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GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. 2015/CE-IV/ROB-RUB/Misc/49

New Delhi: 16.03.2023

Secretary, Ministry of Road Transport & Highways
Transport Bhawan, 1, Parliament Street
New Delhi-110001

Sub: Minutes of meeting held on 22.01.2023 in connection with issues
figuring in the Group of Infrastructure Meeting Scheduled on
24.01.2023.

Please find enclosed herewith MoM (Minutes of Meeting) of Secretary level meeting
(held between Ministry of Railways and MoRTH) on 22.01.2023, prior to 10th Group of
Infrastructure Meeting (10th GOI).

(S. N. Joshi)
Executive Director/B&S

Copy to:-

- i) DG/MoRTH for kind information and necessary action please.
- ii) Chairman/NHAI for kind information and necessary action please.
- iii) GMs, all Zonal Railway for kind information and necessary action please.
- iv) AM/L&A, PED/Gati Shakti, ED/L&A, Railway Board for kind information and necessary action please.

(1) PED/INFRA-II, RDSO: LUCKNOW.

16/03/23

Minutes of meeting held on 22.01.2023

A Secretary level meeting was held between Ministry of Railways and MoRTH in Railway Board on 22.01.2023 to discuss the issues of MoR and MoRTH appearing in draft agenda items of 10th Group of Infrastructure Meeting (10th GOI) scheduled on 24.01.2023. The meeting was chaired by Shri Anil Kumar Lahoti, CRB & CEO and Ms. Alka Upadhyaya, Secretary, Ministry of Road Transport and Highways. The meeting was attended by senior officers from Ministry of Railways, MoRTH and NHAI (List of participants is attached).

The general/specific issues discussed and deliberated in the meeting are as under:-

1. Land Lease / Transfer related issues:

The officials of NHAI requested for early transfer/ leasing of Railway land for various projects of NHAI. It was brought to the notice of MoRTH / NHAI that MoR has rationalized its land leasing policy with the approval of Cabinet and Master Circular on 'Policy for Management of Railway Land' has been issued on 04.10.2022. All the land related issues shall be dealt as per the revised policy. MoRTH / NHAI shall apply for leasing of railway land through on line portal IR-LSPS. Ministry of Railways has stipulated a time period of 90 days for approval of proposals of leasing / licensing of railway land.

2. P&E and supervision charges for ROB's:

NHAI / MoRTH requested for accepting one time charges of Rs. 5 lakhs (instead of P&E , Supervision Charges levied prior to 10.11.2014), even in case of validation / approval of GADs of ROB initiated prior to MOU dated 10.11.14 or wherein original GADs approved prior to MOU dated 10.11.2014 but due to change in project configuration revalidation of GADs asked subsequently. Meanwhile pending resolution of this issue, the ROB works may be allowed to continue by Railways with payment of one time charges as stated above.

It is decided that a consolidated list of such cases shall be shared by MoRTH/NHAI with MoR for one time exemption, which shall be considered and processed further for communicating sanction.

3. System review for monitoring and resolution of issues between MoRTH / NHAI and Railways:

- a) Presently Bi-monthly meetings are being conducted by CBE at Zonal Railway with MoRTH, NHAI and State Govt. for timely resolution of issues,

this meeting should be held on monthly basis. To enhance the effectiveness of the meetings, senior level officers from NHAI/MORTH should attend the meeting. It was agreed during the meeting that Senior level officers will attend these meeting to resolve field level issues. CE (G)/Chief Engineer looking after the land matter in Zonal Head Quarters shall also be associated during the meeting for resolution of land related issues between NHAI and Railways.

- b) In addition to above, it was decided that AGM of Zonal Railway will held a review meeting with Chief General Manager/NHAI and Regional Officers of MoRTH/NHAI on quarterly basis to monitor & resolve the issues unresolved in CBE level meetings.
- c) An online Portal to be set up by MoRTH / Railway for registering, monitoring and expeditious resolution of land and other matters. Alternatively, a module may be developed in IR-RRCAS portal for this purpose.

4. MoU for land matters

MoRTH/NHAI raised the issue, that sometimes targeted project of NHAI are affected due to claim of ownership issues of land by railways. As MoRTH/NHAI and Railways are Central Govt. entities, the progress of work should not be affected by such issues. A MoU may be entered between MoRTH/NHAI and Railways to accord working permission after deposition of amount as per railway records pending finalization of ownership issue. The amount so deposited, if found additional/deficit, may be adjusted/reimbursed at later stage. This shall be applicable vice-versa for railway projects also.

