

NH-11014/171/2025-HA
Government of India
Ministry of Road Transport & Highways
(Highway Administration Cell)
Transport Bhawan, 1, Parliament Street, New Delhi - 110001

Dated 07.08.2025

1. The Chief Secretaries of all the State Governments/ UTs
2. The Principal Secretaries/ Secretaries of all States/ UTs Public Works Department dealing with National Highways, other centrally sponsored schemes.
3. All Engineers-in-Chief and Chief Engineers of Public Works Department of States/ UTs dealing with National Highways, other centrally sponsored schemes.
4. The Director General (Border Roads), Seema Sadak. Bhawan, Ring Road, New Delhi
5. The Chairman, National Highways Authority of India, G-5 & 6, Sector-10, Dwarka, New Delhi-110 075.
6. The Managing Director, NHIDCL.
7. All Regional Officers of the Ministry/NHAI and EDs of NHIDCL

Subject: - Standard Operating Procedure (SoP) for Identification, Reporting and Removal and Recovery of Cost of Removal of Unauthorized Occupations and Regulation of Traffic on National Highways.

Sir

In exercise of the powers conferred under Rule 3 of the Highway Administration Rules, 2019 issued under the provisions of the Control of National Highway (Land and Traffic) Act, 2002, the Competent has approved following attached Standard Operating Procedure (SoP) for Identification, Reporting, Removal and Recovery of Cost of Removal of Unauthorized Occupations and Regulation of Traffic on National Highways in supersession to guidelines No. NH-11014/2024-LA dated 18.03.2024 regarding inspection of National Highway for ascertaining the unauthorized occupations on NHs.

2. All concerned stake holders are directed to follow this Standard Operating Procedure (SoP) for implementation of provisions of the Control of National Highway (Land and Traffic) Act, 2002.

Digitally signed by
GANESH BAPU
SHELAR
Date: 2025.08.07
12:49:45 +05'30'
(Ganesh B. Shelar)
Executive Engineer

Copy to:

- i. NIC -for uploading on Ministry's website under "Whats new" and under compendium in supersession to code 144.28 dated 24.11.2024

Copy for kind information to:

- i. Sr. PPS to Secretary (RT&H)
- ii. Sr. PPS to DG (RD) SS
- iii. Sr. PPS to AS(H&LA)

Standard Operating Procedure (SoP) for Identification, Reporting and Removal and Recovery of Cost of Removal of Unauthorized Occupations on and Regulation of Traffic and Closure of National Highways

1. Inspection of National Highways

1.1 In order to ensure that National Highways remain free from unauthorized occupation and safe for movement of vehicles, it has been decided that it shall be obligatory on the part of all inspecting authorities of the Ministry and its implementing agencies to ascertain unauthorized occupation on or damage to National Highways and determine the fact and extent of unauthorized occupation in the Inspection Note, bringing the same promptly to the notice of the officer authorized on behalf of Highway Administration to remove the unauthorized occupation under Sections 26 and 27 of the Control of National Highways (Land and Traffic) Act, 2002 (henceforth referred to as the Act), read with relevant provisions of the Highways Administration Rules, 2004 (henceforth referred to as the Rules). It has also been decided that the inspection notes, along with visual and other evidence, shall be uploaded on the designated portal (Datalake).

1.2 **Frequency of Inspection:** All the field officers of the Ministry and its agencies shall conduct inspections for the purpose of ascertainment of unauthorised occupation/encroachment on or damage to National Highways as per the following table:

A. At Regional Office level of MoRTH /NHAI/NHIDCL

Sl No.	Office Name	Designation	Frequency of Inspection
1	Regional Office of MoRTH	Chief Engineer/Superintending Engineer-cum- Regional Officer/ ELO	At least once in three months;
2		Executive Engineer/ Asst. Executive Engineer	At least once in three months other than the inspections by the Regional Officer;
3	Regional Office of NHAI	Chief General Manager /General Manager-cum- Regional Officer	At least once in three months;
4		Dy. General Manager / Manager/ Dy. Manager	At least once in three months other than the inspections by the Regional Officer;
5	Regional Office of NHIDCL	Executive Director	At least once in three months;
6		General Manager / Dy. General Manager /Manager	At least once in three months other than the inspections by the Regional Officer;

B. At PIU/NH Division Level

Sl No.	Office Name	Designation	Frequency of Inspection
1	PIUs of Ministry/NH Division of state PWD/BRO	Executive Engineer / Asstt. Executive Engineer / Dy. Executive Engineer/ Divisional Engineer or equivalent	At least once in month
2	PIUs of NHAI/NHIDCL	Project Director (General Manager / Dy. General Manager /Manager)	At least once in month

The above designated Officers may combine an inspection under this circular with field visits/ inspections to be conducted for other purposes.

