



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(महत्क परिवहन और राजमार्ग मंत्रालय)

National Highways Authority of India

(Ministry of Road Transport and Highways)

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NHAI/11013/DGM(LA&Coord)/2015/FTS-232/66709

Date: 25.05.2015

To,

All ROs/All PIUs

**Subject:- Procedure for transfer of defence land for public utilities and public infrastructure projects – guidelines of MOD dated 11.03.2015 forwarded vide MoRT&H letter No. 11011/03/2012-LA dated 12.05.2015 – request for submission of proposal by ROs/PIUs as per format enclosed with the MOD's letter – guidelines - reg.**

Sir,

NHAI HQ had earlier circulated certain guidelines regarding submission of proposals to NHAI HQ involving transfer to Defence land vide letter No.NHAI/11013/DGM(LA/Coord)2015/FTS-124/62361 dated 24.02.2015. In connection with the aforesaid, it is being informed that subsequently the Ministry of Road Transport & Highways vide letter No.11011/03/2012-LA dated 12.05.2015 has forwarded a copy of Ministry of Defence's letter No.11015/2/2012/D(Lands) dated 11.03.2015 to NHAI for information and compliance. The said letter of MOD contains guidelines which are to be followed in respect of proposals for transfer of Defence land. Copy of the aforesaid MoRT&H letter dated 24.02.2015 and the MOD letter dated 11.03.2015 are enclosed herewith for information and necessary action.

2. As per the aforesaid guidelines of the Ministry of Defence, NHAI will initially have to submit proposal for 'in principle' approval for transfer of Defence land to the Ministry of Defence through the Ministry of Road Transport & Highways. The proposal shall have to be submitted alongwith information as per format enclosed with the said Ministry of Defence's letter dated 11.03.2015.

3.(a) It is prima facie felt that proposals for Defence land forwarded by NHAI may be for transfer or alienation of land in the name of Ministry of Road Transport & Highways. Therefore, in sl.No.9 of the format the necessary undertaking to be provided should be as follows:

*National Highways Authority of India undertakes to pay the market value*

Contd.2/-

of land fixed by the Ministry of Defence for transfer or alienation of the land in favour of Ministry of Road Transport & Highways, Govt. of India.

(b) in Sl.No.7 of the said format, the following may please be stated :

*NHAI/MoRT&H is neither a land owning authority nor does it have an arrangement with the State/UT governments for providing land for the project and is therefore unable to provide equal value land, transfer may please be considered on payment of current market value.*


4. Besides the information required to be submitted as per format enclosed with the said MOD's letter, RO/PD may also please submit the following information additionally by incorporating these in the format itself at Sl.No.3 of the format:

- (i) NH No. :
- (ii) Stretch :
- (iii) Chainage of NH where Defence land is located :
- (iv) Address of Local Defence Authority :

The address at Sl.No.1 of the format shall be that of the NHAI HQ. Additionally, the address and telephone number of the PIU may also be included at Sl.No.1 so that clarification, if required on matters which are available locally, may be obtained by the authority directly, if it so desires.

5. It is therefore, requested to kindly peruse the Ministry of Defence's letter dated 11.03.2015 carefully and henceforth submit proposals for transfer of Defence land to NHAI HQ as per guidelines therein duly filling-up the format also taking into consideration the guidelines mentioned in this letter. Also, ROs who have recently submitted proposals for transfer of Defence land to NHAI HQ against which intimation from Ministry of Defence acknowledging receipt of such proposal from NHAI have not been received, may please resubmit proposal as per MOD format enclosed with this letter. ROs are further being directed to put up/re-submit cases where Defence land is yet to be transferred.

Encl: as above.

  
 (V.K Sharma)  
 Chief General Manager (LA&Coord)