



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
2nd & 3rd 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 ई-मेल / E-mail : romadurai@nhai.org



NHAI/15018/4.4/18/2023/RO Madurai/E:218654 / 2025

23rd October, 2023

INVITATION OF PUBLIC COMMENTS

विषय: भाराराप्रा - क्षे.का. मदुरै- पकाई, तंजावुर - TWAD Board Maintenance Division Nagapattinam under CWSS to 980 Habs in Nagapattinam District -Proposal for laying the underground water pipe line along the road from Km 111/534 to Km 111/545 (LHS), from Km 111/534 to Km 111/560 (RHS), from Km 138/500 to Km 138/763 (LHS), from Km 138/500 to Km 138/748 (RHS) and Across the road at Km 111/534, Km 138/500 in the project Stretch of Sethiyathope - Cholapuram Thanjavur section of NH-45C (new No.36) - Invitation of Public Comments - Reg.

प्रसंग: PD, Thanjavur-Lr.No- NHAI/PIU/Thanj/11021/112/CWSS-980/2023/3034 dated 19.10.2023.

The proposal received from PD, Thanjavur vide Lr. No- NHAI/PIU/Thanj/11021/112/CWSS-980/2023/3034 dated 19.10.2023 there by requesting permission for laying of water pipe line along the road from Km 111/534 to Km 111/545 (LHS), from Km 111/534 to Km 111/560 (RHS), from Km 138/500 to Km 138/763 (LHS), from Km 138/500 to Km 138/748 (RHS) and Across the road at Km 111/534, Km 138/500 in the project Stretch of Sethiyathope - Cholapuram Thanjavur section of NH-45C (new No.36) in the state of Tamil Nadu as proposed by Executive Engineer, TWAD Maintenance Division Nagapattinam.

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.

महेन्द्र मीना
23/10/23

महेन्द्र 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, Thanjavur- for information.

**PROPOSAL FOR GRANT OF RIGHT OF WAY PERMISSION FOR LAYING THE
UNDER GROUND WATER PIPE LINE ALONG THE NH 45C (NEW NO. NH 36)
FROM KM 111/534 TO 111/545 (LHS), FROM KM 111/534 TO KM 111/560 (RHS),
FROM KM 138/500 TO KM 138/763 (LHS), FROM KM 138/500 TO KM 138/748 (RHS)
AND
CROSSINGS AT KM 111/534 AND AT KM 138/500
(VIKRAVANDI TO THANJAVUR SECTION)
THANJAVUR DISTRICT, TAMIL NADU
(AS PER DETAILS ENCLOSED)**

Submitted to



**THE PROJECT DIRECTOR
NATIONAL HIGHWAYS AUTHORITY OF INDIA
PROJECT IMPLEMENTATION UNIT
THANJAVUR
TAMIL NADU**

Applicant



**THE EXECUTIVE EGINEER
TWAD BOARD,
MAINTANANCE DIVISION,
NAGAPATTINAM**



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)
National Highways Authority of India

(Ministry of Road, Transport & Highways, Government of India)
Office of the Project Director, Project Implementation Unit,
No. 54, Natarajapuram North Colony,
Medical College Road, Thanjavur - 613 004, Tamilnadu.
टेलीफोन / Telephone : 04362 - 246473, 241777
ई-मेल / E-mail : tanjavor@nhai.org, tanjavor_nhai@yahoo.co.in
वेब / Web: www.nhai.gov.in



No.NHAI/PIU/Thanj/11021/112/CWSS-980/2023/2698 Dated.18.09.2023

To

The Executive Engineer
TWAD Board (Maintenance Division)
Nagapattinam District

Sub: National Highways Authority of India-PIU-Thanjavur- TWAD Board Maintenance Division Nagapattinam under CWSS to 980 Habs in Nagapattinam District - Proposal for laying the underground water pipe line Across the road at Km 111/550, Km 138/761 in the project Stretch of Cholapuram Thanjavur section of NH-45C (new No.36) - Proposal Returned - Reg.

- Ref: 1. MORTH Online Reference No. 20230804/1/5/19652/3305 Dated 04.08.2023
2. EE, TWAD Maintenance Division Nagapattinam Lr.No.Line Dept/CWSS-980/ Nagai/DO/ 2023 Dated 07.08.2023
3. This office Lr.No.NHAI/PIU/Thanj/11021/112/CWSS-980/2023/2252 Dated 08.08.2023
4. M/s.Theme Lr.No.Theme/NHAI/Cho-Tnjr/Ath/0823/1096 Dated 17.08.2023
5. This office Lr.No.No.NHAI/PIU/Thanj/11021/112/CWSS-980/2023/2379 Dt.21.08.2023
6. RO Madurai E.file No.218654 Dated 15.09.2023

Sir,

The proposal for Permission to lay underground Water Supply pipe line under CWSS to 980 Habs in Nagapattinam District - Proposal for laying the underground water pipe line Across the road at Km 111/550, Km 138/761 in the project Stretch of Cholapuram Thanjavur section of NH-45C (new No.36) in the limits of National Highways received from the Executive Engineer, TWAD Maintenance Division Nagapattinam vide reference 1stcited & 2nd cited. The above proposals were recommended and submitted for according approval by the competent authority vide this office reference 5th cited.

Vide reference 6th cited the proposals were examined at Regional Officer, Madurai and the following observations as shown below:

- It is observed that crossing of pipe line is proposed at Chainage Km.138/761 which is underneath of the VUP which may affect the safety and stability of the structure apart from safety hazards to road user. Hence, alternative methods/locations for laying of pipeline may be explored.
- It is observed that crossing of pipe line is proposed at Chainage Km.111/565 which is adjacent to minor bridge which may affect the safety and stability of the structure. Hence, alternative methods/locations for laying of pipeline may be explored.

