



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

INDUSTRIES, COMMERCE & PUBLIC ENTERPRISE DEPARTMENT

NOTIFICATION

The 26th March, 2026

No. ECF.775961/36.- Whereas, the Central Government, in exercise of its powers conferred under section 3 of the Essential Commodities Act, 1955 (10 of 1955), in order to regulate the production, storage and supply of petroleum products in the public interest, and in furtherance of the Petroleum Products (Maintenance of Production, Storage and Supply) Order, 1999, had issued the Natural Gas and Petroleum Products Distribution (through Laying, Building, Operation and Expansion of Pipelines and Other Facilities) Order, 2026;

And whereas the increase in supply of natural gas through pipelines to domestic consumers under the City Gas Distribution (CGD) system shall enable release of Liquefied Petroleum Gas (hereafter referred to as the "LPG") from those areas across the country where there is natural gas pipeline connectivity and to make available additional volumes of LPG where there is an absence of natural gas pipelines to reduce dependence on any one fuel;

And whereas the supply and distribution of natural gas to consumers requires the laying of pipelines, a sine qua non, of different capacities originating from

either a tap off point from a large main transmission pipeline or a Liquefied Natural Gas (hereafter referred to as the "LNG") storage facility to enable transportation of natural gas for its distribution through individual pipelines or a network of smaller pipelines and eventually through service pipelines to the consumer;

And whereas the impediments being faced to lay pipelines for transportation of natural gas to premises of consumers as also the pipelines for transportation of petroleum products, include approvals from various authorities, imposition of very high fee and charges and at times denial of access to land or residential areas as well as premises by consumers themselves or in case of domestic consumers, their resident welfare associations;

And whereas even in areas where there is availability of natural gas pipeline, consumers may not like to switch to natural gas and instead continue with LPG, resulting in high reliance on LPG even in geographical areas where consumers can otherwise be supplied with natural gas;

And whereas constraints are being faced and are expected to be faced for long time in relation to the supply and distribution of both LPG and natural gas on account of extensive damage to and suspension of operations of the liquefaction facilities in the Gulf region that supply liquefied natural gas to India and the continued blockage of the Strait of Hormuz as such events require fuel diversification as a mitigation for long term energy security;

And whereas the Union Ministry of Petroleum and Natural Gas has taken steps to link the North-Eastern States (including the State of Assam) to the National Gas Grid through the Barauni Guwahati Pipeline (BGPL) of GAIL India Limited and the North East Gas Grid of Indradhanush Gas Grid Limited (IGGL) under the Hydrocarbon Vision 2030 for North-East India;

And whereas the Petroleum and Natural Gas Regulatory Board (PNGRB) has allocated Geographical Areas (GAs) for all 35 districts of Assam among CGD companies for setting up and operating the CGD network therein;

And whereas the Assam Government has notified the Assam City Gas Distribution Policy 2022 to facilitate the setting up of such CGD networks, and amended the Policy in March 2026 to be in sync with the latest policy guidelines of the Ministry of Petroleum and Natural Gas;

And whereas the State Government of Assam considers it necessary in public interest for a uniform framework to effectively address issues that hinder the laying of such pipelines including denial of access to land, delay in approvals, delay in grant of right of way or right of user in the land, high fee and charges, to enable entities to undertake the laying of pipelines for transportation of natural gas and petroleum products in a time bound manner and increase the number of piped natural gas users across the State of Assam;

Now, therefore, in exercise of the powers under Section 3 of the Essential Commodities Act, 1955 (10 of 1955), delegated to the State Governments of the Union of India by the Central Government [*vide* Central Government Order No. S.O. 681 (E) Dated 30 November 1974 - issued as by the Ministry of Industry & Civil Supplies] in accordance with Section 5 of the Essential Commodities Act, 1955 (10 of 1955); the State Government of Assam hereby makes the following order, namely:

1. Short title, application and commencement – (1) This order may be called the Assam Natural Gas and Petroleum Products Distribution (Through Laying, Building, Operation and Expansion of Pipelines and Other Facilities) Order, 2026.

(2) This order shall apply to–

- (i) all public entities and other persons or individuals having rights, authority, jurisdiction or control over public areas, housing areas and non-public areas; and
- (ii) all authorised entities.

