

TWENTY FIRST REPORT
COMMITTEE ON PETITIONS
(SEVENTEENTH LOK SABHA)

MINISTRY OF ROAD TRANSPORT & HIGHWAYS

(Presented to Lok Sabha on 22.3.2021)



सत्यमेव जयते

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ANNEXURE

Minutes of the 16th sitting of the Committee held on 16.3.2021

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COMPOSITION OF THE COMMITTEE ON PETITIONS

(2020-21)

Dr. Virendra Kumar - *Chairperson*

MEMBERS

2. Shri Anto Antony
3. Shri Hanuman Beniwal
4. Dr. Sukanta Majumdar
5. Shri Sanjay Sadashivrao Mandlik
6. Smt. Anupriya Patel
7. Dr. Bharati Pravin Pawar
8. Shri P. Ravindhranath
9. Shri Brijendra Singh
10. Shri Sushil Kumar Singh
11. Shri Manoj Tiwari
12. Shri Prabhubhai Nagarbhai Vasava
13. Shri Rajan Vichare
14. Vacant
15. Vacant

SECRETARIAT

- | | | |
|----------------------------|---|---------------------|
| 1. Shri T.G. Chandrasekhar | - | Joint Secretary |
| 2. Shri Raju Srivastava | - | Director |
| 3. Shri G.C. Dobhal | - | Additional Director |
| 4. Shri Harish Kumar Sethi | - | Committee Officer |

TWENTY FIRST REPORT OF THE COMMITTEE ON PETITIONS

(SEVENTEENTH LOK SABHA)

INTRODUCTION

I, the Chairperson, Committee on Petitions, having been authorised by the Committee to present on their behalf, this Twenty First Report (Seventeenth Lok Sabha) of the Committee to the House on the Action Taken by the Government on the recommendations made by the Committee on Petitions (Sixteenth Lok Sabha) in their Fortieth Report on the Petition of Shri Prasana Kumar Mohanty and others forwarded by Shri Bhartruhari Mahtab, M.P., Lok Sabha regarding construction of a new underpass/flyover at Sikharpur Square, Cuttack, Odisha

2. The Committee considered and adopted the draft Twenty First Report at their sitting held on 16 March, 2021.

3. The observations/recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;
16 March, 2021

DR. VIRENDRA KUMAR,
Chairperson,
Committee on Petitions.

REPORT

ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS MADE BY THE COMMITTEE ON PETITIONS (SIXTEENTH LOK SABHA) IN THEIR FORTIETH REPORT ON THE PETITION OF SHRI PRASANA KUMAR MOHANTY AND OTHERS FORWARDED BY SHRI BHARTRUHARI MAHTAB, M.P., LOK SABHA REGARDING CONSTRUCTION OF A NEW UNDERPASS/FLYOVER AT SIKHARPUR SQUARE, CUTTACK, ODISHA.

The Committee on Petitions (Sixteenth Lok Sabha) presented their Fortieth Report to Lok Sabha on 22 December, 2017 on the petition of Shri Prasana Kumar Mohanty and others forwarded by Shri Bhartruhari Mahtab, M.P., Lok Sabha regarding construction of a new underpass/flyover at Sikharpur Square, Cuttack, Odisha.

2. The Committee had made certain observations/recommendations in the matter and the Ministry of Road Transport & Highways were asked to implement the recommendations and furnish their action taken replies thereon for consideration of the Committee.
3. Action Taken Replies have since been received from the Ministry of Road Transport & Highways vide their communication dated 11.2.2021 in respect of the observations/recommendations contained in the aforesaid Report. The observations/recommendations made by the Committee and the replies furnished thereto by the Ministry of Road Transport & Highways are detailed in the succeeding paragraphs.
4. In paras 33 to 47 of the Report, the Committee had observed/recommended as follows:-

"Approach and essential principles for Road Safety and Engineering Works

The Committee note that on 20 April, 2017, the Ministry of Road Transport & Highways, after discussion with the officials of National Highways Authority of India (NHAI), State Public Works Departments and the Consultants, has issued a 'Compilation of Approach and Essential Principles' to be followed in identifying road safety engineering improvements for enhancing road safety, preparation of detailed layouts for necessary improvements, etc. One of these essential principles stipulate that the concerned field engineers should visit the critical accident prone locations - where there is history of repeated accidents on National Highways under their jurisdiction and should identify the broad additional features like improvements of

junctions, improvement of geometry, provision of pedestrian facilities, provision of service roads, widening of any bottleneck portions, etc., required for reducing accidents.

