

**GUIDEBOOK ON APPLICATION FOR ROAD CUTTING AND USE OF
'RIGHT OF WAY' PERTAINING TO ELECTRICITY CONNECTION
& OTHER UTILITIES**



ROAD CONSTRUCTION DEPARTMENT, GOVERNMENT OF BIHAR

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A. Registration Procedure for Road Cutting and use of ROW for laying utilities (like electricity, cables etc.)

A.1.Introduction

Name of Service	Registration Procedure for Road Cutting and use of RoW for laying utilities (like electricity, cables etc.)
Authority/Department	Road Construction Department
Regulatory Framework	RCD Circular cum memo no.C2/MISCL-08-17-2000-4564(S) Dt-11.07.05
Service Condition (i.e. Who requires this service?)	Businesses, Industries, Government Department, Non-Government Organization, PSUs, Central Government Organization etc.
Application Method	Manual
List of prescribed documents to be submitted	5 copies of duly filled application in prescribed format(Annexure-I) for registration - Bank Draft of INR 25000/- in favour of concerned Executive Engineer, Road Construction Department - Copy of License/Agreement with concerned Authority(GoI/GoB likewise) - Layout plan with drawing of proposed area applied for granting aforesaid permission. - Supporting document related to applicant organization/establishment such as: - Name of the Agency - Registered office of the Agency - Correspondence Address of the - Type of Utility
Application Processing Fee (if any) and Mode of Payment	INR 25000 via Bank Draft
Application to be submitted at: (<i>Manual application</i>)	Concerned Executive Engineer office
Key Approving Authority	Engineer in Chief cum Additional Commissioner cum Special Secretary with the recommendation of concerned Superintending Engineer and Chief Engineer.
Whether prior inspection is required for this approval	No
Prescribed Timeline for service delivery (<i>from date of application</i>)	Not Prescribed

A.2.Application and approval procedure

#	Process details
1.	Manual Application Fill in the application form in prescribed format (Annexure I). Attach all the relevant documents as per the above mentioned checklist and submit the form at the office of concerned Executive Engineer

Road Construction Department

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#	Process details
2.	The Executive Engineer will review and forward the application (along with enclosures) with recommendation to Superintendent Engineer for the furtherance.
3.	The concerned Superintendent Engineer will review and forward the application to the concerned Chief Engineer.
4.	The Chief Engineer will review and forward the application with recommendation to the office of Engineer in Chief cum Additional Commissioner cum Special Secretary for final approval.
5.	The Engineer in Chief cum Additional Commissioner cum Special Secretary provides final approval for registration and after his signature registration no. is issued as Sl.No. Type of Utility/RCD/BHR/Year(e.g:000/OFC/RCD/BHR/2005-06);

Compliance Inspection of business/ industrial unit

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Road Construction Department

y m.d. 24 h

B. Compliance Inspection for granting ROW ('Right of Way')

P.1. Introduction

Name of Service	Compliance of service conditions for granting 'Right of Way Permission'
Authority/Department	Road Construction Department
Competent Authority for conducting the site inspection	AE and JE(Junior Engineer)

P.2. Inspection and Approval Procedure

#	Process
1.	After registration is done, applicant has to submit application to the concerned Executive Engineer office with a copy of registration and layout of road for which road cutting permission is solicited.
2.	Concerned executive Engineer after receipt of application instruct his AE and JE to conduct site inspection.
3.	Concerned AE and JE visit the site and conduct site inspection.
4.	Inspection team validates the submitted layout with the actual site condition,
5.	On the Basis of inspection done by AE and JE final estimate is prepared by Junior Engineer
6.	The prepared Estimate is signed by Junior Engineer, Assistant Engineer and Executive Engineer accordingly.
7.	Demand Note is issued to the applicant by the office of concerned Executive Engineer for the payment of amount as per estimate through Bank Draft along with required Bank Guarantee for the furtherance.
8.	Applicant to pay requisite amount through Bank Draft prepared in favour of concerned Executive Engineer.
9.	To ensure the cutting & refilling of existing road crust as per specification, a Bank guarantee of Rs. 25/- twenty five per metre in favour of Executive Engineer valid upto One year or upto completion of the work has to be deposited.
10.	Land use charge of Rs. 5000/- (Five thousand) per Km. per year in the shape of bank draft in favour of Executive Engineer at the start of every financial year upto fifteen (15) years (License period).
11.	Chief Engineer of the respective wing will accord the final approval and NOC will be issued from respective Executive Engineer.

Annexure – Forms & Formats

Draft agreement for laying utilities in the ROW between Govt. of Bihar and Licensee.

