



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय)
National Highways Authority of India

(Ministry of Road Transport and Highways)

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No. 11041/262/2009-Admn.

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9th September '09

OFFICE ORDER

Sub: Duties/ Responsibilities of Regional Officers.

For decentralizing and strengthening the field level operations in NHA it has been decided to set up Regional Offices, each headed by a Chief General Manager (Tech). Accordingly, with the approval of the Competent Authority, it has been decided that the Regional Officers/CGMs will have the following duties and responsibilities.

1. The Regional Officer (CGM) may submit a proposal for approval to Member (P)/ Member (Fin.)/ Member (Admn), HQ on distribution of duties/ responsibilities to various officers in the Regional Office.
2. The provisions in respective Contracts/Concession Agreements shall govern in case any of the duties/ responsibilities given below are contradicting with such provisions.
3. **General Issues:**
 - 3.1 Preparation of the Budget (Original/ Revised) for each Financial Year.
 - 3.2 Propose the projects/ works to be taken up in the region in order of priority based on the broad criteria set by the HQ.
 - 3.3 CGM will be the Nodal Officer of NHA to coordinate and expedite the pre-construction activities with various Departments of State/ Central Government like land acquisition, shifting of utilities, tree cutting, removal of encroachments, environment clearance, state support agreement/ MoU, approval from Railways, etc. CGM shall convene the meetings regularly with the State Nodal Officers.
 - 3.4 Review various reports of PDs on status of pre-construction activities, progress of projects, replies to Parliament Questions and information under RTI matters, etc. and forward to HQ.
 - 3.5 Salary, establishment and office expenditure – follow the guidelines of HQ and disburse the payments.
 - 3.6 Examine and approve the submissions of NHA before DRB/ Arbitration/ Court on the disputes.

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- 3.7 Review the observations of Internal Auditor/ Statutory Auditor (CAG)/ Vigilance/ Safety Auditor and take follow up actions.
- 3.8 Examine the cases for permission of access to retail outlets/ private properties, laying of pipelines (underground)/ cables/ overhead poles/ lines, etc. and grant permissions following the guidelines of the Ministry.
- 3.9 Empanel a list of legal experts for use in Regional/ PIU/ CMU Offices as per fee structure/ guidelines of HQ.
- 3.10 Examine the proposals for release of securities (bid security/ performance security/ retention money) and approve the same if these are within the powers of Regional Officer and recommend to HQ if it is beyond the powers of Regional Officer.
- 3.11 Examine and approve the proposals of advertisements including the drafts, ad agency, newspapers/ editions. Economy should be observed while deciding the content of ad and number of newspapers/editions.
- 3.12 Maintain a data base on the performance appraisal of the Contractors/ Consultants. The attention paid by the Contractors/ Consultants for safety during design, construction and maintenance may be given special emphasis in performance appraisal.
- 3.13 Economy should be observed while allowing the tours of officers in RO/ PIU/ CMU and while conducting the review meetings.
- 3.14 Develop a record keeping system in Regional Office and a tracking system for various BGs, cases/ files & grievances.
- 3.15 Engage on job contract basis, the Site Engineers, Support Staff (Stenography, Accounts, Office Maintenance), Consultants/ Advisors required for Regional/ PIU/ CMU Offices duly following the guidelines of HQ and without creating any liability on NHAI.

4. Project Preparation:

- 4.1 Based on the standard formats, finalize the ToR/ RFQ/ RFP of each project for Feasibility Study/PPR/DPR and forward to HQ for further action;
- 4.2 Inspect the site and hold site meetings with the Consultants on monthly basis so as to decide the major issues under Feasibility Study/PPR/DPR;
- 4.3 Examine and approve the Feasibility Study/PPR/DPR after presentation to the State Authorities and inviting their comments. If the project qualifies for peer review/ proof checking of designs the same may be undertaken before approval;

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4.4 Based on the standard formats, finalize the PPPAC Proposals/ Technical Schedules/ RFQ/ RFP in case of BOT Projects and Bidding Documents in case of EPC Projects and forward to HQ for further action;

4.5 Examine the proposals for replacements, variations, extensions of time, penalties and termination in case of the Consultant and approve the same if these are within the powers of Regional Officer and recommend to HQ if it is beyond the powers of Regional Officer.

