

**GOVERNMENT OF INDIA
ROAD TRANSPORT AND HIGHWAYS
LOK SABHA**

STARRED QUESTION NO:90
ANSWERED ON:12.08.2013
VIOLATION OF TOLL NORMS
Bhoi Shri Sanjay;Gaikwad Shri Eknath Mahadeo

Will the Minister of ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) the norms/guidelines for regulating collection of toll by developers on the National Highways;
- (b) whether any instances of violation of contractual norms by private highway developers for toll maximization have come to the notice of the Government;
- (c) if so, the details thereof; and
- (d) the action taken or proposed to be taken by the Government in this regard?

Answer

MINISTER OF ROAD TRANSPORT AND HIGHWAYS (SHRI OSCAR FERNANDES)

(a) to (d) A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO.90 FOR ANSWER ON 12TH AUGUST, 2013 ASKED BY SHRI SANJAY BHOI AND SHRI EKNATH M. GAIKWAD REGARDING VOILATION OF TOLL NORMS.

(a) Yes Madam. Government has notified the National Highways Fee (Determination of Rates & Collection) Rules, 2008 on 5.12.2008, as amended from time to time, for the projects taken up on or after 05.12.2008. For the stretches completed before 5th December, 2008 the fee collection is as per the National Highways (collection of Fees by any person for the use of Section of National Highways/Permanent Bridge/Temporary Bridge on National Highways) Rules, 1997; the National Highways (Fees for the use of National Highways Section and Permanent Bridge – Public Funded Project) Rules, 1997; and the National Highways (Rate of fee) Rules, 1997 for those completed after the date of notification of these Rules. The above mentioned Rules have been notified under Section 7 of the National Highways Act, 1956. The user fee on a stretch of National Highway is collected as per the individual Notifications published in the Official Gazette by the Central Government. In cases where a particular stretch of National Highway is entrusted to a State Government/UT, they comply with the Notifications issued by the Central Government.

(b)to(d) Cases reported for violation of contractual provisions by the private highway developers for user fee maximization and action taken there on is given below:

State / RO Name OF Project / Highway Developers Violation	Nature of Action Taken
Gujarat Ahmedabad Vadodara	
Non implementation of Concessionaire has	
Expressway on NH NE 1	various concessions under implemented the provision
National Highways Fee	of return journey
(Determination of Rates	and multiple journey
and Collection) Rules,	passes.
2008 along with amendment	
rules 2010 along with	
amendment rules 2011	
from 01.01.2013 to	
30.06.2013 by the Concess-	
ionaire on Ahmedabad	
Vadodara Expressway	

Karnataka

Six laning of Tumkur-

1.M/s. IRB Tumkur -

After examining the issue

Chitradurga (excluding Chitradurga by the Engineer and Tumkur & Chitradurga Tollway P. Ltd., NHAI, Notices have bypass) section from the Concessionaire for been issued to Concess- Km 75.00 to Km 189.00 6-laning of Tumkur- ionaire to stop such of NH-4 (Approx.114. Chitradurga section of unauthorized user 00Km) in the State NH4 had installed fee collection. of Karnataka. Temporary toll booths Finally, the Concess- Developer / Concess- in service road in Hiriyur ionaire stopped user ionaire: M/s. IRB Town at Km 156.700 (2 Nos.) fee collection at these Tumkur - Chitradurga and at Km 160+500 (4 Nos.) toll booths on 05.06. Tollway P. Ltd on NH4, in accordance to 2013 and deposited all the clause 27.4 & 27.8, the user fee collected to prevent evasion of in the above toll toll fee by vehicles booths, for the period plying on the highway and from 15.02.2013 to started collection of user 05.06.2013 plus fee w.e.f 15.02.2013. damages @ 25% amounting to Rs.3.33 Crores. to NHAI as per Clause 27.11.3 of Concession Agreement.