(3) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions – (1) In this order, unless the context otherwise requires –

(a) “authorised entities” means any person–

- (i) who is authorised, approved or licensed by the State Government under the Petroleum Act, 1934 (30 of 1934) or any commensurate law passed by the State Legislature of Assam;
- (ii) who is laying, building, operating or undertaking expansion of a pipeline to transport petroleum and petroleum products;

- (iii) who is authorised by the Petroleum and Natural Gas Regulatory Board (hereafter referred to as the "PNGRB") under the Petroleum and Natural Gas Regulatory Board Act, 2006 (19 of 2006) to lay, build, operate or expand a common carrier or contract carrier natural gas pipeline or a city gas distribution network; or
- (iv) who may be designated by the State Government for the purposes of this order;
- (b) "common ducts or conduits or cable corridors" individually or collectively mean any linear infrastructure of any size for housing utility lines including pipelines;
- (c) "designated officer" means : (i) in relation to areas that are not under the jurisdiction of a municipal corporation, the District Commissioner or District Magistrate, (ii) in relation to areas under the jurisdiction of a municipal corporation, an officer of the level of Joint Secretary in the Department of Housing and Urban Affairs of the State Government and above, as the case may be, or (iii) such other officer of the rank of Joint Secretary as may be designated by the State Government for the purposes of this order;
- (d) "dig and pay basis" shall have the meaning as provided in sub-clause (15) of clause 4;
- (e) "dig and restore basis" shall have the meaning as provided in sub-clause (15) of clause 4;
- (f) "duct" means a pipe, permanently lubricated or of any other kind, used as underground cable conduit for a pipeline;
- (g) "housing area" means any area, whether a public area or non-public area, where residential flats or bungalows are developed or are being developed;
- (h) "non-public area" means any immovable property or area that is not a public area and includes any housing area owned or managed by a non-public entity, resident welfare association, or group housing society;
- (i) "overground pipeline" means a pipeline or a network of pipelines, equipment, and its associated facilities that are established or installed either wholly or partially over the ground including any facilities and installations interconnected with a

pipeline including those required for change in pressure, which can include pipelines or any other equipment ;

(j) "other facilities" means any facilities or installations required for—

(i) storage of petroleum products, natural gas, liquefied natural gas, or regasification of liquified natural gas;

(ii) storage of compressed natural gas;

(iii) dispensing compressed natural gas;

(iv) de-compressing compressed natural gas and distributing natural gas; or

(v) any other facility or installation required for distributing natural gas or petroleum products.

(k) "permission" means any permission under any law for the time being in force for the purposes of laying, operation, maintenance or expansion of a pipeline or an overground pipeline or underground pipeline or any of its associated facility;

(l) "pipeline" means a pipeline or network of pipelines or any constituent of a pipeline or its associated facilities that is used for the purposes of transportation or distribution or supply of natural gas or petroleum products to one or more premises and includes overground pipeline and underground pipeline;

(m) "public entity" means--

(i) the Central Government;

(ii) the State Government;

(iii) urban authorities;

(iv) any authority, body, company, agency or institution incorporated or established by or under the control of the Central Government or the State Government or under any statute;

(v) district administration, village administration or any office or organisation vested with the authority to regulate development or use of land in any area; or

(vi) any non-public entity vested with the ownership, control or management of any public facility or class of public facilities;

(n) "public area" means any immovable property or area which is owned by or in the possession of or under the control of management of any public entity;

(o) "Schedule" means the schedules appended to this order;

(p) "State Government" means the State Government of Assam;

(q) "underground pipeline" means parts of a pipeline or a network of pipelines, equipment and its associated facilities, including any facilities for storage of liquefied natural gas, compressed natural gas, petroleum products, established under the ground for the purposes of establishment or maintenance of the pipeline for transportation, including common ducts or conduits or cable corridors, markers, underground pipelines;

(r) "urban authorities" means the authorities including municipal corporations, municipal councils, development authorities that own public lands or roads that are required to be accessed by authorised entities.

