



GOVERNMENT OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS

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

F.No. RW/NH-37013/03/2012/PPP

Date: 13.06.2013

To

The Chairman, NHAI,
G-5 & 6, Sector-10, Dwarka,
New Delhi-110075.

(Kind Attention:- Shri K. Venkatraman, CGM, CO, NHAI)

Subject: Check list for preparing proposals for User Fee Notification.

Sir,

It has been observed in the recent past that repeated observations are found while examining the Fee Notification proposals received from NHAI/various zones of the Ministry of Road Transport and Highways, causing avoidable delay in publication of Fee Notifications. To avoid such delay, a revised Check List has been prepared. NHAI/Zones of the Ministry are, accordingly, requested to prepare the proposals as per the enclosed Check List.

Yours faithfully,

Encl.: As stated above.

(N.K. Sharma)
Director (Toll)

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Copy to:

1. PS to Hon'ble Minister (RT&H)
2. PS to Hon'ble MoS (RT&H)
3. PPS to Secretary (RT&H)/PPS to DG(RD)&SS/PPS to ADGs/PPS to JS(EIC & Toll)/PPS to JS(Highways)/PPS to JS(Transport)/PPS to JS(LA&C).

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Check list for preparing proposal for User Fee Notification

S. No.	Particulars	Response of NHAI/Project Zone MoRTH (i) Yes/No, if yes then page number of the corresponding portion of the file. (ii) Applicable/ Not-Applicable
1.	Whether Name of the Project mentioning National Highway No. and chainages mentioned	
2.	Whether details of Entrustment of the stretch of the project to NHAI along with copy of entrustment notification attached	
3.	(a). Whether existing Chainages of the project mentioned (b). Whether Design Chainages, if any, mentioned (c). Whether length of the section (as per Existing Chainage and as per Design Chainage) mentioned	
4.	Whether details of existing Toll fee notification for the stretch given and whether the same are required to be superseded partially or fully, details of the superseded notifications and incorporation of the corresponding clauses of supersession in the proposed notification mentioned.	
5.	Applicable for projects other than BOT Toll Projects (a). Whether Capital Cost of the Project mentioned (b). Whether User Fee realized till 31.03.2013 mentioned. (c). Whether Capital Cost yet to be realized mentioned. (d). Whether fee leviable is required to be reduced to 40% of user fee	
6.	Whether Location of the Instant/Proposed Toll plaza alongwith Chainages and name of the nearest village/town and district mentioned. If there are, say, 2 nos. of toll plazas TP1 & TP2 in the proposed notification, then (i) Whether Location of preceding Toll plaza mentioned (ii) Whether Location of TP1 mentioned (iii) Whether Location of TP2 mentioned (iv) Whether Location of Succeeding Toll plaza mentioned (v) Whether distance between the preceding toll plaza and TP1 mentioned (vi) Whether distance between TP1 and TP2 mentioned (vii) Whether distance between TP2 and succeeding toll plaza mentioned (viii) If the distance between the (a) preceding toll plaza and TP1, (b) TP1 & TP2 (c) TP2	

	& succeeding toll plaza on the same section of National Highway and in the same direction is less than sixty kilometres, whether the Executing Authority has recorded reasons in writing for establishing another toll plaza within a distance of sixty kilometres.	
7.	(i) Whether distance of TP1 from the Municipal or local town area limit mentioned (ii) Whether distance of TP2 from the Municipal or local town area limit mentioned (iii) If the location of the Instant Toll plaza is within a distance of 10 km from the Municipal or local town area limit, whether the Executing Authority has recorded reasons in writing for locating the toll plaza within a distance of 10 km of such Municipal or local town area limits.	
8.	Whether length, Chainages & cost of each permanent bridge or tunnel costing Rs. 50 crore or more mentioned	
9.	Whether length, Chainages of the taking off and merging at the National Highway & cost of each bypass costing Rs. 10 crore or more mentioned.	
10.	Whether the clauses for discounts regarding (i). Issuing pass for return journey within 24 hours and Multiple journey within one month to cross a toll plaza mentioned, (ii). Issuing pass to non-commercial vehicle owner and residing within 20 km from the toll plaza mentioned, (iii). Persons who own Commercial vehicles (excluding vehicles plying under National Permit) registered in the district where the fee plaza falls mentioned and (iv). Category of exempted vehicles incorporated in the fee notification proposal.	
11.	Additional points for Public Funded Projects or BOT (Annuity Project) or Port Connectivity Projects which have been converted into Public Funded Projects: Whether the construction of complete stretch and project facilities of the project has been carried out.	
12.	Additional points for BOT Toll Projects : (i). Whether the Last Date for submission of bid has been mentioned	