1.3 Obligation of Contractor/ Concessionaire/ Authority Engineer/ Independent Engineer/ Supervision Consultant regarding unauthorized occupation/ encroachment:

Apart from the inspection and subsequent follow-up action to be taken up by the inspecting authorities of MoRTH and its agencies, the Regional Officers shall ensure that Contractors/ Concessionaires maintain vigil over their project lengths and remove unauthorised occupation or encroachment on National Highways as per the provisions of the relevant agreement cited below. Similarly, all Authority Engineers/Independent Engineers /Supervision Consultants shall ensure that such unauthorised occupation/encroachments are reported to the concerned Project Directors/ Executive Engineer/ Divisional Engineer as per the provisions of the relevant contracts cited below.

Sl No.	Contract Type		Relevant Articles of the Contract Documents		Obligation regarding unauthorized occupation/ encroachment
			During the Construction	During the maintenance period/ O&M Period	
1	Engineering Procurement and Construction (EPC)		Article 8.5	Article 14.1(ii)(e) and Schedule E	Prevention, reporting and removal
2	Hybrid Annuity Mode (HAM)		Article 6.2.3 & 10.3.3	Article 10.5 and 17.1	
3	Built Operate and Transfer (BOT)		Article 10.3.3	Article 10.5	
4	Supervision Contract	Authority Engineer (AE)	Section 6 of TOR	Section 6 of TOR	Reporting unauthorized occupation in the Monthly Progress Report and Monthly Maintenance Report
5	Performance Based Maintenance Contract (PBMC)		Not applicable	Article 2.1.1, 3.1, 4.1.2, 4.1.9 and Annexure-E	Prevention, reporting and removal
6	Short Term Maintenance Contract (STMC)			Section-7	Prevention and reporting

1.4 In addition to the above, the instructions issued by Ministry from time to time and the provisions contained in the amendments to above Model Contract/Concession Agreement shall be followed.

1.5 **Drone Survey and aerial imaging:** Further, all Regional Officers of Road Wing/ NHAI/ NHIDCL shall ensure the drone survey of all National Highways under their jurisdiction and upload the reports/inputs in prescribed format on the designated portal(DataLake) for

assessment of information and to take necessary actions related to prevention, reporting and removal of unauthorized occupations on and damage to the National Highways. In this regard, the instructions issued by the Ministry for drone survey and satellite imagery shall be followed. The frequency for the drone survey/aerial imaging is as under:

Stage of the project	Frequency
During Construction	Quarterly
During Operation and maintenance period	Monthly in urban areas having population above 1 lakh and within 10 km of urban limits Quarterly in urban areas having population upto 1 lakh and within 5 km of urban limits Once every six months in rural areas.

2. Identification and Reporting of unauthorised Occupations

2.1 Issuance of Preliminary Notice: As part of periodical inspection or after verification of the complaints received from general public through Rajmarg Yatra App/ web portal/ email/ Public Grievance portal or through any written or oral means the concerned field officer, i.e., Executive Engineer/ Project Director/General Manager/ Deputy General Manager or any other equivalent level officer heading the Divisional Office/ Project implementation Unit or equivalent Implementation Site Office responsible for development, operation and maintenance of the National Highway shall issue a Preliminary Notice in the form at **Annexure I** to the persons/entities in unauthorised occupation on the National Highway. A copy of the Preliminary Notice shall also be sent to the District Magistrate and the Superintendent of Police/ Deputy Commissioner of Police. The concerned field officer shall afterwards make all efforts to get the unauthorized occupation removed with the assistance of the local panchayat, municipal body, trader's associations and local community and local administration and police. A Memo shall also be prepared by the concerned field officer, recording the details of the Preliminary Notice and subsequent efforts and interventions made.

