Chapter Two

User Fee Collection Mechanism-Tolling

2.1: Historical Background:

Toll roads have existed for at least the last 2,700 years, as tolls had to be paid by travellers using the Susa–Babylon highway under the regime of Ashurbanipal, who reigned in the 7th century BC[15]. Aristotle and Pliny refer to tolls in Arabia and other parts of Asia. In India, before the 4th century BC, the Arthasastra notes the use of tolls. Germanic tribes charged tolls to travellers across mountain passes.

[15]Gilliet, Henri (1990). "Toll roads-the French experience." Transrouts International, Saint-Quentin-en-Yvelines.

A 14th-century example (though not for a road) is Castle Loevestein in the Netherlands, which was built at a strategic point where two rivers meet. River tolls were charged on boats sailing along the river.

Many modern European roads were originally constructed as toll roads in order to recoup the costs of construction, maintenance and as a source of tax money that is paid primarily by someone other than the local residents. In 14th-century England, some of the most heavily used roads were repaired with money raised from tolls by pavage grants. Widespread toll roads sometimes restricted traffic so much, by their high tolls, that they interfered with trade and cheap transportation needed to alleviate local famines or shortages.[16]

Tolls were used in the Holy Roman Empire in the 14th and 15th centuries.

In the 20th century[17], road tolls were introduced in Europe to finance the construction of motorway networks and specific transport infrastructure such as bridges and tunnels. Italy was the first European country to charge motorway tolls, on a 50 km motorway section near Milan in 1924. It was followed by Greece, which made users pay for the network of motorways around and between its cities in 1927. Later in the 1950s

[16] Bernstein, William J.; "The Birth of Plenty: How the Prosperity of the Modern World was Created"; p. 245-6; McGraw-Hill (2010); ISBN 978-0071747042

[17] Jordi, Philipp (2008): "Institutional Aspects of Directive 2004/52/EC on the Interoperability of Electronic Road Toll Systems in the Community."

and 1960s, France, Spain and Portugal started to build motorways largely with the aid of concessions, allowing rapid development of this infrastructure without massive State debts. Since then, road tolls have been introduced in the majority of the EU Member States.

Turnpike trusts were established in England and Wales from about 1706 in response to the need for better roads than the few and poorly-maintained tracks then available. Turnpike trusts were set up by individual Acts of Parliament, with powers to collect road tolls to repay loans for building, improving, and maintaining the principal roads in Britain. At their peak, in the 1830s, over 1,000 trustsadministered around 30,000 miles (48,000 km) of turnpike road in England and Wales, taking tolls at almost 8,000 toll-gates. The trusts were ultimately responsible for the maintenance and improvement of most of the main roads in England and Wales, which were used to distribute agricultural and industrial goods economically. The tolls were a source of revenue for road building and maintenance, paid for by road users and not from general taxation. The turnpike trusts were gradually abolished from the 1870s.

As stated above the concept of tolling in India is quite old but initially it was limited to isolated infrastructure segments viz. bridges on highways, city bypasses and few sections of highways. In the year 1997, Government of India decided that all national highways with four lanes or more would be tolled. Pursuant to the Government's decision, a broad policy framework was formulated, for collecting toll on the highways,wherein a consensus was evolved to work out the ***base rate*** of fees for different classes of vehicles per km to arrive at the total fee to be recovered from the users for the

newly constructed/upgraded segments of the highways. Following rules were framed within thepolicyframework.

i) The National Highways (Collection of fees by any person for the use of section of National Highway/Permanent Bridge/Temporary Bridge on NH) Rules 1997

ii) The National Highways (Fees for the use of National Highways section and permanent bridge- public funded project) Rules 1997 and

iii) The National Highways (Rate of fees) Rules, 1997.

The first segment of national highways, tolled, from March 30, 1998, was Kotputli-Ajmer section of NH-8.

Policy Rationale for the Base Rate:

In order to arrive at unit rate as basis for working out the toll amount or the user fee for different classes of vehicles, the cabinet Committee on Infrastructure approved the policy[18]considering the following principles:

a. **User fee as percentage of saving in vehicle operating cost:**

Vehicle operating cost comprises of fuel, lubricants, tyres, spare parts, depreciation, wages of crew, fixed cost including overheads, passenger and community time saving. With improved carriageway in terms of strengthening and better surface, the road roughness index gets reduced along with reduction in congestion and overall improvement in road geometrics. The user fee however would not be allowed to exceed the savings accrued to the users due to reduced vehicle operating cost.