Road Construction Department

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Annexure I – Registration Form

Government of Bihar
Road Construction Department

Form of Registration of Companies/Services providers for installation repair and maintenance of utility such as power Supply/Telephone line or optical Fiber cable/ water Supply/ Sewer line laid underground or also the Surface (to be submitted in 5 Copies)

Agency information

1. Application Date: 28.01.2015 Name of Agency/Company M/S SPML INFRA LTD Registered office of the Agency/Company: F 27/2 Okhla, Ph. II, N. Delhi Name and designation of authorized representative V. P. George	2. Reference of license/Agreement from concerned authority (Gol/Gob likewise) (i) Department: SBPDCL, LSI, NO PLG (R-APDRP)/6152/2012 - Part II 200121 dt 28/11/2013 (ii) Reference of license/agreement with date: (Attach Photo copy) Phone: 011-462 0056 E-mail: mngers@sbpdcl.org
Type of utility 1. () Electricity 2. (X) Power Supply 3. () Telephone Line or Cables 4. () Optical Fiber Cable 5. () Water Supply 6. () Sewer Provision 7. () Others, Please Specify	Name of area applied for and proposed method for laying (Attach Plan & drawing) Canal near the Dargah gate to Rehanpur Foundation Computer Centre ground 0.324 by HDD Method.

Detail of Registration Fee

Date: 28.01.2015	Demand draft Number: 204039	Amount in Rs. 25000/-
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I have certified read the instruction/norms to be followed during and after Road casting operation on behalf of my Company/Agency undertake to fully abide by them. The restoration work shall be carried out as per the norms/Specification approved by India Road Congress/State Government/Engineer-in-Charge

Date: 28.01.2015

Place: Munger

Designation: Project Manager

Signature/Authorized Signatory: [Signature]

Name: V. P. George

Name & address of Agency: SPML INFRA LTD
F 27/2 Okhla Ph. II, N. Delhi

For official Use Only

Name of the office where registration has deposited (With receipt No) :-

Recommendation of Executive Engineer → Recommended for Registration

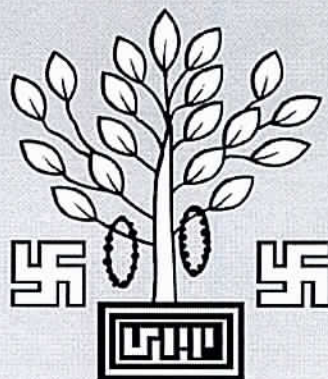
Recommendation of Superintendent Engineer → Recommended for Registration

Recommendation of Chief Engineer

Registration No.

Signature of the issuing officer with _____ Road Construction Dept.

P.T.O



Disclaimer: Information/material/checklist contained in this document is of general purpose only and is not intended to provide comprehensive advice and analysis in relation to the subject matter. This is subject to changes if there are any changes in the existing legislative framework. We do not assume responsibility or liability for any loss or damage which may result from inaccuracy or omission of such information in this document or from its use and make no warranties, express or implied, in relation to such matters.

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Road

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Whereas _____ (Licensee) _____ is a company and has been
licence by the Government of India/Government of Bihar, Department
such as BSEB, BSNL, Water Board, BIWAS Board to provide basic
services in the State of Bihar.

Whereas the licensee has applied to the Government of Bihar through
Construction Department for permission to provide utility (i.e. which are
underground or along/over surface such as Electricity, Power supply,
telephone line or cables, optical fibre cable, water supply and sewer provisions)
m Km _____ to Km _____ of
_____ Road under _____ Road Division

AND Whereas the Government of Bihar have agreed to grant such
permission on the terms and conditions hereinafter mentioned.

(1) Now this Agreement witnesses that in consideration of the conditions
hereinafter contained and on the part of the Licensee to be observed and
performed, the Government of Bihar hereby grants to the licensee permission to
lay utilities as per the approved drawing attached hereto subject to the following
conditions, namely:-

(2) For laying utilities, it is essential for the applicants to get registered
themselves by applying in the prescribed format. The registration charge
will be Rs. 25,000.00 (Rupees Twenty Five thousand). The registration
fees amounting to Rs. has been deposited in the office of
..... vide money receipt no. dt.

(3) The cable, other utilities shall be laid / erected ordinarily at the edge of
the Right of Way or at a minimum distance of 15m from the center line of
the nearest carriageway where the road land is wider. In case of restricted
width of ROW, which may be adequate only to accommodate the
carriageways, central verge, shoulders, slopes of embankment and drains.

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the cables shall be laid beyond the toe line of embankments and clear of the drain. In cases where no land strip can be conveniently earmarked for laying of cables, the permission may be refused.

The top of the casing / conduit pipe containing the cables shall be at least 1.2m below the surface of the road subject to being at least 0.3m below the drain inverts.

- (5) The licensee shall furnish a Bank Guarantee from scheduled bank, situated within the State, for the amount calculated at the rate of Rs. 25 (Rupees twenty five) per meter to the Executive Engineer of the area for a period of one year for ensuring clearance of debris / loose earth produced due to excavation of trenches, at least 50m away from the edge of the Right-of-Way. No payment shall be payable to the licensee for clearing debris / loose earth by the /State Government. In case the work contemplated herein is not completed to the satisfaction of the Executive Engineer, within a period of eleven 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. In case of the licensee failing to discharge the obligation of removing the debris / loose earth of the excavated trench, the Chief Engineer 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 Bank Guarantee.
- (6) The licensee shall make required payment in advance before permission is granted to restore the road / land in the same condition as it was before digging the trench, in accordance with the estimate framed by the concerned Executive Engineer for restoration/reconstruction prepared by concerned Executive Engineer.

