



**भारतीय राष्ट्रीय राजमार्ग प्राधिकरण**  
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)  
**National Highways Authority of India**  
(Ministry of Road Transport & Highways, Government of India)  
**क्षेत्रीय कार्यालय, मदुरै / Regional Office, Madurai**

दूसरा व तीसरी तल, विजय कृष्ण प्लाज़ा, संख्या-1, लेक एरिया, मेलूर मेन रोड, माट्टुतावनी, मदुरै-625 107  
2<sup>nd</sup> & 3<sup>rd</sup> Floor, Vijay Krishna Plaza, No.1, Lake Area, Melur Main Road, Mattuthavani, Madurai-625 107  
दूरभाष / Tele : +91-452-258 8999 वेब / Website : [www.nhai.gov.in](http://www.nhai.gov.in) ई-मेल / E-mail : [romadurai@nhai.org](mailto:romadurai@nhai.org)



NHAI/15018/4.2/08/2023/RO Madurai/E:161927/1389

07<sup>th</sup> August, 2023

**INVITATION OF PUBLIC COMMENTS**

**विषय: भाराराप्रा - क्षे.का. मदुरै- पकाई, डिंडिगल - Four Laning of Karur - Dindigul section of NH-7 from Km 290+000 to Km 367+725 in the State of Tamil Nadu - Permission for laying of Water Supply Pipeline along NH-7 from Km 323+110 to Km 325+125 (LHS) by Open Trench Method and Crossing @ Km 325+125 by HDD Method in Karur-Dindigul section of NH-7 (new No. NH-44) in the State of Tamil Nadu- Invitation of Public Comments - Reg.**

**प्रसंग:** PD, Dindigul Lr.No-NHAI/PIU/DGL/11014/10/NH-7/NOC/2022/1628 dt.02.08.2023.

The proposal received from PD, Dindigul vide Lr.No-NHAI/PIU/DGL/11014/10/NH-7/NOC/2022/1628 dt.02.08.2023 there by requesting permission for laying of water pipe line along the road from Km 323+110 to Km 325+125 (LHS) by Open Trench Method and Crossing @ Km 325+125 by HDD Method on Karur-Dindigul section of NH-7 (new No. NH-44) in the state of Tamil Nadu as proposed by Executive Engineer, TWAD Board, RWS Division, Sivagangai.

Accordingly, as per Policy Guidelines issued by Ministry vide letter No. RW/NH-33044/29/2015/S&R(R) dated 22.11.2016, the application is being uploaded on public domain for 30 days for seeking claims and objections (on grounds of public inconvenience, safety and general public interest).

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

Regional Officer,  
National Highways Authority of India,  
No.2nd & 3rd Floor, Vijay Krishna Plaza,  
No.1, Lake Area, Melur Main Road, Mattuthavani,  
Madurai - 625 007.

*महेंद्र मीना*  
07/08/23

महेंद्र मीना | MAHENDRA MEENA  
उप प्रबंधक (तक) | DY. MGR (Tech)

**संलग्न:** As above

**प्रतिलिपि:**

1. The NIC, New Delhi - for uploading in the Ministry's website.
2. The PD, Dindigul- for information.

From,  
THE EXECUTIVE ENGINEER,  
Tamilnadu Water Supply And Drainage Board  
RWS Division,  
Sivagangai.

Date: 21/7/22

To,  
  
The Project Director,  
NHAI - PIU,  
Dindigul.

Sir,

Sub: laying of Water Pipe line in NH-7 (Karur - Dindigul Section)  
Along the road from Km.323/110 to Km.325/125 (LHS) and Crossing @  
Km.325/125 by Open trench & HDD method - proposal submitted -  
approval requested - reg.

\*\*\*\*\*

I submit here with the proposal for installation of Water Pipe line  
Along the road from Km.323/110 to Km.325/125 (LHS) and Crossing @  
Km.325/125 by Open trench & HDD method of NH-7 (Karur - Dindigul  
Section).

In this connection it is proposed to install the Water Pipe along the  
road, detailed drawing and check list also enclosed.

I request that necessary permission may please be issued, so as  
to enable to install the Water Pipe across the road NH - 7 and the  
restoration charges may be intimated to the above address for making  
payment.

Thanking You Sir,

Yours Faithfully,



THE EXECUTIVE ENGINEER,  
Tamilnadu Water Supply And Drainage Board  
(Authorized signatory)

**Restoration Charges to be collected for Laying of underground Water pipeline along NH-7 (Karur – Dindigul Section) Along the road from Km.323/110 to Km.325/125 (LHS) and Crossing @ Km.325/125 in the state of Tamil Nadu, National Highways.**

Cost of Restoration Charges Along the Road @ Rs. 100/- per meter (2015m x Rs. 100/-)	Rs.2,01,500/-
Cost of Restoration Charges Across the Road @ Rs. 1,00,000/-(1Nos x Rs.1,00,000/-) per crossing	Rs.1,00,000/-
<b>Restoration Charges</b>	<b>Rs.3,01,500/-</b>



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# **LICENSE FEES FOR PUBLIC UTILITY**

**[Utilized NH Land area X prevailing Circle Rate of Land per unit area ) X (1.5%)]**

**ANNEXURE-II**

SL. NO	NAME OF VILLAGE	CHAINAGE IN KM		SIDE	LENGTH (L) (in mt)	DIA OF THE PIPE (D) (m)	UTILIZED NH LAND AREA (D x L) (sq.m)	PREVAILING CRICLE RATE OF LAND PER UNIT AREA (sq.m) (Rs)	LICENSE FEE (PRIVATE UTILITY) (Rs)
		FROM	TO						
	Along the road								
1	ARAVAKURICHI	323.110	325.125	LHS	2015	1.42	2865.33	316.30	13594.56
	Across the road								
2	ARAVAKURICHI	325.125		ACROSS	59	1.62	95.70	316.30	454.04
TOTAL					2074		2961.03		14048.60
								Per Year	14048.60
								For Five Year	70242.9867

  
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பதிவுத்துறை  
REGISTRATION DEPARTMENT



For  
Complaints  
and  
Clarifications,  
please  
contact:

9498452110

9498452120

9498452130

(Monday to  
Friday 10 AM to  
5.45 PM,  
excluding  
Government  
holidays)

For queries  
related to  
software,  
please  
contact:

1800 102

5174

(Monday to  
Friday 8 AM to  
8 PM, Saturday  
10 AM to 5 PM  
excluding  
Government  
holidays)



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## GUIDELINE VALUE & PROPERTY VALUATION

Guideline Value relating to 2.19 lakhs streets and over 4.46 Crores Survey Numbers/Subdivision numbers are available on this site for query.

For Property Valuation, Click on the Street Name from the Street List, where the property is located.

From: 1-4-2023 To: Current Date [To know your Zone and District Click Here](#)

View Guideline value  
for:

☐ Street ☒ Survey  
Number

Select Criteria :

☒ Category Wise ☐  
Survey Number Wise

Zone:\*

Trichy

Sub Registrar Office:\*

Aravakurichi

Registration Village:\*

Aravakurichi

Land Category\*

Wet Abutting National Highways Ty ▾

Search

Reset

## Search Criteria :

Zone:	TRICHY	Sub Registrar Office:	ARAVAKURICHI
Guideline Village:	ARAVAKURICHI	Revenue Village:	ARAVAKURICHI
Revenue District:	KARUR	Revenue Taluka:	ARAVAKURICHI

Below Search results are as on 14-Jul-2023 12:00 PM

3 items found, displaying all items.

1

Sr.No.	Survey/Subdivision No.	Guideline Value (₹) (British Value)	Guideline Value (₹) (Metric Value)	Land Classification	Effective Start Date	G.O.Download
1	<a href="#">600/2A</a>	1280000/ Acre	3163000/ Hectare	Wet Abutting National Highways Type - I	01-Apr-2023	-
2	<a href="#">600/2B</a>	1280000/ Acre	3163000/ Hectare	Wet Abutting National Highways Type - I	01-Apr-2023	-
3	<a href="#">903/3</a>	1280000/ Acre	3163000/ Hectare	Wet Abutting National Highways Type - I	01-Apr-2023	-

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### CHECK - LIST


**Guidelines for Project Directors for processing the proposal for Water Pipe Line in the land along the road and across National Highways vested with NHAI.**

• **Relevant circulars**

- 1) Ministry Circular No. NH-41 (58)/68 dated 31.1.1969
- 2) Ministry Circular No. NH-III/P/66/76 dated 18/19.11.1976
- 3) Ministry Circular No. RW/NH-III/P/66/76 dated 11.5.1982
- 4) Ministry Circular No. RW/NH-11037/1/86-DOI (ii) dated 28.7.1993
- 5) Ministry Circular No. RW/NH-11037/1/86/DOI dated 19.1.1995
- 6) Ministry Circular No. RW/NH-34066/2/95/ S&R dated 25.10.1999
- 7) Ministry Circular No. RW/NH-34066/7/2003 S&R (B) dated 17.9.2003
- 8) Ministry Circular No. RW/NH-33044/27/2005-S&R (R) dated 06.08.2013
- 9) Ministry Circular No. RW/NH-33044/29/2015-S&R (R) dated 22.11.2016

**Check list for getting approval for laying of Water Pipe Line on NH land**

S. No.	Item	Information/ Status	Remarks
1	General Information		
1.1	Name and Address of the Applicant/Agency	THE EXECUTIVE ENGINEER, Tamilnadu Water Supply And Drainage Board RWS Division, Sivagangai.	
1.2	National Highway Number	NH-7	
1.3	State	TamilNadu	
1.4	Location	(Karur - Dindigul Section)	
1.5	(Chainage in km)	Along the road from Km.323/110 to Km.325/125 (LHS) and Crossing @ Km.325/125	
1.6	Length in Meters	2074meters	
1.7	Width of available ROW		
	(a) Left side from center line towards increasing chainage/ km direction	30.00meters	
	(b) Right side from center line towards increasing chainage/ km direction	30.00meters	
1.8	Proposal to lay underground Water pipe line.		
	(a) Left side from center line towards increasing chainage / km direction	29.00meters	
	(b) Right side from center line towards increasing chainage/ km direction	Nil	
1.9	Proposal to acquire land		
	(a) Left side from center line		
	(b) Right side from center line	NA	
1.10	Whether proposal is in the same side where land is not to be acquired		

  
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	If not then where to lay the Pipe		
1.11	Details of already laid services, if any, along the proposed route	Nil	
1.12	Number of lanes (2/4 /6/8 lanes) existing	4 lane with Paved shoulder	
1.13	Proposed Number of lanes (2 lane with paved shoulders/4 /6/8 lanes)	6 lane with Paved Shoulder	
1.14	Service road existing or not	Yes	
	If yes then which side		
	(a) Left side from center line	Shown in diagram	
	(b) Right side from center line	Shown in diagram	
1.15	Proposed Service road	-	
	(a) Left side from center line	-	
	(b) Right side from center line	-	
1.16	Whether proposal to lay Water Pipe line is after the service road or between the service road and main carriageway	Extreme Edge of ROW	
1.17	<p>The permission for laying of Water Pipe line shall be considered for approval / rejection based on the Ministry Circulars mentioned as above.</p> <p>(a) Carrying of sewage/gas pipelines on highway bridges shall not be permitted as Fumes /gases pipes can accelerate the process of corrosion or may cause explosions, thus, being much more injurious than leakage of water.</p> <p>(b) Carrying of water pipe lines on bridges shall also be discouraged. However, if the water supply authorities seem to have no other viable alternative and approach the highway authority well in time before the design of the bridge is finalized, they may be permitted to carry the pipeline on independent superstructure, supported on extended portions of piers and abutments in such a manner that in the final arrangement enough free spade around the superstructure of the bridge remains available for inspection and repairs, etc</p> <p>(c) Cost of required extension of the substructure as well as that of the Supporting superstructure shall be borne by the agency-in-charge of the utilities. of the Ministry's Project Chief Engineers only.</p>	<p>Considered for approval based on the Ministries circular</p> <p>Yes</p>	



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	(d) Services are not being allowed indiscriminately on the parapet/any part of the bridges, Safety of the bridges has to be kept in view while permitting various services along bridge. Approvals are to be accorded in this regard with the concurrence of the Ministry's Project Chief Engineers only.		
1.18	<b>If crossings of the road involved</b> If Yes, it shall be either encased in pipes or through structure or conduits specially built for that purpose at the expenses of the agency owning the line	Yes	
	(a) Existing drainage structures shall not be allowed to carry the lines.	Yes	
	(b) Is it on a line normal to NH	Yes	
	(c) Crossings shall not be too near the existing structures on the National Highway, the minimum distance being 15 meter. What is the distance from the existing structures	Yes	
	(d) The casing pipe (or conduit pipe in the case of pipe line) carrying the utility line shall be of steel, cast iron, or reinforced cement concrete and have adequate strength and be large enough to permit ready withdrawal of the carrier pipe/cable.	Yes	
	(e) Ends of the casing/conduit pipe shall be sealed from the outside, so that it does not act as a drainage path.	Yes	
	(f) The casing/conduit pipe should, as minimum extend from drain to drain in cuts and toe of slope toe of slope in the fills.	Yes	
	(g) The top pf the casing/conduit pipe should be at least 1.2 meter below the surface of the road subject to being at least 0.3 m below the drain inverts.	Yes	
	(h) Crossing shall be by boring method (HDD) specially where the existing road pavement is of cement concrete or dense bituminous concrete type.	Yes	
	(i) The casing/conduit pipe shall be installed with an even bearing throughout its length and in such a manner as to prevent the formation of a waterway along it.	Yes	
2	Document / Drawings enclosed with the proposal	Yes	




