

No.PL-8(5)/77

Dated the 15th Nov., 1978

NOTIFICATION

S.O. 718 (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 for the levy of fees for services rendered relating to the use of permanent bridges costing more than Rupees twenty-five lakhs each, completed and opened to traffic on or after the 1st day of April 1976 on national highways, namely:

Short Title Extent and Commencement	1.(1) These rules may be called the National Highways (Fees for use of Permanent Bridges) Rules, 1978.
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(2) They shall extend to the whole of India.

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

Definitions	2. In these rules, unless the context otherwise requires :
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(a) 'Act' means the National Highways Act, 1956 (48 of 1956);

(b) 'executive agency' means —

(i) in the case of a Union Territory the Administrator thereof to whom the functions of the Central Government in relation to the execution of works pertaining to national highways are delegated under article 239 of the Constitution;

(ii) in the case of national highways administratively placed under the charge of the Border Roads Organization, the Border Roads Development Board; and

(iii) In any other case, the State Government to which such functions are delegated under section 5 of the Act.

(c) 'Fee Inspector' means a person authorized by the executive agency concerned to collect fee in respect of any mechanical vehicle crossing a permanent bridge and includes every government employee posted on such bridge in connection with the collection of fees;

(d) 'mechanical vehicle' means any laden or unladen vehicle designed to be driven under its own power including a motor vehicle as defined in clause (18) of section 2 of Motor Vehicles Act, 1939 of 1939 but does not include a cart, tonga, hand-driven or cycle rickshaw, bicycle, tricycle and any other animal or hand driven vehicle;

(e) 'permanent bridge' means a bridge with permanent structures, the cost of which including the cost of the bridge proper, approach roads, guide bunds and protective works as also structures constructed or improved for collection of fees, is more than Rupees twenty five lakhs and which is completed and opened to traffic on national highways on or after the 1st day of April. 1976:

(f) 'Sectional Officer' means an officer of the State Public Works Department (Roads and Buildings) or any other Department dealing with national highways having that designation and being in charge of a particular road or bridge located on a national highway.

Rates of Fees
and its Payment

3. There shall be levied and paid to the executive agency on behalf of the Government of India fees on mechanical vehicles for the use of permanent bridges at the rates specified in the schedule to these rules.

Exhibition of
Rates of fees

4. A Table of fees authorized to be levied at any permanent bridge shall be put up in a conspicuous place near a fee collection booth legibly written or printed in English, Hindi and the regional language of the area in which the permanent bridge is situated.

Procedure for
Collection
Realization
of Amount Handling
etc.

5. (1) All fees levied under these rules shall be collected by the executive agency concerned departmentally ¹[or through private contractor on the basis of competitive bidding] on behalf of the Government of India and for this purpose necessary arrangements shall be made by the executive agency concerned for putting up adequate number of collection booths (operated manually or by automatic arrangements or by combination of both as may be considered suitable by the executive agency) including improvement and widening of approach roads to serve the collection booths so set up.

(2) There shall be posted at either end of the permanent bridge a Fee Inspector (with necessary police guard to assist) who shall be authorized to collect fee in respect of any mechanical vehicle crossing the said bridge at the rates specified in the Schedule.

(3) There shall be provided at either end of a permanent bridge, a cross bar for securing the stoppage of mechanical vehicles.

(4) The Fee Inspector shall ensure at the cross bar that passage is not allowed to mechanical vehicles unless the fee leviable in respect thereof has been paid.

Mode of Collection
of fee

6. (1) Every driver, owner or person in charge of a mechanical vehicle, required to pay fees under these rules shall before crossing

the permanent bridge or after having crossed it stop his vehicle at the cross bar, go to the fee collection booth to pay the fee leviable in

respect of the vehicle and obtain from the Fee Inspector a receipt in duplicate in Form-A appended to these rules in token of having paid the fee, before he is allowed to proceed further.

(2) ~~¹[In the event of two or more permanent bridges falling in close proximity to each other within twenty kilometers from a point at the beginning of the approach of entry of the first bridge to be crossed under the jurisdiction of the same executive agency, the aggregate fees for all such bridges may, if so deemed necessary, be collected from the driver, owner or person in charge of such of the vehicles which intend to cross more than one such bridge, on the first or the last bridge or any of intermediary bridges to be crossed and the vehicle holding the receipt of such a payment shall be allowed to pass through other aforesaid bridges unhindered after showing the receipt to the Fee Inspectors posted on those bridges. Details of such bridges shall be displayed at a conspicuous place near the fee collection booths of the bridges covered under this sub-rule, legibly written or printed in English. Hindi and the regional language of the area in which the said bridges are situated]~~

[In the event of two or more permanent bridges falling in close proximity to each other within eighty kilometers, from a point at the beginning of the approach of entry of the first bridge to be crossed under the jurisdiction of the same executive agency, there shall be levied a fee for one bridge only in respect of all such bridges. The fee shall be collected from the driver, owner or person in charge of such of the vehicle or vehicles which intend to cross more than once such bridges, on the first or the last bridge or any of the intermediary bridges to be crossed and shall be allowed to pass through other bridges after showing the receipt to the Fee Inspector posted on the bridges.