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A service charge @ 10% of the estimated cost as above in para 6 shall be levied.

To prevent the sides of excavation (in case of excavation for depth more than 1.5m and width more than 1.0m) to collapse, proper safety arrangements has to be made by the licensee as per the guidance of Executive Engineer concerned. In case of non-compliance, a fine @ Rs. 10,000.00 per day shall be levied.

- (9) Not more than 1000m length shall be allowed to be excavated in one stretch. Violation of the rule will invite a fine @ Rs. 5000.00 per day.
- (10) In case, the excavated materials are not stacked properly as per direction of Engineer-in-charge, a fine @ Rs. 10,000.00 per day will be levied.
- (11) In case of non-completion of work within the prescribed time, penalty @ Rs. 5/- per m per day will be levied.
- (12) For the safety of pedestrian and vehicles, the licensee / licensees shall have to provide a barricading, danger lighting and other necessary caution boards, as per IRC Standard, specification and adequate quality, while executing the work. In case of non-compliance, a penalty @ Rs. 5000/- per day shall be levied.
- (13) In case of any inadvertent damage to the plant / services of other utilities, location and nature of damage shall be intimated to the concerned utility immediately. In the meantime, proper action shall be taken for preventing aggravation of damage. The utility which has damaged other utilities plant / services / cables, shall compensate for the repairs of damage. Failure to observe provisions of this para shall be liable to a fine of Rs. 25,000/- per damage in addition to the reconstruction cost of damage as decided by concerned Executive Engineer.

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After completion of trenching of each dug length / its section, back-filling with sand shall be completed including consolidation of back fill and removal of surplus back filled material within 30 days of the starting of cut in the said stretch. In case the utility delays back-filling with required consolidation and removing the surplus earth / material its shall pay a fine of Rs. 10,000/- per day for the delay.

- (15) The chargeable amount mentioned vide para (7) to (14) has to be deposited through Bank Draft within one month from the date of notice issued by concerned Executive Engineer.. In case of non-compliance work order shall be cancelled / quashed.
- (16) This permission shall be for a period of 15 years or the period for which the licensee has been given the licence by the Department of Telecommunication or other concerned department whichever is less.. The permission granted by the Agreement will automatically cease in case of premature termination of the licence granted to by the Department of Telecommunication or other concerned deptt., In case the licensee wants shifting, repairs or alteration to optical fibre cable or other utilities he will have to furnish a fresh Bank guarantee for the purpose.
- (17) The licensee /licensees shall make his own arrangement for crossing of cross drainage structure, rivers etc. In case, this not feasible, the cables /utilities may be carried on the outside of the railings / parapets and supported on brackets fixed to the outside of the bridge superstructure. The fixing and supporting arrangement with all details shall be got approved in advance from the Department.
- (18) The licensee shall shift the cables within 90 days from the issue of the notice by the concerned department to shift / relocate the cables in case it

is so required for the purpose of improvement / widening of the road and restore the road land to its original condition at his own cost.

- (19) The licensee shall be responsible to ascertain from the Department officers / Chief General Manager, Telecommunication of the area regarding the location of other cable etc. He shall ensure the safety of already existing cables other utilities before commencement of the execution. He shall be responsible for any damage to the existing cables of DOT, other communication network or any other installations and will have to get the same repaired or replaced at his own cost. The Department 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 Bank Guarantee.
- (20) The licensee shall be responsible for safety of the other underground facilities such as electric-line, pipes for water supply and gas, sewerage lines etc. during trenching. The licensee shall also be responsible for safety of cross drainage structures. The licensee shall procure Insurance from reputed Insurance company against damages to these lines during trenching. Before doing excavation for laying optical fibre cables, it is essential for the licensee to make Third Party Insurance against the following odds :
- (a) loss of utilities during work execution.
 - (b) Accident of any worker during execution
 - (c) Accident of, pedestrian, moving vehicle or road users due to open trench.
- (21) Before engaging contract labour in the work registration regarding labour licence and certificate from the Labour Department is essential.

The licensee shall comply with the safety codes and related guidelines of Bureau of Indian Standards and Indian Roads Congress regarding specific provisions during underground cutting operation / other operations.

- (23) As far as possible, the licensee shall avoid cutting of the road for crossing the road and try to carry out the work by drilling a hole beneath the road pavement. In case any damage is caused to the road pavement in this process, the licensee / licensees will be required to make payment for restoration of the road to the original condition. If due to unavoidable reasons the road needs to be cut for crossing or laying a cable, the licensee shall deposit the restoration cost as assessed by the department prior to taking up of the work.
- (24) The licensee/ licensees shall inform the concerned departmental officer at least 15 days in advance before digging trenches.
- (25) Each day the extent of digging the trenches should be strictly regulated so that cables are laid and trenches filled up before the close of the work that day.
- (26) The licensee / licensees shall indemnify the department for all damages and claims if any, due to the digging of trenches for laying of the cables.
- (27) This permission shall co terminus with the validity of the licence awarded by the department of Telecommunication. The permission granted by the Agreement will automatically cease in case of premature termination of the licence granted by the Department of Telecommunication. State Government of Bihar also have a right to terminate the permission and also to extend the period of agreement. In case the licensee wants shifting, repairs or alteration to their installation, they will have to make payment of restoration and furnish a fresh Bank Guarantee for the purpose mentioned above.