4.6 Release the payments to the Consultants in the absence of PIU.

5. Pre-construction Activities:

5.1 In case of land acquisition, propose the staffing of LA Cells/ Competent Authorities / Arbitrators, forward the notifications (3a, 3A & 3D) and the estimates for establishment charges of LA Cells, compensation and R&R to HQ for further action.

5.2 Examine the proposals for acquisition of land by direct negotiation/ consent basis duly following the guidelines of HQ and forward the proposals to HQ with recommendations.

5.3 Review periodically the status of updating the land records in each PIU/CMU.

5.4 Examine the estimates for shifting of utilities, compensatory afforestation/ NPV for tree cutting, Railway charges for ROB/RUBs either approve if these are within the powers of the Regional Officer or forward to HQ for approval. Release the payments to the concerned in the absence of PIU.

6. EPC Projects :

6.1 Review the handing over of site free from encumbrances to the Contractor, identify critical locations, fix the targets and take follow-up actions.

6.2 Carry out site inspections on quarterly basis, convene meetings with the top management of the Contractor and the Engineer, review the progress/ updated programme and identify measures for improving the rate of progress and issue minutes/ instructions without incurring any expenditure/ liability on NHAI.

6.3 Inspect the sites and recommend to HQ for issuing Substantial Completion Certificates/ Taking Over Certificates/ Defect Liability Certificates.

6.4 Examine the proposals for payment of advances to the Contractors and the Consultants, approve if these are as per the provisions in the contract or forward to HQ with recommendations in case of deviations to provisions of contract.

6.5 Examine the proposals of sub-contracting, variations, EOT, penalties & termination, approve if these are within the powers of Regional Officer or forward to HQ with recommendations.

6.6 Examine the cases of customs duty/ excise duty exemption, subsequent legislation and forward to HQ with recommendations.

6.7 Ensure submission of revised estimates for the projects on reaching 25%, 50%, 75% progress and on completion.

7. BOT Projects:

7.1 General :

7.1.1 Obtain the monthly statements of Escrow Account/ User Fee collected, examine the same and send comments to the Concessionaire/ IE for further action.

7.1.2 Prescribe the formats for monthly reports from the Concessionaire/ IE, obtain the same on monthly basis, review the contents and forward to HQ with comments.

7.2 Construction Stage:

7.2.1 Inspect the sites during the construction period on quarterly basis, convene meetings with the top management of the Concessionaire and the Independent Engineer, review the progress/ updated programme and identify measures for improving the rate of progress and issue minutes/ instructions without incurring any expenditure/ liability on NHAI .

7.2.2 Review the pending 'conditions precedent' prescribed in the Concession Agreements viz. RoW, Fee Notification, Approvals from Railways, Environment Clearance, etc. and take follow-up actions.

7.2.3 Obtain reports/ comments from Independent Engineer/ PD on the drawings submitted by the Concessionaire and review the same so as to ensure the construction of Project Highway/ Facilities as per Specifications & Standards prescribed in the Concession Agreements.

7.2.4 Obtain reports/ comments from Independent Engineer/ PD on the alternative Specifications & Standards, review and report to HQ with comments.

