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असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित  
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NEW DELHI, MONDAY, DECEMBER 13, 2021/AGRAHAYANA 22, 1943

सड़क परिवहन और राजमार्ग मंत्रालय

अधिसूचना

नई दिल्ली, 13 दिसम्बर, 2021

**का.आ. 5167(अ).**—केन्द्रीय सरकार ने, राष्ट्रीय राजमार्ग अधिनियम, 1956 (1956 का 48) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3क की उपधारा (1) के अधीन जारी की गई भारत सरकार के सड़क परिवहन और राजमार्ग मंत्रालय की अधिसूचना संख्या का.आ. 1383 (अ), तारीख 26 मार्च, 2021 जो भारत के राजपत्र, असाधारण, भाग II, खण्ड 3, उपखण्ड (पप) में प्रकाशित की गई थी, द्वारा उत्तराखंड राज्य के देहरादून जिले में राष्ट्रीय राजमार्ग संख्या 72 पांवटा साहिब -बल्लूपुर (देहरादून) खंड के कि.मी. 104.000 से कि.मी. 149.000 एवं हिमाचल प्रदेश राज्य के सिरमौर जिले में पांवटा साहिब बाईपास कि.मी. 97.000 से कि.मी. 104.000 तक रीअलाइमेंट और लिंक रोड सहित के निर्माण (चौड़ीकरण/फोर लेनिंग, आदि), अनुरक्षण, प्रबंध और प्रचालन के लिए उस अधिसूचना से उपावद्ध अनुसूची में विनिर्दिष्ट भूमि का अर्जन करने के अपने आशय की घोषणा की थी,

और उक्त अधिसूचना का सार उक्त अधिनियम की धारा 3क की उपधारा (3) के अधीन तारीख 02 अप्रैल, 2021 को “अमर उजाला” और “द टाइम्स आफ इण्डिया” में प्रकाशित किया गया।

और एक आक्षेप प्राप्त हुआ था और सक्षम प्राधिकारी ने उन पर विचार कर लिया है और आक्षेपों को अननुज्ञात कर दिया है,

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 3घ की उपधारा (1) के अनुसरण में, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है

7236 GI/2021

(1)

परियोजना निदेशक/Project Director  
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National Highways Authority of India  
(सड़क परिवहन राजमार्ग मंत्रालय, भारत सरकार)  
Ministry of Road Transport & Highways  
पी०आई०नू०बसन्त विहार, देहरादून



					बराबर (7) भाग पुत्र फगू पुत्र माईया, चेत राम, जगीर सिंह पुत्र माधो पुत्र माईया भाग बराबर (12) भाग स्थानीय वासी (1448)
132	1449	निजी	नहरी	0.0027	जगदीश, राम स्वरूप पुत्र फकीर चन्द पुत्र रोड़ा भाग बराबर (12) भाग लखू राम (5) सुख राम, सुमेर चन्द भाग बराबर (7) भाग पुत्र फगू पुत्र माईया, चेत राम, जगीर सिंह पुत्र माधो पुत्र माईया भाग बराबर (12) भाग स्थानीय वासी (1449)
			कुल	8.3427	

[फा. सं. NHAI/11013/LA/PIU-VSNT-VHR/2020/3D]

राजेश गुप्ता, निदेशक

## MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

## NOTIFICATION

New Delhi, the 13th December, 2021

**S.O. 5167(E).**—Whereas by the notification of the Government of India in the Ministry of Road Transport and Highways numbers S.O. 1383(E) dated 26th March, 2021 published in Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (ii) issued under sub-section (1) of Section 3A of the National Highways Act, 1956 (48 of 1956) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the land specified in the Schedule annexed to the said notification for building (widening/four laning etc.), maintenance, management and operation of “UP-gradation and 4-lanning of Paonta Saheb-Ballupur (Dehradun) section from km 104.000 to km 149.000 of National Highway No. 72 and Paonta Sahib bypass (km 97.000 to km 104.000), realignments and link roads” in the district of Sirmour in the State of Himachal Pradesh;

And whereas the substance of the said notification has been published in “The Times of India” and “Amar Ujala” both dated the 02 April, 2021 Under sub-section (3) of Section 3A of the said Act;

And whereas 01 (one) objection has been received and the same has been considered and disallowed by the Competent Authority.