5. Span arrangement in Railway's ROW

NHAI/ MoRTH requested for allowing piers in Railway's ROW, if it is not obstructing Railway Track expansion plan.

As per Railway Board Letter dated 29.10.19,

- i. "For ROB being constructed in Railway yard or near yard, pier/abutment should be located just out-side/at the railway boundaries to the extent possible.
- ii. At other locations, if future requirement of track is not justified can be accommodated within 45 m, road span of track can be up to 45 meter.
- iii. In case of dispute, matter shall be decided by GM of Zonal Railway considering the future requirement and site feasibility.

Instruction issued vide letter dated 29.10.2019 will be re-iterated to Zonal Railways. Provision of pier location at boundary need not to be flatly insisted upon at all locations. As far as possible large span should be adopted



considering future requirements. NHA/MoRTH may come up with new designs for superstructure for larger span in consultation with RDSO (Research Design and Standard Organisation).

6. Cost of utility shifting

NHAI /MoRTH requested that cost towards the replacement of structures may be borne by Railways as the facilities created by NHAI would also boost railway's infrastructure. Alternatively, Railways should only demand depreciated cost of their structures, in place of replacement value of new structures, as the structures are about 100 yrs old.

As per present practice, all the utilities are shifted by the infrastructure creating agencies like Metros, Railways on defense land, etc. at their cost. It was agreed that infrastructure creating authorities shall bear the entire cost of replacement of utilities.

7. MoU for Setu-Bhandhan Scheme

MoRTH decided to facilitate State Govts./ UTs for replacement of existing Level Crossings (LCs) on State Roads by construction of ROBs/ RUBs under SETU BANDHAN Program under CRIF Scheme which envisages replacement of LC by ROBs/RUBs on state roads (other than Village Roads) by single entity by State/expertise agencies through the funds allocated by MoRTH from the State's share.

Already a MoU exist between MoRTH and MoR for replacement of LCs on NH corridor by MoRTH / NHAI at their own cost. For other roads MoR has already revised the policy for construction of ROBs/RUBs in lieu of level crossings vide letter No. 2017/CE-IV/LX/Misc./244 (LCs) pt. dated 28.07.2022. As per revised policy;

(i) All LC as per Railway's priority: 100% cost of work (excluding land acquisition, R&R, removal/shifting of utilities which shall be by state/ROA's, at their own cost) shall be borne by Railways for elimination of LC forming part of railway's priority (through CRIF fund).

(ii) All LC not as per Railway's priority: 100 % cost of work shall be borne by State Governments / Road Owning Authority (ROA), if these entities decide to eliminate such LCs as per their priority on single entity basis.

As such tripartite MoU as suggested by MoRTH is not required, as the present policy of Railway largely aligned with Setu Bandhan scheme. Letter to MoRTH and Zonal Railway issued on 21.01.2023 in line with revised policy (dated 28.07.2022) of LC elimination of Railway which allows Road Owning Authority (ROA) to take up ROB at their own cost for ROA's priority.

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8. Closure of Level Crossing (LCs) on commissioning of ROBs

- a) As per MoU dated 10.11.2014, all the LCs on NH Corridor are to be replaced by MoRTH / NHAI at their own cost. There are about 401 LCs on NH as on 01.04.22. At 24 LCs, ROBs commissioned but LCs not closed. MoRTH / NHAI shall reiterate instructions to ROs/PIUs to ensure closure of LCs at the time of commissioning of ROBs. ROB/RUB works at balance 377 LCs to be done.
- b) As per para A(7) of MOU, Subway should be provided in addition to ROBs at LC locations to facilitates movement of pedestrians & vehicular traffic. If not feasible, FOB with ramp shall be provided. MoRTH / NHAI shall reiterate instructions to ROs/PIUs to ensure provision of subway / FOB in addition to ROBs as per MOU.
- c). Wherever, RUB works underneath the Railway Line is required / committed by NHAI, Railway may agree to take up such RUB work as a deposit work of MoRTH/NHAI on mutual consent.

Issue-wise discussion / deliberations during the meeting attached as **Annexure-III**

Amf

List of Participants:

Ministry of Railways:-

1. Sri A. K. Lahoti, CRB& CEO.
2. Sri Brijesh Kumar Gupta, AM/CE.
3. Sri Sharad Mehta, AM/L&A.
4. Sri A. K. Khandelwal, PED/GS.
5. Sri S. N. Joshi, EDCE/B&S.
6. Sri Dhananjaya Singh, ED/GS-II.
7. Sri Pankaj Tyagi, ED/L&A.
8. Kamlesh Gosai, ED/GS-Traffic.