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2.1	<p>Cross section showing the size of trench for open trenching method (Is it normal size of 1.2m deep X 0.3m wide)</p> <p>(i) Should not be greater than 60 Cm wider than the outer diameter of the pipe</p> <p>(ii) located as close to the extreme edge of the right-of-way as possible but not less than 15 meter from the centre-lines of the nearest carriageway</p> <p>(iii) Shall not be permitted to run along the National Highways when the road formation is situated in double cutting. Nor shall these be laid over the existing culverts and bridges</p> <p>(iv) These should be so laid that their top is at least 0.6 meter below the ground level so as not to obstruct drainage of the road land.</p>	Yes	
2.2	Cross section showing the size of pit and location of pipe for HDD method	Yes	
2.3	Strip plan/ Route Plan showing Water Supply pipe line, Chainage, width of ROW, distance of proposed, pipe line from the edge of ROW, important mile stone, intersections, cross drainage works etc.	Yes	
2.4	Methodology for laying of showing Water Supply pipe line.	Yes ( Open Trench Method & Hdd Method)	
2.4.1	Open trenching method. (May be allowed in utility corridor only where pavement is neither cement concrete nor dense bituminous concrete type. If yes, Methodology of refilling of trench	Yes	
	(a) The trench width should be at least 30 cm, but not more than 60 cm wider than the outer diameter of the pipe.	Yes	
	(b) For filling of the trench, Bedding shall be to a depth of not less than 30 cm. It shall consist of granular material, free of lumps, clods and cobbles and graded to yield a firm surface without sudden change in the bearing value. Unsuitable soil and rock edged should be excavated and replaced by selected material.	Yes	
	(c) The backfill shall be completed in two stages (i) side - fill to the level of the top of the pipe and (ii) overfill to the bottom of the road crust.	Yes	
	(d) The side fill shall consist of granular material laid in 15 cm layers each consolidated by mechanical tampering and controlled addition of moisture to 95% of the Proctor's Density. Overfill	Yes	

  
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	shall be compacted to the same density as the material that had been removed. Consolidation by saturation or ponding will not be permitted. (e) The road crust shall be built to the same strength as the existing crust on either side of the trench. Care shall be taken to avoid the formation of a dip at the trench.		
	(f) The excavation shall be protected by flagman, signs and barricades, and red lights during night hours.	Yes	
	(g) If required, a diversion shall be constructed at the expense of agency owning the utility line	Yes	
2.4.2	Horizontal Directional Drilling (HDD) Method	Yes	
2.4.3	Laying of Water Pipe Line through CD works and method of laying	No.	
3	Draft License Agreement signed by two witnesses	Yes, enclosed with proposal	
4	Performance Bank Guarantee in favour of NHAI has to be obtained @ Rs100/- per running meter (parallel to NH) and Rs1,00,000/- per crossing of NH, for a period of one year initially (extendable if required till satisfactory completion of work) as a security for ensuring/making good the excavated trench for laying the cables/ducts by proper filling and compaction, clearing debris/loose earth produced due to execution of trenching at least 50m away from the edge of the right of way. No payment shall be payable by the NHAI to the licensee for clearing debris/loose earth.	To be obtained.	
4.1	Performance BG as per above is to be obtained.	To be obtained.	
4.2	Confirmation of BG has been obtained as per NHAI guidelines	To be obtained at the time of execution of Agreement.	
5	Affidavit / Undertaking from the Applicant for	Yes	
5.1	Not to Damage to other utility, if damaged then to pay the losses either to NHAI or to the concerned agency	Yes, enclosed with proposal	
5.2	Renewal of Bank Guarantee	Yes, enclosed with proposal	
5.3	Confirming all standard condition of NHAI's guideline	Yes, enclosed with proposal	
5.4	Shifting of Water pipe line as and when required by NHAI at their own cost	Yes, enclosed with proposal	
5.5	Shifting due to 6 lanning with paved shoulder / widening of NH	Yes, enclosed with proposal	
5.6	Indemnity against all damages and claims clause (xxiv)	Yes, enclosed with proposal	


  
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5.7	Traffic movement during laying of Water pipe line to be managed by the applicant	Yes, enclosed with proposal	
5.8	If any claim is raised by the Concessionaire then the same has to be paid by the applicant	Yes, enclosed with proposal	
5.9	Prior approval of the NHAI shall be obtained before undertaking any work of installation, shifting or repairs, or alterations to the showing Water pipe line located in the National highway right-of-ways.	Yes, enclosed with proposal	
5.10	Expenditure, if any, incurred by NHAI for repairing any damage caused to the National Highway by the laying, maintenance or shifting of the Water pipe line will be borne by the agency owning the line.	Yes, enclosed with proposal	
5.11	If the NHAI considers it necessary in future to move the utility line for any work of improvement or repairs to the road, it will be carried out as desired by the NHAI at the cost of the agency owning the utility line within a reasonable time (not exceeding 60 days) of the intimation given.	Yes, enclosed with proposal	
5.12	Certificate from the applicant in the following format (i) <i>Laying of Water pipe line will not have any deleterious effects on any of the bridge components and roadway safety for traffic.</i> (ii) <i>for 6 -laning with paved shoulder "We do undertake that I will relocate service road/approach road/utilities at my own cost notwithstanding the permission granted within such time as will be stipulated by NHAI" for future six- laning or any other development."</i>	Yes, enclosed with proposal	
6.	Who will sign the agreement on behalf of of Water pipe line agency	THE EXECUTIVE ENGINEER, Tamilnadu Water Supply And Drainage Board RWS Division, Sivagangai.	
7	Certificate from the Project Director		




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7.1	Certificate for confirming of all standard condition issued vide Ministry Circular No. Ministry Circular No. NH-41 (58)/68 dated 31.1.1969, Ministry Circular No. NH-III/P/66/76 dated 18/19.11.1976, Ministry Circular No. RW/NH-III/P/66/76 dated 11.5.1982, Ministry Circular No. RW/NH-11037/1/86-DOI (ii) dated 28.7.1993, Ministry Circular No. RW/NH-11037/1/86/DOI dated 19.1.1995, Ministry Circular No. RW/NH-34066/2/95/S&R dated 25.10.1999 and Ministry Circular No. RW/NH-34066/7/2003 S&R	Yes	
7.2	<p>Certificate from PD in the following format</p> <p>(i) "It is certified that any other location of the Water pipe line would be extremely difficult and unreasonable costly and the installation of Water pipe line within ROW will not adversely affect the design, stability &amp; traffic safety of the highway nor the likely future improvement such as widening of the carriageway, easing of curve etc".</p> <p>(ii) for 6 -laning</p> <p>(a) Where feasibility is available "I do certify that there will be no hindrance to proposed Six - laning based on the feasibility report considering proposed structures at the said location".</p> <p>(b) In case feasibility report is not available "I do certify that sufficient ROW is available at site for accommodating proposed proposed Six -laning".</p>	<p>Yes</p> <p>Yes</p> <p>Sufficient ROW is available at site for accommodating proposed Eight-laning.</p>	
8	If NH section proposed to be taken up by NHAI on BOT basis - a clause is to be inserted in the agreement. "The permitted Highway on which Licensee has been granted the right to lay cable/duct has also been granted as a right of way to the concessionaire under the concession agreement for up-gradation of [Karur - Dindigul Section] Km.323/110 to Km.325/125 (LHS) and Crossing @ Km.325/125 of NH-7 on Build, Operate and Transfer Basis] and therefore, the licensee shall honour the same."	NA	
9	Who will supervise the work of laying of Water pipe line	Consultants and relevant filed Officers of NHAI.	
10	Who will ensure that the defects in road portion after laying of Water pipe line are corrected and if not corrected then what action will be taken.	BG will enchased. Claim amount will be determined according to the nature and seriousness of damages.	

  
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11	Who will pay the claims for damages done/disruption in working of Concessionaire if asked by the Concessionaire.	The Applicant should pay claims.	
12	A certificate from PD that he will enter the proposed permission in the register of records of the permissions in the prescribed proforma (copy enclosed).	Yes.	
13	If any previous approval is accorded for laying of underground Water pipe line then Photocopy of register of records of permissions accorded as maintained by PD then copy be enclosed	Yes.	

  
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Project Director  
 NHAI-PIU-Dindigul.



**Conditions to be enclosed/incorporated in the approval letter for permission for laying of Water pipe line**

1. The Water pipe line shall be located as close to the extreme edge of the right-of-way as possible but not less than 15 meter from the centre-lines of the nearest carriageway.
2. The Water pipe line shall not be permitted to run along the National Highways when the road formation is situated in double cutting. Nor shall these be laid over the existing culverts and bridges without the prior approval of NHAI/Government of India.
3. The Water pipe line shall be so placed that at no time there is interference with the maintenance of the National Highways.
4. These should be so laid that their top is at least 0.6 meter below the ground level so as not to obstruct drainage of the road land.
5. The authority/ owner of the underground utility shall ensure that laying Water pipe line should not have any deleterious effects on any of the bridge components and roadway safety for traffic.
6. The lines shall cross the National Highways preferably on a line normal to it or as nearly so as practicable.
7. Crossings shall not be too near the existing structures on the National Highway, the minimum distance being 15 meter.
8. The Water pipe line is permitted to cross the National Highway, either encased in pipes or through structure of conduits specially built for that purpose at the expense of the agency owning the line. Existing drainage structures shall not be allowed to carry the lines across.
9. The casing pipe (or conduit pipe in the case of electric cable) carrying the Water pipe line shall be of steel, cast iron, or reinforced cement concrete and have adequate strength and be large enough to permit ready withdrawal of the carrier pipe/cable. Ends of the casing/conduit pipe shall be sealed from the outside, so that it does not act as a drainage path.
10. The casing/conduit pipe should, as minimum extend from drain to drain in cuts and toe of slope toe of slope in the fills.
11. The top pf the casing/conduit pipe should be at least 1.2 meter below the surface of the road subject to being at least 0.3 m below the drain inverts.
12. The casing/conduit pipe may be installed under the road embankment either by boring or digging a trench. Installation by boring method shall only be permitted where the existing road pavement is of cement concrete or dense bituminous concrete type.
13. The casing/conduit pipe shall be installed with an even bearing throughout its length and in such a manner as to prevent the formation of a waterway along it.
14. Open trenching method. (May be allowed in utility corridor only where pavement is neither cement concrete nor dense bituminous concrete type)
  - (a) The sides of the trench should be done as nearly vertical as possible. The trench width should be at least 30 cm, but not more than 60 cm wider than the outer diameter of the pipe.
  - (b) Filling of the trench shall conform to the specifications contained herein below.
  - (c) Bedding shall be to a depth of not less than 30 cm. It shall consist of granular material, free of lumps, clods and cobbles and graded to yield a firm surface without sudden change in the bearing value. Unsuitable soil and rock edged should be excavated and replaced by selected material.



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- (d) The backfill shall be completed in two stages (i) side - fill to the level of the top of the pipe and (ii) overfill to the bottom of the road crust.
  - (e) The side fill shall consist of granular material laid in 15 cm layers each consolidated by mechanical tamping and controlled addition of moisture to 95% of the Proctor's Density. Overfill shall be compacted to the same density as the material that had been removed. Consolidation by saturation or ponding will not be permitted.
  - (f) The road crust shall be built to the same strength as the existing crust on either side of the trench or to thickness and specifications stipulated by the Highways Authority. Care shall be taken to avoid the formation of a dip at the trench.
  - (g) The excavation shall be protected by flagman, signs and barricades, and red lights during night hours.
15. If needed, a diversion shall be constructed at the expense of agency owning the Water pipe line.
16. Prior approval of the NHAI shall be obtained before undertaking any work of installation, shifting or repairs, or alterations to the Water pipe line located in the National highway right-of-ways.
17. Expenditure, if any, incurred by the Highway Authority for repairing any damage caused to the National Highway by the laying, maintenance or shifting of the Water pipe line will be borne by the agency owning the Water pipe line.
18. If the NHAI considers it necessary in future to move the Water pipe line for any work of improvement of repairs to the road, it will be carried out as desired by the Highway Authority at the cost of the agency owning the Water pipe line within a reasonable time (not exceeding 60 days) of the intimation given.
19. The licensee shall ensure making good the excavated trench for laying Water pipe line by proper filling and compaction, so as to restore the land in to the same conditions as it was before digging the trench, clearing debris/loose earth produced due to execution of trenching at least 50m away from the edge of the right of way.
20. The licensee shall furnish a Bank Guarantee to the NHAI @ Rs100/- per running meter (parallel to NH) and Rs1,00,000/- per crossing of NH, for a period of one year initially (extendable if required till satisfactory completion of work) as a security for ensuring/making good the excavated trench for laying the cables/ducts by proper filling and compaction, clearing debris/loose earth produced due to execution of trenching at least 50m away from the edge of the right of way. No payment shall be payable by the NHAI to the licensee for clearing debris/loose earth.
21. In case the work contemplated herewith is not completed to the satisfaction of the NHAI, which has granted the permission, within a period of 11 months from the date of issue of the bank guarantee, the licensee shall either furnish a fresh guarantee or extend the guarantee for a further period of one year. In case of the licensee failing to discharge the obligation of making good the excavated trench, the NHAI shall have a right to make good the damages caused by excavation, at the cost of the licensee and recover the amount by invoking the bank guarantee furnished by the licensee.
22. The licensee shall shift the Water pipe line within 60 days (or as specified by the respective agency/owner) from the date of issue of the notice by the NHAI, Govt. of India to shift/relocate the Water pipe line, in case it is so required for the purpose of improvement/widening of the road/route/highway or construction of flyover/bridges and restore the road/land to its original condition at his own cost and risk.
23. Regarding the location of other cables, underground installation/utilities etc, the licensee shall be responsible to ascertain from the respective agency in coordination with NHAI. The licensee shall ensure the safety and security of



