

**EXCISE AND TAXATION DEPARTMENT  
HIMACHAL PRADESH**

**NOTIFICATION**

**No.7-637/2015-EXN-**

**Dated:**

In exercise of the powers conferred on him by section 3-A of the Himachal Pradesh Tolls Act, 1975 (Act No. 9 of 1975), the Excise & Taxation Commissioner, Himachal Pradesh, hereby determines the terms and conditions, subject to which the right to collect toll levied under section 3 of the Act, on mechanical vehicles passing over any road infrastructure shall be granted.

**CHAPTER-1**

**GENERAL**

**1.1** Subject to the provisions of the Himachal Pradesh Tolls Act, 1975 (hereinafter called the 'said Act') the rules framed or any notification or order issued there under, the right to collect toll under section 3 of the Act may be leased under an authority in form TL-1 granted under section 3-A thereof by the Addl./Dy. Excise and Taxation Commissioner, Incharge of the Zone to any person **for a period of three years w.e.f. 2014-2015 to 2016-2017 i.e. 01-04-2014 to 31-03-2017 or part thereof, as approved by the Excise & Taxation Commissioner H.P. The lease amount of the toll for the three years shall be determined as hereunder :-**

- 1. The minimum reserve price for the year, 2014-15 is fixed with an increase of 5% on the auction-cum-bid money arrived at after auction-cum-tender process for the year, 2013-14 and Toll Barrier wise Reserve Price has been mentioned in *Annexure-III*.**
- 2. Lease amount for the year 2014-15 shall be based on the final amount arrived at after tender-cum-auction process.**
- 3. For the successive year 2015-16, the lease money would be determined after adding 10% increase in the final lease amount of the year 2014-15.**
- 4. The lease money for the third consecutive year of lease i.e. 2016-17 shall be reckoned on the final value emerged in the preceding year of 2015-16 with further additional increase of 10%.**

**The Excise and Taxation Commissioner, Himachal Pradesh may make further provisions in order to complete the auction cum tender process in this behalf. A lessee shall be himself responsible for fulfilling any other obligation under any other law or Rule not specifically mentioned in these Conditions of the Announcements.**

- 1.2** Notwithstanding anything to the contrary contained in these terms and conditions, under section 3-A of the said Act, the Excise and Taxation Commissioner, Himachal Pradesh, reserves the right to lease the right to collect toll at any barrier(s) or group of barriers specified in Schedule-1 and for any period of a financial year or financial years, by auction or by calling tenders, or combination of both or any other mode, which he may consider expedient in the interest of revenue. For this purpose, the mode of grant of lease may be changed by the Excise and Taxation Commissioner, whenever necessary, before the actual grant of the same.
- 1.3** The Excise & Taxation Commissioner shall determine in respect of every barrier or group of barriers the minimum amount of lease money (reserve price) at which the collection of toll for such barriers may be reasonably leased out.
- 1.4** The highest bids in auction, tender or any other mode of lease shall be subject to confirmation by the Excise and Taxation Commissioner, Himachal Pradesh, who reserves the right to reject any bid without assigning any reason for doing so.
- 1.5** The lessee shall be bound to comply with the provisions of the said Act, the rules framed thereunder and terms and conditions of the lease including all the directions and orders of the Excise and Taxation Commissioner, Himachal Pradesh and all other officers, which may be issued from time to time by them for the purposes of the lease and to secure payment or recovery of the bid money.

## CHAPTER-II

### GRANT OF LEASE BY AUCTION, TENDER, AUCTION-CUM-TENDER OR BY ANY OTHER MODE.

- 2.1** The method of granting lease will be the following:-  
(a) auction, (b) tender and (c) combination of auction and tender, or any other mode.
- (A) GRANT OF LEASE BY AUCTION.**
- 2.2** On the dates specified in the notice issued by the Excise and Taxation Commissioner, the Deputy Commissioner of the concerned district or in his absence due to exigencies beyond control, the Addl./Dy. Excise and Taxation Commissioner, Incharge of the Zone (hereinafter called the 'Presiding Officer') shall preside over the auction-cum-tender process and superintend the process of receiving bids in respect of the barriers located in the district.
- 2.3.1** Before commencement of the auction, the Presiding Officer shall announce to the intending bidders, ---
- (i) the name(s) of the barrier(s) in respect of which the right to collect toll is being leased out;
  - (ii) the period of lease;
  - (iii) (a) the rates at which and the categories in respect of which the toll is to be collected during the period of lease as per Schedule-II, and  
(b) the categories of vehicles exempted from levy of toll as per Schedule-III;
  - (iv) the minimum amount ('reserve price') for the concerned barrier(s) or group of barriers;
  - (iv) the terms and conditions of lease; and
  - (v) any other details as the Excise and Taxation Commissioner, may direct.
  - (vi) the earmarked barriers and conditions thereof.
- 2.3.2** Intending bidder / applicant shall submit to the Presiding Officer the proof of the 'Eligibility Claim', namely, Declaration of Solvency in Form-A accompanied by an affidavit in Form-B and a declaration in Form-C accepting all the terms and conditions for the grant of lease. A further declaration in Form-D in respect of earmarked barriers at Column No. 3 of Schedule -1 of the Toll announcements for the financial years 2014-15 to 2016-17 is also required to be filed additionally by such intending bidder/applicant of the earmarked barrier/(s). The intending bidder/applicant for the earmarked barriers as mentioned hereto before should ensure that the Affidavit in Form-D duly attested is enclosed in a separate envelope in the case of tender and is also filed separately along with the application to be filed for participation in the auction proceedings. The applications / envelopes in Form-A and Form-D should be tagged together clearly mentioning on the face of application in handwriting in capital letters " Application for the earmarked barrier/(s)\_\_\_\_\_ "

**2.3.3** Before submitting the bid/offer, the bidder should satisfy himself about the site conditions and facilities available. Modern Hi-tech infrastructural facilities like Pre-fabricated Metallic and Aluminum sheet- based Kiosk/Shed structures which may be detached as and when required, Boom Electronic Rod and Computer with Printers etc. are required to be installed on earmarked barrier/ (s) (Hi-Tech Infrastructural facilities as mentioned heretobefore is to be installed only after receipt of techno-feasibility report from the Committee appointed by the Government in this behalf and on further obtaining the other desirable approvals within 45 days thereafter during this financial year) provided in Column No.3 of Schedule-1 of the Toll Announcements for years 2014-15 to 2016-17 by the successful bidder/applicant at his/her own level. However, it shall not have any impact on the number of barrier/(s) which form part of the pre-existing unit/(s) along with such earmarked barriers specifically mentioned for this purpose. It is made clear here that the intending bidder/applicant should file his/her tender/application keeping in view the infrastructural cost involved in the installation of Modern Hi-tech system on these earmarked barriers. No representation whatsoever about the site or conditions thereof will be entertained after the bids/ offers have been submitted/accepted.

NOTE:- The intending bidder/applicant who bids/applies for any earmarked barrier where Modern Hi-tech facilities have already been installed need not to bear the cost of such infrastructure.

**2.3.3A** “Those toll lessees who have been allotted the leasehold right to collect toll afresh for the year 2016-17 [i.e. where the toll-lessees for the year 2015-16 either did not opt for renewal or those whose lease-certificates were rendered as 'deemed cancelled' for non payment of the toll fee for the year 2015-16 by 29<sup>th</sup> February, 2016 as the case may be or those who did not pay the security money under Condition No. 2.3.13 read with Condition No. 2.3.17 of the Toll Announcements (ibid etc.)], in addition to complying with the provisions of Condition No.2.3.3 of the Toll Announcements (ibid), shall further comply with the directions of the Excise and Taxation Commissioner (H.P.) regarding installation/implementation of the 'Electronic Toll Collection System' wherever it is technologically feasible as is proposed by the Ministry of Surface Transport and Highways, Govt. of India on NHAI (Nation Highways Authority of India) roads through IHMCL (Indian Highways Management Company Ltd., New Delhi). The Excise and Taxation Commissioner (H.P.) shall require such toll lessees to install and implement the Hardware/Software collection system either through M/s IHMCL or any other authorised agency anytime during the financial year and the toll lessee shall be duty bound to comply such directions of the Commissioner for the purpose of toll tax

collection in order to make the daily collection system transparent and live on the Departmental web-Portal or in order to take additional refundable security from such toll lessees so as to secure the so installed 'Electronic Toll Collection Hardware & Software system' as may be deemed fit and the toll lessees shall have no legal-claim whatsoever against the Excise and Taxation Department in this behalf. Any toll-lessee violating the aforementioned directions of the Excise & Taxation Commissioner (H.P.) shall be liable for penal-action including cancellation of his toll-lease without assigning any further reasons. It is further clarified that the system so handed over to any Toll Lessee, shall be maintained by the toll lessee in functional order failing which the toll-lessee shall be liable for the loss so caused to system and security amount also shall be forfeited to the State of Himachal Pradesh through Asstt. Excise & Taxation Commissioner of the District.”

- 2.3.4** The bidder shall disclose the name(s) and addresse(s) of the sole proprietor, the partners of the partnership firm and directors of the company alongwith the bid. Bids submitted without the said information will be rejected outright. The bidder shall not affect any change in the constitution of the partnership firm or in the management of the company during the validity period of the bid without the prior approval of the Additional / Deputy Excise and Taxation Commissioner In charge of the Zone.
- 2.3.5** Only those persons who are found eligible under Condition No.**2.3.2** and who have also deposited earnest money equal to 1% of the 'reserve price' fixed for each barrier or barriers into the Government treasury or with the Presiding Officer shall be allowed to bid for the lease of right to collect toll at any barrier (s). The earnest money may be paid either in cash or by a crossed bank draft, or duly pledged Fixed Deposit Receipts, or National Saving Certificates or by any one or more of these modes of payment, provided the instrument is made specifically payable in favour of the Asstt. Excise & Taxation Commissioner, I/C of the district.
- 2.3.5 (a)** It is clarified that 1% bid money/earnest money is also required to be furnished by those intending bidders/applicants who want to acquire the lease of the right to collect Toll on the earmarked barriers mentioned in Column No.-3 of Schedule-1 of the Toll Announcement for the years 2014-15 to 2016-17. The aforementioned amount of bid security/earnest money is to be furnished in addition to the FDR required to be furnished under clause (d) to condition No.2.3.14 of the Toll announcement for the year 2014-15.
- 2.3.6** The auction shall be conducted for each barrier or group of barriers separately.