The Committee also note that NHAI is developing National Highway-16 from Bhubaneswar to Chandikhole to six lane from the existing four-lane facility. There is a median cut at km 24+300; which is being called by public as the 'Sikharpur Square'. The traffic coming from Jagatpur side (RHS MCW) after crossing Mahanadi Bridge is using this median cut to reach the side road adjacent to the service road along the LHS carriageway. Similarly, traffic from Bhubaneswar side after crossing OMP flyover is using this median cut to reach the side road adjacent to the service road along the RHS carriageway. Due to mixing of this turning traffic with MCW traffic, the chances of accidents are very high at this particular location.

Notwithstanding the acceptance of the Ministry of Road Transport & Highways that due to mixing of traffic at Sikharpur Square, the chances of accidents are high and on the other hand, the non-adherence of the directives already issued by them to scrupulously follow the essential principles for road safety engineering works, the Committee are dismayed to note that there is a complete mismatch on the aspect of road safety vis-a-vis the demand for construction of a flyover or an underpass at Shikharpur Square as otherwise the NHAI would have already conducted a topography/traffic-survey, de-congestion plan for accident prone Sikharpur Square traffic crossing with a clear intent of construction of a flyover or an underpass. The Committee, therefore, recommend that the Ministry of Road Transport & Highways should follow the basic tenets of their own directives regarding road safety and accordingly re-strategise their priorities by pragmatically looking into the genuine demands of the local residents of Sikharpur, Cuttack.

Identification of 'Road Accident black Spots' and their rectification

The Committee find that the Road Safety Engineering Cell (RSEC) of the Ministry of Road Transport & Highways has developed a definition on road accident black spots on National Highways, which states that 'Road Accident Black Spot' is a stretch of National Highways of about 500 meter in length in which either 5 road accidents (in all three years put together involving fatalities/grievous injuries) took place during the last three calendar years or 10 fatalities (in all three years put together) took place during the last three calendar years.

The Committee note from the submissions made by the Ministry of Road Transport & Highways that during the last three years [2014 to 2016 (upto-July)] 17 road accidents [3 - Minor, 13 Grievous and 1 fatal] took place due to crossing of NH-5 by

the pedestrians at Sikharpur Square. The Committee are unhappy to find that no sincere efforts have so far been made by the Ministry of Road Transport & Highways to collate the number of road accidents that took place at Sikharpur Square with its declaring as 'Road Accident Black Spot' so that urgent remedial measures could be taken for the safety of road-users including construction of a flyover or an underpass at the Median Cut. The Committee, therefore, recommend the Ministry of Road Transport & Highways to examine the entire issue of declaring the Sikharpur Square as road accident prone 'Black Spot' and thereafter come up with a detailed report on the measures that can be taken to minimise such mishaps at the earliest.

Provisions contained in Section 2.2.4 of Manual on Specifications and Standards

The Committee note from the submissions made by the Ministry of Road Transport & Highways that on the aspect of construction of Vehicular Underpass (VUP)/ Flyover on the National Highways, Section 2.2.4 of the Manual of Specifications and Standards for six laning of the National Highways through the Public Private Partnership along with Concession Agreement prescribe as follows:—

VUP shall be provided as specified in Schedule-B and to connect Service Road on both sides of the project Highways in such a manner that no vehicle is required to travel more than 2 kilometers on service road to approach an underpass for crossing over to the other side.

The Committee further note that while interpreting the aforementioned Section of the Manual on Specifications and Standards vis-a-vis the demand for construction of a new VUP/Flyover at Sikharpur Square, the Ministry of Road Transport & Highways has emphasised that since there are already underpasses at Kaliaboda for allowing traffic to cross over within 2 kilometers of Sikharpur, catering to the demand of VUP at Sikharpur is not feasible. In this context, the Ministry of Road Transport & Highways attempted to convince the Committee that since Kaliaboda VUP is less than 400 meters away from Sikharpur and therefore, the same can serve the purpose of crossing over to the other side.

