

No. PL-23 (1)/77

Dated the 18th December, 1978

To

The Secretary to the Govt. of  
(By name dealing with National Highways)  
All States and Union Territories

Subject : Levy of fees on permanent bridges costing more than Rs 25.00 lakhs  
each completed and opened to traffic on or after 1st April 1976 on National Highways

I am directed to say that, as per Section 7 of the National Highways Act, 1956, the Central Government may by Notification in the official Gazette, levy fees at such rates as may be laid down by rules made in this behalf for services or benefit rendered in relation to use of ferries, temporary bridges and tunnels on National Highways. This provision has since been amended by National Highways (Amendment) Act 1977 (No. 30 of 1977) published in the Gazette of India (Extraordinary) No. 46 so as to provide for the levy of fees on permanent bridges also, costing more than Rs 25.00 lakhs each, completed and opened to traffic on or after 1st April 1976.

2. A copy of the aforesaid National Highways (Amendment) Act, 1977 is enclosed (Appendix I-See code 112). The Government of India have since formulated detailed rules on the subject, a copy of which is enclosed (Appendix II-See code 114). Action now has to be initiated by the State Governments/Local Administrations concerned with National Highways to collect on behalf of the Government of India fees as per these rules on permanent bridges on National Highways costing more than Rs 25.00 lakhs each completed and opened to traffic on or after the 1st day of April 1976. The rules are self-explanatory.
3. I am to add that these fees are intended to be levied for a limited period only and are to be discontinued as soon as the full capital cost of the bridge including interest thereon as also the maintenance and special repairs expenditure thereon upto the date of discontinuance of the levy of fee has been recovered. Further it is also intended that in the metropolitan cities like Delhi, Bombay, Calcutta and Madras bridges on National Highways situated within the Metropolitan cities should be exempted from the proposed levy.
4. While separate administrative orders in regard to both the issues mentioned in para 3 above may issue separately also, this requirement is being incorporated in this letter also, so that while levying fees, the States should keep these two requirements in view. Meanwhile, the State Governments/Local Administrations may kindly send to this Ministry for their consideration immediately their proposals in respect of bridges which they would like the Government of India to consider for exemption from the levy of the proposed fees with reference to metropolitan cities referred to in para 3 above.
5. I am to add that while arranging for the collection of these fees, it has to be ensured that the process of collecting the fees is easy and speedy with all possible care taken to ensure that there is no unnecessary hold up of traffic.

I am accordingly to request that in order to achieve these objectives, the following actions may be taken immediately:

- (a) set up adequate fee collection booths with reasonable staff keeping in view the traffic requirements,
- (b) improve approach roads to collection booths by widening the existing roads and constructing new traffic lanes where necessary.
6. So far as fee collection booths, improvement of approach roads etc. are concerned, necessary plans and estimates may be prepared for sanction for being financed from the National Highway (Original) Works allocations available to the State. As for collection expenses, the Government of India will reimburse to the State Government collection charges as per rule 10 (of the enclosed rules), equal to a sum not exceeding 12% of the toll collection within the State/Union Territory. The collection charges would be reimbursed to the State Government at the time of final payments in respect of National Highway (Original) works on receipt of specific demand from the State Government which may be sent to this Ministry regularly and in time. As already laid down in the enclosed rules vide rule 2 (d), the fee shall be levied on mechanically propelled vehicles only and would not include a cart, tonga, hand-driven or cycle rickshaw, bicycle, tricycle and any other animal or hand driven vehicle, as also pedestrians. Further, the proceeds from the fees excluding the collection charges shall be allowable to each State Government/Local Administration on the lines indicated in rule 10 of the enclosed rules.