

No. NHIII-23 (1)/72

Dated the 19th September, 1972

To

All the State Governments
(Departments dealing with National Highways)

Subject : Bypasses to National Highways—Need to ensure that such bypasses are not brought within Municipal limits to charge octroi and detain vehicles etc.

I am directed to say that it has been brought to the notice of the Government of India that certain local bodies and Municipal Committees have extended their jurisdiction to cover the bypasses to National Highways and have put up octroi barriers even on these bypasses, thus causing detention to vehicles. As the State Governments are doubtless aware, the very purpose of constructing bypasses is to allow free movement to vehicles operating on long distance routes carrying through traffic so that these vehicles do not have to stop at the barriers set up to check payment of Motor Vehicle tax, octroi duty, etc. In fact, it was for this that the National Highway Links Scheme, as embodied in the late Ministry of Transport letter No. PL-13 (7)/51, dated the 16th February 1954 read with the Ministry of Transport and Communications (Department of Transport) letter No. WI-1 (6)/54 dated the 1st June, 1957 laid down the following condition :

"The State Government should ensure that Octrois or any other terminal taxes on through traffic and tolls are not levied by the local body concerned on the link roads maintained and/or developed at Central expenses."

The condition stated above would apply equally to the case of bypasses also, as, if the territorial jurisdiction of the local bodies, particularly those levying octroi, is extended to cover bypasses also, the very object of constructing such bypasses would be defeated.

In the circumstances, I am to request that necessary instructions may kindly be issued to all concerned to ensure that in the interest of the development of road transport, local bodies do not extend their territorial limits to cover bypasses. A copy of the instructions issued may also please be forwarded to this Ministry.
