



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय)

National Highways Authority of India

(Ministry of Road Transport and Highways)

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NHAI/Policy Guidelines/PF Toll Plaza/2021 Policy Circular No.17.5.80/2021, Dated 06th April, 2021 (Decision taken on e-File Comp No. 50225)

Sub: Atmanirbhar Bharat: Relief for Contractors/developers of Road Sector- Direction for implementation of relief to User Fee Collection Contractors on Public Funded Projects- Relief in interest rate for payment of remittance.

In continuation to NHAI Policy No. 17.5.79 dated 28th May, 2020 followed by office orders issued from time to time in this regard and in accordance with decision of 462nd Executive Committee (EC) meeting held on 11th March, 2021, (Agenda Item No. 462.12) with respect to representation received from All India User Fee Contractors Federation (AIUCF), interest rate as given below shall be charged/payable on delayed remittance for the contracts executed prior to COVID-19 and continued during COVID-19 period for Force Majeure Claims only.

- (i) Interest @12% per annum shall be charged on the shortfall in estimated remittance deposited by the contractors from due date till seventh day post communication of estimated remittance by ROs/PIUs to the user fee collecting agencies.
- (ii) Interest rate as per clause 19 shall be applicable thereafter on delayed deposition of estimated remittance.

Illustration is at Annexure-A.

2. The ROs/PIUs may settle the Force Majeure Claims of COVID period after considering above relief approved by EC. This dispensation is not applicable to other Force Majeure claims and will cease after the closure of Force Majeure settlements of COVID-19 pandemic period.

3. This issues with the approval of Competent Authority.

Sh Sheo
06.04.2021
(Sheo Shankar Jha)
CGM (Coord.)

To:

All officers of NHAI/HQ/ROs/PIUs/CMUs/Site Offices

Copy to:

1. PS to Chairman
2. PS to All Members/CVO
3. Hindi Officer for translation in Hindi
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Annexure-A

Illustration:

(a)	Agreed Remittance due as per Contract Agreement as on the due date	Rs. "x"/-
(b)	Remittance deposited by User Fee Collection Agency on the due date	Rs. "y"/-
(c)	Estimated remittance as per FMC settlement communicated to UFCA by RO/PIU	Rs. "z"/-
Note: Shortfall between Rs. "x"- "z" is already waived off vide NHAI policy circular dated 28.05.2020.		
(d)	If "y" > "z", then no penal interest is applicable.	
(c)	If "y" < "z", then shortfall in remittance will attract interest @12% per annum (on Rs. "z"- "y") from due date till seven days post communication of estimated remittance by ROs/PIUs to the user fee collecting agencies. After seven days of intimation by ROs/PIUs to UFCA, the penal interest will be applicable as per Clause 19 of Contract Agreement (that is @0.2% per day upto one month delay and @0.5% per day for further delay beyond one month)	

Sample Calculation:

(a)	Agreed Remittance due as per Contract Agreement as on the due date (lets say on 01.05.2020)	Rs. 100/-
(b)	Remittance deposited by User Fee Collection Agency on the due date (on 01.05.2020)	Rs. 50/-
(c)	Estimated remittance as per FMC settlement communicated to UFCA by RO/PIU (lets say on 01.06.2020)	Rs. 60/-
Shortfall of Rs. 40/- (i.e. Rs. 100 - Rs. 60) is already waived off vide NHAI policy circular dated 28.05.2020.		
Shortfall in estimated remittance as on 01.05.2020 is Rs. 10/- (i.e. Rs. 60 - Rs. 50) which is communicated to UFCA on 01.06.2020. Therefore penal interest @12% per annum (on Rs. 10/-) will be applicable from 01.05.2020 to 07.06.2020. Thereafter penal interest @0.2% per day upto one months and 0.5% per day beyond one month as per Clause 19 of Contract Agreement will be applicable.		

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