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

Dated, the 27th July, 1999

To

The Chief Secretaries/Secretaries/Chief Engineers (PWD/Roads) of all State Governments/UTs (dealing with National Highways & Centrally Sponsored Schemes); Director General Border Roads; Chairman, National Highways Authority of India

Subject : Need for systems improvement for installation of Petrol/Diesel - Retail outlets along National Highways

This Ministry had issued detailed instructions on licensing of National Highway land for construction of approach roads to private properties abutting National Highways vide its letter No RW/NH-III/P/17/75 dated 30<sup>th</sup> October, 1980 and RW/NH-III/P/72/76-Vol-II dated 19<sup>th</sup> February, 1987.

2. It has, however, been observed by this Ministry that a number of petrol/diesel pumps have come up along National Highways, which do not conform to the prescribed IRC norms. Inquiries in some cases revealed that the approval from the concerned Road Authorities had not been obtained and the Oil Companies had energised the pumps after obtaining No Objection Certificate only from district Licensing Authorities. The procedures in this regard are thus needed to be streamlined so that cases of violation of IRC norms in siting the layout of petrol/diesel pumps do not recur in future.

3. General requirements governing the location and lay out of petrol/diesel pumps along Highways have been specified in IRC: 12-1983 "Recommended Practice for Location and Layout of Roadside Motor Fuel Filling and Motor-Fuel Filling-cum Service Stations". The basic consideration governing these requirements is to minimise, as much as possible, interference to normal flow of traffic on the road by vehicles using the amenity and also to ensure safety. This publication also stipulates that the sanctioning authority should obtain clearance from the appropriate Road Authority for the site and layout before according the sanction.

#### 4. **STIPULATED NORMS REGARDING LOCATION, LAYOUT AND OTHER FEATURES OF PETROL/DIESEL OUTLETS**

IRC:12-1983 specifies the following norms in regard to siting and location of petrol outlets:

##### (a) **Locational aspects**

- (i) Clearance distance between two adjacent fuel filling stations should not be less than 300 m.
- (ii) Clustering of fuel filling stations along the highway should be avoided. If for some reason, two or more fuel filling stations are sited in close proximity, these should be grouped together and a parallel service road provided by way of common access to the Highway.
- (iii) Fuel filling stations should be well distributed on both sides of road so that vehicles do not have to cut across the traffic to reach a fuel filling station. The fuel filling station on opposite sides of the road should be staggered.
- (iv) Fuel filling stations near existing check barriers should be at least 1 km away from the barrier.
- (v) Location of fuel filling stations, should not interfere with future improvement to road and nearby junction.
- (vi) Distance of fuel filling station from a junction should not be less than 300 m in case of expressways and dual carriageway roads, and 100 m in case of other roads.
- (vii) As far as possible, in plain and rolling terrain, the fuel filling station should be located where the highway is practically level.

##### (b) **Frontage**

The frontage should be as wide as possible, the minimum being 30 m.

##### (c) **Buffer Strip**

- (i) A buffer strip of at least 12 m long and 3 m wide should be provided.
- (ii) The outer edge of buffer strip should be along the outer edge of road land boundary for rural sections and that of footpath or service road, if any, for urban sections.
- (iii) The distance from the outer edge of buffer strip to the centre line of the carriageway should not be less than 7m where no cycle tracks are required and not less than 12 m where cycle tracks exist or may be required in future.

##### (d) **Layout of Entrance and Exit**

The entrance and exit should be at least 9 m wide, the ruling radius of the curve being 30 m with the absolute minimum as 13 m.

(e) **Distance of the Fuel Pump from the Carriageway**

Fuel pump should be outside the road land, subject to the provision that the distance from the outer edge or buffer strip to edge of the strip having fuel pump should not be less than 7 m.

(f) **Drainage**

There should be adequate drainage arrangements in fuel filling stations so that surface water does not flow over the highway, but is collected in suitable drains and led away to a natural course. Culverts should be provided at the approaches to facilitate drainage.

5. **TYPES/EXTENT OF VIOLATIONS AND INFRINGEMENTS IN PETROL/DIESEL OUTLET INSTALLATION**

A perusal of case studies of some of the petrol/diesel pumps located along National Highways (in Bihar, Haryana, Uttar Pradesh, etc.) has revealed the following deficiencies and infringements in location, layout, etc.

