

Nehru Outer Ring Road, Hyderabad (Toll) Rules, 2012

ANDHRA PRADESH

India

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Rule

NEHRU-OUTER-RING-ROAD-HYDERABAD-TOLL-RULES-2012 of 2012

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Nehru Outer Ring Road, Hyderabad (Toll) Rules, 2012 Published vide Notification No. G.O. Ms. No. 365, Municipal Administration & Urban Development (12), dated 22.09.2012 Last Updated 4th September, 2019 No. G.O. Ms. No. 365. - In exercise of the powers conferred by section 79 read with clause (uu) of Section 2 of the Andhra Pradesh Infrastructure Development Enabling Act, 2001 Andhra Pradesh Act No.36 of 2001 and all other powers hereunto enabling the Governor of Andhra Pradesh here by makes the following rules for collection of Fee from any person for the use of Access Controlled Expressway (Main Carriageway) on Nehru Outer Ring Road (NORR), Hyderabad, which passes through Patancheru (on NH-9 to wards Mumbai) Dundigal, Shamirpet, Keesara, Ghatkesar (on NH-202 towards Warangal) Pedda Amberpet (on NH-9 towards Vijayawada) Bonglur, Tukuguda, Shamshabad (on NH-7 towards Benguluru) APPA, Narsingi, Gachibowli providing connectivity to various National Highways, State Highways & MDRs. by the Hyderabad Growth Corridor Limited (HGCL).

1. Short title.

- These Rules may be called the Nehru Outer Ring Road, Hyderabad (Toll) Rules, 2012.

2. Definitions.

- In these rules unless the context otherwise requires, (a) "Access Controlled Expressway" means a highway designed exclusively for high speed vehicular traffic, with traffic flow and ingress/egress regulated; (b) "Entry Number" means the Toll Plaza number for taking entry into a section of Outer Ring Road to be travelled. No toll fee shall be collected at the entry; (c) "Exit/ Entry ramps" means a short section of road which allows vehicles to enter or exit the Expressway and also refers to an inclined surface or roadway connecting different levels; (d) "Exit Number" means Toll Plaza number

for taking exit from a section of Outer Ring Road travelled, i.e. end point of a section of Outer Ring Road travelled, where toll/user fee is collected;(e)"Government" means the Government of Andhra Pradesh;(f)"HGCL" means Hyderabad Growth Corridor Limited a joint venture of Infrastructure Corporation of Andhra Pradesh(INCAP) and Hyderabad Metropolitan Development Authority(HMDA);(g)"HMDA" means Hyderabad Metropolitan Development Authority;(h)"Interchange" means a road junction that typically uses grade separation and one or more ramps to permit traffic on at least on highway to pass through the junction without directly crossing any other traffic stream and also refers to a connecting facility at which Vehicle can take entrance on to Outer Ring Road or Exit from Outer Ring Road;(i)"Manual card" means a card issued by User fee Collecting Agency in order to verify the entrance number entered by a mechanical vehicle;(j)"Mechanical Vehicle" means any laden or unladen vehicle designed to be driven under its own power, including, a motor vehicle as defined in clause(28) of Section 2 of the Motor Vehicle Act, 1988 (Act No.59 of 1988);(k)"Service Roads" means a road that runs parallel to the expressway or interstate highway and that provides access to the Vehicular movement in both directions and connects Interchanges;(l)"Section of Outer Ring Road" means continuous length of Eight lane access controlled Expressway on Outer Ring Road;(m)"Toll Plaza" means any building, structure or booth made for collection of fee;(n)"Touch & Go/Electronic Toll Collection Cards" means contact less cards for using Electronic Toll Collection system or Touch & Go system;(o)"User Fee" means collection of prescribed fee from any person of various categories of mechanical vehicles for the use of Road section i.e. Eight lane Access Controlled Expressway on Outer Ring Road which may be termed as Toll/ Toll fee. User fee shall not be collected for use of service roads;(p)"WPI" means the Wholesale Price Index as published by Ministry of Commerce & Industry, Government of India or any Index published in substitution thereof by the Government of India.

3. Agreement, Levy and Collection of User fee.

- User fee shall be paid by every Driver / Owner/ person in-charge of the mechanical vehicles for the use of Access controlled Expressway to the fee collecting agency on behalf of the Hyderabad Growth Corridor Limited at the rates notified by the Government of Andhra Pradesh in the Official Gazette.(1)The Hyderabad Growth Corridor Limited may enter into an agreement with any Agency / Company/ Partnership/ person for collection of User fee on Outer Ring Road. They may be permitted to deploy their man power equipment etc., to collect User fee at the agreed rates from different categories of mechanical vehicles for an agreed period for the use of the facilities thus created, subject to terms and condition of the agreement and these rules.(2)On completion of the period of collection of fees by the user fee collecting agency, as per the agreement, the road section shall be deemed to have been taken over by the Hyderabad Growth Corridor Limited and Hyderabad Growth Corridor Limited shall continue to collect the fees as notified from time to time.(3)The amount of fee, the categories of vehicles exempted from payment of fee and the name and address and Telephone Number of the Authority to whom complaints, if any, should be addressed shall be conspicuously and prominently displayed 500m ahead of the Toll booths and at the Toll booths in English, Hindi and Telugu by the agency.