Regional Office : Vijay Krishna Plaza, 2nd & 3rd Floor, No.1, Lake Area, Melur Main Road,
Mattuthavani, Madurai - 625 007. Tel : 0452 - 2588999
Corporate Office : G-5 & 6, Sector - 10 Dwarka, New Delhi - 110 075. Tel. : 011 - 25074100 / 200

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CHECK-LIST

Minsitry's Guidelines Vide Circular No. RW/NH-33044/29/2015S&R(R) dated 22.11.2016

S.NO	ITEM	Information /Status	Remarks
1	General Information	Proposal for laying the underground water pipe line across the NH 45C (New no. NH 36) from km 111/534 to Km 111/545 (LHS), from km 111/534 to km 111/560 (RHS), from km 138/500 to km 138/763 (LHS), from km 138/500 to km 138/748 (RHS) and Crossings at km 111/534 and at km 138/500 in Thanjavur District, Tamil Nadu under Jal Jeevan Mission 2022	
1.1	Name and address of the applicant	Registered Office: The Executive Engineer, TWAD Board, Maintenance Division Nagapattinam	
1.2	National Highway Number	NH-45C (New No. NH – 36)	
1.3	State	Tamil Nadu	
1.4	Location	As mentioned in the schedule.	
1.5	(Chainage in KM)	As mentioned in the schedule	
1.6	Length in Meters	LHS – 274m, RHS – 274m	
1.7	Width in Meters		
	a. Left side from center line towards increasing chainage/Km direction	As per Drawing attached.	
	b. Right side from center line towards increasing chainage/Km	As per Drawing attached.	
1.8	Proposal to lay the Under Ground Water Pipeline		
	a. Left side from center line towards increasing chainage/KM direction	As per Drawing attached.	
	b. Right side form center line towards increasing chainage/km direction	As per Drawing attached.	

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1.9	Proposal to acquire land	Not Applicable	
	a. Left side from the center line	Not Applicable	
	b. Right side from the center line	Not Applicable	
1.10	Whether proposal is in the same side where land is not be acquired. If not then, where to lay the pipeline	Yes	
1.11	Details of already laid service, if any, along the proposed route.	No cable/pipeline visible	
1.12	Number of existing lanes. (2/4/6/8 lanes)	4	
1.13	Proposed number of lanes (2 lane with paved shoulders/4/6/8 lanes)	-	
1.14	Service road existing or not if yes then which side	Yes, Both sides.	
	a. Left side from center line	As per Drawing attached.	
	b. Right side from center line	As per Drawing attached.	
1.15	Proposed service road	No	
	a. Left side from center line	Not Applicable	
	b. Right side from center line	Not Applicable	
1.16	Whether proposal to lay Under Ground Water Pipeline is after the service road or between the service road and main carriage way	Not Applicable	
1.17	Whether carrying of sewage / Under Ground Water Pipeline has been proposed on Highway bridges. If yes, then mention the methodology proposed for the same.	No	
1.18	Whether carrying of sewer / Under Ground Water Pipeline has been proposed on the parapet/any part of the bridge. If yes, then mention the methodology proposed for the same.	No	


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1.19	If crossing of the road involved 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 owing the line.	Yes, encased in MS casing pipe.	
	a) Whether existing drainage structures are allowed to carry sewage/ Under Ground Water Pipeline.	No	
	b) Is it on a line normal to NH	Yes	
	c) What is the distance of crossing the sewage / Under Ground Water Pipeline? Crossings shall not be too near the existing structures on the National Highway, the minimum distance being 15 meter.	More than 15m	
	d) The casing pipe (or conduit pipe in the case of electric cable) 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. Mention type of casing	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 shall be sealed from the outside, so that it does not act as a drainage path.	Yes	
	g) The top of the casing / conduit pipe should be at least 1.2 meter below the surface of the road subject to being at least 0.3m below the drain inverts. Mention the proposed details.	Yes	


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S.NO	ITEM	Information /Status	Remarks
	h) Mention the methodology proposed for crossing of road for the proposed Sewage/Gas pipeline. Crossing shall be by boring method (HDD) (Trenchless Technology), specially, where the existing road pavement is of cement concrete or dense bituminous concrete type.	BY HDD method as shown in the drawing.	
	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 water way along it.	Yes	
2	Document/ Drawings enclosed with the proposal	Yes	
2.1	Cross section showing the size of trench for open trenching method (is it of normal size of 1.2m deep x 1m wide) i) Should not be greater than 60cm wider than the outer diameter of the pipe. ii) Located as close to the extreme edge of the right of way as possible but not less than 15 meter from the center lines of the nearest carriage way. 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. 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 road land.	NA	
2.2	Cross section showing the size of pit at location of Under Ground Water Pipeline for HDD method	Drawing Enclosed	
2.3	Strip plan/ Route plan showing the pipe, chainage, width to ROW distance of proposed Under Ground Water Pipeline from the edge of ROW, importance mile stone interaction cross drainage works etc.	Yes, Enclosed	


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S.NO	ITEM	Information /Status	Remarks
2.4	Methodology for laying of Under Ground Water Pipeline	HDD method	
2.4.1	Open trenching method, (May be allowed in utility corridor only where pavement is neither cement concrete nr 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 other outer diameter of the pipe	Yes	
	b) For filling of the trench, bedding shall to be a depth of not less than 30 cm. It shall consists of granular material, free of lumps, clods and cobbles and graded to yield 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 control 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 are ponding will not be permitted.	Yes	
	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.	Yes	
	f) The excavation shall be protected by flagman, signs and barricades, and red lights during night hours.	Yes	


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S.NO	ITEM	Information /Status	Remarks
	g) If required, diversions shall be constructed at the expense of agency owning the utility line.	Will be followed	
2.4.2	Horizontal Directional Drilling (HDD) method	Yes	
2.4.3	Laying of Under Ground Water Pipeline through CD works and method of laying. In cases where the carrying of gas pipe line on the bridge becomes inescapable.	Yes	
3	Draft license agreement signed by two witnesses	Yes, enclosed with proposal	
4	Performance Bank Guarantee in favour of NHAI has to be obtained @ Rs50/- per running meter (parallel to NH) and Rs. 1,00,000/- 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 pipelines/ducts 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. No payment shall be payable by the NHAI to the licensee for clearing debris/loose earth.	An undertaking furnished	
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		
5.1	Not damage to then utility, if damaged then to pay the losses either to NHAI or to the concerned agency	Yes, Enclosed.	
5.2	Renewal of Bank Guarantee	Will be done if necessary	
5.3	Confirming all standard condition of NHAI or to the concerned agency	Yes, enclosed	
5.4	Shifting of Pipeline as and when required by NHAI at their own cost	Yes, enclosed	