- 2.3.7** When the bidding for any barrier or group of barriers exceeds a figure of Rs. 1.00 lakh, each further bid shall be multiple of Rs. 10,000/- and above Rs.10.00 lakhs each further bid shall be multiple of Rs. 25,000/-.
- 2.3.8** The Presiding Officer may refuse any bid, which he considers to be merely speculative, after recording reasons in writing.
- 2.3.9** The Presiding Officer may exclude any person on account of his conviction in a criminal case or record as a bad character or on account of his being suspected of pooling in any auction or indulging in other activities prejudicial to Government revenue or for any other sufficient reason to be recorded in writing, from participating in the auction. He may further recommend to the Excise and Taxation Commissioner for black- listing of that person.
- 2.3.10** If the Presiding Officer is of the opinion that the bids are not reasonable, as a result of suspected pooling, he may postpone the auction of that particular barrier or group of barriers.
- 2.3.11** When the Presiding Officer finds that a bid has crossed the pre-determined threshold amount, he may demand an immediate deposit of the amount of money beyond such amount (hereinafter called “cash-down payment”).
- 2.3.12** **For strict observance of the provisions of the Act, the rules framed, the notification, the terms and conditions of the lease or the directions issued thereunder, the highest bidder shall furnish Security equivalent to 25% of the bid-money in the shape of unconditional Bank Guarantee or F.D.R or National Saving Certificate pledged in favour of the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer I/C of the district, as the Presiding Officer may determine for the year 2014-15. Such Security shall be furnished within 7 days from the date of Tender-cum-Auction or on or before 31<sup>st</sup> March of the year whichever is earlier. Similarly, the unconditional Bank Guarantee or F.D.R. or National Saving Certificate equivalent to 25% of the bid money for the year 2015-16 and 2016-17 as the case may be, shall be pledged in favour of the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer I/C of the district by the lessee latest by 10<sup>th</sup> February,2015 in the case of 2015-16 and by 10<sup>th</sup> February, 2016 in the case of 2016-17 failing which the lease shall be deemed to have been cancelled and the respective Toll Barrier/Unit shall be put to re-tender-cum-auction process. Any loss of toll revenue incurred by the department on account of this re-process shall be recovered from the previous toll-lessee on whose mistake the re-tender-cum-auction process was initiated as an arrear under the H.P. Land Revenue Act 1954.”**

**2.3.13** The highest bidder shall deposit by way of security an amount equivalent to 20% of the bid as under:--

- (a) 10% of the bid money or the amount directed to be deposited by the Presiding Officer as 'cash-down payment' at the time of bidding, whichever is higher, at the fall of the hammer;
- (b) 5% of the bid money within 10 days of the auctions; or 31<sup>st</sup> March which ever is earlier ; and
- (c) 5% of the bid money /the annual lease money within 10 days of the auctions; or 31<sup>st</sup> March which ever is earlier, in the shape of a revenue deposit or unconditional bank guarantee or F.D.R. as may be directed by the Asstt. Excise and Taxation Commissioner, incharge of the district concerned:

Provided that in case a bank guarantee is given as 5% deposit of security, it should be valid from the date of commencement of the lease and upto 3 months after the expiry of the lease:

Provided further that in lieu of cash, the successful bidder may also submit a bank draft in favour of the Asstt. Excise & Taxation Commissioner, incharge of the District.

Provided further that in case the immediate 'cash down payment' actually made at the fall of the hammer is higher than 15% or more of the bid money, the highest bidder will not be required to make a separate deposit equivalent to 15% under parts (a) and (b) of condition No.2.3.13.

- (d) 'An amount of 1% of the bid money or rupees 3 lakh whichever is higher, shall also be duly pledged to the Asstt. Excise and Taxation Commissioner In charge of the District in the shape of FDR separately on the day of auction itself by the successful bidder/tenderer for the earmarked barrier/(s) as mentioned in Column No.3 of the Toll Announcements for the year 2014-15 to 2016-17.

*Provided further that the security so furnished under clause (d) as aforementioned shall be refunded to the lessee without any interest thereon if he has installed the aforementioned infrastructure and hands it over to the Excise and Taxation Officer In charge of the barrier as per para No. 6 of the Affidavit in Form D. If the successful bidder fails to install the Modern Hi-tech infrastructure on the earmarked barrier within the stipulated period as mentioned in Condition No.2.3.3 due to reasons beyond his control, the Excise and Taxation Commissioner, Himachal Pradesh may extend the period of installation of such Modern Hi-tech infrastructure further upto 15*

*days for reasons to be recorded in writing and thereafter no further extension will be granted and the security will be forfeited accordingly. The said security may be forfeited by the AETC/In charge of the District to the Excise and Taxation Commissioner Himachal Pradesh with his prior approval in case the lessee does not install the infrastructure on such earmarked barrier or does not hand it over to the Excise and Taxation officer In charge in functional order. The aforementioned amount so forfeited shall be deposited into the concerned Bank Account of the Technical Service Agency being maintained at present by the respective E.T.O/AETC incharge of such barrier.*

**NOTE-1:-** *It is clarified that the security mentioned in sub-clause (d) above is required to be furnished by all the successful bidders of earmarked barriers within the prescribed period during the year 2014-15 irrespective of the fact whether Modern Hi-tech infrastructure has been installed or not. The successful bidder/lessee shall also be responsible for handing over of the newly installed Hi-Tech Infrastructure built in accordance with the provisions of Condition No.2.3.3 in functional order to the E.T.O. I/C of the Barrier on the date when his toll lease period/toll license period expires, failing which the security so furnished by him shall be liable for forfeiture. The said security shall be forfeited by the AETC I/C of the District with the prior approval of the Excise & Taxation Commissioner, Himachal Pradesh. The aforementioned amount of security so forfeited shall be deposited into the concerned Bank Account of the Technical Service Agency being maintained at present by the respective E.T.O/AETC incharge of such barrier.*

- 2.3.14** If the highest bid in respect of any barrier received by the Presiding Officer at the auction is rejected or not confirmed by the Excise and Taxation Commissioner, the deposits of security made by the concerned bidder under condition No.2.3.13 (a) (b) (c) except condition No.2.3.13 (d) shall be refunded to such bidder without any interest thereon within 30 days period. Deposit of security shall confer no right on the highest bidder for the grant of lease.
- 2.3.15** If any person, who is the highest bidder at the auction, either indulges in pooling by deliberately withdraw or fails to make the deposit of the amount of security or on approval of his bid by the Excise and Taxation Commissioner refuses to accept the lease, the lease in such a case may be granted by any arrangement specified in condition 1.2 of Chapter-I and any deficiency in the amount of bid and all expenses incurred on such grant or attempted grant shall be recoverable from the said person as an arrears of land revenue. In addition, all deposits made by such a person shall be forfeited.

**2.3.16:** If the highest bid in respect of any barrier received by the Presiding Officer is approved and confirmed by the Excise and Taxation Commissioner, the deposit of security made by the concerned bidder under condition No.2.3.13 (a) (b) (c) except 2.3.13 (d) above, shall be counted towards the payment of lease money approved in respect of the concerned barrier(s), and adjusted as such and the remaining amount of lease money shall be paid by the lessee in the manner specified in condition No. 2.3.17, below.

**2.3.17:** The remaining amount of lease-money for the year 2014-15 as per Condition No.2.3.16 above, (i.e. the amount of 85% of the lease-money remaining after deducting the sum equal to 15% deposited as security under condition No.2.3.13 from the aggregate lease money of the concerned barriers) shall be paid by the lessee in 10 instalments on 20<sup>th</sup> day of each month from April, 2014 to January, 2015 or in such number of instalments, as the Excise & Taxation Commissioner may fix. In respect of the lease period for subsequent 2 years, the remaining 85% amount of the lease money shall be paid by the lessee in 10 instalments in each year on 20<sup>th</sup> day of each month from April to January.

Provided that 15% of lease amount for the year 2015-16 and 2016-17 shall be deposited by the lessee on or before 10<sup>th</sup> February, 2015 and 10 February,2016 as security money under Condition No. 2.3.13.

Provided further that, the right to collect toll shall be leased for a period of 3 years w.e.f. 1-04-2014 to 31-03-2017, yet the same shall be subject to review on year to year basis. If the toll lessee fails to deposit/default in the payment of the monthly instalments of the respective financial year on or before 10<sup>th</sup> February each year, in such eventuality his lease shall be deemed to have been cancelled without any notice and the respective Toll Barrier(s)/Unit shall be put to re-auction-cum-tender process and any loss of the toll revenue caused to the department on account of this re-process, shall be recovered from the previous toll-lessee on whose mistake the re-auction process was initiated as arrear under the H.P.Land Revenue Act 1954.

**2.3.18** Out of 5% security, a sum as may be required, shall be adjusted against any amount of arrears due to the Government at the close of the lease period and such amount of the aforesaid security as may not be required for adjustment against any arrears shall be released to the lessee under proper orders by the Additional/Deputy Excise and Taxation Commissioner, Incharge of the Zone.

**2.3.19** In the event of his failure to pay an instalment or part thereof of the lease money by the due date --

- (a) the lessee shall pay interest on the unpaid amount @ 15% per annum for the period of delay up to one month from the date of default of the amount, and @ 20% per annum thereafter till the default continues; and
- (b) without prejudice to part (a) of this condition the Assistant Excise and Taxation Commissioner, Incharge of the district may subject to payment of the interest at the prescribed rates permit the lessee to deposit the amount of the instalment or part thereof upto 20<sup>th</sup> of the next month, except the last instalment which shall be deposited by 10<sup>th</sup> day of the month following the month in which such instalment was payable under condition No.2.3.17.

***Explanation : -- For the purpose of this condition, the date of payment shall be included in the period for which interest is to be charged.***

**2.3.20** If the lessee fails to deposit the instalment or instalments plus interest, as the case may be, upto the 20<sup>th</sup> of the next month, or the last instalment by 10<sup>th</sup> day of the month following the month in which the instalment is payable, the Addl./Dy. Excise and Taxation Commissioner, Incharge of the Zone will, unless he compounds the delay by imposing penalty as provided for in these terms and conditions, suspend or cancel the lease, and the Asstt. Excise and Taxation commissioner, Incharge of the district shall initiate recovery proceedings of the amount of lease money due, including interest, penalty etc. as an arrears of land revenue, on the 20<sup>th</sup> day of the following month or 10<sup>th</sup> day, as the case may be, this shall be in addition to the penalty provisions that may be brought into operation against the lessee under the H.P. Tolls Act, 1975 and the rules framed thereunder and these terms and conditions of lease. However, if the defaulting event takes place between the period w.e.f. 11<sup>th</sup> February,2015 to 31<sup>st</sup> March,2015 and between 11<sup>th</sup> February, 2016 to 31<sup>st</sup>,March, 2016, then the lease for the concerned next year shall be deemed to be cancelled unless extended further by 17<sup>th</sup> February of the year by the Excise & Taxation Commissioner on the recommendation of the Incharge of the Zone and the processes as defined vide Condition No.2.3.12 & 2.3.17 shall come into operation automatically thereafter if the default still continues by the toll lessee.”

**Addendum :-**

**“The cut off date i.e. 10<sup>th</sup> February, 2016 as mentioned in Conditions No. 2.3.17&2.3.20 of Chapter II of Toll Announcements for the Years 01-04-2014 to 31.03.2017 is proposed to be extended upto 29<sup>th</sup> February, 2016 enabling the Toll Lessee to deposit the outstading amount pertaining to lease money for the**

**year 2015-16 and 15% of security amount for the year 2016-17 failing which the said Toll Unit/Barrier shall be put to Tender-cum-Auction process for the year 2016-17.”**

- 2.3.21** In the event of the cancellation of the lease for one barrier or group of barriers, the Addl./Deputy Excise and Taxation Commissioner, Incharge of the Zone may resell it by resorting to any of the methods specified in condition No.1.
- 2.3.22** The lessee shall have to make his own arrangements for collection of toll at the notified barriers including the earmarked barriers in respect of those mechanical vehicles from whom the toll is to be charged under the Act. The lessee shall also ensure that the collection of Toll is made only at the barriers specified in Schedule-1 of the Toll Announcement for the years 2014-15 to 2016-17. In case of availability of Govt. land, if permissible, may be given on lease for use in connection with the collection of toll.
- 2.3.23 (a)** **The lessee shall issue the receipt for toll in Form H.P.T.1 on pre-printed or computerized receipts as the case may be and Quarterly/Annual tokens in Forms T2 & Form T3 (appended hereto) and comply with its terms regarding printing etc. as specified thereon. The Quarterly/Annual tokens shall be issued by the toll-lessee only after the date of commencement of lease which shall be duly countersigned by the ETO I/c concerned after ensuring that there is no default in the payment of the government dues by the lessee concerned. The Quarterly/Annual tokens before the date of commencement shall only be issued by the Excise & Taxation Officer, I/C of the Barrier. The ETO/ I/C of the barrier shall maintain a register regarding issuance of toll Annual/Quarterly token/passes duly numbered and attested. This register shall remain in custody of the ETO and the entry regarding issuance of token/pass shall be entered by the lessee and countersigned by the ETO/ I/C of the barrier. For this purpose, the lessee shall make available the pre-printed tokens and computerized tokens, as the case may be with the Excise & Taxation Officer, I/C of the Barrier. The amount collected from issuance of tokens by the Excise & Taxation Officer shall be deposited into the government treasury and shall be adjusted against the annual lease money payable by the lessee. The Excise & Taxation Officer, I/C of the barrier shall maintain a register to enter therein the number of tokens issued by him daily. He shall be liable to deliver to the lessee a monthly statement duly signed by him, showing therein the number of Quarterly/Annual tokens issued by him in respect of each type of mechanical vehicle and the amounts received and deposited in the Government Treasury in the months for which statement is being furnished.**

**Further the Excise and Taxation Officer of the concerned Barrier(s) shall be competent to issue any instruction to the lessee to regulate the provision regarding issuance of Quarterly/Annual tokens.**

- (b) The Toll lessee shall issue Computerized Receipts on the earmarked Toll barrier/(s) as mentioned in Column No.-3 of Schedule -1 of the Toll Announcements for the years 2014-15 to 2016-17 and will devise the software thereof at his/her own level. It is clarified that issuance of computerized toll payment receipts to the vehicle owners shall be mandatory by the toll lessee after the installation of Hi-Tech Infrastructure as per requirements of Condition No.2.3.3 of the Announcements for the years 2014-15 to 2016-17. However, all the Toll Lessees of all the barrier/(s) irrespective of the fact whether computerized or otherwise, shall issue the receipt in amended Form H.P.T.-1 and contents of the said receipt must be legible enough.
- (c) The lessee shall collect toll only at the rates and in respect of the incoming mechanical vehicles specified in the said Act. For this purpose, the lessee shall arrange necessary stationery and Computer and Printer etc. as the case may be and other requirements at his own cost. The lessee shall also be required to comply with the provisions of the H.P. Tolls Act, 1975, the rules framed or the notifications or any directions issued thereunder.

