



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
(सड़क परिवहन और राजमार्ग मंत्रालय)  
**National Highways Authority of India**

(Ministry of Road Transport & Highways)  
G-5 & 6, Sector-10, Dwarka, New Delhi-110045

Phone : 91-11-25074100/25074200  
Fax : 91-11-25093507/25093514  
Extn. : 2223/2318/2468/2553

No. 11041/21/2002/Admn-III

May 13, 2004

**POLICY MATTERS-ADMINISTRATION/FINANCE (83/2004)**

(Decision taken on CK Division File No.NHAI/11014/14/99/Pre-Con/Pkg.IV/Tech/CK)

**Sub: Guidelines for processing of cases for land acquisition.**

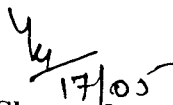
The following guidelines are prescribed for processing the estimates and for release of payments for land acquisition:

- i) For the purpose of national highways, the land is required to be acquired in accordance with the provisions contained in the National Highways (Amendment) Act, 1997. If the land is acquired under the Land Acquisition Act, 1894, specific permission of the Competent Authority, NHAI may be obtained citing proper justification.
- ii) In accordance with section 3(G) of NH (Amendment) Act, 1997, the Competent Authority (Land Acquisition) shall determine the compensation to be paid to the land owners. It may be examined that such compensation has been determined as prescribed under Section 3(G) of the Act. In case any other charges have been included in the estimate/award, necessary reference of the provision under which such charges have been levied may be sought for from the Competent Authority (Land Acquisition).
- iii) The estimate/award furnished by the Competent Authority (Land Acquisition) as determined under Section 3(G) of the National Highways (Amendment) Act, 1997 may be got approved by the Competent Authority, NHAI. Wherever the award of the Competent Authority (Land Acquisition) is not found to be reasonable/acceptable, NHAI may while depositing the amount in the joint account, refer the matter for arbitration.
- iv) Upon approval of the estimate as per (iii) above, the amount of compensation to be paid to the land owners as per the award of the Competent Authority (Land Acquisition) may be deposited in a separate account in accordance with the Section 3(H) of the NH (Amendment) Act, 1997. Under the prevailing procedure in NHAI, such compensation is required to be deposited in an account jointly operated by the Competent Authority (Land Acquisition) and the Project Director, NHAI. All the payments pertaining to compensation may be released only out of such account.

- v) The bank account shall not be a part of NHAI books of accounts. Since all the amounts shall be deposited in the joint account as prescribed in (iv) above after publication of the notification under section 3(D) and the issuance of the award of the Competent Authority (Land Acquisition) under section 3(G) of the NH (Amendment) Act, 1997, the amount may be booked under the head CWIP - Land Acquisition in the books of accounts. However, necessary details in respect of the amounts released out of such accounts may be maintained by the PIUs.
- vi) However, where the amount is required to be deposited otherwise than as prescribed in (iv) above, specific permission of the Competent Authority, NHAI may be obtained. In such cases, PIUs may ensure that utilization certificates are furnished by the agency in respect of the compensation disbursed out of the amounts paid by NHAI.
- vii) In case of land acquisition under the Land Acquisition Act, 1896, the amount of compensation as demanded by the respective Land Acquisition Officers may be deposited as prescribed under the Land Acquisition Act, 1894.
- viii) Generally, the Competent Authorities (Land Acquisition) also seek funds to meet the expenditure on salary and other establishment expenses including for release of notifications in the newspapers in connection with the land acquisition. PIUs may obtain the prior approval of the Competent Authority, NHAI in respect of budget/estimate for such purposes. For such purposes, the amount may be released to the Competent Authorities (Land Acquisition) as advance and subsequently, necessary vouchers may be obtained from the Competent Authorities (Land Acquisition) for adjustment of advances. Alternatively, PIUs may reimburse such amounts to the Competent Authorities (Land Acquisition) based on the claims submitted by them duly supported with vouchers, subject to the overall ceiling approved by the Competent Authority, NHAI. It may be ensured that these amounts are not deposited in the account to be operated jointly by the Competent Authority (Land Acquisition) and the Project Director, NHAI as prescribed in (iv) above.
- ix) It may be ensured that notification is published in as many newspapers as required under the relevant Act.
- x) The amount of compensation determined by the Arbitrator may also be paid as per the provisions contained in the NH (Amendment) Act, 1997.

- xi) Any amount, if lying un-disbursed for more than a year from the date of last and final transaction in the joint bank account of Competent Authority (Land Acquisition) and Project Director, NHAI, along with any amount of interest lying in the said account, may be remitted back to the accounts of NHAI after closing the Joint Account (except for exceptional cases such as, where money is required to be deposited in the court, etc.). All the records relating to the land acquisition should be taken over by the Project Director concerned. Any claim of compensation may be released by the Project Director in accordance with the original orders of land acquisition issued by the Competent Authority (Land Acquisition). In case where an Arbitrator has been appointed, award of the arbitrator shall be honored and payment shall be released with the approval of the HQs. Project Director, however, will ensure that payment, in all cases is released to the genuine claimant, proper records are maintained and records including books of accounts are reconciled on a periodical basis. Manager (F)/Accounts Officer will advise and assist Project Director in discharging these functions.

This issues with the approval of the Competent Authority.

  
[VK Sharma]

General Manager [Admn.]

All the Members  
All the CGMs/CVO/GMs  
All the DGMs/Managers  
All PIUs/CMUs/SPVs

Copy for information to:

PS to Chairman  
Librarian/Hindi Officer  
Director (Audit), RAP, NHAI