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That the licensee / licensees shall not without the prior permission in writing of the department undertake any work of shifting, repairs or alterations to the said Optical Fibre Cables.

That the licensee / licensees shall be liable for any loss or damage caused due to the laying of said Optical Fibre Cable.

The agencies to which permission has been accorded under this order, shall not sell, lease or otherwise trade on the extra space available in the ducts laid by them, except after obtaining specific prior permission of the Govt. of Bihar, subject to such terms and conditions as may be decided by the Govt. of Bihar.

- (31) That the permission granted by this licence shall not in any way be deemed to convey to the Licensee any right to or any interest in Road land other than what is herein expressly granted.
- (32) That during the subsistence of this agreement, the Telecom cables / ducts located in Road land shall be deemed to have been constructed and continued only by the consent and permission of the Govt. of Bihar so that the right of the licensee to the use thereof shall not become absolute and indefeasible by lapse of time.
- (33) That the licensee shall bear the stamp duty charged on this agreement.
- (34) The Optical Fibre Cables shall not be brought into use by the licensee unless a completion certificate will be issued by the department to the effect that the Optical Fibre Cable have been laid in accordance with the approved specifications and drawings to the satisfaction of the concerned department officer.
- (35) Notwithstanding any thing containing herein the licence for the use of road land may be cancelled at any time by the Government of Bihar for the breach of any condition of the licence and the licensee shall not be entitled to any compensation for any loss caused to it by such cancellation nor shall it be absolved from any liability already incurred.

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any traffic diversion work are found necessary during the working period such diversion shall be provided at the cost of licensee.

After the termination or expiry of the agreement, the licensee shall remove the cable within 90 days and the site shall be brought back to original condition failing which the licensee will lose the right to remove the cable. However, before taking up the work of removal of cables the licensee shall make payment for restoration assessed by the department for making good the excavated trench for laying cables by proper filling and compaction, clearing debris / loose earth produced due to excavation of trenching atleast 50m away from the edge of the Right-of-Way and also furnish a Bank guarantee to the department for a period of one year (extendable if required till satisfactory completion of work) for an amount assessed by the department as compensation against damage caused to underground installations, disruption or failure caused thereof to any service.

- (38) Where trees removal is required appropriate permission shall have to be obtained from the Forest Department and stumps must be removed, and the resulting holes shall be properly back filled to allow for settlement. For alignments, trees must be replaced in consultation with the Road Construction Department and Forest Department.
- (39) If the licensee fails to comply with the aforesaid conditions, to the satisfaction of the department, the same shall be got executed by the department at the cost and risk of the licensee.
- (40) Restoration procedure for road cuts shall form the part of this agreement.
- (41) The licensee has to abide by the directions of the concerned departmental officer and no appeal / correspondence shall be entertained.

This Agreement has been made in duplicate (each Agreement on a stamp paper). Each party to this Agreement has retained one stamped copy.

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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 BY FOR AND ON BEHALF OF GOVERNMENT
OF BIHAR IN THE PRESENCE OF

DEPARTMENT

1.

2.

AND ON BEHALF OF LICENSEE

Managing Director or
his representative

NAME & ADDRESS OF TELECOM
LICENCEE HEREINUNTO AFFIXED
BY VIRTUE OF PERMISSION GRANTED
BY CHIEF ENGINEER, ROAD CONSTRUCTION, DEPARTMENT
LETTER NO. _____ DATED _____

WITNESS

1.

2.

पत्रांक 4881 (S) we.

बिहार सरकार
पथ निर्माण विभाग

प्रेषक :

आर० के० सिंह
प्रधान सचिव

सेवा में,

मुख्य अभियंता, उत्तर बिहार
मुख्य अभियंता, दक्षिण बिहार
मुख्य अभियंता, रा०उ०प०
मुख्य अभियंता, गंगा पुल परियोजना
सभी अधीक्षण अभियंता
सभी कार्यपालक अभियंता
पथ निर्माण विभाग।