**2.3.24** The quarterly and annual tokens shall be issued for registered private vehicles only under Sr.No.2 (c) (ii) & (iii) of Schedule-II of the Terms and Conditions of Toll Announcements for the years 2014-15 to 2016-17 and that of Schedule-I of the H.P.Tolls Act, 1975 and shall be valid only for the barrier or the group of barriers issuing such tokens :-

- (a) The quarterly and annual tokens obtained by the public sector transport corporations and private stage carriages and contract carriages would be valid for all barriers as per their authorized route. Such tokens should be obtained from barriers through which the concerned vehicle mainly plies. In case such vehicle traverses more than one barrier in the course of its journey, the token shall be obtained from the barrier falling first in the course of such a journey.
- (b) The quarterly/annual rates prescribed for the vehicles specified in **Schedule-II** at Category (c) (iii) of Sr.No.2 shall be applicable only to those vehicles, the owners of which reside in Himachal Pradesh with 5 kilometers of the vicinity of any of the barrier specified in Schedule-I and will be applicable only to that particular barrier in the vicinity of which such owner resides. Further, such owner shall be entitled to such token only when he produces a certificate from the local S.D.M./Tehsildar to the effect that he is a resident of such and such place, which falls within the vicinity of five kilometers from such specified barrier.

(c) Public sector undertakings like H.R.T.C. and other State Roadways will have option to obtain quarterly/yearly passes from the concerned Asstt. Excise & Taxation Commissioner in whose area the depot is situated and this revenue is not to be considered in the auction of the barrier and accrues exclusively to the Government.

(d) Apart from the category of vehicles allowed for the grant of quarterly/annual tokens as per the foregoing provisions of sub-clauses (a) to (c) including the opening paragraph thereof, no other category/class of vehicles which are not registered under the Motor Vehicle Act in the State of Himachal Pradesh shall be eligible to obtain quarterly/annual tokens on concessional rates.

**2.3.25** At the conclusion of every auction, the Presiding Officer shall refund to all persons, whose bids have not been accepted, all deposits made by them.

**2.3.26** The Presiding Officer shall forward to the Excise and Taxation Commissioner, the statements showing the lowest amount of lease money (reserve price) determined under condition No. **2.3.1** above, the name of the person(s) in whose favour the barrier has been auctioned, the amount of lease money for which the same have been auctioned compared with the amount of the preceding year, and, in any case in which the barrier has not been auctioned for the highest bid, a short statement of the reasons for rejecting it.

**2.3.27** If auction results are set aside by the Excise and Taxation Commissioner or the same are not confirmed, the Excise and Taxation Commissioner may himself or otherwise specifically direct the Presiding Officer to resell the barrier(s) by auction, or by tender or by combination of both or by any other mode as may be approved by him.

**2.4** On approval of the highest bid by the Excise and Taxation Commissioner, the Addl./ Dy. Excise and Taxation Commissioner, Incharge of the Zone shall issue to the lessee the authority for collection of toll in Form TL-1.

**2.5** In addition to the amount of lease money determined as above, the lessee shall be bound to pay any sum(s) as may be demanded from him by the Asstt. Excise & Taxation Commissioner I/C of the district from time to time to fulfil the requirements of sub-section (IC) of section 206 C of the Income Tax Act, 1961.

- 2.6.1** If any lessee or an employee of the lessee commits a breach of any provision of the said Act, Rules framed thereunder or these terms and conditions or any notification, order or directions issued by any officer of the Excise and Taxation Department, he shall render the lease liable to be suspended or cancelled by an order of the Addl./Dy. Excise & Taxation Commissioner, Incharge of the Zone or Dy. Excise & Taxation Commissioner (Hq). In addition, he shall be liable to pay a penalty not exceeding Rs.10,000/- but which shall not be less than Rs. 5000/- in each case of violation, to be imposed by the Asstt. Excise & Taxation Commissioner I/C of the district after giving reasonable opportunity of being heard to the lessee.
- 2.6.2** In respect of any incident of misbehaviour by the lessee or his employee with the owner of a mechanical vehicle and any other complaint received against him, the Asstt. Excise & Taxation Commissioner I/C of the district or the Excise & Taxation Officer I/C of the barrier may impose penalty not exceeding Rs.5000/- but which shall not be less than Rs.2000/- on the lessee after providing him reasonable opportunity of being heard.
- 2.6.3** An appeal shall lie to the Addl./Dy. Excise & Taxation Commissioner I/C of the Zone against any order passed by the Asstt. Excise & Taxation Commissioner I/C of the district.
- 2.6.4** The suspension or cancellation of the lease may be revoked or for gone by the Addl./Dy. Excise and Taxation Commissioner, Incharge of the Zone on payment of a penalty as he may fix.
- 2.6.5** If a lessee or any person in his employment has committed any breach, as specified in condition No. 2.6.1, above, the Addl./Dy. Excise and Taxation Commissioner, Incharge of the Zone may forfeit the security deposited by the lessee under these terms and conditions. Such forfeiture shall be without prejudice to any other action that the Addl./Dy. Excise and Taxation Commissioner/Asstt. Excise & Taxation Commissioner or Excise & Taxation Officer I/C of the district may take under the said Act, the rules, these terms and conditions, notification issued thereunder.
- 2.7** The Excise and Taxation Commissioner, Himachal Pradesh, reserves the absolute right to make amendments in the terms and conditions during the currency of the year(s).
- 2.8.1** In the event of any loss sustained by the toll lessee on account of law and order situation, natural calamity or by acts of God, and force majeure the Asstt. Excise & Taxation Commissioner or the Excise & Taxation Officer I/C of the district either suo-moto or on an application made to him, with the prior approval of the Excise & Taxation Commissioner may refund any amount of lease money paid by such lessee.

- 2.8.2** For obtaining the above relief the affected toll lessee will file a claim before the Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer I/C. of the district alongwith all papers as may be necessary to project his cause, within a period of one year from the date on which such claim accrues. The Asstt. Excise & Taxation Commissioner I/C/ Excise & Taxation Officer I/C. will make appropriate inquiry in the matter and if it is concluded that the toll lessee has really sustained some loss on account of circumstances mentioned in condition 2.8.1 above, he will send the case alongwith his recommendations to the Excise & Taxation Commissioner through the Addl./Dy. Excise & Taxation Commissioner of the zone concerned for prior approval of refund.
- 2.8.3** The Excise & Taxation Commissioner after going through the facts and circumstances brought to his notice in each case and after hearing the lessee, if necessary, may give prior approval to refund the amount as he may think fit under the facts and circumstances of the case. The decision of the Excise & Taxation Commissioner shall be final and binding on the lessee.
- 2.8.4** The Asstt. Excise & Taxation Commissioner/Excise & Taxation Officer I/C of the district shall refund the amount as approved by the Excise & Taxation Commissioner to the lessee after deducting therefrom any amount which may be due to be paid to the Government by the lessee.

**(B) GRANT OF LEASE BY TENDER**

- 2.9** Tender will be submitted in accordance with the procedure prescribed in the “**Tender Document**” in **Form-TD**. The tender document may be obtained from the office of the Asstt. Excise & Taxation Commissioner, Incharge of the concerned district for filing bid.
- 2.10** The tenders shall be received by the Asstt. Excise and Taxation Commissioner, and at the places mentioned therein specified in the notice issued by the Excise and Taxation Commissioner, Himachal Pradesh as per the terms and conditions laid down in the ‘**Tender Document**’. The Asstt. Excise & Taxation Commissioner shall complete the record of every person submitting offer by tender:--

| S.NO. | NAME AND FULL ADDRESS OF PERSON MAKING BID BY TENDER | FULL SIGNATURE OF PERSON MENTIONED IN COLUMN NO.2 | SIGNATURE OF THE DEPARTMENTAL OFFICIAL |
|-------|--|---|--|
| 1.    | 2.   | 3.  | 4.                                     |
|       |  |   |  |

2.11 All other terms and conditions applicable for the grant of lease by auction shall apply *mutatis mutandis* to the grant of lease by Tender.

**(C) GRANT OF LEASE BY AUCTION-CUM-TENDER.**

2.12 Tenders will be submitted in accordance with the procedure prescribed in the "Auction-cum-Tender Document' in Form-TD. However, all bidders intending to participate in auction-cum-tender also are expected to go through the Tender Document and submit the relevant forms before participating in the auction-cum-tender. The auction-cum-tender documents may be obtained from office of the Assistant Excise & Taxation Commissioner for filing bid or for participating in auction-cum-tender.

2.13 The tenders shall be received by the Asstt. Excise and Taxation Commissioner, specified in the notice issued by the Excise and Taxation Commissioner, Himachal Pradesh and on the dates and at the places mentioned therein, as per the terms and conditions laid down in Tender Document. Terms and conditions laid down in the Tender Document shall be part and parcel of these conditions governing the procedure for grant of lease by auction-cum-tender. The Asstt. Excise Taxation Commissioner shall complete the record of every person (other than the Presiding Officer or any other officer or official of the Excise & Taxation Department) entering the auction venue/hall in the following format:-

| S.No. | NAME AND FULL ADDRESS OF PERSON ENTERING AUCTION VENUE/HALL | FULL SIGNATURES OF PERSON MENTIONED IN COLUMN No.2. | SIGNATURE OF DEPARTMENTAL OFFICIAL. |
|-------|---|---|-------------------------------------|
| 1.    | 2   | .3.   | 4.                                  |
|       |   |   |                                     |
|       |   |   |                                     |
|       |   |   |                                     |

2.14 All other terms and conditions applicable for the grant of lease by auction shall apply *mutatis mutandis* to the grant of lease by auction-cum-tender.

**(D) GRANT OF LEASE BY ANY OTHER MODE.**

2.15 For grant of lease by any other mode other than by auction or by tender or by auction-cum-tender, the terms and conditions of grant of lease by auction shall apply as far as may be.

