

F. No. NH-35014/02/2023-H (E-218298)

Government of India

Ministry of Road Transport & Highways

(Highways Section)

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

Dated: 06 February, 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.
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. All CE-ROs, ROs and ELOs of the Ministry

Subject: Implementation of provisions related to asset management such as protection of site from encroachment, cleaning of roadside drains, repair of potholes and removal of waste material from National Highways -reg.

Sir,

The development of National Highways with proper maintenance of all its assets like main carriageway, shoulders, structures, roadside drains & furniture, ROW etc. with timely repairs & inspections is the primary responsibility of Ministry and its implementing agencies as well as stakeholders including contractors. At times, encroachment of ROW, potholes, blockage of roadside drains, dumping of waste material etc. can be observed on the stretches of National Highways. This results not only in deteriorated quality of National Highways & compromised level of service but are also road safety hazards to the road users.

2. With an aim to maintain National Highway assets properly, adequate provisions have been provided in various standard documents used for construction/maintenance of National Highways in the country. Clause 8.5 of the EPC agreement specifies that during the construction period, the contractor is required to ensure that no encroachment takes place thereon and to report the Authority & remove the encroachment at its own cost in case of any encroachment of project site. Also, Clause 14 of the EPC agreement specifies the maintenance obligations wherein contractor is required to promptly repair the potholes, cracks, joints, embankments, structures & roadside furniture, to report on unauthorized use & encroachment of project highway, removing the waste material, rubbish & other debris to keep project highway in a clean, tidy & orderly condition etc. Similar other provision are also existing in EPC as well as other modal documents.

3. Therefore, in order to maintain the National Highway assets in top order & free from encroachments, potholes, waste material etc., the said clauses are required to be exercised strictly. The Regional Officers/Project Directors/Nodal Officers of all the implementing agencies shall ensure penal action as per the contract provisions in case of failure. The concerned agencies should take this on priority and for monitoring purpose, a weekly report on action taken may be sent to Additional Secretary (Highways), to monitor action being taken.

4. The contents of this Circular may be brought to the notice of all concerned for immediate compliance.

5. This issues with the approval of Competent Authority.

Yours faithfully,

S. Toppo

(Sangita Toppo)

Under Secretary to the Government of India

Telephone No. 011-23739028

Copy to:

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

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