



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)
NATIONAL HIGHWAYS AUTHORITY OF INDIA
(Ministry of Road Transport & Highways, Govt. of India)
क्षेत्रीय कार्यालय म.प्र. (पूर्व) \ REGIONAL OFFICE M.P. (East)

म.नं.-109, आदर्श नगर, नर्मदा रोड, जबलपुर (म.प्र.) 482 008

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भारतमाला
प्रगति के पथ पर अग्रसर
BHARATMALA
ROAD TO PROSPERITY

NHAI/RO-JBP/Gwl/ROL/ Ambabai /2023/1125.

Date: 27.04.2023

To,

Authorized Signatory,
M/s Bharat Petroleum Corporation Limited
Kanpur Territory(Retail),
Bhaunti Kalpi Road, Kanpur (U.P.)-209305

Sub: Proposal for NOC of installation of proposed New retail outlet of M/s Bharat Petroleum Corporation Limited at NH-44 at Chainage No. 141.842 (RHS) on Khasra No. 1700 (P), 1701(P) & 1303(P), Village-Ambabai, Tehsil-Jhansi & District-Jhansi in the State of Uttar Pradesh – **Provisional NOC – Reg**

Ref: (1) PD PIU Gwalior letter No. 9540 dated 06.01.2023
(2) This office letter no. 645 dated 25.01.2023
(3) PD PIU Gwalior letter No. 9759 dated 10.02.2023
(4) This office letter no. 753 dated 22.02.2023
(5) PD PIU Gwalior letter No. 10120 dated 24.03.2023

Sir,

Please refer to letter dated 24.03.2023 received from PD, PIU-Gwalior forwarding therewith the Proposal for NOC of installation of proposed New retail outlet of M/s Bharat Petroleum Corporation Limited at NH-44 at Chainage No. 141.842 (RHS) on Khasra No. 1700 (P), 1701(P) & 1303(P), Village-Ambabai, Tehsil-Jhansi & District-Jhansi in the State of Uttar Pradesh.

2. The proposal is under consideration of Competent Authority and if found appropriate, the "In-principle" and "Provisional Permission for Access" for the aforesaid proposal fuel station in accordance with Ministry's guidelines dated 26.06.2020 issued by MoRT&H under provision of section 28 & 29 (Chapter IV) and Section 38 (Chapter VI) of Control of National Highway (Land & Traffic) Act, 2002 may be issued by the Highway Administrator subject to following conditions: -

- This permission is based on self-certified proposal submitted by the Oil company/applicant, and they shall bear full responsibility for genuineness of site particulars/documents submitted in the proposal. In case of any deviation/anomaly found at later stage even after signing of license deed, the permission shall **stand cancelled**, and the NHA shall not be responsible for any claim/damage/loss to the Oil Company or any person. The Oil company shall be responsible to ensure that the proposal conforms to requirement of Ministry's circular no. RW-NH-33032/01/2017-S&R(R) dated 26.06.2020.
- The extent/scope of present permission is limited to providing "Provisional Permission for Access to National Highway" from the proposed Retail Outlet as per MoRTH Policy dated 26.06.2020 and same shall not be constructed as enabling/including any other matters such as ownership of land, availability of land, diversion of land, forest/wildlife clearances, clearances from utility owning department etc.
- The Oil company/ applicant shall be solely responsible for obtaining various permissions/clearances from various departments as required under various statutes/rules/regulations as well as for ensuring sufficient availability of land for construction of approved layout and ownership of land in favor of owner. The Oil Company shall be solely responsible for dealing as well as indemnifying the

Authority/NHAI from any disputes/claims/suits/proceedings arising on account of land matters as well as for statutory permissions/clearances required from other departments.