The Committee have gone through, in detail, the relevant provisions contained in the Manual of Specifications and Standards along with the detailed confabulations held with Shri Bhartruhari Mahtab, Member of Parliament, who had presented the Petition to Lok Sabha, as well as the representatives of the Ministry of Road Transport & Highways during the evidence on the issue before the Committee. The Committee are unhappy to observe that adherence to relevant provisions of Manual of Specifications and Standards could be the convincing reason for the construction

of National Highways in the country but they could not be considered as unalterable conditions in view of the following reasons:—

- (i) Since six laning of the NH-5 within the Cuttack City has been recently planned by the National Highways Authority of India and prior to this, it was four lane Highway causing less inconvenience to the residents of eastern and western parts of Sikharpur to cross over to the other side, the applicability of relevant Section of Manual of Specifications and Standards - which is especially meant for six laning of National Highway through Public Private Partnership - ipso facto does not appear to apply.
- (ii) The National Highways Authority of India had themselves acknowledged in their written submissions made before the Committee that the Guidelines of the Manual of Specifications and Standards are generally followed for selection of VUP, PUP, CUP, etc.
- (iii) The relevant Guidelines contained in the Manual of Specifications and Standards had already been relaxed by the National Highways Authority of India while constructing two underpasses within a stretch of 2 kilometers - one, at km. 8.000 (Rudrapur) and the other at km. 9.050 (Pahal) as well as at km. 20.083 (Gopalpur) and the other at 21.095 (Press Chhak) in the Bhubaneswar stretch of NH-5 under six laning.

The Committee are constrained to observe that while dealing with the merits of the present Petition-containing a centripetal connotation of road safety which will result in reduction of accidents-the Ministry of Road Transport & Highways has not only sidetracked the main issue in the guise of Manual of Specifications and Standards but also their entire arguments have not been scripted down to the logical and plausible basis. The Committee, therefore, recommend that the Ministry of Road Transport & Highways should re-visit the applicability of relevant provisions contained in their Manual of Specifications and Standards-with particular reference to the aspects raised in the present Petition of Shri Bhartruhari Mahtab, Member of Parliament and come out with a incontrovertible conclusion in a time bound manner.

Petition of Shri Bhartruhari Mahtab, Member of Parliament (Lok Sabha) for construction of a new Underpass/Flyover at Sikharpur Square, Cuttack, Odisha

The Committee while examining the Petition presented by Shri Bhartruhari Mahtab, Member of Parliament for the construction of a new Underpass/Flyover at Sikharpur Square, Cuttack, took into account the written submissions made by the Ministry of Road Transport & Highways. The Committee also undertook an exhaustive analysis of various aspects raised by the office bearers of the Senior Citizen Association, Sikharpur and deliberations made by various Authorities - including the National Highways Authority of India. While the Committee heard the views of the representatives of the Ministry of Road Transport & Highways/NHAI, Shri Bhartruhari Mahtab, Member of Parliament was also invited before the Committee to hear his views in the matter. Based on the aforementioned deliberations and in-depth examination of the Petition, the Committee made specific recommendations in regard to principles and essential approach for Road Safety and Engineering works, Identification of road accident 'Black Spots' and their rectification and the provisions contained in Section 2.2.4 of Manual of Specifications and Standards, in the foregoing paragraphs. Therefore, on the issue of construction of a new Underpass/Flyover at Sikharpur Square, Cuttack, the Committee wish to undertake a sequential recapitulation as follows:—

Submissions made by Shri Bhartruhari Mahtab, Member of Parliament

- The National Highway-5 traverse the Sikharpur Square in two parts, i.e., East and the West. Of late, the Eastern part of Sikharpur has developed as a residential hub with a population of around two lakh. Further, all the Government establishments are located at the Western part of Sikharpur resulting in major inconvenience to the people residing in the Eastern part.
- The averments of the Government/National Highways Authority of India that a flyover at a distance of 400 meters already exists on the river Mahanadi and another flyover at Sikharpur Square would not only increase the height of the road by 4 to 5 meters but would also make a ramp on the road which may lead to severe traffic snarls and frequent road mishaps are not based on facts. As a matter of fact, there are many adjoining flyovers on the Grand Trunk Road between Delhi and Agra. Besides, in South and East Delhi, various adjoining flyovers have also been constructed at a distance of less than 400 meters.
- The service lane adjoining the Sikharpur Square referred to by the National Highways Authority of India - as an alternative to the flyover/underpass the said location - would also not be able to cater to the requirement of smooth vehicular traffic-free from accidents.

- Notwithstanding this, in case, there are some technical problems in constructing of a flyover at Sikharpur Square, then, the feasibility of constructing of an Underpass could be worked out by the Authorities concerned.

