

No. NHIII-33 (50)/72

Dated the 12th March, 1976

Sub : Improvement and maintenance of Inspection Bungalows and Rest Houses on National Highways

According to the advice given by the Union Ministry of Law, Inspection Bungalows or Rest Houses adjoining or appurtenant to the National Highways are not covered by the definition of the term "National Highways" as given in Section 4 of the National Highways Act, 1956, and, therefore, these buildings cannot become part of the National Highway property simply by virtue of declaration of a road as a National Highway under the aforesaid Act. No expenditure can thus be incurred from National Highway Funds, on the improvement and maintenance of the Inspection Bungalows Rest Houses, adjoining or appurtenant to the National Highways, which have not been constructed on National Highway land with Central Government money. The position is, however, different in the case of Inspection Bungalows/Rest Houses, the ownership of which has been formally transferred, by executing an agreement, to the Central Government by the State Governments; in such cases, these buildings formally vest in the Central Government and have, therefore, to be improved/maintained from National Highway Funds. So far, only one State Government, namely Andhra Pradesh, has executed a transfer deed transferring ownership of certain Inspection Bungalows/Rest Houses to the Central Government. Since the Governments of Uttar Pradesh, Bihar, West Bengal and Assam had agreed to transfer ownership of the Inspection Bungalows/Rest Houses to the Central Government, this Ministry had agreed on 20th August, 1963, to meet all expenditure on the maintenance and improvement on the buildings in question. But, despite a number of reminders, the State Governments of Uttar Pradesh, West Bengal and Assam have not formally executed a transfer deed and, therefore, they have been informed that if they do not execute the requisite transfer deed by 31st March, 1976 at the latest it will be assumed that they want to retain the ownership of these buildings and in that event they will have to reimburse to the Government of India the entire expenditure incurred by them from Central Funds on the maintenance and improvement of the Inspection Bungalows and Rest Houses in their States.

2. The State Governments of Bihar and Rajasthan have forwarded the requisite transfer deeds which are being examined. As regards the remaining States, it has been decided not to pursue the matter of transfer of the ownership of the Bungalows/Rest Houses there to the Central Government.

3. All the Technical Officers etc. in the Roads Wing are requested to take note of the position stated above, while approving/releasing any funds to the State Governments for the maintenance/improvement of National Highways.

All Technical Officers, L.S. (N.H.) A/US (NH)B/W.S. (B)/All Sections (Roads Wing)