

**Government of Punjab
Department of Local Government
(Town Planning Wing)**

NOTIFICATION

THE 3 APRIL, 2018

No. CTP(LG) - 2018/ 1073 :-The Governor of Punjab is pleased to notify the Policy guidelines governing grant of permission, levy of restoration charges and determination of compensation for Right of Use of Way for State Government Departments / Urban Local Bodies / State Authorities land for laying of City Gas Distribution Network (CGDN) to licensed entities / firms / companies which have been awarded the work of laying of gas pipelines network in the State of Punjab, as following:-

1.0 Objectives

The licensees who have been awarded the work of laying of gas pipelines in the State of Punjab by the Petroleum & Natural Gas Regulatory Board (PNGRB) / Competent Authorities have been approaching the State Government Departments and Local Bodies for grant of NOCs / Approvals / Clearances. In the absence of any definite Policy in this regard, they are facing a lot of hardship. Different departments are dealing with their applications in a different way and there is no uniform policy even amongst the different offices of the same department. Accordingly, the State Government feels that there is a need for a simple and uniform policy in this regard.

2.0 Applicability/Eligibility

The policy would be applicable to all the State Government Departments / Urban Local Bodies / State authorities which are approached for grant of NOC / Approvals / Clearances by the licensees who have been awarded the work of laying of gas pipelines network and also to all the licensees who have been awarded the work for laying of gas pipelines network within the State of Punjab.

2.1 Any authorized licensee of Petroleum and Natural Gas Regulatory Board is eligible to seek / avail RoU facility / permission. However, enforceability of the permission so granted shall be restricted to the extent of provisions / scope of service contained / defined in the license agreement of that licensee and for the purpose for which it is granted subject to compliance of the terms and conditions fixed by Government of India or any Competent Authority from time to time.

2.2 Either by content or by intent, the purpose of extending RoU facility / permission is not to enhance the scope of license of a licensee and such RoU permissions shall be only enabling in nature.

2.3 For granting permissions, a Single Window Mechanism at the District level shall be notified by the Local Government Department. The applicant may either apply at the Single Window or directly with the concerned Department for availing RoU facility / permission.

2.4 The responsibility to obtain No Objection Certificate from various Departments and Authorities, other than the State Government as and when required, shall be of the applicant licensee.

3.0 Application

3.1 Documents to be submitted:

3.1.1 For obtaining RoU facility / permissions, the licensee will submit Common Application Form (CAF) or application in the prescribed format along with a locality wise GIS map in the appropriate file format with detailed description of location, route plan, relevant details of the land with property ownership on which gas pipelines are to be laid, work plan (area-wise and time-wise) and methodology to be used for laying the gas pipelines i.e. Horizontal Directional Drilling (HDD) technology or open trenching or both and processing fee, will be submitted along with application.

3.1.2 Information regarding the depth and length of trench, dimensions (length, width and depth) of land (cross section) required for laying gas pipelines or any other details / specifications required by the relevant Authority will also be provided.

3.1.3 The applicant shall submit prescribed number of hard copies of the application along with a soft copy.

3.1.4 This policy is being framed for giving NOCs / Approvals / Clearances for laying Gas Pipelines. For installing CNG Station, Storage Facilities, Pumping Station etc. the licensee shall separately obtain NOC from the district administration after following due procedure.

3.2 Conditions Precedent

3.2.1 Licensee will carry out Ground Penetrating Radar (GPR) survey along the route plan where the CGDN is to be laid for detection of existing utilities. The data of utilities collected through GPR survey would be unconditionally shared with relevant Authority free of cost.

3.2.2 Permission granted to the applicant licensee will not be transferable and will be valid only for the period for which license has been granted.

3.2.3 The State Government Departments / Urban Local Bodies / State authorities shall not be responsible for any damages / claims towards laying of gas pipelines and resultant losses, if any, during the execution of the work course of official duty by any of their employees.

3.2.4 Responsibility of public safety shall lie with the licensee during establishment or post establishment of laying of CGDN, during its maintenance or other related activities. The licensee shall take all necessary safety steps & measures while executing the work and the licensee will indemnify the Local Authority against any accident and damage caused to life and / or property during execution and post execution.