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- already existing cables/underground installation/utilities facilities etc. before commencement of the excavation.
24. The licensee shall be solely responsible/ liable for full compensation/indemnification of concerned agency/aggrieved owner for any direct, indirect or consequential damage caused to them/claims or replacement sought for, at the cost and risk of the licensee. The concerned agency in co-ordination with NHAI shall also have a right to make good such damages/recover the claims by way of invoking of Bank Guarantee furnished by the licensee.
  25. If the licensee fails to comply with the condition 22 and 23 above to the satisfaction of the NHAI, the same shall be got executed by the NHAI at the risk and cost of the licensee.
  26. The licensee shall procure insurance from reputed insurance company against damages to already existing cables/underground installation/utilities/facilities etc during trenching.
  27. The licensee has to cross the NH by horizontal drilling method (trenchless technology only). In case any damage is caused to the road pavement in this process, the licensee will be required to restore the same to the original condition at his own cost.
  28. No trenching will be done on pucca road, boring method will be used in pucca road and Water pipe line will be laid at the extreme edge of the road in the non-BT surface only.
  29. The licensee shall inform/give a notice to the NHAI, Govt. of India or its authorized agency at least 15 days in advance with route details prior to digging trenches for fresh or maintenance/repair work. A separate work plan and a separate performance Bank Guarantee @ Rs100/- per meter length for maintenance/ repair work shall have to be furnished by the licensee.
  30. Each day, the extent of digging the trenches should be strictly regulated so that cables are laid and trenches filled up before the close of the work that day. Filling should be completed to the satisfaction of the concerned agency designated by the NHAI.
  31. The licensee shall indemnify the concerned agency in co-ordination with NHAI, against all damages and claims, if any, due to the digging of trenches for laying Water pipe line.
  32. The NHAI has a right to terminate the permission or to extend the period of agreement. In case the licensee wants shifting, repairs or alteration to Water pipe line, he will have to furnish a separate bank guarantee.
  33. The licensee shall not without prior permission in writing from the NHAI Govt. of India or its authorized agency undertake any work of shifting, repairs or alterations to the said Water pipe line.
  34. The permission granted shall not in any way be deemed to convey to the licensee any ownership right or any interest in route/road/highway/ land/ property, other than what is herein expressly granted.
  35. During the subsistence of this agreement, the laying of Water pipe line /ducts located in highway land/property shall be deemed to have been constructed and continued only by the consent and permission of the NHAI so that the right of the licensee to the use thereof shall not become absolute and indefeasible by laps of time.
  36. The licensee shall bear the stamp duty charged for the agreement.
  37. The Water pipe line shall not be brought in to use by the licensee unless a completion certificate to the effect that the laying of Water pipe line has been laid in accordance with the approved specifications and drawings and the trenches have been filled up to the satisfactions of the concerned agency in co-ordination with the owner has been obtained.

  
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38. Notwithstanding anything NHA1 contained herein this agreement may be cancelled at any time by the or breach of any condition of the same and the licensee shall neither be entitled to any compensation for any loss caused to it by such cancellation nor shall it be absolved from any liability already incurred.
39. The licensee shall have to provide barricading, danger lighting and other necessary caution boards while executing the work and during maintenance.
40. If any traffic diversion works are found necessary during the working period such diversion shall be provided at the cost of licensee.
41. After the termination/expiry of the agreement, the licensee shall remove the Water pipe line within 60 days and the site shall be brought back to the original condition failing which the licensee will lose the right to remove the cables/ducts. However, before taking up the work of removal of Water pipe line the licensee shall furnish a bank guarantee to the owner for a period of one year for an amount assessed by the owner for making good the excavated trench by proper filling and compaction, clearing debris, loose earth produced due to excavation of trenching at least 50m away from the edge of the right of way.
42. If NHA1 is required to do some emergent work the licensee will provide an observer within 24 hours. NHA1 will not be responsible for any damage of any kind by what so ever means natural or otherwise.
43. The enforceability of the Right-of Way permission granted here in shall be restricted to the extent of provisions/scope of service contained/defined in the license agreement and for the purpose for which it is granted. Either by content or by intent, the purpose extending this Right-of Way facility is not to enhance the scope.
44. Strict compliance of the following by the Project Director:
- a) If the licensee fails to inform the commencement of laying of Water pipe line 15 days before the actual start of the work at site the agreement should be null and void.
  - b) It is to be intimated to the HQ that, actual work has already been started at the site as per the provision of the agreement and the conditions stipulated in the Ministry Circular No. Ministry Circular No. NH-41 (58)/68 dated 31.1.1969, Ministry Circular No. NH-III/P/66/76 dated 18/19.11.1976, Ministry Circular No. RW/NH-III/P/66/76 dated 11.5.1982, Ministry Circular No. RW/NH-11037/1/86-DOI (ii) dated 28.7.1993, Ministry Circular No. RW/NH-11037/1/86/DOI dated 19.1.1995, Ministry Circular No. RW/NH-34066/2/95/ S&R dated 25.10.1999 and Ministry Circular No. RW/NH-34066/7/2003 S&R (B) dated 17.9.2003, Ministry Circular No. RW/NH-33044/29/2015-S&R (R) dated 22.11.2016.
  - c) An interim execution progress report /status report shall be submitted to NHA1 HQ after one month of the start of the work at site, regarding the satisfactory progress of the laying of Water pipe line, as per the specification/stipulation and the alignment as approved.
  - d) The final completion certificate shall be issued / submitted by PD to the HQ to the effect that, the work has been completed to the entire satisfaction of the Project Director and there were no violation of any condition / stipulation contained in the agreement, Ministry Circular No. NH-III/P/66/76 dated 18/19.11.1976, Ministry Circular No. RW/NH-III/P/66/76 dated 11.5.1982, Ministry Circular No. RW/NH-11037/1/86-DOI (ii) dated 28.7.1993, Ministry Circular No. RW/NH-11037/1/86/DOI dated 19.1.1995, Ministry Circular No. RW/NH-34066/2/95/ S&R dated 25.10.1999 and Ministry Circular No. RW/NH-34066/7/2003 S&R (B) dated 17.9.2003, Ministry Circular No. RW/NH-33044/29/2015-S&R (R) dated 22.11.2016 and the approved plan.

  
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- e) To obtain a performance bank guaranty @ Rs. 100/- per running meter of NH and Rs.1,00,000/- per crossing of NH from the licensee to safe guard the interest of NHAI.
- f) A register of records of the permissions accorded has to be maintained by the PD in the prescribed proforma (copy enclosed)
- g) Project Director is authorized to sign an agreement (IN ACCORDANCE WITH THE MODEL AGREEMENT) with the applicant, on behalf of NHAI.

  
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தமிழ்நாடு தமில்நாடு TAMILNADU 11.7.2023

DD 916769

Executive Engineer

TWAD Board


Sivagangai

ப. பன்சீரெல்வம்  
முத்திரைத்தாள் ஒப்பளையாளர்  
உரிமம் எண் : 33/2008/சுரோடு.

AGREEMENT REGARDING GRANTING OF RIGHT OF WAY PERMISSIONS  
FOR LAYING UTILITY SERVICES ON NATIONAL HIGHWAYS

Agreement to laying of Water Pipe Line Along the road from Km.323/110 to Km.325/125 (LHS) and Crossing @ Km.325/125 for a total length of 2.074 Kms of Karur - Dindigul Section (NH - 7) in the state of Tamil Nadu, National Highways, Dindigul.

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_ (month) \_\_\_\_\_ of (year) between \_\_\_\_\_ acting in his executive capacity through \_\_\_\_\_ (hereinafter referred to as the "Authority" which expression shall unless excluded by or repugnant to the context include his successors in office and assigns) on the one part, an The Executive Engineer, Tamilnadu Water Supply And Drainage Board, RWS Division, Sivagangai. (here in after called the "Licensee") which expression shall unless excluded by repugnant to the context, include his successors / administrator assignees on the second part.

  
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Whereas the Authority is responsible, inter-alia, for development and maintenance of lands Along the road from Km.323/110 to Km.325/125 (LHS) and Crossing @ Km.325/125 for a total length of 2.074 Kms of Karur - Dindigul Section (NH - 7) in the state of Tamil Nadu, National Highways, Dindigul.

Whereas the Licensee Proposes to lay Telecom cable / OFC cable / electrical cable Line / Pipe line / ducts etc., referred to as utility services in subsequent paras.

Whereas the Licensee has applied to the Authority for permission to lay utility services Along the road from Km.323/110 to Km.325/125 (LHS) and Crossing @ Km.325/125 for a total length of 2.074 Kms of Karur - Dindigul Section (NH - 7) in the state of Tamil Nadu, National Highways, Dindigul.

And whereas the Authority has agreed to grant such permission for way leave on the NH Row as per terms and conditions hereinafter mentioned.

Now this agreement witnesseth that in consideration of the conditions hereinafter contained and on the part of the Licensee to be observed and performed, the Authority hereby grants to the Licensee permissions to lay utility services as per the approved drawing attached hereto subject to the following conditions, namely:

1. Row permissions are only enabling in nature. The purpose of extending the way leave facility on the National Highway. Row is not for enhancing the scope of activity of a utility service provider, either by content or by intent. Further, enforceability of the permission so granted shall be restricted only to the extent of provisions / scope of activities defined in the license agreement & for the purpose for which it is granted.
2. No Licensee shall claim exclusive right on the Row and any subsequent user will be permitted to use the Row, either above or below, or by the side of the utilities laid by the first user, subject to technical requirements being fulfilled, Decision of the Authority in relation to fulfilment of technical requirements shall be final and Binding on all concerned parties. In case any disruption / damage is caused to any existing user by the subsequent user, the Authority shall not be held accountable or liable in any manner.
3. The Licensee shall be responsible for undertaking all activities including, but not limited to site identification, survey, design, engineering, arranging, finance, project management, obtaining regulatory approvals & necessary clearances, supply of equipment material, construction, erection, testing and commissioning, maintenance and operation and all other activities essential or required for efficient functioning of their own utility industrial infrastructure facilities.
4. The Licensee shall pay license fees @ Rs. ....../sq m/month to the Authority. The Licensee fee shall become payable from the date of handing over of Row land to the Licensee, for laying of utilities/electrical cables lines/conduits/pipelines for infrastructure/ service provider. As regards Tariff and Terms and conditions for providing common utility ducts along National Highways, there shall be a separate agreement regime.



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5. Fee shall have to be paid in advance for the period for which permission is granted for entering into a license agreement. In case of renewal, rate prevailing at the time of renewal shall be charged. Delay in deposition of fee shall attract interest @15% per annum compounded annually.
6. Present policy of the MoRT&H is to provide a 2.00 m a wide utility corridor on either side of the extreme edge of Row. In cases where utility ducts with sufficient space are already available along NH, the utility services shall be laid in such ducts subject to technical requirements being fulfilled.
7. The Utility services shall be laid at the edge of the RoW. In case of restricted width of RoW, which may be adequate only to accommodate the carriageway, central verge, shoulders, slopes of embankment , drains, other road side furniture etc: the utility services shall be laid beyond the toe line of the embankments and clear of the drain.
8. The Licensee shall make his own arrangement for crossing of cross drainage structure, rivers, etc. below the bed. In case, this is not feasible, the utility services may be carried outside the railings/ parapets and the bridge superstructure. The fixing and supporting arrangement with all details shall be required to be approved in advance from the concerned Highway Administration. Additional cost on account of fixing and supporting arrangement as assessed by the authority shall be payable by the Licensee.
9. In exceptional cases, where RoW is restricted the utility services can be allowed beneath the carriageway of service road, if available, subject to the condition that the utility services be laid in concrete ducts, which will be designed to carry traffic on top. The width of the duct shall not be less than one lane. In such cases, it also needs to ensure that maintenance of the utility services shall not interfere with the safe and smooth flow of traffic. The cost of operation and maintenance will have to be borne by the Licensee.
10. It is to be ensured that at no time there is interference with the drainage of the road land and maintenance of the National Highways. Towards this, the top of the utility services shall be at least 0.6 metre below the ground level. However any structure above ground shall be aesthetically provided for / landscaped with required safety measures as directed by the concerned Authority.
11. The utility services shall be permitted to cross the National Highway either through structure or conduits specially built for that purpose. The casing /conduit pipe should, as minimum, extend from drain to drain in cuts and toe of slope to toe of slope in the fills and shall be designed in accordance with the provision of IRC and executed following the specifications of the Ministry.
12. Existing drainage structures shall not be allowed to carry the lines across.
13. The top of the electrical cable line containing the utility services to cross the road shall be at least 11m top of the existing road level whichever is lower. A typical sketch showing the clearances is given in Attachment-I.
14. The utility services shall cross the National Highway preferable on a line normal to it or as nearly so as practicable.

  
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15. The casing/conduit pipe for crossing the road may be installed under the road embankment either by boring or digging a trench. Installation by boring method shall be preferred.
16. In case of trenching, the sides of the trench should be done as nearly vertical as possible. The trench width should be at least 30cm. but not more than 60cms wider than the outer diameter of the pipe. Filling of the trench shall conform to the specifications contained here-in-below or as supplied by the Highway Authority.
- i. Bedding shall be to a depth not less than 30cm. it shall consist of granular material, free of lumps, clods and cobbles, and graded to yield a firm surface without sudden change in the bearing value. Unsuitable soil and rock edges should be excavated and replaced by selected material.
  - ii. The backfill shall be completed in two stages (i) side-fill to the level of the top of the pipe (ii) Overfill to the bottom of the road crust.
  - iii. The side fill shall consist of granular material laid in 15cm. Layers each consolidated by mechanical tamping and controlled addition of moisture to 95% of the Proctor's Density. Overfill shall be compacted to the same density as the material that has been removed. Consolidation by saturation or ponding will not be permitted.
  - iv. The road crust shall be built to the same strength as the existing crust on either side of the trench or to thickness and specifications stipulated by the highway Authority.
17. The Licensee shall ensure making good the excavated trench for laying utility services by proper filling and compaction, so as to restore the land in to the same condition as it was before digging the trench, clearing debris/loose earth produced due to execution of trenching at least 50m away from the edge of the right of way.
18. All required restoration work subsequent to laying of the cable shall be required to be undertaken by the Licensee at its cost either by itself or through its authorized representative in consultation with the authority as per predetermined time schedule and quality standards.
19. Prior to commencement of any work on the ground, a performance Bank guarantee @Rs. Per route metre /Rs per sq m with a validity of one year initially (extendable if required till satisfactory completion of work) shall have to be furnished by the Licensee to the Authority its designated agency as a security against improper restoration of ground in terms of filling / unsatisfactory compaction damages caused to other underground installations utility services & interference, interruption, disruption, or failure caused thereof any services etc. in case of licensee failing to discharge the obligation of making good of the excavated trench/other restoration work, the Authority shall have a right to make good the damages caused by excavation, at the cost of the Licensee and recover the amount by forfeiture of the Bank Guarantee.

