

To

The District Magistrate
Kurukshetra

Memo No. 316

Dated 14/5/2020

Subject:- NOC for putting up MS/ HSD retail Outlet (Petrol Pump) on Umri Indri road (link road ID 8070) near Km. Stone 13 (RHS) at village Umri, Tehsil Thanesar Bearing Khewat No. 354, 358 Khatoni No. 480, 484, Khasra No. 124//25/2, 147//5 in District Kurukshetra, Haryana.

Reference:- Your office memo No. 3451-60/PLA-II dated 06.11.2019.

In this connection, it is submitted that this office has no objection for putting up MS/ HSD retail Outlet (Petrol Pump) on Umri Indri road (link road ID 8070) near Km. Stone 13 (RHS) at village Umri, Tehsil Thanesar Bearing Khewat No. 354, 358 Khatoni No. 480, 484, Khasra No. 124//25/2, 147//5 in District Kurukshetra, Haryana with the following conditions:-

1. The Committee discussed the proposal and decided as follows:-
 - 1.1 The Check list and drawings submitted by the Sub Divisional Engineer, Provincial Sub Division, Ladwa was seen and decided that the Sub Divisional Engineer, Provincial Sub Division, Ladwa shall be fully responsible himself for complying of each point of the check list/ key plan as submitted as per actual requirement / condition at site of work/ guidelines/ norms / code/ instructions issued by Head office from time to time.
 - 1.2 The proposed retail outlet (Fuel Station) falls on ODR and it was decided that the proposed retail outlet (Fuel Station) should be constructed as per site plan submitted by the Sub Divisional Engineer, Provincial Sub Division, Ladwa. The access will be as per norms of latest IRC -12 (updated from time to time & present revision being 2016) / instructions issued by EIC vide No. Misc/Fuel Station/603.1/2016/General/ 01-79 dated 6.1.2016.
 - 1.3 The oil company will ensure the construction of deceleration/acceleration lane, service road, as applicable as per IRC:12-2016, before construction of approaches and will get the same checked from the department before taking up further construction work in hand. The Sub Divisional Engineer, Provincial Sub Division, Ladwa will report compliance to Division office.
 - 1.4 The plinth level of proposed retail outlet (Fuel Station) shoulder of access road should be at least 300 mm below the PWD road level.

The drainage system shall be provided through slab type culvert only as per IRC recommendation shall be constructed by the oil company and will be maintained in future at his own cost in the access, so that surface water is drained through the opening of the grating. No water should be accumulated along the PWD road/ berms.

- 1.6 The oil company shall install all the requisite road signs as per IRC:67 and provide road markings as per IRC:35 and in accordance with the IRC:12-2016 / latest version to the satisfaction of Sub Divisional Engineer, Provincial Sub Division, Ladwa.
- 1.7 The oil company shall while utilizing permission shall observe guidelines relating to safety and convenience of traffic of the highway, hygiene (in accordance with the requirement of Swachh Bharat Abhiyan) prevention of nuisance and pollution on the Highway.
- 1.8 The oil company shall provide the drinking water and toilet facilities and maintain the same in hygienic conditions within the premises of the fuel station as per ministry's guidelines and it should be accessible to be public round the clock by the oil company. The toilet facilities should also be include provisions for differently abled persons. A display board showing availability of these facilities shall be installed before entry to the fuel station.
- 1.9 The pavement of the access road i/c deceleration & acceleration lanes as per clause 4.11 of IRC:12-2016/ latest edition, connecting approaches , service road should have sufficient strength for the expected traffic for the designed period as per IRC guidelines/ instructions issued from time to time.
- 1.10 There should be sufficient parking area inside by the oil company so that there is no overflow of vehicles on approach road /along the PWD road. No parking will be allowed in PWD land under any circumstances. Failing which necessary action shall be taken by the department.
- 1.11 The height restriction of building structure etc. should be as per the local Government guideline/ relevant instructions/ rules / by laws. Other act./ rules such as Schedule road act will also be complied with.
- 1.12 The oil company shall be responsible to obtain NOC from all other concerned departments such as forest, Fire Department, town & country planning , local bodies etc. for retail outlet (Fuel Station) etc. required as per law/ rules & regulations.
- 1.13 The necessary rent fee/ license charge/ requisite fee to be levied as per aforesaid Rules will have to be deposited by the applicant oil company in the Government Account well in time.
- 1.14 That no water should come from retail outlet (Fuel Station) & accumulate in PWD road / land at this location.
- 1.15 The oil company shall abide by all responsibilities as stated in Appendix-I clause-12 related to "RESPONSIBILITIES OF OIL COMPANIES / OWNER" of IRC:12-2016. PWD Department will not be responsibility for any implication of any nature arising at a later stage on this account. In case the oil company fails to do so, the Sub Divisional Engineer, Provincial Sub

Division, Ladwa shall dismantle the road access.