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S.NO	ITEM	Information /Status	Remarks
5.5	Shifting due to 4 laning widening of NH	Yes, enclosed	
5.6	Indemnity against all damages and claims clause (xxiv)	Yes, Enclosed	
5.7	Traffic movement during laying of cable to be managed by the applicant	Yes, enclosed	
5.8	If any claim is raised by the Concessionaire then the same has to be paid by the applicant	Yes	
5.9	Prior approval of the NH shall be obtained before undertaking any work of installation, shifting of repair or alteration to the underground utilities located in the NH right of ways.	Yes	
5.10	Expenditure, if any, incurred by NHA for repairing any damage caused to the National Highway by the laying, maintenance or shifting of the Under Ground Water Pipeline will be borne by the agency owning the line.	Yes	
5.11	If the NHA 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 NHA at the cost of the agency owning the utility line within a reasonable time (not exceeded 60 days) of the intimation given.	Yes	
5.12	Certificate from the applicant in the following format. (i) Laying of Under Ground Water Pipeline will not have any deleterious effects on any of the bridge components and roadway safety for traffic. (ii) For 6-lanning "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 NHA for future 6-lanning or any other development"	Yes	


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S.NO	ITEM	Information /Status	Remarks
6	Who will sign the agreement on behalf of Under Ground Water Pipeline agency	The Executive Engineer, TWAD Board, Maintenance Division, Nagapattinam.	
7	Certificate from the project Director	Yes	
7.1	Certificate for confirming of all standard condition issued vide 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-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 & RW-NH/33024/29/2015/ S&R(R) dt. 22.11.2016	Yes	
7.2	Certificate from PD in the following format	Yes	
	<p>(i) "It is certified that any other location of the Under Ground Water Pipeline would be extremely difficult and unreasonable costly and the installation of pipeline within ROW will not adversely affect the design, stability & traffic safety of thee highway nor the likely future improvement such as widening of the carriageway, easing of curve etc."</p> <p>(ii) For 4- lanning</p> <p>a) Where feasibility is available do certify that there will be no hindrances to proposed for lanning 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 4 lanning</p>	Yes	


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S.NO	ITEM	Information /Status	Remarks
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 pipeline/cable/duct has also been granted as a right of way to the concessionaire under the concession agreement for up-gradation of [.....section from Km to Kmof NHAI No. On BOT basis] and therefore, the licensee shall honor the same"	NA	
9	Who will supervise the work of laying of Under Ground Water Pipeline	Consultants and relevant field Officers of NHAI.	
	a) On behalf of the Applicant	The Executive Engineer, TWAD Board, Maintenance Division, Nagapattinam.	
	b) On behalf of MoRTH/NHAI		
10	Who will ensure that the defects in road portion after laying of Under Ground Water Pipeline are corrected and if not corrected than what action will be taken.	Project Director, NHAI. BG will be enclosed. Claim amount will be determined according to the nature and seriousness of damages.	
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 Project Director that he will enter the proposed permission in the register of records of the permission in the prescribed Performa (copy enclose).	Yes	
13	If any previous approval is accorded for laying of pipeline/cable then photocopy of register of records of permission accorded as maintained by DE then copy be enclosed	Yes	


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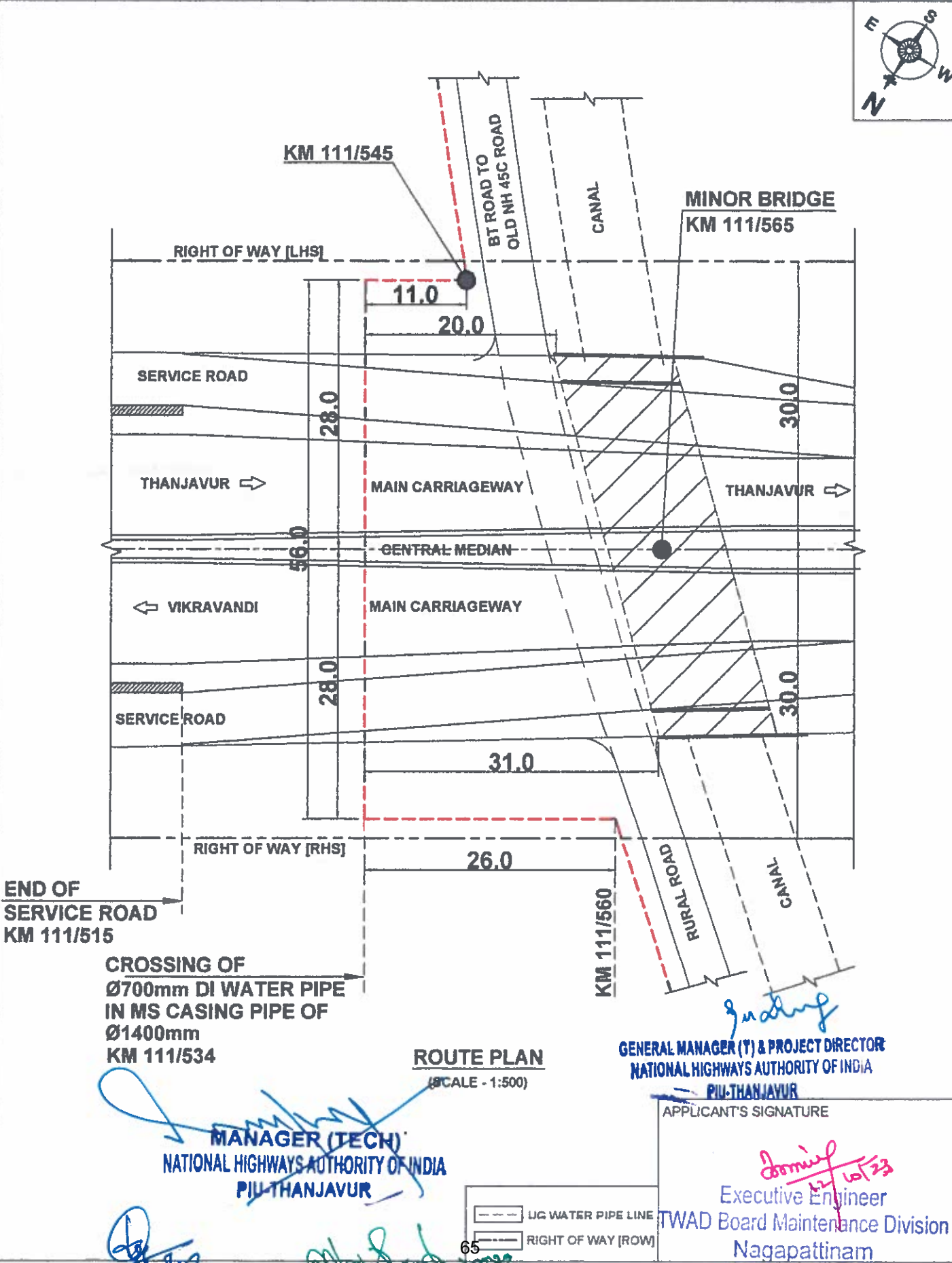

