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ABSTRACT

Tolls – The Indian Tolls Act, 1851 (Central Act – VIII of 1851) – Ennore - Manali Road Improvement Project (EMRIP) - Development of Adequate Road Connectivity to Chennai and Ennore Ports – Agreement between Government of Tamil Nadu and Chennai – Ennore Port Road Company Limited (CEPRCL) (Special Purpose Vehicle Company)- Levy of Tolls – Notification – Issued.

Highways and Minor Ports (HV2) Department

G.O.(Ms) No. 68

Dated: 04.05.2018

விளம்பி, சித்திரை- 21, திருவள்ளூர்வராண்டு 2049.

Read

1. G.O.(Ms)No. 1, Highways Department, dated 03.01.2001.
2. Minutes of the 74th meeting of the Board of Directors of Chennai – Ennore Port Road Company Limited held on 30.08.2017.
2. From the General Manager (P) / Ennore - Manali Road Improvement Project, Tamil Nadu Road Development Company, letter No.TNRDC/EMRIP/Dy-S/1608/17, dated 16.10.2017.

ORDER:-

In the Government order first read above, orders have been issued for Ennore Manali Road Improvement Project to be executed through an independent Special Purpose Vehicle company.

2. The Government agreed to the scope of the project i.e, widening and strengthening of Ennore Expressway from Km 0/000 to 7/538, executing Anti-Sea erosion works, Widening and strengthening of Thiruvottiyur - Ponneri - Panchetti Road from Km 4/500 to 13/500, Widening and strengthening of Manali Oil Refinery Road from Km 0/000 to 5/600 and Widening and strengthening of Northern Segment of Inner Ring Road from Km 17/500 to 25/000. The improvement works are substantially completed on 31.03.2015.

3. As per the provisions of the Government order first cited, the Chennai – Ennore Port Road Company Limited (CEPRCL) shall demand, collect and retain appropriate toll from the users of the Project road or any part thereof and apply the same for the purposes set out in the Agreement. Also, it is provided that Toll Notification applicable for the entire Project Period conferring upon Chennai – Ennore Port Road Company Limited the right to demand, collect and retain appropriate Toll shall be issued under the provisions of the Indian Tolls Act 1851, (Central Act VIII of 1851).

4. During the 74th meeting of the Board of Directors of Chennai – Ennore Port Road Company Limited (Special Purpose Vehicle of National Highways Authority of India) held on 30.08.2017 at New Delhi. The following resolutions have been passed:

"RESOLVED THAT collection of User Fee at visiting Toll Plaza on Inner Ring Road considering user-fee may be collected only from Commercial vehicles exempting all private vehicles because all the road components of the project falls within Chennai Corporation area and in the instant case the fee notification shall be published by Government of Tamil Nadu under State fee rules as Ennore - Manali Road Improvement Project road is still a State Highways / State Roads.

"RESOLVED FURTHER THAT the same may be communicated to the Government of Tamil Nadu for issue of fee notification in the State Gazette as per prevalent rules of the Government of Tamil Nadu, duly extended the concessions and free passes / exempting all private vehicles from user fee by it as the Ennore - Manali Road Improvement Project road is still State Highways and further the Special Purpose Vehicle through its lead partner i.e., National Highways Authority of India may pay the cost incurred by each of Special Purpose Vehicle partners (i.e National Highways Authority of India , Chennai Port Trust, Government of Tamil Nadu & Kamarajar Port Limited) towards equity and other cost on regular interval along with interest until the full recovery of cost of the project including maintenance of the recovery of capital cost from the toll revenue."

It was further emphasized that Government of Tamil Nadu should publish the toll notification immediately to avoid any further loss of revenue.

5. The General Manager (P) / Ennore - Manali Road Improvement Project, Tamil Nadu Road Development Company has sent the proposals to Government for the collection of TOLL for Ennore Expressway from Km 0+000 to 7+538, Manali Oil Refinery Road from Km 0+000 to 5+600, Thiruvottiyur-Ponneri-Panchetti Road from Km 4+500 to 13+500 and Inner Ring Road from Km 17+500 to 25+000.