And whereas, in pursuance of sub-section (1) of Section 3D of the said Act, the competent authority has submitted its report to the Central Government;

Now, therefore, upon receipt of the said report of the competent authority and in exercise of the powers conferred by sub-section (1) of Section 3D of the said Act, the Central Government hereby declares that the land specified in the said Schedule should be acquired for the aforesaid purpose;

परियोजना निदेशक/Project Director  
भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
National Highways Authority of India  
(सड़क परिवहन राजमार्ग मंत्रालय, भारत सरकार)  
Ministry of Road Transport & Highways  
पि०जी०ई०यू०एम० नगर, देहरादून





					95/1
125	96	Private	Non Agriculture	0.0054	Upendra, Rajeev Kumar S/o Devi Prashad S/o Karta Ram equal part local residents. 96
126	96/1	Private	Non Agriculture	0.0022	Roop Singh, Ranjit Singh S/o Gyan Chand S/o Pohlo equal part local residents, Devi Prasad S/o Karta Ram S/o Narayan Das R/o Pipliwala Kabij. 96/1
127	97	Private	Non Agriculture	0.0192	Vivek S/o Panni Lal S/o Karta Ram local resident 97
128	98	Private	Non Agriculture	0.015	Vivek S/o Panni Lal S/o Karta Ram R/o Pipliwala 98
129	99	Private	Non Agriculture	0.0041	Vivek S/o Panni Lal S/o Karta Ram R/o Pipliwala 99
<b>Village: Upsampada Shamsheerpur</b>					
130	1447	Private	Nahari	0.0059	Jagdish, Ram Swaroop S/o Fakir Chand S/o Roda equal part (12) part Lakhu Ram (5) Sukh Ram, Sumer Chand equal part (7) part S/o Fagu S/o Maiya, Chet Ram, Jagir Singh S/o Madho S/o Maiya equal part (12) part local resident 1447
131	1448	Private	Nahari	0.1324	Jagdish, Ram Swaroop S/o Fakir Chand S/o Roda equal part (12) part Lakhu Ram (5) Sukh Ram, Sumer Chand equal part (7) part S/o Fagu S/o Maiya, Chet Ram, Jagir Singh S/o Madho S/o Maiya equal part (12) part local resident 1448
132	1449	Private	Nahari	0.0027	Jagdish, Ram Swaroop S/o Fakir Chand S/o Roda equal part (12) part Lakhu Ram (5) Sukh Ram, Sumer Chand equal part (7) part S/o Fagu S/o Maiya, Chet Ram, Jagir Singh S/o Madho S/o Maiya equal part (12) part local resident 1449
<b>TOTAL</b>				<b>8.3427</b>	

[F. No. NHAI/11013/LA/PIU-VSNT-VHR/2020/3D]

RAJESH GUPTA, Director

परियोजना निदेशक / Project Director  
 भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
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 Ministry of Road Transport & Highways



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SURENDER  
 MAHADASAM

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Date: 2021.12.14 10:17:40+05'30'

## THE NATIONAL HIGHWAYS ACT, 1956\*

ACT No. 48 OF 1956

[11th September, 1956.]

An Act to provide for the declaration of certain highways to be national highways and for matters connected therewith.

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:--

1. Short title, extent and commencement.—(1) This Act may be called the National Highways Act, 1956.

(2) It extends to the whole of India.

(3) It shall come into force on such date<sup>1</sup> as the Central Government may, by notification in the Official Gazette, appoint.

**2. Declaration of certain highways to be national highways.**—(1) Each of the highways specified in the Schedule<sup>2\*\*\*</sup> is hereby declared to be a national highway.

(2) The Central Government may, by notification in the Official Gazette, declare any other highway to be a national highway and on the publication of such notification such highway shall be deemed to be specified in the Schedule.

(3) The Central Government may, by like notification, omit any highway from the Schedule and on the publication of such notification, the highway so omitted shall cease to be a national highway.

<sup>3</sup>**[3. Definitions.**—In this Act, unless the context otherwise requires,—

(a) “competent authority” means any person or authority authorised by the Central Government, by notification in the Official Gazette, to perform the functions of the competent authority for such area as may be specified in the notification;

(b) “land” includes benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth.

**3A. Power to acquire land, etc.**—(1) Where the Central Government is satisfied that for a public purpose any land is required for the building, maintenance, management or operation of a national highway or part thereof, it may, by notification in the Official Gazette, declare its intention to acquire such land.

(2) Every notification under sub-section (1) shall give a brief description of the land.

(3) The competent authority shall cause the substance of the notification to be published in two local newspapers, one of which will be in a vernacular language.

