

Office of the CGDA, West Block-V, R. K. Puram, New Delhi-66
(Pr.IFA Wing)

INSTRUCTION NO. 11 OF 2009

Dated :- 07 --08--2009.

PIFA/Gen Corr/3/ROW Charges

To

All PCsDA/CsDA/IFAs(Dedicated and Nominated)/RTCs

Sub :- Payment of Right of Way (ROW) Charges.

Keeping in view the functional difficulties brought out by Signal Dte, AHQrs in implementation of trial procedure for payment of Right of Way (ROW) Charges for the year 2008-09, and the following is decided with the approval of Competent authority :-

(i) Initial Estimation of ROW charges	ROW Charges primarily depend on the following factors. (a) Geographical location of city/place, (b) Rates laid down by local administration and (c) Route followed for laying. As far as possible, the sponsoring unit of the project will estimate the ROW charges at AON stage, based on various factors, such as initial reeve, past trends/rates, or any other available input like seeking information through official means from the concerned local authorities responsible for levying ROW Charges.
(ii) Provision of ROW element in RFP.	<p>The ROW Charges should be part of RFP. The following special clause for ROW Charges may be incorporated in the RFP :</p> <p>“(a) The vendor should indicate total realistic ROW Charges (clearly showing the break up of agencies involved & points/ mile stones, No. of cables/ducts involved for which ROW Charges would be leviable) as well as cost of equipments, separately for the project. The vendor shall be fully responsible for angling and obtaining all necessary easements, permits and license for moving all construction equipment, tools, supplied materials and Men across Railways and Highways, across Public or private road as well as premises of any public utility within the right of user and for bearing all costs that may be incurred in respect of the same. Any change to the Road/ civic infrastructure will be also the liability of the vendor as he will be executing the project and obtained NOC from the concerned agencies. The vendor will not be entitled to extra compensation for hardship and increase in cost by the cable trench being routed adjacent to or across other pipeline, Highways, Railways, Telephones or poster poles, embankments, cliffs, streams and or other obstacles which may physically or otherwise in any manner, restrict or limit the use of construction “ Right of user”. Some construction and such contingency shall be deemed to have been included for in the rates quoted by the vendor.</p> <p>(b) The ROW Charges would be taken into account while determining L-1.</p> <p>(c) The ROW Charges would be re-imbursed only on production of Govt treasury receipts. The amount to be re-imbursed for ROW Charges would be as per actuals based on Govt treasury receipts or the amount quoted by the vendor (L-1) whichever is lowest.</p> <p>(d) The vendor while submitting claim for re-imburement of ROW Charges, will also submit a certificate to the effect that any further liability on account of ROW Charges from any agency, will be borne by him and he will not claim any re-imburement under any circumstances for enhancement of ROW Charges once the same has been mentioned in the contract.”</p>
(iii) Provision in Supply Order	The procedure for payment of ROW charges including other terms and condition of ROW charges, as mentioned in RFP should be indicated in SO. It should be clearly mentioned that no enhancement of ROW charges be allowed under any circumstances once the same has been mentioned in the supply order.

Note : The above decision has already been conveyed to Signal Dte, AHQrs vide UO NO. even dt. 07.07.2009 through IFA (Army-M).

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(Praveen Kumar)

Copy to :-

1. JS & Addl. FA (A), MoD (F), N Delhi.
2. JS & Addl. FA (S), MoD (F), N Delhi.
3. Jt. CGDA (AT-I)
4. Jt. CGDA (AT-II)
5. Jt. CGDA (AT-III)
6. Jt. CGDA (Trg.-I)
7. Jt. CGDA (Trg.-II)
8. Sr. Dy. GDA (EDPS) - with a request to place the IO on the website
9. ADG FP, Army HQrs., GS Branch, N Delhi.
10. ACAS (Fin.-P) Dte. of Fin. Plg., Vayu Bhawan, New Delhi.
11. ACNS (P&P) Naval HQrs. South Block, New Delhi
12. Coast Guard HQrs. New Delhi.
13. Hindi Cell (Local) - For issuing Hindi version.
14. Sr Dy.CGDA (AT-IX local) For information and necessary action, please.
15. Inst Order File.

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(Praveen Kumar)
Jt.CGDA (IFA)