

No. H-25011/05/2025-Toll (E- 255443)
Government of India
Ministry of Road Transport & Highways
(Toll Section)
Transport Bhawan, 1, Parliament Street New Delhi -110001

Dated the 27th November, 2025

OFFICE MEMORANDUM

Subject: Amendment in National Highways Fee (Determination of Rates and Collection) Rules, 2008- Implementation of Annual FASTag Pass-reg.

Reference: (i) Ministry's letter No. H-25011/11/2024-Toll (E- 245444) dated 11th August, 2025
(ii) Ministry's letter H-25011/05/2025-Toll (E- 255443) No. dated 1st September, 2025

It has come to the notice that payment of compensation, if any due to implementation of Annual Pass scheme has not yet been initiated/ processed in the Fee Plazas administered through Ministry's Regional Offices.

2. Thus, in continuation of the Ministry's letter(s) cited under reference (**Copy enclosed**), wherein it was requested to ensure the implementation of Annual Pass facility at all National Highways (NHs) and National Expressways (NEs) fee plazas, in coordination with the NHAI /IHMCL, pursuant to the amendment made in NH Fee Rule vide Gazette notification no. GSR 388 (E) dated 17.06.2025, it is submitted that any contractual implications in BOT (Toll), TOT, and InvIT projects arising from this amendment shall be addressed under Change in Law, for which the compensation mechanism with certain guiding principles were already circulated vide the Ministry's letter dated 01.09.2025 under ref(ii).

3. In this regard, it is to inform that NHAI vide letter dated 17th October 2025 (copy enclosed) has issued an SOP along with a supplementary agreement for releasing compensation to the eligible Concessionaires under NHAI. This supplementary agreement is aligned with the approved mechanism for addressing revenue losses due to the Annual Pass in BOT (Toll), TOT, and InvIT projects. Accordingly, the concerned Regional Officers may follow these said guidelines and may execute supplementary agreement to avoid any litigation in future and safeguard the interest of Government.

4. Further, it has been decided and is hereby clarified that compensation, if any, will be calculated through a dedicated portal developed by NHAI/IHMCL for this purpose, which is integrated with NPCI to access Annual Pass transaction data. This portal shall be used by the concerned Regional Officer of the Ministry to compute the compensation amount in accordance with compensation mechanism circulated vide letter dated 01.09.2025. **Compensation payment shall be made by NHAI F&A Division, NHAI HQ and not by Regional Officer of the Ministry.**

5. The verified data shall be shared with NHAI F&A Division, NHAI HQ, which will thereafter process and release the compensation payments to respective concessionaire on behalf of this Ministry for its projects, in accordance with the NHAI SOP. All other guidelines shall issued by F&A Division, NHAI HQ shall be applicable for MoRTH projects as well for the purposes of assessment of compensation amount and its release to the concessionaires.

6. In view of the above, all Regional Officers of MoRTH is requested to coordinate with IHMCL/ NHAI for obtaining dedicated login credentials of the portal and access to Electronic Toll Collection (ETC) data, and to take further necessary action regarding the compensation payment, if any to the respective concessionaires.

7. This issues with the approval of the Competent Authority.

Encl.: As stated above.

(Shantanu Bhattacharjee)
Under Secretary to the Govt. of India
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All Zonal Heads, Road Wing, Ministry of Road Transport & Highways: With a request to ensure compliance at your level

Copy to:

1. PPS to Director General (Road Development) & Special Secretary, M/o RT&H
2. All Regional officer, M/o RT&H
3. CGM (Finance), NHAI-HQ, New Delhi- For extending all necessary support to ROs of the Ministry and release the payment accordingly.
4. Chief Operating Officer, IHMCL- For extending all necessary support to ROs of the Ministry.

Copy for information to:.

1. PSO to Secretary, M/o RT&H
2. PS to Chairman, NHAI
3. PPS to AS&FA, M/o RT&H
4. PPS to Joint Secretary, Toll, M/o RT&H
5. PA to Member (Finance), NHAI- HQ
6. PPS to Member (Admin)/CMD, IHMCL
7. Director (NIC) with a request to upload this on website of M/o RT&H under relevant section.