

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 12th January, 2011

G.S.R. 15(E).—In exercise of the powers conferred by the section 9 of the National Highways Act, 1956 (48 of 1956), the Central Government hereby makes the following rules further to amend the National Highways Fee (Determination of Rates and Collection) Rules, 2008, namely:-

1. (1) These rules may be called the National Highways Fee (Determination of Rates and Collection) Amendment Rules, 2011.

(2) They shall come into force on the date of their publication in the Official Gazette.

(3) They shall not apply to agreements and contracts executed and bids invited prior to the publication of these rules.

2. (a) In National Highways Fee (Determination of Rates and Collection) Rules, 2008 (hereinafter referred to as the said rules), in sub-rule (2) of rule 4, -

(i) for the table, the following table shall be substituted, namely:-

Type of Vehicle	Base rate of fee per km (in Rupees)
Car, Jeep, Van or Light Motor Vehicle	0.65
Light Commercial Vehicle, Light Goods Vehicle or Mini Bus	1.05
Bus or Truck (Two Axles)	2.20
Three-axle commercial vehicles	2.40
Heavy Construction Machinery(HCM) or Earth Moving Equipment (EME) or Multi Axle Vehicle (MAV) (four to six axles)	3.45
Oversized Vehicles (seven or more axles)	4.20

(ii) in the explanation, for para '(d)', the following shall be substituted, namely:-

“(d) ‘Heavy construction machinery’ or ‘Earth moving equipment’ or ‘Multi-axle vehicle’ means heavy construction machinery or earth moving equipment or mechanical vehicle including a multi-axle vehicle with four to six axles or vehicle (inclusive of the axle of

the trailer, if any) with a gross vehicle weight exceeding twenty five thousand kilograms but less than sixty thousand kilograms;”;

(iii) in the explanation, after para ‘(e)’, the following shall be inserted, namely:-

“(f) **Three-Axle Vehicle** means any mechanical vehicle having three-axes (inclusive of the axle of the trailer, if any) and with a gross vehicle weight, less than or equal to twenty five thousand kilograms;”;

(b) In sub-rule (4) of rule 4, for the table relating to base rate of fee, the following shall be substituted namely:-

“ Base rate of fee (Rupees per vehicle per trip)						
Cost of permanent bridge, or tunnel (Rupees in crore)	Car, Jeep, Van or Light Motor Vehicle	Light Commercial Vehicle, Light Goods Vehicle or Mini Bus	Truck or Bus	Three-axle commercial vehicles	HCM, EME or MAV	Oversize Vehicle
10 to 15	5	7.50	15	16.50	22	30
For every additional Rupees five crore or part thereof, exceeding Rupees fifteen crore and up to Rupees one hundred crore.	1	1.50	3	3.30	4.50	6
For every additional Rupees five crore or part thereof, exceeding Rupees one hundred crore and upto Rupees two hundred crore.	0.75	1.15	2.25	2.45	3.40	4.50
For every additional Rupees five crore or part thereof, exceeding Rupees two hundred crore.	0.50	0.75	1.50	1.65	2.25	3

3. For sub-rule (6) of rule 6 of the said rules, the following shall be substituted, namely:-

“(6) (a). The fee shall be collected by the Central Government or the executing Authority as the case may be and for a specified period in accordance with the terms of agreement entered by the Concessionaire.

98 GI/10-2

(b) The fee as notified as per Concession Agreement shall be leviable till the end of the concession period and after the Concession Agreement is over, the fee shall be collected by the Central Government executing authority at a reduced rate of 40% of the fee on the date of transfer of such section of National Highways, bridge, tunnel or bypass, as the case may be, to be revised annually in accordance with these rules:

Provided that after the recovery of capital cost through user fee realised, in respect of a public funded project, the fee leviable would be reduced to 40% of the user fee for such section of National Highways, bridge, tunnel or bypass as the case may be, to be revised annually in accordance with these rules.”

4. In rule 9, after sub-rule (3), the following shall be inserted, namely:-

“(3A) A person, who owns a commercial vehicle (excluding vehicle plying under National Permit), registered with address on the Registration Certificate of a particular district and uses such vehicle for commuting on a section of the National Highway, permanent bridge, tunnel or bypass, as the case may be, which is located within that district, shall be levied user fee on all toll plazas which are located within that district, at the rate of fifty percent of the prescribed rate of fee:

Provided that no such concession shall be provided, if a service road or alternative road is available for use by such commercial vehicles.”

[F. No. RW/NH-25011/17/2009-P&P-Part III]

SANJAY BANDOPADHYAYA, Jt. Secy.

Note :—The principal rules were published vide number G.S. R. 838(E) dated the 5th December, 2008 and amended vide G.S.R. 950(E), dated the 3rd December, 2010.