

EXEMPTIONS AND DISCOUNTS AS PER NATIONAL HIGHWAYS FEE (DETERMINATION OF RATES AND COLLECTION) RULES, 2008

As per Rule 11 of The National Highways Fee (Determination of rates and Collection) Rules, 2008 exemption from payment of fee has been extended for the following—

11. Exemption from payment of fee - No fee shall be levied and collected from a mechanical vehicle—

(a) Transporting and accompanying –

- (i) The President of India;
- (ii) The Vice-President of India;
- (iii) The Prime-Minister of India;
- (iv) The Governor of a State;
- (v) The Chief Justice of India;
- (vi) The Speaker of the House of People;
- (vii) The Cabinet Minister of the Union;
- (viii) The Chief Minister of a State;
- (ix) The Judge of the Supreme Court;
- (x) The Minister of State of the Union;
- (xi) The Lieutenant Governor of a Union territory;
- (xii) The Chief of Staff holding the rank of full General or equivalent rank;
- (xiii) The Chairman of the Legislative Council of a State;
- (xiv) The Speaker of the Legislative Assembly of a State;
- (xv) The Chief Justice of a High Court;
- (xvi) The Judge of a High Court;
- (xvii) The Member of Parliament;
- (xviii) The Army Commander of Vice-Chief of Army Staff and equivalent in other services;
- (xix) The Chief Secretary to a State Government within concerned State;
- (xx) The Secretary to the Government of India;
- (xxi) The Secretary, Council of States;
- (xxii) The Secretary, House of People;
- (xxiii) The Foreign dignitary on State visit;
- (xxiv) The Member of legislative Assembly of a State and the Member of Legislative Council of a State within their respective State, if he or she produces his or her identity card issued by the concerned Legislature of the State;
- (xxv) The awardee of Pram Vir Chakra, Ashok Chakra, Maha Vir Chakra, Kirti Chakra, Vir Chakra and Shaurya Chakra, if such awardee produces his or her photo identity card duly authenticated by the appropriate or competent authority for such award;

(b) Used for official purpose by –

- (i) the Ministry of Defense 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;
- (ii) The Central and State armed forces in uniform including Para military forces and police;
- (iii) An Executive Magistrate;
- (iv) The fire-fighting Department or organization;

(v) The National Highway Authority of India or any other Government organization using such vehicle for inspection, survey, construction or operation of national highways and maintenance thereof;

(c) Used as ambulance; and

(d) Used as funeral van.

(e) Mechanical vehicles specially designed and constructed for use of a person suffering from physical disability.

In addition to the above, as per Rule 9 of The National Highways Fee (Determination of Rates and Collection) Rules, 2008 the following discounts have been extended as well:

9. Discounts- (1) The executing authority or the concessionaire, as the case may be, shall upon request provide a pass for multiple journeys to cross a user fee plaza within the specified period at the rates specified in sub rule (2) of rule 9.

(2) A driver, owner or person in charge of a mechanical vehicle who makes use of the section of National Highway, permanent bridge, bypass or tunnel, may opt for such pass and he/she shall have to pay the fee in accordance with the following rates, namely-

Amount Payable	Max. no. of one way journey allowed	Period of validity
One and half times of the fee for one way journey	Two	Twenty-four hours from the time of payment
Two-third of the amount of the fee payable for fifty single journeys.	Fifty	One month from the date of payment

(3) A person who owns a mechanical vehicle registered for non-commercial purpose and uses it as such for commuting on a section of the National Highway, permanent bridge, bypass or tunnel may obtain a pass, on the payment of fees at the base rate for the year 2007-2008 of rupees one hundred and fifty per calendar month and revised annually in accordance with rule 5, authorizing it to cross the user fee plaza specified in such pass:

Provided that such pass shall be issued only if such driver, owner or person in charge of a mechanical vehicle resides within 20 Kilometers from the user fee plaza specified by such person and the use of such section of national highway, permanent bridge, bypass or tunnel, as the case may be, does not extend beyond the user fee plaza next to the specified user fee plaza:

Provided further that no such pass shall be issued if a service road or alternative road is available.

(3A) A person who owns a mechanical vehicle (excluding vehicle plying under National Permit), registered with address on the Registration Certificate of a particular district and uses such vehicle for commuting on a section of the national highway, permanent bridge, bypass or tunnel, as the case may be, which is located within that distance, shall be levied user fee on all user fee plazas which are located within that district, at the rate of 50% of the prescribed rate of fee:

Provided further that no such pass shall be issued if a service road or alternative road is available.

(4) No pass shall be issued or fee collected from a driver, owner or person in-charge of a mechanical vehicle that uses part of the section of a national highway and does not cross a user fee plaza.

FAQ'S PERTAINING TO EXEMPTIONS:

1. Who collects user fee?

Ans. In case of Public Funded/ Annuity/ SPVs Govt. collects the user fee (toll) by engaging the contractors through competitive e-bidding, whereas in private investment/ OMT Projects, the Concessionaire collects the user fee (toll).