[18] As per extract of the note provided by MoRTH officials

b. **User fee related to damage caused by vehicles**:

The damage caused to the road due to plying of different types and classes of vehicle is different based on their weight and axle configuration. Studies were conducted on different National Highways at different locations of the country to find relative Vehicle Damage Factor (VDF) caused by different vehicles.

c. **User fee as perceived to be acceptable by the road users**:

While saving on vehicle operating cost and relative VDF served as ceiling for fixing user fee rates[19], the actual user fee to be collected was guided by the perception of road users and their willingness to pay.

In order to gather a general feel, willingness to pay surveys were conducted on different highways and locations by MARG (Multiple Action Research Group), an NGO, on behalf of NHAI on truck owners, fleet operators, transporters and motorists. The findings of MARG survey formed basis for deciding the base rates for user fee as notified under National Highway (Rate of fees) rules 1997 (In short NH fee rule 1997).

2.2 **National Highway (Rate of Fees) rules 1997:**

Following are the base rates notified by the Government for the first time for collecting toll from the users effective from 1st July, 1997.

[19] The backup calculations for computing these effects were not available as the documents were 20 years old and could not be traced in the concerned office of MoRTH

Type of Vehicle	Base rate of fee per km(in rupees)
Car, Jeep, Van or Light Motor Vehicle	0.40
Light Commercial Vehicle, Light Goods Vehicle or Mini Bus	0.70
Bus or Truck	1.40
Multi Axle Vehicle (MAV) (> two axles)	2.25

The rules provide revision of these rates from 1st September of every year and the actual rate of fee and revision thereof would be computed as per following formula-

Actual fee = Base fee X (WPI- B/WPI- A) X 50% of the length of the tolled section, whereas,

Base Fee= Actual fee of preceding year

WPI-A= Whole- sale Price Index on June 1996

WPI-B= Whole- sale Price Index at the end of the preceding financial year.

"A very important point needs to be noted that base rates are a policy decision based on aforesaid considerations and are uniformly applicable on all National Highways irrespective of the project cost, daily vehicle passage, concession period, location and the toll collecting agency i.e. NHAI or concessionaire etc."

2.3 **Current Toll Rates for National Highways**:

As discussed in preceding Para levy and collection of fee for use of the redeveloped and augmented sections of national highways was introduced in 1997 under the provisions of the National Highways Act. Over time, some deficiencies and anomalies came to light and it was, therefore, decided to review the tolling framework. The need for a comprehensive toll policy had also assumed greater significance in the context of an expanded National Highway Development Programme(NHDP)which envisaged bulk of the investment from Public Private Partnerships(PPPs) where toll revenues constitute the mainstay of financial viability.

Accordingly, based on recommendations of a Committee of Secretaries (COS), the Cabinet Committee on Economic Affairs approved the National Highways Fee (Determination of Rates and Collection) Rules, 2008 (In short NH Fee rules 2008) and these have since been notified on December 5, 2008. The NH fee rules 2008 were broadly guided by the same philosophy as NH fee rules 1997, except the following changes-

1. The NH fee rules 2008 envisaged five different classes of vehicles (which are further amended to six classes on 12.01.2011) as against four classes of vehicles envisaged in NH fee rules 1997.

2. The base rates for user fee in NH fee rules were arrived at by adjusting the rates of fees proposed in NH fee rules 1997 with the Wholesale Price Index(WPI) of base year 2007-08.

3. The applicable base rate would be revised annually with effect from 1st April of each year to reflect the increase in WPI between the week from 6th January 2007 and the

WPI of December of the preceding year and such revision would be restricted to 40% of increase in WPI.

Following are the current applicable base rates for toll collection on all National Highways across the country, notified by the Government as per NH fee rules 2008 effective from December 5, 2008.

Type of Vehicle	Base rate of fee per km(in rupees)
Car, Jeep, Van or Light Motor Vehicle	0.65
Light Commercial Vehicle, Light Goods Vehicle or Mini Bus	1.05
Bus or Truck	2.20
Heavy Construction Machinery (HCM) or Earth Moving Equipment (EME) or Multi Axle Vehicle (MAV) (three to six axles)	3.45
Oversized Vehicles (seven or more axles)	4.20

Source: NHAI

The rates specified in this table shall be increased without compounding, by three per cent each year with effect from the 1st day of April, 2008 and such increased rate shall be deemed to be the base rate for the subsequent years.