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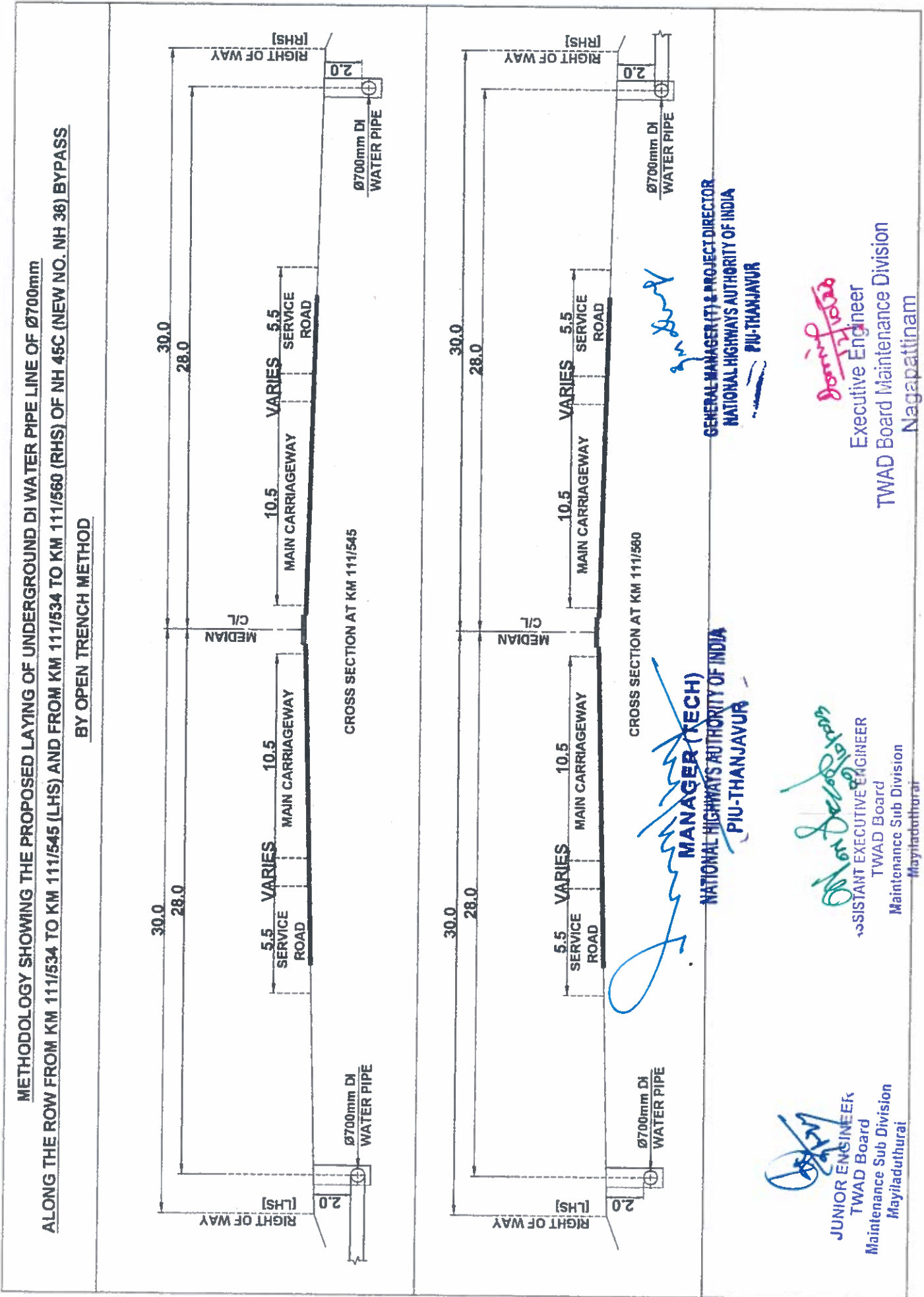

