

**GOVERNMENT OF INDIA  
ROAD TRANSPORT AND HIGHWAYS  
LOK SABHA**

UNSTARRED QUESTION NO:1114  
ANSWERED ON:12.08.2013  
ENCROACHMENTS ON NATIONAL HIGHWAY LAND  
Owaisi Shri Asaduddin

**Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:**

- (a) whether the National Highways Authority of India (NHAI) has acquired land for development of National Highways (NHs) in the country;
- (b) if so, the details thereof during the last three years and the current year, State-wise;
- (c) whether the land acquired much earlier by NHAI is under illegal encroachment and if so, the details thereof;
- (d) whether NHAI has paid compensation to all the land owners; and
- (e) if so, the details thereof and if not, the steps taken or being taken by the Government for timely payment of compensation and protect the land from illegal encroachment?

**Answer**

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI SARVEY SATHYANARAYANA)

(a) and (b) Yes, Madam. The details thereof is at Annexure.

(c) All National Highways were earlier maintained by concerned State Governments. On entrustment of such National Highways the land therewith has been transferred by the concerned State Govt. to NHAI. During construction and widening of such entrusted National Highways any encroachment within the Right Of Way is also removed.

(d) As per provisions of NH Act Competent Authority (Land Acquisition) (CALA) has to pay compensation to land owners as per compensation determined by CALA. If the amount determined by CALA as compensation for the land being acquired is not acceptable to either the land owners or NHAI there is a provision for determination of compensation by an arbitrator appointed by the Central Govt. CALA as well as arbitrators are State Govt. officers appointed as such by the Central Govt. as per provisions of the NH Act.

As per provisions of the NH Act NHAI pays compensation amount to CALA who is responsible for payment of compensation to land owners. Also wherever compensation amount determined by CALA is enhanced by the arbitrator such amount also is paid to CALA by NHAI as per provisions of the NH Act.

(e) Though the NH Act provides for transfer of possession of land on deposit of compensation amount with CALA, in actual practice, delay in disbursement of compensation affects actual possession of land. Wherever there is a delay in disbursement of compensation by CALA, NHAI takes up the matter of such delay with the concerned State Govt. NHAI takes help of District Administration of the concerned state, wherever it is required to protect acquired land.