

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

STARRED QUESTION NO:323
ANSWERED ON:31.07.2014
COLLECTION OF TOLL TAX
Paswan Shri Chhedi

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

- (a) the details of rules/guidelines governing collection of toll tax by the concessionaires/construction companies on the National Highways (NHs);
- (b) whether toll tax is reportedly being collected by the concessionaires/ construction companies on the National Highways including on NH2 from Mohansari (Varanasi) to Aurangabad (Bihar) despite incomplete construction, poorly finished overbridge, water logged underpass, road full of potholes etc.;
- (c) if so, the details thereof and the number of such cases reported during last three years and the current year, NH-wise along with the action taken by the Government/NHAI against such erring operators/companies;
- (d) the mechanism put in place by the Government/NHAI to regulate collection of tax on NHs as per rules/guidelines laid down for the purpose; and
- (e) whether the record of expenditure incurred on the development and maintenance of stretch of road under toll is maintained, if so, the details thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (SHRI KRISHANPAL GURJAR)

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

STATEMENT

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 323 FOR ANSWER ON 31.07.2014 ASKED BY SHRI CHHEDI PASWAN REGARDING COLLECTION OF TOLL TAX.

(a) The user fee (Toll) is being levied and collected as per the applicable fee rules and provisions of the concession agreement. The applicable fee rules are 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 and National Highways Fee (Determination of Rates and Collection) Rule, 2008.

(b) & (c) There is provision in the Concession Agreement of some projects for collection of user fee on partial completion. In such cases user fee is levied and collected for the completed length of the project. The list of such projects is enclosed at Annexure-I. In case of 6 laning projects, the concession agreements permit tolling with effect from appointed date. The list of such projects is enclosed at Annexure-II. The specific details of projects on NH-2 from Mohansari

(Varanasi) to Aurangabad (Bihar) are enclosed at Annexure-III.

(d) As per the provisions of the Concession Agreement, the concessionaire shall, from time to time, inform the Authority about the applicable fee and detailed calculation thereof, Such information shall be communicated at least 15 (fifteen) days prior to the revision of fee. The Concessionaire shall not revise, display or collect any amounts in excess of the rates of Fee payable under the Fee Rules. In the event any excess amounts is collected by or on behalf of the Concessionaire, it shall, upon receiving a notice to this effect from the National Highways Authority of India (NHAI), refund such excess amounts to the NHAI along with Damages equal to 25% (twenty five per cent) of excess amount.

(e) The concessionaires are required to maintain a separate project Escrow Account as per stipulations in the concession agreement. The record of expenditure incurred on the development and maintenance of stretch of road under toll is done by the Statutory Auditor of the project. The Concessionaires are required to submit copies of audited annual accounts every year and unaudited statements every quarter to NHAI as per provisions of concession agreement.