6. The Government after careful consideration accept the proposal of the General Manager (P) / Ennore - Manali Road Improvement Project, Tamil Nadu Road Development Company and permit the Chennai – Ennore Port Road Company Limited (CEPRCL) to levy tolls on Ennore - Manali Road Improvement Project Road starting from Madavaram junction at Km 17+500 of Inner Ring Road, Thiruvottiyur-Ponneri-Panchetti Road from Km 4+500 to 13+500, Manali Oil Refinery Road from Km 0+000 to 5+800 and Ennore Expressway from Km 0+000 to 7+538 at the rates specified in the appended Notification-I and to exempt the kinds of vehicles mentioned in the Notification-II from levy of such toll for the period upto recovery of the capital cost of Rs.600 crores and after recovery of the project capital cost, the fee levy shall be reduced to 40% of the rates and shall be revised annually.

7. The appended notifications I and II will be published in the Tamil Nadu Government Gazette, Extraordinary dated 04.05.2018.

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8. The above toll notification for collection of user fee at Toll plaza for Ennore - Manali Road Improvement Project will take effect from 23.05.2018.

9. The works Manager, Government Central Press, Chennai-79 is directed to furnish fifty copies of the Notifications to the Highways and Minor Ports Department, Secretariat, Chennai-9.

10. This Order issues with the concurrence of Finance Department vide its U.O.No .22/Secy(Exp), dated 27.11.2017.

(By order of the Governor) .

Rajeev Ranjan,
Additional Chief Secretary to Government.

To

The works Manager, Government Central Press, Chennai-79. (w.e)
The General Manager (P) / EMRIP,
Tamil Nadu Road Development Company, Chennai-28.
The Chief General Manager, National Highways Authority of India, New Delhi.
The Regional Officer, National Highways Authority of India, Chennai-32.
The Project Director, National Highways Authority of India, Chennai.
The Chief Engineer (Projects), Highways Department, Chennai-25.
The Chief Engineer (Construction and Maintenance),
Highways Department, Chennai-25.
The Accountant General, Chennai-9/18/35.
The Accountant General, (A&E) (GAD-I), Tamil Nadu,
Chennai-18/35. (By Name).
The Collector, Tiruvallur District.
The Revenue District Officer, Tiruvallur.

Copy to

Finance / Law Department, Chennai-9.
The Hon'ble Chief Minister Office, Chennai-9.
The Special Personal Assistant to Hon'ble Chief Minister,
Chennai-9.
The Special Personal Assistant to Hon'ble Minister (Highways and Minor Ports),
Chennai-9.
The Private Secretary to Additional Chief Secretary to Government,
Highways and Minor Ports Department, Chennai-9.
C.No.5753/HV2/2015.
SF/SC.

// Forwarded By Order //

H. Saravathy
4.5.18
Section Officer.

APPENDIX

NOTIFICATION-I

In exercise of the powers conferred by clause (c) of sub-section (1) read with clause (c) of sub-section (2) of section 2 of the Indian Tolls Act, 1851 (Central Act VIII of 1851), the Governor of Tamil Nadu hereby levies tolls for the passage of motor vehicles on the section of the Ennore - Manali Road Improvement Project connecting the Chennai and Ennore Ports with Inner Ring Road at Madavaram junction (Km 17+500) and Thiruvottiyur-Ponneri-Panchetti Road (Km 13+500) Manali Oil Refinery Road junction (Km 5+600) Ennore Expressway (Km 0+000) at Port gate No. 0, improved and maintained on a long term basis by National Highways Authority of India at the rates specified in the Schedule appended to this Notification for the period upto recovery of the project capital cost of Rs.600 crores and after recovery of the project capital cost, and the tolls levy shall be reduced to 40% of the rates and shall be revised annually.

