

Government of India
Ministry of Shipping, Road Transport & Highways
Department of Road Transport & Highways
(Road Wing)

Transport Bhavan,
No. 1 Parliament Street,
New Delhi 110 001.

No. NH-11014/7/2003-P&M(Pt.)

Dated: 13.2.2006

To

1. All The State Chief Engineers dealing with National Highways (as per list)
2. The Director, General (Border Roads), Seema Sadak Bhavan, Naraina Ring Road, New Delhi – 110 010.
3. All Regional Officers of the Ministry of Shipping Road Transport & Highways (Deptt. of Road Transport & Highways).

Sub: The Control of National Highways (Land & Traffic) Act, 2002 – Setting up of Highway Administration.

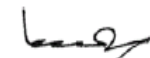
Sir,

I am directed to refer to this Ministry's letter of even number dated 20.5.2005 (copy enclosed) on the above subject addressed to Highways Administrators and a copy endorsed to you and to say that consequent upon the Control of National Highways (Land & Traffic) Act, 2002 coming into force from 27.1.2005 and setting up of 192 Highway Administrators for implementation of the provisions of the Act, all the Highway Administrations are required to prepare the Land Registers, take cognizance of the instances encroachments, issue of notices and remove encroachments on the National Highway land and property. Accordingly, all the Highway Administrations were requested to take action and to send the Action Taken Reports on the progress of the preparation of Land Registers, number of encroachments taken cognizance of, number of cases in which notices have been issued and the number of cases in which encroachments have been removed etc. Similarly, the Highway Administrations were also requested to report action taken on the control of access point of National Highways, regulation of traffic and licenses of lease deeds etc. for temporary use of National Highway land. A proforma for report was also enclosed. The Action Taken Reports are required to be submitted to this Department. However, so far no such report has been received from any of the Highway Administrations.

2. It is, therefore, requested that necessary action may immediately be taken as required in the above mentioned letter and the quarterly reports as prescribed may be sent to this Department immediately and regularly in future. All the State Chief Engineers and the DGBR dealing with National Highways are requested to issue necessary letters to the Highway Administrations functioning within their States under intimation to this Ministry.

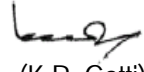
3. The report for the quarter ending December, 2005 may be sent at an early date.

Yours faithfully,


(K.R. Gatti)

Copy to:

1. The Secretaries of State PWDs/UTs dealing with National Highways.
2. The Chairman, NHAI, G-5&6, Sector – 10, Dwarka, New Delhi.

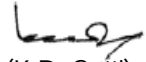


(K.R, Gatti)

Under Secretary to the Govt. of India

Tel: 23710450

Copy to the Project CEs: They are requested to pursue with the States concerned and to get necessary reports. The copy of the Ministry's letter dated 20.5.2005 is also enclosed.



(K.R, Gatti)

Under Secretary to the Govt. of India

Government of India
Ministry of Shipping, Road Transport & Highways
Department of Road Transport & Highways
(Road Wing)

Transport Bhavan,
No. 1 Parliament Street,
New Delhi 110 001.

No. NH-11044/44/2004-P&M

Dated: 20.5.2005

To

All the Highway Administrations
(As per list)

Sub: The Control of National Highway (Land & Traffic) Act, 2002 – Setting up of Highway Administration.

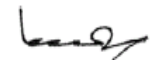
Sir,

I am directed to say that the Control of National Highways (Land & Traffic) Act, 2002 has come into force w.e.f. 27.1.2005 vide notification, dated 27.1.2005. The Central Government has also established 192 Highway Administrations for implementation of the provisions of the Act, vide notification, dated 20.1.2005 and this notification has also come into force w.e.f. 27.1.2005. Copies of these notifications have already been endorsed to the Secretaries of State PWDs/UTs, Engineer-in-Chief, Chief Engineers of State PWDs etc. vide this Ministry's letter of even number dated 11th Feb. 2005.

2. The Highway Administrations are required to prepare the Land Registers, take cognizance of the instances encroachments, issue notices and remove the encroachments on the National Highway Land and property. Similarly action is to be taken for control of access points to the National Highways, regulation of traffic, control of the use of road land for public utility and issue of licenses or lease deeds for temporary use of National Highways. Even though about 4 months have elapsed since the Act was brought into force, no report has been received from any National Highway Administration regarding progress of implementation of the provisions of the Act. The progress on the preparation of land registers has also not been reported.

3. All the Highway Administrations are, therefore, requested to send immediately an Action Taken Report (ATR) on the progress of preparation of land registers, number of encroachments taken cognizance of, number of cases in which notices have been issued and the number of cases in which encroachments have been removed. Similarly, a report may be sent on the action taken on the control of access point of National Highways, regulation of traffic and licenses of lease deeds issued for temporary use of National Highways. In future all the Highway Administrations are requested to furnish the quarterly report on the status of implementation of the provisions of the Act in the proforma enclosed.

