

The Haryana Mechanical Vehicles (Bridge Tolls) Act, 1974

HARYANA

India

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Act 44 of 1974

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The Haryana Mechanical Vehicles (Bridge Tolls) Act, 1974 Haryana Act No. 44 of 1974 Statement of Objects and Reasons. - The State Government have an ambitious road programme which has to be implemented. New roads have to be provided and the existing roads have to be improved and maintained in a better way. This bill is intended to provide for raising some part of the funds for the maintenance and construction of roads in the State. Published vide Haryana Gazette Extra. dated 22.11.1974 P. 1661. It has now been deemed expedient to re-enact the measure in its application to the State of Haryana. An Act to provide for the levy and collection of tolls on mechanical vehicles crossing certain bridges in the State of Haryana. Be it enacted by the Legislature of the State of Haryana in the Twenty-fifth Year of Republic of India as follows :-

1. Short title and extent.

(1) This Act may be called the Haryana Mechanical Vehicles (Bridge Tolls) Act, 1974. (2) It extends to the whole of the State of Haryana.

2. Definitions.

- In this Act, unless the context otherwise requires, -(a) "bridge" means a bridge which may, from time to time, be notified as such by the State Government; (b) "National Highways" shall have the meaning assigned to it in the National Highways Act, 1956; (c) "mechanical vehicle" means any laden or unladen vehicle designed to be driven under its own power including a motor vehicle as defined in clause (18) of section 2 of the Motor Vehicles Act, 1939, but does not include a cart or bicycle; (d) "Toll Inspector" means a person authorised by the State Government to collect toll in respect of any mechanical vehicle crossing a bridge and includes every Government servant posted at a bridge in connection with the collection of toll; and (e) "urban road links" means -(i) portion of existing National Highways lying within towns having a population of 20,000 or more; and (ii) roads

in towns having a population of 20,000 or more connecting the points of the two or more National Highways at the boundary of the town.

3. Rate of toll and its Payments.

(1) There shall be levied and paid to the State Government on every mechanical vehicle specified in column 2 of the Schedule to this Act, crossing a bridge, a toll at the rate specified against each mechanical vehicle in columns 3 and 4 thereof : Provided that no toll shall be levied - (i) on Defence Service Vehicles, and such other mechanical vehicle or class of mechanical vehicles, as the State Government may, by general or special order, exempt from the levy or payment of the toll; (ii) on any mechanical vehicle crossing any bridge on National Highways or urban road links. (2) Every person in charge of a mechanical vehicle shall, before crossing a bridge, pay to the Toll Inspector posted at the entrance of the bridge, the toll and shall not cross the bridge without obtaining a receipt from him in token of having paid the amount thereof. (3) Such receipt shall be handed over to the Toll Inspector posted at the other end of the bridge.

4. Power to Toll Inspector.

- The driver of a mechanical vehicle shall cause the vehicle to stop when required to do so by the Toll Inspector to enable him to carry out the duties imposed on him by or under this Act.

5. Offences and penalties.

(1) Whoever - (a) attempts to cross any bridge without complying with the provisions of this act; (b) obstructs the Toll Inspector in the discharge of his duties imposed by or under this Act; or (c) contravenes any other provision of this Act or the rules made thereunder or any order or direction made under any such provision or rule; shall, on conviction, be liable to a fine which may extend to fifty rupees. (2) No Magistrate shall take cognizance of any offence under this Act except on a complaint, in writing, made by the Toll Inspector.

6. Protection of action taken in good faith.

- No suit, prosecution or other legal proceedings shall lie against any person, authorised to act by or under this Act, for anything done or purporting to have been done in good faith under this Act or the rules made thereunder.

7. Bar of jurisdiction of civil courts.

- No civil court shall have jurisdiction in respect of any matter which the State Government or any other person or authority is empowered by or under this Act or the rules made thereunder to dispose of or take cognizance of, and regarding the manner in which the State Government or such person or authority exercises any powers vested in it or him by or under this Act or the rules made thereunder.

8. Power to make rules.

(1) The State Government may, by notification, make rules for securing the levy and collection of toll and generally for carrying out the purposes of this Act. Every rule made under this section shall be laid, as soon as may be after it is made, before the House of the State Legislature while it is in session for a total period of ten days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, the House agrees in making any modification in the rule or the House agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under the rule.

Schedule

(See section 3)

of rates of Toll

Serial No.	Particulars of the type of vehicle on which toll is leviable	Rate of Toll (in rupees)	
		Outward journey	Return journey, if completed by the mid-night of the following day, on presentation of the original receipt of payment of toll for the outward journey
1	2	3	4
1	Tractors carrying trailers or motor trucks when -		
	(a) laden with goods	3.00	3.00
	(b) unladen	2.00	0.50
2	Trailer attached to a truck when -		
	(a) laden with goods	1.50	1.50
	(b) unladen	1.00	0.25
3	Motor bus -		
	(a) with passengers	3.00	3.00
	(b) empty (without passengers)	2.00	0.50
4	Light motor vehicle such as jeep, car, pick-up van, landrover, station wagon tractor, delivery van	2.00	0.50
5	Trailer attached to a motor car, pick-up van, jeep, landrover, station wagon, when-		

	(a) laden with goods	0.75	0.25
	(b) unladen	0.50	0.20
6	Motor bicycle, including scooter	1.00	0.25
7	Motor bicycle with side-car or trailer	1.50	0.40
8	Motor tricycle, namely, motor rickshaw, including scooterrickshaw	1.25	0.30
9	Any other mechanical vehicle not hereinbefore specifically provided for	3.00	3.00