



RW/NH-36098/14/2022-S&R (B)
GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS
S&R -(Bridges)

Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated:14.09.2022

To

1. The Chief Secretaries of all State Governments/Union Territories.
2. The Principal Secretaries / Secretaries of all States/U.Ts Public Works Department dealing with National Highways, other Centrally Sponsored Schemes and State Schemes.
3. The Engineer-in-Chief and Chief Engineers of Public Works Departments of States/U.Ts dealing with National Highways, other Centrally Sponsored Schemes and State Schemes.
4. The Chairperson, National Highways Authority of India (NHAI), G-5&6, Sector-10, Dwarka, New Delhi-110 075.
5. The Managing Director, NHIDCL, PTI Building, Parliament Street, New Delhi-110 001.
6. Director General (Border Roads), Seema Sadak Bhawan, Ring Road, New Delhi-110 010.

Subject: Construction of Subway/FOB/Footpath alongwith ROB for closure of Level Crossing

Ref: MoU signed between MoRT&H & Ministry of Railways on 10.11.2014 (Copy enclosed)

Sir,

MoRT&H has signed Memorandum of Understanding with Ministry of Railways on 10.11.2014 to replace Level Crossings on National Highways by constructing RoBs/RuBs for safe and seamless travel on NH.

2. As per Para 7 of aforesaid MoU, "alongwith the construction of ROB, MORTH/NHAI shall construct a Subway to facilitate movement of pedestrian and vehicular traffic across the railway track to facilitate closure of level crossing by Railways. Construction of Subway within Railway Portion should be done under the supervision of Railways without any supervision charges. If subway is not possible, then suitable FOB with ramp should be provided. Wherever subway/FOB with ramp is not feasible at site, then in all such cases suitable footpath of appropriate width alongwith staircase should be provided on ROB".

3. As per Ministry's circular dated 23.04.2015, "before handing over the bypassed sections of the National Highways to the State Governments, the improvement works in these sections shall be carried out through the funds of Central Government as a one-time investment, keeping in view the site requirements, local needs of the area and the safety requirements etc."

Many National Highways are passing through busy cities. Level crossings also exist on these NH in the city. MoRTH /NHAI/NHIDCL are constructing NH on diverted alignment by passing the city. As per aforesaid provision of MoU, the Level Crossing on the bypassed section of existing NH are also to be closed and for that Subway/FOB/Footpath, as the case may be depending upon site conditions, may be constructed to facilitate movement of pedestrian and vehicular traffic across the railway track.

4. In this regard, Ministry of Railways vide letter dated 24.08.2022 (copy enclosed) intimated that "it has come to notice that in few cases NHAI/ MoRTH has not provided Subway as part of ROB work. Demands by local representative are being raised with Railway for providing Subway even after construction of ROB. The above situation is contrary to what has been provided for in MoU."

5. In view of the above, Executive agencies are requested that proposal for construction of Subway or FOB or Footpath, as the case may be depending upon site conditions, as per aforesaid provision of MoU, may be included in the proposal for construction of ROB itself. Further, wherever ROBs are under construction / constructed as per aforesaid MoU, the Executive Agencies may construct Subway/FOB/Footpath, in compliance to para 7 of aforesaid MoU, as per feasibility. In case of bypasses/ re-alignment, the executive Agencies may also provide Subway/FOB/Footpath, as the case may be as per provision of aforesaid MoU, for closure of LCs on existing NH in the city as a one-time improvement before handing over to State Governments for their further improvement/upkeep.

Yours faithfully,



(Jitendra Kumar)
SE(S&R) Bridges

Director General (Road Development)& SS

Encls: As Above

Copy to:

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

Copy for kind information to:

1. PS to Hon'ble Minister (RT&H) / PS to Hon'ble MOS (RT&H).
2. Sr. PPS to Secretary (RT&H).
3. PPS to DG (RD) &SS.
4. PPS to AS & FA/ AS.
5. PPS to all ADGs.

