

GOVERNMENT OF WEST BENGAL
Department of Urban Development & Municipal Affairs
NAGARAYAN, 6th Floor,
DF-8, Sector-I, Salt Lake, Kolkata-700 064

No. 818/MA/O/C-4/1M-31/2015 (Pt - IV)

Date : 25-09-2020

ORDER

WHEREAS , Section 186 of the West Bengal Municipal Act,1993 (as amended) provides that specific permission of the Board of Councillors of any Municipality shall be required by any person for digging or causing any damage to any public street or pavement within municipal area for any purpose whatsoever;

AND WHEREAS , different utility service providers regularly approach the Municipalities for obtaining permission of the Board of Councillors for cutting of the municipal roads/pavements to lay the underground utility services like water supply, electricity, telecommunication, drainage, sewerage, gas / oil supply etc.

AND WHEREAS , the immediate restoration of the municipal road /pavement , dug or damaged due to cutting of the municipal road / pavement for execution of the underground works by the utility service providers , is an essential requirement for the Municipalities;

AND WHEREAS , all the public streets and other public areas within a Municipality vested in the Municipality, are under the control of the Board of Councillors with the responsibility of maintenance , control and regulating of the same in terms of Section 168 of the West Bengal Municipal Act,1993(as amended);

AND WHEREAS, it is expedient to frame a uniform guidelines for the Board of Councillors for issuing permission for cutting of municipal roads to any person/authority for providing underground utility services, as mentioned above , after necessary verification of documents / maps / drawings/ layout plans , spot inspection, technical verification , demanding fees , submission of fees etc.

AND WHEREAS , the State Government is under compulsion to create and develop one web portal for the online submission of application for obtaining permission of municipal road cutting , online deposit of requisite fees ,online tracking of the status of the application , online uploading of the permission letter / certificate of the Municipality for road cutting etc. to implement the business reforms at the District level for Ease of Doing Business (EoDB) as per the instructions of the Department of Expenditure , Government of India;



NOW THEREFORE , the Government in the Urban Development & Municipal Affairs Department , lays down the following guidelines for guidance of the concerned Board of Councillors for issuing permission for cutting of the municipal road and other related steps for that , for the sake of uniformity , transparency in the process time-bound delivery of services :-

1) To obtain the permission from the respective Municipality, the applicant shall have to apply in the specific format (Annexure-I). The applicant may also apply online in the specified web portal to the Municipality concerned in the specified format. The format should be filled up properly else it will be treated as rejected due to absence of any data or documents.

2) The detailed drawing with regard to the municipal road cutting viz. length, width, depth, route map, latitude & longitude, structural detailing of inspection chamber along with size and location, detailing of micro tunneling etc. with respect to existing ground level shall have to be annexed / uploaded in the web portal with the application format.

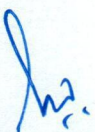
3) After successful submission of application, the concerned Municipal authority shall arrange for a joint inspection in presence of the representatives of the applicant, all other relevant officials of the Municipality and local Police authority within 3 working days.

4) The joint inspection report along with all relevant documents shall be placed before the Board of Councilors for final decision within next 2 working days.

5) On approval of proposal by the Board of Councilors , a Permission Letter in the prescribed format (Annexure-II) will be issued in favour of the applicant subject to submission of restoration charges as determined by the Municipality , to the Municipality within next 2 working days . The demand of the restoration charges of the Municipality may be obtained through the web portal and the Permission Letter may also be downloaded from the web portal within that due time. The rejected proposal should be returned to the applicant by the Municipality (in Annexure-III) showing definite reasons within 7 days (excluding holidays) of the date of submission of application.

6) The applicant / implementing authority must follow the drawings, which have been submitted for approval. Under no circumstances the field works be deviated from the approved drawings. Otherwise the municipal authority may take every steps to stop the field work and restoration of the deviated portion at the cost and involvement of the applicant / implementing authority. For any deviation from the approved drawing fresh approval of the Board of Councilors will be required.

7) Completion period of the scheduled work as mentioned in the application form must be maintained strictly by the applicant implementing authority , failing of which penalty @ 5% of



total charge is to be deposited in each month of default for the first six months' of delay. It may be increased to another 5% for every six months thereafter.

8) Board of Councilors concerned should issue instructions regarding safety and security purposes viz. a) barricading, b) engagement of manpower to arrange smooth traffic management , c) arrangement of proper illumination and reflectors during night , d) permission from local police station etc. to the applicant / implementing authority and the applicant / implementing authority must follow those strictly otherwise the Board of Councilors shall intervene to stop the work at site.