  
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20. In case, the Performance Bank guarantee is invoked as mentioned above, the Licensee shall be required to replenish and reinstate the required Performance Bank Guarantee within one month of such invoking. In case the work contemplated herein is not completed to the satisfaction of the Authority, which has granted the permission, within a period of 11 months from the date of issue of the Bank Guarantee, the Licensee shall either furnish a fresh guarantee or extend the guarantee for a further period of one year. Notwithstanding this, the Licensee shall be liable to pay full compensation to the aggrieved Authority/its designated agency for any damage sustained by them by reason of the exercise of the RoW facility.
21. The Licensee shall shift the utility services within 90 days (or as specified by the respective authority) from the date of issue of the notice by the concerned authority to shift/relocate the utility services, in case it is so required for the purpose of improvement/widening of the road/route/highway or construction of flyover/bridge and restore the road/land to its original condition at his own cost and risk.
22. The Licensee shall be responsible to ascertain from the respective agency in co-ordination with Authority, regarding the location of other utilities/underground installations/facilities etc. The Licensee shall ensure the safety and security of already existing underground installations / utilities / facilities etc. before commencement of the excavation /using the existing cable ducts. The Licensee shall procure insurance from a reputed insurance company against damages to already existing underground installations/utilities/facilities etc.
23. The Licensee shall be solely responsible / liable for full compensation/indemnification of concerned agency / aggrieved Authority for any direct, indirect or consequential damage caused to them / claims or replacements sought for, at the cost and risk of the Licensee. The concerned agency in co-ordination with Authority shall also have a right make good such damages/recover the claims by forfeiture of Bank Guarantee.
24. If the licensee fails to comply with any condition to the satisfaction of the Authority, the same shall be executed by the Authority at the cost and risk of the Licensee.
25. Grant of Licensee is subject to the Licensee satisfying (a) minimum disruption of traffic and (b) no damage to the highways. As far as possible, the Licensee should avoid cutting of the road for crossing highway, and other roads and try to carry out the work by trenchless technology. In case any damage is caused to the road pavement in this process, the Licensee will be required to restore the road to the original condition at its cost. If due to unavoidable reasons the road needs to be cut for crossing or laying utility services, the Licensee has to execute the restoration work in a time bound manner at its cost either by itself or through its authorised representative in consultation with the Authority as per predetermined time schedule and quality standards. In case of the Licensee failing to discharge the obligation of making good of the excavated trench/other restoration work, the Authority shall have a right to make good the damages caused by excavation, at the cost of the Licensee and recover the amount by forfeiture of the Bank Guarantee.

  
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26. The Licensee shall inform/give a notice to the concerned agency designated by the Authority at least 15 day in advance with route details prior to digging trenches, for fresh or maintenance/repair works. A separate performance Bank guarantee for maintenance/repair works shall have to be furnished by the Licensee.
27. Each day, the extent of digging the trenches should be strictly regulated so that utility services is laid and trenches filled up before the close of the work that day, filling should be completed to the satisfaction of the concerned agency designated by the Authority.
28. The Licensee shall indemnify the concerned agency in co- ordination with Authority, against all damages and claims, if any due to the digging of trenches for laying cables/ducts.
29. The permission for laying utility services is granted maximum for 5 years at a time, which can thereafter be considered for renewal. On payment of additional fee at the time of renewal, the permission shall automatically be renewed, unless defaults exist. In case of renewal, rate prevailing at the time of renewal shall be charged. Delay in deposition of fee shall attract interest @ 15% per annum compounded annually.
30. The permission shall be valid only for it is issued and fee deposited. However, the Authority also has a right to terminate the permission or to extend the period of Agreement.
31. That the Licensee shall not undertake any work of shifting, repairs or alterations to the utility services without prior written permission of the concerned agency in co-ordination with the Authority.
32. The permission granted shall not in any way be deemed to convey to the Licensee any ownership right or any interest in route/road/highway/and/property. Other than what is herein expressly granted. No use of NH RoW will be permitted for any purpose other than that specified in the Agreement.
33. During the subsistence of this Agreement, the utility services located in highway land / property shall be deemed to have been constructed and continued only by the consent and permission of the Authority so that the right of the Licensee to the use thereof shall not become absolute and infeasible by lapse of time.
34. The Licensee shall bear the Stamp Duty charged on this Agreement.
35. Three copies of 'as laid drawings' of utilities (hard and soft copies) with geo-tagged photographs and geo-tagged video recordings of laying of cables in the trench (with respect to the NH) and after complete restoration shall be submitted to the Authority for verification and record within a month of completion of works.
36. The Licensee shall allow free access to the Site at all times to the authorised representatives of Authority to inspect the Project Facilities and to investigate any matter within their Authority, and upon reasonable notice, shall provide reasonable assistance necessary to carry out their respective duties and functions.

  
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37. The Utility services shall not be made operational by the Licensee unless a completion certificate to the effect that the utility services has been laid in accordance with the approved specifications and drawings and the trenches have been filled up to the satisfaction of the concerned agency in co-ordination with the Authority has been obtained. Notwithstanding anything contained herein, this Agreement may be cancelled at any time by Authority for breach of any condition of the same and the Licensee shall neither be entitled to any compensation for any loss caused to it by such cancellations nor shall it be absolved from any liability already incurred.
38. The Licensee shall ensure adherence to relevant Indian standards and follow best industry practices, methods and standards for the purpose of ensuring the safe, efficient and economic design, construction, commissioning, operation repair and maintenance of any part of the utility lines/industrial infrastructure facilities and which practices, methods and standards shall be adjusted as necessary, to take account of:
- a. Operation, repair and maintenance guidelines given by the manufacturers.
  - b. The requirements of Law.
  - c. The physical conditions at the Site, and
  - d. The safety of operating personnel and human beings.
39. The Licensee shall have to provide safety measures like barricading, danger lighting and other necessary caution boards while executing the work.
40. While laying utility services, at least one lane of road shall be kept open to traffic at all times. In case of single lane roads, a diversion shall be constructed. If any traffic diversion works are found necessary during the working period such diversion shall be provided at the cost of Licensee.
41. After the termination/expiry of the agreement, the Licensee shall remove the utility services within 90 days and the site shall be brought back to the original condition failing which the Licensee will lose the right to remove the utility services. However before taking up the work of removal of utility services the Licensee shall furnish a Bank Guarantee to the Authority for a period of one year for an amount assessed by the Authority as a security for making good the excavated trench by proper filling and compaction, clearing debris, loose earth produced due to excavation of trenching at least 50m away from the edge of the RoW.
42. Any disputes in interpretation of the terms and condition of this agreement or their implementation shall be referred to the redress mechanism prevailing in the ministry and the decision of the redress mechanism shall be final and binding on all.
43. For PPP Projects, in case of any financial loss incurred by the respective project concessionaires due to such laying/shifting of utility services by the Licensee, compensation for the same shall be required to be borne by the Licensee in Mutual agreement with the respective project concessionaires. MoRT&H/NHAI/implementing authorities for the project shall not be liable to the concessionaire in any way in this regard.

This agreement has been made in duplicate, each on a stamp paper, each Party to this Agreement has retained one stamped copy each.

IN WITNESS WHEREOF THE PARTIES HERETO HAVE CAUSED THIS AGREEMENT TO BE EXECUTED THROUGH THEIR RESPECTIVE AUTHORISED REPRESENTATIVES THE DAY AND THE YEAR FIRST ABOVE WRITTEN.

SIGNED SEALED AND DELIVERED FOR AND ON BEHALF OF AUTHORITY.

BY SHRI \_\_\_\_\_  
(Signature, name & address with stamp)

SIGNED ON BEHALF OF THE THE EXECUTIVE ENGINEER, TAMILNADU WATER SUPPLY AND DRAINAGE BOARD, RWS DIVISION, SIVAGANGAI. (LICENSEE)

BY SHRI S. RAJAMANI  
(Signature, name & address with stamp)

HOLDER OF GENERAL POWER OF ATTORNEY DATED \_\_\_\_\_ EXECUTED IN ACCORDANCE  
WITH THE RESOLUTION NO. \_\_\_\_\_ DATED \_\_\_\_\_ PASSED BY THE  
BOARD OF DIRECTORS IN THE MEETING HELD ON \_\_\_\_\_  
IN THE PRESENCE OF (WITNESSES)

1. Brinda (B. BRINDA DEVI)  
ASSISTANT ENGINEER,  
TWAD BOARD,  
PROJECT SUB DIVISION,  
THIRUVADANAI.
2. M. Mohan [M. MOHESH KUMAR]  
ASSISTANT ENGINEER,  
TWAD BOARD,  
PROJECT SUB DIVISION,  
THIRUVADANAI.





தமிழ்நாடு தமில்நாடு TAMILNADU 11.7.2023

Executive Engineer

TWAD Board  
Sivagangai

DD 916771

பி. பன்னிச்செல்வம்  
முத்திரைத்தாள் விற்பனையாளர்  
பரிமம் எண் : 33/2008/சுரோடு.

Annexure-V

### UNDERTAKING

We, Tamilnadu Water Supply And Drainage Board, RWS Division, Sivagangai. Laying of Water Pipe Line Along the road from Km.323/110 to Km.325/125 (LHS) and Crossing @ Km.325/125 for a total length of 2.074 Kms of Karur - Dindigul Section (NH - 7) in the state of Tamil Nadu, National Highways, Dindigul.

We here by undertake the Standard Conditions of NHAI Guidelines:

1. Not to Damage to Other Utility, if damaged then to pay the losses either to NHAI or to the concerned agency: Regarding the location of other electrical cable line, underground installation/utilities etc, Tamilnadu Water Supply And Drainage Board shall be responsible to ascertain from the respective agency in coordination with NHAI. Tamilnadu Water Supply And Drainage Board shall ensure the safety and security of already existing cables/underground installation/utilities facilities etc. before commencement of the excavation.

  
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2. **Renewal of Bank Guarantee:** Tamilnadu Water Supply And Drainage Board shall furnish a Bank Guarantee @ Rs100/- per running meter to the NHAI, for a period of one year initially (extendable if required till satisfactory completion of work) as a security for ensuring/making good the excavated trench for Laying of water pipe line by proper filling and compaction, clearing debris/loose earth produced due to execution of trenching at least 50m away from the edge of the right of way. No payment shall be payable by the NHAI to Tamilnadu Water Supply And Drainage Board for clearing debris/loose earth. In case the work contemplated herewith is not completed to the satisfaction of the NHAI, which has granted the permission, within a period of 11 months from the date of issue of the bank guarantee Sri Tamilnadu Water Supply And Drainage Board shall either furnish a fresh guarantee or extend the guarantee for a further period of one year. In case of Tamilnadu Water Supply And Drainage Board failing to discharge the obligation of making good the excavated trench, the NHAI shall have a right to make good the damages caused by excavation, at the cost of Tamilnadu Water Supply And Drainage Board and recover the amount by invoking the bank guarantee furnished by Tamilnadu Water Supply And Drainage Board.
3. **Confirming all standard conditions of NHAI:**
- (i) The period of validity of Way permission shall be co-terminus with the validity of licensee given by the Ministry of Communications / DoT.
  - (ii) The Laying of Water pipe line shall be laid at the edge of the right of way within 2m utility corridors.
  - (iii) The licensee has to cross the NH In case any damage is caused to the road pavement in this process, Tamilnadu Water Supply And Drainage Board will be required to restore the same to the original condition at his own cost.
  - (iv) No trenching will be done on link road, boring method will be used in link road and Water pipe line will be laid at the extreme edge of the road in the non-BT surface only.
  - (v) The licensee shall inform/give a notice to the NHAI, Govt. of India or its authorized agency at least 15 days in advance with route details prior to digging trenches for fresh or maintenance/repair work. A separate work plan and a separate performance Bank Guarantee @ Rs100/- per meter length for maintenance/ repair work shall have to be furnished by Tamilnadu Water Supply And Drainage Board.

  
Executive Engineer  
TWAD BOARD  
R.W.S. DIVISION  
Sivagangai



- (vi) Each day, the extent of Water pipe line should be strictly regulated so that pipe are laid and trenches filled up before the close of the work that day. Filling should be completed to the satisfaction of the concerned agency designated by the NHAI.
- (vii) The Licensee shall indemnify the concerned agency in co-ordination with NHAI, against all damages and claims, if any, due to the laying of Water pipe line.
- (viii) The NHAI has a right to terminate the permission or to extend the period of agreement. In case the Tamilnadu Water Supply And Drainage Board wants shifting, repairs or alteration to Water pipe line, he will have to furnish a separate bank guarantee.
- (ix) The Licensee shall not without prior permission in writing from the NHAI Govt. of India or its authorized agency undertake any work of shifting, repairs or alterations to the said Water pipe line.
- (x) The permission granted shall not in any way be deemed to convey to Tamilnadu Water Supply And Drainage Board any ownership right or any interest in route/road/highway/ land/ property, other than what is herein expressly granted.
- (xi) During the subsistence of this agreement, the laying of Water pipe line located in highway land/property shall be deemed to have been constructed and continued only by the consent and permission of the NHAI so that the right of Tamilnadu Water Supply And Drainage Board to the use thereof shall not become absolute and indefeasible by laps of time.
- (xii) Tamilnadu Water Supply And Drainage Board shall bear the stamp duty charged for the agreement.
- (xiii) The Water pipe line shall not be brought in to use by Tamilnadu Water Supply And Drainage Board unless a completion certificate to the effect that the laying of Water pipe line has been laid in accordance with the approved specifications and drawings and the trenches have been filled up to the satisfactions of the concerned agency in co-ordination with the owner has been obtained.
- (xiv) Not with tanding anything NHAI contained herein this agreement may be cancelled at any time by the for breach of any condition of the same and the Tamilnadu Water Supply And Drainage Board shall neither be entitled to any compensation for any loss caused to it by such cancellation nor shall it be absolved from any liability already incurred.