पटना, दिनांक - 4/4/08

महाशय,

विभिन्न कम्पनियों के द्वारा पथ निर्माण विभाग की भूमि का उपयोग cable इत्यादि बिछाकर वाणिज्यिक कार्य हेतु किया जाता था परन्तु इस हेतु सरकार के खाते में कोई रेन्ट इत्यादि जमा नहीं किया जाता था। सरकार ने निर्णय लिया है कि विभिन्न कम्पनियों द्वारा सरकार की भूमि का उपयोग ऑप्टिकल फाइबर केबुल अथवा अन्य केबुल बिछा कर उसका वाणिज्यिक उपयोग के लिये उनसे भूमि उपयोग शुल्क लिया जाय। कम्पनियों के द्वारा भूमि उपयोग के लिये देय शुल्क 5000/- रुपये प्रति किलो मीटर प्रति वर्ष निर्धारित की गई है। इस शुल्क को अगले वित्तीय वर्ष के लिए advance में ही जमा करा लेना है। तदनुसार वर्ष 2008-09 का शुल्क तत्काल जमा किया जाना है। अपने कार्य क्षेत्र के अन्तर्गत पथ निर्माण विभाग की भूमि अथवा पुल के डेकिंग का उपयोग जिन कम्पनियों के द्वारा अपने केबुल ले जाने के लिए किया गया है उनसे अगले वित्तीय वर्ष के लिए वसूली तत्काल सुनिश्चित की जाय। 7 अप्रिल को इस संबंध में अधोहस्ताक्षरी को प्रतिवेदन भेजा जाय।

यह संभावना हो सकती है कि पूर्ववर्ती वर्षों में कतिपय कम्पनियाँ बिना अनुमति के cable बिछाये होंगी अथवा अनुमति के उपरांत भी निर्धारित मापदंडों के अनुसार cable नहीं बिछाई होंगी। जगह-जगह pilot trench खोद कर इसे verify कर लिया जाय। जहाँ कम्पनियाँ बिना अनुमति के cable बिछाई अथवा मापदंड के अनुरूप नहीं बिछाई है उन मामलों की तुरंत report किया जाय।

अनुलग्नक : संबंधित संकल्प की प्रति।

विश्वासभाजन

(आर० के० सिंह)
प्रधान सचिव

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बिहार सरकार
पथ निर्माण विभाग
संकल्प

बिहार सरकार
क. अभियंता क
1 प्रमंडल, 1
म. आ. ब्लॉक, प
- 2205971 ; Email

भूमि उपयोग शुल्क

विषय :- राज्य सरकार के स्वामित्व वाले सड़कों एवं संबंधित भूखण्ड पर, इसके उपर या भूमिगत रूप से दूरसंचार एवं संबंधित कार्य के लिये केबुल/ऑप्टिकलफाइबर केबुल इत्यादि बिछाने हेतु संबंधित विभाग/कम्पनी/एजेन्सी/फर्म से भूमि उपयोग शुल्क (Land use charge) प्राप्त करने के संबंध में।

विधानीय झापाक संख्या सी2/विधि-8-17/2000-4564 (एस) अंश 0 दिनांक 11.07.05 द्वारा निर्गत संकल्प (प्रतिलिपि संलग्न) के माध्यम से पथ निर्माण विभाग के स्वामित्व वाले सड़कों के किनारे उपर या भूमिगत रूप से विद्युत आपूर्ति, जलपूर्ति, टेलीफोन लाईन या केबुल/ऑप्टिकल फाइबर केबुल, सीवर लाइन इत्यादि बिछाने तथा इस हेतु काटे गये पधांश के पुनर्स्थापन के लिए सरकाररी दर एकरानामा प्रारूप एवं नीति निर्धारित किये गये हैं।

2. उपर्युक्त संकल्प के माध्यम से ऐसे एजेन्सी जिन्हें संबंधित विभाग से अनुज्ञप्ति प्राप्त है वगैरह निर्माण विभाग के स्वामित्व वाले पथों के किनारे उपर या भूमिगत रूप से समस्त कार्य हेतु अनुमति दिख जाने का प्रावधान है। इसके अन्तर्गत संबंधित फर्म/विभाग/संस्था को पंजीकरण शुल्क के रूप में रुपये 25000/- (पच्चीस हजार) एक बारगी शुल्क तथा केबुल/ऑप्टिकल फाइबर केबुल इत्यादि बिछाने हेतु प्रस्तावित पथ काटिंग मशीन कटिंग इत्यादि को यथावत स्थिति में लाने के लिए प्रावधानित राशि के समतुल्य राशि संबंधित वक के कार्य प्रमंडल में आवेदक द्वारा जमा किया जाना है। निर्धारित विशिष्टी एवं निदेशों के अनुरूप कार्य नहीं किये जाने पर अलग-अलग मद के लिये अलग-अलग आर्थिक दंड वसूलने का प्रावधान है। आवेदक से रुपये 25/- प्रति मीटर की दर से आकलित राशि के समतुल्य राशि बैंक गारंटी के रूप में अग्रिम रूप में जमा लिया जाता है। विशिष्टियों के अनुरूप सतोषजनक कार्य नहीं किये जाने की स्थिति में वसूलनीय आर्थिक दंड/राशि के समतुल्य राशि की भरपाई इस बैंक गारंटी की राशि से किये जाने का प्रावधान है। संचार सेवाएँ/सूचना प्रावधिकी सेवाओं को प्रोत्साहन देने के उद्देश्य से भूमि उपयोग शुल्क का प्रावधान नहीं रखा गया।

