/o Regional Officer (C) cum Highway Administration  
PWD Annexe Building, K.R. Circle, Bengaluru - 560001

Telephone: 22217457/22105765 (Fax)

e-mail : [robengaluru@gmail.com](mailto:robengaluru@gmail.com)

No. RW/BNG/N-13/NOC/Km 438.400/219/2017

Dated: 12.02.2018

**Invitation of Public Comments**

Subject: Issue of NOC for construction of access road to New MS/HSD retail outlet abutting on RHS boundary of NH -13 at Km 438.400 in Sy. No. 44/6 of T. Nulnur village, Holalkere Taluk, Chitradurga District, Karnataka State – Reg.

The proposal seeking access permission to the above retail outlet of M/s. Essar Oil Ltd., was submitted by The Executive Engineer, PPP Cell, NH, Shimoga vide letter No. EE/PPP/NH-13/Smg/Retail outlet NOC/2017-18/244 dated 22.01.2018 (Annexure – I). The Oil company vide letter dated 16.01.2018 (Annexure – II), has sought NOC under relaxation due to the Intersection of rural road / approach road at a distance of 38m as against minimum of 300m stating that, the intersection is a village road and proposing service road of 5.50m wide for a length of 40m i.e., upto the intersection.

2. Since the Intersection with the rural road/approach road is at distance of 38m from the proposed retail outlet site as against minimum of 300m, the proposal necessitates relaxation.

3. As per the guidelines issued by the Ministry vide OM No.RW/NH-33023/19/99-DO-III dated 16.03.2016 (Annexure – III), the relaxation application will be made available for public comments and the comments will be invited within 60 days from the day of uploading. The comments needs to be submitted in the Format enclosed as Form- A.

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

The Regional Officer (C)  
Cum Highway Administration,  
O/o the The Regional Officer (C)  
Cum Highway Administration,  
Ministry of Road Transport & Highways,  
PWD Annexe Building, K.R.Circle  
Bangalore – 560001.

Encl : As above.

Yours faithfully,

(Paveen Kumar P)  
Executive Engineer  
for Regional Officer (C)

Copy to : (i) NIC, New Delhi for uploading in the Ministry's website.

(ii) The Divisional Manager, M/s. Essar Oil Ltd., No.12, "Mayo Center",  
Commissariat Road, Near Garuda Mall, Bengaluru – 560025 for information.

(Praveen Kumar P)  
Executive Engineer  
for Regional Officer (C)

**KARNATAKA GOVERNMENT****Office of the Executive Engineer, PPP Cell, National Highways****A.P.M.C. Yard, Q-1 Building, Sagar Road, Shimoga-577204****Email ID: *eepppnhsmsg6@gmail.com*****No:EE/PPP/NH-13/Smg/RetailoutletNOC/2017-18/244** Date: 22-01-2018

To,

**The Superintendent Engineer (Civil),**

Regional Office,

Ministry of Road Transport &amp; Highways (MoRT&amp;H)

PWD Annex Building, K.R.Circle, Bangalore-560001.

Sir,

**Sub:** Issue of NOC for installation of New MS/HSD retail outlet abutting on the right side boundry of NH-13 Chitradurga-Shimoga section at Km 438.400 in survey no 44/6 of T. Nullenur Village, in the Taluk of Holalkere, Chitradurga District, Karnataka state.

- Ref:** 1. This office letter No 275 Dated 30-11-2017.  
2. Your office letter no 1938 dated 27-12-2017.  
3. Brightway India Consultancy and Allied Services, office letter dated 16-01-2018.


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Adverting to above cited subject, the Proposed Retail outlet site proposal for installation of New MS/HSD retail outlet was submitted vide ref letter (1) after inspecting on 29-11-2017 by the undersigned along with Authority Engineers and EPC representatives as the road is presently under Re-habilitation and Up-gradation. The same proposal was returned back for complying vide reference (2), which in turn has been complied and re-submitted by the oil company through registered consultant to this office vide reference (3). The same is hereby verified as per the norms of MoRT&H and

re-submitted for establishing the Retail outlet at Km 438.400 outlet abutting on the right side boundary of NH-13 Chitradurga-Shimoga section with recommendations for issue of NOC.

Yours Faithfully,

**Encl:** Proposal with records in 4 sets

  
**Executive Engineer,**  
PPP Cell, National Highways  
Shimoga.

ANNEXURE - 2



Date: 16-01-2018

To,  
Regional officer  
Ministry of Road Transport & Highways,  
KR Circle, Bangalore.

Essar Oil Limited  
No.12, "Mayo Center",  
Commissariat Road,  
Near Garuda Mall,  
Bengaluru -560 025  
India

Corporate Identity Number :  
U11100GJ1989PLC032116

T: +91 80 2555 9216  
E: eolmarketing@essaroil.co.in  
www.essaroil.co.in

Dear Sir,

**Subject:** Issue of No Objection Certificate for installation of New MS/HSD Retail outlet abutting on the Right side boundary of NH-13 (Chitradurga-Shimoga Section) at KM 438.400 in Survey number 44/6 of T. Nulnur Village, in the Taluk of Holalkere, Chitradurga District, Karnataka State.

We proposed to install a New MS/HSD Retail outlet abutting on the Right side boundary of NH-13 (Chitradurga-Shimoga Section) at KM 438.400 in Survey number 44/6 of T. Nulnur Village, in the Taluk of Holalkere, Chitradurga District, Karnataka State.

In the above proposed site, there is a 3 meter wide village road intersection at a distance of 38 meters from the edge of plot on opposite side. Due to un divided carriageway, which does not comply MORTH norms.