Ministry of Road Transport and Highways.

1. Ms. Alka Upadhyaya, Secretary, MoRTH,
2. Sri A. K. Ghosh, Additional Secy/MoRTH,

NHAI:-

1. Sri K. Venkata Ramana, Member (PPP).
2. Sri Pankaj Vishal, GM/HQ/NHAI.



Discussion / deliberation on draft Agenda Issues (Mutual Issues) of 10th Group of Infrastructures Meeting scheduled on 24.01.23

A) Issues of MoRTH Pertains to Ministry of Railways		Decision Taken	
SN	Agenda No.	Issue	Request
1	1.3.1(A), 1.3.3, 1.3.5, 1.3.6 & 1.3.7	NHAI has requested for transfer/ leasing of Railway land for NHAI for various projects as stated in Para 1.3.1(A), 1.3.3, 1.3.5, 1.3.6 & 1.3.7	Railways should transfer land to NHAI/MoRTH for free as has been done by NHAI in one case in West Bengal, if at all, any compensation is to be paid, it should be allowed to be determined as per the actual land use.
	Issue received from NHAI – Transfer of Land.		Transfer of land should be on permanent basis, quick and free of cost and depreciated cost of structure should be taken for valuation.
2	1.3.1(B) (Issue received from NHAI) – Facilitating land related matters and delayed ROB approval cases	ROB approval process is in four stages and normally takes about 4-months as against stipulated period of 60 days. Zonal Railway should raise observation in one go Formation of joint committee for resolution of land and other matters (AGM, CGM/HQ/NHAI and CBE)	To set up of joint committee for resolution of land and other matters (AGM and CGM/HQ/NHAI) for delayed matter on quarterly basis

Decision Taken

Issue Mutually Discussed and Resolved.
Issue to be dealt as per Master Circular of Railway Board
An MoU to be signed for expediting JMS, working permissions and deposition of amounts. MoR Circular of October 2022 will be base for determining land cost.
MoR has rationalized its land leasing policy with the approval of Cabinet. As per the Master Circular on Management of Railway Land (Issued on 04.10.2022), leasing of railway land is permitted for infrastructure for public service utilities including roads, etc for 35 years @ 1.5% of market value of land per annum with annual escalation of 6% which can be paid either annually or entire payable amount may be paid in advance on present value basis with discounting of future cash flows at the rate of 7% per annum.)
MORTH / NHAI was informed to apply through on line portal IR LSPS
The proposal shall be approved within stipulated period of 90 days after submission of IR-LSPS).

Issue Mutually Discussed and Resolved.

System of review jointly at AGM level with CGM/NHAI on quarterly basis is agreed. Online Portal to be set up for monitoring the above.

For enhancing effectiveness of Bi-monthly meetings being conducted by CBE at Zonal Railway with MoRTH, NHAI and State Govt., instruction shall be issued by MoRTH/NHAI for participation of Senior level officers (JS/Director) to resolve field level issues.
Railways mentioned that most of the GAD are approved with stipulated period of 60 days except GADs having at large scale deficiencies which are not complied timely by NHAI/MoRTH authorities. MoRTH/NHAI authorities should ensure that ROB drawings and proposals are submitted as per prescribed norms and guidelines for expeditious approval. As far as possible standard spans should be used.