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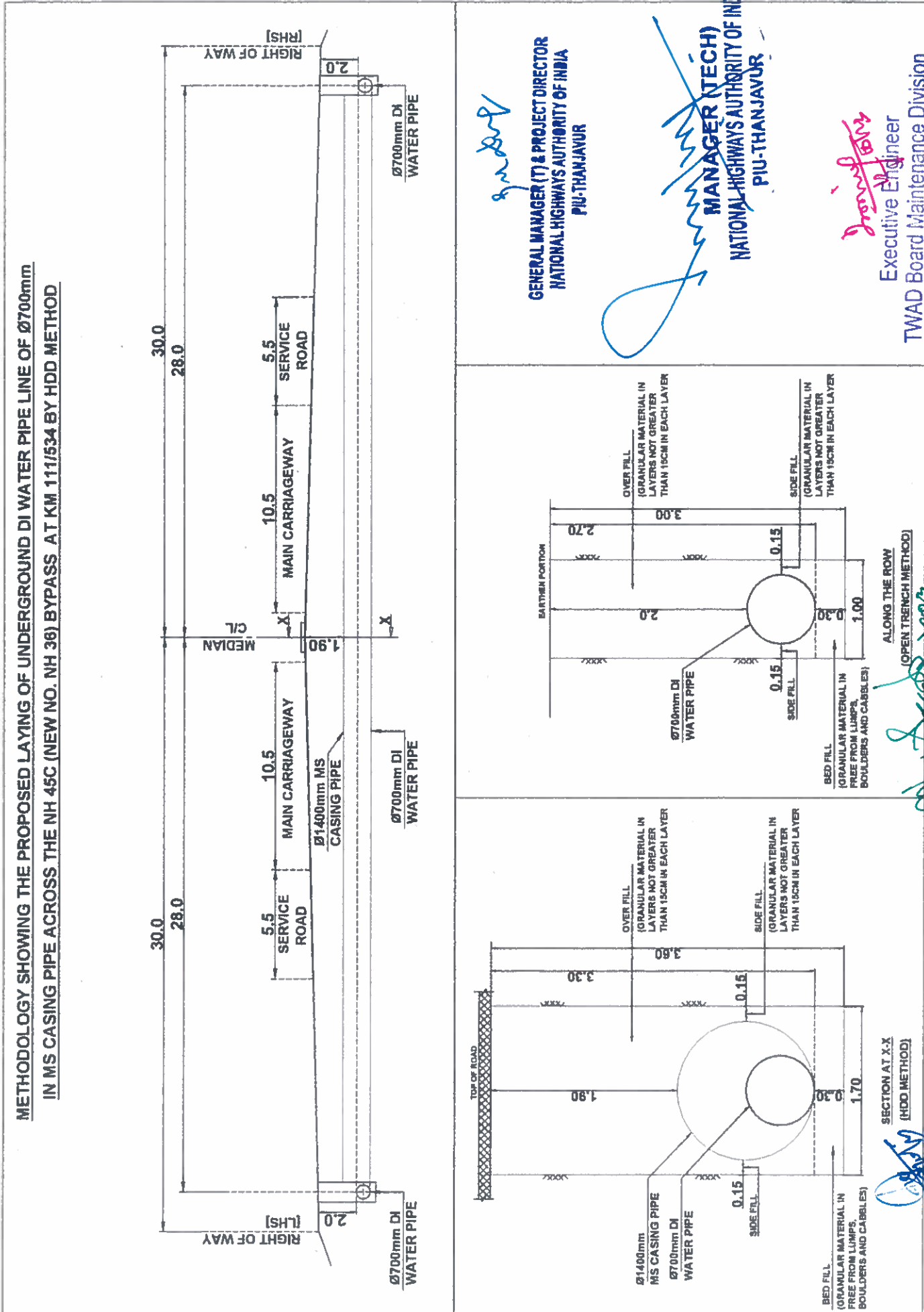

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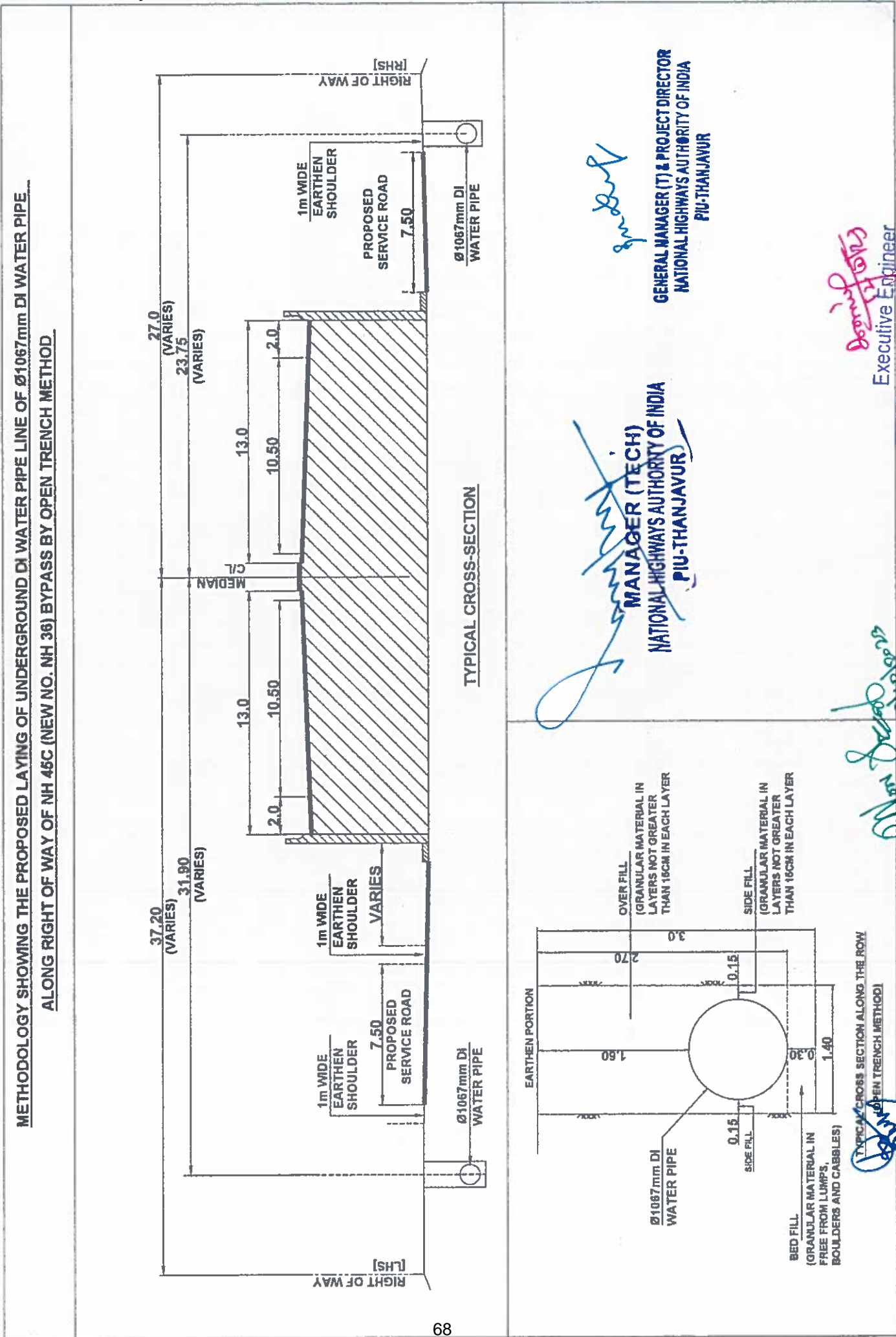

