

Roads Board Rules
2060 BS

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The Roads Board, Nepal has prepared these rules with the authority given to it by article 42 of the Roads Board Act 2058. This Roads Board Rules 2059 has been approved by His Majesty's Government of Nepal.

CHAPTER – 1

Preliminary

1. Short title and commencement: (1) Name of this rules is " Road Board Rules, 2060 "
(2) This Rules shall commence immediately
2. Definitions: In this Rule, unless the subject or context otherwise requires:-
 - a) "Act" means The Roads Board Act 2058
 - b) "Committee" means the executive Committee of the Roads Board
 - c) Following entities are defined as Road Agency for bellow given types of roads
 1. Department of Roads, His Majesty's Government for strategic road network comprising national highways and feeder roads
 2. Municipality for urban roads
 3. District Development Committees for district road and agricultural road
 - d) "Routine Maintenance" is defined as those maintenance activities which are carried out routinely and continuously in order to prevent the damage to road pavement and other ancillary structure due to environmental effects.
 - e) "Recurrent Maintenance" is defined as those, small scale maintenance activities, which are carried out recurrently at different times in a year in damaged road surface/pavement due to traffic pressure/load from vehicles plying on roads.
 - f) "Periodic Maintenance" is defined as the large scale maintenance of road surface/pavement, which should be carried out at a given interval of defined number of years.

- g) "Emergency Maintenance" is defined as those maintenance activities which are carried out in case the traffic is disturbed and road closed due to any type of unexpected damage on roads.

CHAPTER – 2

Provision regarding integrated annual plan of road maintenance

3. Roads within the scope of work of the Board: (1) Following roads are within the scope of works of the Board.
- a. All national highways and feeder roads
 - b. All black top urban and rural roads
 - c. All gravel rural roads catering to minimum vehicular traffic and standard defined by the Board
 - d. All earthen rural roads catering to minimum vehicular traffic and standard defined by the Board
- (2) Notwithstanding anything contained in sub-section (1), the Board prepares the list of road classification of all the roads in the country which falls under its scope of works and provides such list to Department of Roads in the case of National Highways and Feeder Roads and to local bodies in case of Urban and Rural Roads through DOLIDAR.
4. Roads to be classified and categorized: (1) For the purpose of carrying out road maintenance, the Board may classify the roads into bellow given categories as far as the roads under its jurisdiction are concerned under the Roads Board Act and its subsequent Rules.
- a. Highway
 - b. Feeder roads
 - c. Urban roads
 - d. District roads
 - e. Rural and agriculture roads
 - f. Other roads
- (2) Board may define road maintenance, rehabilitation, reconstruction and upgrading standard and quality of roads categorized under sub-section (1)

- (3) Board has to keep the roads in same category as defined by His Majesty's Government under the Public Road Act 2031.
5. Road agency to prepare annual road maintenance plan: (1) Road agencies have to prepare and submit the annual road maintenance plan to the Board according to the pattern and the standard format as defined by the Board regarding road maintenance works to be carried out from the Board's funding.
- (2) While preparing annual road maintenance plan under sub-section (1), RAs have to define the maintenance works to be done along roads within their jurisdiction in the category of maintenance as given bellow.
- a. Routine maintenance
 - b. Recurrent maintenance
 - c. Periodic maintenance
 - d. Rehabilitation works
 - e. Reconstruction
 - f. Upgrading
- (3) While submitting the ARMP to the Board under sub-section (1), Department of Roads has to prepare a consolidated ARMP for all Highways and Feeder Roads in the country and submit it to the Board. Similarly Local Agencies shall prepare integrated ARMP for roads within their jurisdiction and send it to the Department of Local Infrastructure Development and Agriculture Roads [DOLIDAR], His Majesty's Government. After receiving such ARMPs from Local Agencies, the DOLIDAR shall prepare consolidated and integrated ARMP for works to be carried out through such Local Agencies and forward such integrated ARMP to the Board.
- (4) Village Development Committee intending to include road within its area in ARMP shall prepare such plan in the standard formats and submit such plan to the District Development Committee. DDC shall provide due consideration during preparation of its ARMP and submission according to sub-section (3).
6. Board's Integrated Annual Plan: (1) Upon receiving ARMPs from DoR and DOLIDAR according to Section 5, The Board has to prepare its integrated annual plan for works to be implemented through Board funding within end of Shrawan (first month of fiscal year) for that particular fiscal year.

