



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

दूरभाष / Phone 91-11-25074100/25074200

फैक्स / Fax 91-11-25093507 / 25093514

(Ministry of Road Transport and Highways)

जी-5 एवं 6, सेक्टर-10, द्वारका, नई दिल्ली-110075

G-5 & 6, Sector-10, Dwarka, New Delhi-110075

No.11041/218/2007-Admn

Dated: 02.05.2016

**POLICY MATTERS-Technical (206/2016)**

(Decision taken in 108<sup>th</sup> meeting of the Authority held on 05.04.2016)


**Sub: Interpretation regarding change of scope on account of changes caused for Railways while approving the General Arrangement Drawings in BOT Projects.**

Generally, in BOT (Toll) projects, the indicative general arrangements of ROB/RIUB are given in Schedule -B with a proviso that "the proposed span arrangements of the ROBs are tentative and subject to change as per availability of railway boundaries/requirement of Railways" keeping in view that the Railways often makes changes in the GAD submitted by the Consultant/NHAI for varied site specific reasons. Another proviso that "ROB shall be designed, constructed and maintained as per requirement of Railway Authorities" is also included in Schedule-B pertaining to ROB/RUB.

2. In this regard, number of cases/representations on issues of interpretation has come to notice of Authority with regard to change in overall length beyond tentative details in proposed span arrangement and change in tentative type of superstructure that were provided in Schedule-B. The issue was deliberated by Authority in its 108<sup>th</sup> meeting held on 05.04.2016 and based on recommendations of technical experts and legal opinion the following has been decided.

- (i) If the overall length of ROB changes from that indicated in the Schedule-B as a result of Railway's approval of GAD, such variation (both increase and decrease) shall be considered for change of scope as per actual expenditure i.e. for additional length all the additional expenditure shall be considered, as a settlement approach that the Concessionaire will not claim change of scope for actual execution of given length (in Schedule-B) and forego claims related to ROBs.
- (ii) The Executive Committee shall decide the COS on case-to-case basis to ensure compliance to specific provisions in the respective concession agreement.

3. This issues with the approval of the Competent Authority.

  
(N.K. Sharma)  
CGM (Coord.)

To:

All Officers & Employees of HQ/ROs/ PIUs/ CMUs/ Site Offices