4. All the Highway Administrations are also requested to send one copy of land registers to the concerned Regional Officer of the Ministry.


(K.R. Gatti)

Under Secretary to the Govt. of India
Tel: 23710450

Copy to:

1. The Secretaries of State PWDs/UTs dealing with National Highways.
2. Engineer-in-Chief of State PWDs/Chief Engineers of all States Govts. / UTs dealing with National Highways.
3. The Chairman, NHAI, G-5&6, Sector-10, Dwarka, New Delhi.
4. The Director General (Border Rods), Seema Sadak Bhavan, Naraina, Ring Road, New Delhi – 110 010.
5. All Regional Officers / ELOs of the Ministry of Shipping, Road Transport & Highways (Deptt. of Road Transport & Highways).

(K.R, Gatti)
Under Secretary to the Govt. of India

GOVERNMENT OF INDIA
MINISTRY OF SHIPPING, ROAD TRANSPORT & HIGHWAYS
(DEPARTMENT OF ROAD TRANSPORT & HIGHWAYS)

Transport Bhavan
1, Parliament Street,
New Delhi – 110 001

No. RW/NH-35072/1/2005-S&R(R)

Dated 20th March, 2006

To

1. The Secretaries of States/Union territories, Public Works Departments (Dealing with National Highways and other Centrally sponsored schemes)
2. The Engineer-in-Chief and Chief Engineers of State PWDs and UTs (Dealing with National Highways and other Centrally sponsored schemes).
3. The Chairman, National Highways Authority of India, G-5&6, Sector-10, Dwarka, New Delhi – 110 075.
4. The Director General (Border Roads), Seema Sadak Bhavan, Ring Road, Delhi cantt., New Delhi – 110 010.

Sub: Access for Fuel/Service Stations along National Highways

Sir,

It has come to the notice of the Ministry that a number of new retail outlets have been set up and made operational along National Highways in various States without obtaining the requisite permissions for grant of access for these facilities in total disregard to the guidelines issued vide Ministry's letter No. RW/NH-33023/19/99-D.O.III dated 17.10.2003. In some other cases, even though permission for access was obtained from Ministry but the layout plan approved by the Ministry was not followed at site during execution. This Ministry has taken a serious view of non-enforcement of said guidelines.

2. It is pertinent to mention that the guidelines stipulating norms for the access for fuel/service stations along National Highways, issued vide the Ministry's letter mentioned above, were finalized in consultation with the Ministry of Petroleum and Natural Gas, and were made applicable to all new fuel stations from the date of issue of the same, i.e. from 17.10.2003. Adherence to these stipulated norms is an absolute necessity from safety point of view.

3. In Para 10.6 of Appendix-I of the said norms, it has been clearly stipulated that "The 'No Objection Certificate' by the Licensing Authority through their field units, would be issued and construction permitted only after the necessary approval has been given by Ministry and license deed duly signed and delivered." Further, Para 10.9 of Appendix-I of the said norms inter-alia stipulate that the concerned oil companies would be allowed to energize the fuel stations only after issue of a Completion Certificate by the concerned field units of NHAI/PWD/BRO or any other agency (as the case may be).

4. In view of this it is desired that all concerned Executive Agencies associated with works pertaining to National Highways shall immediately furnish the NH-wise details of the new retail outlets setup as on or after 17.10.2003 (i.e. the date of issue of Ministry's present guidelines for grant of access permission for fuel/service stations), for which:

- (i) Access Permission from NH has not been obtained and Retail outlets have been energized; and
- (ii) Even though access permission has been obtained, the layout plan as approved by the Ministry has not been followed at site during construction of the facility.

These details may be furnished as per the proforma enclosed herewith latest by 15th April, 2006.

5. The process for renewal of access permissions for retail outlets setup before 17.10.2003 shall be governed by the guidelines contained in the Ministry's letter No. RW/NH-33023/19/99-DP.III dated 31.08.2000. Accordingly necessary action to this effect may also be immediately initiated for such retail outlets under intimation to the Ministry.

6. Specific attention is drawn to the stipulations of para 6.11 and para 10.12 (Appendix-I) of the Ministry's letter No. RW/NH-33023/19/99-DO.III dated 17.10.2003 regarding de-energizing of the fuel stations in case of non compliance.

7. In view of the above, it is requested that the matter may be urgently taken up with the concerned oil companies for immediate necessary corrective actions, under intimation to the Ministry, for de-energizing of such facilities as per extant provisions. The seriousness of the matter may also be brought into the notice of the State Administration and the District Administration.

Yours faithfully,



(Sudip Chaudhury)

Executive Engineer (NFSG) (Standards & Research
For Director General (Road Development))

Enclosure: As above