3.2.5 In case of any damage to the essential services i.e. water supply, sewerage system and telecommunication lines, electricity supply etc, it will be the responsibility of the licensee to get the services restored from the

concerned Local Authority within 24 hours and the cost so incurred would be borne by the applicant licensee. With respect to the cost incurred on the restoration of essential service, the decision of the concerned State Government Departments / Urban Local Bodies / State authorities shall be final.

3.2.6 If the damaged essential services are not restored within 24 hrs then the cost of restoration incurred by the department shall be recovered at the rate of 1.5 times the actual cost incurred by the department along with 10 per cent supervision charges from the licensee

4.0 **Fee / Charges**

4.1 For laying of gas pipelines, the Restoration charges, Annual rent and Security deposit shall be taken as under:

Particulars of Charge	Type of roads	Rate per Square Meter
1	2	3
Restoration Charges (Please refer para 4.2)	Premix Carpet	Rs. 2000/-
	B.M. and Premix	Rs. 2600/-
	Berm cutting (Kutchra)	Rs. 100/-
	Brick Paving	Rs. 500/-
	C.C. Road	Rs. 2000/-
	Interlocking Paver Block	Rs. 3000/-
Annual Rent	Rs 50/- per running meter which shall be increased @5% every financial year starting from 01.04.2019.	
Bank Guarantee towards Security Deposit	50% of total Restoration Charges. (The same shall be reimbursed against the actual loss)	
Note: The Bank Guarantee shall be released after a period of one year of completion of the work to the satisfaction of the concerned Authority.		

4.2 **Restoration and Rehabilitation:-**

Licenses will have two options as regards to restoration & rehabilitation. The restoration work can be carried out by the licensees themselves or they can get this work done through the concerned State Government Departments/Municipal Committees/ Local Bodies / State Authorities.

4.2.1 In case, licensees choose to carry out the restoration & rehabilitation work themselves, they would submit 'Performance Bank Guarantee' equal to the amount as described in para 4.1 column 3 against the restoration charges and rehabilitate the site / infrastructure to its original condition at their own cost as per the drawings and specifications approved by the concerned State Government Departments / Urban Local Bodies / State authorities. Gas Distributors shall complete the work of laying gas pipelines including restoration & rehabilitation thereon within permitted period and methodology as allowed by the concerned Department while issuing NOCs /

Approvals / Clearances. Needless to mention, the work would be carried out under the supervision of the State Government Departments / Urban Local Bodies / State authorities concerned to its satisfaction for which licensee shall also deposit the departmental supervision charges @ 10% of total restoration charges. The licensee shall be responsible for the restoration and rehabilitation works during the defect liability period which shall be one year. Inspections shall be carried out by respective State Government Departments / Urban Local Bodies / State authorities within the defect liability period and in case any defect / damage is observed, the same shall be rectified by the licensee at its own cost.

4.2.2 In the alternative, licensees can deposit the restoration & rehabilitation charges as described in para 4.1 column 3 and the work would be done through the concerned State Government Departments / Urban Local Bodies / State authorities.

4.2.3 The licensee shall be liable to pay any other charges i.e. Processing Fee, Utility shifting charges etc as prescribed by the concerned State Government Departments / Urban Local Bodies / State authorities from time to time.

4.2.4 In case the licensee applies at 'Single Window' the demand / charges payable by the licensee toward the Right of Use of way for the land for laying gas pipeline shall be raised by the 'Single Window' and got deposited by the licensee at the 'Single Window'. The annual rent, restoration charges and the Bank Guarantees, as the case may be, shall be transferred to the concerned Departments / Authorities under whose jurisdiction the Right to Use of Way falls.

4.2.5 The annual rent would be subsequently be deposited with the concerned State Government Departments / Urban Local Bodies / State authorities.