Submissions made by the office bearers of the Senior Citizen Association

- National Highways-5 has segmented the village of Sikharpur into two parts causing segregation of several families. There are a number of students/women/workers and other residents of western part of Sikharpur who use the crossing at Sikharpur square to reach their destination like schools, colleges, offices, etc., situated in the Eastern part of Sikharpur and vice-versa.
- The Sikharpur Square has turned into a death trap and more than thirty persons have so far lost their lives in the accidents at this crossing in a span of three to four years.
- The Association met the Project Director, National Highways Authority of India (NHAI), Bhubaneswar on 29 January, 2016 and submitted a Representation in this regard. Accordingly, a technical team of the NHAI had made a survey of the site on 1 February, 2016 and opined that there was an urgent need for an underpass at Sikharpur Square, Cuttack.
- The National Highways Authority of India had, however, expressed their inability to do so as there is a restriction to construct a new underpass/flyover within a distance of two kilometers. As no restriction can be retained at the -cost of the lives of the people, the inhabitants of Sikharpur, Gandarpur and Mahanadi Vihar of Cuttack, Odisha through the Senior Citizen Association request for construction of a new Underpass/Flyover at Sikharpur Square in Cuttack, Odisha.

Submissions made by the Ministry of Road Transport & Highways/NHAI

- NHAI is developing National Highway-16 from Bhubaneshwar to Chandikhole to six lane from existing four lane facility.
- There is a median cut at Km 24+300, which is being called by the public as the Shikarpur Chowk.

- The traffic coming from Jagatpur side (RHS MCW) after crossing Mahanadi Bridge is using this median cut to reach the side road adjacent to the service road along LHS Carriageway.
- Similarly, traffic from Bhubaneswar side after crossing OMP flyover is using this median cut to reach the side road adjacent to the service road along RHS Carriageway.
- Due to mixing of this turning traffic with MCW traffic, the chances of accidents are high at this location. Accordingly, demand has been made by the public for VUP at Sikharpur instead of the median cut.
- There is OMP flyover whose approach starts at km. 22+580 whose end approach is at Km. 23+200.
- The approach of Mahanadi Bridge situated after OMP flyover starts at km. 24+500.
- The work of OMP flyover and Mahanadi bridge including approaches for a six-lane facility has already been completed.
- Considering the profile, it is not technically feasible to accommodate a VUP between the end and start of approaches of aforesaid structures.
- There is a VUP at km 24+581 at Kaliaboda towards Kolkata side and U-turn facility below OMP flyover at km. 22+790 towards Chennai Side. Therefore, constructing VUP in between these two available facilities will not be in conformity with Section 2.2.4 of Schedule-D of Concession Agreement which prescribes the following VUP shall be provided as specified in Schedule-B and to connect Service Road on both sides of the project Highways in such a manner that no vehicle is required to travel more than 2 kilometers on service road to approach an underpass for crossing over to the other side.

Going into all the aforementioned determining factors connected with the construction of a new Underpass/Flyover at Sikharpur Square, the Committee note that while rejecting the request made in the said Petition, the Ministry of Road Transport & Highways has taken a consistent stand that the Manual on Specifications and Standards does not permit construction of another flyover within a distance of 2 kilometers. In order to find a solution to the frequent accidents and

loss of life at the median cut, i.e., the Sikharpur Square at Cuttack, the Ministry has even stretched their point of view to the extent that the median cut at Sikharpur Square would be closed as planned under the six laning project. The Committee do not hold the arguments and the solution put forth by the Ministry of Road Transport & Highways in relation to the impasse at Sikharpur Square as convincing — in view of the fact that the quotient of policy formulations by the Government lie for the welfare, safety and convenience of the general public. Since the Committee, in the foregoing paragraphs, have already gauged that the grievances of the inhabitants of Sikharpur, Gandarpur and Mahanadi Vihar have not been squarely addressed by the Ministry of Road Transport & Highways/ NHAI and incidents of frequent accidents and loss of life remain unabated, the Committee recommend that the Ministry of Road Transport & Highways should undertake a transformational shift in their earlier stand and conduct an urgent assessment for the construction of a new Underpass - if a Flyover is not possible - at the Sikharpur Square on National Highway No.5 that connects Bhubaneswar with Chandikhole via Cuttack.