- 1.16 The Sub Divisional Engineer, Provincial Sub Division, Ladwa shall immediately close or dismantle the access in case the location become hazardous from traffic safety view point.
- 1.17 That the oil company shall not do in pursuance of access permission any acts which may cause any damage to road.
- 1.18 The oil company will be responsible for non compliance of instructions/ guidelines & consequences arising thereafter i/c withdrawal / cancellation of this approval / NOC / dismantling of all construction at his risk & cost etc. etc. & also for submitting wrong information / details if found later on at any stage.
- 1.19 The oil company shall ensure that the layout for various facilities inside the fuel station including fuel pumps are located beyond the building line as prescribed in IRC:73 and the provisions of clause 8 (ENFORCEMENT OF RIGHT OF WAY AND BUILDING LINE) of Appendix-I of IRC:12-2016 / latest edition shall be strictly adhered by the oil company.
- 1.20 That there should be no violation of norms pertaining to intersection prescribed in IRC:12-2016 / latest edition as applicable. The NOC will be considered withdrawn / cancelled in case of non compliance of this condition.
- 1.21 **The NOC will be considered withdrawn/ cancelled in case of non compliance of any instructions / guidelines by the oil company & if any information/ detail submitted by the oil company is found wrong at any stage.**
- 1.22 **Notwithstanding to the above, the provisional NOC issued shall stand cancelled under the following circumstances.**
 - (a) If any document/ information furnished by the Oil Company proves to be false or if the oil company is found to have willfully suppressed any information.
 - (b) Any breach of the condition imposed by the department.
 - (c) If at any stage, any dispute arises in respect of the ownership of the land on which the fuel station is located or regarding the permission for change of land use.
- 1.23 That the oil company will construct the fuel station alongwith its access as per approved drawing at their own cost within 6 months of issue of provisional NOC as per clause 4.11 of IRC:12-2016 / latest edition. In case, the construction is not done in 6 months, the provisional NOC shall be deemed to be cancelled unless renewed by the committee.
- 1.24 The oil company will intimate the Sub Divisional Engineer, Provincial Sub Division, Ladwa prior to the start of construction of the said Property that all compliance as per the requirement of the IRC guidelines has been done.
- 1.25 That after completion of construction as per approved drawings and other conditions of Provisional NOC, the oil company shall apply for issuing final approval as per clause 4.11 of IRC:12-2016 / latest edition to the Sub Divisional Engineer, Provincial Sub Division, Ladwa. At the time of applying final approval, the authorized representative of the oil company shall submit a certificate that he has inspected the site (duly mentioning the date of

inspection) and the construction has been done as per approved drawings and other conditions of provisional NOC.

- 1.26 That at the time of issuing Final Formal Permission/license deed should be issued by Sub Divisional Engineer, Provincial Sub Division, Ladwa after duly certification that the construction have been carried out by the oil company in accordance with the drawing approved by the committee and other conditions of provisional NOC and prevalent guidelines.
- 1.27 **The oil company shall energize fuel station after signing of license deeds by the Sub Divisional Engineer, Provincial Sub Division, Ladwa.** The Sub Divisional Engineer, Provincial Sub Division, Ladwa will submit his report to Division office regarding completion of construction as per approved drawings/guidelines **before engeizing of the Fuel Station.**
- 1.28 In case the provisional NOC / Final permission is withdrawn by the Sub Divisional Engineer, Provincial Sub Division, Ladwa, the oil company shall immediately de-energies the fuel station.
2. Though as per CWP 26491 of 2016 Hon'ble High court decision dated 31.05.2017 the IRC guidelines are directory in nature and hence, compliance of the guidelines is required keeping in view the safety of road users, to provide all road safety measures and also to ensure that the free flow of traffic on the road would not be hampered by the proposed fuel station.
3. In view of above the committee decided to authorize Sub Divisional Engineer, Provincial Sub Division, Ladwa to issue **in-principle** approval and **Provisional NOC** for access to the proposed retail outlet (Fuel Station) as per clause 4.10 of IRC:12-2016 after fully satisfying himself with the case in view of IRC:12-2016/ guidelines/ instructions issued by the EIC vide No.Misc/Fuel Station/603.1/2016/General/01-79 dated 6.1.2016 for which the Sub Divisional Engineer, Provincial Sub Division, Ladwa is fully responsible.
4. The Lease money as per instruction vide Head office memo No. 4964-5088 / General dated 23.06.2011 has been deposited by the owner @ ₹ 40,000/- lump sum as land for access to building for 15 years i.e. validity of license deed period vide Punjab National Bank Demand Draft No. 071206 dated 14.05.2020.

DA/ 2 No. drawings & NOC case

Endst. No. 317

Date: 14/5/2020


EXECUTIVE ENGINEER

Copy is forwarded to Sub Divisional Engineer Provincial Sub Division, Ladwa for information and necessary action

DA/NIL


EXECUTIVE ENGINEER