

No. RW/NH-11014/1/96-PL

Dated, the 27th October, 1998

To

The Secretaries/Chief Engineers of all States /UTs (dealing with National Highways & Centrally Sponsored Schemes); Director General Works, Central Public Works Department; Director General Border Roads; Chairman, National Highways Authority of India

Subject : Demarcation of Building lines and Control lines on the land adjacent to the National Highways

Unregulated use and development of land directly abutting the National Highways is affecting the free flow of traffic and making further development works, like, widening difficult, costly and even redundant from operational point of view. A primary reason for this is that the Highway Authorities are unable to demarcate building lines and control lines on the private lands beyond the right-of-way of National Highways since they do not have necessary powers to enforce the above lines. Further, the local people also are generally not aware about these control lines beyond which they should construct their buildings.

2. Standards for building lines and control lines were circulated to all States vide this Ministry's letter No NH III/P/72/76 dated 13th January, 1977, wherein it was mentioned that the State Governments should strictly enforce the building lines and control lines while approving the scheme of developments and specifying the land use. The State Governments were also requested to enact necessary legislation to enforce this where required. Since, there was no progress in enacting the required legislation and control of the building activities along the National Highways by most of the State Governments. Ministry had vide letter of even number dated 6<sup>th</sup> February, 1997 proposed enactment of two legislations, out of which the second legislation regarding control of development activities on the land adjacent to the National Highways out-side the right-of-way was to be enacted by the States since regulation of land outside the National Highways right-of-way vested with the State Governments. Some State Governments, like, Assam and Rajasthan have already enacted the required legislation. Copies of Assam Highways Act 1989 and Rajasthan Highways Act 1995 were circulated to all the State PWDs vide Ministry's letter of even number dated 17<sup>th</sup> Oct., 1997 for enacting a suitable legislation. The action in this respect needs to be expedited by the State Governments.

3. Till the required legislation as mentioned above is enacted by the State Governments, it is suggested that the State Governments may prepare plans showing building lines and control lines along the National Highways and keep these in the office of the Executive Engineer, National Highways Division for perusal by architects and other persons planning building activities in the area. Necessary publicity to the effect that such plans are available for perusal by public also needs to be given.

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