



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय)
National Highways Authority of India
(Ministry of Road Transport and Highways)
जी-5 एवं 6, सेक्टर-10, द्वारका, नई दिल्ली-110075
G-5 & 6, Sector-10, Dwarka, New Delhi-110075

दूरभाष / Phone : 91-11-25074100/25074200
फैक्स / Fax : 91-11-25093507 / 25093514

NHAI/ 13013/ CO/ 2014-15/ Policy on Toll

Date: 13.10.2016

Circular No. NHAI/ CO/ 13 /2016

Sub.: Amendment to Fee Rules on exemption from payment of User Fee in case of a mechanical vehicle specially designed and constructed for use of a person suffering from some physical defect or disability.

Ref: (i) Notification No. G.S.R. 585(E) dated 08.06.2016
(ii) Circular No. NHAI/ CO/ 11 /2016 dated 13.06.2016 of CO Division, NHAI
(iii) MoRTH Letter No.H-25016/01/2014-(Toll)Vol-II(Part)/132 dated 20.09.2016

As per Amendment published vide notification cited under Ref. (i) above, the specially designed and constructed vehicle (invalid carriage) for use of a person suffering from some physical defect or disability has been exempted from payment of fee. CO Division, NHAI vide Circular at Ref. (ii) had already circulated the above amendment.

2. Now, MoRTH vide letter cited under Ref. (iii) above, has conveyed the decision for extending this exemption to all the fee plazas on NHs and to compensate the concerned concessionaires/ user fee collection contractors to extend this exemption (i.e., in cases, where the bid due date is prior to 08.06.2016).

3. However, all such vehicles (invalid carriage) seeking the above exemption shall invariably take FASTag and use FASTag lane at the Fee Plazas (cost of FASTag of Rs.200/- will be borne by NHAI). PDs shall reimburse the actual amount on account of this exemption (availed only through FASTag) to respective concessionaires/ user fee collection contractors on monthly basis with the approval of RO, if the bids of their contracts are prior to Notification dated 08.06.2016. To avoid any possible misuse of this benevolent exemption by any other vehicle other than target group, the enclosed guidelines shall be followed scrupulously.

This issues with the approval of Chairman.

Encl.: Ref. (i) & (iii)


13/10/16
(K. Venkata Ramana)

Chief General Manager (CO)

All ROs & PDs of NHAI

Copy to :
All CGMs & GMs at HQ
GM(E), NHAI, HQ for hosting the Circular on nhtis website
Librarian

Copy also to:
1. PS to Chairman,
2. PS to All Members/ CVO

Sub. : Amendment dated 08.06.2016 to Fee Rules on exemption from payment of User Fee in case of a **mechanical vehicle specially designed and constructed** for use of a person suffering from some physical defect or disability

Guidelines to be followed scrupulously while issuing FASTag to such vehicles

Note : Please note that the exemption is to the vehicle not to the person.

1. FASTag issuer entity shall comply with the following in addition to their normal standard procedure:

(i) The Registration Certificate (RC) shall clearly mention in case of the subject vehicle as **"invalid carriage"**.

[Section 2 (18) of the Motor Vehicles Act, 1988 defines "invalid carriage" as motor vehicle especially designed and constructed for the use of a person suffering from some physical defect or disability and used solely by or for such a person]

(ii) Based on the proof of residence submitted by such applicant, the issuer entity shall ascertain from Project Director(s) of Fee Plaza(s) nearest to the residential address of the applicant, whether the applicant is eligible for any other concession at that fee plaza (monthly pass/ local personal vehicle) had there been no exemption as per amendment dated 08.06.2016. If so, then this is also to be suitably incorporated in FASTag details, so that the reimbursement for exemption of this vehicle to the fee plaza operator is accordingly made.

(iii) The issuer entity shall not refuse to entertain any request for issue of FASTag to any "invalid carriage". The issuer entity shall issue such FASTag free of cost to the applicant and seek reimbursement of FASTag cost from NHAI through IHMCL on monthly basis.

