

# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

## National Highways Authority of India

(Ministry of Road Transport and Highways)

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No.11041/218/2007-Admn

Date : 02.05.2014

### Policy Circular - Technical (154/2014)

(decision taken on the file of HAM Division)

#### Sub. : Prevention of Overloading – Amendment to Fee Rules dated 16.12.2013.

The Fee Rules on overloading have been amended vide Amendment dated 16.12.2013 [G.S.R.778(E)]. The amended rules prescribe as under :

10 (1) Without prejudice to the liability of the driver or owner or a person in charge of a mechanical vehicle under any law for the time being in force, a mechanical vehicle which is loaded in excess of permissible load specified for its category under sub-rule(2) of rule 4, shall not be permitted to use the National Highway or crossing the toll plaza until the excess load has been removed from such mechanical vehicle."

(1A) The driver or owner or a person in charge of a mechanical vehicle shall be liable to pay fee, for entering the overloaded vehicle on the national highway to the toll collecting agency, equal to ten times of the fee applicable to such category of mechanical vehicles under sub-rule(2) of rule 4.

(2) The weight of a mechanical vehicle, as recorded at a weighbridge installed at the toll plaza, shall be the basis for levying the fee for overloading under this rule:

Provided that where no weighbridge has been installed at the toll plaza, no fee for overloading shall be levied and collected under this rule and the driver, owner or person incharge of the mechanical vehicle shall be liable to pay fee applicable for such vehicle only.

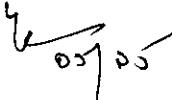
3. Ministry vide OM dated 13.03.2014 (copy enclosed) conveyed that the provisions of overloading as amended on 16.12.2013 shall have universal application on all the National Highways. **This means the above amended rules are applicable to all the Concession Agreements irrespective of their date of execution.** We are also taking up the matter with the Ministry to delete second para of sub-rule 10(2) mentioned above so as to make installation of weigh bridges at all the Toll Plazas mandatory.

4. The Concessionaires may be asked to install weigh-in-motion (WIM) systems in each toll lane and one static weigh bridge in each direction at their Toll Plazas, even if such provision does not exist in Schedule-D/ Concession Agreement and observe the above amended rules scrupulously. This cost may be met by the Concessionaires from the amount being collected as per above amendment from the overloaded vehicles. It is to be noted that not only 10 times applicable fee is to be collected, but also the excess load has to be removed before the vehicle is allowed to cross the Toll Plaza.

Contd.. 2

5. All Concessionaires may also be asked to display prominently the above Amended Rule-10 of Fee Rules at all the Toll Plazas (only Rule-10 is to be displayed, not the entire amended notification). In the interest of transparent implementation of above amendment, it is required to incorporate a provision in the Toll Systems Software for displaying/ charging 10 times the applicable fee in case any overloaded vehicle enters the toll booth. In order to properly account for the fee collected It is also required to add a category of overloaded vehicle after oversized vehicles In the formats prescribed for the reports in Schedule-M&N (Ref. Clause 27.10). Beginning from the month of May, 2014, the reports may not be accepted without addition of above information on overloaded vehicles in the reports. As a proof of compliance of above directions, the photographs at each Toll Plaza under your jurisdiction may please be furnished to CO Division, NHAI, HQ.

Encl. : G.S.R.778(E) dated 16.12.2013; and  
OM dated 13.03.2014 of Ministry.

  
(V.K. Sharma)  
CGM(Coord)

**Copy to :**

1. All CGM/ RO, NHAI
2. All PDs NHAI.

**Copy for information to :**

All CGM(T) at NHAI, HQ.

GOVERNMENT OF INDIA  
सडक परिवहन एवम् राजमार्ग मंत्रालय  
MINISTRY OF ROAD TRANSPORT & HIGHWAYS

Transport Bhawan, 1, Parliament Street,  
New Delhi, Dated the 13<sup>th</sup> March, 2014

OFFICE MEMORANDUM


Subject: Prevention of overloading.

Govt. has amended the National Highways Fee (Determination of Rates and collection) Rules, 2008 to prevent overloading vide Notification No. G.S.R 778(E) dated 16.12.2013.

2. Overloading of vehicles is not only detrimental to the economic life of the highways and the roads on which the mechanical vehicles ply but more importantly also leads to larger safety related issues.

3. Competent authority has now decided that the provisions of overloading as amended on 16.12.2013 shall have universal application on all the National Highways

Yours faithfully,


  
(N.K.SHARMA)  
Director(Toll)

To,

Chairman, NHAI  
AS&FA, MoRT&H  
DG(RD)&SS  
JS(H)  
JS(T)  
PS to Hon'ble Minister(RT&H),  
PPS to Secretary(RT&H)  
PPS to JS(LA&P)

सं.टी.एल. 116/मं.प्र.सं. (रत्न)  
28 मार्च, 2014

DGM(E)-H.M.

  
28/3/2014

Pl. Spk & printup in file.

Gm (Safety)  
28/3

Gm (CO)

Commitment (CM)  
CGM (Coord)

28/3  
Gm (ASV)

M/A  
C/M (CO)

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28/03/14