5.0 Implementation

5.1 The above charges can be reviewed by the Government from time to time.

5.2 The site or surface of road / streets will be restored to its original position by the licensee in case they exercise as per para 4.2.1 at their own cost as per the drawings and specifications approved by the concerned department under the supervision of the State Government Departments / Urban Local Bodies / State authorities concerned to its satisfaction. In case the licensee fails to do so, the Performance Bank Guarantee will be forfeited and the said work will be executed by the concerned department at the cost of the licensee.

5.3 Licensee will give a notice of 15 days with route details prior to trenching for maintenance / repair works of the already laid / existing pipelines.

5.4 The licensee shall abide by all the safety standards and measures as highlighted by the Petroleum and Natural Gas Regulatory Board / Competent Authority as per terms and conditions of NOC / Approvals / Clearances.

5.5 Work should be executed phase wise without interrupting the traffic. Prior permission from the district administration for traffic management shall have to be obtained by the licensee.

5.6 The licensee shall give an advertisement in the newspapers having local circulation along with displaying notice at site before starting the work execution.

5.7 The licensee shall be solely responsible for any accident or damage due to his act, omissions or negligence.

6.0 Restrictions

6.1 Permission for RoU for laying of CGDN may be denied at location where it may cause disruptions in services and facilities.

6.2 Gas pipeline would be laid at the edge / as near as possible to the edge of available land width. However, if for some reasons it is not possible to lay gas pipelines at the edge / as near as possible to the edge of available land width and if the safety standards permit, pipelines can be allowed to be laid under the carriage way. In case of canals and drains, RoU for laying gas pipelines, unless permitted otherwise will be invariably near the edge of land boundary.

6.3 It shall be ensured that the earth cutting is minimum and trenchless technology is used to the extent possible.

6.4 In case any shifting / alteration / encasing of pipeline is required due to widening of road / construction of road or any other structure (Flyover / Bridge etc.), the same shall be done by the licensee at its own cost within specified period fixed by concerned department.

7.0 Other conditions

7.1 The policy covers permission of Right of Use of way for laying CGDN. It shall not be applied to other facilities of the project such as CNG Station, Storage Facilities, Pumping Station etc. The provisions of the concerned Master Plan should be adhered to while granting sanction for the installation of CNG Station, Gas Storage facilities, Gas Pumping Stations etc.

7.2 In case of any dispute between the licensee and the State Government Departments / Urban Local Bodies / State authorities, the Administrative Secretary of the concerned State Government Departments / Urban Local Bodies / State authorities will be final Authority for settlement of such dispute and such decision will be binding on both the parties.

7.3 In case of any discrepancy in the interpretation of the policy the decision of the Administrative Secretary of the Local Government Department shall be final.

7.4 This policy shall be applicable from the date of Notification by the State Government.

7.5 The State Government reserves the right to modify the policy and to amend any clause of the policy for the reasons to be recorded in writing.

Chandigarh
Dated- 02.04.2018

A Venu Prasad, IAS
Principal Secretary to Government of Punjab,
Department of Local Government, Punjab

Endst.No. CTP(LG) – 2018 / 1074

Dated Chandigarh the 03.04.2018

A copy is forwarded to the Controller, Printing & Stationary Department, Punjab; SAS Nagar with a request to get this notification may be published in the Punjab Government Gazette Extra Ordinary and supply twenty five spare copies for record.

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Endst.No. CTP(LG) – 2018 / 1075- 1081

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Special Secretary Local Government
Dated Chandigarh the 03.04.2018

A copy of the above is forwarded to the following for information and further necessary action:-

1. Chief Secretary to Government of Punjab.
2. Administrative Secretaries of all Departments of Government of Punjab.
3. Director, Local Government, Punjab, Chandigarh.
4. All Deputy Commissioner, Punjab State.
5. Chief Administrators of all Development Authorities.
6. Commissioners of all Municipal Corporations.
7. All Regional Deputy Directors of Local Government Department.

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Endst.No. CTP(LG) – 2018 / 1682

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Special Secretary Local Government
Dated Chandigarh the 03.04.2018

A copy is forwarded to CPS/CM for kind information of Hon'ble Chief Minister, Punjab.

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Special Secretary Local Government