4. Base Rate of Fee.

(1) The rate of fee for use of the section of Outer Ring Road shall be identical. The fee for use of a section of Outer Ring Road shall, for the base year 2007-08, be the product of the length of such section multiplied by the following rates, namely

Type of Vehicle	Base Rate of Fee per Km (in Rupees)
(1)	(2)
Cars / Jeep / Van / LMV/SUV/MPVLCV / Mini Bus	0.65
Truck 1.3-axle commercial vehicles	1.05
Heavy Construction Machinery / Earth Moving Equipment / 4/5/6 axle trucks	2.20
Over sized vehicles (7 or more axles)	4.40

Explanations. - (a) "Car" or "Jeep" or "Van" or "Light Motor Vehicle" or Sports Utility vehicle or multipurpose vehicle means any mechanical vehicle the gross vehicle weight of which does not exceed Seven Thousand five hundred kilo grams or the registered passenger carrying capability as specified in the certificate of registration issued under the Motor Vehicles Act, 1988 does not exceed twelve excluding the driver. (b) "Light Commercial Vehicle" or "Light Goods Vehicle" or "Mini Bus" means any mechanical vehicle with a gross vehicle weight exceeding Seven Thousand five hundred kilo grams but less than twelve thousand kilo grams or the registered passenger carrying capability as specified in the certificate of registration issued under the Motor Vehicles Act, 1988 exceeds twelve but does not exceed thirty two excluding the driver. (c) "Truck" or "Bus" means any mechanical vehicle with a gross vehicle weight exceeding twelve thousand kilo grams but less than Twenty thousand kilo grams or the registered passenger carrying capability as specified in the certificate of registration issued under the Motor Vehicles Act, 1988 exceeds Thirty two excluding the driver. (d) "Three Axle Vehicle" means any mechanical vehicle having three axles (inclusive of the axle of the trailer, if any) with a gross vehicle weight, less than or equal to Twenty five thousand kilo grams. (e) "Heavy construction machinery" or "Earth moving equipment" or "Multi Axle Vehicle" means Heavy construction machinery or earth moving equipment or mechanical vehicle including a Multi Axle Vehicle with four to six axles or vehicle (inclusive of the axle of the trailer, if any) with a gross vehicle weight exceeding twenty five thousand kilo grams but less than sixty thousand kilo grams: and (f) "Over sized Vehicle" means any mechanical vehicle having seven or more axles or vehicle with a gross vehicle weight exceeding sixty thousand kilo grams. (2) The Toll Rates shall be determined based on the different type of vehicle and the distance travelled by it. The toll rates for the Year 2011-12 were obtained based on G.O. Ms. No. 92 of MA & UD (12) Dept, dated 08-03-2011, and Gazette of India, GSR 838(E), dated 05-12-2008. These base rates will be projected into the subsequent Years at the rate of 3% increase per year as per the above mentioned GO and Gazette. The obtained toll rate per Kilo Meter will be multiplied by the distance to obtain the toll rate between each segment of the Outer Ring Road. These rates will be rounded off to the nearest 10 (Ten) Rupees as per the GO. (3) The Hyderabad Growth Corridor Limited may notify the Fee separately for Outer Ring Road as and when required. (4) The rates fixed under sub-rule (1) above may be reviewed after every year based on Whole Sale Price Index by the Hyderabad Growth Corridor Limited over the rates notified. (5) The calculated rates for specific length of Project stretch

shall be rounded off to nearest Ten rupees.

5. Annual Revision of Rate of Fee/ Toll.

(1)The rates specified under rule 4 shall be increased by three percent, each year and such increased rate shall be deemed to be the base rate for the subsequent years.(2)The applicable base rates shall be revised annually with effect from April 1 each year to reflect the increase in Wholesale Price Index between the week ending on January 6, 2007 (i.e. 2008.7) and the week ending on or immediately after January 1 of the year in which such revision is undertaken but such revision shall be restricted to forty percent of the increase in Wholesale Price Index.(3)The formula for determining the applicable rate of fee shall be as follows:-

Applicable rate of fee = base rate + base rate x{| | WPI A- WPI B| | }x 0.4|

Explanation. - for the purposes of this sub-rule:-(a)Applicable rate of fee shall be rate payable by the user.(b)Base rate shall be the rate specified in Rule 4 read with sub-rule (1) of 5;(c)WPI A means the Wholesale Price Index of the week ending on or subsequent to 1st January immediately preceding the date of revision under these rules; and.(d)WPI B means the Wholesale Price Index of the week ending on 6th January, 2007 i.e. 2008.7.(4)Annual Revision of rate of fee under this rule shall be effective from First of April every year.

