



भारतीय राश्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय)
National Highways Authority of India
(Ministry of Road Transport and Highways)
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NHAI/13013/Misc./19-20

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Sub. : Clarification on extant rules/guidelines on reported exemptions from payment of User Fee (Toll) at Fee (Toll) plazas

On the above issue, the following is clarified based on extant Rules notified by the Government of India concerning User Fee (Toll) collection on National Highways:

- (i) The User Fee (Toll) at a Fee (Toll) plaza is collected from users of NH Section on crossing the fee plaza. The User Fee rates at a particular plaza is governed by the applicable NH Fee Rules notified by the Government of India and the stipulations of concession agreement with respect to the particular fee plaza, in case BOT (Toll) projects.
- (ii) Ministry of Road Transport and Highways vide National Highways Fee (Determination of Rates and Collection) Rules 2008 sub-rule 11 as amended vide notification dated 03.12.2010 and 08.06.2016 has notified the list of vehicles exempted from payment of User Fee (list of such vehicles is enclosed).
- (iii) As may be seen from the above rule position, there is no exemption from payment of user fee (toll) for the advocates. As such, it is clarified that there is no provision of exemption to User Fee to any road user except that provided in the extant NH Fee Rules.

This issues with the approval of Competent Authority.

Encl.: As above


(Awadhesh Kumar)
General Manager (CO)

Reference: Amendment Notification GSR 950(E) dated 3.12.2010 & GSR 585(E) dated 08.06.2016 of National Highways Fee (Determination of Rates and Collection) Rules, 2008 (Ref. GSR 838(E) dated 5.12.2008) & MoRTH OM dated 17.06.2014

Exemption from payment of fee – No fee shall be levied and collected from mechanical vehicles

(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 or 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 Param 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 thereunder, as extended to Navy also; Further as per MORTH OM dated 17.06.2014, it has been clarified that exemption under Indian Toll (Army and Air Force) Act, 1901 from payment of user fee is available to the persons who are 'on duty' and doesnot pertain to retired personals. No exemption is available on use of personal vehicle if it is not used for discharging any official purpose and duty even if it accompanies the said official. The exemption is available only on production of pass as specified in the Indian Toll (Army and Air Force) Rules, 1942.

(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 defect or disability.