

NATIONAL HIGHWAYS RULES, 1957

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NATIONAL HIGHWAYS RULES, 1957

¹1. Vide. S.R.O. 1182, dated 4th April, 1957. In exercise of the powers conferred by section 9 of the National Highways Act, 1956 (48 of 1956), the Central Government hereby makes the following rules, namely:-

1. Short title :-

The executive agency shall forward to the Central Government for approval rough cost estimates along with detailed information in respect of the particulars given below according to the tentative details given in the annual Plan works programme for a particular year, within a period of 3 months after the receipt of annual plan works programme for the year:-

(a) Proposal in brief with a rough plan of the area in which the work

is to be executed.

(b) Extent of preliminary survey and investigation done.

(c) Broad features showing the existing position and the improvements desired.

(d) Traffic data.

(e) Duration of execution.

(f) Phasing of expenditure and also physical performance.

(g) Rough quantities and estimated cost under broad headings such as: (1) Road works (2) Bridge works Land acquisition; earth work; Foundation, super-structure, road material, guide bunds, etc.

(h) Detailed specification.

(i) List of equipments required for speedy execution of the work.

(j) Alignment plan and longitudinal section in case of roads; hydraulic data and outline designs of structures in case of bridges.

(k) Particulars for comparison of the similar works carried out in the same region.

(1) Special features, if any.

2 \Definitions

..-In these rules, unless the context otherwise requires,-

(a) "Act" means the National Highways Act, 1956;

(b) "approved work" means any original work on a national highway in respect of which the Central Government has accorded technical approval and financial sanction;

(c) "completion report" means a report required to be furnished under rule 8;

(d) "executive agency" means-

(i) in the case of a Union Territory the Administrator thereof to whom the functions of the Central Government in relation to the execution of works pertaining to national highways are delegated under article 239 of the Constitution; and

1 (ia) in the case of a National Highway or part thereof in respect

of which such functions are delegated to the Border Roads Organisation, the Border Roads Development Board;

(ib) in the case of a National Highway or part thereof in respect of which such functions are delegated to the National Highways Authority of India

(ii) in any other case the State Government to which such functions are delegated under section 5 of the Act; and

(e) "progress report" means a report required to be furnished under rule 7.

1. Inserted vide " THE NATIONAL HIGHWAYS RULES, 1957" Dt.31st July, 1998 Published in Ministry of Surface Transport (Road Wing), Noti. No. G.S.R. 417(E), dated July 31, 1998, published in the Gazette of India, Extra., Part II, Section 3(1), dated 31st July, 1998, pp. 1-2, No. 278 [F. No. RW/NH-11012/1/98-DO-1] [L]

3. Detailed estimate of the original work :-

Technical approval and financial sanction shall be accorded only in respect of such items of work for which specific provision has been made in the budget during the year for the individual work on the basis of the approval given under condition (1).

4 \ Abstract of particulars of detailed estimate for maintenance of national highways

. . - An abstract of the particulars of the detailed estimate for the maintenance of the Central Government in such form as the Central Government may require not later than the 1st day of the month of May in that financial year: Provided that the Central Government may, in any case or class of cases, require the executive agency to forward a detailed estimate or estimates for the maintenance of any national highway in such form as that Government may require.

(2) The Central Government may accord approval to the abstract or the detailed estimate or estimates submitted to it under this rule subject to any conditions it may think fit to impose.

5. Revised detailed estimate :-

Abstract of cost of sanctioned detailed estimates in all cases shall be submitted by the executive agency in respect of the works sanctioned by that agency and in the case of bridge estimates, in addition a general outline drawing shall also be submitted. Abstract of cost of sanctioned detailed estimates shall give justification for excess, if any, referred to under condition (4).

6 \ Application for allotment of funds

. .-An application for the allotment of funds meeting expenditure on any original work on a national highway or on the maintenance a national highway during any financial year shall be made by the executive agency to the Central Government in such form as that Government may require and the Central Government shall communicate its decision to the executive agency on such application as soon as possible after such application is received.

7. Monthly progress report :-

Technical approval and financial sanction to plans and estimates for execution of any original work on a national highway shall be accorded by the executive agency only after the approval of an officer of the rank of Chief Engineer or Additional Chief Engineer or Principal Engineer in charge of national highway works has been obtained.

8 \Completion report

..- As early as possible after the completion of any approved work the executive agency shall furnish to the Central Government a full and correct report on such completion in such form as that Government may require.

9. Inspection of works :-

In the case of projects, concerning bypasses, realignment and improvement of geometrics as also designs for bridges of length up to 100 metres and of individual spans not exceeding 30 metres even where cost may be within Rs. 10 lakhs, no work shall be sanctioned by the executive agency without prior approval of the Regional Officer concerned of the Ministry in the Central Government dealing with national highways.

9 \Inspection of works

. .- The Consulting Engineer to the Government of India (Road Development) or any officer authorised by him in this behalf may inspect at any time any approved work in progress or completed. A report of every such inspection shall be submitted to the Central Government.

SCHEDULE 1

SCHEDULE

1. 1 :-

The executive agency shall forward to the Central Government for approval rough cost estimates along with detailed information in respect of the particulars given below according to the tentative details given in the annual Plan works programme for a particular year, within a period of 3 months after the receipt of annual plan works programme for the year:-

(a) Proposal in brief with a rough plan of the area in which the work

is to be executed.