(2)

3. वर्तमान परिवेश में बदलाव आया है। सूचना प्रावधिकी तथा दूरसंचार क्षेत्र में तेजी से वृद्धि हुई है और यह काफी लाभकारी सेक्टर हो गया है। तदनुसार अब इस सेक्टर को कोई (Subsidy) देने की आवश्यकता नहीं रह गया है। भूमि का Rent free उपयोग भी Subsidy के Category में आता है।

4. तदनुसार सम्यक विचारोपरांत सरकार द्वारा निर्णय लिया गया है कि :-

- (i) राज्य सरकार के स्वायत्त की भूमि यथा सड़कों, जल संसाधन, वन इत्यादि एवं संबंधित भूखण्ड पर इसके उपर या भूमिगत रूप से दूरसंचार एवं संबंधित कार्य के लिये केबुल/ऑप्टिकलफाइबर केबुल इत्यादि बिछाने हेतु भूमि उपयोग शुल्क (Land use charge) के रूप में रु० 5000/- (रुपया पाँच हजार मात्र) प्रति किलोमीटर प्रति वर्ष संबंधित विभाग/कम्पनी/ एजेंसी / फर्म द्वारा संबंधित विभाग को देय होगा।
- (ii) यह शुल्क प्रतिवर्ष देय होगा तथा अगले वित्तीय वर्ष के लिये अग्रिम के रूप में तत्काल मौखिक रूप से 30 दिन तक संबंधित क्षेत्र के प्राधिकृत पदाधिकारी के कार्यालय में बैंक ड्राफ्ट के माध्यम से जमा किया जायेगा।
- (iii) जैसे अनुज्ञापिकाएँ जिन्हें उक्त कंडिका 1 में निरूपित व्यवस्था के अधीन पूर्व में केबुल इत्यादि बिछाने की अनुमति दिया गया है उनके लिये भी उक्त कंडिका 4 (i), (ii), लागू होगा।
- (iv) इस निर्णय के क्रियान्वयन हेतु विस्तृत प्रक्रिया का निर्धारण पथ निर्माण विभाग, बिधि एवं विनियमन विभाग के परामर्श से निरूपित एवं निर्गत करने हेतु प्राधिकृत किया जाता है।

उक्त आदेश तत्काल लागू होगा।

आदेश:- आदेश दिया जाता है कि इसी राज्य पत्र के असाधारण अंक में प्रकाशित किया जाए तथा इसकी प्रति सरकार के सभी विभाग एवं विभागाध्यक्ष, सभी प्रगंडीय आगुस्त तथा महासेखाकार बिहार पटना को सूचनाार्थ भेजी जाए।

बिहार राज्यपाल के आदेश से

(स. २५५१)
सरकार के सचिव

पथ निर्माण विभाग, बिहार, पटना।

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जापाक-सी 2 / विविध-08-17 / 2000

4501 (S)

पटना, दिनांक 28-3-08

प्रतिलिपि महालेखाकार, बिहार, पटना को सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित।

र. हजाल
28/3/08
सरकार के संयुक्त सचिव,

पथ निर्माण विभाग, बिहार, पटना।

जापाक-सी 2 / विविध-08-17 / 2000

4501 (S)

पटना, दिनांक 28-3-08

प्रतिलिपि अधीक्षण, राजकीय मुद्राणालय, गुलजाबाग, पटना को सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित।

अनुरोध है कि इस बिहार राजपत्र के असाधारण अंक में प्रकाशित कर बिहार राजपत्र की 100 प्रतियाँ विभाग को उपलब्ध कराने की कृपा की जाय।

र. हजाल
28/3/08
सरकार के संयुक्त सचिव,

पथ निर्माण विभाग, बिहार, पटना।

जापाक-सी 2 / विविध-08-17 / 2000

4501 (S)

पटना, दिनांक 28-3-08

प्रतिलिपि सभी प्रधान सचिव/आयुक्त एवं सचिव/सचिव सभी विभाग/सभी प्रमंडलीय आयुक्त/सभी जिला पदाधिकारी को सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित।

र. हजाल
28/3/08
सरकार के संयुक्त सचिव,

पथ निर्माण विभाग, बिहार, पटना।

जापाक-सी 2 / विविध-08-17 / 2000

4501 (S)

पटना, दिनांक 28-3-08

प्रतिलिपि अभियंता प्रमुख-सह-अपर आयुक्त-संघ-विशेष सचिव/सभी मुख्य अभियंता/अभियंता प्रमुख के सचिव (प्रो)/सभी अधीक्षण अभियंता/सभी कार्यपालक अभियंता/मुख्यालय स्थित सभी राजपत्रित पदाधिकारी को सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित।

र. हजाल
28/3/08
सरकार के संयुक्त सचिव,

पथ निर्माण विभाग, बिहार, पटना।

जापाक-सी 2 / विविध-08-17 / 2000

4501 (S)

पटना, दिनांक 28-3-08

प्रतिलिपि माननीय मंत्री, पथ निर्माण विभाग के आप्त सचिव को सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित।

