



**GOVERNMENT OF KERALA**

**Abstract**

Local Self Government Department - City Gas Distribution (CGD) Project – Uniform policy for Right of Way – Streamlining procedure – Standardisation of concession agreement - Mandatory order for Local Self Government Institutions for faster approval – Amendment - Orders issued.

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**LOCAL SELF GOVERNMENT (DC) DEPARTMENT**

**G.O.(Rt)No.1844/2020/LSGD** Dated,Thiruvananthapuram, 07/10/2020

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Read 1 GO (Rt.) No.30/2018/PWD dated 05/01/2018

2 Circular No.CE/R&B/GL-RC/2/2019 Dated 24/09/2020

3 GO (Rt.) No.1783/2020/LSGD dated 29/09/2020

**ORDER**

The Government vide order read above have notified the policy establishing the uniform guidelines for granting Right of Way (ROW) and Right of Usage (ROU) on assets of local self-government institutions (LSGI) in the State for laying underground conveyance / pipelines for city gas distribution network by the concessionaires allotted by PNGRB governing conditions & modalities for grant / permission, levy of restoration charges, determination of compensation etc.

2. It was inter alia conveyed in the para VII (36) of the order under reference 3 above that the methods and procedure prescribed by Public Works Department in State Government for cost fixation shall suo-moto be applicable for the roads owned by LSGIs from time to time. However, it is noted that while this department was seized of the subject in consultation process for finalising the uniform policy, Public Works

Department as per the circular read as 2nd paper above has revised their guidelines in the matters covered in the notified policy for restoration charges, determination of compensation etc. In consideration of the revision by PWD, the following amendment is ordered in the uniform policy guidelines for granting ROW and ROU on assets of Local Self-Government Institutions.

3. The rates published vide reference 3 cited are inclusive of cost index, GST and centage charges for open trenching, and in the case of open pits for HDD cutting the restoration width should be calculated as 1.5 times the actual trench width, subject to a minimum of one meter for bituminous surfaces. For HDD cutting method the restoration rates shall be applicable for the area of open pits only. However, the drilling beneath the road surface, damages are possible to the pavement and other underlying utilities. Accordingly, for the length of drilling, a security deposit corresponding to the restoration rate for one metre width of the drilling length is to be remitted as Security deposit.

4. The trenching in the roads under defect Liability Period (DLP) has to be carried out in rarest situation to avoid the damages to newly constructed roads. However, in case of inevitable situations where trenching is necessary in roads under DLP, the responsibility of the existing/subsisting DLP will be shifted from the existing contractor subsisting with DLP responsibility to the concessionaire which is seeking the approval for trenching the road, and a Security Deposit (SD) has to be remitted by the concessionaire to the LSGI to ensure the restoration of the road because the original contractor is relieved from his DLP for that stretch. The SD should be for the entire width for roads with carriage way width up to 5.5m and for half width in cases where the carriage way width is higher for maintaining the road in good condition (which ought to have been carried out by the original contractor if the cutting/trenching was not done). In case, where the restoration is carried out by the concessionaire directly, the Security Deposit for the restoration work has to be remitted as bank guarantee to cover the improper and inadequate restoration in addition to supervision charge of 2.5% of the restoration amount.

5. The norms for determination of restoration charges and security deposit for different methodology of trenching, and for both types of road (DLP & non DLP) as provided below shall be applicable for roads of LSGIs: (The width for restoration shall be taken as 1.5 times the actual cut area in all cases)

**I. Direct execution by the Concessionaire by open trenching method:**

Roads without DLP	Security Deposit @10% of Restoration charge as BG as security for one year.
Roads with DLP	Security Deposit @10% in the form BG of the total restoration charges for the length of trenching done and corresponding to entire width (for carriage way width up to 5.50m) or half width (if carriage way width>5.50m) valid up to 28 days after the end of DLP of road restoration work or the original work whichever is later

**II. Direct execution by the Concessionaire by HDD method:**

Roads without DLP	Security Deposit @ 10% of (restoration charge of open pit area plus restoration charges for a width of 1m of underground drilling length) as BG for one year.
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Roads with DLP	Security Deposit @ 10% in the form BG of the total restoration charges corresponding to total length of open pit and drilling and for entire width (for carriage way width up to 5.50m) or half width (if carriage was >5.50m) valid up to 28 days after the end of DLP of road restoration work or the original work whichever is later.
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### III. Restoration by LSGI by open trenching method:

Roads without DLP	Restoration charges and centage charges as fixed by PWD to be remitted.
Roads with DLP	Restoration charges and centage charges as fixed by PWD to be remitted, and Security Deposit @10% in the form of BG of the total restoration charges for the length of trenching done and corresponding to entire width (for carriage way width up to 5.50M) or half width (if carriage way width >5.50m); valid up to 28 days after the end of DLP of road restoration work or the original work whichever is later.

### IV. Restoration by LSGI by HDD method:

Roads without DLP	Open pit full area restoration charge (restoration rates should be calculated for 1.5 times the pit area), and Security Deposit @ 10% in the form TSD/BG of the restoration charges for the length of underground drilling and corresponding to a width of 1m, valid up to 28 days after the end of DLP of road restoration work.
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Roads with DLP	Open pit full area restoration charge (restoration rates should be calculated for 1.5 times the pit area), and Security Deposit @ 10% in the form BG of the total restoration charges corresponding to total length of open pits and underground drilling and for entire width (for carriage way width up to 5.50m) or half width (if carriage way width less than >5.50m) valid up to 28 days after the end of DLP of road restoration work or the original work whichever is later.
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6. The Standard concession agreement in MOU format as provided for in para VII (19) and the prescribed application form for use by the concessionaire as provided in para VII (20) are annexed with this order.

(By order of the Governor)  
**BISHWANATH SINHA IAS**  
**PRINCIPAL SECRETARY**

To:  
Director of Urban Affairs, Thiruvananthapuram  
Panchayath Director, Thiruvananthapuram  
Commissioner for Rural Development, Thiruvananthapuram  
Chief Engineer, Local Self Government Department  
All Municipal/Corporation Secretaries (Through Director, Urban Affairs)  
All Panchayath Secretaries (Through Panchayath Director)  
The Principal Accountant General (Audit/ A&E/ LBA &A)  
The Information Officer, (Web & New Media) I&PRD  
Executive Director, Information Kerala Mission  
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Section Officer