2. On what basis is user fee collected from vehicles in the National Highways?

Ans. National highways for which the bids were invited and projects awarded prior to 2008 are governed by NH Fee rules 1997 and those National highways which are constructed and whose bids are invited after 5th December 2008 are governed by NH Fee Rules 2008. Further, the National Highways constructed through Public private partnership are governed by NH Fee Rule as well as the Contract Agreement entered between the concessionaire and the Authority.

3. Why full user fee (toll) is to be paid although we travel a small length on the project road?

Ans. In India, the tolling is generally under the open system, whereby fee payable is a fixed amount based on the length of stretch under one project which is normally 60 kilometers. If a stretch is of lesser length, user fee of actual length only is collected.

4. Why the user fee (toll) rate is different at 2 Toll Plazas?

Ans. User fee on a particular fee plaza is based on stretch length under that plaza, structures (bridge, tunnel, and bypass) and width of the highways, applicable fee rules and provisions of the concessions agreement.

5. Why concessions/ discounts to local/ frequent users are different at different fee plazas?

Ans. Concessions to local/frequent users are extended as welfare measures. There may be variation in the concessions available as these have been provided at different times under different fee rules and provisions of concession agreement.

6. Why are the categories of vehicles and their rates different?

Ans. Vehicles are categorized for the welfare of road users. This categorisation is primarily based on the size and load they carry and damage done to the road and type of use (commercial/personnel) of a vehicle.

7. Why the formula and the date of annual revision of user fee across the toll plazas are different? Why rounding of fee in some toll plazas is Re.1/- and Rs.5/- in others?

Ans. Annual revision is done w.e.f. 1st April and fee is to be rounded off to the nearest Rs 5 as per the new user fee rules. However some roads built before 2008 are governed by old rules where fee is rounded off to Re 1 only.

8. The Concessionaire has collected user fee (toll) more than the expenditure incurred by him. Why he is allowed to continue with toll collection?

Ans. User fee is levied and collected as per applicable fee rules and provisions of the concession agreement. As per rule, a concessionaire has the right to collect user fee till the completion of concession period allowed under the agreement.

9. Are the amendments issued on NH Fee Rule 2008 applicable on all National Highways?

Ans. Amendments issued over NH Fee Rule 2008 shall not be applicable on projects for which the bids were invited and projects awarded prior to the date on which the amendments were issued.

10. How long a toll plaza shall be in operation? What is the duration for which the user fee shall be collected at any toll plaza?

Ans. Once a highway is built, Fee is to be collected to recover the cost. Once cost is recovered the fee is collected at reduced rate of 40% as the road is to be maintained in good condition for the travelers.

11. What is the procedure for getting the pass for local users?

Ans. The Concessionaire shall formulate, publish and implement an appropriate scheme and make such modifications to the scheme as may reasonably be suggested by the Authority or by Local Users from time to time

12. Is there any Penalty for overloaded vehicles?

Ans. As per NH Fee Rule 2008, the excess load is to be removed and a penalty equal to 10 times the applicable fee is to be paid.

13. I am a central government/ state government officer. Am I entitled for exemption?

Ans. The exemption is available only for NHAI or any other Government Organization using such vehicles for inspection, survey, construction or operation of National Highways and maintenance thereof.

14. Whether Ex-Servicemen are exempted from payment of user fee?

Ans. No.

15. Whether exemptions are available to Defense civilian employees?

Ans. No.

16. Serving army personnel who are using private vehicle for commute, are they exempted from payment of user fee?

Ans. Exemption shall be extended only when the vehicle is used for official purposes.

17. If a patient is travelling in a private vehicle, shall it be exempted from payment of user fee?

Ans. No.

18. Are exemptions provided for news-paper/ media journalists?

Ans. No.

19. Are exemptions provided for RTI activists?

Ans. No.

20. Is exemption available to physically disabled person producing disability certificate?

Ans. Exemption is extended to mechanical vehicles specially designed and constructed for use of a person suffering from physical disability.

21. Is exemption available to religious dignitaries?

Ans. No.

22. I am a winner of Police Medal/ Padmashree. Am I entitled for exemption from payment of user fee?

Ans. No.

23. Is there any discount if I use FASTag in my vehicle?

Ans. You can avail a cashback of 10% on all Toll payments using FASTag in FY 2016-17. The cashback amount for a particular month will be credited back to your FASTag account within 10 working days from the end of month.

24. I reside within 20 Km of a particular Toll plaza. Do I need to take FASTag to get the concessions available for local vehicles?

Ans. You will need to submit your documents to the concessionaire validating your residence within 20km of a particular plaza. Once it is verified, you may avail the concession on the FASTag assigned to your vehicle depending on the applicable Fee Rules.