9) The applicant/implementing authority must be well alert and careful during the execution of the work at field regarding existing other underground utility services and any existing structure. For any type of damage of existing underground utility services and any existing structure, the applicant / implementing authority shall be held fully responsible and the damages if any shall be restored properly on immediate basis, as per the timeline fixed by the Board of Councilors , by the own cost and involvement of the applicant / implementing authority.

10) Total charges for restoration of municipal road/ pavement shall be calculated by the concerned Board of Councilors using the latest SoR(Schedule of Rates) of the Public Works Department (PWD) applicable for the District concerned, based on the drawing which will have be submitted by the applicant / implementing authority mentioning the type of road / pavement etc.

11) The implementing agency shall take all necessary measures to free the site(s) from debris, waste or any other hazardous materials so that the site(s) remain useable, safe and secured , on completion of the projected work.

This order shall take immediate effect.

By order of the Governor,

Sd/-

Joint Secretary to the Government of West Bengal

ANNEXURE-I

APPLICATION FORM

Ref No.

Date:

From:(Project Implementing Authority)

.....
(Name and address of the applicant with

post held by him/her in the implementation authority , contact mobile no. & e-mail ID)

To: Chairman/Chairperson/Chairperson of the Board of Administrators,

.....Municipality/Notified Area Authority

Sub: Prayer for permission of cutting of municipal road cutting/micro tunneling under the municipal road for laying of Power Cable/ Optical fiber/ Gas Pipe line / Water pipe line / Oil pipe line / Drainage / Sewer line for..... (Name of Project) in the (Name of work site with latitude & longitude) within Ward No.

Sir/Madam,

I on behalf of my organization would like to inform you that we would undertake the work of laying of Power Cable/ Optical fiber/ Gas Pipe line / Water pipe line / Oil pipe line under the municipal road by cutting the municipal road / pavement or micro tunneling under the municipal road /pavement for execution of the work (Name of the work) in your municipal area with an aim to provide..... (Purpose of the work). The statements of the particulars of the proposed work are as follows:

1. Name and type of the Road(s) / pavement:
2. Description including GIS reference of the starting point and end point of the work
3. Ward Number(s):
4. Proposed date of commencement of work:
5. Scheduled date of completion of work:
6. We attach the detailed drawings of:
 - a. Route map of pipeline / cable /Optical fiber proposed to be laid on municipal map (in proper scale) for which road / pavement cutting will be required with actual length in meters.
 - b. Section of the road / pavement cutting trench / diameter of the micro tunnel with respect to the existing ground level(in sq meters)
 - c. Total number of inspection pit / chamber / junction box with their proposed position and sectional details.
7. We hereby undertake that:-
 - a. We shall strictly follow the drawings that have been submitted to the Municipality for approval. Under no circumstances, the field works will be deviated from the approved drawing. Otherwise the municipal authority shall be at liberty to take every steps to stop the field work and we shall be responsible for restoration of the deviated portion at our own cost and involvement.
 - b. We shall strictly follow all the instructions of the Board of Councilors regarding safety and security of the worksite.
 - c. We shall be well alert and careful during the execution of the work at field regarding existing other underground utility services and any existing structure. For any type of damage of existing underground utility services and any existing structure, we shall be responsible and the damages if any shall be restored properly on immediate basis, as per the timeline fixed by

the Board of Councilors, by our own cost and involvement.

- d. We shall pay the charges for restoration of municipal road/ pavement as calculated and demanded by the concerned Board of Councillors using the latest PWD SoR(Schedule of Rates) applicable for the District concerned, within 2 working days of the date of receiving the demand notice.
- e. We shall take all necessary measures to free the site(s) from debris, waste or any other hazardous materials so that the site(s) remain usable, safe and secured , immediately on completion of the projected work.
- f. We shall complete the projected work within the scheduled time of completion as mentioned. For deviation of stipulated time frame we shall pay the penalty charges as imposed by the municipal authority @ 5% of total charge to be deposited in each month of default for the first six months' of delay. We shall pay the increased amount of penalty charges if imposed by the municipal authority after the period of six months' delay.

Please provide necessary permission to execute the said work at your earliest convenience.

Thanking you.

Yours faithfully,

.....
(Signature and seal of the authorized signatory of the implementing authority)(applicant)

.....
(Signature and seal of the Engineer –in charge of the site of the implementing authority with Name, contact number etc.)