र. हजाल
28/3/08
सरकार के संयुक्त सचिव,

पथ निर्माण विभाग, बिहार, पटना।

बिहार सरकार
पथ निर्माण विभाग

कार्यालय आदेश सं. प्र.पं/नि.पं. 08/37/2005 01

दिनांक 02-01-06

कार्यालय आदेश

विभागीय ध्यापक सं. 08/नि.पं. 08-17/2000-4564 (एस) अनु. दिनांक 11.07.05 के द्वारा निर्गत आदेश के माध्यम से राजकीय योजनाकार में पथ निर्माण विभाग के सम्पिलित वाले सड़कों के निर्माण, तपत्र या भविष्य रूप से निरुद्ध आपूर्ति, जलानुति, टेलिफोन लाइन या केबल / ऑप्टिकल फाइबर केबल, सिवर लाइन इत्यादि विधानों तथा इस हेतु काटे गए पथांश के पुनरस्थापन के लिए सरकारों दर, एकरासनामा प्रारूप एवं नीति निर्धारित किए गए है।

उपर्युक्त के अधीन निर्गत आदेश की कंडिका 6 के अनुसार "पंजीकृत आवेदनकों को विहित प्रपत्र में विवरण प्राप्त होने पर पथ निर्माण विभाग के सम्पिलित वाले पथों हेतु सम्बंधित क्षेत्र के मुख्य अभियंता (ता.एस.सी.) विहित शुल्क जमा करने के उपरान्त निर्धारित प्रक्रिया के अधीन पथ निर्माण का अनुमति दिया जाएगा।" इस प्रकार कंडिका 8(ii) के अनुसार सम्बंधित फर्म / विभाग को पंजीकरण शुल्क के रूप में रु. 25,000/- देय होगा।

3. उपर्युक्त आदेश के साथ संलग्न एकरासनामा प्रारूप की कंडिका 2 के अनुसार "For laying utilities, it is essential for the applicants to get registered themselves by applying in the prescribed format....."

4. उपर्युक्त कंडिका 1, 2 एवं 3 के आलोक में उपर्युक्त कंडिका 1 में अंकित कार्य हेतु अनुज्ञप्ति धारियों (licensee) के लिए विभाग में पंजीकरण हेतु निम्न प्रक्रिया निर्धारित की जाती है:-

- पथ निर्माण विभाग के सम्बंधित कार्य प्रमंडल के कार्यपालक अभियंता के पदनाम से रु. 25,000/- (रु. पच्चीस हजार मात्र) का बैंक ड्राफ्ट अनु. अधीन दारा तैयार कराया जाएगा।
- पंजीकरण हेतु अनुज्ञप्तिधारी द्वारा विहित प्रपत्र में (विहित प्रपत्र संलग्न) सभी प्रविष्टियों में वांछित सूचनाएँ अंकित करते हुए 5 (पाँच) प्रतियाँ में बैंक ड्राफ्ट के साथ सम्बंधित कार्यपालक अभियंता के कार्यालय में जमा किया जाएगा।
- पंजीकरण हेतु बैंक ड्राफ्ट के माध्यम से कार्यपालक अभियंता के कार्यालय में जमा राशि को कार्यपालक अभियंता के द्वारा "मुख्य शीर्ष-1054-सड़क तथा रेलु लघु शीर्ष-800-आवासीय/उप शीर्ष-0005 अन्य मदें (विपत्र कोड-आर01054008000005) में नियमानुसार जमा किया जाएगा।
- सभी प्रविष्टियाँ सही पाये जाने पर सम्बंधित कार्यपालक अभियंता द्वारा अनुमति के सहित आवेदन पत्र (विहित प्रपत्र में) को सम्बंधित अधीक्षण अभियंता के पास अनुमति किया जाएगा। अधीक्षण अभियंता द्वारा नियमानुसार इसे सम्बंधित मुख्य अभियंता को अनुमति किया जाएगा। आवेदन पत्र (विहित प्रपत्र में) पर अपनी अनुमति अंकित करते हुए मुख्य अभियंता इसे अभियंता प्रमुख-सह-अपर आयुक्त-सह-विशेष सचिव, पथ निर्माण विभाग के कार्यालय को भेजेगे।

- (v) पंजीकरण का प्रस्ताव सामान्यतः अभियंता प्रमुख-सह-अपर आयुक्त-सह-विशेष सचिव, पथ निर्माण विभाग द्वारा अनुमोदित किया जाएगा एवं तदनुसार पंजीकरण करते हुए अभियंता प्रमुख-सह-अपर आयुक्त-सह-विशेष सचिव के हस्ताक्षर से पंजीकरण संख्या निर्गत किया जाएगा।
- (vi) पंजीकरण संख्या निम्नवत होगा-