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- (xv) The licensee shall have to provide barricading, danger lighting and other necessary caution boards while executing the work and during maintenance. If NHAI is required to do some emergent work Tamilnadu Water Supply And Drainage Board will provide an observer within 24 hours. NHAI will not be responsible for any damage of any kind by what so ever means natural or otherwise.
- (xvi) The enforceability of the Right-of Way permission granted here in shall be restricted to the extent of provisions/scope of service contained/defined in the license agreement of the License with Department and for the purpose for which it is granted. Either by content or by intent, the purpose extending this Right-of Way facility is not to enhance the scope of Tamilnadu Water Supply And Drainage Board.
4. **Shifting of Water pipe line as and when required by NHAI:** Tamilnadu Water Supply And Drainage Board shall shift the Water pipe line within 90 days (or as specified by the respective agency/owner) from the date of issue of the notice by the NHAI, Govt. of India to shift/relocate the water pipe line, in case it is so required for the purpose of improvement/widening of the road/route/highway or construction of flyover/bridges and restore the road/land to its original condition at his own cost and risk
5. **Shifting due to 6 lining / widening of NH:** After the termination/expiry of the agreement, Tamilnadu Water Supply And Drainage Board shall remove the water pipe line within 90 days and the site shall be brought back to the original condition failing which the Tamilnadu Water Supply And Drainage Board will lose the right to remove the water pipe line. However, before taking up the work of removal of water pipe line the Tamilnadu Water Supply And Drainage Board shall furnish a bank guarantee to the owner for a period of one year for an amount assessed by the owner for making good the excavated trench by proper filling and compaction, clearing debris, loose earth produced due to excavation of trenching at least 50m away from the edge of the right of way.
6. **Traffic movement during laying of Water pipe line to be managed by the applicant:** If any traffic diversion works are found necessary during the working period such diversion shall be provided at the cost of Tamilnadu Water Supply And Drainage Board.
7. **If any claim is raised by the concessionaire then the same has to be paid by the applicant:** Tamilnadu Water Supply And Drainage Board shall be solely responsible/ liable for full compensation/indemnification of concerned agency/aggrieved owner for any direct, indirect or consequential damage

  
Executive Engineer  
TWAD BOARD  
R.W.S. DIVISION  
Sivagangai

caused to them/claims or replacement sought for, at the cost and risk of Tamilnadu Water Supply And Drainage Board. The concerned agency in co-ordination with NHAI shall also have a right to make good such damages/recover the claims by way of invoking of Bank Guarantee furnished by Tamilnadu Water Supply And Drainage Board. If Tamilnadu Water Supply And Drainage Board fails to comply with the condition 5 and 6 above to the satisfaction of the NHAI, the same shall be got executed by the NHAI at the risk and cost of the Tamilnadu Water Supply And Drainage Board.

8. We, Tamilnadu Water Supply And Drainage Board, Tamilnadu Water Supply And Drainage Board, RWS Division, Sivagangai. hereby do undertake to furnish a Performance Bank Guarantee @100/- per meter for a period of one year initially (extendable if required till satisfactory completion of work) as a security against improper restoration of ground in terms of filling/unsatisfactory compaction/damages caused to other underground installation utility services & interference interruption, disruption of failure caused thereof to any services etc. In case, Tamilnadu Water Supply And Drainage Board. Failing to discharge the obligation of making good the damages caused due to erection, the NHAI shall have a right to make good the damages caused due to erection at the cost of the Tamilnadu Water Supply And Drainage Board. And recover the amount by invoking the Bank Guarantee. In case the work contemplated is not completed to the satisfaction of NHAI, which has granted the permission, within a period of 11 months from the date of issue of the Bank Guarantee, Tamilnadu Water Supply And Drainage Board. Shall either furnish a fresh guarantee or extend the guarantee for a further period of one year.
  9. Not to damage to other utility, if damaged, then to pay the losses either to NHAI or to the concerned agency.
  10. In case the work contemplated is not completed to the satisfaction of NHAI, which has granted the permission within a period of 11 months from the date of issue of the Bank Guarantees, Tamilnadu Water Supply And Drainage Board shall either furnish a fresh guarantee or extend the guarantee for a further period of one year.
- 
11. We will relocate Pipe lines/Utilities at our own cost, not with standing the permission granted within such time as will be stipulated by NHAI "for future six-lining or any other development."



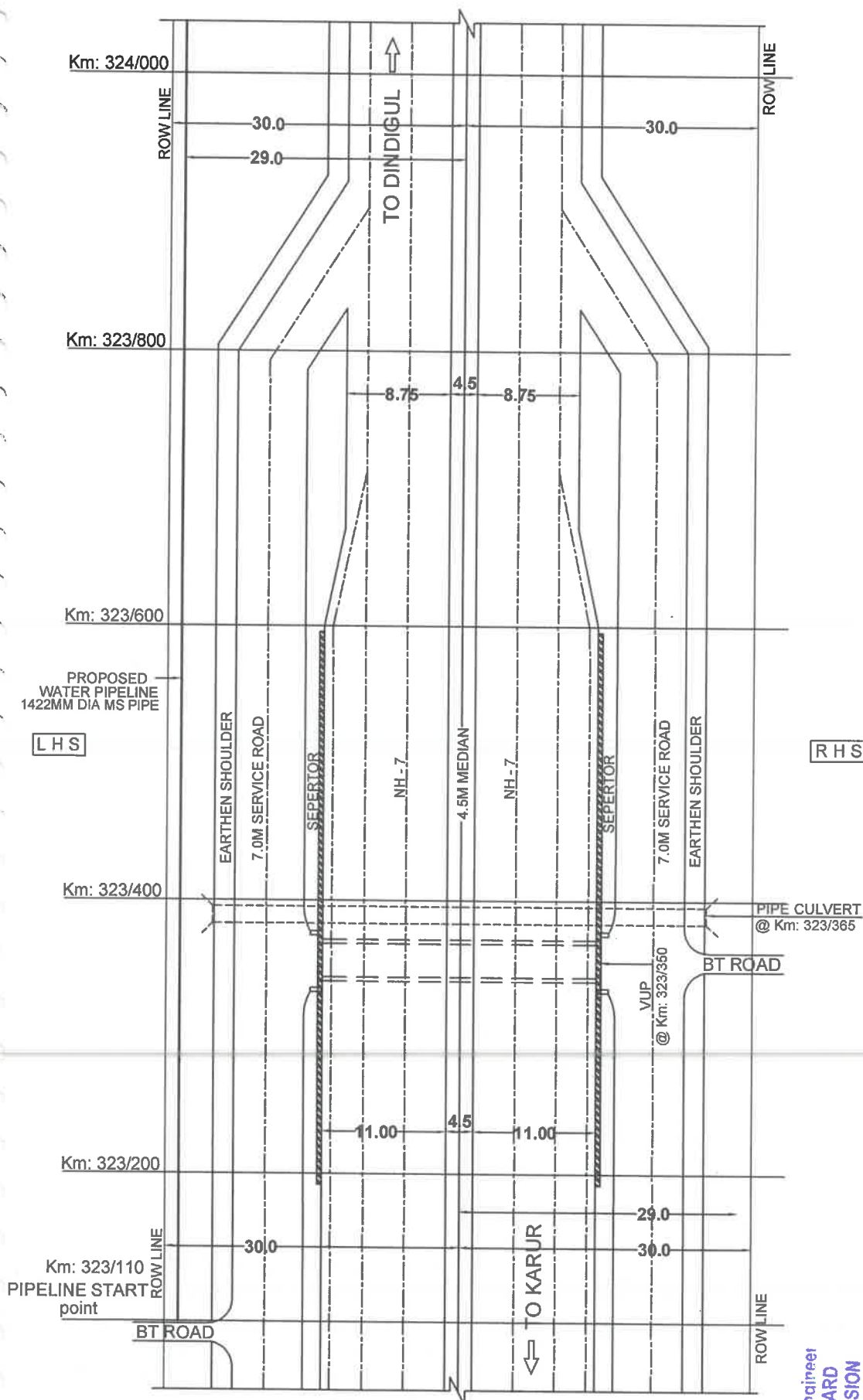
Executive Engineer  
TWAD BOARD  
R.W.S DIVISION  
Sivagangai







12. We, Tamilnadu Water Supply And Drainage Board, RWS Division, Sivagangai, Tamilnadu State, hereby undertake that "The existing avenue plantation is not affect due to the present proposed water pipe line Along the road from Km.323/110 to Km.325/125 (LHS) and Crossing @ Km.325/125 for a total length of 2.074 Kms of Karur - Dindigul Section (NH - 7) in the state of Tamil Nadu".
13. We, Tamilnadu Water Supply And Drainage Board, RWS Division, Sivagangai, Tamilnadu State, hereby undertake that the pay the fee /rent as mentioned in the Ministry's Guidelines Lr. No. RW/NH-33044/29/2015-S&R (R) dated 22.11.2016 as and when asked by NHAI.
14. Lr. No. RW/NH-33044/29/2015-S&R (R) dated 22.11.2016 as and when asked by NHAI. Reference Circular issued by Ministry of Road Transport & Highways, GOI, Circular No. RW/NH-33044/29/2015-S&R (R) dated 22.11.2016. Where in, the last paragraph that "The Highway Administration Rules 2004 will be modified accordingly. This circular will come in to effect from the date of notification of the modified Highway Administration Rule" So we hereby give our constant to abide by the content of this circular from the date of its notification by MORTH, GOI and agree to pay the ground rent any other charges applicable for the section as applied by us.

Yours Faithfully,



For The Executive Engineer  
Tamilnadu Water Supply And Drainage Board  
(Authorized Signatory)



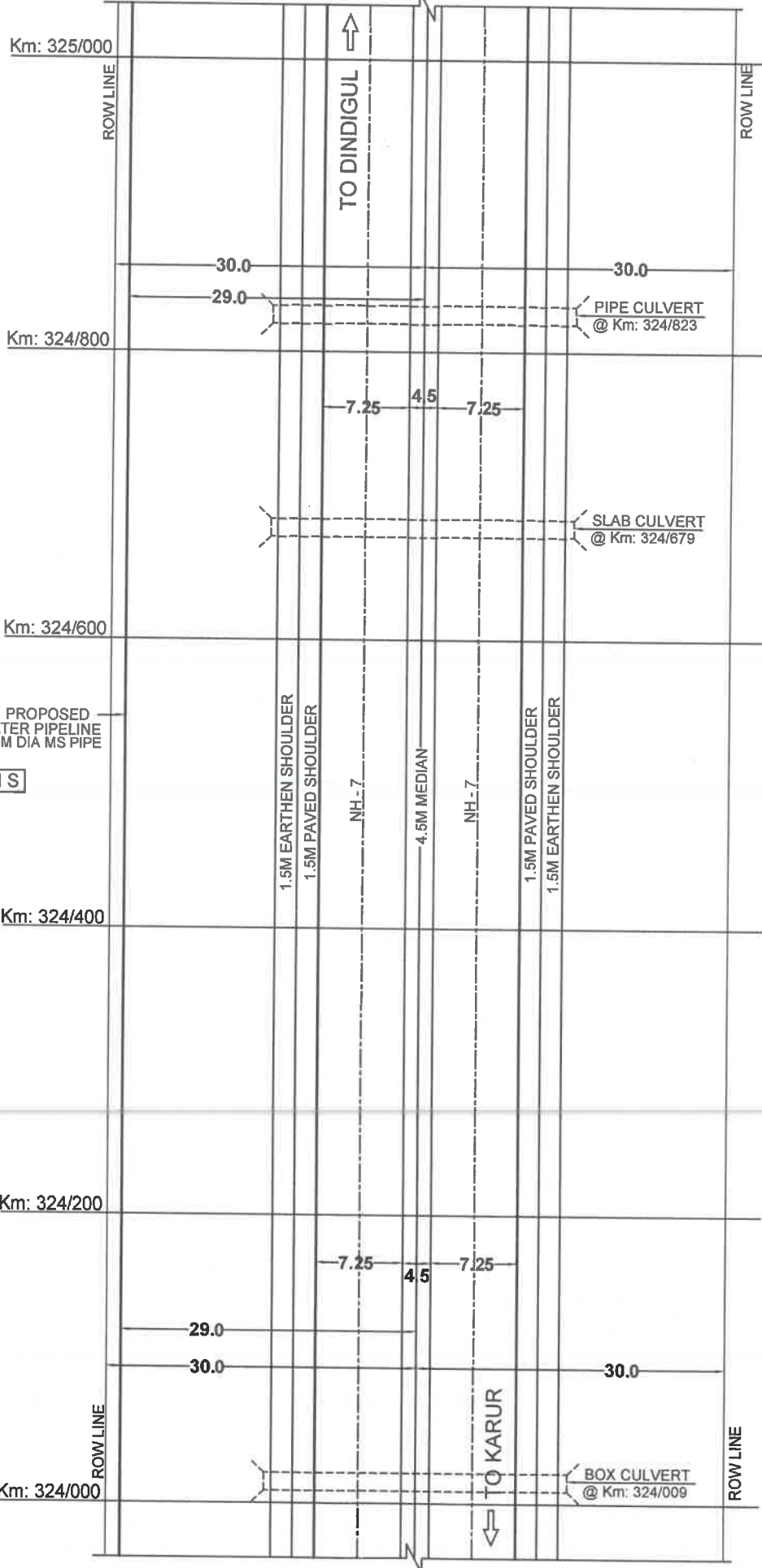
- |   |                              |
|---|------------------------------|
|  | - PROPOSED WATER PIPELINE    |
|  | - BT ROAD                    |
|  | - CENTER LINE OF CARRIAGEWAY |
|  | - CENTER LINE OF ROAD        |
|  | - BOUNDARY (ROW)             |
|  | - BRIDGE / CULVERT           |