The formula for determining the revised applicable rate of fee would be as follows:-

Applicable rate of fee = base rate + base rate X (WPI A – WPI B)/ WPI B

X 0.4

Explanation - for the purposes of this formula:

(a) Applicable rate of fee shall be the rate payable by the user.

(b) Base rate shall be the rate specified in table above.

(c) WPI A means the wholesale price index of the week ending on or subsequent to 1st Januaryimmediately preceding the date of revision under these rules; and

(d) WPI B means the wholesale price index of the week ending on 6th January, 2007 i.e. 208.7

"Another important point to remember is that the fee (toll) collected at various toll plazas in public funded projects is remitted to Consolidated Fund of India and allocated to NHAI and Ministry of Road transport and Highways (MoRTH) for further development and maintenance works, and it is not on a one -on -one basis linked to recovery of capital investment. However the toll collected by the concessionaire is retained by him only as the revenue generated."

2.4 **Toll Collection Methodology**:

Ministry of Road Transport & Highways exercises control over tolled highways being run through NHAI and state PWDs. The toll is collected at **394** toll plazas erected at various locations on National Highways across the country. Out of total 394, toll plazas, 372 are operated through NHAI and balance 22 are operated through various state

PWDs. The list of location of 394 toll plazas with detailed information of each toll plaza is available on www.nhtis.org.

Presently there are three methods of collecting toll fee being followed in India namely-

i) Cash payment

ii) Contact less smart cards

iii) Electronic Toll Collection

The cash payment system is the most common one where user stops the vehicle and pays in cash at the toll gate counter. The most serious limitation of this method is that vehicle has to be stopped completely for making the payment which is primary cause of congestion at the toll plazas.

In contact less smart card system the user stops the vehicle and holds the preloaded smart card (much like bank debit card) before a sensor installed at the toll booth. The amount is debited automatically and the user drives away. The cards are rechargeable at selected banks and POS at NHAI toll booths. This method is faster than the cash payment as no physical transaction of cash and issues related with exact change are involved. But the vehicle has to be stopped completely in this system also and hence it serves the purpose of fast clearing, in a limited manner.

The third method of Electronic Toll Collection (ETC) is the fastest way of making the toll payment as it does not require stopping of the vehicle and the vehicle is slowed down to a speed below 40 kmph. The On Board Unit (OBU), combining a smart card and an RFID tag,installed on the vehicle sends Radio Frequency signalthe reader installed at

the plaza for identification of the vehicle. On vehicle identification, the amount is debited from the the OBUhaving built-in smart card and the user moves away at a faster speed. In order to guide the users, NHAI has issued Standard Operating Procedure (SOP) for using the RFID tag with commercial name FASTag. The SOP is enclosed as Annexure-1. The Government of India, based on the recommendationsin the report of a committee headed by Shri Nandan Nilekani, the erstwhile Chairman UIDAI, has decided to implement ETC with RFID tag at all toll plazas across the country.

Pursuant to the Government decision, NHAI has created facility of ETC on all the 372 toll plazas on National Highways across the country and as on date all toll plazas are of mixed type i.e. equipped with facilities of cash payment, smart card use and ETC.

Although Government has created facilities of ETC but to use this facility the users need to install RFID tags on the vehicles. Incidentally the response from user side is not as encouraging despite a low cost of RFID tags and adequate efforts from Government side to promote ETC across the country. Due to lack of willingness on users' part the purpose of employing technology at such a large level has not shown the desired results and the problem of traffic congestion at plazas is continuing to plague the toll collection mechanism. As per an estimate only three lakhs RFID tags were installed during the period from April 2016 to January 2017 as against the projected scalable number of twenty lakh for visible impact of technology usage in reducing the congestion at toll plazas.

