

No. RW/PL-8(5)/77

*Dated the 22nd December, 1980*

To

All State Govts/U.Ts.  
(PWD Deptts concerned with NHs)

Sub : National Highways (Fees for the use of Permanent Bridges) Rules, 1978

I am directed to invite a reference to this Ministry's letter No. RW/PL-8(II)/76, dated 26th April 1976 on the subject noted above and to say that even though the rules provide the collection of fees through departmental agencies only, representations have been received from several states for collection of fees through the alternative of contractual arrangements as well. As the State Govt. are aware, this proposal had been discussed in detail at the meetings of the Standing Committee on Roads of the Transport Development Council and T.D.C. held on the 1st and 2nd August 1980 respectively, and was also discussed further at the meeting of All India Chief Engineers held at Srinagar on the 22nd Aug. 1980 where the consensus was that the States might be given the choice of collecting fees either departmentally or through the arrangements of contractors. This proposal has since been examined further and it has been decided to amend the rules to provide for the collection of fees through contractual arrangements also as an alternative method of collecting fees. A copy of the Notification issued by this Ministry in this connection is accordingly enclosed.

2. I am to add that while going in for collection of fees through private contractors, it should be fully ensured by the State Govt. that as already indicated in the case of departmental collection of fees the process of collecting fees through contractors arrangements is also easy and speedy and all possible care is taken to ensure that there is no unnecessary hold up of traffic. In order to achieve this objective, the State Govt. also have to ensure that adequate fee collection booths are set up with reasonable essential staff of the contractor keeping in view the traffic requirements and action is taken by the State P.W.D. also to improve approach roads to collection booths by widening the existing roads and constructing new traffic lanes where necessary. The State P.W.D. must also supervise the installation and functioning of the arrangements well all the time.

3. I am further to add that while going in for contractual arrangements for the collection of fees sufficient safeguards may be taken as indicated below to ensure that the system of collecting through contractors functions smoothly and properly :

- i) A specified security deposits may be laid down depending on the amount of collection and it should be returned only after the lease expires finally.
- ii) The State Govt. should reserve to themselves the right of cancelling the bid/auction in case they feel that the auction/bid money is less than a specified minimum amount, which may indicate in advance, taking into account the likely revenue from the fees;
- iii) Since, as indicated in para 2 of this Ministry's letter No. PL-23(1)/77, dated 18.12.78, the intention is to discontinue the levy of fees as soon as the cost of the bridge (as defined under rule 2(e) of the National Highways (Fees for use of Permanent Bridges) Rules 1978, including interest thereon as also maintenance and special repairs thereon, is recovered, it might be ensured that in respect of particular bridge when the total cost of the bridge etc. referred to above is likely to be recovered duly, the lease for the final lease year should indicate clearly that it shall come to a close as soon as the cost of the bridge etc are fully recovered.

4. I am to request that the action taken in the matter may kindly be intimated to this Ministry urgently.

1-Amendment to circular dated 26.04.1976

2-Amended vide circular dated 24.09.1981