Details of such bridges shall be displayed at a conspicuous place near the fee collection booths of the bridges covered under this sub-rule, legibly written or primed in English. Hindi and the regional language of the area in which the said bridges are situated.]

(3) The Fee Inspector shall, on receipt of the fee specified in the schedule, fill up a receipt in triplicate in Form 'A' and deliver two copies thereof to the driver, owner or the person in charge of the vehicle in respect of which the fee has been paid and retain the third in his office. The motor vehicle shall be allowed to go ahead of the cross bar only after the fee has been paid and receipt issued under these rules.

(4) Where, and if found necessary, the executive agency may also set up counter-checking booths. For this purpose where such a

booth has been set up at some location considered suitable beyond a fee collection booth, after the mechanical vehicle has crossed the bridge and also paid the prescribed fees, the Fee Inspector on counter checking duty at the counter checking booth shall ensure that the mechanical vehicle is allowed to pass from the counter checking cross bar only after verifying or checking the copies of the receipt for payment of the fees from the driver, owner or person in charge of the vehicle.

Remittance of
fees collected

7. (1) The Fee Inspector on duty shall be responsible for the collection and safe custody of the amount collected towards fees during the period of his duty and shall not leave his booth till his reliever takes over from him.

(2) The Fee Inspector shall maintain a cash register in Form B appended to these rules and keep it posted upto date.

(3) The Fee Inspector shall at the end of the period of his duty, hand over the amount collected by him to his reliever after obtaining the signature of the latter in the relevant column of the cash register.

(4) Every day between the hours of 4 and 5 in the afternoon the Fee Inspector on duty shall hand over the entire amount of fee collected during the preceding 24 hours to the Sectional Officer in charge of the bridge after obtaining his signature in the relevant column of the cash register.

(5) The Sectional Officer shall keep the amounts of collection received from the, Fee Inspector in the chest provided for the purpose at his office.

(6) The Sectional Officer shall on every Saturday or if it happens to be a holiday, on the next working day, remit the amount received by him in respect of the week preceding the Saturday by a demand draft to the Pay and Accounts Officer (National Highways), Ministry of Shipping and Transport (Roads Wing), New Delhi The said Pay and Accounts Officer shall account the amount so received in the relevant receipt head in his books,

(7) The Sectional Officer shall maintain a register in Form 'C' appended to these rules showing the remittances made to the Pay and Accounts Officer (National Highways), Ministry of Shipping and Transport (Roads Wing), New Delhi and shall keep the register posted upto date.

(8) The Sectional Officer shall exercise supervision and control over the staff posted at the permanent bridge in connection with the collection of the fees and over the maintenance of proper accounts and records by such staff.

(9) The Sub-Divisional Officer, in charge of the road on which the permanent bridge is situated shall check the collection and remittance of fees by the staff in accordance with these rules by

paying surprise visits at least twice a month at the offices of the Fee Inspectors and the Sectional Officers-in-charge. He shall countersign the cash register maintained by the Fee Inspectors and Sectional Officers-in-Charge in token of such a check having been made. Such visits shall also be undertaken by the Executive Engineers concerned at least once in three months.

Submission of
Returns

8. The executive agency concerned shall furnish to the Pay and Accounts Officer, National Highways, Ministry of Shipping and Transport (Roads Wing), New Delhi every quarter in the first week of July, October, January and April:-

(a) a consolidated statement showing month-wise the amount collected and remitted on account of fees proceeds in respect of each permanent bridge along with the details of number and date of the demand draft with which this amount was remitted;

(b) break-up of the month-wise expenditure incurred on each bridge by the executive agency required to be reimbursed on account of collection of the fees on the basis of actual expenditure incurred

Furnishing of
Security

9. The Fee Inspector and the Sectional Officer-in-Charge shall each deposit a cash security of not less than Rs 1000/- by executing a security bond in the prescribed form laid down in the Treasury Rules of the Executive Engineer.

Credit of the
proceeds of the
fees and its
utilization

10. (1) The proceeds from the fees shall form part of the Consolidated Fund of India and a sum equal to the amount estimated to be received during a year shall be provided in the Demands for Grants of the Ministry of Shipping and Transport for transfer to a non lapsing Reserve Fund not bearing interest within the Public Account of India, to be set up by the Central Government. The amount standing to the credit of the Fund would be allocated by the Government of India for development of National Highways in the States and the Union territories. The amount to be allocated to various States and the Union territories, shall as far as possible, be equal to the fees collected in the respective States under these rules, reduced by collection charges not exceeding 12% of the total collections within the State. The collection charges shall be reimbursed to the executive agency concerned in the manner indicated in sub-rule (3) of this rule. The allocations so made to the States and the Union territories shall be over and above their normal plan allocations.