- (d) The access roads shall be constructed within the available ROW of National Highways. The Oil company/ applicant shall acquire additional land, if required to accommodate access/egress roads for fuel station. The Oil Company shall ensure that there is no government land (other than that of NHAI/MoRTH) between NH ROW and Oil Company/Applicant's land.
- (e) The Oil company/applicant shall be responsible for full compensation/indemnification of any direct, indirect, or consequential damages caused by them failing which Authority shall have the right but no obligation to make good such damages and recover the cost by forfeiture of Bank guarantee.
- (f) If the Oil company/applicant fails to comply with any condition to the satisfaction of the Authority, the same may be ensured by the Authority as the risk and cost of the Oil company/applicant by forfeiture of Bank guarantee.
- (g) The cost of any financial loss caused to Concessionaire/Contractor of Project Highway during/due to construction of Retail Outlet shall be borne by the Oil company/applicant.
- (h) The Oil company/ applicant shall be responsible for the construction and maintenance of access/egress roads for fuel station, channelizers, drainage arrangement, drinking water and toilet facilities, signs and markings in accordance with the approved layout specifications conforming to these norms, at his own cost. The Applicant shall be required to ensure road furniture that may be required for access road at its own cost.
- (i) The Culvert/any other structure in the Acceleration/Deceleration/Service Lane shall be extended upto the end of NH ROW at your own cost.
- (j) If NHAI has installed Pedestrian Guard Rail in the entirety of the length of the service road, then the Applicant must ensure that no additional Guard Rail are dismantled for direct access from the Main Carriageway. In case of dismantling of any guard rail on the service road or the direct access from the NH, the permission shall be cancelled.
- (k) The project highway is under O&M phase with the concessionaire M/s Gwalior Jhansi Expressway Ltd and thus, while carrying out the construction, if any the road furniture is any required to be dismantled, it shall be handed over to Concessionaire. Any damages if observed to the existing assets, road furniture etc of the Project Highway, the same shall be reimbursed by the Applicant to the Authority/Concessionaire
- (l) For the damage to avenue plantation (if any) while constructing the access road, the applicant shall be required to carry out the plantation with 5 times the no of plants damaged in line with the undertaking submitted by the applicant.
- (m) The Toilet Unit shall be provided at a standalone location within the Retail Outlet premises duly equipped with lighting, Water and requisite cleaning accessories etc. A separate access to all road users of National Highways with traffic Signages for availability of toilet facility on NH may be provided and are kept open round the clock.
- (n) The drinking water and toilet facilities shall be accessible to the public round the clock. In order to inform the public about these, a display board showing availability of such facilities shall be installed before the entry to the Fuel Station.
- (o) The electrical poles/DP/Transformer may be installed within the plot of owner & no electrical work in NH ROW shall be permitted.
- (p) The Oil Company will remove/shift the trees and utilities, if existing, at its own cost on the proposed site & access road after taking the prior approval of Competent Authority as per prevailing rules & norms.
- (q) The Oil Company/applicant may construct the Fuel Station along with its access as per approved drawings at their own cost **within 12 months of the issue of Provisional Permission of Access**. The Highway Administration may grant 1-year time extension to the validity of Provisional permission for access based on justification for delay submitted by applicant.
- (r) The Oil company shall be responsible to provide prescribed layout for access for fuel station as approved by Competent Authority and the NHAI shall not be responsible for any construction contrary to approved layout. After the construction as per approved drawings and within the allowed time for construction the applicant may

apply for issue of final permission for access along with 3 sets of As-built drawings. The final approval shall be granted by Highway Administration after the comments of the Proposing Authority (PD-PIU, Gwalior-NHAI) confirming the satisfactory completion of construction of retail outlet as per approved drawings and License deed may be signed by the Competent Authority (i.e., Highway Administration).

- (s) **The concerned Oil Company would be allowed to energize the fuel station only after the Final approval i.e., after Signing of the License Deed by Highway Administration. In the event the Fuel Station is energized without obtaining Final approval (Final NOC) and before signing of the License Deed, necessary action may be initiated against the Oil Company as per MoRTH Policy Guideline dated 26.06.2020 and Control of National Highway (Land & Traffic) Act, 2002, including but not limited to cancellation of Provisional Permission for Access/ In principle approval.**
- (t) In case the sitting of proposed Retail Outlet is not found in accordance with the RW-NH-33032/01/2017-S&R(R) dated 26.06.2020 and as per the approved drawings even after signing of license deed, the permission shall **stand cancelled**, and the NHAI shall not be responsible for any claim/damage/loss to the Oil Company or any person.
- (u) The validity of the license for the use of National Highway land for access to fuel station would be for a period of fifteen years and on the expiry of lease after which the same would be required to be renewed based on extant guidelines. During this validity period, the applicant shall maintain in good condition the approaches/access road (free from any potholes/patches), toilet & drinking water facilities, drainage arrangement (clean conditions to allow full discharge of storm water), signs and markings (existing at identified location with clear required visibility).
- (v) The Highway Administration always reserves the right to carry out inspection for checking any deviations from the prescribed/approved norms after signing of the License Deed. Wherever any default/ deviation is observed during inspection of the Highway or otherwise by the field level, such officer shall point out such default/ deviation to the concerned party, advising/ instructing him to rectify such deviation/default within a period of 60 days. **Failure to rectify the identified deficiencies within the prescribed time would lead to de-energization of the fuel station by the concerned Oil Company and access of such fuel station/property to the Highway shall be cut-off.** The access would be restored only upon complete rectification at the cost of the defaulting party and on the authorization by the authorized Highway Administration. In such cases, appropriate action shall also be taken against the Proposing Authority who certified the completion of access as per approved drawings.

