

No. NH-11011/14/2016-LA

Dated, the 19th April, 2016

To

The Chairman, National Highways Authority of India, G-5&6, Sector-10, Dwarka, New Delhi-75; The Managing Director, National Highways Infrastructure Development Corporation Ltd., PTI Building, Parliament Street, New Delhi-110001; The Director General, Border Roads, Seema Sadak Bhawan, Ring Road, Delhi Cantt., New Delhi-110010; The Secretary, Principal Secretary, Public Works Department; All State Governments/ Union Territories.

SUBJECT: Guidelines for monitoring of Land Acquisition for NH Projects.

I am directed to say that handing over of land after its acquisition is a condition for execution of the National Highways (NHs) projects by the concessionaires. Lack of availability of land at the time of construction has stalled many NH projects on earlier occasions. The Ministry has issued a guideline to ensure acquisition of 80% of land before award for Build Operate and Transfer (BOT) projects and acquisition of 90% of land before award for Engineering Procurement Construction (EPC) projects. However, there are many cases where land acquisition process is badly delayed and the projects in these cases can not be awarded till the acquisition process is completed resulting into adversely affecting the target fixed by the Ministry for awarding the projects.

2. For the purpose of rigorous monitoring and follow up of various sub-steps for each process of acquisition of land so as to achieve target time, it has been decided that certain re- structuring of land acquisition cells at various levels of the Ministry and its implementing agencies is advisable. In this direction, the following actions have been approved by the Union Minister for Shipping, Road Transport and Highways:-

(i) There should be adequate number of Revenue Officers in the Ministry as well as in the National Highways Authority of India(NHAI) and the National Highways Infrastructure Development Corporation Limited(NHIDCL). Similarly the NHAI and the NHIDCL may appoint adequate number of retired Revenue Officers as Consultants in their headquarters on short-term basis. In the long term, the Revenue Officers may be appointed by the NHAI/NHIDCL on deputation basis following due recruitment process;

(ii) Since most of the work of land acquisition is field-related, the Regional Offices (ROs) of the Ministry, Project Implementation Units (PIUs) of the NHAI and the NHIDCL may also have at least one retired Revenue Officer as Consultant. These Revenue Officers should be from the respective State in which the offices/PIUs are located so that the Consultants are well versed with the local land policies;

(iii) In order to ensure that CALA nominated by the State are not over-burdened, the Ministry and the NHAI/NHIDCL may ensure that a particular CALA is assigned the land acquisition cases for only Rs.250-300 crores. If land acquisition cases for more amount are involved, then appointment of additional CALA may be resorted to rationally divide the work. ¹ [Besides the above-said monetary criteria, it may also be ensured that a particular CALA is assigned land acquisition cases involving a maximum of approximately 500(+10%) land owners. If land acquisition cases involving more land owners than this limit, then appointment of additional CALA may be resorted to rationally divide the work.] [it has been further decided that it may be ensured to assign a maximum of approximately 150(+10%) land acquisition arbitration cases to a particular Arbitrator. If land acquisition arbitration cases is more than this limit, then appointment of additional Arbitrator may be resorted to rationally divide the work];

(iv) The implementing should maintain a record of performance of CALA within the State. This record should contain fields like the land acquisition cases where notification under section 3A of the NH Act, 1956 is pending for more

1-Amended vide circular dated 09.07.2016

than 6 months, notification under section 3D of the Act is pending for more than 6 months, determination of the amount of compensation under section 3G is pending for more than 12 months and deposit & payment of the amount of compensation under section 3H is pending for 12 months. Number of such cases and the amount involved should be maintained CALA-wise and State-wise. The ROs of the Ministry and the PIUs of the NHAI/NHIDCL should complete report in this format on a monthly basis and forward the same to the headquarters of the implementing agencies(NHAI/NHIDCL) as well as the Ministry.

3. For the purpose of engagement of Consultant at the field level in the Regional Offices of the Ministry, following terms and conditions are suggested for different levels of retired Officers :-

(a) Fees :-

SI No.	¹ Level of Officer to be engaged	¹ Monthly ceiling of consolidated
1.	Retired State of civil Services Officer	The fee payable to the consultants would be equal to the amount of pay last drawn by them minus pension being received
2.	Retired Revenue officer (Government Kanoongo	
3.	Retired Surveyors/Amin/Lekhpal	

(b) Allowances: - The Consultants such engaged, will not be entitled to any other allowances/facilities, such as, Dearness Allowance, House Rent Allowance, Transport Allowance, Leave Travel Concession Medical Attend /Central Government Health Scheme, Government Accommodation, etc.

(c) Leave: - On engagement, the Consultant shall be eligible for 8(eight) days of leave in a calendar year on pro-rata basis. He will not be entitled to draw any remuneration for any absence beyond 8 days in a year calculated on pro-rata basis. Unavailed leave in a calendar year shall not be carried forward to the next calendar year. The Ministry shall be free to terminate the services of the Consultant in case of his absence by more than 15(fifteen) days beyond the entitled leave in a calendar year.

(d) TA/DA: - No Travelling/Daily allowance shall be admissible for joining the assignment as Consultant or on its completion. However, they will be given a fixed amount of Rs. 5000/- per month towards local travel to CALA offices, site, local villages etc.

(e) During the period of his engagement as Consultant, the retired Officer will not take up any other assignment.

(f) The Consultants to be engaged in the Regional Offices of the Ministry would be paid from Contingency Fund.

4. You are, therefore requested to take appropriate action on the above lines so as to ensure timely completion of land for ding the projects without any delay.

5. This issues with the concurrence of the Integrated Finance Wing of the Ministry vide UO No. 111/TF-II dated 12.04.2016.

[1-Amended vide circular dated 25.04.2016](#)