6. Modalities of fee Collection.

(1)Fee levied under these rules shall be collected by the Hyderabad Growth Corridor Limited or user fee Collecting Agency, as the case may be, at the toll plaza.(2)Every driver owner or person in charge of a mechanical vehicle shall for the use of the section of Outer Ring Road, before crossing the toll plaza, at Exit, pay the fee specified under these rules.(3)The fee collected under these rules shall be paid either in cash or through smart card or on board unit (transponder) or any other like device.provided that no additional charges shall be realized for making the payment of fee by use of smart card or on board unit (transponder) or any other such device.(4)Any driver, owner or person in charge of a mechanical vehicle who opts for the installation of on board unit (transponder) or any other such device for payment of fee, shall deposit a refundable security equivalent to the cost of the equipment with Hyderabad Growth Corridor Limited or user fee collecting agency, as the case may be, for such installation and no interest shall accrue on such security deposit.(5)The person receiving such fee under sub-rule (2), shall issue to the driver, owner or person in charge of mechanical vehicle a receipt, specifying therein the date and time of such receipt of fee, total amount received and the class of vehicle for which the fee has been received.Provided that where the fee is paid through smart card or on board unit (transponder) or any other device, a receipt shall be issued on demand only.(6)The fee shall be collected in perpetuity by the Hyderabad Growth Corridor Limited and the user fee collecting agency, for the period mentioned in the agreement.

7. Location of toll plaza.

- The toll plaza shall be established at each of the Interchanges / or at any other place decided by

Hyderabad Growth Corridor Limited where entry and exit of vehicles is allowed on to the Access controlled Expressway.

8. In-charge of fee Collection.

(1)The person authorized to collect and retain the fees under these rules shall nominate an Agency as In-charge of fee collection and the person as also the official so nominated shall be responsible to ensure that fees are collected at not more than the agreed rates and the fee collected is smooth without causing undue hardship to the road users and for all other matters connected with the fee Collection on Outer Ring Road.(2)The user fee collecting agency shall have the overall authority to control and supervise the work of collection of fee carried on by the user fee collecting agency with a view to ensure that collection of fee is carried out smoothly, efficiently and without any hindrance or harassment to the users of Outer Ring Road.(3)The user fee collecting agency shall keep records of all the complaints received directly or indirectly and reply to each of them and forward a copy on fortnightly basis to the Hyderabad Growth Corridor Limited.

9. Discounts.

(1)The Hyderabad Growth Corridor Limited or the User Fee Collecting Agency, as the case may be, shall upon request provide a pass for multiple journeys to cross a toll plaza within the specified period at the rates specified in sub rule (2).(2)A driver, owner or person in charge of a mechanical vehicle who makes use of the section of Outer Ring Road may opt for such pass and he or she shall have to pay the fee in accordance with the following rates, namely:-

Amount payable	Maximum number of one way journey allowed	Period validity
(1)	(2)	(3)
One and half times of the fee for one way journey		Twenty four hours from the time of payment
Two third of amount of the fee payable for fifty single journeys	Two Fifty	One month from date of payment

10. Rate of fee for overloading.

(1)Without prejudice to the liability of the driver, 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 the permissible load specified for its category under sub-rule(1) of Rule 4, shall be liable to pay fee at such rate which is applicable for the next higher category of mechanical vehicles:Provided that the payment of such fee for overloading shall not entitle a driver or owner or a person in charge of a mechanical vehicle to make use of such section of Outer Ring Road and his or her vehicle shall be prevented from using the section of Outer Ring Road or crossing the toll plaza until the excess load has been removed from such mechanical vehicle.(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 in charge of the mechanical vehicle shall be liable to pay fee applicable for such vehicle only.

