

50063/NHAI/RO-UKD/2014/13579

July 31, 2020

Invitation of Public Comments

Sub : NOC for Access Permission to the Proposed Retail Outlet M/s IOCL on NH-74 (New NH-109) at Km.216-217 (Ch.216.690-216.790), LHS at Khasra no. 487/1, Village-Bigwara, Tehsil-Rudrapur, District-Udham Singh Nagar in the State of Uttarakhand.

S.H:- Extension of Time upto 17.02.2021 for in-principal approval/ Provisional NOC -reg.

This proposal is regarding extension of time for in-principal approval/ provisional NOC access permission for proposed retail outlet of M/s IOCL on NH-74 (New NH-109) at Km.216+690 to Km.216+790 at Khasra no. 487/1, Village-Bigwara, Tehsil-Rudrapur, District-Udham Singh Nagar in State of Uttarakhand.

2. Earlier, RO-Dehradun, MoRTH vide letter no. CE-RO/UK/NOC/RT/2018/04 dated 06.12.2018 had accorded "in-principal" approval for access permission for the proposed retail outlet of M/s IOCL on LHS at Km.223.375 to Km.223.420 of NH-74 (New NH-09) in Village Chutki, Tehsil-Kichcha, District-Udham Singh Nagar in State of Uttarakhand and therein it was also mentioned that in case, the construction was not done in one year of the issue of provisional NOC, the provisional approval shall be deemed to be cancelled unless got renewed.

3. Subsequent to above, PD PIU-Rudrapur vide letter no. NHAI/PIU-RUPC/NOC/2020/520 dated 18.02.2020 submitted a proposal for extension of NOC to this office & thereby upon examined the same, this office vide letter no. 50063/NHAI/RO-UKD/2014/12762 dated 04.03.2020 had sought certain clarification.

4. PD PIU-Rudrapur has now submitted that the said matter was taken up with the concerned agency to submit the reasons/ justification for such delay & in response to which, M/s IOCL have submitted the detail justification for delay in construction informing that once in-principal approval is solicited from RO-MoRT&H, several other permissions from district administration are also required to be solicited prior to start of construction of retail outlet, which were out of their hands and hence, the matter got delayed due to delay in such permissions. Hence, in view of this, since the matter got delayed due to delayed permission from district administration, therefore, M/s IOCL shall not suffer for such delay & hence the clarifications submitted by M/s IOCL is acceptable. Further to this, M/s IOCL vide their letter dated 15.07.2020 have enclosed a copy of deposition of final fee to DDA, USN for final NOC from Development Authority. Hence, in light of same, the

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instant case is recommended by PD-Rudrapur to solicit approval for extension of time upto 17.02.2021 to M/s IOCL.

5. As per Ministry's letter No. RW-NH-33023/19/99-DO-III dated 01.12.2014 "the Highway Administration may grant one-time extension upto one year for the period of construction, on genuine grounds and with proper justification(s) for the delay. In this instant case, the requested EOT period is beyond 1 year. Hence, the Policy guidelines do not cover beyond the one-time extension of one-year period i.e. beyond 06.12.2019. However, the Retail Outlet agency i.e. M/s IOCL has requested to issue the extension of time upto 17.02.2021 i.e. more than 12 months delayed beyond 06.12.2020.

6. As such, the matter of extension beyond already granted in-principal approval/provisional NOC access permission for proposed retail outlet of M/s IOCL on NH-74 (New NH-109) at Km.216+690 to Km.216+790 at Khasra no. 487/1, Village-Bigwara, Tehsil-Rudrapur, District-Udham Singh Nagar in State of Uttarakhand upto 17.02.2021 will tantamount to relaxation. As per the guidelines, issued by the Ministry vide F. No. RW/NH-33023/19/99-DO-III dated 16.03.2016, the Highway Administration will make available the relaxation application for public comments and the comments will be invited within 60 days for the date of uploading in the format enclosed herewith as Form 'A'.

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

**The Regional Officer-Uttarakhand,
National Highway Authority of India,
House no. 58/37, Balbir Road,
Dehradun-248001.**

Yours faithfully,

C.K. Sinha
31/02/2020

(C. K. Sinha)

RO-Uttarakhand Cum Highway Administrator

Encl.:- As above.

