

**GOVERNMENT OF NWFP
FRONTIER HIGHWAYS AUTHORITY
PESHAWAR
SOP FOR GRAN OF NOC FOR FILLING STATIONS**

GENERAL

1. Right of Way (Row) of each Provincial Highway except those in FATA is mentioned in the Schedule append to the NWFP Highway Act of 1959. the authority (FHA) has full right and control of the use of land therein. Every effort will be made to generate legal revenue from this land by leasing it to Public for construction and running of utilities and services that enhance the use fullness of the Highway. One such use is the construction of filling stations both for oil and gas.
2. Fortunately small filling stations sited very close to the road are now giving way to trucker stations sited well in depth, having ample space and equipped with many conveniences and facilities. There is a genuine desire on the part of franchise company(s) to improve both the aesthetics and service. On this subject there is a Chief Executive Directive of 31st May 2001. this should be taken as an Executive order. Salient feature of this Directive are at Appendix-1.
3. Rates for grant of NOC and lease money for use of Authority's Land as approaches or other purpose are fixed and approved by frontier highways council. These are different for different locations. Present rates are reflected at Appendix. I.

OBJECTS

4. The object of the SOP is to put together in one logical sequence the various laws, rules, instructions, directives act on the subject of regulating the establishment of filling and CNG Stations on Provincial and integral part of any highway system, yet their mushroom growth does more harm to the road user in terms of safety. Besides ensuring that the convenience is safe both within, it is also safe without. The safety witching is to be regulated by the franchise company(s), the inspector of Explosives and the EPA, the safety without is both the responsibility of Frontier Highway Authority and the Traffic Police. This SOP is then for the use of Regulators of Frontier Highways Authority, the Franchise Company(s) and upon request the would be owner/installer of these stations.
5. The Franchise Company(s) both oil and gas have been provided copies of this SOP. The Franchise Company on approving an application and deciding to grant a license, besides their usual checks should also ask for a site plan of the plot which should position and define the surrounding properties and features. This will then ensure that no two filling stations are positioned very close to each other and in contravention of distances allowed by Frontier Highway Authority.
6. The Franchise Company must repeated must mention in their license documents that no construction work should commence unless the Frontier Highways Authority and other regulatory agencies have approved the plans and granted Provisional NOC's in writing.

PROCEDURE

7. The application for installation of Filling Stations along the Provincial Highways shall be submitted by the applicant to the Head Quarters of Frontier Highways Authority (FHA) on the prescribed form of the Authority available at its headquarters and with its field office. The cost of this form is Rs. 500/- (Five hundred only) that will be received in the form of Blank Draft. (non refundable) in the name of Managing Director, Frontier Highways Authority. The District Nazmis / DCOs upon receipt of approval lattés of Franchise Company(s), for cases pertaining to Provincial Highways should direct the application to Frontier Highways Authority for collection of Forms etc. A list of Provincial Highways is tating Appendix. III. Pages 1 to 3 of the application form is to be filled by the Application. Pages 4 are to be filled by the field staff. Page 5 is to be filled by maintenance Directorate. Upper half of pages 6 is to

be filled by Field Staff, while the lower half is to be filled by the Maintenance Directorate in consultation with Finance Directorate

8. Information on Frontier Highway Authority is as Under:
 - a. Postal Address:
Director Maintenance
Frontier Highways Authority
Khyber Road near Treasury Office
Peshawar.
 - b. Telephone:
091-9210557
 - c. Fax No: 091-9210434

9. The application should be accompanied by the following
 - a. Permission of the Oil or Gas Marketing Company.
 - b. Undertaking of the Oil or Gas Marketing Company on stamp of Rs. 100/- as per specimen attached as Annexure A to the Application form.
 - i. Undertaking of the Owner on stamp paper of Rs. 100/- as per specimen attached as Annexure B to the Application Form.
 - ii. 4 copies of the layout plan which should include amongst others the following.
 - iii. The distance of the Oil or Gas Marketing Company's sign from the center line of nearest carriage – way (Allowed distance is 20 ft from edge of road berm).
 - iv. Distance of building line from Center line of Road (Allowed distance is 220 ft).
 - v. Distance of dispensers from edge of road (Allowed distance is 70 ft for filling Stations and 55 ft for CNG stations).
 - vi. Information (as applicable) as mentioned at paragraph 8 on page 4 of application form.
 - vii. Copy of land ownership documents (duly attested by concerned Land Revenue officer or a valid lease document in the name of the applicant).