2.2 Invoking the Jurisdiction of the District Magistrate: If, however, the concerned field officer fails to get the unauthorized occupation removed in a reasonable time despite his best efforts, he shall report the matter, along with all evidences, including visual, and a copy of the Preliminary Notice issued and the Memo recording the efforts made to remove such occupation, to the District Magistrate who is notified as the Officer authorized on behalf of the Highway Administration under Section 26 of the Act for removal of unauthorized occupation. The District Magistrate shall then proceed in accordance with the provisions of Section 26. The form for issuing the statutory notice under Section 26 (2) of the Act, as prescribed by Rule 11 of the Rules is at **Annexure II**.

3. Removal of unauthorised occupation and Imposition of fines/ Penalties:

3.1 The removal of unauthorised occupation and imposition of penalty/fine under Sub-Section (6) of Section 26 and Sub-Section (1) of Section 27 of the Act, read with Rule 25 of the Rules, shall be done by the District Magistrate.

3.2 For the recovery of the cost for removal of unauthorised occupation and fine, the procedure defined in Section 27 of the Act shall be followed.

3.3 The notices and bill of recovery for removal of unauthorised occupation shall be issued through the Court of the District Magistrate, who is the authorized officer on behalf of the Highway Administration under Section 26 of the Act. The form for bill for recovery of cost of removal of unauthorised occupation and fine imposed is given at **Annexure-III**, and the form for the Certificate for the cost of removal of unauthorized occupation and repair is given at **Annexure IV**.

3.4 In addition to above, under Sub-Sections 7 and 8 of Section 26 of the Act, the officer authorised on behalf of Highway Administration (delegation of powers may be referred) can also remove the unauthorised occupation without issuing any notice.

4. Monitoring of Unauthorised Occupation:

4.1 The regular monitoring of progress of removal of unauthorised occupation and damage to the National Highways shall be done at following level and the matter related to issues/ required assistance shall be highlighted in each review meeting.

Sl No.	Level of Review	Frequency	Remarks
i	Regional Officers of Ministry of Road Transport and Highway/ NHAI and EDs of NHIDCL as per territorial jurisdiction	Quarterly basis	The unresolved matters are to be reviewed and brought to the notice of the concerned Secretary of the State Government for the resolution of the matter and providing all necessary support to the field officers. In the event of non-resolution of the issues, the same shall be brought to the notice of the Highway Administration through the concerned Zonal Head of Road Wing/ the Member of NHAI/ the Director (Technical) of NHIDCL.
ii	Highway Administration (National level)	Bi-annual Basis	Review of removal of unauthorised occupation and taking up the issues with the concerned States.

4.2 **Monitoring using Drone Analytics and Satellite based imaginaries:** For monitoring of the encroachments the existing guidelines of the Ministry for use of Drone Analytics and Satellite based imageries shall be followed. A dedicated Drone Analytics Management System shall be built up in the designated portal (Datalake) for this purpose and all Regional Officers of Road Wing/ NHAI/ NHIDCL shall ensure monthly monitoring of the extent and removal of unauthorized occupation on the National Highways in their respective jurisdiction.

5. Filing and Summary Enquiry

The summary enquiry in the matter of unauthorized occupation of or damage to the National Highway shall be conducted in accordance with Section 43 of the Act, 2002, read with Rule 24 of the Rules.

6. Regulation of different type of Traffic on National Highway

The regulation of traffic and temporary or permanent closure of a National Highway or part thereof shall be ensured in accordance with the provisions of Chapter V of the Act, read with the Rules and the Notification for Delegation of Powers.

Annexure-I

COURT OF HIGHWAY ADMINISTRATION

Preliminary Notice for Removal of Unauthorised Occupation

Whereas I on periodical inspection of the highway land on the information received by me, am satisfied that an unauthorized occupation has taken place on the Highway comprised of area (specify area) situated at K.M. of N.H. No..... (indicate location sufficient to identify area) and such unauthorized occupation has been caused by you/you are responsible for such unauthorized occupation (attach evidence, including visual);

Therefore, you (Name and address of person to whom notice is to be issued) take notice that you are hereby required to remove such unauthorized occupation within **seven days** from the date on which this notice is served on you. You may make representation within **three days** from the date on which this notice is served on you to (indicate the designation and address of the officer to whom representation is to be made OR officer to whom subsection (1) to (6) of section 26 of the Act is delegated).