**THE EXECUTIVE ENGINEER,**  
Tamilnadu Water Supply And Drainage Board,  
RWS Division,  
Sivagangai.

(Km: 323/110 TO Km: 324/000)

1. ALL DIMENSIONS ARE IN METERS  
UNLESS OTHERWISE SPECIFIED

2. SECTION LENGTH - 0.89Km



**NOTES:**

1. ALL DIMENSIONS ARE IN METERS  
UNLESS OTHERWISE SPECIFIED
2. SECTION LENGTH - 1.0Km

**KARUR TO DINDIGUL SECTION (NH - 7)**

(Km: 324/000 TO Km: 325/000)

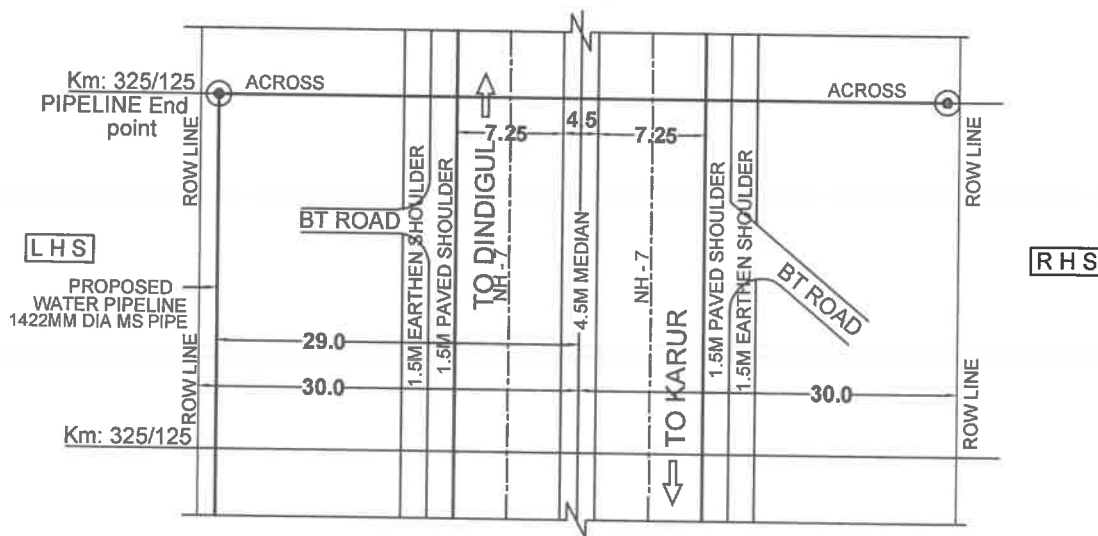
APPLICANT: *S. S. S.*  
**THE EXECUTIVE ENGINEER,**  
 Tamilnadu Water Supply And Drainage Board,  
 RWS Division,  
 Sivagangai.

**LEGEND:**

- PROPOSED WATER PIPELINE
- BT ROAD
- CENTER LINE OF CARRIAGEWAY
- CENTER LINE OF ROAD
- BOUNDARY (ROW)
- BRIDGE / CULVERT

Executive Engineer  
 TWAD BOARD  
 R.W.S. DIVISION  
 Sivagangai





Executive Engineer  
TWAD BOARD  
RWS DIVISION  
Sivagangai

#### LEGEND:

- - PROPOSED WATER PIPELINE
- - BT ROAD
- - CENTER LINE OF CARRIAGEWAY
- - CENTER LINE OF ROAD
- - BOUNDARY (ROW)
- - BRIDGE / CULVERT

#### KARUR TO DINDIGUL SECTION (NH - 7)

(Km: 325/000 TO Km: 325/125)

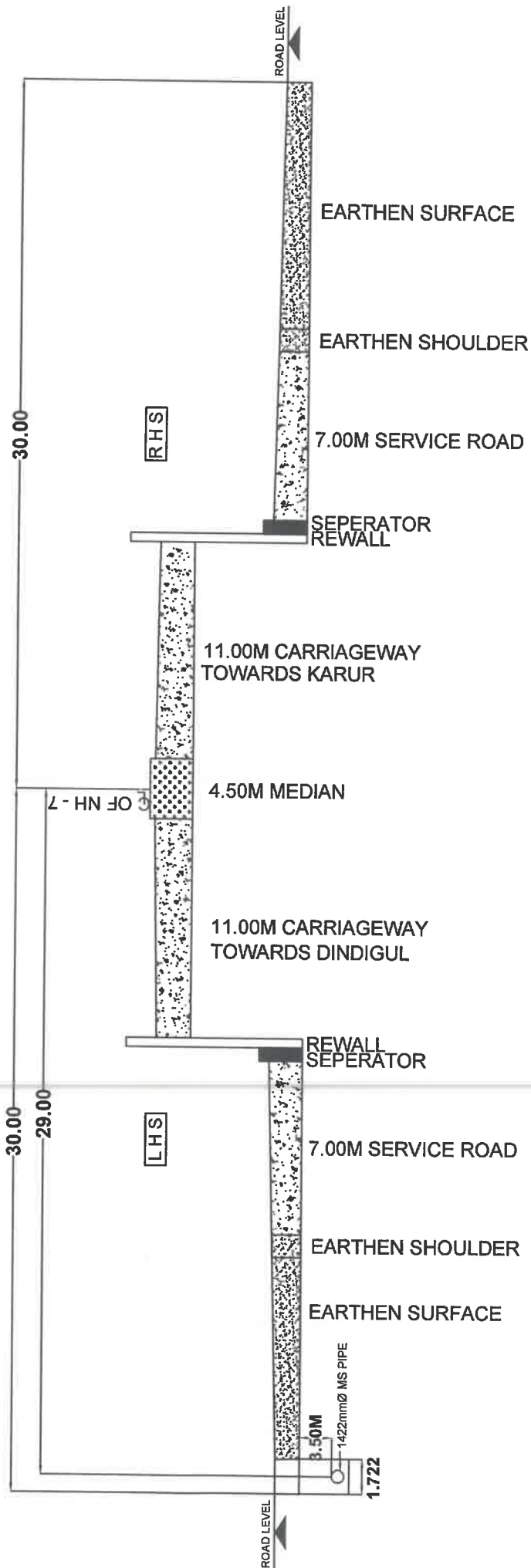
APPLICANT:

*S. K. S.*  
**THE EXECUTIVE ENGINEER,**  
Tamilnadu Water Supply And Drainage Board,  
RWS Division,  
Sivagangai.

#### NOTES:

1. ALL DIMENSIONS ARE IN METERS  
UNLESS OTHERWISE SPECIFIED
2. SECTION LENGTH - 0.125Km





TITLE:

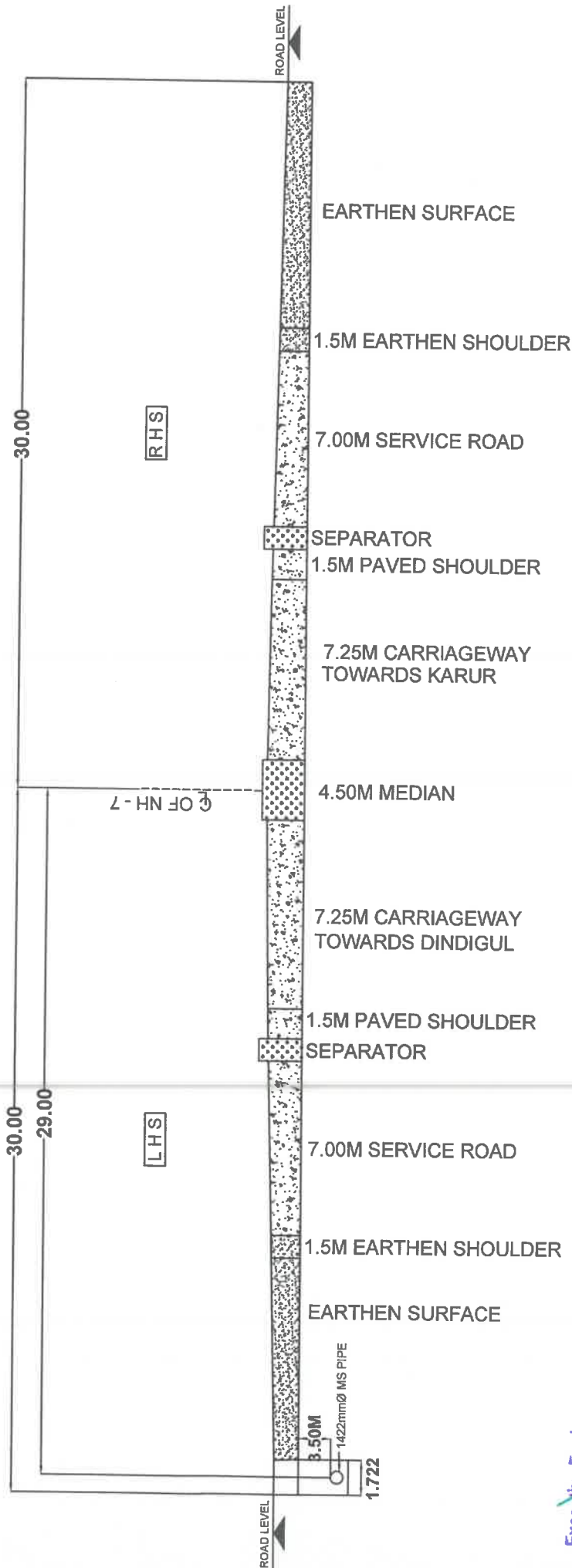
CROSSECTION DETAILS FOR NH - 7

KARUR TO DINDIGUL SECTION ( NH - 7 )  
( Km: 323/110 To Km.323/590 )

APPLICANT:

*[Signature]*

**THE EXECUTIVE ENGINEER,**  
Tamilnadu Water Supply And Drainage Board,  
RWS Division,  
Sivagangal.



Executive Engineer  
T.W.S. DIVISION  
Sivagangai

TITLE:

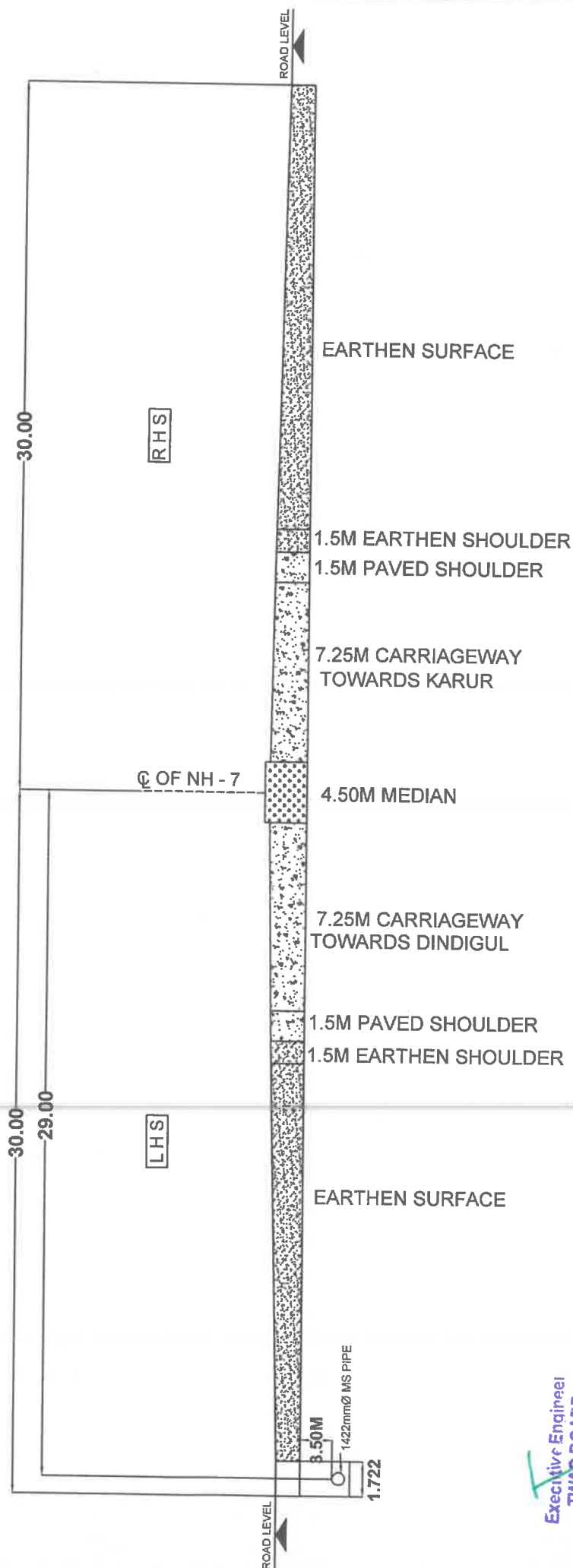
KARUR TO DINDIGUL SECTION (NH - 7)  
( Km: 323/590 To Km:323/800)

CROSSSECTION DETAILS FOR NH - 7

APPLICANT:

*(Signature)*

**THE EXECUTIVE ENGINEER,**  
Tamilnadu Water Supply And Drainage Board,  
RWS Division,  
Sivagangai.



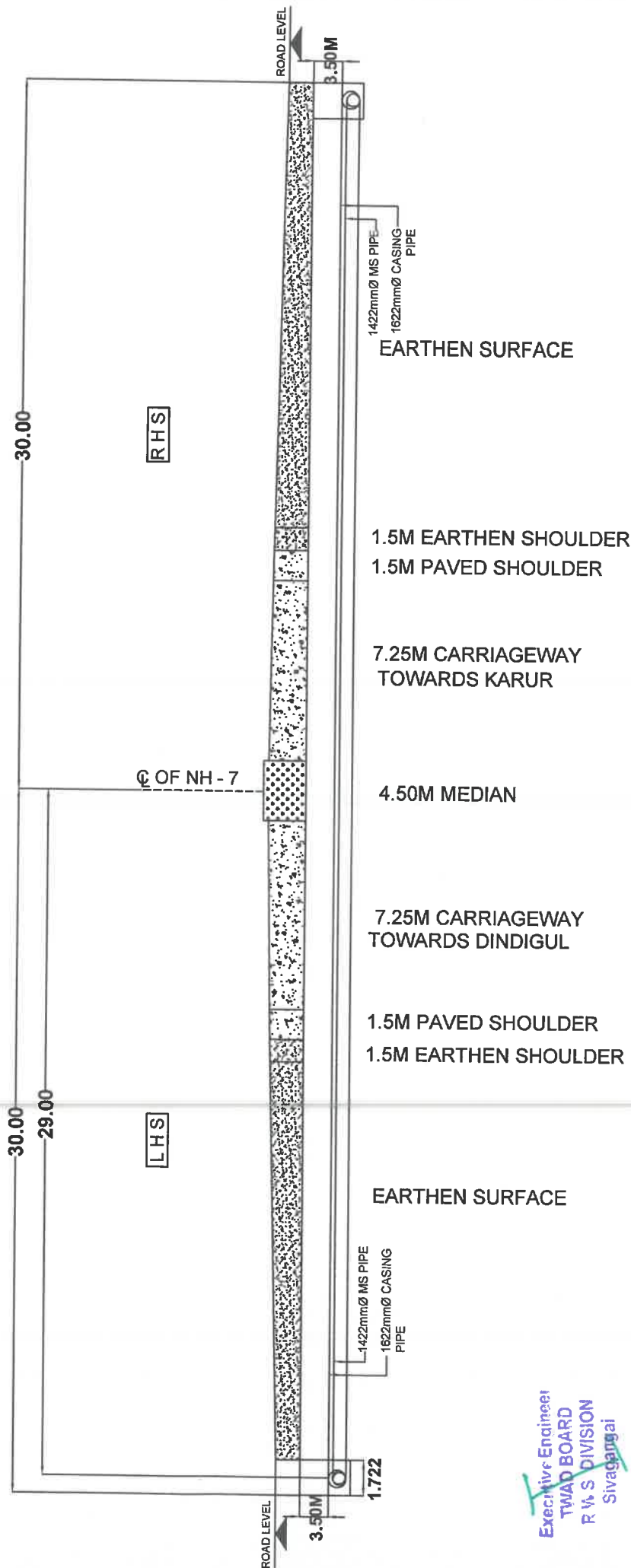
Executive Engineer  
TWAD BOARD  
R.W.S. DIVISION  
Sivagangai

KARUR TO DINDIGUL SECTION ( NH - 7 )  
( Km: 323/800 To Km.325/125 )

APPLICANT: **THE EXECUTIVE ENGINEER,**  
Tamilnadu Water Supply And Drainage Board,  
RWS Division,  
Sivagangai.

TITLE:

CROSSECTION DETAILS FOR NH - 7



Executive Engineer  
T.W.A.D. BOARD  
R & S DIVISION  
Sivagangai

TITLE:

KARUR TO DINDIGUL SECTION ( NH - 7 )

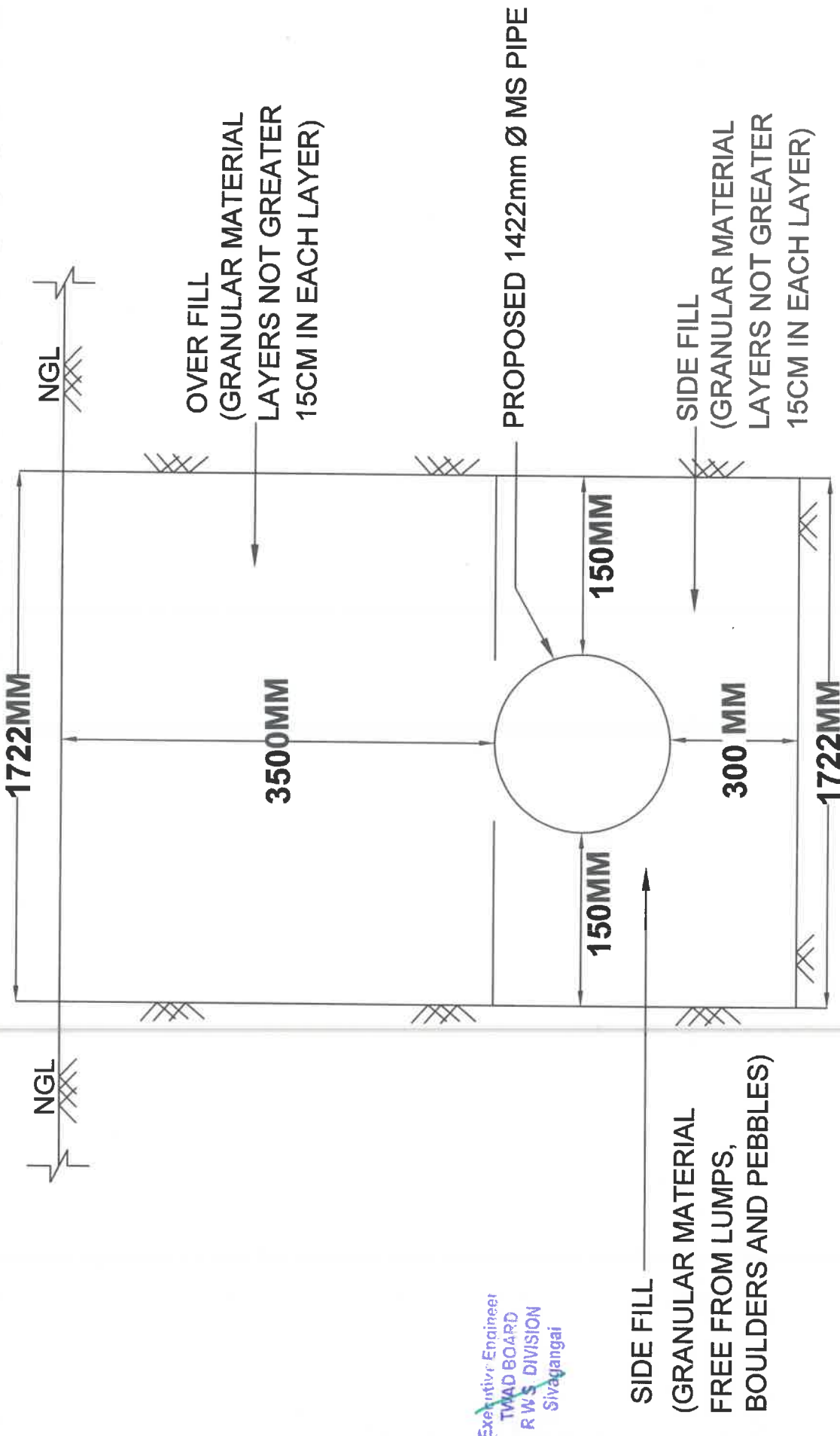
(ACROSS@ Km.325/125)

APPLICANT:

R. S. S. DIVISION

**THE EXECUTIVE ENGINEER,**  
Tamilnadu Water Supply And Drainage Board,  
RWS Division,  
Sivagangai.

CROSSECTION DETAILS FOR NH - 7



Executive Engineer  
T.W.A.D. BOARD  
RWS DIVISION  
Sivagangai

ENCLOSURE TO MINISTRY OF ROAD TRANSPORT & HIGHWAYS LETTER NO. RW/NH-33044/29/2015/S&R(R)(Pt). DATED 22.11.2016

APPLICANT

*[Signature]*

FIGURE - 2 INSTALLATION OF PIPE FOR  
ALONG THE ROAD (TRENCH METHOD) &  
PLACE WHERE THE DISTANCE FROM THE CARRIAGE  
LEVEL OF CARRIAGE WAY IS MORE THAN 15M

THE EXECUTIVE ENGINEER,  
Tamilnadu Water Supply And Drainage Board,  
RWS Division,  
Sivagangai.



TOP OF THE ROAD

TOP OF SUBGRADE

3500MM

PROPOSED 1622mmØ CASING PIPE

PROPOSED 1422mmØ MS PIPE

(ACROSS@Km: 325/125)

Executive Engineer  
TWAD BOARD  
R.W.S. DIVISION  
Sivagangai

ENCLOSURE TO MINISTRY OF ROAD TRANSPORT & HIGHWAYS LETTER NO.RW/NH-33044/29/2015/S&R(R)(Pt). DATED 22.11.2016

TITLE:

FIGURE - 2 INSTALLATION OF RCC CASING PIPE FOR  
CROSSING THE ROAD TRENCH LESS (HDD METHOD)

APPLICANT:

*[Signature]*

THE EXECUTIVE ENGINEER,  
Tamilnadu Water Supply And Drainage Board,  
RWS Division,  
Sivagangai.

Government of India  
Ministry of Road Transport and Highways  
(Highway Administration Cell)  
Transport Bhavan, I, Parliament Street, New Delhi — 110 001  
No. NH-36094/01/2022-S&R(P&B) Dated: 17<sup>th</sup> April, 2023

To

1. The Chief Secretaries of all the State Governments/UTs
2. The Principal Secretaries/ Secretaries of all States/ UTS Public Works Department dealing with National Highways, other centrally sponsored schemes.
3. All Engineers-in-Chief and Chief Engineers of Public Works Department of States/ UTs dealing with National Highways, other Centrally Sponsored Schemes.
4. The Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi-110 010.
5. The Chairman, National Highways Authority of India, G-5 & 6, Sector-10, Dwarka, New Delhi-110 075.
6. The Managing Director, NHIDCL, PTI Building, New Delhi-110001
7. ROs, ELOs and PIUs of the MoRTH.

**Subject- Accommodation of Public and Industrial Utility Services along and across National Highways- Policy guidelines; Clarifications regarding OFC/Telecom cables.**

Sir,

Following amendments are issued herewith with reference to Ministry's policy circular no RW/NH-33044/29/2015-S&R(R) dated 22.11.2016 regarding permission for laying of underground OFC/telecom cables in NH ROW with immediate effect:


Clause	Existing provision	Amendments
3.1	The utility services shall be permitted to cross the National Highway either through structure or conduits specially built for that purpose. The casing / conduit pipe should, as minimum, extend from drain to drain in cuts and toe of slope to toe of slope in the fills and shall be designed in accordance with the provision of IRC and executed following the Specifications of the Ministry.	The utility services shall normally be permitted to cross the National Highway either through structure or conduits specially built for that purpose. The casing / conduit pipe should, as minimum, extend from drain to drain in cuts and toe of slope to toe of slope in the fills and shall be designed in accordance with the provision of IRC and executed following the Specifications of the Ministry. Alternatively, for crossing of NH by pipelines for petroleum products, Horizontal Directional Drilling (HDD) method may be used

		without casing/ conduit pipe following the safety precautions and Codes as given in Annexure II.
5.	<p><b>Charges for granting licence for use of highway land:</b> For the purpose of license fee/lease rentals, the utilities have been divided into two categories; i) Public utilities and b) Industrial utilities as per the details given in Annexure I.</p> <p>License Fee/lease rentals described below is for Industrial utilities. The license fee for Public utilities shall be 33% of the fee prescribed for Industrial utilities.</p>	<p><b>Charges for granting licence for use of highway land:</b> For the purpose of license fee/lease rentals, the utilities have been divided into two categories; i) Public utilities and b) Industrial utilities as per the details given in Annexure I.</p>
5.1	<p>The following methodology shall be followed for license fees/lease rental determination for utility service lines other than localized infrastructure facilities like towers, repeaters and junction boxes).</p> <p><b>License Fees (Rs/sq m/ month) = (Utilized NH land area X Prevailing Circle Rate of land per unit area) / (10 X 12) where,</b></p> <p>Utilized NH land area = Outer diameter/width of the concerned utility line X length</p>	<p>License Fee for Industrial Utilities shall be equal to utilized NH land area X Prevailing Circle Rate of land per unit area X 10% per annum.</p> <p>Utilized NH land area shall include projection of utility on ground including area of support system / tower.</p> <p>License fee for total term of license (up to maximum of 5 years) shall be deposited in advance.</p>
5.2	<p>The following methodology shall be followed for license fees/lease rental determination for utility services such as towers/repeaters junction boxes etc.</p> <p><b>License Fees (Rs/sq m/ month) = (Utilized NH land area X Prevailing Circle Rate of land per unit area) / (10 X 12) where,</b></p>	<p>License Fee for public utility shall be equal to utilized NH land area X Prevailing Circle Rate of land per unit area X 1.5% per annum, subject to minimum of Rs. 10,000/-, with 6% annual increment.</p> <p>Utilized NH land area shall include area of support system / tower but not include projection of utility on ground.</p>

Utilized NH land area = Projection of utility on the ground including area of support system/tower. However, for public utilities, area below the support system/tower shall only be charged.	There shall be no license fee for OFC cables crossing the NH through HDD method. License fee for total term of license (up to maximum of 5 years) shall be deposited in advance.
--	---

2. This issues with the approval of competent authority.

Yours faithfully


  
(Rakesh Prakash Singh)  
Superintending Engineer (HA)

Copy to:

1. AS/ JS/CEs in MoRTH
2. Director, IAHE
3. The Secretary General, Indian Roads Congress
4. Technical circular file of S&R(P&B) Section and Road Safety Engineering Cell
5. NIC-for uploading on Ministry's website under "What's new"

Copy for information to:

1. PS to Hon'ble Minister (RT&H)/ PS to Hon'ble MOS (RT&H)
2. Sr. PPS to Secretary (RT&H)/ Sr. PPS to AS(H)/ Sr. PPS to AS&FA
3. Sr. PPS to DG (RD) & SS/ Sr. PPS / PPS /PS to ADG-I/II/III/IV

  
(Rakesh Prakash Singh)  
Superintending Engineer (HA)

## **Annexure II**

### **A. Codes/ publications for guidance on design of Horizontal Directional Drilling crossing for Petroleum Pipelines**

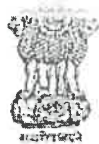
- a) Oil Industry Safety Directorate Code: IOSD Code-141.
- b) American Gas Association PR-227-9424 "Installation of Pipelines by Horizontal Directional Drilling an Engineering Design Guide".
- c) American Society of Civil Engineering Practice No.89 – "Pipeline Crossings Handbook".
- d) Directional Crossing Contractors Association publications "Guidelines for a Successful Directional Crossing Bid Package", "Directional Crossing Survey Standards" and "Guidelines for Successful Mid-Sized Directional Drilling Projects."

