



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय)
National Highways Authority of India
(Ministry of Road Transport & Highways)
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No.11041/21/2002-Admn.III

November 25, 2002

POLICY MATTERS : ADMINISTRATION/FINANCE (24/2002)
(Decision taken on C.M. Division's File No.NHAI/CM/DGM/Gen./2002)

In pursuance to the Delegation of Powers under the Punjab Scheduled Road and Controlled Areas Restriction of Unregulated Development Act, 1963 and Notification No.DTPC-STP(E)-Misc-73/3284 dated 24.09.2002, the Government of Haryana has appointed Deputy General Managers of National Highways Authority of India in respect of National Highway No.1, 2 and 8 passing through the State of Haryana, to exercise and perform all the powers and functions of the **Director** under Sections-9 and 12 of the Act within their respective jurisdiction or portion thereof inside the controlled areas, declared under Section-4 of the Act.

2. A copy of the Haryana Government notification dated 24.09.2002 and the provisions of Sections-4, 9 and 12 of the Act are annexed herewith for information and needful.

S. Loganathan
(S.Loganathan)
General Manager (Admn.)
o/c

To

CGM (CM)/CGM(NS)/
CPD, PIU Gurgaon
PD, PIU Sonapat
PD, PIU Ambala
PD, CMU Kotputli

Copy to:

PS to Chairman
PS to Member (Admn.)/PS to Member (Tech.)-AKB/PA to Member (Tech.)-NS
GM(DM-I)/GM(DM-II)/GM(DM-III)/GM(CM)/GM(CO)
Hindi Officer/Librarian



[Extract from Haryana Government Gazette (Extra.), dated the 24th September, 2002]

HARYANA GOVERNMENT
TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 24th September, 2002

No.DTCP-STP(E)-Misc-73/3284.—In exercise of the powers conferred by clause (6) of Section 2 of the Punjab Scheduled Roads and Controlled Areas restriction of Unregulated Development Act, 1963), (Punjab Act 41 of 1963), and all other powers enabling him in this behalf, the Governor of Haryana hereby appoints the Deputy General Managers of National Highways Authority of India, in respect of National Highway No. 1, National Highway No. 2 and National Highway No. 8 passing through Haryana Territory, to exercise and perform all the powers and functions of the Director under Sections 9 and 12 of the said Act, in respect of such National Highways i.e. within their respective jurisdiction or portions thereof inside the controlled area, declared under Section 4 of the said Act.

BHASKAR CHATTERJEE,
Financial Commissioner and principal Secretary
to Government, Haryana,
Town and Country Planning Department.

14163-C.S.-H.G.P. Ctd.

PUNJAB SCHEDULED ROAD AND CONTROLLED AREAS RESTRICTION OF UNREGULATED DEVELOPMENT ACT, 1963

Section 4 *Declaration of controlled area*

(1) The Government may by notification declare the whole or any part of any area adjacent to and within a distance of –

- (a) eight kilo-metres on the outer side of the boundary of any town; or
- (b) two kilo-metres on the outer side of the boundary of any industrial or housing estate, public institution or an ancient and historical monument,

specified in such notification to be controlled area for the purposes of this Act.

(2) The Government shall also cause the contents of the declaration made under sub-section (1) to be published in at least two newspapers printed in a language other than English.

PUNJAB SCHEDULED ROAD AND CONTROLLED AREAS RESTRICTION OF UNREGULATED DEVELOPMENT ACT, 1963

Section 9 *Power of entry on land or building for survey etc. - The Director may authorize any person to enter into or upon any land or building with or without assistance or workman for the purpose of making any enquiry, inspection, measurement or survey or taking levels:*

Provided that no entry shall be made except between the hours of sun rise and sun set and without giving twenty four hours notice to the occupier or owner of such land or building.

Section 12. *Offences and Penalties- (1) Any person who-*

(a) erects or re-erects any buildings or makes or extends any excavation or lays out any means of access to a road in contravention of the provisions of section 3 or section 6 or in contravention of any conditions imposed by an order under section 8 or section 10, or

(b) uses any land in contravention of the provisions of sub-section (1) of section 7 or section 10

shall be punishable with imprisonment of either description for a term which may extend to three years and shall also be liable to fine which may extend to fifty thousand rupees but not less than ten thousand rupees and in case of a continuing contravention, with a further fine which may extend to one thousand rupees for every day after the date of the first conviction during which he is proved to have persisted in the contravention.

(2) Without prejudice to the provisions of sub-section (1), the Director may, by notice, served by post, and if a person avoids service, or is not available for service of notice, or refuses to accept service, then by affixing a copy of it on the outer door or some other conspicuous part of such premises, or in such other manner as may be prescribed, call upon any person who has committed a breach of the provisions referred to in the said sub-section to stop further construction and to appear and show cause why he should not be ordered to restore to its original state or to bring it in conformity with the provisions of the Act or the rules, as the case may be, any building or land in respect of which a contravention such as described in the said sub-section has been committed, and if such person fails to show cause to the satisfaction of the Director within a period of seven days, the Director may pass an order requiring him to restore such land or building to its original state or to bring it in conformity with the provisions of the Act or the rules, as the case may be, within a further period of seven days.

(3) If the order made under sub-section (2) is not carried out, within the specified period, the Director may himself at the expiry of the period of this order, take such measures as may appear necessary to give effect to the order and the cost of such measures shall, if not paid on demand being made to him, be recoverable from such person as arrears of land revenue:

Provided that even before expiry of seven days period mentioned in the order under sub-section (2), if the Director is satisfied that instead of stopping the erection or re-erection of the building or making or extending of the excavation or laying out of the means of access to a road, as the case may be, the person continues with the contravention, the Director may himself take such measures as may appear necessary to give effect to the order and the cost of such measures, shall, if not paid on demand being made to him, be recoverable from such person as arrears of land revenue.