



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(पोत परिवहन, सड़क परिवहन और राजमार्ग मंत्रालय)

National Highways Authority of India

(Ministry of Shipping, Road Transport and Highways)

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No. NHAI/13/LA&EM/Policy/2004/61

September 29, 2005

CIRCULAR

Sub: Procedure to be followed for land acquisition subsequent to amendment of the Government of India (Allocation of Business Rules, 1961) - Req.

The President has, in exercise of the powers conferred by clause (3) of article 77 of the Constitution, issued a notification dated the 1st September, 2005 amending the Government of India (Allocation of Business Rules, 1961), to the effect that the notifications under clause (a) of section 3, and section 3A and section 3D of the National Highways Act, 1956 (48 of 1956) shall, with effect from the date of the notification (1st September, 2005), be issued by the Department of Road Transport and Highways, Ministry of Shipping, Road Transport and Highways, without having to be scrutinized and vetted by the Legislative Department.


2. In view of the above position, NHAI now owns additional responsibility of ascertaining that issuance of the aforesaid notifications are in order from legal/legislative angle.

3. To ensure that there are no legal infirmities and shortcomings in any of these notifications that have now to be independently issued by the Department of Road Transport and Highways, MOSRT&H, all the PIUs/Divisions are directed to henceforth follow the under mentioned procedure while forwarding the draft land acquisition notification proposals to be issued under clause (a) of section 3, and section 3A and section 3D of the National Highways Act, 1956 (48 of 1956) to the Corporate Office:-

- (i) All PIUs/CMUs will submit the proposals pertaining to land acquisition to the concerned Technical/Corridor Management Division.
- (ii) The Technical/Corridor Management Division will scrutinize the proposal and forward it to LA & EM Division.

- (iii) The LA & EM Division will get the English version of the proposal examined through CLA and after the same is vetted by him, LA&EM Division will get the Hindi version of the notification proposal prepared by Hindi Division of NHA!
- (iv) Thereafter, LA&EM Division will send the draft proposal containing both the English and Hindi versions of the notification through Competent Authority in NHA to the Ministry of Shipping, Road Transport and Highways for approval of the Hon'ble Minister.
- (v) After approval of the proposal by the Hon'ble Minister, the draft notification proposal containing fair copies of English and Hindi version will be sent to the Ministry for signatures of the concerned Dy. Secretary and thereafter the same would be forwarded by the Department of Road Transport and Highways to the Mayapuri Press for being published on the Gazette of India, Extraordinary.

This issues with the approval of the Chairman.


V. S. DARBARI
GM (LA & EM)

To:

All PIUs/CMUs

Copy submitted for favour of information to:

- i) Chairman, NHA
ii) Secretary, Department of Road Transport and Highways, MOSRT&H
iii) All Members/CGMs/CVO
iv) All GMs/DGMs/Managers
v) C.L.A / Hindi office