(2) Words and expressions used and not defined herein but defined in the Petroleum Act, 1934 (30 of 1934), the Oilfields (Regulation and Development) Act, 1948 (53 of 1948) and the Petroleum and Natural Gas Regulatory Board Act, 2006 (19 of 2006), or the rules or regulations made thereunder; the Petroleum Products (Maintenance of Production, Storage and Supply) Order, 1999, the Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order, 2000, shall have the meaning assigned to them in those Acts, rules or regulations, orders, as the case may be.

3. Extent – (1) This order shall govern the grant of right of way or right of use or any permission required for enabling an authorised entity to use any public area or housing area or non-public area for purposes of–

(a) laying, building, operating or expanding pipelines, overground pipeline or underground pipeline or its associated facilities; and

(b) building, operating, maintaining or expanding any other facilities.

(2) All persons owning land or common ducts or conduits or cable corridors or controlling access to land or common ducts or conduits or cable corridors or the right of way or any easement in relation to land or common ducts or conduits or cable corridors, which is required by an authorised entity for the purposes of–

(a) laying, building, operating or expanding pipelines, overground pipeline or underground pipeline for transportation of natural gas or petroleum products, as well as their associated facilities; and

(b) building, operating, maintaining or expanding any other facilities, shall comply with the provisions of this order and shall exercise any of their rights or authority over such land in accordance with this order.

(3) All public entities shall exercise their authority in accordance with the provisions of this order over any land under their jurisdiction, which is required for purposes of–

(a) laying of pipelines, overground pipelines or underground pipelines for transportation of natural gas or petroleum products as well as their associated facilities; and

(b) building, operating, maintaining or expanding any other facilities.

(4) This order shall govern all applications that are pending for laying of pipelines or facilities specified in sub-clause (2) with public entities or non-public entities on the date of publication of this order.

(5) The authorised entity that had submitted the application shall have to submit a communication to the relevant public entity that such application may be processed in accordance with the provisions of this order alongwith with the applicable charges under this order.

4. Grant of permission by public entities – (1) The public entities shall grant right of way or right of use or any permission in respect of any public areas, that are not housing areas, for the purposes of–

(a) laying, building, operating or expanding a pipeline and its associated facilities; or

(b) establishing, operating, maintaining or expanding other facilities.

(2) An authorised entity seeking a right of way or right of use or any permission covered under sub-clause (1) shall submit an application to the relevant public entity having ownership or control or jurisdiction to grant the required right of way or permission over such public area.

(3) Every application shall be accompanied with the fee as specified in Part-1 of the First Schedule. The application shall be either delivered to the Public entity with acknowledgement of receipt or through registered post and by email.

(4) On submission of the application made under sub-clause (2), any person, authorised by the authorised entity in this behalf shall undertake any or all of the following activities in respect of land comprising the public area for which the application has been submitted–

(a) make any inspection, survey, measurement, valuation or enquiry;

(b) take levels;

(c) dig or bore into sub-soil;

(d) set out boundaries and intended lines of work;

(e) mark such levels, boundaries and lines placing marks and cutting trenches; or

(f) do such other acts or things as may be considered necessary to prepare for determining feasibility of, planning and otherwise preparing for the intended works of laying of pipelines, their associated facilities, other facilities or overground pipeline or underground pipeline.

(5) On examination of an application received under sub-clause (2), the public entity shall seek all such clarifications and additional documents, if any, in one consolidated requisition within seven days of submission of application.

(6) All public entities shall, within the time limit specified in Part II of the First Schedule, grant or reject permission for the purposes of enabling such authorised entity to lay, build, or expand—

(a) a pipeline for transportation of natural gas or petroleum products; or

(b) any other facilities, over or under the public area under its ownership or control or jurisdiction, including vesting of right of way or right of use in relevant land comprising such public area:

Provided that the Central Government may increase or reduce the time limit so specified in respect of any specific type of approval.

(7) If the public entity intends to reject an application made by an authorised entity, it shall provide its reasons in writing to the relevant authorised entity that submitted the application, within the time limit specified in Part II of the First Schedule.

(8) The authorised entity shall submit within a period of fifteen days from the receipt of such reasons under sub-clause (7), its responses to the reasons and provide clarifications with any additional documents as the authorised entity may consider necessary or as may be sought by the public entity.