7.2.5 Review the Safety Reports and take follow-up actions including suspension of unsafe construction works.

7.2.6 Obtain reports from Independent Engineer/ PD on and review the status of maintenance of existing highway during construction period by the Concessionaire;

7.2.7 Examine and approve the proposals for release of grant (equity support).

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- 7.2.8 Examine the drafts of the Project Agreements and forward the same with comments to HQ. Also examine the Financial Package/ Model/ Documents at the time of occurrence of financial close and forward comments to HQ.
- 7.2.9 Review periodically the status of ownership (equity holdings) of the Concessionaire, examine the proposals for change in ownerships and forward to HQ.
- 7.2.10 Provide support/ assistance on various matters to the Concessionaire as envisaged in the Concession Agreements
- 7.2.11 Inspect the site and recommend to HQ that the Project Highway is fit and safe for commercial service at the time of COD along with the list of incomplete/ defective works to be included in the punch list.
- 7.2.12 Inspect the site at the time of completion certificate, examine the status of completion of punch list items and recommend to HQ on project completion.
- 7.2.13 Examine the proposals for change of scope, approve if the same are within the powers of Regional Officer or forward to HQ with recommendations;
- 7.2.14 Examine the proposals on change in law and recommend to HQ.
- 7.2.15 Examine the Maintenance Manual and Maintenance Programme of the Concessionaire and send comments to the Independent Engineer/ Concessionaire.
- 7.2.16 Examine the cases of default of Concessionaire, force majeure, termination & breach of agreement and forward to HQ with recommendations.

8.3 O&M Stage :

- 8.3.1 Examine the proposals for variations in traffic growth/ modifications in the concession period.
- 8.3.2 Undertake traffic sampling at a frequency as deemed appropriate independent of the Concessionaire for determining the actual traffic on the Project Highway.
- 8.3.3 Examine and approve the proposals for grant (O&M support)/ premium (additional concession fee).
- 8.3.4 Examine lane closure/decommissioning proposals and approve the same.
- 8.3.5 Examine the proposals for annual revision of fee and send comments on the same.

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- 8.3.6 Examine the proposals on revenue shortfall loan and recommend to HQ.
- 8.3.7 Examine the proposals on change in law and recommend to HQ.
- 8.3.8 Examine the cases of default of Concessionaire, force majeure, termination & breach of agreement and forward to HQ with recommendations.
- 8.3.9 Inspect the sites during O&M period on quarterly basis to examine the site activities of the Concessionaire vis-à-vis the requirements as per Maintenance Manual/ Programme.
- 9 O&M works by NHAI (PIU/CMU) or through State PWDs for the reaches entrusted to NHAI:**
- 9.1 Obtain the estimates from PD for O&M related works and toll arrangements; examine in the light of guidelines of HQ and approve if these are within the powers of Regional Officer and recommend to HQ if it is beyond the powers of Regional Officer.
- 9.2 Obtain the estimates from State PWDs for OR/PR/SR/FDR as per norms of Ministry/ NHAI, examine the same and approve if these are within the powers of Regional Officer and recommend to HQ if it is beyond the powers of Regional Officer.
- 9.3 Carryout procurement of Contractor/ Supervisor/ Toll Collection Agency for O&M works as per Standard Documents/ Guidelines of HQ.
- 9.4 Examine the proposals for payment of advances to the Contractors and the Consultants, approve if these are as per the provisions in the contract or forward to HQ with recommendations in case of deviations to provisions of contract.
- 9.5 Examine the proposals of sub-contracting, variations, EOT, penalties & termination, approve if these are within the powers of Regional Officer or forward to HQ with recommendations.
- 9.6 Review of toll collection reports on quarterly basis, identify the measures to improve toll revenue and take follow-up actions.
- 10. Supervision Consultancy/ Independent Engineer / O&M Supervisor Contracts :**
- 10.1 Examine the proposals for replacements, variations, extensions of time, penalties and termination and approve the same if these are within the powers of Regional Officer and recommend to HQ if it is beyond the powers of Regional Officer.

11. Externally Aided Projects:

Review the status of loan withdrawals, loan covenants, loan extensions and take follow-up actions.

12. SPV Projects :

12.1 As MD of SPV, exercise the powers delegated to MD by SPV Board.

12.2 Follow the provisions in the Company Act and take special attention in finalization of annual accounts and taxation matters in SPVs.



(PRAKASH NEVATIA)
DEPUTY GENERAL MANAGER (HR-II)
9.09.09