THE SCHEDULE

APPLICABLE TOLL RATES

Type of Vehicle	Single Journey	Return Journey	Monthly pass	Commercial vehicles registered within the district of Plaza
Car/Jeep/Van	35	50	1710	15
Light Commercial Vehicle	55	85	2760	30
Bus/Truck	115	175	5785	60
Upto 3 Axle Vehicles	125	190	6315	65
4 to 6 Axle	180	270	9075	90
Heavy Construction Machinery (HCM)/ Earth Moving Equipment (EME)	180	270	9075	90
7 or more Axle	220	330	11050	110

Rajeev Ranjan,
Additional Chief Secretary to Government.

// True Copy //

H. Sumanth
4.5.18
Section Officer.

NOTIFICATION-II

In exercise of the powers conferred by clause (b) of section 4 of the Indian Tolls Act, 1851 (Central Act VIII of 1851), the Governor of Tamil Nadu hereby specifies that no tolls shall be paid by the following classes of motor vehicles for the use of the passage on the section of the Ennore - Manali Road Improvement Project connecting the Chennai and Ennore Ports with Inner Ring Road at Madavaram junction (Km 17+500) and Thiruvottiyur-Ponneri-Panchetti Road (Km 13+500) Manali Oil Refinery Road junction (Km 5+600) Ennore Expressway (Km 0+000) at Port gate No. 0, improved and maintained on a long term basis, for the period upto recovery of the project capital cost of Rs.600 crores and after recovery of the project capital cost, the tolls levy shall be reduced to 40% of the rates and shall be revised annually.

(a) Motor vehicles transporting and accompanying-

- (i) The President of India;
- (ii) The Vice-President of India;
- (iii) The Prime-Minister of India;
- (iv) The Governor of a State;
- (v) The Chief Justice of India;
- (vi) The Speaker of the House of People;
- (vii) The Cabinet Minister of the Union;
- (viii) The Chief Minister of a State;
- (ix) The Judge of the Supreme Court;
- (x) The Minister of State of Union;
- (xi) The Lieutenant Governor of a Union Territory;
- (xii) The Chief of Staff holding the rank of full General or equivalent rank;
- (xiii) The Chairman of the Legislative Council of a State;
- (xiv) The Speaker of the Legislative Assembly of a State;
- (xv) The Chief Justice of a High Court;
- (xvi) The Judge of a High Court;
- (xvii) The Member of Parliament;
- (xviii) The Army Commander or Vice-Chief of Army Staff and equivalent in other services;
- (xix) The Chief Secretary to a State Government within concerned State;
- (xx) The Secretary to the Government of India;
- (xxi) The Secretary, Council of States;
- (xxii) The Secretary, House of People;
- (xxiii) The Foreign dignitary on State visit;
- (xxiv) The Member of Legislative Assembly of a State and the Member of Legislative Council of a State within their respective State, if he or she produces his or her identity card issued by the concern legislature of the State;

(xxv) The awardee of Param Vir Chakra, Ashok Chakra, Maha Vir Chakra, Kirti Chakra, Vir Chakra and Shaurya Chakra if such awardee produces his or her photo identity card duly authenticated by the appropriate or competent authority for such award;

(b) Motor Vehicles used for official purpose by-

- (i) The Ministry of Defense including those which are eligible for exemption in accordance with the provisions of the Indian Toll (Army and Air Force) Act, 1901 and rules made there under, as extended to Navy also;
- (ii) The Central and State armed forces in uniform including para military forces and Police;
- (iii) An executive Magistrate;
- (iv) The fire-fighting Department or Organization;
- (v) The National Highway Authority of India or any other Government organization using such vehicles for inspection, survey, construction or operation of National Highways and maintenance thereof;
- (vi) Motor Vehicles used as ambulance;**
- (vii) Motor Vehicles used as funeral van; and**
- (viii) Motor Vehicles owned for personal use by bonafide local residents living along the project road;**

Rajeev Ranjan,
Additional Chief Secretary to Government.

// True Copy //

M. Sumanth
4.5.18
Section Officer.