**THE TERMS AND CONDITIONS OF GRANT OF LEASE OF RIGHT TO COLLECT TOLL  
UNDER THE H.P. TOLLS ACT, 1975.**

**SCHEDULE -I**  
**(See Condition No.1.2)**

| <b>District/<br/>Revenue<br/>District</b>   | <b>Name of barriers</b>   | <b>Earmarked barrier(s)<br/>(List of the barriers<br/>which are required to<br/>be equipped with<br/>Modern Hi-tech<br/>facilities).</b> |
|---|---|--|
| <b>1</b>                                    | <b>2</b>  |  |
| <b>1. SOLAN</b>                             | 1. Parwanoo Sector-IV   | 1. Parwanoo (Main)<br>2. Tipra bye<br>pass(:Parwanoo).   |
| <b>2. B.B.N. Baddi</b>                      | 1. Gullarwala<br>2. Dhabota<br>3. Navgaon<br>4. Bagheri <b>(to be shifted to Bagheri at Tikkri)</b><br>5. Gorakhnath Mandir at Gorakhnath<br>Shahpur road<br>6. Bridge (Pul Baddi) at Jhar Majri road<br>Balad Nadi via Suncity<br>7. <b>Khuda- Baksh Chowk Kallu-Zhanda.</b><br>8. Rampur Jaggi Truck Union Barotiwala<br>Road (Near Truck Union).<br>9. Ratyor        | 1. Baddi<br>2. Dherowal<br>3. Barotiwala   |
| <b>3. SIRMOUR</b>                           | 1. Haripur Khol<br>2. Suketi on Suketi-Khajurana Road.<br>3. Near Ruchira Paper Mill on Ruchira Road.<br>4. Meerpur Kotla on Meerpur Kotla-Nahan Road<br>5. Kheri on Kheri Road<br>6. Rampur Ghat on Yamuna river–Paonta Road<br>7. Minus   | 1. Kala Amb<br>2. Behral<br>3. Govindghat  |
| <b>4. SHIMLA</b>                            | 1. Kuddu  |  |
| <b>5. BILASPUR</b>                          | 1. Kaulanwala Toba<br>2. Gwalthai<br>3. Shailaghora on Bassi-Shree Naina Devi Road.   | 1. Garamaura   |
| <b>6. NURPUR<br/>(Revenue<br/>District)</b> | 1. Bhadroya on Bhadroya (Lodhwan) Kandwal<br>Road.<br>2. Sansarpur Terrace<br>3. <b>Shekupura Chowk Nangal bhoor Road and<br/>Pathankot Mukerian Indora Road.</b><br>4. Oader near Sulyali-Dunehra Road Tehsil<br>Nurpur<br>5. Shenehar- Sthana Jagir Road<br>6. Dhangupeer.<br>7. Ulehrian Chowk.<br>8. Nakki Chowk on Jammu-Kangra Road.<br>9. Mirthal Road Kathgarh. | 1. Kandwal   |

|                       |   |  |
|-----------------------|---|--|
| <b>7. UNA</b>         | <ol style="list-style-type: none"> <li>1. Marwari</li> <li>2. Pandoga <b>(to be shifted near M.P.Barrier Pandoga.</b></li> <li>3. Ajouli</li> <li>4. Polian</li> <li>5. Gondpur Jaichand</li> <li>6. Busdehra</li> <li>7. Bhatoli</li> <li>8. <b>Bathu on Kahnpur Khui-Tahliwal Road via Bathu.</b></li> <li>9. Santokhgarh</li> <li>10. <b>Bathri Border Near L-14 Excise Vend Bathri Border.</b></li> <li>11. Singhan on Singhan- Beetan Road</li> <li>12. Jaijon-Janani on Jaijon-Janani Road</li> </ol> | <ol style="list-style-type: none"> <li>1. Mehatpur</li> <li>2. Gagret near RTO Barrier)</li> </ol> |
| <b>8. Chamba</b>      | ---   | 1. Tunuhatti   |
| <b>Total Barriers</b> | <b>42. Barriers</b>   | <b>13 Barriers.</b>  |

**NAME OF TOLL BARRIERS CLOSED DURING THE YEAR 2014-15**

| <b>Name of District</b>     | <b>Name of Barriers</b>                                   |
|-----------------------------|---|
| 1. Sirmour                  | 1. Khodri Mazri.  |
| 2. Nurpur Revenue District. | 1. Bela Thakra.   |
| 3. Una                      | 1. Ambota Road(near Asha Devi Temple) in Gagret locality. |

**Total Toll Barriers during the year, 2014-15 = 55**

**THE TERMS AND CONDITIONS OF GRANT OF LEASE OF RIGHT TO COLLECT TOLL AS PER THE TERMS AND CONDITIONS FRAMED UNDER THE H.P. TOLLS ACT, 1975.**

**SCHEDULE -II**

**(See Condition No. 2.3.1 & section 3 of H.P. Tolls Act, 1975)**

| <b>Sl. No.</b> | <b>Particulars of vehicles.</b>  | <b>Rate of toll per day or part thereof.</b> | <b>Rate of toll per quarter or part thereof.</b> | <b>Rate of toll per year or part thereof.</b> |
|----------------|--|--|--|---|
| <b>1.</b>      | <b>2.</b>  | <b>3.</b>                                    | <b>4.</b>  | <b>5.</b>                                     |
| 1.             | "1. Vehicle having loading Capacity:<br>(a) exceeding 120 Quintals;  | Rs.400                                       | 20 times the rate as specified in Column (3)     | 3 times the amount as specified in column (4) |
|                | (b) of 90 quintals but not exceeding 120 quintals  | Rs .200                                      | -do-   | -do-  |
|                | (c) of 20 quintals but less than 90 quintals.  | Rs .100                                      | -do-   | -do-  |
|                | (d) Less than 20 quintals  | Rs . 75                                      | -do-   | -do-  |
|                | 1.A. Tractors plying with public carrier or private carrier permit except when used for Agricultural purpose.      | Rs. 40                                       | -do-   | -do"-   |
| 2.             | Passenger vehicles having seating capacity of:<br>(a) above 12 passengers  | Rs.100                                       | -do-   | -do-  |
|                | (b) upto 12 passengers   | Rs. 60                                       | -do-   | -do-  |
|                | (c) other light motor vehicles such as jeep, car, pick-up van, station wagon.—<br>(i)Registered as Public carrier. | Rs. 40                                       | -do-   | -do-  |
|                | (ii) Registered as Private Vehicles.   | Rs. 30                                       | 15 times the rate as specified in Column (3)     | 45 times the rate as specified in Column (3)  |
|                | (iii) The private registered vehicles of the owners of the vicinity of the barrier                                 | Rs. 30                                       | Rs.50  | Rs. 150                                       |
| 3.             | Motor Rickshaw and Scooter Rickshaw.   | Rs. 20                                       | 20 times the rate as specified in Column (3)     | 60 times the rate as specified in Column (3)  |

**THE TERMS AND CONDITIONS OF GRANT OF LEASE OF RIGHT TO COLLECT TOLL UNDER THE H.P. TOLLS ACT, 1975.**

**SCHEDULE –III**

**MECHANICAL VEHICLES EXEMPTED FROM LEVY OF TOLL**

**(See Condition No. 2.3.1 and Section 13 of H.P. Tolls Act, 1975)**

| <b>Sl. No.</b> | <b>Particulars.</b>   | <b>Conditions and Exceptions.</b>  |
|----------------|---|--|
| 1.             | 2.  | 3.   |
| 1.             | The mechanical vehicles belonging to the President, Defence Services of Union India, Diplomatic Corps, the Himachal Pradesh Government, Central Government and other States Government], Fire Tenders and the High Court of Himachal Pradesh;   | -----  |
| 2.             | The light mechanical vehicles belonging to the Vice-President, the Ministers, the Speaker and the Deputy Speaker;   | -----  |
| 3.             | The light mechanical vehicles belonging to the Members of parliament elected from Himachal Pradesh and the Members of the Himachal Pradesh Legislative Assembly;  | -----  |
| 4.             | The ambulances and the vehicles specially designed for use by physically handicapped person;  | ----   |
| 5.             | Motor cycles and Scooters.  | ---  |
| 6.             | Tractors.   | When used for agricultural purpose.  |
| 7.             | The light mechanical vehicles belonging to the serving personnel of the Army, Navy and Air Force whether they are travelling on duty or off duty and their spouses and dependent children.  | On production of Identity Card and Registration Certificate of the vehicle and certificate from the Army, Navy and Air Force authorities in favour of their spouses and dependent children to the effect that they are the members of the family of such personnel and are undertaking the journey for their private work and are not carry out any business activities. |
| 8.             | The light mechanical vehicles belonging to the Gallantry Award Winner ex-servicemen and their families i.e. recipients of Param Veer Chakra, Ashok Chakra, Maha Veer Chakra, Kirti Chakra, Veer Chakra, Shourya Chakra, Sena Medal (Gallantry), and also the recipients of Victoria Cross and Military Cross. | On production of Identity Card issued by the AETC I/C of the District or Certificate issued by the competent authority and the Identity Card.  |
| 9.             | Vehicles of Ex-Members of Legislative Assembly elected only from Himachal Pradesh.  | --   |
| <b>10.</b>     | <b>Vehicles of Accredited Press Correspondents working at the State, District or Sub-Division levels in the State of Himachal Pradesh at the time of entering in the State w.e.f. 01-04-2014.</b>   | <b>On production of Identity Card issued by the Director Public Relations, Himachal Pradesh.</b>   |

**THE TERMS AND CONDITIONS OF GRANT OF LEASE OF RIGHT TO COLLECT TOLL UNDER THE H.P. TOLLS ACT, 1975.**

**FORM-'A'**

**DECLARATION OF SOLVENCY BASED ON VALUE OF ASSETS.  
(See Condition No. 2.3.2)**

**VALUE OF ASSETS OF AN INTENDING BIDDER**

1. Name \_\_\_\_\_
2. Father's Name \_\_\_\_\_
3. Full Permanent Address \_\_\_\_\_
4. Occupation \_\_\_\_\_
5. Permanent Account Number \_\_\_\_\_
6. Mobile/Telephone Number(s) \_\_\_\_\_
7. **(A) Details of moveable properties:**

| S.No. | Description             | Description | Value |
|-------|-------------------------|-------------|-------|
| 1.    | Bank Deposits           |             |       |
| 2.    | Vehicles                |             |       |
| 3.    | Shares/ Debentures etc. |             |       |
| 4.    | Ornaments               |             |       |
| 5.    | Others                  |             |       |

**7. (B) Details of immovable properties**

| S.No. | Description         | Area/Quantity | Value |
|-------|---------------------|---------------|-------|
| 1.    | Land                |               |       |
| 2.    | Building            |               |       |
| 3.    | Plant and machinery |               |       |

8. Total value of moveable and immovable assets (A+B)=

**DECLARATION BY THE BIDDER**

I solemnly declare that the facts about my property stated above are correct and that the immovable property specified above is free from all encumbrances.

**Place:**

**Signature of Bidder)**

**Date:**

## **A. SPECIAL CONDITIONS:--**

### **The intending bidder may furnish:--**

Declaration of solvency in **Form-A** (prescribed under auction conditions) based on value of assets of an intending bidder to show that his/their total assets are atleast worth 1/10<sup>th</sup> of reserve price for the year 2014-15.

**OR**

Bank Guarantee or F.D.R. or N.S.C. for 1/10<sup>th</sup> of reserve price.

**OR**

In case intending bidder is a company or a firm, it may even file its latest audited balance sheet to show that its total assets are atleast worth 1/10<sup>th</sup> of reserve price.

**OR**

Cash deposit for 1/10<sup>th</sup> of reserve price.