DUES OF F.H.A

10. Each application form should be accompanied by receipts/evidence of having paid the following dues to Frontier Highways Authority in the manner prescribe below.
 - a. Bank Guarantee of Rs. 250,000/- (Two Hundred Fifty Thousand only) as performance guarantee valid till the completion of construction plus three months. This will be released along with the Completion Certificate. A specimen of the Bank Guranatee is attached at Appendix IV.
 - b. Receipt/evidence of having paid Rs. 30,000/- (Thirty Thousand Only) as NOC charges in cases of major towns and Rs. 250,000/- (Twenty Five Thousand Only) in cases of minor towns. Limits of major towns are the same as municipal or cantonments. Classification of towns is at Appendix V. This amount is to be paid either in the name of managing director Frontier Highway Authority, Account No. Nida 09 with National Bank of Pakistan, Civil Secretariat Branch Peshawar, or in the shape of pay order / Demand draft payable at the Bank branch in Peshawar.
 - c. Lease charges in advance for five years for use of approach roads. The applicable rate for this will be Rs. 7000/- per annum for major towns and Rs. 5,000/- per annum for minor towns. Mode of payment is the sam as 'b' above.

SCRUTINY

11. The Headquarter of the Authority shall scrutinize the application and if in order shall send it to the field staff for carrying out "The before start of construction" check as mentioned on Page 4 of the Application form.

12. Six clear days are allowed for scrutiny at the Headquarter, while ten days are allowed to the field staff(in addition to the time spent in sending and receiving back the documents). These allowed times will be strictly adhered to. The applicant will be provided the names and contact numbers of the Deputy Director and Assistant Director (Concerned) of Frontier Highways Authority who will conduct the site visits. This will enable the applicant to coordinate the joint visit to the site. The Maintenance Directorate shall check the site plan to ensure conformance to laid down procedures, while the Finance Directorate shall check payments, guarantees, and land deeds, the site staff shall check the plot in relationship to the highway and surrounding properties.

NOC.

13. Based on the above two checks a provisional and or conditional NOC will be issued. Copy of the same will be given to the DCO/EDO, Oil and Gas Marketing Company and field staff. This NOC shall be good for construction only. The provisional NOC shall following conditions printed on it as part of the approval.
 - d. The building line of the filling station/other amenities shall be at least 220 feet from the center of the nearest carriage way. Deviation if any can be approved by the board supported by cogent and valid reasons and at a rate to be determined.
 - e. The pumps/dispensers shall be at a minimum distance of 70 feet for filling stations and 55 feet for CNG Stations from the edge of ROW limit.
 - f. No opening shall be constructed in the median to allow traffic from the opposite carriage way to use this filling station. Such an opening if requested and found technically correct and safe, could be allowed but paid for by the owner.
 - g. The approach and exits of not more than 10 meter width with a slope of 0.5% from the edge of highway berm up to the cut off drain shall be paved.
 - h. The distance between the approach and exit in line with the cut off drain shall be beautified according to an agreed design.
 - i. The Oil and Gas Marketing Company's sign shall not be less than 20 feet from the edge of road berm.
 - j. Ducts six in number will be placed in the paved portion of the approach and exit for future use by utility providers. Manholes at each end will be constructed.
 - k. In case of any deviation the offer of provisional NOC can be withdrawn. Distance between the outer (adjacent) limits of two adjacent filling stations shall not be less than 300 feet within the municipal or cantonment limits. At other places they should be spaced at not less than 1 Km apart. These apply to each carriage way.
14. Upon completion of construction and against a written request from the owner, the site will be inspected by the field staff and enforcement and vigilance wing. They will ensure that actions and checks as listed in the application form have been completed or compiled with. Based on their findings the completion certificate will be issued and the blank guarantee released.

MISCELLANEOUS

15. Help can be sought from the following documents.
 - a. Government of NWFP, Public Works Department Memo NO. SOR – VII/13-71/PWD dated 5th May 1972.
 - b. Form A and B of the previous application forms.

CONCLUSION

16. This SOP, its annexures and the new application form have been prepared with the only purpose of streamlining the procedure, thus ensuring uniformity of approach, adherence to contents of CEO's Directive and provision of safe and better service to the road user. Other agencies that also contribute in grant of NOCs will continue to function as usual.