



भारतीय राश्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय)
National Highways Authority of India

(Ministry of Road Transport and Highways)

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CIRCULAR

Sub.: Provision for overloading of vehicles in the Model Concession Agreement (MCA).

The overloaded vehicles cause sever damage to the road infrastructure. To prevent such damage, clause 27.10 has been provided in the Model Concession Agreement for BOT & OMT projects, which reads as under:

"Without prejudice to the liability incurred under the Applicable Laws by any person driving a vehicle that is loaded in excess of the permissible limit set forth in such laws, the Concessionaire may recover Fee for such overloaded vehicle at the rate applicable to the next higher category of vehicles.


Provided that such Fee shall be levied on the basis of actual Gross Vehicle Weight as measured by a standardized static weighing machine to be installed by the Concessionaire at [each of] the Toll Plaza[s] and where no such weighing machine has been installed, the Concessionaire shall not be entitled to collect Fee for the next higher category of vehicles.

Provided further that upon detection of overloading, the Concessionaire shall prevent the vehicle from using the Project Highway until the excess load has been removed from such vehicle and the Authority shall not be liable for any act of omission of the Concessionaire in relation to such vehicle or person driving such vehicle."

However, it has been observed that the above provision of MCA is not being enforced strictly to prevent the road infrastructure from being damaged by overloaded vehicles.

Therefore, all concerned are directed to ensure that these provisions of MCAs are enforced strictly.

This issues with the approval of Competent Authority.


(P. K. Sharma)
General Manager (CMC)

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All Members
All CGMs / GMs / DGMs & Managers