**AA. The intending bidder for the earmarked barrier(s) as per Column No. 3 of Schedule-1 appended to the Toll Announcements shall also furnish an Affidavit in Form D (prescribed under auction condition) alongwith Form A.**

## **B. INSTRUCTIONS FOR FILLING IN DECLARATION OF SOLVENCY:--**

1. *A person furnishing F.D.R. or National Saving Certificate or a Bank Guarantee instead of filling in Col. 7(A), (B) of Form-A, shall also have to fill in particulars in Entry No. 1 to 5 above and also affix his attested photograph.*
2. *It is not necessary to make an entry against all the items in Point Nos. 7(A) and 7(B). It will suffice to make such number of entries as would give an overall value of atleast 1/10<sup>th</sup> of reserve price for one of the principal partner amongst the bidder(s).*
3. *Photocopies of all documents (attested by a SDM/Tehsildar) such as Jamabandi, valuation certificates, registration certificate, ownership of building (to be issued by the local Body), Bank Account Details, Instruments etc. must be attached.*
4. *Valuation of building can be done by an approved valuer or an A.E. of a Govt./Semi Govt. organization. In case of a landed property, the concerned Revenue Officer (i.e. Tehsildar/Naib Tehsildar) shall give the value of land on the basis of latest Govt. instructions in the matter.*
5. *In case of FDR/NSC etc., original copy will be taken, unlike the first option (refer to Special Conditions hereinabove) where attested photocopies will suffice.*
6. *If a person files his eligibility claim as 'XYZ & Co., Form-A from other partners of his partnership or association of persons etc. may not be insisted upon provided that this person called XYZ proves his solvency as per any of the options given in the Special Conditions hereinabove The bidder may include details of such partners in **Form "D"** (i.e. Financial Bid).*

**THE TERMS AND CONDITIONS OF GRANT OF LEASE OF RIGHT TO COLLECT TOLL UNDER THE H.P. TOLLS ACT, 1975.**

**FORM-B**

**(See Condition No. 2.3.2)**

**AFFIDAVIT**

I, .....son of .....permanent resident of .....and at present residing ....., aged.....years, occupation..... do hereby solemnly affirm and declare as under:---

1. That I have not been convicted of any offence under any law.
2. That I have not been declared to be a “bad character” by the Police.
3. That I have not been debarred from participating in any auction or tender for the grant of any license or contract by any authority of State Government or Central Government or Union or National Territory Government or Local Government.
4. That I am not a defaulter under any Excise and Taxation Statute of the State of Himachal Pradesh.
5. I further affirm that the contents of this affidavit of mine are true and correct to the best of my knowledge and belief and no material has been concealed therefrom.

Affirmed this ..... day of ....., 2014 at .....

Deponent

**THE TERMS AND CONDITIONS OF GRANT OF LEASE OF RIGHT TO COLLECT TOLL UNDER THE H.P. TOLLS ACT, 1975.**

***FORM-‘C’***

**(See Condition No. 2.3.2)**

**Declaration regarding acceptance of terms and conditions of auction.....\***  
**notified under section 3-A of the H.P. Tolls Act, 1975.**

To

The Excise and Taxation Commissioner,  
Himachal Pradesh, Shimla-171009.

Sir,

I have carefully gone through the terms and conditions of the grant of lease of the right to collect toll under section 3-A of the H.P. Tolls Act, 1975, notified by the Excise and Taxation Commissioner, H.P. for the period from \_\_\_\_\_ to \_\_\_\_\_. I declare that all the terms and conditions mentioned above are acceptable to me.

Yours faithfully,

Signatures.....

Name.....

Father's name.....

Permanent address.....

.....

.....

Date:.....

Place:.....

---

\*Modify accordingly in case of tender, auction-cum-tender or any other mode.

## Form-D

(TO BE FILED BY BOTH KINDS OF APPLICANTS i.e. TENDER/BIDS AND TO BE TAGGED IN SEALED ENVELOPE WITH THE ENVELOPE OF FORM-A IN CASE OF TENDER AND TO BE OPENED AFTER THE ENVELOPE OF FORM-A, WHEREVER APPLICABLE)

### AFFIDAVIT

I, ..... son of ..... permanent resident of ..... and at present residing ....., aged.....years, occupation ..... do hereby solemnly affirm and declare as under:---

1. That I have filed/application in order to become toll-lessee for the earmarked barrier at --  
-----.
2. That I agree to install Modern Infrastructure i.e. Pre-fabricated Metallic and Aluminium sheet-based, Kiosk/shed Structures which may be detached as and when required, Boom Electronic Rod and Computer with printers etc. **as per Condition No.2.3.3 during the currency of lease period i.e., 2014-15 to 2016-17.**
3. That I undertake to provide an alternative mode of equipment of similar nature within a week's time in case the already installed system i.e. Boom Electronic Rod fails.
4. That I undertake to replace the computer or printer within no time, if the already installed Computer and Printer fails.
5. That I undertake to issue computerized receipts in HP-T-1 Form to every vehicle incharge passing through the aforementioned barrier and liable to pay tolls **as per Condition No.2.3.3 during the currency of lease period i.e., 2014-15 to 2016-17.**
6. That I agree to handover the system installed in operational/functional order to the concerned Excise & Taxation Officer in-charge by transferring the title thereof to the Excise & Taxation Department as and when lease period is over/terminated and shall not have any claim on this property thereafter.
7. That I hereby undertake to get my lease renewed for the years 2015-16 and 2016-17 as per the terms and conditions prescribed by the Department under the H.P.Tolls Act, 1975 and Toll Announcements for the year, 2014-15 to 2016-17.
8. That I shall abide by all the terms, conditions and instructions issued from time to time in this behalf by the Excise and Taxation Commissioner and any other competent authority.
9. That I also affirm that the contents of this affidavit of mine are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

Affirmed on this ..... day of ....., 2014 at .....

**TERMS AND CONDITIONS OF GRANT OF LEASE OF RIGHT TO COLLECT TOLL  
UNDER THE H.P. TOLLS ACT, 1975.**

**“WELCOME TO HIMACHAL PRADESH”**

**FORM H.P.T.1\***

**(See condition No. 2.3.23)**

No.....

**Receipt under Himachal Pradesh Tolls Act, 1975.**

1. Name of the Barrier.....
2. Date of issue.....Time.....
3. Registration No. of mechanical vehicle.....

Received a sum of Rs.....(Rupees.....) only as toll.

Signature of Toll Inspector

- This receipt is valid for 24 hours only throughout the H.P.

**Happy journey and visit again.**

**\*(TO BE PRINTED IN WHITE COLOUR IN THE SIZE OF 13 Cm. X 8 Cm.)**

## CONDITIONS

**( TO BE PRINTED ON THE BACK OF THIS RECEIPT)**

1.

| Particulars of vehicles.  | Rates   |
|---|---|
| <b>“1. Vehicle having loading Capacity:</b><br>(a) exceeding 120 Quintals;<br>(b) of 90 quintals but not exceeding 120 quintals<br>(c) of 20 quintals but less than 90 quintals.<br>(d) Less than 20 quintals   | Rs. 400<br>Rs .200<br>Rs .100<br>Rs. 75             |
| 1.A. Tractors plying with public carrier or private carrier permit except when used for Agricultural purpose.   | Rs. 40  |
| <b>2. Passenger vehicles having seating capacity of:</b><br>(a) above 12 passengers<br>(b) upto 12 passengers<br>(d) other light motor vehicles such as jeep, car, pick-up van, station wagon.—<br>(i) Registered as Public carrier.<br>(ii) Registered as Private Vehicles.<br>(iii) The private registered vehicles of the owners of the vicinity of the barrier. | Rs. 100<br>Rs. 60<br><br>Rs. 40<br>Rs. 30<br>Rs. 30 |
| <b>3. Motor Rickshaw and Scooter Rickshaw.</b>  | Rs. 20  |

2. Toll is to be collected only for vehicles entering into Himachal Pradesh.
3. No toll is to be collected for vehicles exiting out of Himachal Pradesh.
4. This receipt shall be valid for 24 hours throughout the State of Himachal Pradesh.
5. Toll is to be paid only at the first barrier of entry.
6. Concessional quarterly/yearly tokens are also available at the barrier.
7. In case of over-charging or any other violation, please contact the officer-in-charge of the barrier.

**TERMS AND CONDITIONS OF GRANT OF LEASE OF RIGHT TO COLLECT TOLL  
UNDER THE H.P. TOLLS ACT, 1975.**

**FORM-T2\***

**(See condition No. 2.3.23 (a) )**

**Quarterly Token  
Under the H.P. Tolls Act, 1975**

Sl. No.....

Date of issue.....

**VALID UPTO.....**

**Registration No./kind of vehicle.....**

Amount of Toll received : Rs.....(in figures)

Rupees.....(in words)

**Name, Stamp & signature of  
the toll lessee**

**Signature & stamp of the ETO  
I/C of the Barrier**

**\*(TO BE PRINTED IN GREEN COLOUR IN THE SIZE OF 13 Cms. X 8 Cms.)**

**TERMS AND CONDITIONS OF GRANT OF LEASE OF RIGHT TO COLLECT TOLL  
UNDER THE H.P. TOLLS ACT, 1975.**

**FORM-T3\***

**(See condition No. 2.3.23(a))**

Annual Token

**Under H.P. Tolls Act, 1975**

Sl. No.....

Date of issue.....

**VALID UPTO.....**

**Registration No./kind of vehicle.....**

Amount of Toll received : Rs.....(in figures)

Rupees.....(in words)

**Name, Stamp & signature of  
the toll lessee**

**Signature & stamp of the  
ETO I/C of the Barrier**

**\*(TO BE PRINTED IN RED COLOUR IN THE SIZE OF 13 Cms. X 8 Cms.)**

**TERMS AND CONDITIONS OF GRANT OF LEASE OF RIGHT TO  
COLLECT TOLL UNDER THE H.P. TOLLS ACT, 1975.**

**FORM TL-1**  
(See Condition No.2.4)

**Here affix  
latest attested  
photograph of  
lessee.**

Registered under District No.....

This lease authorizing collection of Toll levied under Section 3-A of the H.P. Tolls Act, 1975 at the barrier(s) specified below for the period from..... to ..... is granted under section 3-A of the said Act to \_\_\_\_\_ son of \_\_\_\_\_ (address).

This lease is granted subject to the provisions of the Himachal Pradesh Tolls Act, 1975, the rules framed thereunder, the terms and conditions determined by the Excise and Taxation Commissioner under section 3-A of the said Act and the supplementary conditions specified herein below, and subject to the payment of Rs. \_\_\_\_\_ (in words) \_\_\_\_\_ on account of lease money in consideration of the lease of the right to collect toll under the Act.

**Sd/-**  
**Addl./Dy. Excise and Taxation Commissioner,**  
**.....Zone, Himachal Pradesh.**

**Description of the Barrier(s):**

| <b><u>Sl. No.</u></b> | <b><u>Name of the Barrier.</u></b> | <b><u>District.</u></b> |
|-----------------------|------------------------------------|-------------------------|
|-----------------------|------------------------------------|-------------------------|

1. Renewed for the period.....to.....  
on payment of lease money of Rs.....as per terms and  
conditions of the Toll Announcements.

**Sd/-**  
**Addl./Dy. Excise and Taxation Commissioner,**  
**.....Zone, Himachal Pradesh.**

2. Further renewed for the period.....to.....  
on payment of lease money of Rs.....as per terms and  
conditions of the Toll Announcements.

**Sd/-**  
**Addl./Dy. Excise and Taxation Commissioner,**  
**.....Zone, Himachal Pradesh.**

## **SUPPLEMENTARY CONDITIONS OF LEASE:**

1. The lessee shall comply with the provisions of the H.P. Tolls Act, 1975, the rules framed thereunder, the notifications or directions issued thereunder and the terms and conditions of the lease of the right to collect toll notified by the Excise and Taxation Commissioner from time to time.
2. This document shall be conspicuously displayed by the lessee at the barrier(s) mentioned herein above and shall be produced, on demand by any officer of the Excise and Taxation Department not below the rank of an Excise and Taxation Inspector for inspection.
3. The lessee shall also display conspicuously the rates of toll and retain it displayed throughout the toll /lease year at the toll collection point, on a glossy Sign-Board clearly written on the top” Welcome to Himachal”, the toll rates of different vehicles in the middle and “Happy journey and visit again”, at the bottom of such Sign-Board of a size not less than 6 ft.x 3 ft. and all the rates shall be clearly legible enough.
4. In the matter of employment, the lessee shall give preference to Himachalis. He shall also get the names of the persons employed by him approved by the Asstt. Excise & Taxation Commissioner, I/C of the District for each barrier separately prior to putting them on the job of toll collection. The lessee shall also submit photographs of such persons to the Asstt. Excise & Taxation Commissioner, I/C of the District who shall issue Identity Card to each of them. The lessee should make available uniforms to all persons employed by him which shall consist of Dark Blue coloured Pants, Shirt, Sweater and Yellow Fluorescent Jacket. The Asstt. Excise & Taxation Commissioner I/C of the District shall ensure the compliance of uniform code by all the toll lessees. These persons shall always wear the approved uniforms and conspicuously display the Identity Card near to their chest while on duty.
5. In the event of suspension or cancellation of the lease, the lessee shall surrender this lease authority within three days to the Addl./Dy. Excise and Taxation Commissioner, Incharge of the Zone.
6. The attested photograph(s) of the lessee(s) shall be affixed at the top of this Form. In case the No. of lessees is more than one, their photographs duly attested, shall be kept alongwith this document and produced for inspection. One copy of such photograph shall also be kept in the office of the Addl./Dy. Excise and Taxation Commissioner issuing this document.