2.5 **Concession Period Policy**:

The concession period is the duration for which the concessionaire is authorized to collect toll directly from the users or gets annuity payments from Government depending on the conditions of the Model Concession Agreement and the financing mode adopted for the particular project. While carrying out the feasibility study, three main factors that affect the execution modality are Target traffic, VGF or Premium and Concession Period. For a given target traffic, one has to strike a balance between VGF/Premium and Concession Period as these two factors are inversely dependent on each other. For a very short concession period, VGF may go up disproportionately (or premium may become very low thereby increasing government's immediate liability. On the other hand for a low VGF (or high premium), the concession period may be abnormally long causing public outrage due to undue and unforeseenaccruals to the concessionaire. The concession period, under different financing modes discussed in chapter one, are decided as under-

BOT (Toll): Generally, concession period for BOT (Toll) projects is kept around 20 years with the presumption that the concessionaire will recover his total cost of project at the pre-determined toll rates and the projected target traffic. However the final concession period is decided on case to case basis. The target traffic projections are made by first assessing the traffic for first year realistically and then increasing the same by 5% annually till the last year of the concession period. However in this mode, there is a condition for review of target traffic mid -way i.e. after 10 years. And depending on the target traffic situation the balance concession period is adjusted. In other words in case the actual target traffic exceeds the projected target traffic the concession period is

reduced and if it falls short of projected target traffic the period is increased. Out of total **372** toll plazas on National Highways under NHAI, **254** are being operated under this category i.e. the toll is being collected by the concessionaires.

BOT(Annuity): In this model the concessionaire is free from the risk of variations in target traffic and hence the concession period remains fixed (generally 20 years) as decided in the MCA. Since the toll collection is done by NHAI, therefore review of target traffic is not necessitated and hence is not provided for in the MCA.

Hybrid Annuity: In this model also the concessionaire is free from the risk of target traffic variations and hence the concession period remains fixed (generally15 yearsin this model) as per MCA. Since the toll collection is done by NHAI, therefore review of target traffic is not necessitated in this model also and hence is not provided for in the MCA.

2.6 **IssuesPlaguingthe Toll System:**

Collection of fee or Tolling has become an integral part of highways development in India. However the agency having toll collection right, whether NHAI or Concessionaire depends on the mode of financing adopted for the particular section of the highway. As on the date of writing of this dissertation, there are total **372** toll booths (toll collection centers) across the country on the national highways only, under the control of NHAI. And this number will go up significantly when the toll booths being operated under various state governments are also included. Due to socio-economic and demographic diversity, the toll compliance among Indian population has been a matter of concern.

The improved conditions of roads and better travel experience with construction of tolled highways, notwithstanding, the whole process has been mired with unpleasant experiences of violent incidents at toll booths. Largely the incidents at plazas are triggered due to overcrowding at the toll gates resulting in vehicular congestion and consequent inconvenience to the commuters. Some of the incidents reported in the media[20] mentioned below indicate growing resentment among a cross section of society as regard payment of toll.

1. The spates of violent incidents at Sirhaul Toll Plaza at Gurgaon finally led to its closure, due to rising public rage.

2. The DND flyway has been rendered toll free after a long public protest and eventual judicial intervention.

3. Many incidents have been reported from Maharashtra for denial of toll payment by the commuters and local political and social activists. Kolhapur being the epicenter for this mass agitation against the tolling on nine roads passing through that city.

4. A toll plaza being operated by the GMR Group was vandalised and its staff beaten up by an irate mob on National Highway 50 four-lane road near Hitnal in Koppaltaluk, Karnataka, in September 2014 after a youth was killed in a hit-and-run accident.According to sources, people were agitated over the location of the toll plaza as they have to cough up the fee every time they use the road. They also urged the authorities to shift the toll plaza, but the response was lukewarm. This was another reason for the attack on the toll plaza, according to sources.

[20] Bibliography- List of News Paper Articles

5. In Bangalore, after protests against the nearly four-fold hike in toll rates at Sadahalli gate on National Highway 7 that leads to the international airport, commuters are now complaining of traffic snarls at the toll plaza during peak hours adding to traffic chaos, as the toll operators collect the fee at only 10 of the 14 gates at the plaza. The remaining lanes are being used by people living in the surrounding areas.

6. The peripheral ring road in Bangalore, built by Nandi Infrastructure Corridor Enterprises (NICE), where commuters are tolled at **seven** locations.The highest toll is being collected on the elevated expressway on Hosur Road, where a single one-way journey for a car costs Rs. 45 for a tollable road of 9.2 km, with a toll rate of Rs. 4.86 per kilometre, followed by Sadahalli gate on National Highway 7 with a toll rate of Rs. 3.4 per kilometre. The toll rates were recently revised amidst virulent protests. NICE Road is the only road that tolls two-wheelers as well.