(9) The public entity shall, after due consideration of the response of the authorised entity under sub-clause (8), either grant or reject the application specifying reasons and communicate its decision to the authorised entity within a period of seven days from the receipt of the response of the authorised entity:

Provided that if the public entity is unable to provide a viable alternate option for laying of the pipeline or any other facilities required to distribute natural gas or petroleum products in the relevant area, the public entity shall not reject an application.

(10) Upon rejection of application, the public entity shall refund to the authorised entity an amount equal to ninety per cent. of the fee paid under sub-clause (2) along with the application.

(11) In case the public entity does not reject the application or fails to grant the permission within the period specified in sub-clause (6), the permission shall be deemed to have been granted and no written communication or approval would be required by the authorised entity and the authorised entity shall make the payment of charges as specified in sub-clause (3)

(12) In case of deemed permission referred in sub-clause (11), the authorised entity shall issue a public notice on its website and in two daily newspapers having wide circulation in the relevant area, one in English and one in the official language of the relevant State, specifying that deemed approval has been granted clearly communicating the date of filing of the application and the date of such deemed approval and send a copy through registered post and by mail to the public entity:

Provided that any issuance of a false public notice by an authorised entity shall be considered default under its authorisation or license, as the case may be, and be liable for consequences thereunder.

(13) The charges payable to the relevant public entity for grant of the permission under sub-clause (1) shall be as per the charges specified in Part I of the Second Schedule.

(14) In relation to restoration of the public area falling under the jurisdiction of an urban authority for which the right of way or right of use or permission is given under this clause, the public entity may, as per its policy require the relevant authorised entity, either –

(a) to pay for the restoration work that would be undertaken by the relevant authority (i.e. on dig and pay basis), or

(b) to undertake the restoration work itself at its own cost (i.e. on dig and restore basis):

Provided that in relation to bulk supply transmission pipelines work in a public area the provisions of sub-clause (15) shall apply.

(15) An authorised entity undertaking laying, building, operating or expanding a bulk supply transmission pipelines work in a public area will be required, by a public entity, to undertake its works only on dig and restore basis, and such authorised entity shall provide to the relevant public entity a performance bank guarantee in accordance with Part III of Second Schedule.

(16) An authorised entity undertaking laying, building, operating or expanding a City Gas Distribution (hereafter referred to as the “CGD”) network in a public area under the jurisdiction of an urban authority on a dig and pay basis shall be required to pay charges for restoration as per the charges specified in Part II of the Second Schedule.

(17) An authorised entity undertaking laying, building, operating or expanding a CGD network in a public area under the jurisdiction of an urban authority, on a dig and restore basis, shall provide an irrevocable and unconditional revolving bank guarantee for an amount equal to the amount specified in Part III of the Second Schedule, as security for performance of undertaking the works, within five working days from the grant of the permission or deemed permission, as the case may be.

(18) The authorised entity shall, upon completion of such restoration work, submit a certification and photographic or video proof to the public entity within one day of completion of the restoration and the public entity shall, upon inspection of the restoration, return to the authorized entity the bank guarantee provided under sub-clause (15) or sub-clause (17) within thirty days of submission of the certificate by the relevant authorised entity.

(19) The public entity shall not levy any tax, fee, charge, surcharge, rent, wayleave, development charge, annuity, compensation, entry fee or any other types of charge or financial levy, other than those specified in this order for access or seek any other charges or compensation in any form for the permission for–

(a) laying, building, operating, or maintaining any pipelines; or

(b) establishing, operating, maintain or expanding any other facilities.

5. Grant of permission in housing areas – (1) The relevant entity, being either a public entity or a non-public entity that controls access to, or owns any land comprising any housing area shall within three working days of an application made by an authorised entity, grant right of way or right of use or any permission for the purposes of enabling such authorised entity to lay, build or expand a pipeline or any other facilities for enabling transportation of natural gas or distribution and supply of natural gas to all residential units located within the relevant housing area and the last mile connectivity for a domestic PNG consumer shall be granted within forty-eight hours.

(2) An application by an authorised entity to the relevant entity shall be accompanied with the fee as specified in Part I of the First Schedule which shall be processed within the time limit provided in Part II of the First Schedule. The application shall be either delivered to the relevant entity or individual with acknowledgement of receipt or through registered post and, if possible, by email.