SN	Agenda No.	Issue	Request	Decision Taken	Action by
3	1.3.2 Issue received from NHAI) - Railways insisting for Bowstring Girders.	As per Railway Board clarification dated 23.07.2018, reiterated on 29.10.2019 pier is permissible within Railway ROW However, Zonal Railways are insisting for larger spans to bridge entire ROW & bowstring girders for even single (non-critical) lines, while validation of earlier approved GADs	Railways to allow pier in ROW, if it is not obstructing Railway Track Expansion plan	Issue Mutually Discussed and Resolved. Instruction issued vide letter dated 29.10.2019 will be re-iterated to Zonal Railways. Pier location at boundary need not to be flatly insisted upon at all locations. As far as possible large span should be adopted considering future requirements. NHAI/MoRTH may come up with new design for larger span in consultation with RDSO (Research Design and Standard Organisation). (As per Railway Board Letter dated 29.10.19, Pier should be located just outside or at railway boundary to the extent possible, however at location if future requirement of track is not justified or can be accommodate within 45m the road span of track not to exceed 45 meter. In case of dispute matter shall be decided by GM of Zonal Railway considering the future requirement and site feasibility).	MoRTH NHAI MoR
		Charges being demanded by Railways for projects in Tamil Nadu Railway is charging P&E Charges @ 2% and Supervision Charges @ 6.25% while revalidating of GAD approval / initiation prior to MoU (10.11.2014) instead of one time charge of Rs. 5 lakhs being charged for GAD submission after MoU.	Railways is requested to accept one time charges of Rs. 5 lakhs and not to insist for P&E , Supervision Charges in case of validation / approval of ROB GADs initiated prior to MOU dated 10.11.14	Issue Mutually Discussed and Resolved. Consolidated list of cases to be shared by MoRTH with MoR for one time exemption / approval, which shall be processed accordingly for approval. Mean while pending resolution of this issue, the ROB works may be allowed to continue by Railways with payment of one time charges as stated above. (P&E charges has been asked only for cases for which GAD was initiated prior to MOU dated 10.11.2014 and also not figuring in the list of exempted 150 ROB as decided in 3rd GOI dtd 09.06.15 and as per Railway Board's letter dated 14.07.15).	MoRTH NHAI MoR
4	1.3.3 Issue received from NHAI) 4 lane elevated corridor and at grade improvement of Danapur Bihra Section on EPC mode in the State of Bihar	NHAI is undertaking this important Project for 4 lane connectivity to Patna from UP Border. The entire cost of land acquisition and perpendicular right of way for the elevated corridor is to be borne by the Government of Bihar. The alignment of Project has been finalized in consultation with Railways Authority and for the same 5.7642 Ha Railway land which is being transferred by Railway in lieu of land to be given by Bihar State Govt. Railways have submitted estimate of Rs 88 Cr towards compensation for shifting of about 50 affected Structures & utilities coming in Railway land.	State Govt. has requested that cost towards the compensation of structures may be borne by Railways as the facility would also boosting their infrastructure. Alternatively Railways should only demand depreciated cost of their structures, in place of replacement value of new structures, as the structures are about 100 yrs old.	Issue Mutually Discussed and Resolved. Utility shifting charges shall be as per replacement cost. (As per present practice, all the utilities are shifted by the infrastructure creating agencies like metros, railways on defense land, etc. at their cost Railways assets like offices, quarters, workshops, etc exist in affected land. The Railway has to recreate the assets for its continued operations at other locations, as such replacement cost is chargeable)	MoRTH NHAI MoR

SN	Agenda No.	Issue	Request	Decision Taken	Action by
5	1.3.4. 4-laning of Thalassery- Mahe Bypass (Km 170.600 to Km 189.200) of NH-66 on EPC Mode under Bharatmala Pariyojana	Requirement of power block to carry out balance Railway utility shifting work: In this regard, NHAI PU-Kozhikode vide letter dt. 28.07.2022 has requested Railways for power block. Southern Railways, Palakkad Division has requested to deposit Rs. 50 lakhs as power block charges. It was requested to provide the power block and also to reimburse the amount after completion of the above OHE. Trial Assembly inspection of Composite girder pending from Railways/RDSO.	Railway to provide power block to complete balance utility shifting work and reimburse / adjust the amount after completion of the above OHE modification work.	Issue Mutually Discussed and Resolved. NHAI has been informed to start the work immediately. Power Block will be given in spells of 1 to 2 hours as per requirements. The issue of Charges for Power Blocks will be resolved / decided in line with Board's Guidelines vide letter dated 30.11.2011 which states : "Indirect cost/detention cost on account of Traffic and Power Block. Speed Restrictions shall not be levies to Govt. Organization, like State Govt., NHAI, Municipality, MPLADS, NREGA, for construction of ROB/RUB/Subways across Railway track, for public use"	MoRTH NHAI & MoR
6	1.3.8 (Issue received from Road Wing, MoRTH) - SETU BANDHAN PROGRAMME UNDER CRIF	MoRTH decided to facilitate State Govts./ UTs for replacement of existing Level Crossings (LCs) on State Roads by construction of ROB's/ RUBs under SETU BANDHAN Programme under CRIF Scheme which envisages replacement of LC by ROB's/RUBs on state roads (other than Village Roads) by single entity by state/expertise agencies through the funds allocated by MoRTH from the State's share.	Trial assembly inspection of composite girders shall be done by Railways/RDSO at the earliest. M/o Railways is requested to give necessary direction to Zonal Railway and Division to consent to list of projects to be taken up	Issue Mutually Discussed and Resolved (It was observed that trial assembly was not completed earlier. On confirmation of completion of trial assembly, it will be inspected promptly) Issue Resolved. MoU not required, letter to MoRTH and Zonal Railway issued on 21.01.2023 in line with revised policy (dated 28.07.2022) of LC elimination of Railway which allows road owning authority (ROA) to take up ROB at their own cost for ROA priority. (1. Already a MoU exist between MoRTH and MoR for replacement of LCs on NH corridor by MoRTH / NHAI at their own cost. 2. For other roads MoR has already revised the policy for construction of ROB's/RUBs in lieu of level crossings vide letter No. 2017/CE-IV/LX/Misc./244 (LCs) dt. dated 28.07.2022. As per revised policy, (i) All LC as per Railway's priority. 100% cost of work (excluding land acquisition, R&R, removal/shifting of utilities which shall be by state/ROA's at their own cost) shall be borne by Railways for elimination of LC forming part of railway's priority (through CRIF fund) (ii) All LC not as per Railway's priority: 100 % cost of work shall be borne by State Governments/road owning agency, if these entities decide to eliminate such LCs as per their priority on single entity basis as such tripartite MoU as suggested by MoRTH may not be required, being the present policy of Railway largely aligned with Setu Bandhan scheme.)	MoRTH NHAI & MoR

