

THE NATIONAL HIGHWAYS FEE (DETERMINATION OF RATES AND COLLECTION) RULES, 2008¹

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 (Temporary Bridges) Rules, 1964, 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 Fees) Rules, 1997, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules for collection of fee for use of sections of national highways, permanent bridges, bypasses and tunnels, namely:—

1. **Short title and commencement.**—(1) These rules may be called the National Highways Fee (Determination of Rates and Collection) Rules, 2008.

(2) They shall come into force on the date² of their publication in the Official Gazette.

(3) They shall not apply to agreements and contracts executed and bids invited prior to the publication of these rules.

³[(4) They shall apply to the agreement and contracts executed and bids invited relating to public funded projects and the build, operate and transfer (annuity) projects prior to the publication of the said rules.]

2. **Definitions.**—(1) In these rules, unless the context otherwise requires,—

(a) "Act" means the National Highways Act, 1956 (48 of 1956);

(b) "base year" means the period from 1st April, 2007 to 31st March, 2008;

³[(ba) "build, operate and transfer (annuity) project" means a project relating to any Section of a national highway, permanent bridge, bypass or tunnel, as the case may be, for which an agreement is entered into with a concessionaire, for payment of annual grant for construction of section of highway;]

(c) "bypass" means a section of the national highway bypassing a town or city;

(d) "concessionaire" means a person with whom an agreement has been entered into under section 8A of the Act;

(e) "elevated highway" means any section of national highway raised above ground level through support of piers or columns;

(f) "executing authority" means an officer or authority notified by the Central Government under section 5 of the Act;

(g) "expressway" means a national highway having a divided carriageway suitable for high speed traffic and with control of access;

⁴[(ga) "fee plaza" means any building, structure or booth made for collection of fee;]

(h) "financial year" means the year commencing on the 1st day of April of a year and ending on 31st day of March of the succeeding year;

1. *Vide* G.S.R. 838(E), dated 5th December, 2008, published in the Gazette of India, Extra., Pt. II, Sec. 3(i), dated 5th December, 2008.

2. Came into force on 5-12-2008.

3. *Ins.* by G.S.R. 756(E), dated 12-10-2011 (w.e.f. 12-10-2011).

4. *Ins.* by G.S.R. 585(E), dated 8th June, 2016 (w.e.f. 8-6-2016).