Feasibility for construction of an Underpass/Flyover at Sikharpur Square, Cuttack, Odisha

On the aspect of feasibility for the construction of an underpass/flyover at Sikharpur Square, the Committee note from the averments made by the Ministry of Road Transport & Highways that within a distance of 400 meters from Sikharpur Square, there is a bridge on the river Mahanadi. In such a short distance, if a Vehicular Underpass (VUP) is constructed, the height of the road would increase by 4 to 5 meters which would make a ramp on the road and the slope would be towards OMP flyover. The construction of a VUP would, therefore, make the highway bumpy and it would not remain an expressway. The Committee also note that as the normal speed of the vehicles on the highway near the site remains 80 to 100 kilometers/hour, the steep slope of 2.5 meters may increase the possibility of accidents, particularly, in the case of heavy vehicles where braking would not be so effective. The Committee have further been apprised by the Ministry of Road Transport & Highways that the construction of any VUP near Sikharpur will necessitate shifting of the existing HT Towers as well as water supply pipelines to new locations. Also, due to constraints of land, the traffic diversion at the location pose problems in the construction of the structures. Since this is a highly congested urban area, it will make the land acquisition extremely difficult. Besides, dismantling of recently constructed six-lane highway and constructing a VUP will also be infructuous expenditure.

The Committee are flabbergasted to find that the Ministry of Road Transport & Highways has quoted plethora of reasons for proving the unfeasibility for

construction of a new Underpass at Sikharpur Square, viz., the provisions contained in Section 2.2.4 of Manual on Specifications and Standards, increase in the height of the road resulting in formation of a ramp and a steep slope making it an accident prone site, besides the need for shifting of the existing HT Towers as well as water supply pipelines, difficulty in land of acquisition, etc.

The Committee, though appreciate the candid reasoning given by the Ministry of Road Transport & Highways for the impracticability of construction of an Underpass at Sikharpur Square, yet, they are not fully convinced of the difficulties spelt out for construction of a VUP at Sikharpur Square in view of the fact that various technological advancements have been recently witnessed in the country in the field of Engineering, Civil Works, etc., on the basis of which massive projects are executed within the most congested parts of urban agglomeration without resorting to large scale demolition of houses, acquisition of land, shifting of HT Towers or resulting in a perilous bumpy highway. As a matter of fact, whenever, there is a need to construct a new Vehicular Underpass (VUP)/Railway Under Bridge (RUB), the Indian Railways or for that matter, the Delhi Metro often take recourse/resort to 'Box Pushing Technique'. The Committee have gathered that since the work relating to construction of a new VUP/RUB/Underground Tunnel for Metro has to be done without causing interruption to the existing set up in any manner, box pushing technique is largely favoured in comparison to conventional methods.

In view of the foregoing, the Committee strongly feel that the Ministry must resort to out-of-box thinking on this issue and display readiness and come out with workable propositions to formalize the construction of a new VUP at Sikharpur Square, Cuttack without further loss of precious time. The Committee, therefore, recommend that innovative measures like introduction of 'Box Pushing Technique' for the construction of new VUPs on the National Highways, wherever required, should be worked out."

5. The Ministry of Road Transport & Highways in their action taken replies, have submitted their comprehensive reply in respect of the above mentioned observations/recommendations of the Committee, as under:-

"Construction of new underpass at Sikharpur Square, Cuttack (Part of construction of 3 VUPs i.e., Balikuda, Sikharpur and Badachana on Bhubaneswar-Chandikhole Section of NH-16) has been awarded to M/s. Bansal Infra Pvt. Ltd. on 14.02.2019 and the appointed date was declared on 03.07.2019 with scheduled date of completion was 01.01.2021. However, the project was delayed due to COVID-19 and now likely to be completed by 30.06.2021.

The design of Sikharpur Flyover was finalized in the year 2019 with construction of 6-lane VUP at one go and the matter was discussed with the local Traffic Authority. Accordingly, the traffic diversion plan was submitted to the DCP (Traffic), Cuttack. Considering heavy traffic, the DCP (Traffic) advised to change construction methodology for stage construction and accordingly, the design was changed with half-half construction and further, the revised traffic diversion plan was submitted to DCP (Traffic) on 12.01.2021. However, considering the gravity of the matter and urgency for construction of VUP at Sikharpur, the work of widening of LHS portion of the Highway has been started in anticipation of the approval of traffic diversion plan. The VUP at Sikharpur Square is scheduled to be completed by 30.06.2021."