7. The lessee shall furnish a return on monthly basis on the toll collection in Form TCR-1 as per Annexure-II attached to the Toll Announcements for the years 2014-15 to 2016-17 by the 25<sup>th</sup> of the following month to which it relates to the AETC incharge of the district.
8. The lessee shall ensure that basic courtesies are extended at the time of collection of toll and violation of this condition shall render him liable to penal action.
9. The toll lessee will not insist upon for earmarked buses of Himachal Pradesh Road Transport Corporation and the buses of other Roadways/Transport Corporations of other States. The payment of toll in respect of above Roadways/Corporations' buses will be subject to route coverage.
10. The Excise & Taxation Commissioner, reserve the right to order to take any decision during the currency of the year for the smooth collection of Toll and in respect of any contingency arised during the year.

**LIST OF PERSONS WHOSE NAMES HAVE BEEN APPROVED FOR  
COLLECTION OF TOLL ON BEHALF OF THE LESSEE.**

| <b>Name.</b> | <b>Father's name.</b> | <b>Age.</b> | <b>Address.</b> | <b>Barrier for which approved.</b> |
|--------------|-----------------------|-------------|-----------------|------------------------------------|
| 1.           | 2.                    | 3.          | 4.              | 5                                  |

Asstt. Excise & Taxation Commissioner/  
Excise & Taxation Officer, I/c of the District

**Excise and Taxation Commissioner  
Himachal Pradesh.**

Endst. No.7-558/2013--EXN-4901

Dated 24.2.2014

**Copy forwarded for information and necessary action to:-**

1. The Principal Secretary (Excise & Taxation) to the Govt. of Himachal Pradesh, Shimla-171002.
2. All the Deputy Commissioners in Himachal Pradesh.
3. The Controller, Printing and Stationery, H.P. Shimla-171005 for publication in the Rajpatra HP (Extra-ordinary). 200 printed copies this notification may please be made available to this office.
4. The Addl./Dy. Excise and Taxation Commissioner (SZ/NZ/CZ) Shimla/Palampur and Mandi Himachal Pradesh.
5. The Dy. Excise & Taxation Commissioner (Flying Squad) (SZ/NZ/CZ) Shimla/Palampur and Una, Himachal Pradesh.
6. The Asstt. Excise and Taxation Commissioner, I/C Shimla/Solan/Sirmour/Bilaspur/Hamirpur/Kullu/Una/Mandi/Kangra/Chamba/Revenue district BBN Baddi and Revenue district Nurpur, Himachal Pradesh.
7. . The Excise & Taxation Officer, I/C Kinnaur district at Reckong Peo.

**Joint Excise & Taxation Commissioner(H.Q.)(D)  
Himachal Pradesh.**

No:7-558/2013-EXM-

Dated:.....

**DEPARTMENT OF EXCISE AND TAXATION**

**TENDER/AUCTION-CUM-TENDER DOCUMENT FOR GRANT OF LEASE OF RIGHT TO COLLECT TOLL UNDER THE H.P. TOLLS ACT, 1975, THE PERIOD FROM 1.4.2014 TO 31.3.2017.**

Financial offers are hereby invited by the undersigned for lease of right to collect toll at barriers established in Himachal Pradesh under the H.P. Tolls Act, 1975 for the period from 1.4.2014 to 31.3.2017 The details of (a) barriers (b) official reserve price of toll for each barrier, (c) the rates of toll applicable for the lease period, and (d) other connected details shall be available in the office of the Addl./Dy. Excise and Taxation Commissioner, Incharge of the Zone/Asstt. Excise and Taxation Commissioner, Incharge of the concerned district for consultation and reference by the intending participants in the tender or Auction-cum-Tender. District wise tender/auction-cum-tender Schedule, which has been published in different newspapers, is appended as ***Annexure-I.***

# **1. PROCEDURE FOR FILLING TENDER DOCUMENT**

Sealed tender for a barrier as specified in the Tender Schedule issued in this behalf, will be received on the date, time and place specified in the notice issued by the Excise and Taxation Commissioner, Himachal Pradesh in respect of the barriers in the concerned districts. Sealed tenders are required to be submitted in three separate envelopes, namely, **Envelope-A, Envelope-B and Envelope-C** and four envelopes in the case of earmarked barriers where **ENVELOPE-D** will be tagged with **Envelope-A** and these should carry the following description: --

## **Envelope-A:**

“Eligibility claim for participation in tender of barriers in District.....  
for lease period i.e. 2014-15 to 2016-17.

## **Envelope-D:**

“Eligibility claim for participation in tender/bids for the earmarked barrier/(s) in District.....**for lease period i.e. 2014-15 to 2016-17.**  
*(TO BE FILED BY BOTH KINDS OF APPLICANTS i.e. TENDER/BIDS AND TO BE TAGGED IN SEALED ENVELOPE WITH THE ENVELOPE OF FORM-A IN CASE OF TENDER AND TO BE OPENED AFTER THE ENVELOPE OF FORM-A, WHEREVER APPLICABLE)*

## **Envelope-B:**

“Bid security for sealed tender for \_\_\_\_\_ barrier or \_\_\_\_\_ group of barriers.”

**(TO BE OPENED ON \_\_\_\_\_ )**

## **Envelope-C:**

“Financial Bid for \_\_\_\_\_ barrier \_\_\_\_\_ group of barriers.”

**(TO BE OPENED ON \_\_\_\_\_ )**

The above details will be super scribed on each of the three Envelops. These Envelopes will be addressed to the Asstt. Excise and Taxation Commissioner, specified in the notice and will also contain the following details on the **Envelopes also:** --

- (i) Name, father’s name and full address.
- (ii) Name of the barrier or group of barriers for which bid is being submitted.

## 2. **ELIGIBILITY:**

Every person intending to submit sealed tender must establish his or their eligibility first by providing the following information in **Envelope-A:--**

- (i) Declaration of solvency in **Form-A** (prescribed under auction conditions) based on value of assets of an intending bidder to show that his/their total assets are atleast worth 1/10<sup>th</sup> of reserve price.

**OR**

Bank Guarantee or F.D.R. or N.S.C. for 1/10<sup>th</sup> of reserve price.

**OR**

In case intending bidder is a company or a firm, it may even file its latest audited balance sheet to show that its total assets are atleast worth 1/10<sup>th</sup> of reserve price.

**OR**

Cash deposit for 1/10<sup>th</sup> of reserve price.

- (ii) Income tax clearance certificate;
- (ii) (a) **Declaration in Form-D as an Affidavit ( prescribed under auction conditions) for the earmarked barrier/(s) mentioned in Column no-3 of Schedule-1 of the Toll Announcements for lease period i.e. 2014-15 to 2016-17.**
- (iii) **Affidavit in Form-B** (prescribed under auction conditions) affirming that the person concerned ---
  - (a) has neither been convicted, nor declared as a '*bad character*' by the police;
  - (b) has not been debarred from participating in excise auctions or taking a license or lease in any State; and
  - (c) is not a defaulter under any taxation statute in H.P. (mention Registration Certificate Nos., if any).
- (iv) **Declaration in Form-C** (prescribed under auction conditions) regarding acceptance of terms and conditions contained in this Tender Document and all terms and conditions of grant of lease by auction notified by the Excise and Taxation Commissioner under section 3-A of the H.P. Tolls Act, 1975.
- (v) Previous experience, if any, in collection of toll stating details of lease, its period, place etc. in the State.

**Note:--** (1) If more than one person wish to make a bid collectively (as a partnership or an association of persons) they may keep their respective forms regarding value of assets together in a single Envelope.

(2) In case of group of persons, the value of assets of one of the principal partners should be atleast 1/10<sup>th</sup> of the reserve price.

- (3) The **Form-A** is to be filled in by each individual separately.
- (vi) True copy of the partnership deed in case of partnership firm and true copy of the Memorandum of Association and articles of Association in case of public or limited company alongwith solvency required in respective name as per law.
- (vii) Domicile certificate for each partner as per proforma-- and permanent residence certificate for each partner as per proforma—
- (viii) In case where the bidder is the company, a true copy of the board resolution / Power of attorney authorizing the submission and signing of the bid. The power of attorney should be duly attested by the Gazetted Officer.

## 2. **CONTENTS OF ENVELOPES:**

- (1) **Envelope-A: Eligibility claim**
- (1)(a) **Envelope-D: Eligibility claim (in the case of earmarked barrier/(s) mentioned in Column no-3 of Schedule-1 of the Toll announcement for lease period i.e. 2014-15 to 2016-17.**

*(TO BE FILED BY BOTH KINDS OF APPLICANTS i.e. TENDERS/BIDS AND TO BE TAGGED IN SEALED ENEVELOPE WITH THE ENVELOPE OF FORM-A IN CASE OF TENDER AND TO BE OPENED AFTER THE ENVELOPE OF FORM-A, WHREVER APPLICABLE)*

- (2) **Envelope-B: Bid Security/earnest money**
- This sealed envelope shall contain a security of an amount equal to 1% of the reserve price offered by the person making the bid. The security shall be in the form of Bank Draft, drawn on any Scheduled Bank in favour of the Asstt. Excise and Taxation Commissioner, Incharge of the district. [In case the bidder desires to furnish security in cash, he shall be allowed to do so and in that event this Envelope shall not contain anything.]
- (3) **Envelope-C: Financial bid.**
- This sealed envelope shall contain actual bid made by the person participating in tender and shall specify the amount of bid, both in words and letters clearly in **Form-FB**. (prescribed in this document and appended hereto)

- NOTE 1:** *The envelopes shall be sealed by signing across all joints of the envelope and pasting good quality transparent adhesive tape on top of such joints and signatures.*
- 2: *The bid shall contain no interlineations, erasures or overwriting. All corrections shall be done and initialled after striking out the original words/figures completely.*

#### **4. SUBMISSION OF BIDS:**

- (a) Sealed bids in respect of each barrier separately will be submitted to the Asstt. Excise and Taxation Commissioner, three days prior to the date of auction and latest upto 10.30 AM on the date of auction.
- (b) After receipt of the bids on the date specified in the notice issued by the Excise and Taxation Commissioner, the Presiding Officer shall first examine the 'Eligibility Claim' of the bidder. If the person(s) filing the sealed bids fulfils the eligibility criteria, his/their bid will be received and an acknowledgment in **Form-TE**, (prescribed in this document and appended hereto) shall be issued to the bidder; otherwise, the **Envelopes-'B' and 'C'** shall be returned to the bidder. The contents of **Envelope-A and Envelope-D** shall be kept confidentially in a file and its abstract will be drawn in **Form-TE**, (prescribed in this document and appended hereto).
- (bb) The Presiding Officer shall also examine the 'Eligibility Claim' of the bidders/applicants who have filed Form 'D' in order to ascertain their eligibility in respect of the earmarked barrier(s). In the case of tender, the envelopes containing Form A and Form D shall be tagged together. The envelope containing Form D as an Affidavit shall be opened after opening the envelope of Form A. The Presiding Officer shall declare such tender-bidder as ineligible if the Affidavit in Form D is not found in the envelope as per criteria of the Toll Announcements and he will return the Envelope B and C to such tender-bidder without opening the envelopes in Form B and C. Similarly, if the person(s) who have filed application(s) for participation in auction proceedings also do not submit Form D as per the criteria of the Toll Announcements being applicant(s) for the earmarked barrier(s), then such applicant(s) shall also be declared as ineligible by the Presiding Officer and shall not be allowed to participate in the auction proceedings.
- (c) All bids shall be valid until a final decision is taken by the Excise and Taxation Commissioner.
- (d) The **Envelopes-B and C** shall be tagged together and kept securely in the sealed box, the seal whereof shall be duly signed by the Asstt. Excise and Taxation Commissioner, Incharge of the district concerned.