3. However, for further action in the matter, it is requested to submit the following: -

- (i) **Fees of Rs. 20,000/- for issuance of Provision Permission for Access and license fee of Rs. 2,89,406/- through Bharatkosh as per policy guidelines dated 26.06.2020.**
- (ii) **BG for an amount of Rs. 2,50,000/- valid for a period of 3 years + 3 Months (to allow suitable time for verification of BG and other administrative proceeding for approval) as per policy guidelines dated 26.06.2020.**
- (iii) The Guarantor/ Bank shall ensure that the bank guarantee is linked through SFMS (Structural Finance Messaging System) platform to the following bank account & shall invariably send an advice of this Bank Guarantee to the designated Bank of NHAI: -

S. No.	Particulars	Details
1	Name of Beneficiary	National Highways Authority of India
2	Beneficiary Bank Account No.	921020053586144
3	Beneficiary Bank	Axis Bank
4	IFSC Code	UTIB0000278

4. Kindly go through the conditions stated in ante para-2 and deposit the Fee for Approval of Provisional NOC, License fees & Bank Guarantee only after accepting adherence to these conditions. The submission of License fees & Bank Guarantee would be deemed to be acceptance of the Oil Company to the conditions imposed by the Highway Administrator.

This issues with approval of Regional Officer Cum Highway Administration.



(Sajal Jain)
Manager (T)
RO-MP(East)-Jabalpur

Copy To: Project Director, NHAI, PIU-Gwalior (MP) for kind information and necessary action please.



सत्यमेव जयते

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

परियोजना कार्यान्वयन ईकाई : डी-81, गोविन्दपुरी, सचिन तेन्दुलकर मार्ग, ग्वालियर (म. प्र.)-474011

National Highways Authority of India

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

Project Implementation Unit : D-81, Govindpuri, Sachin Tendulkar Marg, Gwalior (M.P.)-474011

Phone : 0751-2231485 ई-मेल / E-mail : gwalior@nhai.org; nhai.gwalior@gmail.com

NHAI/PIU-GWL/NH-44/Ambabai/141.842(RHS)/2023/9540



Date: 06.01.2023



ST-MCT
13/01/2023

To,
The Regional Officer
National Highways Authority of India
Regional Office - Jabalpur (MP)

Sub: Proposal for NOC of installation of proposed New retail outlet of M/s Bharat Petroleum Corporation Limited at NH-44 (Km. 141-142) Chainage No. 141.842 (RHS) at Khasra No. 1700 (P), 1701(P) & 1303(P), Village-Ambabai, Thesil-Jhansi & District-Jhansi in the State of Uttar Pradesh - Provisional NOC - Reg.

Ref:

1. M/s BPCL, Kanpur letter no. No-engg:Ambabai:NOC:COCO:05 (received in this office on 25.07.2022)
2. This office letter no. 7308 dated 29.07.2022
3. Independent Engineer, M/s Lion Engineering Consultant letter no. 27 dated 13.08.2022
4. This office letter no. 7907 dated 04.10.2022
5. M/s BPCL, Kanpur letter no. No-BPCL:Jhansi:Ambabai:Reply:10 (received in this office on 31.10.2022)
6. This office letter no. 9027 dated 02.11.2022
7. M/s BPCL, Kanpur letter no. No-BPCL:ENGG:AMBABAI:R212 (received in this office on 27.12.2022)

Sir,

This is in reference to the letter of M/s BPCL Kanpur cited u/r-1 (received in this office on 25.07.2022), vide which the proposal for provisional permission for construction & use of approaches/access road for proposed New retail outlet of M/s Bharat Petroleum Corporation Limited at NH-44 (Km. 141-142) Chainage No. 141.842 (RHS) at Khasra No. 1700 (P), 1701(P) & 1303(P), Village-Ambabai, Thesil-Jhansi & District-Jhansi in the State of Uttar Pradesh, has been received in this office for want of approval of Competent Authority.

