From

The Chief Engineer, Punjab,
P.W.D.B&R, Branch,
Patiala.

To

The Chief Administrator,
Punjab Urban Planning & Development Authority,
SCO-63-64. Sector 17-C
Chandigarh.

Memo No. L.C.Dated:

Sub:- Notification of Schedule Roads-Regarding.

Kindly refer to the Notification issued vide Govt. of Punjab Department of Housing and Urban development (Housing Branch) vide No.8/2/2001-4-H.G.I. dated 23.12.2004.

In this connection it is to inform that below mentioned schedule Roads are National Highways:-

1. Grand Trunk Road (From Haryana boundary to Amritsar and on the border with Pakistan) (NH-1). (Now under the control of National Highways Authority of India starting from Haryana boundary upto Jallandhar)
2. Jullundur-Tanda-Dasuya-Mukerian-Pathankot Road upto the border with Jammu & Kashmir state.{NH-1A} (Under the control of National Highways Authority of India)
3. Ambala-Kalka Road (Portion falling in the territory of the State of Punjab) {NH-22).
4. Amritsar-Pathankot Road {NH-15}.
5. Chandigarh-Ropar-Nangal-Una-Hoshiarpur-Tanda-Amritsar Road. {NH-21} (upto Chandigarh-Ropar Road).
6. Amritsar-Sarhali-Harike-Makkhu-Ferozepur-Fazilka Road.
   i) NH-15 up to Abohar.
7. Chandigarh Samrala-Ludhiana Road. (NH-95).
8. Gurdaspur -Amritsar-Makkhu-Ferozepur- Fazilka Road.
   i) NH-15 upto Makkhu.
9. Ludhiana-Ferozepur Road. {NH-95}.
10. Ambala-Patiala-Sangrur-Barnala-Bathinda road.
    i) Ambala-Rajpura (NH-1)
    ii) Rajpura-Patiala (NH-64).
11. Bathinda-Kotkapura-Ferozepur -Road. {NH-15} (Bathinda-kotkapura Rest is SH).
12. Patiala-patran-Narwana Road.
    i) Patiala Patran SH.
    ii) Patran-khanouri-Narwana upto Haryana Boundary NH-71.
13. Chandigarh-Rajpura Road (commencing from the point where the PB. Boundary) {NH-64}.

14. Chandigarh-Ambala Road (commencing from the point where the PB. Boundary starts and touches the Ambala Kalka road near Bassi) {NH-22}.

15. Bathinda-Dabwali Road upto Punjab Boundary. {NH-64-A}.

16. Jalandhar-Nakodar Road. (Jalandhar-Nakodar-Moga-Barnala-Sangrur-Patran) {NH-71}.

17. Jalandhar-Hoshiarpur road. {NH-70}.

18. Kiratpur Sahib-Garha Morah Road (Part of NH-21) {NH-21}.

19. Hoshiarpur-Road upto Himachal Border. {NH-70}.

20. Nakoder-Moga-Barnala (Part of NH-71) Road. {NH-71}.

21. Makhu-Zira-Faridkot (Part of NH-11.15) Road (NH-15)

22. Ferozepur-Mukatsar-Malout-Dabwali Road upto Haryana Border.

    i) Ferozepur-Mukatsar SH.

    ii) Malout-Dabwali NH-10.

23. Fazilka-Abohar Road.{NH-10}.

    Thus U/S-4 of National Highways Act 1956 the" National Highways", shall vest in union and for the purpose of this Act Highways include

    i) All lands appurtenant there to whether demarcated or not.

    ii) All bridges, Culverts, tunnels, causeways, carriage ways and her structure constructed on or across such Highways and

    iii) All fences, trees, posts and boundary furlong and mile stone of such Highways or any land appurtenant to such Highways.

The Govt. of India, Ministry of Surface Transport New Delhi vide their letter no. RW/NH-1 2037/516/99/N dated 11.08.1999 (Copy attached) specified area of width of 150 mtr , so , that no building Activity is allowed within this Control area width keeping in view requirements of land for future development of Highways.

Whereas under PUDA Act it is 30mtr on either side of road reservation for any schedule road, and 100 mtr. on bye pass 5mtr in A class Municipal Corporation and 10mtr falling under other Municipalities.

It is further added, that the control of National Highways (Land & Traffic) Act-2002, Read with general clauses Act-1897 (10 of 1897) has been enacted to provide for control of land within National Highways, right of way and traffic moving on the National Highways and also for removal of unauthorized occupation thereon, an U/S 23(i) of this Act, all lands forming parts of Highways which vest in the Central Govt., all which do not already vest in the Central Govt., but have been acquired for the purpose of the Highways shall, for the purpose of this Act, and other Central Act, be deemed to be property of the Central Govt, as owner thereof. It is u/s 3 of this Act , the Govt. of India, has declared Executive Engineer, Pb.PWD,B&R, as authority for Highway administration. Even before enactment of this Act, the encroachments of National Highways were to be removed under the provision of Public Premises Act 1971 applicable to the Govt. of India property, & not under provision of Public premises Act 1973 applicable to Punjab state properties. It is pertinent to mention here the Punjab Govt. Deptt. of PWD, B&R, is performing the function under National Highways Act 1956.

Thus keeping in view the position explained above you are requested to review the Notifications issued under PUDA Act-1995, and delete the National Highways from Schedule roads notified under the PUDA Act so as to avoid any legal complication while implementing the provisions of PUDA Act-1995, and directions of Govt. of India as Regards National Highways being Different.

DA/As above

Chief Engineer, Punjab (NH)
P.W.D.B&R Branch,
Patiala.

Endst.No.36-LC-95/128 LC

Dated: 6/6/05

A copy of the above is forwarded to:-

1. Addl. Chief Administrator, PUDA, Ludhiana/Patiala/Senior Town Planner PUDA, Mohali for information & necessary action please.

Chief
Engineer, Punjab,(NH),
PWD, B&R Branch,
Patiala.