
NATIONAL HIGHWAYS (FEES FOR USE OF PERMANENT BRIDGES) RULES, 1992

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SCHEDULE 1 :- SCHEDULE

NATIONAL HIGHWAYS (FEES FOR USE OF PERMANENT BRIDGES) RULES, 1992

¹1.Vide S.O. 145 (E), dated 19th February. 1992, published in the Gazette of India. Extra., Pt. II Sec. 3(ii), dated 21st February, 1992. In exercise of the powers conferred by section 9 of the National Highways Act, 1956 (48 of 1956) and in supersession of the National Highways (Fees for Use of Permanent Bridges) Rules, 1978, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

1. Short title and commencement :-

(1) These rules may be called the National Highways (Fees for Use of Permanent Bridges) Rules, 1992.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions :-

In these rules, unless the context otherwise requires,-

(a) "executing agency" means-

(i) in the case of those National Highways administratively placed under the charge of the Border Roads Organisation, the Border Roads Development Board;

(ii) in the case of those National Highways administratively placed under the charge of National Highway Authority, the National Highway Authority;

(iii) in other cases the State Government/Union Territory Administration to which such functions are delegated under section 5 of the Act.

(b) "Fee Inspector" means a person authorised by the executing agency concerned to collect fee in respect of any mechanical vehicle crossing a permanent bridge and includes every government employee posted on such bridge in connection with the collection of fees.

(c) "Form" means Form appended to these rules.

(d) "mechanical vehicles" means any vehicle designed to be driven under its own power including a motor vehicle as defined in clause (28) of S.2 of the Motor Vehicles Act, 1988.

(e) "Pay and Accounts Officer" means Pay and Accounts Officer (National Highway) Ministry of Surface Transport, New Delhi.

(f) "permanent bridge" means a bridge with permanent structures, the cost of which including the cost of the bridge proper, approach roads, guide bunds and protective works, excluding the cost of toll booths, is more than.-

(a) rupees 25 lakhs and upto rupees 100 lakhs each, completed and opened to traffic on or after first day of April, 1976 but before the first day of May, 1992 on National Highways; and

(b) more than rupees 100 lakhs each, completed and opened to traffic on or after first day of April, 1976 on National Highways.

(g) "Sectional Officer/Junior Engineer" means an officer of the State Public Works Department (Road and Building) or any other Department dealing with National Highways having that designation and being in charge of a particular road or bridge located on a National Highway.

3. Rates of fees and its payment :-

These shall be levied and paid to the executing agency, on behalf

of the Government of India, fees on mechanical vehicles for the use of permanent as specified in the Schedule annexed to these rules.

4. Displaying of rates of fees :-

A table displaying rates of fees, rates authorised to be levied at any permanent bridge, shall be put up at a conspicuous place near a fee collection booth legibly written or printed in English, Hindi and the regional language of the area in which the permanent bridge is situated.

5. Procedure for collection/realisation or amount, handling etc :-

(1) All fees levied under these rules shall be collected by the executing agency concerned departmentally or through private contractors on the basis of competitive bidding on behalf of the Central Government. The executing agency concerned shall make necessary arrangement for putting up adequate number of collection booths, operated manually or by automatic arrangements or by combination or both as may be considered suitable by the executing agency.

(2) There shall be posted a Fee Inspector, with necessary police guard to assist at either end of the permanent bridge, who shall be authorised to collect fee in respect of any mechanical vehicle crossing the permanent bridge at the rates specified in the Schedule.

(3) There shall be provided, at either end of a permanent bridge, a cross bar for securing the stoppage of mechanical vehicles.

(4) The Fee Inspector shall ensure at the cross bar that passage is not allowed to mechanical vehicles unless the fee leviable in respect thereof has been paid.

6. Mode of collection of fee :-

(1) Every driver, owner or person incharge of a mechanical vehicle shall, before crossing the permanent bridge or after having crossed it, stop his vehicle at the cross bar and pay the fee leviable in respect of the vehicle at the fee collection booth. The Fee Inspector shall, in return, prepare a receipt in duplicate in Form- A and hand over one copy of the receipt to the driver/owner/person incharge of the mechanical vehicle.

(2) In the case of two or more bridges falling in close proximity to

each other within 80 kms from a point at the beginning of the approach of entry of the first bridge to be crossed, under the jurisdiction of the same executing agency, the fee may be collected, from the driver, owner or person in charge of each vehicle on the first bridge which he intends to cross. The driver, owner or person in charge of the vehicle holding the receipt of such payment shall be allowed to pass through other aforesaid bridges unhindered after showing the receipt to the Fee Inspectors posted on the other bridges. Details of such bridges shall be displayed at a conspicuous place near the fee collection booths of the bridges covered under this sub-rule, legibly written or printed in English, Hindi and the regional language of the area in which the said bridges are situated. The collection of fee will continue till aggregate cost of all bridges in the reach is recovered.

(3) The Fee Inspector shall, on receipt of the fee specified in the Schedule, fill up a receipt in duplicate in Form 'A' and deliver one copy thereof to the driver, owner or the persons in-charge of the vehicle in respect of which the fee has been paid and retain the second copy for record.

(4) When the same vehicle has to cross the bridge more than once in a day, the user shall have the option to pay one and a half times of the rate specified in the Schedule while crossing the bridges in the first trip itself, or if the vehicle has to use the bridge quite frequently the vehicle owner can have a monthly pass on the payment of charges equal to 30 single rates..