OBSERVATIONS/RECOMMENDATIONS

Timely furnishing of Action Taken Replies on the observations/recommendations made by the Committee in their Reports

6. The Committee on Petitions (Sixteenth Lok Sabha) undertook a detailed examination of the petition received from Shri Prasana Kumar Mohanty and others forwarded by Shri Bhartruhari Mahtab, M.P., Lok Sabha regarding construction of a new underpass/flyover at Sikharpur Square, Cuttack, Odisha and subsequently, presented their Fortieth Report thereon to Lok Sabha on 22.12.2017. In their Report, the Committee had observed/recommended on the number of issues raised in the said petition and in most of their recommendations, the Committee on Petitions urged the Ministry of Road Transport & Highways to take necessary action and apprise the Committee accordingly within three months of presentation of their Report to the House. Though, the Committee on Petitions had presented their Fortieth Report on the subject to Lok Sabha on 22.12.2017, the Ministry of Road Transport & Highways submitted their Action Taken Replies only on 11.2.2021, i.e., after a lapse of more than 3 years.

7. The Committee are unhappy over the complete silence of the Ministry of Road Transport & Highways in response to their observations/recommendations made in their Fortieth Report. Instead of taking a proactive stand to resolve the issues, the Ministry had maintained an intriguing silence on the issues of such vital public interest. The Committee take strong exception to the failure of the Ministry in furnishing the Action Taken Replies on the observations/recommendations made by the Committee on Petitions in their Report in a time bound manner. The Committee expect that there will not be a repeat of such lapse in future.

Approach and essential principles for Road Safety and Engineering Works

8. The Committee, while meticulously going through the entire sequence of events as submitted by the Ministry of Road Transport & Highways during the course of detailed examination of the instant petition of Shri Prasana Kumar Mohanty and others forwarded by Shri Bhartruhari Mahtab, M.P., Lok Sabha regarding construction of a new underpass/flyover at Sikharpur Square, Cuttack, Odisha, had noted that on 20 April, 2017, the Ministry of Road Transport & Highways, after discussion with the officials of National Highways Authority of India (NHAI), State Public Works Departments and the Consultants, had issued a 'Compilation of Approach and Essential Principles' to be followed in identifying road safety engineering improvements for enhancing road safety, preparation of detailed layouts for necessary improvements, etc.
9. Notwithstanding the averments made by the Ministry of Road Transport & Highways that due to mixing of traffic at Sikharpur Square, the chances of accidents were high and on the other hand, the non-adherence of directives already issued by them to scrupulously follow the essential principles for road safety engineering works, the Committee were dismayed to note that there was a complete mismatch on the aspect of road safety vis-a-vis the demand for construction of a flyover or an underpass at Shikharpur Square as otherwise, the NHAI would have already conducted a topography/traffic-survey, de-congestion plan for the accident prone Sikharpur Square traffic crossing with a clear intent of construction of a flyover or an underpass.
10. The Committee had, therefore, recommended that the Ministry of Road Transport & Highways should follow the basic tenets of their own directives

regarding road safety and accordingly re-strategise their priorities by pragmatically looking into the genuine demands of the local residents of Sikharpur, Cuttack.

11. The Committee are not happy to note that pursuant to the Committee's above recommendation related to the approach and essential principles for Road Safety and Engineering Works, the Ministry of Road Transport & Highways have not provided any specific reply on the action taken or proposed to be taken as to how their strict adherence could be ensured by the Ministry.

12. The Committee, therefore, reiterate their earlier recommendation and recommend that the Ministry of Road Transport & Highways should follow the basic tenets of their own directives regarding road safety and accordingly re-strategise their priorities by pragmatically looking into the genuine demands of the local residents of Sikharpur, Cuttack related to essential principles for Road Safety and Engineering Works in a time bound manner. The Committee would like to be apprised of the specific and concrete action taken in this regard.

Identification of 'Road Accident Black Spots' and measures to be taken to minimise mishaps at Sikharpur Square in a time bound manner

13. Based on the information furnished by the Ministry of Road Transport & Highways, the Committee had noted that during the year(s) from 2014 to 2016 (upto-July), 17 road accidents [3 Minor, 13 Grievous and 1 fatal] took place due to crossing of NH-5 by the pedestrians at Sikharpur Square. The Committee were unhappy to find that no sincere efforts have so far been made by the Ministry of Road Transport & Highways to collate the number of road accidents that took place at Sikharpur Square with its declaring as 'Road Accident Black Spot' so that urgent remedial measures could be taken for the safety of road-users including construction of a flyover or an underpass at the Median Cut. The Committee had,

therefore, recommended the Ministry of Road Transport & Highways to examine the entire issue of declaring the Sikharpur Square as road accident prone 'Black Spot' and thereafter, come up with a detailed report on the measures that can be taken to minimise such mishaps at the earliest.