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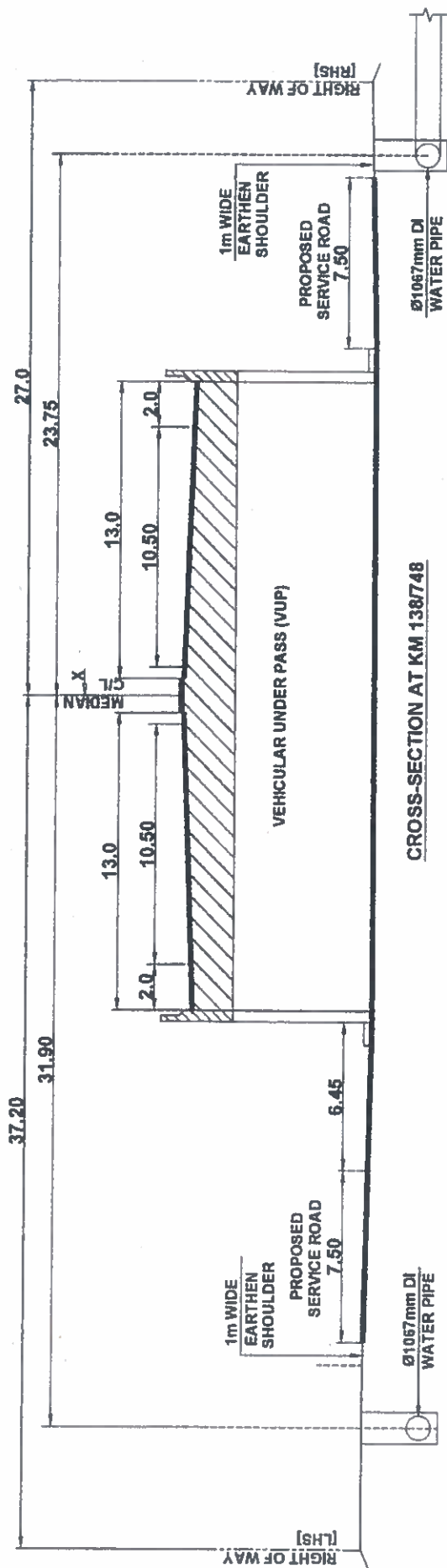
ROUTE PLAN SHOWING THE PROPOSED LAYING OF Ø700 DI UNDERGROUND WATER PIPE LINE ALONG THE RIGHT OF WAY OF NH 45C (NEW NO. NH 36) BYPASS FROM KM 111/534 TO KM 111/545 ON LHS FROM KM 111/534 TO KM 111/560 ON RHS, BY OPEN TRENCH METHOD AND CROSSING AT KM 111/534 IN MS CASING PIPE OF Ø 1400mm BY HDD METHOD (VIKRAVANDI TO THANJAVUR SECTION) IN THANJAVUR DISTRICT, TAMIL NADU



