

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 21st July, 2011

S.O. 1679(E).—Whereas, vide notification of the Government of India in the erstwhile Ministry of Shipping, Road Transport and Highways (Department of Road Transport and Highways) number S.O 724 (E), dated the 8th May, 2007, issued under section 11 of the National Highways Authority of India Act, 1988 (68 of 1988), hereinafter referred to as the said Act, the Central Government has entrusted the stretch from Km 28.600 to Km 73.200 (Kurali - Kiratpur section) of National Highway No. 21 (New NH-205) in the State of Punjab to the National Highways Authority of India (herein after referred to as the Authority);

And Whereas, pursuant to the provisions of section 14 of the said Act, the Authority has entered into an agreement with M/s BSC - C and C - Kurali Toll Road Limited, having its registered office at Plot No 70, Sector-32, Gurgaon - 122 001, India (hereinafter referred to as the Concessionaire) for improvement, operation and maintenance including strengthening and widening of existing 2 lane road to 4 lane dual carriageway from Km 28.600 to Km 73.200 (Kurali - Kiratpur section) of National Highway No. 21 (New NH-205), total length being 42.90 Km in the State of Punjab (hereinafter referred to as the said section on Build Operate and Transfer (BOT) basis.

Now, therefore, in exercise of the powers conferred by section 8A of the National Highways Act, 1956 (48 of 1956), read with the National Highways (Collection of Fees by any Person for the Use of Section of National Highways/Permanent Bridge/Temporary Bridge on National Highways) Rules, 1997, the Central Government, having regard to the expenditure involved in building, maintenance, management and operation of the said section, interest on the capital invested, reasonable return, the volume of traffic and the period of agreement entered into between the Authority and the Concessionaire, hereby notifies that there shall be levied and collected fee at the base rate specified in column (3) of the following Table (hereinafter referred to as the said Table) on the categories of vehicles specified in column (2) of the said Table, for the use of the said section, and authorises the Concessionaire to collect and retain the said fee on and from the date of commercial operation of the said section or publication of this notification in the Official Gazette, whichever is later, till the termination date, namely:--

SCHEDULE

No.	Categories of vehicles.	Base rate of fee per vehicle per one way trip per Km. (in rupees)
(1)	(2)	(3)
1.	Car, passenger van and jeep.	0.40
2.	Light commercial vehicle (LCV).	0.70
3.	Truck and bus.	1.40
4.	Multi axle vehicle (>2 axle), earth moving equipment and heavy construction machinery.	2.25

Notes:-

1. For the purposes of this notification,-
 - (i) "actual fees" means the fees actually charged from the road users of the said section at the fee plaza on the basis of -
 - (a) length of said section and
 - (b) fee at the base rate as specified in the said Table duly indexed, and rounded off to the nearest one rupee;
 - (ii) "date of commercial operation" means the date on which commercial operation of the said section begins after issue of the completion certificate or the provisional completion certification, as the case may be, by the Independent Consultant, upon completion of the said section in accordance with the provisions of the agreement entered into between the Authority and the Concessionaire in respect of the said section hereinafter referred to as the said agreement;
 - (iii) "local traffic" means the following type of traffic:-
 - (A) Car/jeep/van.- It has two categories of traffic, viz. -
 - (I) Category I means and includes local users falling into any of the following categories:-
 - (a) Residents of villages/towns/cities whose boundary falls within a radius of ten kilometers of the fee collection booth (toll plaza).
 - (b) Establishments/industrial units located within a radius of ten kilometers of the fee collection booth (toll plaza).
 - (c) Employees of establishments/industrial units located or which have their office, within a radius of ten kilometers of the fee collection booth (toll plaza); and
 - (d) Self employed persons/businessmen having their place of work within a radius of ten kilometers of the fee collection booth (toll

(II) Category II means and includes local users falling into any of the following categories:-

- (a) Residents of villages/towns/cities whose boundary falls within a radius of more than ten kilometers but upto twenty kilometers of the fee collection booths (toll plaza).
- (b) Establishments/industrial units located within a radius more than ten kilometers but upto twenty kilometer of the fee collection booths (toll plaza)
- (c) Employees of establishments/industrial units located or which have their office, within a radius of more than ten kilometers but upto twenty kilometers of the fee collection booth (toll plaza) and
- (d) Self employed persons/businessmen having their place of work within a radius of more than ten kilometers but upto twenty kilometers of the fee collection booth (toll plaza).

The discounted fee for the above two categories shall be as under:-

Category I: Monthly pass of Rs. 150.00.

Category II: Monthly pass of Rs. 300.00.

B. School buses :- Monthly passes for school buses, for school students, crossing the toll plaza shall be given at a monthly rate of rupees one thousand after obtaining written request of the school principal along with the documents regarding recognition of the school and the registration of the bus.