(3) The relevant entity shall not reject an application made by an authorised entity under sub-clause (2) to ensure that all housing areas are connected to a pipeline network for enabling distribution and supply of natural gas through pipelines to all residential units within a housing area.

(4) If the relevant entity fails to grant the right of way or right of use or any permission as had been sought, then the authorised entity shall:

(a) notify the designated officer of the details of the housing area and the addresses of all the residential units as available in the public records that are located in such housing area;

(b) issue a public notice together with the addresses mentioned in the notice issued in item (a), that is displayed prominently at the entry points or public roads closest to the housing area of such application having been made but no approval having been provided with the consequences stated in this sub-clause;

(c) cause to be published the public notice in two daily newspapers, one in English and one in the official language of the relevant State, having wide circulation in the place where the housing area is located; and

(d) notify the LPG distributorships of all oil marketing companies in the area of the public notice issued with the addresses with a copy to the relevant marketing official of all oil marketing companies, with a request to notify the residents of the relevant addresses listed in such notice, either by text message or telephonically or by recorded voice message, that supply of LPG to the relevant address shall be stopped within three months from the date of the said notice:

Provided that personal details of the persons residing at any of the addresses, including names shall not be published in the public notice issued under this clause.

- (5) The supply of LPG to the households in the relevant housing area shall cease upon expiry of three months from the date of issue of the notice under sub-clause (4):

Provided that the supply of LPG to a household shall not cease, if the authorised entity issues a no objection certificate (NOC) on the ground that it is technically infeasible for the authorized entity to provide a piped natural gas connection to such household.

- (6) The authorised entity shall maintain records of the reasons for such technical infeasibility and withdraw the NOC as and when it is able to provide and operationalise the piped connectivity to such household.
- (7) The charges payable to the relevant entity for grant of the permission under sub-clause (1) shall be as per the charges specified in Part I of the Second Schedule.
- (8) In relation to restoration of the housing area falling under the jurisdiction of an urban authority, for which the right of way or right of use or permission is given under this clause, the relevant public entity may, as per its policy, require the authorised entity to undertake the works, either on a dig and pay basis or dig and restore basis.
- (9) The charges applicable for work done on dig and pay basis shall be as per the charges specified in Part II of the Second Schedule.

- (10) In relation to work undertaken on a dig and restore basis, the authorised entity shall provide an irrevocable and unconditional revolving bank guarantee for an amount equal to the amount specified in Part III of the Second Schedule, as a security for its performance within five working days from the grant of the permission or deemed permission, as the case may be.
 - (11) In respect of a relevant entity which is a non-public entity, works shall be undertaken by the authorised entity only on a dig and restore basis without a need for a bank guarantee.
 - (12) In the event the relevant public entity requires the authorised entity to undertake the works of rectification under sub-clause (8), the authorised entity shall on completion of such restoration work, submit a certificate with photographic or video evidence, if any, to the relevant public entity and the relevant public entity shall, upon inspection of the restoration, return the bank guarantee provided under sub-clause (10) within thirty days of submission of the certificate by the authorised entity.
 - (13) The relevant entity shall not levy any fee, charge, surcharge, rent, wayleave, development charge, annuity or compensation or entry fee or any other type of charge or financial levy, other than those specified in this order for granting access to or seek any other charges or compensation in any form for:
 - (a) laying, building, operating, or maintaining any pipeline; or
 - (b) establishing, operating, maintaining or expanding any other facilities.
 - (14) The provisions of this clause shall not apply to pipelines transporting petroleum and petroleum products
- 6. Grant of permission by non-public entities in non-public areas –** (1) Any non-public entity or individual that controls access to, or owns, any land comprising any non-public area, which is not a housing area, shall upon receiving an application by an authorised entity for granting any right of way or right of use or any permission, for the purposes of enabling such authorised entity to lay, build, or expand a pipeline or its associated facilities or other facility shall, enter into an agreement specifying mutually agreed consideration for permitting the authorised entity to undertake surveys as may be required for the purpose of assessing the feasibility of laying overground pipeline or underground pipeline or any other facility. The application shall: (a) be accompanied with a draft of the agreement (which shall be in a standard form available on the website of the authorised entity for this purpose) and (b) be either delivered to the non-public entity or individual with acknowledgement of receipt or through registered post and, if possible, by email: Provided that a non-public entity or individual shall not, except with the mutual agreement of the authorized entity, levy any fees, charges, wayleave, rent, annuity, compensation or any other type of charge or financial levy or require any bank guarantee or any other charges or compensation for the establishment of pipeline or its associated facilities or any other facility.