14. In the absence of relevant information in response to the aforesaid recommendation, the Committee are unable to conclude whether such exercise of identification of 'Road Accident Black Spot' are effective enough to avert accidents or not. The Committee, therefore, reiterate its earlier recommendation and recommend that the Ministry of Road Transport & Highways to examine the entire issue of declaring the Sikharpur Square as road accident prone 'Black Spot' and come up with a detailed report on the measures that can be taken to minimise such mishaps in a time bound manner, in case, the Ministry have not done anything earlier in the matter. The Committee would like to be apprised of the specific and concrete action taken in this regard.

Provisions contained in Section 2.2.4 of Manual on Specifications and Standards

15. While examining the instant Petition, the Committee were constrained to observe that while dealing with the merits of the present Petition, containing a centripetal connotation of road safety which will result in reduction of accidents, the Ministry of Road Transport & Highways had not only sidetracked the main issue of Manual of Specifications and Standards but also their entire arguments have not been scripted down to the logical and plausible basis. The Committee had, therefore, recommended that the Ministry of Road Transport & Highways should re-visit the applicability of relevant provisions contained in their Manual of Specifications and Standards - with particular reference to the aspects raised in the present Petition of Shri Bhartruhari Mahtab, Member of Parliament and come out with a incontrovertible conclusion in a time bound manner.

16. Since, no reply has been furnished by the Ministry of Road Transport & Highways on the applicability of relevant provisions contained in their Manual of Specifications and Standards, therefore, the Committee once again reiterate their earlier recommendation and urge the Ministry of Road Transport & Highways to re-visit the applicability of relevant provisions contained in their Manual of Specifications and Standards, with particular reference to the aspects raised in the present Petition of Shri Bhartruhari Mahtab, Member of Parliament and come out with a incontrovertible conclusion in a time bound manner. The Committee would like to be apprised of the specific and concrete action taken in this regard.

Assessment for the construction of a new Underpass/Flyover at Sikharpur Square, Cuttack, Odisha

17. Going into all the determining factors connected with the construction of a new Underpass/Flyover at Sikharpur Square as submitted by the Ministry of Road Transport & Highways, the Committee had noted that while rejecting the request made in the said Petition, the Ministry of Road Transport & Highways had taken a consistent stand that the Manual on Specifications and Standards does not permit construction of another flyover within a distance of 2 kilometers. In order to find a solution to the frequent accidents and loss of life at the median cut, i.e., the Sikharpur Square at Cuttack, the Ministry had even stretched their point of view to the extent that the median cut at Sikharpur Square would be closed as planned under the six laning project. The Committee had observed that the grievances of the inhabitants of Sikharpur, Gandarpur and Mahanadi Vihar have not been squarely addressed by the Ministry of Road Transport & Highways/ NHAI and incidents of frequent accidents and loss of life remain unabated, the Committee had, therefore, recommended that the Ministry of Road Transport & Highways should undertake a transformational shift in their earlier stand and conduct an urgent assessment for the construction of a new Underpass - if a Flyover is not possible - at the Sikharpur

Square on National Highway No.5 that connects Bhubaneswar with Chandikhole via Cuttack.

18. In response to the above recommendation of the Committee, the Ministry of Road Transport & Highways, in their action taken reply, have submitted that construction of new underpass at Sikharpur Square, Cuttack (Part of construction of 3 VUPs i.e., Balikuda, Sikharpur and Badachana on Bhubaneswar-Chandikhole Section of NH-16) has been awarded to M/s Bansal Infra Private Limited on 14.02.2019 and the appointed date was declared on 03.07.2019 with scheduled date of completion was 01.01.2021. However, the project was delayed due to COVID-19 and now likely to be completed by 30.06.2021.

19. The Committee are though happy to note that the Ministry of Road Transport & Highways have taken a right decision to construct a new underpass at Sikharpur Square, Cuttack which will ultimately help the inhabitants of Sikharpur, Gandarpur, Mahanadi Vihar and other nearby areas and the incidents of frequent accidents and loss of life will definitely decrease. However, the Ministry of Road Transport & Highways are completely silent on the aspect as to whether the Ministry have conducted any assessment for the construction of a new Underpass/Flyover at Sikharpur Square before awarding the contract for the same. The Committee, therefore, reiterate their earlier recommendation and recommend that the Ministry of Road Transport & Highways should conduct an urgent assessment for the construction of a new Underpass at the Sikharpur Square on National Highway No.5 that connects Bhubaneswar with Chandikhole via Cuttack. The Committee would like to be apprised of the action taken in this regard.