MEMORANDUM OF UNDERSTANDING
BETWEEN
MINISTRY OF RAILWAYS
AND
MINISTRY OF ROAD TRANSPORT AND HIGHWAYS
OF
GOVERNMENT OF INDIA
REGARDING
CONSTRUCTION OF ROAD OVER/UNDER BRIDGES ON
NATIONAL HIGHWAY CORRIDORS

This Memorandum of Understanding is executed at Rail Bhawan, New Delhi on 10th November 2014

BETWEEN

Ministry of Railways (hereinafter called MOR) acting through the Executive Director, Civil Engineering (Bridge & Structure-II)

AND

Ministry of Road Transport & Highway (hereinafter called MORTH) acting through the Chief Engineer (Bridges)

The Ministry of Railways and Ministry of Road Transport & Highways, Government of India are desirous for construction of Road Over/Under Bridges on National Highways Corridors. Both Ministries agreed to the following principles for entering into a formal MOU.

(A) OBLIGATIONS, DUTIES AND UNDERTAKINGS OF MORTH:

MORTH shall:

1. MORTH/NHAI will replace all level crossings on NH Corridors by ROBs/RUBs in next five years subject to availability of funds.
2. MORTH/NHAI shall construct complete ROB/RUB (including railway bridge portion) on National Highways i.e. NH Corridors (NHDP & non-NHDP) in the country at their own cost on single entity basis. The existing ROBs, if any, will be upgraded as and when required by MORTH/NHAI.

3. MORTH/NHAI shall do the instrumentation in the railway super-structure across railway bridge portion.
4. MORTH/NHAI shall not levy Supervision Charges, Departmental Charges, Maintenance Charges and Land Lease Charge where railway track crosses National Highways in case of New Railway Line/Gauge Conversion.
5. MORTH/NHAI shall deposit token Plan and Estimation charges @ Rs.5 lakhs per ROB/RUB, in advance, at one location i.e. in Northern Railway in favour of FA&CAO, Northern Railway, New Delhi for all identified ROB/RUBs to be constructed by MORTH/NHAI in financial year. This arrangement will be on reciprocal basis.
6. MORTH/NHAI should construct only viaduct in Railway Portion and pier/abutment should be located just out-side/at the railway boundaries to the extent possible based on available standard RDSO's span. No earthen embankment should be constructed within railway boundaries. Similarly, wherever needed, Railway will also cross Right Of Way of National Highway through over bridge or under bridge.
7. Alongwith the construction of ROB, MORTH/NHAI shall construct a Subway to facilitate movement of pedestrian and vehicular traffic across the railway track to facilitate closure of level crossing by Railways. Construction of Subway within Railway Portion should be done under the supervision of Railways without any supervision charges. If subway is not possible, then suitable FOB with ramp should be provided. Wherever subway/FOB with ramp is not feasible at site, then in all such cases suitable footpath of appropriate width alongwith staircase should be provided on ROB.
8. Wherever footpath on ROB is provided then in all such cases, height of kerb of ROB should be increased, so that in case of road accidents, chances of mounting of road vehicles on kerb and falling on railway track could be avoided.

9. MORTH/NHAI shall deposit way-leave charges to Railways as Rs. 6,000/- per annum upto two lane road crossing and two railway tracks and Rs. 12,000/- per annum in case the Bridge is wider than two lane and/or crossing more than two railway tracks. Way leave charges shall be payable in advance in block of 10 years. This arrangement will be on reciprocal basis.
10. If earthen embankments have been planned on approaches beyond railway boundary, then atleast one viaduct span of sufficient width should be provided, just outside railway boundary, to facilitate the movement of road users parallel to track.
11. Launching of girders for ROB within Railway boundaries should be done, preferably, by road cranes to reduce the requirements of rail traffic blocks.

(B) OBLIGATIONS, DUTIES AND UNDERTAKINGS OF MOR:

MOR shall:

1. Railway will not levy Supervision Charges, Departmental Charges, Maintenance Charges and Land Lease Charge for ROB/RUBs being constructed by NHAI or NH-wing of State PWD on NH Corridors.
2. Ministry of Railways has developed a web-based programme for online submission for getting expeditious approval of various drawings related to ROB/RUBs within 60 days. This programme includes all the RDSO standard span drawings, check list to be followed for preparation of GAD and standard MOU. Nominated officer of MORTH/NHAI or NH-wing of PWD shall fill up details of ROB/RUB proposed to be constructed on this web-based programme for expeditious approval of General arrangement Drawing (GAD) by Railways.

3. To avoid unusual occurrence during launching of railway spans, Railway will supervise and facilitate launching of girders across railway bridge portion, without any supervision charges.