7. A toll booth employee at Ghoti about 42 Km away from Nashik in Maharashtra was injured when a person allegedly from Maharashtra PWD minister convoy shattered the window pane and the glass shards hit the staff. The toll booth on Mumbai-Agra Highway is one of the most crowded ones in Maharashtra. The incidence triggered as the convoy had to wait for a while due to overcrowding the toll gate.

8. The movement against KherkiDaula toll in Gurugram, Haryana is gaining momentum with local and civil society groups, including the residents' welfare associations, Manesar industries welfare associations and the Gurgaon citizen council joining the Gurgaon Toll HataoSangharshSamiti. These groups were instrumental in getting the Sirhaul toll plaza removed in 2014.

Besides the unpleasant incidents being witnessed in different parts of the country, the existing mechanism of toll collection has other adverse impact on the transportation industry. A joint study by IIM Kolkata and Transport Corporation of India on Operational Efficiency of National Highways, carried out in 2009 revealed that the freight transportation industry had to bear extra cost to the tune of 25% of the freight charges due to substandard quality of roads, avoidable delays on toll and checking by various authorities, unsafe travel as the highways being accessible to all sorts of travellers including intrusion of animals.

2.7 **Review of Two MostControversial Toll Projectsin NCR:**

In order to get an insight into rising discontent among citizens against the tolling system in India, two important cases one related to DND flyway and the other oneto Delhi Gurgaon Expressway have been taken up for detailed study.These two cases are the example wherein the protracted public agitation led tocontractual miscarriage.

DND Flyway:In this case, the concessionaire M/s. Noida Toll Bridge Co. Ltd (NTBCL) entered into a contract for 30 years on Build Own Operate Transfer (BOOT) format. According to an article published in the Times of India, 12 November, 2016, contractually NTBCL was authorized to collect the toll as per the dynamic rates upto 2030.But due to protracted public protest and judicial intervention, the toll collection has been stopped in the year 2016 itself, mainly on the grounds of adequacy of profit, a condition alien to the original contract.

The Salient Features of the Case:

1. On 12 November 1997, a concession agreement was entered into by NOIDA, NTBCL and IL&FS (Promoter of the project) granting the right of building and operating the Delhi Noida toll bridge to NTBCL (A company with majority shareholding of IL&FS).

2. The Concessionaire M/s. NTBCL was selected on single source nomination basis without resorting to competitive bidding.

3. The contract does not give the Authority (NOIDA) a role in assessing the reasonableness of capital and operational costs reported by the concessionaire (NTBCL).

4. It also provides for guaranteed annual returns of 20% on the total project costs, and not on equity alone.

5. Shortfalls in returns for previous years result in a corresponding increase in project cost, on which further returns are payable.

6. As a result, the initial capital cost of Rs. 408 crore, as determined by the concessionaire, had risen to Rs. 953 crore as on March 31, 2006.

7. Also, since the contract provides for the term of the concession to be extended until the concessionaire recovers the total cost of the project and returns thereon; the concessionaire has noted that it is now entitled to hold the concession for a period of 70 years as against the 30 years initially contemplated in the agreement.

8. In addition, the concessionaire has received 'in-principle' approval for development rights over 30.5 acres of prime urban land in Noida, as a supplementary source of returns.

An independent review of this case in August 2007, by*SheoliPargal*, presently working as Economic Advisor, South Asia Sustainable Development, Energy Department of world bank has revealed that the concession agreement for the Delhi Noida bridge project has several features that appear to weigh the contract in favor of the private partner and that, from a public policy viewpoint, depart from best practice contract design. The review concludes as under:-

- It may be argued that some of the aspects reflect errors of inexperience that could be expected in one of the first BOOT projects successfully promoted in the country. For instance, the magnified risk perception of the promoters of pioneering projects and the high signaling value (for future projects) of successfully attracting private capital to an infrastructure project may explain the provision of cost-plus returns to the concessionaire.
- However, a more transparent and competitive process for selection of the concessionaire could and should have been followed to both shed light upon the commercial viability of the project and to get the best possible deal for the conceding authority i.e. the Government (NOIDA). Open competitive bidding would have provided an important test of the realism of the traffic projections underpinning the project and its consequent commercial viability.Further, the transfer of traffic risk to the private party in combination with bid solicitation could have helped dimension the project in such a way as to avoid the need for support to project cash flows from Development Rights, etc.
- The potential for gold-plating (resulting in higher tolls and/or a longer concession period) could also have been minimized if the total cost of project and O&M cost had been capped and if incentives to control costs, both in absolute terms as well as in relation to a realistic projection of traffic, had been included.