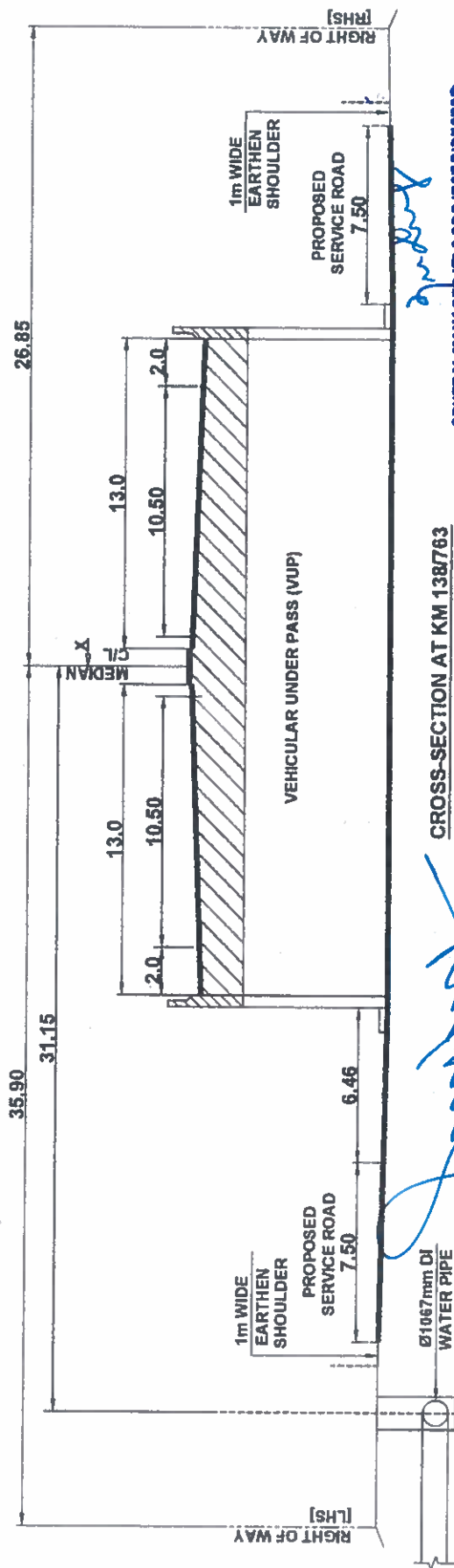








CROSS-SECTION AT KM 138.748



CROSS-SECTION AT KM 138.763

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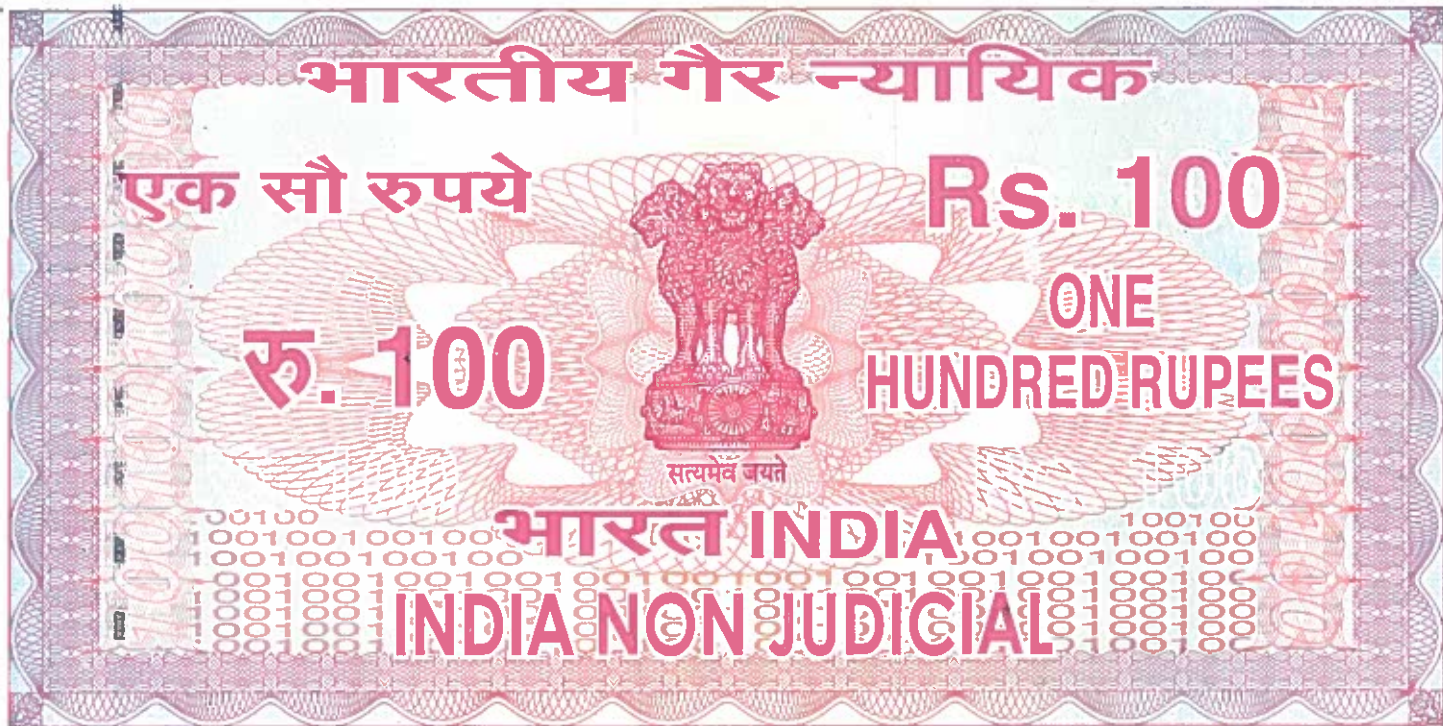
Assistant Executive Engineer

**TWAD Board
Maintenance Sub Division
Mayiladuthurai**

Executive Engineer
TWAD Board Maintenance Division
Negapattinam

~~Nagapattinam~~

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தமிழ்நாடு தமில்நாடு TAMILNADU 12.10.2023

Executive Engineer, TWAD Board,
Maintenance Division, Nagapattinam

DE 552349
த.மாரியப்பன்
தப. கோ. தஞ்சாவூர்
ச.ந.ல. L. No. 1/2011
ச.59, யாதவத் தெரு
நாகப்பட்டினம்
செல்: 9360357195

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

Agreement to lay the Under Ground water pipe line along the Right of Way of NH 45C (New No. NH 36) from km 111/534 to 111/545 (LHS), from km 111/534 to km 111/560 (RHS), from km 138/500 to km 138/763 (LHS), from km 138/500 to km 138/748 (RHS) by Open Trench method and Crossings at km 111/534 and at km 138/500 by HDD method in Thanjavur District, Tamil Nadu.

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,

And

Executive Engineer, Maintenance Division, Nagapattinam, Tamil Nadu (hereafter called the "licensee") which expression shall unless excluded by repugnant to the context, include his successors / administrator assignees of the second part.

Signature
Executive Engineer
TWAD Board Maintenance Division
Nagapattinam

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Whereas the Authority is responsible, inter-alia, for development and maintenance of lands from km 111/534 to 111/545 (LHS), from km 111/534 to km 111/560 (RHS), from km 138/500 to km 138/763 (LHS), from km 138/500 to km 138/748 (RHS) in Thanjavur District, Tamil Nadu.


Whereas the Licensee proposes to lay Water Pipe line referred to as utility services in subsequent paras.