C. Light commercial vehicle/Trucks (local transport operators):- Concessional fee shall be charged from transport operators on production of proof for plying within twenty kilometers i.e. goods challan for origin and destination clearly specifying the return details of the vehicle and the fee for such transport shall be rupees twenty-five for trucks for each entry and rupees fifteen for light commercial vehicle (LCV) for each entry;

(iv) "termination date" means the date on which the said agreement expires pursuant to the provisions of the said agreement or is terminated by termination notice;

(v) words and expressions used in this notification and not defined but defined in the said agreement shall have the meanings respectively assigned to them in the said agreement.

2. The actual amount of fee to be collected in a particular year (from 1st September of a year to 31st August of the following year) and the revised fee shall be computed as follows:-

$$\text{Base Fee X } \frac{\text{WPI-B}}{\text{WPI-A}} \text{ X length of the said section.}$$

Where -

- * WPI-A is the Wholesale Price Index of June, 1997 (131.4).
 - WPI-B is the Average Wholesale Price Index available for the year ending March, 31st preceding the fee revision date.
3. The actual fees to be collected shall be rounded off to the nearest rupee.
4. The fee shall be collected at the fee plaza situated at Km 35.000.
5. When a vehicle has to cross the said section more than once in a day, the user shall have the option to pay the fee for multiple trips at one and half times the rate specified in column(3) of the said Table while crossing the toll plaza in the first trip itself and where a vehicle has to use the said section continuously and frequently for entire month, the user may have a monthly pass on payment of charges equal to thirty times the rate applicable for a single trip as specified in column(3) of the said Table.

Explanation.- For the purpose of this notification, "day" shall be counted as continuous period of twenty-four hours.

6. No fee shall be collected in respect of the following vehicles, namely:-

(i) Vehicles-

(A) having VIP symbols or officially belonging to,-

- (a) the President of India;
- (b) the Vice-President of India;
- (c) the Governor of a State and Lieutenant Governor of a Union territory;
- (d) a Foreign dignitary on State visit to India;
- (e) a Foreign Diplomat stationed in India using cars with "CD"/"CC" number plates;
- (f) the Chairman of Rajya Sabha, Speaker of Lok Sabha, Chairman of a State Legislative Council, Speaker of a State Legislature Assembly, a Minister for the Union and State, Leader of Opposition in Lok Sabha, Rajya Sabha and State Legislatures having the Status of Cabinet Minister, if he is sitting in the vehicle;

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- (g) a Member of Parliament in the entire country, a Member of Legislative Assembly of a State, a Member of Legislative Council of a State, in the respective State, if he produces his identity card issued by the Parliament or concerned Legislature of a State, as the case may be;
- (B) belonging to awardees of Gallantry awards such as Param Vir Chakra, Ashok Chakra, Maha Vir Chakra, Kirti Chakra, Vir Chakra and Shaurya Chakra, if such awardee produces his photo identity card duly authenticated by the competent authority for such awards;
- (ii) Defence vehicles, including those eligible for exemption in accordance with the provisions of the Indian Toll (Army and Air Force) Act, 1901 and the rules made there under (as extended to Navy);
- (iii) Police vehicles, Fire fighting vehicles, Ambulances, Funeral vans, Post and Telegraph Department's vehicles, Central and State Government vehicles on duty.
7. The Concessionaire shall not collect fee from local traffic in excess of the discounted rates specified above:
Provided that if a separate service lane is opened for free use by local traffic, the Concessionaire shall collect fee from such local traffic, if they use the said section.
8. As and when a service lane is constructed, the Concessionaire shall not collect fee from the users of such lane.
9. The Concessionaire shall publish the substance of this notification in two local newspapers (one of which shall be in vernacular language), which shall also state the date of commercial operation as per the provisions of this notification, at least ten days prior to the date of commercial operation and such substance shall also be repeated, ten days prior to giving effect to revised fee.
10. The rate of fee, the categories of vehicles exempted from payment of fee and the name, address and telephone number of Concessionaire to whom complaints, if any, may be addressed, shall be conspicuously and prominently displayed 500 meters ahead of the toll booth, 100 meters ahead of the toll booth and at the toll booth also, the height of the display boards and size of letters being such that the driver can easily read the display boards.

11. The actual fee to be collected from users shall be computed by the Concessionaire and sent to the Authority for validation as soon as possible after 31st March in every year but at least forty-five days before the revised rate is to be effective, so as to enable the Authority to provide any comments or seek clarifications, if any, within a period of fifteen days from the date of receipt of the said proposal and if the Authority does not offer comments or seek clarifications during this period, the revised fee, as proposed by the Concessionaire, shall be deemed to have been confirmed by the Authority.

[F. No. NHAI/13013/612/CO/11-12/GC-Chandigarh (Kuruli-Kiratpur Section) BOT]

B. B. MOHAPATRA, Director

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