Page 1

SN	Agenda No.	Issue	Request	Decision Taken	Action by:
7	1.3.9 Issue from Monitoring Zone, MoRTH) Chittapur Yadgir Bypass	The construction of 4 lane ROB at LC Gate No.03 near wadi is pending from Central Railways Bhowal. The existing NHAI contractor has expressed his inability to do further work. NHAI requested Railway to take up full ROB work. Railway's contractor did not agree to work outside ROW. NHAI requested for taking up full ROB work on single entity basis by them.	Necessary directions may be issued by Ministry of Railways.	Issue Mutually Discussed and Resolved. Transfer of construction of ROB & RUB in lieu of LC no. 3 at Wadi at Km 606/2-3 to NHAI/MoRTH agreed. (Wadi yard ROB in lieu of LC No. 3 (SUR-WADI) was sanctioned on a Cost Sharing basis in the year 2015-16 and is being executed by construction department (Railway portion) and NHAI (approaches). The work has already awarded by Railway for Railway portion for 3 ROB. Work in progress for 3 ROB. Railway's contractor not willing to carry out approach work as requested by NHAI. Transfer of construction of ROB & RUB in lieu of LC no. 3 at Wadi at Km 606/2-3 to NHAI/MoRTH is agreed)	MoRTH / NHAI / MoD
8	1.3.10(Introduction of BG metro services in and around	Approval from Gol and Railway Board to proceed for Phase 1 implementation is awaited. Maha Metro has submitted draft for Phase 2 in December 2022.	Railway may expedite signing of MoU	Matter has been referred by Railways to Ministry of Housing and Urban Affairs (MoHUA)	
B) Railways issue with MoRTH / NHAI					
1	Elimination of LCs on NH Corridors	NH Corridor are to be replaced by MoRTH / NHAI at its own cost. There are about 401 LCs on NH as on 01.04.22. At 24 LCs ROB/RUB commissioned but LCs not closed. ROB/RUB works at balance 377 LCs to be done. As per para A(1) of MoU, Subway ROB should be provided in addition to ROB at LC locations to facilitates movement of pedestrians & vehicular traffic. If not feasible, FOB with ramp shall be provided.	MoRTH / NHAI requested to ensure closure of LCs at the time of commissioning of ROB	MoRTH / NHAI shall reiterate instructions to ROs/PIUs to ensure closure of LCs at the time of commissioning of ROB	MoRTH / NHAI
				MoRTH / NHAI shall reiterate instructions to ROs/PIUs to ensure provision of subway / FOB in addition of ROB as per MOU	

Minutes of meeting held on 22.01.2023 in connection with issues figuring in the
Group of Infrastructure Meeting Scheduled on 24.01.2023.

Shankar Lal <ddcebs@gmail.com>

Wed, Mar 15, 2023 at 6:01 PM

To: gm@cr.railnet.gov.in, gm@er.railnet.gov.in, gm@ecr.railnet.gov.in, gm@ecor.railnet.gov.in, gm@nr.railnet.gov.in,
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gm@wcr.railnet.gov.in

Please find enclosed herewith MoM (Minutes of Meeting) of Secretary level meeting (held
between Ministry of Railways and MoRTH) on 22.01.2023, prior to 10th Group of Infrastructure
Meeting (10th GOI).



MOM Letter of 10th GOI.pdf
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