2. The acquiring entity of the fee plaza on monthly basis shall provide the details of transactions of **"invalid carriage"** vehicles at their fee plaza to PD of NHAI on monthly basis.

3. Within 7 days, PD shall reimburse the amount to the concerned Concessionaire/ User Fee Collection Contractor duly taking the approval of RO on consolidated reimbursement amount for various fee plazas under PD. RO will send a report on PIU-wise amounts approved to CO Division at NHAI, HQ, as NHAI, HQ has to report the implications to Ministry on quarterly basis.

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K. S. D. 13/10/16



GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS

Transport Bhawan,
1, Parliament Street,
New Delhi-110 001

F.No. H-25016/01/2014-(Toll) Vol-II (Part)/132

Date: 20.09.2016

To
✓ The Chairman,
National Highway Authority of India,
G-5 & 6, Sector-10, Dwarka,
New Delhi-110075.

(Kind Attention:- Shri Niraj Verma, Member (Fin), NHAI)

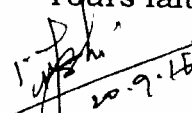
Subject: Amendment dated 08.06.2016 [G.S.R 585(E)] to Fee Rules exempting mechanical vehicle specially designed and constructed for use of a person suffering from some physical defect or disability.

Sir,

Reference NHAI's letter No. NHAI/13013/2016-17/CO/Policy on Toll/86905 dated 12.08.2016 on the subject mentioned above. As per the National Highways Fee (Determination of Rates and Collection) Rules, 2008 vide G.S.R. 585(E) dated 08.06.2016 the subject exemption will be applicable only in case of the toll plazas whose bids are received after 08.06.2016. Now however, the competent authority has decided, that this exemption be extended to all fee plazas on NHs.

2. Therefore, it is requested that in compliance of decision taken by Competent Authority, NHAI may kindly issue change of scope, within the rules, to the concerned Concessionaires in order to extend fee exemption to the vehicle specially designed and constructed for use of a person suffering from disabilities, across all fee plazas on National Highways.

Yours faithfully,


(Umesh Chandra Joshi)
Superintending Engineer (Toll)
Tele No. 011-23326670
E-mail: uc.joshi@nic.in

3. उक्त नियमों के नियम 4 के उप नियम (2) में "फीस की दर" शब्दों के लिए "फीस" शब्द रखे जाएंगे।
4. उक्त नियमों में, नियम 6 में, "पथकर प्लाजा" शब्द जहां कहीं भी वे आएंगे, के स्थान पर "फीस प्लाजा" शब्द रखे जाएंगे।
5. उक्त नियमों में, नियम 8 में, "पथकर प्लाजा" शब्द जहां कहीं वे आएंगे, के स्थान पर "फीस प्लाजा" शब्द रखे जाएंगे।
6. उक्त नियमों में, नियम 9 में, "पथकर प्लाजा" शब्द जहां कहीं भी वे आएंगे, के स्थान पर "फीस प्लाजा" शब्द रखे जाएंगे।
7. उक्त नियमों में, नियम 10 में, "पथकर प्लाजा" शब्द जहां कहीं भी वे आएंगे, के स्थान पर "फीस प्लाजा" शब्द रखे जाएंगे।
8. उक्त नियमों में, नियम 11 में:-
 - (i) कोष्ठकों और अंक "1" का लोप होगा;
 - (ii) खंड (घ) के पश्चात निम्नलिखित खंड अंतःस्थापित किया जाएगा, अर्थात:-
 "(ड.) कुछ शारीरिक दोष अथवा निश्कतता से त्रस्त व्यक्ति के उपयोग के लिए विशेष रूप से परिकल्पित एवम् निर्मित",
11. उक्त नियमों में, नियम 12 में, "पथकर प्लाजा" शब्द जहां कहीं भी वे आएंगे, के स्थान पर "फीस प्लाजा" शब्द रखे जाएंगे।
12. उक्त नियमों में, नियम 17 में, "पथकर प्लाजा" शब्द जहां कहीं भी वे आएंगे, के स्थान पर "फीस प्लाजा" शब्द रखे जाएंगे।