Sl. No./Type of utility/RCD/BHR/Year
उदाहरणतया - 000/OFC/RCD/BHR/2005-06

- (vii) अभियंता प्रमुख-सह-अपर आयुक्त-सह-विशेष सचिव, पथ निर्माण विभाग को पद रिक्त रहने की स्थिति में आयुक्त एवं सचिव / सचिव पथ निर्माण विभाग द्वारा प्रस्ताव को अनुमोदित किया जाएगा एवं विशेष पदाधिकारी (यातायात) के हस्ताक्षर से पंजीकरण संख्या निर्गत किया जाएगा।
- (viii) पंजीकरण हेतु विभाग में संघारित पंजी में निम्न सूचनाएँ अनिवार्य की जाएगी:-
1. एजेंसी का नाम -
 2. एजेंसी के पंजीकृत कार्यालय का पता
 3. एजेंसी के पत्राचार का स्थानीय पता-
 4. Utility का प्रकार-
 5. सम्बन्धित विभाग द्वारा अनुज्ञापिधारी के पक्ष में निर्गत अनुज्ञप्ति / एकराशनामा का प्रमाण-
 6. पंजीकरण हेतु जमा राशि से सम्बन्धित बैंक ड्राफ्ट का निचरणी -
 7. कार्यालयिक अभियंता / अभिक्षण अभियंता / मुख्य अभियंता के अनुमति का प्रमाण-
 8. पंजीकरण संख्या -
 9. पंजीकरण अनुमोदित करने वाले पदाधिकारी का हस्ताक्षर -
- 5 उपर्युक्त कंडिका 4(iii) पर विहित विभाग का प्रमाण प्राप्त है।

(बी०के० वर्मा)

संयुक्त सचिव (प्र०के०)

पथ निर्माण विभाग, बिहार, पटना।

31/12/05

दिनांक: 02-01-06

आपांक-प्र०८/विनि-०५ 37/2005

प्रतिलिपि - महोदय/सचिव, पटना को सूचनाार्थ एवं आवश्यक कार्रवाई हेतु अप्रसारित।

अनु०-यथोक्त।

(बी०के० वर्मा)

संयुक्त सचिव (प्र०के०)

पथ निर्माण विभाग, बिहार, पटना।

31/12/05

ज्ञापक:-प्र०८/विनिप-०४-३७/२००५

प्रतिलिपि - विता विभाग (बजट शाखा) को सूचनाार्थ एवं आवश्यक कार्रवाई हेतु अग्रसारित।

अनु०:-यथोक्त।

दिनांक ०२-०१-०६

(बी०के० वर्मा)

संयुक्त सचिव (प्र०को०)

पथ निर्माण विभाग, बिहार, पटना।

तोपना
३१/१२/०५

ज्ञापक:-प्र०८/विनिप-०४-३७/२००५

प्रतिलिपि - सरकार के आयुक्त एवं सचिव / सचिव / निगमायुक्त सभी विभाग, बिहार सरकार को सूचनाार्थ एवं आवश्यक कार्रवाई हेतु अग्रसारित।

अनु०:-यथोक्त।

(बी०के० वर्मा)

संयुक्त सचिव (प्र०को०)

पथ निर्माण विभाग, बिहार, पटना।

तोपना
३१/१२/०५

ज्ञापक:-प्र०८/विनिप-०४-३७/२००५

प्रतिलिपि - सभी प्रगटलीय आयुक्त / सभी जिला पंचायतों को सूचनाार्थ एवं आवश्यक कार्रवाई हेतु अग्रसारित।

अनु०:-यथोक्त।

(बी०के० वर्मा)

संयुक्त सचिव (प्र०को०)

पथ निर्माण विभाग, बिहार, पटना।

तोपना
३१/१२/०५

ज्ञापक:-प्र०८/विनिप-०४-३७/२००५

प्रतिलिपि - अभियंता प्रमुख-सह-अपर आयुक्त-सह-विशेष सचिव, पथ निर्माण विभाग / तकनीकी परीक्षक कोषांग, मंत्रिमंडल (नगरानी) विभाग / अभियंता प्रमुख-सह-अपर आयुक्त-सह-विशेष सचिव के सचिव (प्रादेशिक), पथ निर्माण विभाग / निरीक्षण पदाधिकारी (यातायात) / प्रशाखा पदाधिकारी, प्रशाखा-७/८ एवं मुख्यालय स्थित सभी पदाधिकारियों को सूचनाार्थ एवं आवश्यक कार्रवाई हेतु अग्रसारित।

अनु०:-यथोक्त।

(बी०के० वर्मा)

संयुक्त सचिव (प्र०को०)

पथ निर्माण विभाग, बिहार, पटना।

तोपना
३१/१२/०५

ज्ञापक:-प्र०८/विनिप-०४-३७/२००५

प्रतिलिपि - मुख्य अभियंता / अधीक्षण अभियंता / कार्यनालक अभियंता, सभी उपभाग, पथ निर्माण विभाग को सूचनाार्थ एवं आवश्यक कार्रवाई हेतु अग्रसारित।

अनु०:-यथोक्त।

(बी०के० वर्मा)

संयुक्त सचिव (प्र०को०)

पथ निर्माण विभाग, बिहार, पटना।

तोपना
३१/१२/०५