➢ Finally, the fact that a single entity acted as adviser to the conceding authority, promoter/sponsor of the concessionaire company and as a lender to the project created conflicts of interest that could have been expected to result in a contract that would be unduly favorable to the private party.

The recent judgment of Honorable Allahabad High Court[21] (see Box 1) corroborates the findings of this independent review.

Box 1

A division bench comprising Justice ArunTandon and Justice SunitaAgarwal held that the commuters were being 'illegally taxed' in the name of user fee and stated, 'The user fee, which is being levied/realised is not supported by the legal provisions sought to be relied upon by the concessionaire, the IL&FS and the Noida Authority.'

The PIL was filed by the Federation of Noida Residents' Welfare Association in 2012 challenging the levy and collection of toll in the name of user fee by Noida Toll Bridge Company from the Commuters for using the eight-lane DND flyway having a stretch of 9.2 km. from Noida to Delhi.

This case is a glaring example of misuse of power by a public authority in first entering into the agreement and then framing regulations to bring the clauses of agreement with a private person (company) in line with the legislation so as to give it a statutory backing," stated the court.

The court held that 'the user fee realised by the concessionaire under the Concession Agreement, (in the guise of power delegated upon it under the Regulations, 1998 framed by the NOIDA in purported exercise of power Section 6-A read with Section 19 of the Act, 1976), is not in conformity with the provisions of the Act, 1976'.

The court held that the concessionaire had already recovered the cost and reasonable profits and in view of the clauses of the agreement on cost being recovered, the bridge can be handed down to Noida even before 2031, i.e., the 30-year period stated under the agreement.

A bare look at the Section 2.3(a) and 2.3 (b), which provides the concession period, shows that the concession period is not necessarily the period of 30 years from the "Effective date" rather it is the period till the date, on which the concessionaire recovers the total cost of project and the returns as per Section 14 of the agreement'

The order stated: "Going by the formula adopted in Article 14 of the concession agreement, the unrecovered cost goes on escalating and it would not be possible to

[21]http://www.livelaw.in/allahabad-high-court-scraps-dnd-toll

achieve 100% returns of the total project cost even at the end of 100 years, what to talk of 2031."

It was held that the Right to levy and collect user fee suffers from 'excessive delegation' and is in contravention to the U.P. Industrial Area Development Act, 1976. The court ruled that 'Article 13 (Clause) of the Concession Agreement is held to be bad and inoperative in the eyes of law'.

Delhi Gurgaon Expressways: This is a 27.7 km six to eight laneexpressways on NH 8 connecting Delhi on one end starting from DhaulaKuan and Manesar in Gurgaon on other end. The expressway has been constructed as part of NHDP under overall control of NHAI with IDFC as Main financier and Delhi-Gurgaon Super Connectivity Ltd (DGSCL), as Concessionaire. The commercial operation of the Sirhaul Toll Plaza and IGI Airport toll plaza at the entry point of Gurgaon & IGI Airport, respectively,started in January 23, 2008. Ever since the toll plazas started functioning, these got embroiled in controversy mainly on two counts-

1. Motorists faced traffic snarls causing perpetual inconvenience to the commuters.
2. Gurgaon residents associations refused to pay toll on the ground that while they may have to enter the toll gate frequently to cross over the boarder but they used a very small portion of the highway and thus the payment of toll is not justified.

Sooner the public discontent gained a form of agitation and the skirmishes at the toll plazas became a day to day common sight.The situation worsened to an alarming

level and even resulted in death of one toll booth staff member that attracted the attention of authorities and members of the civil society.

The agitation was spearheaded by Gurgaon Toll HataoSangharshSamiti (THSS) comprising of residents' associations, representatives of Industry, daily commuters among others. After pleading exhaustively, with government authorities in vain, THSS filed its first petition on November 15, 2011 in Punjab and Haryana High Court. Following that at least 15 petitions were filed by different citizen bodies for removal of the toll plaza.

Taking stock of the situation and under court directives the three main stakeholders i.e. NHAI, IDFC and DGSCL arrived at a common solution and submitted their consents to Delhi High Court with the recommendation to remove toll plazas at these two places with effect from February 20, 2014.