**3B. Power to enter for survey, etc.**—On the issue of a notification under sub-section (1) of section 3A, it shall be lawful for any person, authorised by the Central Government in this behalf, to—

(a) make any inspection, survey, measurement, valuation or enquiry;

(b) take levels;

(c) dig or bore into sub-soil;

(d) set out boundaries and intended lines of work;

1. 15th April, 1957, vide S.R.O. 1180(E), dated 4th April, 1957, see Gazette of India, 1957, Part II, s. 3(ii).

2. The words “except such parts thereof as are situated within any municipal area” omitted by Act 16 of 1997, s. 2 (w.e.f. 24-1-1997).

3. Subs. by Act 16 of 1997, section 3, for section 3 (w.e.f. 24-1-1997).

\* Subject to verification and confirmation by the administrative ministry.





(e) mark such levels, boundaries and lines placing marks and cutting trenches; or

(f) do such other acts or things as may be laid down by rules made in this behalf by that Government.

**3C. Hearing of objections.**—(1) Any person interested in the land may, within twenty-one days from the date of publication of the notification under sub-section (1) of section 3A, object to the use of the land for the purpose or purposes mentioned in that sub-section.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing and shall set out the grounds thereof and the competent authority shall give the objector an opportunity of being heard, either in person or by a legal practitioner, and may, after hearing all such objections and after making such further enquiry, if any, as the competent authority thinks necessary, by order, either allow or disallow the objections.

*Explanation.*—For the purposes of this sub-section, “legal practitioner” has the same meaning as in clause (i) of sub-section (1) of section 2 of the Advocates Act, 1961 (25 of 1961).

(3) Any order made by the competent authority under sub-section (2) shall be final.

**3D. Declaration of acquisition.**—(1) Where no objection under sub-section (1) of section 3C has been made to the competent authority within the period specified therein or where the competent authority has disallowed the objection under subsection (2) of that section, the competent authority shall, as soon as may be, submit a report accordingly to the Central Government and on receipt of such report, the Central Government shall declare, by notification in the Official Gazette, that the land should be acquired for the purpose or purposes mentioned in sub-section (1) of section 3A.

(2) On the publication of the declaration under sub-section (1), the land shall vest absolutely in the Central Government free from all encumbrances.

(3) Where in respect of any land, a notification has been published under sub-section (1) of section 3A for its acquisition but no declaration under sub-section (1) has been published within a period of one year from the date of publication of that notification, the said notification shall cease to have any effect:

Provided that in computing the said period of one year, the period or periods during which any action or proceedings to be taken in pursuance of the notification issued under sub-section (1) of section 3A is stayed by an order of a court shall be excluded.

(4) A declaration made by the Central Government under sub-section (1) shall not be called in question in any court or by any other authority.

**3E. Power to take possession.**—(1) Where any land has vested in the Central Government under sub-section (2) of section 3D, and the amount determined by the competent authority under section 3G with respect to such land has been deposited under sub-section (1) of section 3H, with the competent authority by the Central Government, the competent authority may by notice in writing direct the owner as well as any other person who may be in possession of such land to surrender or deliver possession thereof to the competent authority or any person duly authorised by it in this behalf within sixty days of the service of the notice.

(2) If any person refuses or fails to comply with any direction made under sub-section (1), the competent authority shall apply—

(a) in the case of any land situated in any area falling within the metropolitan area, to the Commissioner of Police;

(b) in case of any land situated in any area other than the area referred to in clause (a), to the Collector of a District,

and such Commissioner or Collector, as the case may be, shall enforce the surrender of the land, to the competent authority or to the person duly authorised by it.

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Ministry of Road Transport & Highways  
पी०आइ०यू०-वसन्त विहार, देहरादून



**3F. Right to enter into the land where land has vested in the Central Government.**—Where the land has vested in the Central Government under section 3D, it shall be lawful for any person authorised by the Central Government in this behalf, to enter and do other act necessary upon the land for carrying out the building, maintenance, management or operation of a national highway or a part thereof, or any other work connected therewith.

**3G. Determination of amount payable as compensation.**—(1) Where any land is acquired under this Act, there shall be paid an amount which shall be determined by an order of the competent authority.

(2) Where the right of user or any right in the nature of an easement on, any land is acquired under this Act, there shall be paid an amount to the owner and any other person whose right of enjoyment in that land has been affected in any manner whatsoever by reason of such acquisition an amount calculated at ten per cent, of the amount determined under sub-section (1), for that land.

(3) Before proceeding to determine the amount under sub-section (1) or sub-section (2), the competent authority shall give a public notice published in two local newspapers, one of which will be in a vernacular language inviting claims from all persons interested in the land to be acquired.