#### **5. OPENING OF SEALED BIDS:**

The sealed bids shall be opened in the following manner:--

##### **(i) OPENING OF BID SECURITY:**

The bid security furnished by a tenderer in Envelope-B will be opened before opening the financial bid made by him. If the bid security is either less than 1% or is not available in the Envelope-B or has been furnished in a non-approved mode, the same shall be rejected and in that event the financial bid will not be opened and the same will also be deemed to have been rejected.

## **(ii) OPENING OF FINANCIAL BID:**

- (a) The financial bid in Envelope-C will be opened by the Presiding Officer, if the security furnished by the tenderer meets the prescribed requirement.
- (b) After opening the financial bid of party the Presiding Officer shall read out the names and addresses of the persons making the financial bid and the nature of association/partnership. Thereafter, the financial bid shall be announced in figures as well as in words.
- (c) The person(s) making the highest financial bid shall be deemed to be the successful bidder.
- (d) The successful bidder will have to deposit the cash down payment as decided by the Presiding Officer.
- (e) The bid security will be adjusted towards the cash down payment or as the case may be towards the security to be furnished by the successful bidder under the auction procedure.

## **1. RETURN OF BID SECURITY AND OTHER VALUABLE INSTRUMENTS.**

After the tender has been concluded and a successful bidder has been identified, the Presiding Officer will return the bid security and other valuable instruments like Bank Guarantee, N.S.C. or F.D.R. to the unsuccessful bidders after retaining photostat copies of the same:

Provided that the bid security may be forfeited if, --

- (a) after opening of sealed bid, the bidder fails to deposit the remaining cash down payment on the same day, or
- (b) a bidder violates any of the conditions of this tender document or the terms and conditions of lease notified under section 3-A of the H.P. Tolls Act, 1975, so as to jeopardize the interests of revenue of the State Government, or
- (c) a bidder withdraws his bid (except when specifically permitted under the terms of this Tender Document) during the period of its validity.

The decision of the Presiding Officer about forfeiture of the bid security shall be final.

## **7. OTHER CONDITIONS OF GRANT OF LEASE BY AUCTION TO APPLY.**

All other terms and conditions governing the grant of lease by auction shall apply *mutatis mutandis* and will accordingly be read as part and parcel of this Tender Document.

### **1. AUCTION-CUM-TENDER DOCUMENT.**

Sealed tender for a barrier as specified in the notice issued in this behalf by the Excise and Taxation Commissioner will be received by the Asstt. Excise and Taxation Commissioner specified in the notice on the date, time and place mentioned therein. For the submission of sealed tenders, the procedure contained in procedure for the **Tender Document** will apply in the case of tenders filed under the auction-cum-tender process.

## 2. OPENING OF SEALED BIDS.

- (a) The person(s) submitting a sealed bid will have to be necessarily present himself (or through a General Power of Attorney) in the Auction Hall on the day and time of auction for the barrier(s) for which he has given the financial bid.
- (b) The financial bid in Envelope-C will be opened by the Presiding Officer, if the security furnished by the tenderer meets the prescribed requirement.
- (c) After the highest bid for a barrier has been received in the auction and no further bids are forthcoming, the seal of the tender box shall be broken open and the tenders for that barrier will be segregated. After this the 'Envelope-B' shall be opened and dealt with according to the procedure ed in para prescribe 5(ii) of the Tender Document, relating to “**OPENING OF FINANCIAL BID**”.
- (d) After opening of the financial bid the Presiding Officer will compare the highest bid made during the auction and the sealed financial bid opened by him. The person(s) making higher of these two bids will be deemed to be the successful bidder subject to the approval of the bid by the Excise and Taxation Commissioner and performance of conditions relating to security prescribed for the grant of lease by auction.
- (e) No further bidding by way of auction shall take place after the sealed bids have been opened. If the highest bid in the auction is equal to the financial bid or bids received in the tenders for a particular barrier, two or more financial bids received in the tender are equal to each other, the Presiding Officer will, in that eventuality, allow further bidding. Such further bidding will be restricted only to those persons who quoted the highest equal amount.
- (f) The successful bidder will have to deposit the cash down payment as applicable in the case of grant of lease by auction. In case of sealed bid, the bid security will be adjusted towards the cash down payment.

## 3. OTHER CONDITIONS OF GRANT OF LEASE BY AUCTION TO APPLY.

All other terms and conditions governing the grant of lease by auction shall apply *mutatis mutandis* and will accordingly be read as part and parcel of this auction-cum-tender document.

**Excise and Taxation Commissioner,  
Himachal Pradesh.**



**TERMS AND CONDITIONS OF GRANT OF LEASE OF RIGHT TO COLLECT TOLL UNDER THE H.P. TOLLS ACT, 1975.**

**FORM-TE**

(See Para 4 (b) of Tender Document)

**OFFICE OF THE ASSTT.EXCISE AND TAXATION COMMISSIONER, \_\_\_\_\_**

**Serial Number of Acknowledgement:**

**Date:**

**ACKNOWLEDGEMENT FOR SUBMISSION OF SEALED TENDER FOR COLLECTION OF TOLL**

**1. Names of person(s) submitting the sealed tender**

- (i) \_\_\_\_\_
- (ii) \_\_\_\_\_
- (iii) \_\_\_\_\_
- (iv) \_\_\_\_\_
- (v) \_\_\_\_\_

**3. Details of Documents received.**

| NAME OF THE UNIT | DOCUMENTS TENDERED |            |            |  |
|------------------|--------------------|------------|------------|--|
|                  | Envelope A         | Envelope B | Envelope C | Envelope D<br>(in the case of earmarked barrier/(s)) |
|                  |                    |            |            |  |
|                  |                    |            |            |  |
|                  |                    |            |            |  |
|                  |                    |            |            |  |
|                  |                    |            |            |  |

Signatures of authorised officer

District \_\_\_\_\_.

Place: \_\_\_\_\_

**NOTICE INVITING BIDS**

No.7-558/2013-EXN-4901-30  
Excise & Taxation Department,  
Himachal Pradesh.

Dated: 24.2.2014

**LEASE TO COLLECT TOLL AT SPECIFIED BARRIERS ESTABLISHED UNDER THE H.P. TOLLS ACT, 1975 FOR THE PERIOD OF THREE YEARS WITH EFFECT FROM 1.4.2014 TO 31.3.2017.**

The Himachal Pradesh Government has approved to grant lease of the right to collect toll primarily by following auction-cum-tender process in respect of specified barriers under the H.P. Tolls Act, 1975. The date, time and place of auction in respect of barriers falling in a particular district are mentioned below:-

| Sr.No. | Name of the District in which barrier located | Date & Time of auction.  | Venue                                      |
|--------|---|--------------------------|--|
| 1.     | Shimla  | 05.3.2014<br>11.30 A.M.  | AETC Office Shimla                         |
| 2.     | Una   | 06.03.2014<br>11.30 A.M. | AETC Office Una                            |
| 3.     | Solan   | 07.03.2014<br>11.30 A.M. | Ambedkar Hall, Municipal Committee Solan   |
| 4.     | Nurpur  | 07.03.2014<br>11.30 A.M. | AETC Office Revenue Distt. Nurpur at Jachh |
| 5.     | Sirmour                                       | 08.03.2014<br>11.30 A.M. | Municipal Committee Hall, Nahan            |
| 6.     | Bilaspur                                      | 09.03.2014<br>11.30 A.M. | Nagar Parishad Hall Diara Sector Bilaspur. |
| 7.     | B.B.N. Baddi                                  | 10.03.2014<br>01.00 P.M. | Community Hall, Nagar Parishad Baddi.      |

1. The grant of lease of right to collect toll shall be governed by the provisions of the H.P. Tolls Act, 1975 and the rules or notifications made/issued thereunder and such terms and conditions as have been notified by the Excise & Taxation Commissioner.
2. The detailed terms and conditions of grant of lease of right to collect toll are available in the offices of the concerned Assistant Excise & Taxation Commissioners of the Districts. All intending bidders are advised to go through the same thoroughly before submitting the bids.
3. Sealed tenders shall be received in respect of the barriers mentioned in paragraph 2 at the offices of the Asstt. Excise and Taxation Commissioners of concerned Districts **and in respect of Toll Barriers situated in Nurpur and Chamba shall be received by the Asstt. Excise and Taxation Commissioner I/C Revenue District Nurpur at Jachh** starting, 3 days prior to the date of auction and latest by 10.30 A.M on the day of auction i.e. if the date of auction is **05.3.2014** the tenders will be received from **03.3.2014** and upto 10.30 A.M. on **05.3.2014** i.e. the day of auction.

4. The tenders shall be received by the following authorized officers at the places mentioned against each:-

| <b>District in which barrier is located.</b> | <b>Officer Authorised for receiving tender and place at which tender is to be submitted.</b> |
|--|--|
| 1. Shimla                                    | AETC, Shimla   |
| 2. Nurpur and Chamba clubbed together        | AETC, Revenue District Nurpur at Jachh.  |
| 3. Una                                       | AETC, Una  |
| 4. Bilaspur                                  | AETC, Bilaspur   |
| 5. Sirmour                                   | AETC, Sirmour at Nahan   |
| 6. Solan                                     | AETC, Solan  |
| 7. B.B.N.Baddi                               | AETC, B.B.N.Baddi  |

5. The barriers notified under the HP Tolls Act, 1975, are as follows: --

| <b>Name of District</b> | <b>Name of barriers</b>   |
|-------------------------|---|
| 1. Shimla               | (1) Kuddu   |
| 2. Solan                | (1) Parwanoo (2) Parwanoo Sector-IV. (3) Tipra bye-pass.  |
| 3. Sirmour              | (1) Kala Amb (2) Behral (3) Govindghat (4) Haripur Khol (5) Suketi on Suketi-Khajurana Road (6) Near Ruchira Paper Mill on Ruchira Road (7) Meerpur Kotla on Meerpur Kotla Nahan Road (8) Kheri on Kheri Road (9) Rampur Ghat on Yamuna River-Paonta Road. (10) Minus.  |
| 4. Bilaspur             | (1) Garamaura (2) Gwalthai (3) Kaulan wala Toba.<br>(4) Shela Ghora on Bassi-Shri Naina Devi Road Bilaspur.   |
| 5. Nurpur               | (1) Kandwal (2) Bhadroya on Bhadroya (Lodhwan) Kandwal Road<br>(3) Sansarpur Terrace (4) Shekupura Chowk Nangal Bhoor Road and Pathankot Mukerian Indora Road (5) Oader near Sulyali-Dunehra Road Tehsil Nurpur (6) Shenehar-Sthana Jagir Road (7) Dhangupeer, (8) Ulehrian Chowk, (9) Nakki Chowk on Jammu-Kangra Road, (10) Mirthal Road Kathgarh.                          |
| 6. Chamba               | <b>Tunuhatti (to be auctioned alongwith Kandwal unit in Revenue District Nurpur)</b>  |
| 7. Una                  | (1) Marwari (2) Gagret Near R.T.O. Barrier (3) Near M.P. Barrier Pandoga<br>(4) Mehatpur (5) Ajouli (6) Polian (7) Gondpur-Jaichand (8) Busdehra<br>(9) Bhatoli (10) Bathu on Kahnpur Khui-Tahliwal Road Via Bathu<br>(11) Santokhgarh (12) Bathri Border Near L-14 Excise Vend Bathri Border<br>(13) Singhan on Sighan-Beetan Road (14) Jaijon-Janani on Jaijon-Janani Road. |
| 8. B.B.N.Baddi          | (1) Barotiwala (2) Gullarwala (3) Baddi (4) Dhabota (5) Dherowal (6) Navgaon<br>(7) Bagheri (at Tikri) (8) Gorakhnath Mandir at Gorakhnath Shahpur road<br>(9) Bridge (Pul Baddi) at Jhar Majri road Balad Nadi via Suncity (10) Khuda Baksh Chowk-Kalu Janda (11) Rampur Jaggi Truck Union Barotiwala Road (Near Truck Union), (12) Ratyor.                                  |

6. Auction shall be carried out for each barrier or a group of barriers separately.
7. Sealed tender must be accompanied by a Demand Draft equal to 1% of the Reserve Price fixed for each barrier payable in favour of the A.E.T.C. of the district concerned.
8. Person(s) submitting tender or participating in auction must fulfil the eligibility criteria as detailed in the terms and conditions of grant of lease by Auction–Cum–Tender and the Tender Document, which will be available for reference in the office of the A.E.T.C. authorized for receiving the tenders. Every person filing a tender or making a bid in the auction should submit his claim regarding eligibility in the Forms prescribed in the said terms and conditions of tender document.
9. The successful bidder in the auction or tender must be ready to deposit on the spot an amount equal to 10% of the bid money or any higher amount as directed by the Presiding Officer. All details regarding (a) barriers or group of barriers, (b) minimum reserve price (c) the rates of toll applicable for the lease period and (d) other connected details can be consulted or obtained personally by the persons intending to participate in the Auction-cum-Tender from the A.E.T.Cs mentioned above, who have been authorised to receive tenders.
10. The highest bids received at the auction or by tender will be subject to approval by the Excise & Taxation Commissioner who reserves the right to reject the same without assigning any reason.
11. The Excise & Taxation Commissioner reserves the right to change the mode of grant of lease at any time before the actual grant of lease in the interest of government revenue.
12. The dates and venues are liable to be changed at the sole discretion of the Excise & Taxation Commissioner, Himachal Pradesh.