In witness, whereof the parties hereto have by their duly authorized representatives executed this Memorandum of Understanding on the date and year first above written.

For & behalf of MOR

श्री S. K. Pathak
10/11/2014

Shri S. K. Pathak
Executive Director, CE(B&S-II),
Ministry of Railways

For & Behalf of MORTH

A. P. Pathak

Shri A. P. Pathak
Chief Engineer (Bridges),
Ministry of Road Transport & Highways

Witness

Prakash
SD/CE-IV

Witness

10/11/2014

Signed in the presence of Shri Suresh Prabhu, Hon'ble Minister of Railways and Shri Nitin Gadkari, Hon'ble Minister of Road Transport & Highways



GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS

Parivahan Bhavan,
1, Sansad Marg
New Delhi-110001

F. No. RW/NH-33044/117/2015/S,R&T (R)

Dated: 23rd April, 2015

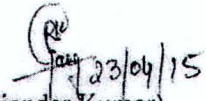
To,

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, Parliament Street, New Delhi- 110001

Subject: Maintenance of bypassed sections of the National Highways.

As per the extant policy of the Ministry, on the subject cited above, issued vide Circular nos. NHIII/P/9/77 dated 30th November, 1977 and 12th April, 1982, the section of the National Highway which has been bypassed would cease to be the part of National Highway network and would no longer vest in the Government of India. The responsibility of its future improvement and maintenance lies with the respective State Government.

2. However, requests are being received in the Ministry regarding carrying out improvement works on such bypassed sections of National Highways due to paucity of funds with the State Governments. It has, accordingly, been decided that before handing over the bypassed sections of the National Highways to the State Governments, the improvement works in these sections shall be carried out through the funds of Central Government as a one-time investment, keeping in view the site requirements, local needs of the area and the safety requirements etc.
3. The contents of this Circular may be brought to the notice of all concerned in your organization.
4. This issues with the approval of Competent Authority.


(Rajender Kumar)
Executive Engineer (S, R&T) (Roads)
For Director General (Road Development) & SS
Tel. : 011-23314330
E-mail : rajender.kumar68@nic.in

Contd. on page 2

1734510/2022/S&R(Bridge)

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(Railway Board)

O/o C. R. Section (RTH)
Dairy No.....17.29.220.
Date.....29/08/2022

No.2015/CE-IV/ROB/78 (Pt.)

New Delhi, dated 24.08.2022

Secretary
MoRTH, Transport Bhawan
1, Parliament Street
New Delhi-110001

The Chairman,
NHAI, G-5 & 6, Sector-10,
Dwarka,
New Delhi-110075

Sub: Construction of subways alongwith ROBs while constructing ROBs by NHAI.

Ref: MoU signed between Ministry of Railways and Ministry of Road Transport & Highways (MORTH/NHAI) on 10.11.2014.

F/AS(H)
01-9-2022

Secy.

Clause 7 above MoU signed between Ministry of Railways and Ministry of Road Transport & Highways (MORTH/NHAI) is **"MORTH/NHAI shall construct a subway to facilitate movement of pedestrians. Construction of subway within railway portion should be done under the supervision of railways without any supervision charges. If subway is not possible, then suitable FOB with ramp should be provided. Wherever subway/FOB with ramp is not feasible at site, then in all such cases suitable footpath of appropriate width alongwith staircase should be provided on ROB"**.

It has come to notice that in few cases NHAI/ MoRTH has not provided Subway as part of ROB work. Demands by local representative are being raised with Railway for providing Subway even after construction of ROB. The above situation is contrary to what has been provided for in MoU.

It is therefore requested that all field units may please be advised that the above provision is catered for in the project proposal of ROB itself. Further, wherever, the above provision has not been catered for, the same may please be got included for execution as per feasibility, Complying with the provision of MoU.

P2. process
quickly
31/8/22
AS(H)

(V. P. Singh)
24.08.2022

Principal Executive Director/ Bridge

SE (SP&SP)

Copy to: PCE, CAO/Con., all zonal railways may kindly insure provision of subway as per feasibility alongwith ROB proposals by NHAI/ MoRTH while approving GAD itself.

MoU matter with Mo Railway was dealt by S&R Zone. No my formal the same to S&R Zone. The 1/9/22 SECBP (SP)

ASCAJ

ADG(SPR)

9/06/19