

No RW/NH-29011/01/2020-S&R(P&B)
Government of India
Ministry of Road Transport & Highways
(Road Safety Engineering Zone)
Transport Bhawan, 1, Parliament Street, New Delhi-110001

New Delhi dated the 09th November 2020

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 - 110010.
5. The Chairman, National Highways Authority of India, G-5 & 6, Sector-10, Dwarka, New Delhi - 110075.
6. The Managing Director, NHIDCL, PTI Building, New Delhi-110001.
7. All CE-ROs, ROs and ELOs of the Ministry.

Subject: All stage Road Safety Audit through Independent Road Safety Experts of Independent Engineer/Authority Engineer and/or Road Safety Experts engaged by Authority (Ministry/NHAI/PWD)

Ministry and its executing agencies follow standard bidding documents of (i) FIDIC base Item Rate Bid (ITB) Contracts, (ii) Engineering Procurement Contract (EPC), (iii) Hybrid Annuity Mode Concession Agreement and (iv) BOT (Toll/Annuity) Concession Agreements. While (i) and (ii) are financed through 100% budget provisions, (iii) and (iv) are financed with investment models of Debt/Equity with investment recovery through toll or Annuity receipts.

2) While, all the above model contracts have provisions to make the contractor/concessionaire responsible for safety auditing at design stage, during construction, while opening to traffic and during operations; the provisions for appointment of Safety Auditor by Contractor is made in the Model EPC documents. However, that is made with the rider of getting the name approved from the Contract

Authority by providing suitable alternatives. This provision is made to ensure safety compliances where the contractor is to deliver at a fixed price and own all responsibilities of successful project. This provision do not relieve Authority and its Supervision Engineer (Authority Engineer) to do the safety audits at its levels for verifications of compliances.

3) All of the above model contracts provide for comprehensive safety audit of completed highway facility by the Authority and its Authority Engineer at the time of granting approval for opening road to traffic/proceeding commercial operations.

4) In view of the above, it may be said that although the necessary provisioning to ensure all stage safety audit have already been made, However, in order to avoid any conflict of interest in this matter, the competent authority has approved and directed to ensure all stages road safety audits done through Independent Road Safety Experts of Independent Engineer/Authority Engineer and/or Road Safety Experts engaged by Authority (Ministry/NHAI/PWD).

5) This issues with the approval of Competent Authority.

Yours faithfully



(Dhan Veer Sahu)

Executive Engineer (Road Safety)

Copy to:

1. All CEs in the Ministry of Road Transport & Highways
2. The Secretary General, Indian Road Congress
3. Technical circular file of Road Safety Engineering Section
4. NIC - for uploading on Ministry's website under "What's new"

Copy for kind information to:

1. Sr. PPS to Secretary (RT&H)
2. PPS to DG (RD) & SS
3. PPS to AS&FA
4. PS to ADG-I
5. PS to JS(T)/ JS(H)/ JS(LA&C)/ JS(EIC)