THE NATIONAL HIGHWAYS (AMENDMENT) ACT, 1995

No. 26 OF 1995

[16th June, 1995.]

An Act further to amend the National Highways Act, 1956.

BE it enacted by Parliament in the Forty-sixth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the National Highways (Amendment) Act, 1995.

Insertion of new sections 8A and 8B.

2. After section 8 of the National Highways Act, 1956, the following sections shall be inserted, namely:— 48 of 1956.

Power of Central Government to enter into agreements for development and maintenance of national highways.

"8A. (1) Notwithstanding anything contained in this Act, the Central Government may enter into an agreement with any person in relation to the development and maintenance of the whole or any part of a national highway.

(2) Notwithstanding anything contained in section 7, the person referred to in sub-section (1) is entitled to collect and retain fees at such rate, for services or benefits rendered by him as the Central Government may, by notification in the Official Gazette, specify having regard to the expenditure involved in building, maintenance, management and operation of the whole or part of such national highway, interest on the capital invested, reasonable return, the volume of traffic and the period of such agreement.

(3) A person referred to in sub-section (1) shall have powers to regulate and control the traffic in accordance with the provisions contained in Chapter VIII of the Motor Vehicles Act, 1988 on the national highway forming subject matter of such agreement, for proper management thereof. 59 of 1988.

Punishment for mischief by injury to national highway.

8B. Whoever commits mischief by doing any act which renders or which he knows to be likely to render any national highway referred to in sub-section (1) of section 8A impassable or less safe for travelling or conveying property, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both.".