- (i) Retail outlet owners having done the development work for the petrol pump and the Oil Companies having energised the pump without the pump owners having obtained the prior approval of the Road Authority and signing of the Licence Deed with Government of India;
- (ii) Close proximity of petrol pumps to each other;
- (iii) Inadequate distance of pump installation from centre line of National Highway;
- (iv) Location of petrol pump very near to an intersection;
- (v) Paving of whole petrol pump area and in continuation of NH land upto the carriageway, which tantamounts to encroachment on the NH land;
- (vi) Level of pump area being higher to that of NH pavement resulting in flow of rain water on to carriageway.
- (vii) Lack of proper surface water drainage and cross drainage system; and
- (viii) Lack of separate entry and exist due to paving of the full frontage and not leaving a buffer strip.
- (ix) Non-standard shapes and size of butter strips.

6. **PRESENT PROCEDURE**

6.1. It is the prime responsibility of the Oil Companies to follow the prescribed standards and procedures in setting-up of petrol pump stations. The IRC guidelines in this regard are required to be scrupulously followed. It is understood that the petrol pump drawings are prepared by Oil Companies (and not by petrol pump owners) which should normally take into account the requirement of the prescribed standards of the Road Authority. These drawings are sent by the Oil Companies to District Magistrate/Authorities/Licensing Authority for issue of 'No Objection Certificate'. Normally, the District Magistrate / other Authorities are expected to consult the concerned PWD/Road Authority before issuing the 'No Objection Certificate'.

6.2. The State PWD or Local Road Authority examines the drawings to ascertain whether the location and layout conforms to IRC:12-1983 and, if so, approves the proposal and permits the licensee to construct approaches, culverts, etc. after he has executed the Licence Deed for licensing of NH land for the construction of approach road to petrol pump abutting the National Highway.

6.3. In cases, where the standard conditions are not satisfied, the proposals are not approved but the parties concerned are asked to make necessary modifications so as to conform to these conditions.

6.4. Proposals, where it is not practicable to fulfill standard conditions, but the State Chief Engineer recommends certain relaxation, are referred to the Government of India in Ministry of Surface Transport (Roads Wing) together with reasons for relaxation for final decision.

6.5. The problem mainly arises when the District Magistrate/Licensing Authorities do not consult the Road Authority and give 'No Objection Certificate' after satisfying themselves only regarding safety in storage of explosive material, fire safety, etc. The Licensing authorities in some State are understood to be granting 'No Objection Certificate' only as per provisions of Indian Petroleum Act. These are solely from the angle of regulation regarding explosives and do not imply other approvals which are necessary before the retail outlet can be installed.

6.6. Since the NH land vests with the Government of India, approach to the NH from the petrol pump cannot be constructed until the concerned party has complied with the stipulated requirements in this regard and signed the prescribed Licence Deed Agreement with the Government of India.

#### 7. **NEEDED MODIFICATION IN SEQUENCE OF OPERATIONS/PERMISSIONS**

- (i) At the time of making a reference to the District Magistrate/Licensing Authority for a 'No Objection Certificate', the Oil Companies should also simultaneously make a reference to the concerned State PWD/Road Authorities and obtain approval to the location and layout and permission for construction of approach road from the NH to the petrol pump. For facilitating proper interaction and control on installation of petrol/diesel pumps, copies of such references should be endorsed to the remaining concerned Authorities.
- (ii) As a matter of abundant precaution, the issue of 'No Objection Certificate' by the District Magistrate/Licensing Authority should be made conditional subject to the Oil Company having obtained necessary approval/permission from the concerned Road Authority and signed the Licence Deed before going ahead with actual installation of the pump, and a copy of the same endorsed to the Road Authority. Stipulations to this effect should be clearly made in the N.O.C. A similar reciprocal procedure should be followed by the Road Authority while according its approval.
- (iii) The pump should be energised by the Oil Companies only after the Licence Deed for use of NH land for construction of approach road has been signed between the concerned private party and the Government of India, and the 'No Objection Certificate' issued by District Authorities.

#### 8. **CORRECTIVE ACTION FOR EXISTING PETROL/DIESEL PUMPS**

Licence Deed for use of NH land for approach road to the petrol pump has a validity of three years, and the same is required to be renewed thereafter. While considering the case for renewal of the licence deed for the existing petrol pumps, any deficiencies in terms of location, layout, signage, drainage, etc. and any infringements from the stipulated IRC norms should be carefully identified and got rectified from the Oil Company/Outlet Owner by the concerned Road Authority before the licence deed is renewed by the Ministry of Surface Transport. This requirement needs to be meticulously enforced by the concerned Road Authority.

9. It is, therefore, requested that deficiencies of the existing petrol/diesel outlets may be identified and action initiated to get these rectified at the time of renewal of licence deeds. Further, the permission for new petrol/diesel outlets should be strictly regulated as per the norms and suggestions brought out above.

10. The Ministry of Petroleum & Natural Gas and the Oil Companies are separately being advised to insist on approval of the Road Authorities before energising Petrol/Diesel retail outlets in future and also at the time of renewal of existing licences.

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