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- (2) A public entity shall not levy any tax, fees, charges, surcharge, rent, wayleave, development charge, annuity, compensation or entry fee or any other type of financial levy or require any bank guarantee or any other charges or compensation for the establishment, operation and maintenance of a pipeline or its associated facilities or other facility in respect of –
- (a) any agreement entered into pursuant to sub-clause (1);
 - (b) land comprising such non-public area in respect of which such an agreement is executed; or
 - (c) non-public areas irrespective of whether any agreement has been executed or not.
- (3) In case a non-public entity or individual fails to provide permission under sub-clause (1) and there is no alternate route for laying of the pipeline or its associated facility or the relevant other facility, the authorised entity may apply to the designated officer, under whose jurisdiction the relevant land is located, and the designated officer shall issue fifteen days notice of hearing to the relevant non-public entity or individual to provide its objections in writing.
- (4) The designated officer shall give the relevant non-public entity or individual an opportunity to be heard either in person or through a legal practitioner or through online mode, and may after hearing the objections and making further inquiry, if any, by order allow or disallow the objections.
- (5) In case the designated officer has disallowed the objections under sub-clause (4), the designated officer shall issue an order providing the details of the land which is the subject matter of the order, granting the required right of way or right of use or any permission to the authorised entity to proceed to lay, build, operate or maintain or expand the pipeline or its associated facilities or other facilities.
- (6) The order issued by the designated officer under sub-clause (5) shall be published in the Official Gazette and the extract of the order shall be published in two daily newspapers, one in English and one in official language of the relevant State, having circulation in the area or pasted at a prominent location in closest viable proximity to the non-public area that is subject matter of such notice.
- (7) The right of way or right of use or any permission in relation to the relevant land comprising the non- public area for which the authorised entity had submitted its application, shall vest with the authorized entity upon publication of the order under sub-clause (6).
- (8) On notification under sub-clause (6), the designated officer shall determine the compensation payable to such non-public entity or individual for the relevant land within the right of way corridor for the pipeline or its associated facilities or other facilities, as the case may be, in accordance with Part IV of the Second Schedule.

- (9) The designated officer shall for the purposes of this clause, have the powers of civil court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908) in respect of the following matters, namely:-
- (a) summoning and enforcing the attendance of any person and examining him on oath;
 - (b) requiring the discovery and production of any document;
 - (c) receiving evidence on affidavits;
 - (d) questioning any public record from any court or office; and
 - (e) issuing commission for examination of witnesses.

7. Consequence of household not applying for and obtaining piped natural gas connection when notified by authorised entity – (1) If:

- (a) the address of a household is located in a housing area where an authorised entity has already laid a pipeline or is in a position to supply natural gas to such an address or a common address of the housing area;
- (b) the authorised entity has issued a communication by registered post acknowledgement due or by speed post to such address to become a domestic piped natural gas consumer of the authorised entity; and
- (c) the household has not applied to the authorised entity to become a domestic piped natural gas consumer of the authorised entity, the LPG supply to such address shall cease after three months from the date of the communication issued under item (b) by the authorised entity: Provided that an application to become a domestic piped natural gas consumer can be made by the lawful occupier of the household or the owner of the said premises:

Provided further that the supply of LPG to a household shall not cease, if the authorised entity issues a no-objection certificate (NOC) on the ground that it is technically infeasible to provide a piped natural gas connection or gas supply to such household.

- (2) The authorised entity shall maintain records of the reasons for such technical infeasibility and withdraw the NOC as and when it is able to provide and operationalise the piped gas connectivity to such household.
- (3) The authorised entity shall send a copy of the communication and public notice issued by the authorised entity under item (b) of sub-clause (1), to all LPG distributorships of all oil marketing companies of the relevant area and to all the oil marketing companies, with a request to notify the residents of the relevant addresses listed in such notice, either by text message or telephonically or by recorded voice message, that supply of LPG to the relevant address shall be stopped on expiry of three months from the date of the said notice:

Provided that the personal details of the persons residing at any of the addresses, including names shall not be published in the public notice issued under this clause.

