

No.NH-11052/4/91-DO I

Dated, the 17th Sept., 1993

**PUBLISHED IN THE GAZETTE OF INDIA, EXTRA ORDINARY, PART II,
SECTION 3, SUB-SECTION (ii)**

NOTIFICATION

S.O. 699(E) In exercise of the powers conferred by section 7 of the National Highways Act, 1956 (48 of 1956), the Central Government hereby makes the following rules to further amend the National Highways Rules, 1957, namely:-

- (1) These rules may be called the National Highways (Amendment) Rules, 1993.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the National Highways Rules, 1957, the following new rule shall be added at the end after rule 9, namely:-

"10. Utilisation of space beneath the Road Overbridges or Flyovers:

The Central Government, where it deems fit, may accord permission to the State Government or the Government of a Union Territory, as the case may be, for utilisation of space beneath the Road Overbridges or Flyovers on National Highways for which an yearly licence fee which shall be either-

- (i) a percentage of capital cost: consisting of the cost of land and the cost, if any, incurred by the Central Government for covering or enclosing the space beneath the approach spans of Road Overbridges or Flyovers and for providing sanitary, water supply and electric installations, equal to such rate of interest as may from time to time be fixed by the President under F.R. 45 A plus an addition for house or property tax, if any, payable by Government in respect of the covered space and for maintenance and repairs of the covered structure, or
- (ii) six per cent per annum of such capital cost, whichever is less, shall be fixed and levied on the terms and conditions as may be laid down by the Central Government in this respect. The rate of licence fee to be levied as above, shall be subject to revision after every five years to take into account any change in the market value of the land.

Notes:- The Principal rules were published in the Gazette of India vide notification No.SRO 1182 dt. 4.4.1957 and were subsequently amended vide Gazette notifications

- (1) No.SO-680E dt. 15.10.1976
- (2) No.SO-496E dt. 20.08.1986
(F. No. NH-11052/4/91-DOI)

1- Amendment to circular dated 04.04.1957, 15.10.1976 & 20.08.1986