- (2) While preparing integrated annual plan according to sub-section (1), separate plans have to be prepared for following
- a) Routine, recurrent, and periodic maintenance of roads
 - b) Emergency road maintenance
 - c) Bridge maintenance
 - d) Road rehabilitation
 - e) Road reconstruction
 - f) Road upgrading
 - g) Road safety
 - h) Study, research and development, and surveys related to road maintenance
7. Provision for periodic integrated plan: (1) Board may prepare and implement a periodic integrated plan for either 3 or 5 year period regarding following subject matters:
- a) Road rehabilitation
 - b) Road reconstruction
 - c) Road upgrading
 - d) Road safety
- (2) Such plans prepared by the Board under sub-section (1) should be made available to road agencies and such road agencies during submission of ARMP to the Board according to Section 5 have to forward ARMP prepared based on such integrated periodic plan of the Board.

CHAPTER - 3

Provision regarding resource allocation

8. Resource allocation priority: (1) After reduction of administrative cost for the Board limited to amount defined by Road Board Act clause 25 sub-clause 1, section "chha" form the amount receivable in Boards fund, the balanced amount is to be allocated for following works in the bellow given order of priority.
- a) To carry out routine, recurrent, periodic, and emergency maintenance of national highways, feeder roads, and for bridges on such roads.

- b) To carry out maintenance of those roads which are not included in clause (a)
 - c) To carry out research related to road
 - d) To implement the prescribed standards in regards to pay loads and per axle load of unit vehicle
 - e) To carry out road safety
 - f) To carry out rehabilitation and reconstruction of roads
 - g) in case of availability of fund after allocation for activities according to clauses (a) to (f), to carry out upgrading of existing roads but with the provision that allocation for such upgrading does not exceed 15% of total revenue of the Board.
- (2) While allocating fund according to sub-section (1), a minimum of 70% of Board's total revenue in general shall be allocated to works according to clause a) and b) of sub-section (1) and remaining amount shall be allocated for other works.
- (3) While allocating fund according to sub-section (1), first priority shall be given to manage the fund for Board's contribution in amount to be incurred by His Majesty's Government according to clause 25, sub-clause 1, section (Ga) of the Roads Board Act.

However, in case of road rehabilitation and reconstruction with support from any donor agency, in order to contribute in counter part fund incurred by His Majesty's Government, and if fund has been allocated according to sub-section (1), clause f) by the Board; such amount shall be limited to the allocation thus made.

- (4) While allocating fund for emergency maintenance works according to sub-section (1), the Board shall allocate a lump sum amount in a basket fund for such woks based on average expenditure made for emergency maintenance works on roads for a period of past five years.

9. Local agency's contribution in maintenance fund: (1) Concerned local agencies shall contribute an amount equal to minimum percentage as given bellow on the total amount incurred for maintenance works during allocation of fund by the Board for road maintenance works within the jurisdiction of any local road agency.

