

Date: 14.11.2019

Invitation of public comments

Sub.: Proposal for final formal permission and signing of license deed for access to the proposed fuel station of M/s IOCL on NH -330 (Old NH No. 96) at Km. 126.339 (RHS), Village - Patupur, Tehsil - Bikapur & District Faizabad in the State of Uttar Pradesh - Time Extension - Reg.

1. The instant proposal was granted provisional NOC vide this office letter no. RO/LKO/HA/NH-330 (96)/99/2014/1698 dated 09.10.2014. As per para-3 of the same "In case the construction is not done in one year of the issue of this provisional NOC, the same shall be deemed to be cancelled, unless renewed by the Competent Authority." However, it is observed that the proposal has been submitted to this office after the lapse of stipulated deadline. Thus, it is seen that there is delay in construction of the instant retail outlet and involves deviation from the Ministry's extant guidelines.

2. The Oil Company M/s Indian Oil Corporation Ltd. has submitted justifications for the delay, wherein it is mentioned that:

(i) NOC from DM was granted to Oil Company on 20.07.2018 i.e. around 3 years 9 months and 11 days after the provisional NOC was issued. Thus the Oil Company could not start the work immediately on the site in absence of these statutory approvals as budget is approved only when all the statutory approvals are in hand. Hence, it is resulted in delay of construction work of retail outlet. Construction work of the fuel station has been completed on 18.07.2019 i.e. within one year after the DM NOC was issued.

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

4. In view of the above, comments of the public on the above relaxation proposal because of non-fulfillment of completion of the criteria of construction with in stipulated time-period, is invited to the below mentioned address:

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

Yours faithfully,



(Ruchir Agarwal)

Assistant Executive Engineer

For Chief Engineer - Regional Officer

Copy to:

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

(Ruchir Agarwal)

Assistant Executive Engineer

For Chief Engineer - Regional Office

[Enclosure to Ministry of Road Transport & Highways letter No. RW/NH-35075/2/2015/S&R (R) dated 21.04.2015]

Annex-I

List of cases (Retail outlets) involving minor deviations

S. No.	State	Chainage (Km)/District	Name of Oil Company	Deviations	Justification
1.	Uttar Pradesh	Km.126.339 (RHS), NH-330 (Old NH-96) Village- Patupur, Tehsil- Bikapur, District- Ayodhya (Faizabad)	Indian Oil Corporation Limited	Provisional NOC has withdrawn on 08.10.2015. Hence, extension of provisional NOC period (EOT) is required. As per provisional NOC terms "in case the proposal for grant of final permission and signing of license deed are not received within one year of grant of provisional NOC the same shall be treated as cancelled and provisional NOC granted by the Ministry be treated as withdrawn". Provisional NOC has been issued by RO, MORTH, Lucknow vide letter No. RO/LKO/HA/NH-330(96)/Km.99/2014/1698 dt.09.10.2014	NOC from DM was granted to us on 20.July.2018 i.e. around 3years 9 months and 11 days after the provisional NOC was issued. Thus we could not start the work immediately on the site in absence of these statutory approvals as budget is approved only when all the statutory approvals are in hand. Hence, it is resulted in delay of construction work of retail outlet. Construction work of the fuel station has been completed on 18.July.2019 i.e. within one year after the DM, NOC was issued. Justification of delay is genuine as mentioned above para. Therefore, it is requested to grant extension of provisional NOC period (EOT) to the instant proposal under relaxation in the Ministry's norms, so that final NOC with signing of license deed can be issue from the Ministry. We will be very thankful to you.

TRUE COPY
Adhar Gopal Tower
Notar
16/8/19

(Syed Tabish Ahad)
Sr. Manager (RS)
Indian Oil Corporation Ltd

(ए०के०मिश्रा)
सहायक अभियन्ता
अवकाश खण्ड (रा०मा०) लो०नि०वि०
लो०नि०वि० सुल्तानपुर

Executive Engineer,
NH Division, P.W.D.
Sultanpur
अस्थाई खण्ड (रा०मा०) लो०नि०वि०
सुल्तानपुर

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.	