	<ul style="list-style-type: none"> (ii). Whether the Applicable fee rules i.e. <ul style="list-style-type: none"> a. Fee Rules, 1997 or b. Fee Rules, 2008 or c. Fee Rules, 2008 with amendment published vide GSR 950 (E) dt. 03.12.2010 or d. Fee Rules, 2008 with amendments published vide GSR 950 (E) dt. 03.12.2010 and GSR 15(E) dt. 12.01.2011 or e. Fee Rules, 2008 with amendments published vide GSR 950 (E) dt. 03.12.2010, GSR 15(E) dt. 12.01.2011 and GSR 756 (E) dt. 12.10.2011 mentioned. (iii). Whether the Performance Security has been submitted by the Concessionaire. (iv). Whether the Appointed Date has been declared by the Authority. (v). Whether the fee notification is a Condition Precedent. (vi). Whether the stage at which COD is to be issued i.e. after issuance of Completion Certificate or after issuance of Provisional Completion Certificate mentioned. (vii). Whether percentage of completion (i.e. 75% or 90% etc.) of the total length of the Project Highway at which the Provisional Certificate is to be issued on request of the Concessionaire mentioned. (viii). Whether actual percentage of completion of the total length of the Project Highway at which the fee notification proposal is being processed has been mentioned. (ix). Whether the clause that COD will be declared by the Authority on completion of work has been incorporated in the draft fee notification. 	
13.	<p>Additional points for OMT Projects:</p> <ul style="list-style-type: none"> (i). Whether the present value of Capital Cost of the Project to be recovered from the date of COD is mentioned (ii). Whether the NPV of the Concession Fee mentioned (iii). Whether the total cost will be recovered during the concession period (iv). Whether the clause regarding recovery of Capital Cost, toll rates chargeable after recovery of Capital Cost mentioned. (v). Whether the clause regarding reworking of the recoverable cost and intimation to the Concessionaire mentioned. 	

	<p>(vi). Whether the Applicable fee rules i.e.</p> <p>a. Fee Rules, 2008 with amendments published vide GSR 950 (E) dt. 03.12.2010 and GSR 15(E) dt. 12.01.2011 or</p> <p>b. Fee Rules, 2008 with amendments published vide GSR 950 (E) dt. 03.12.2010, GSR 15(E) dt. 12.01.2011 and GSR 756 (E) dt. 12.10.2011 mentioned.</p> <p>(vii) Whether the increase in chargeable fee is to be restricted to 25% of the immediately preceding year is mentioned</p>	
14.	<p>Additional points for 2-lane Projects:</p> <p>(i). Whether the average investment for up-gradation exceeds Rs. 2.5 crore per km at the 1st April, 2008 prices.</p> <p>(ii). Whether the base rate of fee has been calculated @ of 60% of the rate of fee specified under sub-rule (2) of rule 4 of GSR No. 838(E) dt. 05.12.2008.</p>	
15.	<p>Whether the proposed notification has been signed by an officer not lower in rank than CGM, NHAI/ Chief Engineer, MoRTH whosoever is applicable.</p>	