(2) The allocations so made shall, however, be subject to planning discipline and shall be a Plan expenditure which shall be augmented to the extent of the net proceeds after excluding the collection charges from the proceeds of the levy. The proceeds of the fees remaining unutilized at the end of the Financial year shall not lapse at the close of that financial year but shall be available for being utilized during subsequent years against individual works to be approved by the Central Government

(3) Payment of the amounts in reimbursement of the expenditure incurred by the executive agencies on collection of fees, not exceeding 12% of the total collection of fees shall be made by the Government of India by specific payment sanctions from out of the specific budget provision to be made by the Central Government in its budget from year to year.

Assistance by
Police

11. All police officers of the area in whose jurisdiction the permanent bridge falls shall be bound to assist the Fee Inspectors, when required in the collection of fees under these rules, and for that purpose, shall have the same power which they have in exercise of their normal police duties.

THE SCHEDULE (See Rule 3)

FEE CHARGEABLE IN RESPECT OF MECHANICAL VEHICLES USING PERMANENT BRIDGES. COSTING MORE THAN Rs. 25 LAKHS ON NATIONAL HIGHWAYS COMPLETED/TO BE COMPLETED AND OPENED TO TRAFFIC ON OR AFTER 1.4.1976 IN REGARD TO VEHICLES OTHER THAN DEFENCE VEHICLES. VEHICLES WITH VIP SYMBOLS, POLICE VEHICLES. FIRE FIGHTING VEHICLES AMBULANCES, FUNERAL VANS. POSTS AND TELEGRAPH DEPARTMENT VEHICLES AND CENTRAL AND STATE GOVERNMENT VEHICLES ON DUTY.

S.No.	Particulars of Vehicle	Fee for bridges costing more than Rs 25 lakhs and upto Rs 50 lakhs	Fee for bridges costing more than Rs 50 lakhs and upto Rs 100 lakhs	Fee for bridges costing more than Rs 100 lakhs
1.	Motor Cycle. Scooter or any other two-wheeled mechanically propelled vehicle,	0.50	0.50	0.50
2.	Motor-car, taxi, jeep, pickup van, station wagon, tempo auto- rickshaws, three wheeler scooters, or other auto-driven light vehicles-without trailer	2.00	2.00	2.00
	— with trailer	3.00	3.00	3.00
3.	Bus. truck and other heavy vehicles including truck- trailer combinations			
	— laden with goods/passengers	6.00	8.00	10.00

	— Unladen	3.00	4.00	5.00
4.	Other mechanically- propelled vehicles not mentioned above like mobile cranes, dozers, earthmovers, road rollers, etc. loaded or unloaded	6.00	8.00	10.00

Notes:

(1) ~~¹[When the same vehicle has to cross the bridge more than once in a day, the user shall have the option to pay one and a half times the above rates while crossing the bridge in the first trip itself.]~~ [When the same vehicle has to cross the bridge more than once in a day, the user shall have the option to pay one and a half times the above rates while crossing the bridges in the first trip itself, or if the vehicle has to use a bridge continuously and quite frequently for the entire month or even beyond that, for much longer period, the vehicle owner can even have a monthly pass on the payment of charges equal to 30 single rates.]

(2) The following vehicles shall be deemed to be vehicles having VIP symbols:-

President and Vice-Presidents of India, Central and State Ministers, Leaders of Opposition in Lok Sabha/Rajya Sabha/State Legislatures having the status of a Cabinet Minister, Governors/Lt Governors/Executive Councilors/Speakers/Chairmen of Central and State Legislatures, Foreign dignitaries on State visit to India. Foreign Diplomats stationed in India using cars with CD symbols.

FORM 'A'

(See Rule 6)

R. No _____

Receipt for payment of fee

Name of Bridge (s)

1. Description of mechanical vehicle
with Registration Number _____

2. Whether laden or unladen or
with or without passengers _____

3. Time and date of outward journey _____

4. Name of driver and/or owner _____

5. Amount of fee paid_____

Signatures of Fee Inspector

FORM 'B'
[See Rule 7 (2)]

CASH REGISTER

Serial Number	Date	Vehicle number	Name of person paying the fee	Number of receipt by which fee paid	Amount of fee paid	Progres- sive figures of fee paid	Signa- tures of fee Ins- pector	Signa- tures of succes- sors fee Inspector	Signa- tures of Sectional Officer- in-charge	Remarks
1	2	3	4	5	6	7	8	9	10	11

FORM 'C'

| See Rule 7 (7) |

Register showing record of fee collection and remittance on account of fee collected on permanent bridges

Sl. No.	Name of the Sectional Officer in-charge	Amount collected form the fee Inspector (deposited)	Date of Receipt	Name of the Bank from which Demand Draft is purchased	Number of Demand Draft and Date	Amount of Demand Draft	Details of dis- patch of Demand Draft	Postal Registration No. of dispatch of Demand Draft	Remarks
1	2	3	4	5	6	7	8	9	10