(4) Such notice shall state the particulars of the land and shall require all persons interested in such land to appear in person or by an agent or by a legal practitioner referred to in sub-section (2) of section 3C, before the competent authority, at a time and place and to state the nature of their respective interest in such land.

(5) If the amount determined by the competent authority under sub-section (1) or sub-section (2) is not acceptable to either of the parties, the amount shall, on an application by either of the parties, be determined by the arbitrator to be appointed by the Central Government--

(6) Subject to the provisions of this Act, the provisions of the Arbitration and Conciliation Act, 1996 (26 of 1996) shall apply to every arbitration under this Act.

(7) The competent authority or the arbitrator while determining the amount under sub-section (1) or sub-section (5), as the case may be, shall take into consideration—

(a) the market value of the land on the date of publication of the notification under section 3A;

(b) the damage, if any, sustained by the person interested at the time of taking possession of the land, by reason of the severing of such land from other land;

(c) the damage, if any, sustained by the person interested at the time of taking possession of the land, by reason of the acquisition injuriously affecting his other immovable property in any manner, or his earnings;

(d) if, in consequences of the acquisition of the land, the person interested is compelled to change his residence or place of business, the reasonable expenses, if any, incidental to such change.

**3H. Deposit and payment of amount.**—(1) The amount determined under section 3G shall be deposited by the Central Government in such manner as may be laid down by rules made in this behalf by that Government, with the competent authority before taking possession of the land.

(2) As soon as may be after the amount has been deposited under sub-section (1), the competent authority shall on behalf of the Central Government pay the amount to the person or persons entitled thereto.

(3) Where several persons claim to be interested in the amount deposited under sub-section (1), the competent authority shall determine the persons who in its opinion are entitled to receive the amount payable to each of them.

(4) If any dispute arises as to the apportionment of the amount or any part thereof or to any person to whom the same or any part thereof is payable, the competent authority shall refer the



dispute to the decision of the principal civil court of original jurisdiction within the limits of whose jurisdiction the land is situated.

(5) Where the amount determined under section 3G by the arbitrator is in excess of the amount determined by the competent authority, the arbitrator may award interest at nine per cent, per annum on such excess amount from the date of taking possession under section 3D till the date of the actual deposit thereof.

(6) Where the amount determined by the arbitrator is in excess of the amount determined by the competent authority, the excess amount together with interest, if any, awarded under sub-section

(5) shall be deposited by the Central Government in such manner as may be laid down by rules made in this behalf by that Government, with the competent authority and the provisions of sub-sections (2) to (4) shall apply to such deposit.

**3I. Competent authority to have certain powers of civil court.**—The competent authority shall have, for the purposes of this Act, all the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908), in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) reception of evidence on affidavits;
- (d) requisitioning any public record from any court or office;
- (e) issuing commission for examination of witnesses.

**3J. Land Acquisition Act 1 of 1894 not to apply.**—Nothing in the Land Acquisition Act, 1894 shall apply to an acquisition under this Act.]

**4. National highways to vest in the Union.**—All national highways shall vest in the Union, and for the purposes of this Act “highways” include—

- (i) all lands appurtenant thereto, whether demarcated or not;
- (ii) all bridges, culverts, tunnels, causeways, carriageways and other structures constructed on or across such highways; and
- (iii) all fences, trees, posts and boundary, furlong and milestones of such highways or any land appurtenant to such highways.

**5. Responsibility for development and maintenance of national highways.**—It shall be the responsibility of the Central Government to develop and maintain in proper repair all national highways; but the Central Government may, by notification in the Official Gazette, direct that any function in relation to the development or maintenance of any national highway shall, subject to such conditions, if any, as may be specified in the notification, also be exercisable by the Government of the State within which the national highway is situated or by any officer or authority subordinate to the Central Government or to the State Government.

**6. Power to issue directions.**—The Central Government may give directions to the Government of any State as to the carrying out in the State of any of the provisions of this Act or of any rule, notification or order made thereunder.

**7. Fees for services or benefits rendered on national highways.**—(1) The Central Government may, by notification in the Official Gazette, levy fees at such rates as may be laid down by rules made in this behalf for services or benefits rendered in relation to the use of ferries, <sup>1</sup>[permanent bridges the cost of construction of each of which is more than rupees twenty-five lakhs and which are opened to

1. Ins. by Act 30 of 1977, s. 2 (w.e.f. 12-8-1977).