Issued under my hand and seat at onday of20.....

Signature of Highway Administration
or Officer Authorized
Seal

Place.....

State/Union Territory of

Enclosures: 1. Photograph of the unauthorized occupation
2. Other evidence

Copy to:

- i. Regional Officer MoRTH/NHAI or ED of NHIDCL: For kind information.
- ii. District Magistrate,....., District: for kind information and with request for removal of the above unauthorized occupation in accordance with section (26) of the Control of NH (Act) and in reference to Ministry of Road Transport and Highways Notification published vide..... GSR..... dated..... Regarding delegation of powers for removal of unauthorized occupation.

Annexure-II

COURT OF HIGHWAY ADMINISTRATION

Notice for Removal of Unauthorised Occupation

(Under sub-section (2) of section 26 of the Control of National Highways

(Land and Traffic) Act, 2002)

Whereas I on periodical inspection of the highway land on the information received by me, am satisfied that an unauthorized occupation has taken place on the Highway comprised of area (specify area) situated at K.M. of N.H. No..... (indicate location sufficient to identify area) and such unauthorized occupation has been caused by you/you are responsible for such unauthorized occupation;

Therefore, you (Name and address of person to whom notice is to be issued) take notice that you are hereby required to remove such unauthorized occupation within **seven days** from the date on which this notice is served on you. You may make representation within **three days** from the date on which this notice is served on you to (indicate the designation and address of the officer to whom representation is to be made) and such representation, if made, shall be heard on (indicate the date and place of hearing) at and be aware of the notice that failure to comply with this notice shall render you liable to penalty and summary eviction from the aforementioned highway land under sub-section (6) of section 26 and sub-section (1) of section 27 of the Control of National Highways (Land and Traffic) Act, 2002 (13 of 2003).

Issued under my hand and seat at on day of 20.....

Signature of Highway Administration
or Officer Authorized
Seal

Place.....

State/Union Territory of

- Enclosures: 1. Photograph of unauthorized evidence
2. A copy of the Preliminary Notice
3. Memo recording the efforts made to remove the unauthorized occupation

Copy to:

- i. Regional Officer MoRTH/NHAI or ED of NHIDCL: For kind information.
- ii. Superintendent of Police,, for information and necessary action.

COURT OF HIGHWAY ADMINISTRATION**BILL FOR RECOVERY OF COST OF REMOVAL OF
UNAUTHORISED OCCUPATION AND FINE IMPOSED**

(Under sub-section (1) of section 27 of the Control of
National Highways (Land and Traffic) Act, 2002)
State/Union Territory of

1. Name of the person to whom
the Bill is to be served.:
2. Father's Name :
3. Address :
(with telephone no.)
4. Location of unauthorized occupation with
N.H. No. and Chainage:
5. Expenditure incurred (in rupees):

S No.	Details	Amount (in Rs.)
(a)	in removing Unauthorized occupation	
(b)	in making Construction including alteration of Construction/in repairing damage	
(c)	Additional Charge@15% of (b)	
(d)	Fine imposed*	
	Total	

6. Last Date for payment of bill: {7 days from date of issuance of bill}

*(Fine to be calculated @five hundred rupees per square metre of the land so unauthorisedly occupied and where the penalty so imposed is less than the cost of such land, the penalty may be extended equal to such cost)

Signature of the Officer
Issuing the bill
Seal

Place:
Date:
State/Union Territory of

**CERTIFICATE FOR EXPENDITURE OF REMOVAL OF
UNAUTHORISED OCCUPATION AND REPAIR OF HIGHWAY**

(Under sub-section (3) of section 27 of the Control of
National Highways (Land and Traffic) Act, 2002)

State/Union Territory of

This is to certify that the amount of Rs. has been spent in removing
Unauthorized occupation from area of {Specify area in sqm} situated at
K.M. of N.H. No..... {Indicate location sufficient to
identify area} and Rs. has been spent in alteration/repair of N.H. No..... at
Chainage..... and is payable by (Name & address of person)

Signature of the Officer
Issuing the Certificate
Seal

Place:
Date:
State/Union Territory of

Notes: