

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

National Highways Authority of India

(Ministry of Road Transport and Highways, Govt. of India)

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BHARATMALA
ROAD TO PROSPERITY

22 APR 2019

NHAI/PIU-ATP/11018/REPORTS/2019/0264

13.04.2019

ANANTHAKAMU HINDUPUR URBAN DEVELOPMENT AUTHORITY

Collector's Bungalow Road

ANANTAPUR - 515 001

Sub: NHAI - PIU, Anantapur - THE CONTROL OF NATIONAL HIGHWAYS (LAND AND TRAFFIC) ACT, 2002 (13 OF 2003): Request for extending necessary cooperation in controlling of unauthorized Access from the National Highways reg.,

Ref: THE CONTROL OF NATIONAL HIGHWAYS (LAND AND TRAFFIC) ACT, 2002 (Parliamentary Act 13 OF 2003)

Sir,

With reference to the subject cited above, it is to inform that the various real estate agencies/property developers/other firms/local dhabas are taking unauthorized access from the National Highways without obtaining any NOC from the Highway Administrator particular NH as required under **LAND AND TRAFFIC) ACT, 2002** which was enacted by Central Government to provide for control of land within the National Highways, Right of Way and traffic moving on the National Highways and also for removal of unauthorized occupation thereon in the interest of the safety and convenience of Road User.

Pls. Circulate to all T.P. Staff to follow the instructions

*Mk
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2. As per the above said Act ((LAND AND TRAFFIC) ACT, 2002)

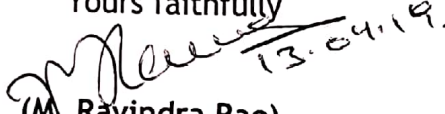
- i. No person shall occupy any highway land or discharge any material through drain on such land without obtaining prior permission, for such purpose in writing, of the Highway Administration or any officer authorised by such Administration in this behalf
- ii. No person other than a Highway Administration or a person authorised by such Administration in this behalf shall construct, install, shift, repair, alter or carry any poles, pillars, advertisement towers, transformers, cable wire, pipe, drain, sewer, canal, railway line, tramway, telephone boxes, repeater station, **street path or passage of any kind on highway land or across**, under or over any Highway except with the prior permission in writing of the Highway Administration for such purpose.

M. N. S. 13.04.19

- iii. Any person who intends to obtain the permission shall make an application in the prescribed form to the Highway Administration containing therein the purpose and period of occupancy of Highway; location and part of the Highway to be occupied, method of execution of work, period of construction and method of restoration of such part of the Highway.
 - iv. where the permission has been given in respect of the application made, the person to whom such permission has been given shall obtain the licence from the Highway Administration in the prescribed form enumerating herein the terms and conditions, if any, subject to which such permission has been given, and such permission shall be renewed after such period and in such manner as may be prescribed.
 - v. If any person contravenes the provisions or violates any terms and conditions subject to which permission has been given including non-renewal of license obtained, his access to Highway, shall be deemed to be unauthorized access and the Highway Administration or the officer authorized by such Administration shall have the power to remove such access and where necessary, the Highway Administration or such officer may use the necessary force with the assistance of the police to remove such access.
3. In connection with the above, Govt. Of India, Ministry of Road Transport & Highways has issued various guidelines from time to time of which the recent one is circular dtd 24.07.2013 with its amendments for obtaining the access permissions for development of Residential & Other properties along NH.
 4. Further, as per IRC: 73-1980 guidelines for GEOMETRIC DESIGN STANDARDS FOR RURAL (NON URBAN) HIGHWAYS, it is advised to restrict the building activity along the NH within the "Building line" and it will be desirable to exercise control on the nature of building activity within the "control line to prevent overcrowding and preserve sufficient space for future Highway improvements.

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5. In this connection, it is to bring out that so many unauthorised access permissions are being noticed along the National Highways which are being developed after obtaining the permissions from the concerned authorities / local bodies of the State Government. However, these agencies are not taking any NOC from the Highway Administrator of NH but forming the unauthorised access form NH without any norms /standards in violation of the said act.
6. Formation of Unauthorised access without following the required Norms/standards and encroachment of the Highway may lead to vulnerable place for occurrence of road accidents which may further become black spots on the Highway and may finally become Hazardous to the safety of road users.
7. In view of the above, it is requested to extend necessary support in controlling the unauthorized access along NH and to see that obtaining NOC from the concerned Highway Administrator of NH is also one of the conditions for issuance of any future construction clearance to a firm/individual who ever are developing the properties adjacent to the National Highways to avoid the formation of black spot locations on the Highway in the best interest of safety of the road user on the Highway.

Yours faithfully

(M. Ravindra Rao)
Project Director

Copy to:

1. Chairman & District Collector, District Road Safety Committee, Anantapur for kind information with a request to issue necessary directions to the concerned authorities including local bodies for controlling the unauthorised access from the National Highways.
2. Superintendent of Police, Anantapur for kind information.
3. Regional Officer, NHAI, RO, Vijayawada for kind information.