11. Exemption from payment of fee.

- No fee shall be levied and collected from a mechanical(A)Vehicle having "VIP" symbols; or officially belonging to -(a)the President of India;(b)the Vice President of India;(c)the Governor of a State or the Lt. Governor of a Union Territory;(d)a Foreign Dignitary on State visit to India;(e)a Foreign Diplomat stationed in India using cars with "CD"/"CC" number plates;(f)the Chairman of Rajya Sabha or the Speaker of Lok Sabha or the Chairman of a State Legislative Council or the Speaker of a State Legislative Assembly or a Minister for the Union or State, or Leaders of Opposition in Lok Sabha or Rajya Sabha or State Legislatures, having the status of Cabinet Minister, if he is sitting in the vehicle;(g)The Chief Minister, all the Ministers and Members of Legislative Assembly & Legislative Council of Andhra Pradesh. Members of Parliament belong to Andhra Pradesh, Chief Justice of India, Supreme Court Judges, Chief Justice of Andhra Pradesh, Judges of Andhra Pradesh High Court; and(h)Such of those vehicles which were given passes by the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority.(B)(i)belonging to winner of a Gallantry award such as Param Vir Chakra, AshokChakra, Maha Vir Chakra, Kirti Chakra, Vir Chakra and Shaurya Chakra, if such awardees produces his photo identity card duly authenticated by the Competent Authority for such Award;(ii)Defence vehicles, Police vehicles, Fire-fighting vehicles, Ambulances, Funeral vans, vehicles of the Department of Posts and Telegraph and Central and State Government vehicles on duty;(iii)The Personnel of Defence services of regular forces and their Private vehicles are exempted from paying Toll irrespective of whether they are on duty or not; and(iv)The Hyderabad Growth Corridor Limited authority or any other organization or person using such vehicle for inspection, survey, construction or Operation & Maintenance thereof.

12. Display of Information.

(1)The Hyderabad Growth Corridor Limited or the user fee collecting agency, as the case may be shall publish a notice specifying the amount of fee to be charged from mechanical vehicle, in at least one news paper, each in English and vernacular language, having a wide circulation in such area.(2)The Hyderabad Growth Corridor Limited or the user fee collecting agency shall permanently display in Telugu, Hindi and English one thousand meters ahead of the toll plaza and 500 meters ahead of the toll plaza.(i)The amount of fee payable for each class of vehicles and discounts available under Rule 9.(ii)The categories of vehicles exempted from payment of fee and(iii)The name address and telephone or contact number of the executing authority or the user fee collecting agency, as the case may be(3)The height of the display boards, their quality and size of lettering shall be clearly visible and legible to the users.

13. Verification of fee collection.

(1)It shall be the responsibility of the person referred to in sub-rule(l) of Rule 3 to strictly ensure that all fees liable are levied, fully collected and correctly maintained. The person shall submit certified and audited copies of the statements of fee collection of specified intervals as required

under the notification for fee collection under Rule 3.(2)The Hyderabad Growth Corridor Limited shall have the right to check the fee collection at any or all times through their designated officers.

14. Person to have rights to regulate traffic.

- The person referred to in sub-rule (1) of Rule 3 shall have powers to regulate and control the traffic on Outer Ring Road relating to which he is authorized to collect fees under these rules, accordance with the provisions contained in Chapter VIII of the Motor Vehicle Act, 1988 for proper management thereof.

15. Tenure of fee collection.

(1)The fee shall be collected in perpetuity by the Hyderabad Growth Corridor Limited.(2)The executing Agency or the user fee collecting agency shall collect the fee to the tenure/period specified in the agreement or up to the restricted period or extended period due to Termination or Capacity augmentation of the Project as the case may be.(3)Upon closure of the contract period, the collection of fee may be continued by the Hyderabad Growth Corridor Limited or through the new Agency appointed by the Hyderabad Growth Corridor Limited for such purpose.

16. Unauthorized collection.

(1)An officer authorized by the Hyderabad Growth Corridor Limited may assess the excess fee collected, if any, by User Fee Collecting Agency and recover the same from User Fee Collecting Agency, along with an additional sum equal to twenty five percent of the excess fee collected.Provided that no recovery of such excess fee shall be made unless an opportunity of hearing has been given to the User Fee Collecting Agency, as the case may be.(2)Any driver, Owner or Person in charge of a mechanical vehicle aggrieved by unauthorized collection of fee, may lodge a complaint with the officer authorized by the Hyderabad Growth Corridor Limited who shall, after hearing, the person/persons aggrieved, pass an order on such complaint for refund of excess payment and damages for the inconvenience suffered by such user within thirty days.

17. Failure to pay Fee.

(1)If any driver, Owner or Person in charge of a mechanical vehicle does not pay or refuses to pay the fee for use of Outer Ring Road his or her vehicle shall not be allowed to use such section of Outer Ring Road and in case such vehicle obstructs the normal flow of traffic, the user foe collecting agency may get such obstructing vehicle removed from the Outer Ring Road and the fee shall be recovered from the registered owner of the mechanical vehicle.

18. Bar for installation of additional barrier.

- No barrier shall be installed at any place, other than at the toll plaza, except with the prior permission in writing of the Hyderabad Growth Corridor Limited, who after being satisfied that

there is evasion of fee, may allow on such terms and conditions as it may impose, the installation of such additional barrier by the Hyderabad Growth Corridor Limited or the User Fee Collecting Agency, as the case may be, to check the evasion of fee: Provided that where the Hyderabad Growth Corridor Limited, do not allow installation of an additional barrier by the User Fee Collecting Agency, the reasons for such refusal shall be communicated to such User Fee Collecting Agency within a reasonable period.