2. The proposal was forwarded to Independent Engineer, M/s Lion Engineering Consultant Pvt. Ltd. & Concessionaire, M/s Gwalior-Jhansi Expressway Ltd. vide this office letter dated 29.07.2022 for recommendation w.r.t conformity of proposal as per MoRT&H Circular No. RW/NH-33032/1/2017-S&R (R), dated. 26.06.2020, as per site condition. IE vide letter dated 13.08.2022 has raised certain objection with respect to subject Proposal. However, no comments have been received for Concessionaire, thus, it may be assumed that Concessionaire has no objection for present proposal.

3. Accordingly, this office has examined the proposal and observations were communicated to the applicant M/s BPCL, Kanpur vide this office letter dated 04.10.2022. The applicant M/s BPCL, Kanpur vide letter cited u/r-5 (received in this office on 31.10.2022), had submitted the compliances of observations raised by this office vide letter dated 04.10.2022, same was scrutinized by this office and found that the khasra map submitted by the applicant was not certified by the concern revenue authority. Hence, this office vide letter dated 02.11.2022 asked the applicant to submit the duly certified khasra map by the concern revenue authority, same has been submitted by the applicant vide letter cited u/r-7 (received in this office on 27.12.2022).

4. The aforesaid proposed Retail Outlet location has been visited by PIU officials and has been examined as per the site conditions in light of Ministry's Circular no. RW/NH-33032/1/2017-S&R (R), dated 26.06.2020 and found in order and the instant proposal conforms to the requirement of aforesaid MoRT&H Guideline dated. 26.06.2020. The following documents have been submitted along with the application:

- (i) Signed copy of license deed by the authorized signatory of M/s BPCL, Kanpur.
- (ii) Applicant M/s BPCL, Kanpur submitted the processing fee of Rs. 10,000/- through MoRT&H noc portal with transaction ID 0907220008107 dated 07.09.2022.
- (iii) Location plan of the proposed Retail Outlet along the National Highway showing details of Right of Way (ROW) of National Highway, authorized access road to private properties, authorized existing public roads and other developments falling within a reach of 1 km in each side of the Retail Outlet and carriageway.
- (iv) Sectional view showing elevation of Retail Outlet with respect to National Highway and slopes to be provided for adequate drainage and preventing water logging on National Highway.
- (v) Drainage plan of the Retail Outlet.
- (vi) Details of the material for pavement composition for access road.
- (vii) Site Inspection Certificate for proposed retail outlet by M/s IOCL, Bhopal.
- (viii) Hydraulic calculation of culvert.
- (ix) Latest copies of Land documents along with the consent of landowner in favour of M/s BPCL, Kanpur alongwith Khasra, Khatoni & Map etc enclosed.
- (x) Undertaking by M/s BPCL, Kanpur for Electric Installation beyond the ROW.

Head Office : Plot No. G-5/6, Sector-10, Dwarka, New Delhi-110075 Website : www.nhai.gov.in

Regional Office : 109, Aadarsh Nagar, Narmada Road, Jabalpur (M.P.) - 482008 E-mail : rojabalpur@nhai.org

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- (xi) Undertaking from the M/s BPCL, Kanpur that they would pay necessary fee for the use of the National Highway land whenever the fee is asked by the Highway Authorities in future.
- (xii) Undertaking from M/s BPCL, Kanpur that they shall take all the action as prescribed in Appendix-I to ensure conformity of these Norms.
- (xiii) Undertaking from BPCL, Kanpur, that necessary alteration including complete removal/shifting of the approach roads at its own cost if so, required by Ministry, for the development of National Highways or in the interest of safety in this section.
- (xiv) Undertaking from M/s BPCL, Kanpur that proposed Retail Outlet neither in operation nor energized.
- (xv) Undertaking from M/s BPCL, Kanpur that plantation which may damage due to construction of exit/entry & service lane cost of same will be bear by the applicant and 5 times extra plantation of the damage plant shall be planted by the M/s IOCL, Bhopal.
- (xvi) Undertaking by M/s BPCL, Kanpur, for acquisition of no additional land required beyond ROW.

5. In view of the above and as per recommendation of the supervision consultant, it is submitted that the proposal in general conforms to the MoRTH Policy Guideline dated 26.06.2020 and being recommended herewith for grant approval of Competent Authority.

Encl: 2 Files.



(R.C. Gupta)
Project Director

Copy to:

- (i) The Resident Engineer, M/s Lion Engineering Consultant Pvt. Ltd., Morena for information.
- (ii) The Concessionaire, M/s Gwalior-Jhansi Expressway Ltd., Morena for information.
- (iii) The Authorized Signatory, M/s Bharat Petroleum Corporation Limited, Kanpur Territory (Retail), Bhaunti, Kalpi Road, Kanpur (U.P.) - 209305 for information.