Copy to:-

- (i) **Senior Technical Director, NIC, New Delhi:-** for uploading on the Ministry's website.
- (ii) **Web Admin, NHAI HQ:-** for uploading on the NHAI website.
- (iii) **Shri Yogendra Sharma, PD PIU-Rudrapur:-** for information & suitable necessary action.

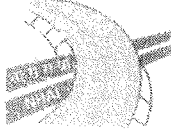
Form-A

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.	

(Handwritten mark)



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)

National Highways Authority of India

(Ministry of Road Transport & Highways, Govt. of India)

परियोजना कार्यान्वयन ईकाई-रुद्रपुर

Project Implementation Unit-Rudrapur

3rd फ्लोर, श्री गुरु अंगद देव कॉम्प्लेक्स, नैनीताल रोड रुद्रपुर-263153

3rd Floor, Shri Guru Angad Dev Complex, Nainital Road, Rudrapur -263153

दूरभाष/Phone : 05944-240005

ई-मेल/E-mail: pdpiurudrapur@nhai.org

वेबसाइट/Website : www.nhai.org

NHAI/PIU-RUPC/NOC/NH-74/2020/1608

Dated:- 20.07.2020

To,

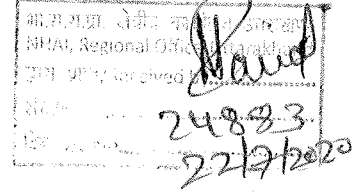
The Regional Officer

National Highways Authority of India

House No.- 58/37, Balbir Road,

Dehradun- 248001 (Uttarakhand),

Ph.: 0135-2669752



Sub:- NOC for access permission to the proposed fuel station of M/s. IOCL on NH-74 (New NH 109) at Km.216-217 (Ch. 216.690 – 216.790) LHS at Khasra no. 487/1, village Bigwara, Tehsil-Rudrapur, District- Udham Singh Nagar, Uttarakhand.

- Ref:-
- RO MoRTH letter no. CE-RO/UK/NOC/RT/2018/04 dated 06.12.2018.
 - IOCL letter no. DDN DO/RO/Rudrapur/LFR dated 18.02.2020.
 - This office letter no. NHAI/PIU-RUPC/NOC/2020/520 dated 18.02.2020.
 - RO Uttarakhand letter no. 50063/NHAI/RO-UKD/2014/12762 dated 04.03.2020.
 - IOCL letter no. DDN DO/RO/Bigwara dated 02.06.2020.
 - IOCL letter no. DDN DO/RO/Bigwara/02 dated 15.07.2020.

Sir,

In reference to subject matter, kindly refer to this office letter dated 18.02.2020 vide which it was requested to extend the period of subject NOC till 17.02.2021. However, the same was returned by the competent Authority vide letter no. 12762 dated 04.03.2020.

2. In this regard, the matter was taken up with the concerned agency to submit the reason/justification for such delay. In reply of the same, M/s. IOCL vide their letter dated 02.06.2020 (**copy enclosed**) have submitted the detailed justification for delay in construction informing that once in- principle approval is solicited from RO MoRT&H, several other permissions from district administration are also required to be solicited prior to start the construction of retail outlet, which were out of their hands and hence, the matter got delayed due to delay in such permissions. Further to this, IOCL vide their letter dated 15.07.2020 have also enclosed a copy of deposition for final fee to DDA, USN for final NOC from Development Authority.

3. Hence, in view of above, since the matter got delayed due to delayed permission from district administration, therefore, M/s. IOCL shall not suffer for such delay, and hence, the clarifications submitted by M/s. IOCL is acceptable. Hence, in view of above, it is recommended to solicit approval for extension of time up to 17.02.2021 to M/s. IOCL for construction of retail outlet at Km.216-217 (Ch. 216.690 – 216.790) LHS at Khasra no. 487/1, village Bigwara, Tehsil-Rudrapur, District- Udham Singh Nagar, Uttarakhand.

Thanking You.

Yours faithfully,

Encl: As above.


(Yogendra Sharma)
Project Director