8. Consequence of failure by authorised entity to lay pipelines after approval – If an authorized entity to whom a right of way or right of use or any permission has been granted, fails to lay the pipeline or its associated facilities within a period of four months from the grant of such permission, then–

(a) the authorised entity shall be considered to be in default of its obligations under its relevant licence or authorisation, as the case may be, and shall be liable to penalty; and

(b) the exclusivity of the authorised entity with respect to that area may be removed after giving due notice and opportunity of being heard to the authorised entity.

9. Restrictions regarding use of land – (1) In respect of bulk supply transmission pipelines or steel pipelines including those comprising the CGD network or its associated facilities or other facilities, the following shall be applicable :–

(a) the owner or occupier of the relevant land comprising the public area or housing area or non-public area in respect of which right of way or right of use or permission has been granted, for such pipelines or its associated facilities, shall be entitled to use the land for the purpose for which land was put to use immediately before the date of grant of such right of way or right of use or permission, under this order, to the extent such use may be possible without causing damage to or interference with the operation of the relevant pipeline, its associated facilities or other facilities:

Provided that such owner or occupier shall not after such grant of right of way or right of use or permission for such pipelines or its associated facilities or other facilities–

(a) construct any building or any other structure on such land;

(b) construct on or excavate such land; or

(c) plant any tree on such land.

(2) The owner or occupier of the relevant land comprising the public area or housing area or non- public area in respect of which right of way or right of use or permission has been granted under sub-clause (1) for such pipelines or its associated facilities or other facilities, shall not do or cause to be done any act which will or is likely to cause any damage in any manner whatsoever to such pipeline, its associated facilities or other facilities.

- (3) In respect of a CGD network, pipelines which comprise the medium to low pressure distribution network, as well as service pipelines, of the secondary or tertiary network of such CGD network, the following shall be applicable:

(a) The owner or occupier of the specific portion of the relevant land that is utilized to lay such pipelines or its associated facilities shall not do any act or permit any act to be done on such portion of land which can, or is likely to, cause any damage in any manner whatsoever to such pipeline or its associated facilities so laid or built, and

(b) The owner or occupier of the specific portion of the relevant land that is utilized to lay such pipelines or its associated facilities will notify the authorised entity and coordinate with the authorized entity in the event any work is to be undertaken in proximity with such pipeline, its associated facilities or other facilities so as to ensure that such work does not damage such pipelines or its associated facilities.

- 10. Designation of nodal agency** – (1) Purba Bharati Gas Private Limited, a Central PSU and a Joint Venture of GAIL India Limited, Oil India Limited and Assam Gas Company Limited (100% owned State PSU under the Govt. of Assam) is designated as the nodal agency of the State Government for the purposes of collection, compilation, maintenance and analysis of–

(a) the information from authorised entities in which the right of way or right of use or any permission are being provided for under this order;

(b) the information as to rejection of applications;

(c) the compliance by the authorised entities to lay the pipelines or establish the facilities in respect of which such right of way or right of use or permissions were obtained under this order.

- (2) The State Nodal Agency shall act under the superintendence of the Central Nodal Agency, *i.e.* Pe
- (3) The authorised entity shall furnish information in the form, manner and periodicity which may include daily, weekly, monthly or other periodic returns and on such electronic platform as may be specified by the Central Government or the PNGRB.

First Schedule

[See clauses 4(3), 4(6), 4(7) and 5(2)]

Part – I : Fee for application		
Sl. No.	Subject	Fee/charge
(1)	(2)	(3)
1.	Application for seeking right of way or right of use or any permission under clause 4 (3) from public entities having ownership or control or jurisdiction over public area or clause 5 (2) for housing areas.	One time charge of Rs 1000/- per kilometer for underground pipeline or overground pipeline.

