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

Dated, the 16th August, 2000

To

The Chief Secretaries/Secretaries/Chief Engineers of all States /UTs (dealing with National Highways & Centrally Sponsored Schemes)

Subject : Demarcation of Building Lines and Control Lines on the land adjacent to the National Highways - Enactment of Legislation and Enforcement

Please refer to this Ministry's letters of even no dated 17th October, 1997, 16th June, 1998 and 27th October, 1998 requesting the State Governments to enact legislation for control of development activities on the land adjacent to the National Highways outside their right-of-way (since the regulation of land outside the National Highways right-of-way vests with the State Governments) on the following broad framework of the proposed legislation.

- (i) Acquisition of powers by Government to fix building and control lines adjacent to National Highways, apart from control on construction and restriction of building activities.
- (ii) Powers of Government to levy, fix and recover betterment charges on land alongside the National Highways, if desired to recover cost of providing better services and improved accessibility to the people;
- (iii) Provision for creation of an organisation to delineate Highway boundaries, Building Lines and Control Lines along the National Highways with powers to enforce provisions of the Acts.
- (iv) Powers to prevent obstructions of view of users of National Highways especially at any bend, curve or corner of National Highways in order to remove or alter the height or character of any existing wall, fence, hedge, tree, advertisement banner, etc.

2. Copies of Assam Highways Act 1989 and Rajasthan Highway Act 1995 were also enclosed with the above mentioned letter of even No. dated 17th Oct., 1998 for reference while preparing the draft legislation.

3. Item on "Demarcation and enforcement of Building Lines and Control Lines on the land adjacent to the National Highways" was discussed during the 2nd State PWD Ministers' Conference held on 12th June, 2000 at New Delhi, wherein the States supported it. It was also reported during the conference that some States have already enacted suitable legislation on the above mentioned subject. It is, therefore, requested that the States, who have enacted such a legislation may demarcate and enforce building lines and control lines on the private lands beyond the right-of-way of National Highways after preparing plans showing these lines along the National Highways and send a copy of the act to this Ministry for reference and record. The States who have not yet enacted the suitable legislation may take necessary action for enactment of the legislation and intimate this Ministry regarding action taken by them. If any help is required from this Ministry, necessary reference may be made to Ministry without any hesitation.