### **B. Safety precautions and plan to be submitted along with the proposal for HDD crossings:**

- a) Before taking up the HDD work, area to be scanned by suitable methods like GPR to locate all underground utilities. Accordingly, crossing plan and profile drawings to be developed showing all pipelines, utilities, cables and structures that cross the drill path, are parallel to and within 30m of the drill path and that are within 30m of the drilling operation, including mud pits and bore pits.
- b) Damage prevention plan to reduce or avoid the likelihood of damage to adjacent underground facilities, including pipelines, utilities, cables and other subsurface structures considering the accuracy of the method in locating existing structures and in tracking the position of the pilot string during drilling. Consideration should be given to having an auxiliary location system to include manual excavation to ensure that the drilling bit or reamer is following the projected path and does not encroach upon crossing or parallel lines. The damage prevention plan should include provision for sending notification to all affected parties.
- c) Safety plan to include contingency plans in the event the drilling string impacts subsurface facilities and identify facilities and resources to be utilized in the event of an emergency or any personnel injuries. The safety plan shall be reviewed on site with all construction personnel prior to the commencement of drilling operations.
- d) Plan for containment and disposal of drilling fluids, if used.
- e) Hydrostatic test plan that should consider pretesting of the fabricating string(s) prior to installing the crossing.
- f) Testing plan be agreed upon the measures like Cathodic protection, periodic inspection be outlined and Supplementary extra thickness of pipe be ensured to compensate for corrosion.
- g) Pipeline laying agencies to submit annual certificates of inspection after laying.

*cal*  
17/4/23





GOVERNMENT OF INDIA  
MINISTRY OF ROAD TRANSPORT & HIGHWAYS  
AN ISO 9001:2008 CERTIFIED MINISTRY

S&R(R) ZONE

IAHE Campus,  
A-5, Sector-62,  
Noida-201301.

F. No. RW/NH-33044/29/2015/S&R(R)

Dated: 22<sup>nd</sup> November, 2016

To,

1. The Chief Secretaries of all the State Governments/ UTs
2. The Principal Secretaries/ Secretaries of all States/ UTs Public Works Department dealing with National Highways, other centrally sponsored schemes.
3. All Engineers-in-Chief and Chief Engineers of Public Works Department of States/ UTs dealing with National Highways, other centrally sponsored schemes.
4. The Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi-110 010.
5. The Chairman, National Highways Authority of India, G-5 & 6, Sector-10, Dwarka, New Delhi-110 075.
6. The Managing Director, NHIDCL, PTI Building, New Delhi-110001

**Subject: Accommodation of Public and Industrial Utility Services along and across National Highways – Policy guidelines regarding.**

Sir,

The Government has realized that development of infrastructure across the Country on a sustainable and integrated manner continues to be an imperative for improving the state of economy, enhancing quality of life of the citizens and ensuring equitable development throughout the country.

Land being among the most precious of natural resources available; optimum utilization of land shall play a critical role in integrated development of infrastructure. One of the ways to effect such optimum utilization is leveraging land within National Highway (NH) Right of Way (ROW) for laying utility services. This may be achieved through granting permissions for laying utility services along and /or across the ROW. However, environment and safety of the road users are the prime factors in deciding permission for utility services. Permission may be denied, if it is not feasible to ensure safety and environment through requisite safeguards. The Administration of ROW, has been defined in the National Highway Land and traffic Control Act 2002 and relevant Rules 2004.

Keeping in view the need for consistency and clarity, in supersession of all the instructions contained in the earlier previous circulars on the subject, following guidelines shall apply for accommodation of Utility Services along and across National Highways.

**2. Laying of Utility Services along the National Highways:**

- 2.1 There shall be a provision for utility ducts for appropriate categories/combination of utilities in the construction of new/4-6 laning of National Highways. The ducts shall be located at appropriate location preferably as close to the extreme edge of ROW.
- 2.2 Utility services shall be laid in the utility ducts, if provided for the purpose.
- 2.3 In stretches where utility ducts have not been provided, the utility services shall be located, beyond the toe line of the embankment and drains, as close to the extreme edge of the RoW as possible. While granting permission, requirement of up-gradation also needs to be kept in view.

*Mamij Kumar*

2.4 It is to be ensured that at no time there is interference with the drainage of the road land and maintenance of the National Highways. Towards this, the top of the utility services shall be at least 0.6 m above the ground level.

2.5 No utility service shall be laid over existing culverts and bridges except through the utility ducts where such provision exists. In case of absence of such provisions, the Licensee shall make his own arrangement for crossing of cross drainage structure, rivers, etc. below the bed.

2.6 In exceptional cases, where ROW is restricted the utility services can be allowed beneath the carriageway of service road, subject to the condition that the utility services be laid in concrete ducts, which will be designed to carry traffic on top. The width of the duct in such case shall not be less than one lane. In such cases, it also needs to be ensured that maintenance of the utility services shall not interfere with the safe and smooth flow of traffic. The cost of operation and maintenance will have to be borne by the Licensee as per the agreement.

### 3. Laying of Utility Services across the National Highway:

3.1 The utility services shall be permitted to cross the National Highway either through structure or conduits specially built for that purpose. The casing / conduit pipe should, as minimum, extend from drain to drain in cuts and toe of slope to toe of slope in the fills and shall be designed in accordance with the provision of IRC and executed following the Specifications of the Ministry.

3.2 Existing drainage structures shall not be allowed to carry the lines across.

3.3 The utility services shall cross the National Highway preferably on a line normal to it or as nearly so as practicable.

3.4 The casing/conduit pipe may be installed under the road embankment either by boring or digging a trench. Installation by boring method shall be preferred.

3.5 In case of trenching, the sides of the trench should be done as nearly vertical as possible. The trench width should be at least 30 cm wider, (but not more than 60 cm wider), than the outer diameter of the utility pipe. Filling of the trench shall conform to the specifications contained here-in-below or as supplied by the Highway Authority.

3.5.1 Bedding shall be to a depth not less than 30 cm. It shall consist of granular material, free of lumps, clods and cobbles, and graded to yield a firm surface without sudden change in the bearing value. Unsuitable soil and rock edges should be excavated and replaced by selected material.

3.5.2 The backfill shall be completed in two stages (i) Side-fill to the level of the top of the pipe (ii) Overfill to the bottom of the road crust.

3.5.3 The side fill shall consist of granular material laid in 15 cm. Layers each consolidated by mechanical tamping and controlled addition of moisture to 95% of the modified Proctor's density. Overfill shall be compacted to the same density as the material that had been removed. Consolidation by saturation or ponding will not be permitted.

3.5.4 The road crust shall be built to the same strength as the existing crust on either side of the trench or to thickness and specifications stipulated by the Highway Authority.

3.6 When utilities are allowed overhead, the horizontal and vertical clearance in accordance with the IRC shall be maintained.

4. Procedure for processing application for granting permission for use of highway land: Any person who intends to obtain permission shall make an application online in the prescribed form to Highway Administration or an officer authorized by Highway Administration on his behalf. The application must mention details the various safety clearances from the respective authorities such as Directorate of Electricity, Chief Controller of Explosives, Petroleum and Explosives Safety Organization, Oil Industry Safety

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Directorate, State/Central Pollution Control Board and any other statutory clearances as applicable, which must be obtained by the Applicant before applying to the Highway Administration.

The application shall be put out in the public domain for 30 days for seeking claims and objections (on grounds of public inconvenience, safety and general public interest). The permission for laying utility services is to be normally granted within 30 days from the day of closure of public objections and claims. If no communication is received from the Highway Administration within 30 days from the day of closure of public objections and claims, the permission shall be deemed to be granted. The initial permission would be valid for a maximum of 5 years at a time, which can thereafter be considered for renewal. On payment of additional fee at the time of renewal, the permission shall automatically be renewed, unless defaults exist. In case of renewal, rate prevailing at the time of renewal shall be charged.

**5. Charges for granting licence for use of highway land:** For the purpose of license fee/lease rentals, the utilities have been divided into two categories; i) Public utilities and b) Industrial utilities as per the details given in Annexure I.

License Fee/lease rentals described below is for Industrial utilities. The license fee for Public utilities shall be 33% of the fee prescribed for Industrial utilities.

5.1 The following methodology shall be followed for license fees/lease rental determination for utility service lines other than localized infrastructure facilities like towers, repeaters and junction boxes).

**License Fees (Rs/sq m/ month) = (Utilized NH land area X prevailing Circle Rate of land per unit area) / (10 x 12) where,**

Utilized NH land area = Outer diameter/width of the concerned utility line X length

5.2 The following methodology shall be followed for license fees/lease rental determination for utility services such as towers/repeaters/ junction boxes etc.

**License Fees (Rs/sq m/ month) = (Utilized NH land area X prevailing Circle Rate of land per unit area) / (10 x 12) where,**

Utilized NH land area = Projection of utility on the ground including area of support system/tower

However, for public utilities, area below the support system/tower shall only be charged.

5.3 Fee shall have to be paid in advance for the period for which permission is granted. In case of renewal, rate prevailing at the time of renewal shall be charged. Delay in deposition of fee shall attract interest @ 15% per annum compounded annually.

5.4 A system to redress grievances and to consider relaxation from the guidelines, in exceptional cases, shall be notified separately and shall be effective from the date of notification.

6. All required restoration, maintenance work subsequent to laying of utility services shall be required to be undertaken by the Licensee at its cost either by itself or through its authorized representative in consultation with the Authority as per predetermined time schedule and quality standards. To process for the granting of permission and prior to signing of Lease agreement, a Performance Bank Guarantee for an amount based on per route metre with a validity of one year initially, in the prescribed format (extendable if required till satisfactory completion of work) shall have to be furnished by the utility service provider/ Licensee, as a security against improper restoration of ground in terms of

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filling/unsatisfactory compaction damages caused to other underground installations/utility services & interference, interruption, disruption or failure caused thereof to any services etc.; Utility services such as pipes etc (rate in per sq m)

provided in the ducts already provided

≤ 300 mm dia/width

> 300 mm dia/width but ≤ 1000 mm

> 1000 mm

Utility services such as towers etc (rate in Rs per sq m)

Rs 50

Rs 100

Rs 250

Rs 500

Rs 100

In case the Licensee fails to discharge the obligation of making good of the excavated trench/other restoration work, the Authority shall have a right to make good the damages caused by excavation, at the cost of the Licensee and recover the amount by forfeiture of the Bank Guarantee. In case, the Performance Bank Guarantee is invoked as mentioned above, the Licensee shall be required to replenish and reinstate the required Performance Bank Guarantee within one month of such invoking.

Notwithstanding this, the Licensee shall be liable to pay full compensation to the aggrieved Authority/ its designated agency for any damage sustained by them by reason of the exercise of the RoW facility.

7. The Authority shall enter into a License Agreement with the respective utility service provider in the format enclosed (Appendix) including any other conditions imposed by Highway Administration, to ensure safe and uninterrupted flow of traffic. Post signing of the agreement, the utility service provider shall be designated as 'Licensee' for the purpose of this project and will be authorized to install and operate utility services within the NH RoW. However, utility services shall be made operational by the Licensee only after a completion certificate to the effect is issued by the Highway Administration.

Encls: As above.

*Manoj Kumar*

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Executive Engineer(NFSG) (S,R&T) (Roads)  
For Director General (Road Development) & SS

Copy to:

1. All Technical Officers in the Ministry of Road Transport & Highways
2. All ROs and ELOs of the Ministry
3. The Secretary General, Indian Roads Congress
4. The Director, IAHE
5. Technical circular file of S&R (R) Section
6. NIC-for uploading on Ministry's website under "What's new"

Copy for kind information to:

7. PS to Hon'ble Minister (RTH&S)
8. PS to Hon'ble MOS (RTH&S)
9. Sr. PPS to Secretary (RT&H)
10. PPS to DG (RD) & SS
11. PPS to SS&FA
12. PS to ADG-I/ ADG-II
13. PS to JS (T)/ JS (H)/ JS (LA&C)/ JS (EIC)

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## PUBLIC UTILITY PROVIDER AND INDUSTRIAL INFRASTRUCTURE

**A. Public Utility Provider**

A **Public Utility Provider** in context of this Guideline shall mean any organization that provides and maintains the infrastructure for a public service like electricity, gas, water supply, telecom cables and sewage disposal subject to applicable regulation.

**B. Eligible activities for Industrial Units or 'Industrial Infrastructure'**

**Industrial Infrastructure** in context of this Guideline shall mean any physical infrastructure that is required to facilitate industrial operations and is constructed, operated and maintained along/across Right of Way of National Highways. Such infrastructure shall include the following:

- a. Underground & above ground pipelines including provisions for booster pumping facilities, maintenance bays and other required support infrastructure for transport of legally permitted materials for industrial usage by a business entity having valid license for industrial operations.
- b. Conveyor Belts including provisions for maintenance bays and other required support infrastructure for transport of legally permitted materials, by a business entity having valid license for industrial operations.
- c. Power cables/wires etc. meant for industrial usage by a business entity having valid license for industrial operations.
- d. Any other such associated industrial infrastructure facility.