

No. RW/NH-11033/2/87-DO I

Dated, the 22nd Nov., 1994

To

The Secretaries, PWDs of all States/Union Territories (dealing with National Highways)

Subject: Privatisation of construction of ROB's on National Highways under the Build, Operate and Transfer (BOT) Scheme

I am directed to say that the policy on private participation in road sector and amendment of rules is in hand. It is hoped that this will be finalised shortly.

2. In the meantime, a paragraph duly approved by the Railways for incorporating the same suitably in the Memorandum of Understanding/Agreement to be executed with the private parties, by the Central/State Governments for the proposed construction of ROB's on National Highways under the BOT Scheme, is enclosed herewith, for your information and necessary action.

3. The policy in this respect as and when decided will be circulated to the State Governments separately.

Enclosure to letter No.RW/NH-11033/2/87-DOI dated 22.11.94

PARAGRAPH TO BE INCLUDED IN THE MEMORANDUM OF UNDERSTANDING/AGREEMENT TO BE EXECUTED BETWEEN THE CENTRAL GOVERNMENT/STATE GOVT. AND PRIVATE PARTIES FOR CONSTRUCTION OF ROB'S ON THE NATIONAL HIGHWAYS, UNDER THE 'BOT SCHEME'

The work of ROB proper and other works as authorised and required by the Railways as per extant rules shall be carried out by the Private Entrepreneur under the supervision of Railways. The Entrepreneur shall get the plan drawings and specifications of the bridge proper and other works approved by the Railways in advance. During execution the contractor shall carry out such modifications/changes as required by the Railways. In proof of the work having been done to approved specifications and to the satisfaction of the Railways, the contractor shall have to produce a completion certificate from the former. For this, Railways may charge a fee. The special works, required to be handled only by the Railways from the consideration of technical and railway safety requirements, shall be carried out by the Railways themselves. However, the amount needed for these and as estimated by the Railways as also the supervision charges as applicable shall be deposited with the Railways. Any increase in cost required to be incurred for completion of work shall also be borne by the entrepreneur and shall be deposited in advance as and when demanded by the Railway. Such cost as per completion estimate shall be added to the cost of project and recovered through levy of fee. However, pedestrians and cyclists shall be allowed free passage over the bridge.

2. During the period of operation of bridge by the contractor, the cost of maintenance as per Railway rules shall be deposited annually with the Railways.