[सं. एच-25016/1/2014-टोल (खंड-II)]

लीना नंदन, संयुक्त सचिव

टिप्पण- मूल नियम, भारत के राजपत्र के भाग II, खंड 3, उप-खंड (i) में सा.का.नि. सं. 838(अ) 5 दिसम्बर, 2008 के द्वारा प्रकाशित किए गए थे और तत्पश्चात् सा.का.नि. सं. 950(अ) 3 दिसम्बर, 2010; सा.का.नि. सं. 15(अ) 12 जनवरी, 2011; सा.का.नि. सं. 756(अ) 12 अक्टूबर, 2011; सा.का.नि. सं. 778(अ) 16 दिसंबर, 2013; सा.का.नि. सं. 26(अ) 16 जनवरी, 2014; सा.का.नि. सं. 831(अ) 21 नवम्बर, 2014 और सा.का.नि. सं. 02(अ) 29 दिसंबर, 2014 और सा.का.नि. 220(अ), 23 मार्च, 2015 के द्वारा संशोधित किए गए।

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 8th June, 2016

G.S.R. 585(E).—In exercise of the powers conferred by 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. Short title and commencement.—(1) These rules may be called the National Highways Fee (Determination of Rates and Collection) Amendment Rules, 2016.

- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the National Highways Fee (Determination of Rates and Collection) Rules, 2008 (hereinafter referred to as the said rules), in rule 2,-
- (i) after clause (g), the following clause shall be inserted namely:-
'(ga) "fee plaza" means any building, structure or booth made for collection of fee;';
- (ii) for clause (hb), the following clause shall be substituted, namely:-
'(hb) "FASTag lane of fee plaza" is an exclusive lane in the fee plaza for movement of vehicles fitted with "FASTag" or any such device;';
- (iii) clause (o) shall be omitted.
3. In the said rules, in rule 4, in sub-rule (2) for the words "The rate of fee", the words "The fee" shall be substituted.
4. In the said rules, in rule 6, for the words "toll plaza" wherever they occur, the words "fee plaza" shall be substituted.
5. In the said rules, in rule 8, for the words "toll plaza" wherever they occur, the words "fee plaza" shall be substituted.
6. In the said rules, in rule 9, for the words "toll plaza" wherever they occur, the words "fee plaza" shall be substituted.
7. In the said rules, in rule 10, for the words "toll plaza" wherever they occur, the words "fee plaza" shall be substituted.
8. In the said rules, in rule 11,-
- (i) the brackets and figure, "(1)" shall be omitted;
- (ii) after clause (d), the following clause shall be inserted, namely:-
"(e) specially designed and constructed for use of a person suffering from some physical defect or disability."
9. In the said rules, in rule 12, for the words "toll plaza" wherever they occur, the words "fee plaza" shall be substituted.
10. In the said rules, in rule 17, for the words "toll plaza" wherever they occur, the words "fee plaza" shall be substituted.

[No. H-25016/1/2014-Toll (Vol.II)]

LEENA NANDAN, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Part II, Section 3, Sub-section (i) published in the Gazette of India, *vide* G.S.R. No. 838(E), dated the 5th December, 2008 and subsequently amended *vide* G.S.R. No. 950(E), dated the 3rd December, 2010; G.S.R. No. 15(E), dated the 12th January, 2011; G.S.R. No. 756(E), dated the 12th October, 2011; G.S.R. No.778(E), dated the 16th December, 2013; G.S.R. No. 26(E), dated the 16th January, 2014; G.S.R. No. 831(E), dated the 21st November, 2014; G.S.R. No. 02(E), dated 29th December, 2014 and G.S.R. 220(E), dated 23rd March, 2015.