The proposal is applied with request of relaxation on the Clause 4.5 of Ministry guidelines. If there is perseverance of requirement of service road from Highway administration, same will be constructed up to the distance of intersection as shown in the lay out diagram of ROL.

So, we hereby request you to consider this proposal under relaxation scheme to comply MORTH guidelines for setting up new Retail Outlet.

Your Faithfully,

For ESSAR OIL LIMITED.

Authorized Signatory

Authorised Signatory

ESSAR OIL LIMITED

# Annexure-III

## GOVERNMENT OF INDIA MINISTRY OF ROAD TRANSPORT & HIGHWAYS

Parivahan Bhavan,  
1, Sansad Marg  
New Delhi-110001

F. No. RW/NH-33023/19/99-DO III

Dated: the 16<sup>th</sup> March, 2016

To

1. The Chief Secretaries of all the State Governments/UTs
2. The Principal Secretaries/Secretaries of all States/UTs Public Works Department dealing with National Highways, other centrally sponsored schemes.
3. All Engineers-in-Chief and Chief Engineers of Public Works Department of States/UTs dealing with National Highways, other centrally sponsored schemes.
4. The Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi-110010.
5. The Chairman, National Highways Authority of India, G-5&6, Sector-10, Dwarka, New Delhi-110075.
6. The Managing Director, NHIDCL, PTI Building, New Delhi-110001.

**Sub: Guidelines/norms for access permission to Fuel Stations, Private Properties, Rest Area Complexes and such other facilities along National Highways- reg.**

The power to give for access to National Highways lies with the Highway Administration as per the Highway Administration Rule, 2004 under the control of National Highways (Land and Traffic) Act, 2002. While exercising this power, the Ministry issued the general guidelines/norms for access permission to fuel stations, private properties, rest area complexes and other facilities vide Ministry's Circular No. RW/NH-33023/19/99-DO-III dated 24.7.2013. The norms and guidelines were issued as per enclosures of the Circular at Appendix-I (along with Annex-I, II & III to Appendix-I) and Appendix-II (along with Annex-I, II and III to Appendix-II).

2. The Ministry has been receiving many cases of relaxation from the Ministry's norms stipulated in the Circular under reference. It has been observed that many cases of deviations from the extant guidelines, specifically distance from intersection, gap in central median, distance from nearest fuel station, distance from toll plaza and non-fulfillment of the criteria of construction within a year of issuing NOC have been received for relaxation by the Ministry. Further, many complaints and RTI applications against relaxation have also been received in the Ministry.

3. In view of the above, it has been decided that the application for relaxation in the guidelines/norms for access permission to fuel stations, private properties, rest area complexes and other such facilities along National Highway will be filled up by the applicants through online forms and will be submitted to the concerned Highway Administrator. Before the issue of provisional NOC and in principle approval, the Highway Administrator will make available in the Ministry's website (morth.nic.in) the complete application for public comments, thereby bringing out the relaxation sought by the applicant. Comments will be invited within 60 days

from day of uploading and will be in the format as enclosed as Form-A. The Highway Administrator will subsequently take the decision on the application in a speaking order for accepting or rejecting the relaxation sought and taking into consideration the objections received on the matter. The applicant may have a further period of 30 days for appealing against the Highway Administrator to the Appellate Authority who will be the Chief Engineer of the respective Project Zone in Ministry of Road Transport & Highways. Chief Engineers will take into consideration the application of the applicant seeking relaxation, the objections received from the general public and the speaking order of Highway Administrator to decide on the appeal. The order of the Appellate Authority shall be final.

4. The Highway Administrator will issue the 'in principle' approval and the Provisional NOC for the applications, where relaxation of norms has been sought, only after the completion of the process illustrated in the preceding paragraph.

5. This circular will be read in continuation with circular of Ministry dated 24.7.2013 mentioned in first paragraph. The other provisions of the earlier circular will remain applicable.

6. The competent authority in the Ministry shall notify the Appellate Authorities for their respective Highways Administration. The contents of this Circular may be brought to the notice of all the concerned in your organization.

7. This issues with the approval of the competent authority.

Yours faithfully,

Encls. As above.



( U.C. Katara )

Superintending Engineer (S.R&T) (Roads)  
For Director General (Road Development) & SS

Copy to:

1. All Technical Officers in the Ministry of Road Transport & Highways
2. All ROs and ELOs of the Ministry
3. The Secretary General, Indian Roads Congress
4. The Director, IAHE
5. Technical circular file of S&R (R) Section
6. NIC- for uploading on Ministry's website under "What's new"

Copy for kind information to:

1. PS to Hon'ble Minister (RTH&S)
2. PS to Hon'ble MOS (RTH&S)
3. PPS to Secretary (RT&H)
4. PPS to DG(RD)&SS
5. PPS to SS&FA
6. PS to ADG-I/ADG-II
7. PS to JS(T)/JS(H)/JS(LA&P)/JS(EIC)

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Form-A

Form for inviting public comments on the application for relaxation in the guidelines/norms for access permission to fuel stations, private properties, rest areas complexes and other such facilities along National Highways

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

<u>Sl. No.</u>	<u>Item</u>	<u>Details</u>
1.	Name of the person who is desiring to give comments	
2.	Address of the person	
3.	Details of the application for access permission against which comments are being given (name of applicant and other details like site address etc.)	
	a) Application No.	
	b) Name of Applicant (who applied to access permission)	
	c) Details of Application	
4.	Whether the specific permission, if given, shall cause any damage to Highways? If yes, please give details.	
5.	Whether specific permission, if given, shall adversely affect safety and convenience of the traffic on the Highways? If yes, please give the details.	
6.	Whether specific permission, if given, shall adversely affect hygiene or cause nuisance and pollution on the Highways? If yes, please give the details.	

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