7. Remittance of fees collected :-

(1) The Fee Inspector on duty shall be responsible for the collection and safe custody of the amounts collected during his duty period. The Fee Inspector shall not leave the collection booth till his reliever takes over from him.

(2) The Fee Inspector shall maintain a cash register as prescribed in Form ' B' and keep it posted up to date.

(3) The Fee Inspector shall at the end of the period of his duty, hand over the amount collected by him to his reliever after obtaining the signature of the latter in the relevant column of the cash register.

(4) Every day between 1600 hrs and 1700 hrs the Fee Inspector on duty shall hand over the entire amount of fee collected during the

preceding 24 hours to the Sectional Officer/ Junior Engineer-in-charge of the bridge after obtaining his signature in the relevant column of the cash register.

(5) The Sectional Officer/Junior Engineer-in-charge shall keep the amounts of collection received from the Fee Inspector in the chest provided for the purpose at his office.

(6) The Sectional Officer/Junior Engineer-in-charge shall, on every Saturday or if happens to be a holiday, on the next working day, remit the amount received by him in respect of the week preceding the Saturday by a demand draft to the Pay and Accounts Officer. The Pay and Accounts Officer shall account the amounts so received in the relevant receipt head in his books.

(7) The Sectional Officer/Junior Engineer-in-charge shall maintain a register as prescribed in Form 'C' showing the remittance made to the Pay and Accounts Officer and shall keep the register posted up to date.

(8) The Sectional Officer/Junior Engineer-in-charge shall exercise supervision and control over the staff posted at the permanent bridge in connection with the collection of the fees and maintenance of proper accounts and records.

(9) The Sub-Divisional Officer, in-charge of the roads on which the permanent bridge is situated, shall pay surprise visits, at least twice amonth, at the offices of the Fee Inspector and the Sectional Officer/Junior Engineer-in-charge to check that the collection and remittance of fees by the staff is being done in accordance with the provisions of these rules. He shall countersign the cash register and other records maintained by the staff in token of such visit. Such visit, at least once in three months, shall also be made by the Executive Engineer concerned.

(10) In case the fee collection is through a contractor (on the basis of competitive bidding) the agreement duly executed shall provide for remittance by the contractor of the proportionate amount payable by the contractor for the period of contract at least once every month to the executive agency/or his authorised representative.

8. tenure of collection of fees :-

The levy of fee shall be discontinued in respect of bridges costing more than rupees 25 lakhs and upto rupees 100 lakhs completed

and opened to traffic on or after the first day of April, 1976 but, before the first day of May, 1992 on National Highways forthwith or after the expiry of the existing contract period in cases where contracts have been entered into for fee collection. The National Highways (Fees for use of Permanent Bridges) Rules, 1992 37 The levying of fee shall also be discontinued in respect of bridges costing more than rupees 100 lakhs completed and opened to traffic on or after First day of April, 1976 on National Highways as soon as the full cost of the bridge or a group of bridges including the cost of approaches, cost of structure to be put up for the collection of fees, guide bunds and protective works, including interest thereon as also the maintenance and special repairs expenditure thereon, upto the date of discontinuance of the levy is recovered.

9. Submission of returns :-

The executing agency concerned shall furnish in the first week of July, October, January and April to the Pay and Accounts Officer:-

(a) month-wise consolidation statement showing the amount collected and remitted on account of fees proceeds in respect of each permanent bridge with the details of number and date of the demand draft by which the amount has been remitted;

(b) month-wise break-up of the expenditure incurred on each permanent bridge by the executing agency required to be reimbursed on account of collection of the fees on the basis of actual expenditure incurred.

10. Furnishing of security :-

The Fee Inspector and the Sectional Officer/Junior Engineer-in-charge shall deposit a cash security of not less than Rs. 1000 by executing a security bond in the prescribed form as laid down in the Treasury Rules with the Executive Engineer.

11. Credit of the proceed of the fees and its utilisation :-

(I) The proceeds from the fees shall form part of the Consolidated Fund of India. A sum equal to the amount estimated to be received during an year shall be provided in the Demands for Grants of the Ministry of Surface Transport for transfer to a non-lapsing Reserve Fund not bearing interest within the Public Account of India, to be set up by the Central Government. The amount standing to the credit of the Fund would be allocated by the Central Government for development of National Highways in the State and the Union

Territories. The amount to be allocated to various States and the Union territories, shall as far as possible, be equal to the fee collected in the respective States under these rules, reduced by collection charge not exceeding 12 per cent of the total collections within the State. The collection charges shall be reimbursed to the executing agency concerned in the manner indicated in sub-rule (3) of this rule. The collections so made to the States and the Union Territories shall be over and above their normal plan allocations.

(2) The allocations so made shall, however, be subject to planning discipline and shall be a Plan expenditure which shall be augmented to the extent of the net proceeds after excluding the collection charges from the proceeds of the levy. The proceeds of the fees remaining unutilised at the end of the financial year shall not lapse at the close of that financial year but shall be available for being utilised during subsequent year or years against individual works to be approved by the Central Government.

(3) Payments of the amounts in reimbursement of the expenditure incurred by the executing agencies on collection of fees, not exceeding 12 per cent of the total collection of fees shall be made by the Central Government by specific payment sanctions from out of the specific budget provision to be made by the Central Government in its budget from year to year.

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