

भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

National Highways Authority of India

(Ministry of Road Transport & Highways, Govt. of India)

प.का.इ. : बंगला क्र.2, शुभंकर अपार्टमेंट्स, प्लॉट क्र. 159, अंबाझरी हिल टॉप, राम नगर, नागपुर-440 033
P.I.U. : Bunglow No. 2, Shubhankar Apartments, Plot No. 159, Ambazari Hill Top, Ram Nagar, Nagpur-440 033

दूरभाष/फैक्स : 0712-2249316

Tel/Fax 0712-2249589

ई-मेल/Email : nag@nhai.org

FTS/2431

NHAI/PIU/NGP/PG(11)/NH-7/2014/ 2014g

Sh. Umesh Ramgarib Gupta
9, Dhanashree Apartments,
Pratap Nagar Ring Road,
Nagpur.

Date: 18.10.2014

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31/10
Kam (CO) AS
Kajinder
05.10.2014
DGM (CO) NKC

Neetu

Sub.: 4-laning of MP/MH border - Nagpur section of NH-7 from km 652.000 (new km 653.225) to km 729.000 including construction of Kamptee-Kanhan and Nagpur Bypass and maintenance of already 4-laned section (of Nagpur - Hyderabad Section) of NH-7 from km 14.585 to km 36.600 in the State of Maharashtra under NHDP Phase - II on Design, Build, Finance, Operate and Transfer (DBFOT) basis (Package No.: NS-1/BOT/MH) – **Concessional Rate Pass for bused [50% as per Rule 9(3A) of the National Highways Fee (Determination of Rates and Collection) Amendment Rules 2011 published vide Gazette Notification No. GSR 15(E) dated 12.01.2011.**

- Ref:** 1) Your application dated 15.09.2014 addressed to the Manager, ONBPCL, Nagpur.
2) User Fee Rules-2008 published vide gazette notification No. GSR 838(E), dated 05.12.2008.
3) User Fee Notification No. SO 1153(E), 22.05.2012 and its amendment No. 2861(E), dated 06.11.2012.

Sir,

In relation to your captioned application the factual information is as given below -

- 1) User fee at Toll plazas of captioned project is being collected as per the fee notifications under Ref. No. 3 (Copies enclosed), which are based on the user fee rule 2008 (under Ref. No. 2).
- 2) The Concession Agreement of aforesaid work was signed on 05.10.2009. A copy of the same is available on the website of NHA www.nhai.org. The rule 9(3A) referred by you in your application has been published vide gazette Notification No. GSR 15(E) dated 12.01.2011 and GSR reads as follows -

"A person, who owns a commercial vehicle (excluding vehicles plying under National Permit), registered address on the Registration Certificate of a particular District and uses such vehicle for commuting on a section of 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 50% 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 vehicle".

Contd...

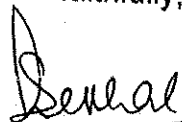
- 3) Your attention is invited to Para 3 of Gazette Notification No. GSR 15(E) dated 12.01.2011 which states that "the amendments to user fee rules shall not apply to agreements and contracts executed and bids invited prior to the publication of these Rules".

In view of the above, provisions of Rule 9(3A) are not applicable at toll plazas of the captioned project. Hence, it is regretted that it is not feasible to entertain your captioned request..

Thanking you,

Encl.: As above.

Yours faithfully,



(M. Chandrasekhar)
GM (T) & Project Director,
NHAI, PIU-Nagpur

- Copy to: 1) Sh. Adil Singh, DGM (Tech)-Maharashtra, NHAI-HQ, New Delhi; for information please. Encl.: Copy of application under Reference No. 1.
2) The CGM (Tech) – Ro Maharashtra; for information please.
Encl.: Copy of application under Reference No. 1.
✓ 3) The CGM (CO), NHAI-HQ, New Delhi; for information please.
Encl.: Copy of application under Reference No. 1.
4) The Project In-charge, OBBPCL, Nagpur; for information please.
Encl.: Copy of application under Reference No. 1.

Nagpur, dated: 15/09/2014

To,
The Manager,
Oriental Nagpur By-Pass Construction Pvt. Ltd. at Borkhedi,
National Highway No. 7. Nagpur. Maharashtra State

Subject:- Concessional Rate Pass for my buses (50%, as per Rule 9(3A) of the National Highways Fee (Determination of Rates and Collection) Amendment Rules 2011.

Dear Sir,


I hereby apply for grant of Concessional Rate Pass i.e. @ 50%, for my commercial vehicles as under:

- 1) MH-40-N-7989 (Bus)
- 2) MH-40-Y-6996 (Bus)
- 3) MH-40-Y-6886 (Bus)
- 4) MH-31-CB-7404 (Bus)
- 5) MH-31-CQ-5205 (Bus)
- 6) MH-31-CQ-9557 (Bus)
- 7) MH-40-N-0086 (Bus)

I am the Proprietor of Shri Om Road Lines, Nagpur and also Dhanashree Travels, Nagpur. I am the owner of the above said vehicles. The above said vehicles are all commercial vehicles registered with the R.T.O. Nagpur. Hence, Rule 9(3A) of the above said Rules applies to me and hence the above vehicles can be charged only 50% of the Toll rates. Therefore, a Certificate for all the above buses, as per the vehicle numbers, may kindly be issued immediately, about 50% of the Toll fees being applicable.

Thanking you.

Nagpur.
Date: 15/09/2014.

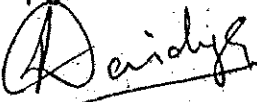

(Umesh Ramgarib Gupta)
9, Dhanashree Apartment,
Pratap Nagar Ring Road,
Nagpur.

MGR(LT) Pimple.

P/S Scanned
the Entitlement
and PV details

16/x

Received Copy



R.A. Vaidya
Dy. Toll Manager
MBP Toll Plaza
15/09/2014



ORIENTAL NAGPUR BYE PASS CONSTRUCTION PRIVATE LIMITED

CIN: U45400DL2009PTC194278

Ref.ONBCPL/NBP/2014/222

Date: 04/10/2014

To,

**Mr. Umesh R. Gupta,
9, Dhanashree Apartment,
Pratap Nagar Ring Road,
Nagpur.**

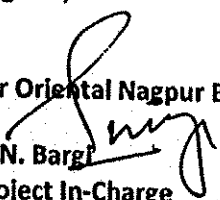
Sub:- 4 Laning of Madhya Pradesh/ Maharashtra Border Nagpur Section of NH-7 from Km 652.000 (new Km 653.225) to Km 729.000 including construction of Kamptee-Kanhan-Nagpur Bypass and Maintenance of already 4 laned section from Km 14.585 to Km 36.600 of NH-7 (Nagpur-Hyderabad Section) in the State of Maharashtra under NHDP Phase-II on DBFOT basis – Your Letter dated 15/09/2014 at our NBP Toll Plaza.

Dear Sir,

We are in receipt of your letter dated 15/09/2014 seeking concession under Rule 9(3A) for commercial vehicles registered with the Nagpur R.T.O We have to inform you that as per our Concession Agreement with the NHAi there is no provision for such a concession for commercially registered vehicles. Hence we cannot provide you the concession you have requested.

Regards,

For Oriental Nagpur Bye pass Construction Pvt. Ltd.


P. N. Bargi
Project In-Charge

Oriental Nagpur Bypass Construction Pvt. Ltd.

At-Panjari (Bujruk), Post- Rui, Th-Nagpur,

Dist-Nagpur, Nagpur-441108,

Mob.- 8390963322