- a) Twenty (20) percent in case of DDC (minimum)

- b) Thirty (30) percent in case of Municipality (minimum)
 - (2) The Board, based on the need, capacity to provide counter part fund, and capability to carry out such works, may classify the local agencies into different categories and may define different percentage of counter part fund for different categories of local agencies, but not less than the percentage fixed under sub-section (1).
 - (3) Local agency while sending ARMP to the Board according to the rule shall clearly stipulate and also mention about the source of its counter part fund commitment under sub-section (1). Any plans forwarded without making such commitment for such counter part funding shall not be included by the Board in its IAP according to Section 6.
10. Demanding fund for emergency maintenance: (1) In case of any road requiring maintenance in an emergency scenario, road agency should submit a request for fund to the Board in standard pattern and format defined by the Board with details of such emergency.
- (2) After receiving such demand according to sub-section (1), the Board shall investigate the submitted details in the request submitted by RA and shall allocate required appropriate amount for such work within seven days.
11. Utilization of fee for road use: (1) An amount equaling minimum two third of amount collected from fee according to clause 6, sub-clause 1 of Road Board Act shall be allocated for road maintenance works on the same road from which the amount is accrued as fee for its use as far as spendable as per submitted plan according to Section 5 from road agency.
12. Board's authority to define conditions: The Board while providing fund for any works to any road agency may define certain conditions that has to be fulfilled by road agency when carrying out such work. It shall be the duty of road agency to comply with such conditions.
13. Selection of roads for rehabilitation and reconstruction: Selection of roads for rehabilitation and reconstruction shall be made based on following priorities:
- a) To rehabilitate national highway and feeder road in its earlier defined condition in regards to its physical standards and service provision.

- b) In case of full investment already made under clause a), if national highway and feeder road has completed its design period or exceeded the design capacity.
 - c) Other roads where planned maintenance has been implemented.
14. Selection of roads for upgrading: A road may be selected for upgrading only in case, if that particular road has started providing service according to the criteria for road of higher grade than the service provided at present.
15. Information regarding approved IAP: The Boards has to provide information regarding approved integrated annual plan according to the rule to the Ministry of Physical Planning and Works together with The National Planning Commission within 15 days of its approved by the Board

CHAPTER - 4

Miscellaneous

16. Board may supervise the works: (1) Board may inspect and supervise from time to time and monitor whether The road agency is making expenditure as defined by the Board in works, for which the Board allocated fund to it.
- (2) Notwithstanding anything contained in sub-section (1) and in general acceptance of it, the Board may supervise particularly on following areas.
- a) Is implementation according to the objective?
 - b) Is road maintenance work carried out according to quality standard defined by the Board?
 - c) Regarding such works, is the work carried out according to defined model and standard (quality) and according to prevalent rules and law while implementing the works?
 - d) Is the work progress according to defined time schedule for a particular work?
 - e) Is the procurement and supply procedure for any service, goods or construction materials, and works transparent?
- (3) While carrying out supervision according to sub-section (2), if it is found that any road agency is not carrying out works according to procedure defined by

the Board or according to prevailing rules and law and not in time, the Board may write letter to such road agency instructing it to carry out the work according to such procedure, rule, and in time.

17. Reports to be submitted: (1) Road agency shall submit the following reports to the Board in structured format defined by the Board and within time stipulated by the Board
- a) Trimester Progress Report
 - b) Annual Report
 - c) Work completion Report
 - d) Financial Audit Report
- (2) RA shall make available to the Board whenever demanded by it any data regarding roads under its jurisdiction, road condition reports, and other information as requested by the Board.
18. Board may withhold the fund release: In case, if any road agency does not comply with conditions defined by the Board according to Section 13, if no response is shown in letter written to it according to Section 16, sub-section (3), or road agency can not provide satisfactory reason for being unable to do as such to the Board, or if the reports according to Section 17 is not submitted; the Board may withhold the fund release to such road agency.
19. Meeting Allowances: (1) Board chairperson, members, and secretary receive meeting allowance at the rate of Rs.1000 (taxable) for attending one meeting.
- (2) Invitee members, chairperson and members of any sub-committees constituted by the Board according to clause 13 of the Roads Board Act, and chairperson and members of any committees to be formed under other rules based on the Act also receive meeting allowance equal to the Board members.

Note : *This is not an official legal translation. The Nepali text of the "Roads Board Rules 2060" has been rendered to English text solely for the purpose of disseminating information. Date 2nd March 2004.*