Part-II : Time limit for deciding application by public entity		
Sl. No.	Subject	Time limit
(1)	(2)	(3)
1.	Application for seeking right of way or right of use or any permission under clause 4 (6) for laying pipeline of steel pipelines of diameter of above 20 inches meeting specifications of API 5L, ASTM A106 or ASTM A 333 and for a distance greater than 10 kilometers.	Sixty working days.
2.	Application for seeking right of way or right of use or any permission covered under clause 4 (6) for laying pipeline of steel pipelines of diameter of above 20 inches meeting specifications of API 5L, ASTM A106 or ASTM A 333 and for a distance less than 10 kilometers.	Thirty working days.
3.	Application for seeking right of way or right of use or any permission under clause 4(6) (b) or clause 5(2) for establishing other facilities.	Fifteen working days.
4.	Application for seeking right of way or right of use or any permission covered under clause 4 (6) for laying of steel pipes or PE pipes: (i) from a city gate station or (ii) from a LNG storage or regasification facility, or (iii) comprising primary network of a CGD network; for a distance of more than 10 kilometers.	Forty working days.
5.	Application for seeking a right of way or right of use or any permission covered under clause 4(6) for laying steel pipes or PE pipes: (i) from a city gate station or (ii) from a LNG storage or regasification facility, or (iii) comprising primary network of a CGD network; for a distance of more than 10 kilometers	Thirty working days.

6.	Application for seeking a right of way or right of use or any permission covered under clause 4(6) for laying steel pipes or PE pipes] as part of the secondary network of a CGD network for a distance of more than 10 kilometers.	Twenty working days.
7.	Application for seeking right of way or right of use or any permission covered under clause 4(6) for laying steel pipes or PE pipes as part of the secondary network of a CGD network for a distance of less than 10 kilometers.	Ten working days.
8.	Application for seeking right of way or right of use or any permission covered under clause 4(6) for laying steel pipes or PE pipes as part of the tertiary network of a CGD network.	Ten working days.
9.	Application seeking right of way or right of use or any permission from public entity relating to laying, building, commissioning, operation, maintenance or expansion under clause 4 (6) other than specified in Sl. Nos.1 to 8.	Twenty working days.

Second Schedule

[See clauses 4(14), 4(15), 4(16) and 4(17), 5(7), 5(9), 5(10), 6(1) and 6(8)]

Part - I : Charges for grant of permission		
Sl. No.	Subject	Charges
(1)	(2)	(3)
1.	Grant of right of way or right of use or any permission or land area covered under clause 4(14) from public entities having ownership or control or jurisdiction over public area or clause 5(7) for housing areas.	(a) Rs. 1,000/- per kilometer for right of way; (b) 30% of the applicable circle rate to the area of pits area granted, usually not greater than 5x10 sq feet; (c) 30 % of the applicable circle rate to the area for any right of use or land provided for the associated facilities of the pipeline and other facilities.

Part -II : Charges for dig and pay basis		
Sl. No.	Subject	Charges
(1)	(2)	(3)
1.	Charges payable by authorised entity for works on dig and pay basis under clause 4(16) or clause 5(9).	(a) Rs.5000/- per running meter in respect of concrete roads; (b) Rs 3500/- per running meter for bituminous road. These rates shall be indexed to the Consumer Price Index (CPI) and shall be revised on an annual basis.

Part -III : Performance bank guarantee for dig and restore basis		
Sl. No.	Subject	Charges
(1)	(2)	(3)
1.	The amount of performance bank guarantee for works undertaken on dig and restore basis as on the date of the application under clause4(15), clause4(17) or clause 5(10).	20% of the restoration charges for the type of road or area notified or specified by the relevant public entity.

Part -IV : Compensation payable to non-public entity or individual		
Sl. No.	Subject	Charges
(1)	(2)	(3)
1.	Compensation payable on the date of the submission of the application (submitted as per clause 6(1)) to the non-public entity or individual under clause 6(8).	One-time payment calculated by multiplying the area of land that is the subject matter of grant of right of way or right of use or permission with an amount equal to 30 % of the applicable circle rate for commercial use of the land: Provided that if the relevant non-public entity or individual enters into the agreement under clause 6(1) within twenty four hours of receiving the application (under clause 6(1) will receive an amount that would be double the stated amount, that is to say, in such circumstances an additional amount equivalent to 30% of the applicable circle rate for commercial use of the land shall be paid to the relevant non-public entity or individual.

RAVI KOTA,
Chief Secretary, Assam.