ANNEXURE-II

Permission Letter of the Board of Councillors of Municipality / Notified Area Authority in terms of Section 186 of the West Bengal Municipal Act, 1993:

Memo no

Date

From: The Executive Officer / Authorized Officer,
.....Municipality/NAA

To:
.....
.....

(Name and Address of the Applicant)

Sub: **Permission of Road cutting/micro tunneling for laying of Cable/ Optical fiber/ Gas Pipeline / Water pipe line / Oil pipe line/Drainage / Sewer line for.....**
(Name of Project) in the (Name
of work site with latitude & longitude) in Ward No.

Ref: Your application No. dated

Dear Sir/Madam,

With reference to your application mentioned above, and on deposit of requisite restoration charges of Rs....., I am directed to inform you that the Board of Councillors of this Municipality/NAA has been pleased to grant the permission in connection with municipal road cutting/micro tunneling for laying of Cable/ Optical fiber/ Gas Pipe line /Water pipe line / Oil pipe line / Drainage / Sewer line for..... (Name of Project) in the (Name of work site with latitude & longitude), Ward No. subject to the following conditions:

- i. The proposed work must be executed in the field as per the submitted drawing without any violation/ deviation.
- ii. The time line of completion as mentioned in the application shall be maintained strictly.
- iii. Any deviation from the drawing and time line may lead to suspension/closure of the work at site.
- iv. The safety and security measures at site as per prevailing Government Order shall be strictly observed on priority basis without any compromise.
- v. Any type of damage, of the existing underground public utilities /structures ,if occurred, during implementation of this project , shall have be restored by your organization on priority basis as per the timeline fixed by this authority , in all respect following the prevailing Government directives.
- vi. After completion of work the site should be free from all debris , wastes etc. and hazardous materials so that the site should be usable, safe and secured.
- vii. Date of commencement of the work..... and date of completion of the work.....

Yours sincerely,

Executive Officer / Authorized Officer
Seal:-

ANNEXURE-III

Refusal of Application for permission of municipal road cutting / micro tunnelling

Name of the Municipality / Notified Area Authority.....

Memo no.

Date

From: The Executive Officer/Authorized Officer,
..... Municipality/NAA

To:
.....
.....

(Name and Address of the Applicant)

Sub: **Permission of Road cutting/micro tunneling for laying of Cable/ Optical fiber/ Gas Pipeline / Water pipe line / Oil pipe line/Drainage / Sewer line for.....**
(Name of Project) in the (Name of work site with latitude & longitude) in Ward No.

Ref: Your application No. dated

Dear Sir/Madam ,

With reference to your application mentioned above, I am directed to inform you that the Board of Councillors of this Municipality / NAA has refused to accord the permission in connection with Road cutting/micro tunneling for laying of Cable/ Optical fiber/ Pipe line etc. for.....
(Name of Project) in the
(Name of work site with latitude & longitude) Ward No. for the following reasons:

- 1.
- 2.
- 3.

Yours sincerely,

Executive Officer / Authorized Officer

Seal:-

No. 818/1(15)/MA/O/C-4/1M-31/2015 (Pt – IV)

Date : 25-09-2020

Copy forwarded for information and necessary action to the -

1. Chairman/Chairperson, Board of Administrator/Administrator,
Municipality/Notified Area Authority/Industrial Township Authority.
2. Principal Secretary, MS & ME & T Department, Government of West Bengal.
3. Commissioner, Division, P.O.,
Dist.....
4. District Magistrate,....., P.O., Dist.
.....
5. Director of Local Bodies, West Bengal, Pura Prashasan Bhavan, DD-1, Sec - I, Salt
Lake, Kolkata-64.
6. Secretary, Municipal Engineering Directorate, Bikash Bhaban, Salt Lake, Kolkata-91.
7. Chief Engineer, Municipal Engineering Directorate, Bikash Bhaban, Salt Lake, Kolkata-
91.
8. Financial Advisor & E.O. Special Secretary, Department of Urban Development and
Municipal Affairs.
9. Director, State Urban Development Agency.
10. Additional Chief Engineer, North, Municipal Engineering Directorate.
11. OSD to Chief Secretary, Government of West Bengal.
12. Executive Officer, Municipality/Notified Area Authority/Industrial
Township Authority.
13. Private Secretary to the Hon'ble Minister-in-Charge of this Department.
14. Sr. P.A. to Principal Secretary of this Department.
15. Section Officer, e-Governance Cell /Statutory Wings/LSG Wings of this Department.


Joint Secretary to the Govt. of West Bengal