(b) Extent of preliminary survey and investigation done.

(c) Broad features showing the existing position and the improvements desired.

(d) Traffic data.

(e) Duration of execution.

(f) Phasing of expenditure and also physical performance.

(g) Rough quantities and estimated cost under broad headings such as: (1) Road works (2) Bridge works Land acquisition; earth work; Foundation, super-structure, road material, guide bunds, etc.

(h) Detailed specification.

(i) List of equipments required for speedy execution of the work.

(j) Alignment plan and longitudinal section in case of roads; hydraulic data and outline designs of structures in case of bridges.

(k) Particulars for comparison of the similar works carried out in the same region.

(1) Special features, if any.

2. 2 :-

(a) Permissible job sizes shall be regulated according to description given in the annual Plan works programme mentioned under condition (1) and the work shall not be split up.

(b) In the case of items saving lump sum provision (such as improvement of geometrics, stabilising, slipping reaches, raising roads in submersible sections, each specific location supported by requisite details shall be treated individually.

3. 3 :-

Technical approval and financial sanction shall be accorded only in respect of such items of work for which specific provision has been made in the budget during the year for the individual work on the basis of the approval given under condition (1).

4. 4 :-

While sanctioning detailed estimates, the executive agency shall ensure that the rough cost estimate for the work appearing in the

budget estimates accepted by the Central Government for presentation to Parliament is not exceeded by more than 15 per cent. or the total cost of detailed estimate to be sanctioned by that agency, in no case exceeds Rs. 10 lakhs, whichever is less.

5. 5 :-

Abstract of cost of sanctioned detailed estimates in all cases shall be submitted by the executive agency in respect of the works sanctioned by that agency and in the case of bridge estimates, in addition a general outline drawing shall also be submitted. Abstract of cost of sanctioned detailed estimates shall give justification for excess, if any, referred to under condition (4).

6. 6 :-

Progress reports in respect of all works sanctioned by the executive agency shall be submitted to the Central Government, in such form and at such periodicity as may be required by the Central Government from time to time.

7. 7 :-

Technical approval and financial sanction to plans and estimates for execution of any original work on a national highway shall be accorded by the executive agency only after the approval of an officer of the rank of Chief Engineer or Additional Chief Engineer or Principal Engineer in charge of national highway works has been obtained.

8. 8 :-

In case the executive agency considers it necessary to accord technical approval and financial sanction after the approval of officers of the rank of Superintending Engineers possessing requisite technical, administrative and financial powers, the prior approval of the Central Government shall be obtained but in all such cases they shall have to consult the Regional Officer concerned of the Ministry of the Central Government dealing with the national highways.

9. 9 :-

In the case of projects, concerning byepasses, realignment and improvement of geometrics as also designs for bridges of length up to 100 metres and of individual spans not exceeding 30 metres even where cost may be within Rs. 10 lakhs, no work shall be sanctioned by the executive agency without prior approval of the Regional Officer concerned of the Ministry in the Central

Government dealing with national highways.

10. 10 :-

In the matters relating to technical approval and financial sanction, the following procedure shall be followed, namely:-

(i) In case of the works where standards and designs adopted in the estimates are in accordance with the Indian Roads Congress Code and specifications and any other relevant instructions, guidelines, standard bridge designs, etc., issued by the Central Government from time to time, copies of the sanctions accorded by the executive agency shall invariably be endorsed to the Regional Officers concerned of the Ministry in the Central Government dealing with national highways along with complete copy of the estimate so that event after sanction, they could examine the matter and bring to the notice of executive agency deviations from such Code, specifications, instructions, guidelines, standard bridge designs, if any.

(ii) Where for any work, deviations, from approved standards, specifications, instructions, guidelines issued by the Central Government have to be made due to local conditions, no work shall be sanctioned by any executive agency unless a complete copy of the estimate is furnished to the Regional Officer concerned of the Ministry in the Central Government dealing with national highways and his approval has been obtained in accordance with the general instructions issued by them from time to time governing the disposal of such cases. A brief mention of these deviations shall also be made by the executive agency in the abstract estimates to be sent to the Central Government quoting the reference of approval of the Regional Officer concerned.

(iii) In all other cases where proposed deviations do not fit in with the general instructions issued by the Central Government or are not necessitated due to local conditions, technical and financial sanction thereto may be accorded by the executive agency with the prior approval of the Central Government on a reference being made in this behalf along with a copy of the detailed estimate through the Regional Officer of the Ministry of the Central Government dealing with the national highways who shall forward the same to the Central Government with his comments thereon.

(iv) After the budget estimates have been accepted by the Central Government, the funds likely to be available for the work shall be

intimated to the executive agency concerned. Work-wise allotment of funds shall be made by the Central Government and the same shall also be communicated to the executive agency concerned for further necessary action as soon as the budget is passed by the Parliament. Sanction for entering into financial commitments may be accorded by the executive agency only after the budget is passed by the Parliament and the same is intimated to the executive agency. All other actions including technical sanction to the project, calling and receipt offenders, negotiation for their settlement, etc., may, however, be taken by the executive agency as soon as the acceptance of the budget estimate by the Central Government has been intimated to it.