Whereas the Licensee has applied to the Authority for permission to lay utility services along the RoW from km 111/534 to 111/545 (LHS), from km 111/534 to km 111/560 (RHS), from km 138/500 to km 138/763 (LHS), from km 138/500 to km 138/748 (RHS) and Crossings at km 111/534 and at km 138/500 in Thanjavur District, Tamil Nadu.

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 permission 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 fulfillment 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 License 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 License fee shall become payable from the date of handing over of RoW land to the Licensee, for laying of 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 2.00m 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 casing / conduit pipe containing the utility services to cross the road shall be least 1.2m below the top of the sub grade or the existing ground level whichever is lower, subject to being at lease 0.3m below the drain inverts. A typical sketch showing the clearances is given in Attachment - I


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14. The utility services shall cross the National Highway preferable on a line normal to it or as nearly so as practicable.
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 30 cm. but not more than 60 cms 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.
 - a. 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.
 - b. 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.
 - c. 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 had been removed. Consolidation by saturation or ponding will not be permitted.
 - d. 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 to any services etc. 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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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 License 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 or the road for crossing highway, and other roads and try to carry out the work by trenches technology. In case any damage is caused to the road pavement in the 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 authorized 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 in laid and trenches filled up before the close of the work that day. Filling should be completed to the satisfaction of 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 the period 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 land/ 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 indefeasible 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 service 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 specification 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 anytime 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 cancellation not 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 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, take account of :
- a. operation, repair and maintenance guidelines given by 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 conditions 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.



Executive Engineer
TWAD Board Maintenance Division
Nagapattinam

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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.


Executive Engineer
BY SHRI TWAD Board Maintenance Division
(Signature, Name & Address with stamp)

SIGNED BY SHRI _____ (LICENSEE)
(Signature, Name & Address with stamp)

IN THE PRESENCE OF (WITNESSES):

- 1. 
ASSISTANT EXECUTIVE ENGINEER
TWAD Board
Maintenance Sub Division
Mayiladuthurai
- 2. 
JUNIOR ENGINEER
TWAD Board
Maintenance Sub Division
Mayiladuthurai



தமிழ்நாடு தமிலநாடு TAMIL NADU

த.மாரியப்பன்

த.பெ. கோ. தரதராமன்

மு.தா.வி. L. No. 1/2011

50/69, யாதவத் தெரு

நாகப்பட்டினம்

செல்: 9360357195

31AC 064194

12.10.2023

Executive Engineer, TWAD Board,

Maintenance Division - Nagapattinam

INDEMNITY BOND

Name of the Work: Laying of underground water pipe line along the Right of Way of NH 45C (New No. NH 36) from km 111/534 to 111/545 (LHS), from km 111/534 to km 111/560 (RHS), from km 138/500 to km 138/763 (LHS), from km 138/500 to km 138/748 (RHS) by Open Trench method and Crossings at km 111/534 and at km 138/500 by HDD method in Thanjavur District, Tamil Nadu.

Indemnity against all damages and claims as per SI.NO.5.6 of Checklist

We, Tamil Nadu Water Supply & Drainage Board (TWAD Board), Maintenance Division, Nagapattinam, do hereby indemnify the Project Director, PIU, National Highways Authority of India, Thanjavur, binding ourselves to pay all the losses and claims in respect of laying of water pipeline across the National Highway No. 45C (New No. NH 36) land from km 111/534 to 111/545 (LHS), from km 111/534 to km 111/560 (RHS), from km 138/500 to km 138/763 (LHS), from km 138/500 to km 138/748 (RHS) and Crossings at km 111/534 and at km 138/500 by HDD method in Thanjavur District, Tamil Nadu or maintenance thereof and against all claims proceeding damages, cost, charges and expenses whatsoever in respect thereof in relation there to failing such payments of claims in the above work we abide in accepting of such claims affected from any of our assets

(Signature)
Executive Engineer
TWAD Board Maintenance Division
Nagapattinam



தமிழ்நாடு தமில்நாடு TAMIL NADU
Executive Engineer, TWAD
Board, Maintenance Division
Nagapattinam.
UNDERTAKING

த. மாணியப்பன் 31AC 064204
த.வெ. கோ. தரத்தராமன்
ம.தா.வி. L. No. 1/2011
50/69, யாதவத் தெரு
நாகப்பட்டினம்
செல்: 9360357195
12.10.2023


We hereby undertake the following with respect to the laying of Under Ground water pipe line along the Right of Way of NH 45C (New No. NH 36) from km 111/534 to 111/545 (LHS), from km 111/534 to km 111/560 (RHS), from km 138/500 to km 138/763 (LHS), from km 138/500 to km 138/748 (RHS) by Open Trench method and Crossings at km 111/534 and at km 138/500 by HDD method in Thanjavur District, Tamil Nadu.

1. The laying of UG Sewer pipe line will be carried out only on getting the approval from the Competent authority.
2. We undertake to shift the UG Sewer pipe line if required at any time owing to the expansion of the road or if necessary by the NHAI.
3. In future if any damage is caused by the Under Ground Sewer pipe line by MORTH Authorities due to the any development of NH roads/ culverts, no amount towards the same will not be claimed by the Executive Engineer, TWAD, Board, Maintenance Division, provided that the operation should have been intimated in advance, a minimum time of one month is required for shifting.


Executive Engineer
TWAD Board Maintenance Division
Nagapattinam

(2)

4. It is certified that at the location where the offset measurements of proposed Under Ground Sewer Pipe line alignment are less than 15 m from the center line of the road, the UG Sewer pipe line laying work along the NHAI limit will be carried out by the applicant extend possible by trenchless method and for across the road by trenchless method.
5. It is certified that the existing utility lines of OFC lines & Sewer pipe lines will not be affected.
6. The restoration charges will be paid on getting the demand note as shape of DD.
7. We hereby undertake that no other location is possible other than this route.
8. We undertake to bear the expenditure if any incurred by the NHAI for repairing and damage caused to the NH by laying, maintenance or shifting of the Sewer pipe line.


Executive Engineer
TWAD Board Maintenance Division
Nagapattinam