**Excise & Taxation Commissioner,  
Himachal Pradesh.**

Endst.No. 7-558./2013-EXN-4901-30

Dated 24-02-2014

Copy forwarded to:-

1. The Principal Secretary (E&T) to the Government of Himachal Pradesh, Shimla-2 for information.
2. The Director of Public Relation, Himachal Pradesh Shimla-2 alongwith 4 copies. It is requested that wide publicity may be given to the auction-cum-tender programme by publishing the aforesaid auction-cum-tender programme in the following news papers in Himachal edition for one day only. The expenses of publication will be borne by the Department of Excise and Taxation, on the production of bill accordingly:-
  - (i) The Tribune (English Edition)
  - (ii) Amar Ujala (Hindi Editions).
3. The Addl./Dy. Excise and Taxation Commissioner(SZ/NZ/CZ) Shimla/ Palampur and Mandi, Himachal Pradesh.
4. The Addl. Excise & Taxation Commissioner (TRU) Shimla-9
5. The Joint Excise & Taxation Commissioner (Admin.) Shimla-9
6. The Jt. Excise & Taxation Commissioner (HQ) (IT) Shimla-9
7. The Dy. Excise & Taxation Commissioner (Flying Squad) (SZ/NZ/CZ) Shimla, Palampur and Una Himachal Pradesh.
8. The Asstt. Excise & Taxation Commissioner (Excise/Tax)(HQ)

9. The Asstt. Excise and Taxation Commissioner, I/C Shimla/ Solan/ Sirmour/ Bilaspur/ Hamirpur/ Kullu/ Una/ Mandi/ Kangra/ Chamba/ Revenue district BBN Baddi and Revenue district Nurpur, Himachal Pradesh.
10. The Asstt. Excise & Taxation Commissioner Chamba and Nurpur should co-ordinate with each other in order to implement the toll auction of both the districts at Nurpur.
11. Excise and Taxation Officer, Incharge Kinnaur district at Reckong Peo.
12. P.A. to the Excise & Taxation Commissioner, Himachal Pradesh, Shimla-9.
13. Copy to Notice Board of this office.

**Joint Excise & Taxation Commissioner(HQ/D),  
Himachal Pradesh.**

**Annexure-II**

**Toll Collection Return (TCR-1)**

(See supplementary condition No. 7. of Form TL-1)

- 1. Name of Barrier/Unit:- .....
- 2. Name of Lessee :- .....
- 3. Return for the month of :- .....
- 4. Particulars:-

| Total No. of vehicles crossed with particulars as per Schedule-II during the month | Total No. of vehicles crossed during last month | Amount of toll collected | No. of quarterly tokens issued | No. of yearly tokens issued | Total Toll Deposited (in Rs.) | TR.No. and date |
|--|---|--------------------------|--------------------------------|-----------------------------|-------------------------------|-----------------|
| 1.   | 2.  | 3.                       | 4.                             | 5.                          | 6.                            | 7.              |
|  |   |                          |                                |                             |                               |                 |

I declare that the particulars contained above are true to the best of my knowledge and belief.

**Date:-**

**Signature.....**  
**Name of Lessee (with Stamp)**

**Signature of the receiving Officer/Official**  
**(With designation)**

### Annexure-III

| District/Revenue District | Name of Toll Unit         | Name of barriers  | Reserve Price For the year 2014-15 (in Rs.) |
|---------------------------|---------------------------|---|---|
| 1                         | 2                         | 3   | 4   |
| SOLAN                     | Parwanoo Unit             | 1. Parwanoo (Main)  | 5,25,01,074                                 |
|                           |                           | 2. Parwanoo Sector-IV   | 5,25,000                                    |
|                           |                           | 3. Tippra By Pass(Parwanoo).                                    | 6,82,50,000                                 |
|                           |                           | <b>District Total</b>   | <b>12,12,76,074</b>                         |
| B.B.N. Baddi              | Baddi/ Barotiwala Unit :- | 1. Baddi  |   |
|                           |                           | 2. Bridge (Pul Baddi) at Jhar Majri road Balad Nadi via Suncity | 11,78,56,200                                |
|                           |                           | 3. Barotiwala   | 3,08,70,000                                 |
|                           |                           | 4. Gorakhnath Mandir at Gorakhnath Shahpur road                 | 514,500                                     |
|                           |                           | 5. Khuda-Baksh Chowk Kallu-Zhanda                               | 12,34,800                                   |
|                           |                           | 6. Rampur Jaggi Truck Union Barotiwala Road (Near Truck Union). | 5,14,500                                    |
|                           |                           | <b>Unit Total</b>   | <b>15,09,90,000</b>                         |
|                           | Dherowal Unit             | 1. Gullarwala   | 2,99,250                                    |
|                           |                           | 2. Navgaon  | 1,10,32,350                                 |
|                           |                           | 3. Bagheri (at Tikcri)  | 2,59,35,000                                 |
|                           |                           | 4. Dherowal   | 5,51,54,400                                 |
|                           |                           | 5. Dabhota  | 2,39,40,000                                 |
|                           |                           | 6. Ratyor   | 3,99,000                                    |
|                           |                           | <b>Unit Total</b>   | <b>11,67,60,000</b>                         |
| <b>District Total</b>     | <b>26,77,50,000</b>       |   |   |
| SIRMOUR                   | Kala Amb Unit             | 1. Kala Amb   | 5,54,66,250                                 |
|                           |                           | 2. Suketi on Suketi-Khajurana Road.                             | 10,50,000                                   |
|                           |                           | 3. Meerpur Kotla on Meerpur Kotla-Nahan Road                    | 7,35,000                                    |
|                           |                           | 4. Kheri on Kheri Road  | 5,25,000                                    |
|                           |                           | 5. Near Ruchira Paper Mill on Ruchira Road.                     | 52,50,000                                   |
|                           |                           | <b>Unit Total</b>   | <b>6,30,26,250</b>                          |
|                           | Govindghat Unit           | 1. Govindghat   | 3,38,10,000                                 |
|                           |                           | 2. Rampur Ghat on Yamuna river –Paonta Road                     | 8,40,000                                    |
|                           |                           | <b>Unit Total</b>   | <b>3,46,50,000</b>                          |
|                           | Behral Unit               | 1. Behral   | 3,43,35,000                                 |
|                           |                           | 2. Haripur Khol   | 3,15,000                                    |
|                           |                           | <b>Unit Total</b>   | <b>3,46,50,000</b>                          |
|                           | Minus Unit                | 1. Minus  | 15,22,500                                   |
|                           |                           | <b>District Total</b>   | <b>13,38,48,750</b>                         |
| SHIMLA                    | Kuddu Unit                | 1. Kuddu  | 42,00,000                                   |
|                           |                           | <b>District Total</b>   | <b>42,00,000</b>                            |
| BILASPUR                  | Garamaura Unit            | 1. Garamaura  | 13,05,10,188                                |
|                           |                           | 2. Kaulanwala Toba  | 1,90,54,552                                 |
|                           |                           | 3. Gwalthai   | 85,70,595                                   |
|                           |                           | 4. Shailaghora on Bassi-Shree Naina Devi Road.                  | 5,31,215                                    |
|                           |                           | <b>District Total</b>   | <b>15,86,66,550</b>                         |

|   |                          |  |                     |
|---|--------------------------|--|---------------------|
| <b>REVENUE DISTT.<br/>NURPUR AND<br/>CHAMBA</b> | <b>Kandwal<br/>Unit</b>  | 1. Kandwal   | 4,20,00,000         |
|   |                          | 2. Bhadroya on Bhadroya (Lodhwan) Kandwal Road                           | 2,62,91,031         |
|   |                          | 3. Sansarpur Terrace   | 1,21,80,000         |
|   |                          | 4. Shekupura Chowk Nangal Bhoor Road and Pathankhot Mukeria Indora Road. | 52,50,000           |
|   |                          | 5. Oader near Sulyali-Dunehra Road Tehsil Nurpur                         | 15,75,000           |
|   |                          | 6. Shenehar-Sthana Jagir Road.   | 9,45,000            |
|   |                          | 7. Dhangupeer.   | 36,75,000           |
|   |                          | 8. Ulehrian Chowk.   | 16,80,000           |
|   |                          | 9. Nakki Chowak on Jammu-Kangra Road.                                    | 8,40,000            |
|   |                          | 10. Mirthal Road Kathgarh.   | 15,75,000           |
|   |                          | 11. Tunuhatti of Chamba District   | 1,58,18,174         |
|   |                          | <b>Kandwal Unit Total</b>  | <b>11,18,29,205</b> |
|   |                          | <b>Grand Total of Nurpur and Chamba District's Kandwal Unit</b>          | <b>11,18,29,205</b> |
| <b>UNA</b>                                      | <b>Gagret Unit</b>       | 1. Gagret near R.T.O. Barrier  | 3,21,76,200         |
|   |                          | 2. Marwari   | 1,09,53,600         |
|   |                          | 3. Near M.P.Barrier Pandoga  | 2,53,30,200         |
|   |                          | <b>Unit Total</b>  | <b>6,84,60,000</b>  |
|   | <b>Mehatpur<br/>Unit</b> | 1. Mehatpur  | 3,15,34,650         |
|   |                          | 2. Ajouli  | 1,67,73,750         |
|   |                          | 3. Polian  | 23,48,325           |
|   |                          | 4. Gondpur Jaichand  | 6,70,950            |
|   |                          | 5. Busdehra  | 3,35,475            |
|   |                          | 6. Bhatoli   | 3,35,475            |
|   |                          | 7. Bathu on Kahnpur Khui-Tahliwal road via Bathu                         | 40,25,700           |
|   |                          | 8. Santokhgarh   | 33,54,750           |
|   |                          | 9. Bathri Border Near L-14 Excise vend Bathri Border.                    | 67,09,500           |
|   |                          | 10. Singhan on Singhan- Beetan Road                                      | 6,70,950            |
|   |                          | 11. Jaijon-Janani on Jaijon-Janani Road                                  | 3,35,475            |
|   | <b>Unit Total</b>        | <b>6,70,95,000</b>   |                     |
|   | <b>District Total</b>    | <b>13,55,55,000</b>  |                     |
|   |                          | <b>Grand Total of 55 Toll Barriers of the State.</b>                     | <b>93,31,25,579</b> |