Completion of the project of construction of an Underpass/Flyover at Sikharpur Square, Cuttack, Odisha within the scheduled date

20. As regards feasibility for construction of an Underpass/Flyover at Sikharpur Square, Cuttack, Odisha, the Committee had suggested the Ministry of Road Transport & Highways to resort to out-of-box thinking on this issue and display readiness and come out with workable propositions to formalize the construction of a new VUP at Sikharpur Square, Cuttack without further loss of precious time. In their sequel, the Committee had recommended that innovative measures like introduction of 'Box Pushing Technique' for the construction of new VUPs on the National Highways, wherever required, should be worked out.

21. The Ministry of Road Transport & Highways, in their action taken reply, have submitted that construction of new underpass at Sikharpur Square, Cuttack (Part of construction of 3 VUPs i.e., Balikuda, Sikharpur and Badachana on Bhubaneswar-Chandikhole Section of NH-16) has been awarded to M/s Bansal Infra Private Limited on 14.02.2019 and the appointed date was declared on 03.07.2019 with scheduled date of completion was 01.01.2021. However, the project was delayed due to COVID-19 and now likely to be completed by 30.06.2021.

22. The Ministry have further submitted that the design of Sikharpur Flyover was finalized in the year 2019 with construction of 6-lane VUP at one go and the matter was discussed with the local Traffic Authority. Accordingly, the traffic diversion plan was submitted to the Deputy Commissioner of Police (Traffic), Cuttack. Considering heavy traffic, the Deputy Commissioner of Police (Traffic) advised to change construction methodology for stage construction and accordingly, the design was changed with half-half construction and further, the revised traffic diversion plan was submitted to DCP (Traffic) on 12.01.2021. However, considering the gravity of the matter and urgency for construction of VUP at Sikharpur, the work of widening of LHS portion of the Highway has been started in anticipation of the

approval of traffic diversion plan. The VUP at Sikharpur Square is scheduled to be completed by 30.06.2021.

23. The Committee are satisfied to note that pursuant to the Committee's recommendation, the Ministry of Road Transport & Highways have already awarded the work for the construction of a new Underpass/Flyover at Sikharpur Square. The Committee hope that the difficulties like traffic diversion plan, change of construction methodology for stage construction, etc., will be resolved as early as possible. The Committee recommend the Ministry of Road Transport & Highways to ensure the timely completion of the project within the scheduled time i.e., 30.6.2021. The Committee would like to be apprised of the updated status in this regard.

NEW DELHI;

**DR. VIRENDRA KUMAR,
Chairperson,
Committee on Petitions**

16 March, 2021

**MINUTES OF THE SIXTEENTH SITTING OF THE COMMITTEE ON PETITIONS
(SEVENTEENTH LOK SABHA)**

The Committee met on Tuesday, 16 March, 2021 from 1500 hrs. to 1730 hrs. in Committee Room 'D', Parliament House Annexe, New Delhi.

PRESENT

Dr. Virendra Kumar - Chairperson

MEMBERS

2. Shri Brijendra Singh
3. Shri Sushil Kumar Singh
4. Dr. Bharati Pravin Pawar
5. Shri Prabhubhai Nagarbhaj Vasava

SECRETARIAT

1. Shri T.G. Chandrashekhar - Joint Secretary
2. Shri Raju Srivastava - Director

WITNESSES

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2. At the outset, the Hon'ble Chairperson welcomed the Members to the sitting of the Committee.

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12. The Committee then considered the following three Draft Action Taken Reports:-

(i) XXX XXX XXX

(ii) Draft Action Taken Report on the action taken by the Government on the recommendations made by the Committee on Petitions (Sixteenth Lok Sabha) in their Fortieth Report on the Petition of Shri Prasana Kumar Mohanty and others forwarded by Shri Bhartruhari Mahtab, M.P., Lok Sabha regarding construction of a new underpass/flyover at Sikharpur Square, Cuttack, Odisha; and

(iii) XXX XXX XXX

13. After detailed discussion, the Committee adopted the above mentioned three Draft Action Taken Reports without any modification(s). The Committee also authorised the Chairperson to finalise the Draft Report and present the same to the House.

14. XXX XXX XXX

15. A copy of the verbatim record of the proceedings of the sitting of the Committee has been kept.

The Committee, then, adjourned.

XXX Does not pertain to this Report.