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File No. H-24030/32/2014-(Toll)

भारत सरकार

GOVERNMENT OF INDIA

सडक परिवहन एवम् राजमार्ग मंत्रालय

MINISTRY OF ROAD TRANSPORT & HIGHWAYS

Transport Bhavan, 1, Parliament Street,  
New Delhi, dated the 17<sup>th</sup> June, 2014

OFFICE MEMORANDUM

Subject: RTI Act, 2005 - Clarification regarding National Highways Fee (Determination of Rates and collection) Rules, 2008.

Rule-11[b][i] of National Highways Fee (Determination of Rates and Collection) Rules, 2008, as amended, vehicles used for official purposes by the Ministry of Defence including those which are eligible for exemption in accordance with the provisions of the Indian Toll (Army and Air Force) Act, 1901 and rules made there under, as extended to Navy also. Further, as per Section-3 of The Indian Tolls (Army and Air Force) Act, 1901 all officers, soldiers, airmen and all members of the families of officers, soldiers, airmen or authorized followers are exempted from paying toll. References are being received in this Ministry regarding clarification whether:-

[a] under Indian Toll (Army and Air Force) Act, 1901 and rules made there under exemptions are available only to the serving personals and that only on use of Govt. vehicle;

[b] under Indian Toll (Army and Air Force) Act, 1901 and rules made there under no exemptions are available to the retired personals; and

[c] under Indian Toll (Army and Air Force) Act, 1901 and rules made there under no exemptions are available on use of personal vehicle;

2. The issue was re-examined and it is now being clarified that the exemption under the Indian Toll (Army and Air Force) Act, 1901 is available only to the persons who are 'on duty' and does not pertain to retired personals. No exemption is available on use of personal vehicle if it

is not used for discharging any official purpose and duty, even if it accompanies the said official. The exemption is available only on production of pass as specified in the Indian Toll (Army and Air Force) Rules, 1942.

*N.K. Sharma*

(N.K. SHARMA)

Director (Toll)

*O/c*

Secretary, Ministry of Defence

Chairman, NHAI

DG (RD)&SS

All JSs/CEs

PS to Minister(RT&H,S)

PPS to Secretary(RT&H)

NIC for uploading on the Ministry's Website

Ministry of Law & Justice w.r.t. their F.T.S. No. 48/JS&LA/SKM/14 dated 11/6/2014

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