GOVERNMENT OF TAMIL NADU
2009

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TAMIL NADU GOVERNMENT

EXTRAORDINARY

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Part IV—Section 1

Tamil Nadu Bills

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Under Rule 130 of the Tamil Nadu Legislative Assembly Rules the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 20th July 2009 is published together with Statement of Objects and Reasons for general information:—

L.A. BILL No. 28 OF 2009

Tamil Nadu 13 of 1974

A Bill further to amend the Tamil Nadu Motor Vehicles Taxation Act, 1974.

BE it enacted by the Legislative Assembly of the State of Tamii Nadu in the Sixtieth Year of the Republic of India as follows:—

Short title ana commence-ment

1. (1) This Act may be called the Tamil Nadu Motor Vehicles Taxation (Amendment) Act. 2009.

(2) It shall come into force on such date as the State Government may. by notification, appoint.

Act

Amendment section 2

2. In section 2 of the Tamil Nadu Motor Vehicles Taxation Act. 1974 (hereinafter referred to as the principal Act), for clause (1-A). the following clauses shall be substituted, namely:—

"(1-A) floor area" means total floor area inside the body of the vehicle (measuring length into breath) less ten per cent standard deduction of the total floor area:

Provided that the fraction of a square meter beyond the firs! decimal point of the net floor area arrived at after standard deduction shall be rounded off to the next higher decimal point;

(1-B) "Government" means the State Government;".

Amendment of r,r3! Schedule

3. In the First Schedule to the principal Act, in class 2, for paragraph II, the following paragraph shall be substituted, namely:—

"II. Vehicles permitted to ply solely as contract carriage, whether classified as "Tourist Vehicle" or not. which the vehicle is permitted to carry.—

(a) not more than thirty-five persons (other than driver), for every square meter of floor area of the vehicle:	..	Rs. 4.900 00
(b) more than thirty-five persons (other than driver), for every person (other than the driver),		Rs. 3.000.00".

TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

STATEMENT OF OBJECTS AND REASONS

At present, as per class 2 (II) of the First Schedule to the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974), in respect of Motor Vehicles plying solely as contract carriages and permitted to carry more than five persons (other than the driver), a quarterly tax of Rs.3,000/- is being levied. As there is no provision in the Tamil Nadu Motor Vehicles Rules, 1989 to fix the number of seats to be accommodated in a contract carriage, the contract carriage operators, are fixing lesser number of seats than the maximum number of seats possible and pay tax only for every person which the vehicle is permitted to carry. This leads to loss of revenue. Hence, in order to safeguard the tax revenue, the Government have decided to levy tax on floor area basis in respect of contract carriages permitted to carry not more than 35 persons and for other contract carriages on seat basis. The Government have, therefore, decided to amend the said Act for the above purpose.

2. The Bill seeks to give effect to the above decision.

K.N. NEHRU.
Minister for Transport.

M. SELVARAJ,
Secretary.

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Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 20th July 2009 is published together with Statement of Objects and Reasons for general information:—

BILL No. 29 OF 2009 *A Bill further to amend the Tamil Nadu Motor Vehicles Taxation Act, 1974.*

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixtieth Year of the Republic of India as follows:—

Short title and commence-ment

1. (1) This Act may be called the Tamil Nadu Motor Vehicles Taxation (Second Amendment) Act, 2009.

(2) It shall come into force on such date as the Government may. by notification,

Tama Nadu AM 13 Of 1974

Amendment of section

2. In section 20-B of the Tami Nadu Motor Vehicles Taxation Act, 1974 the following proviso shall be added, namely:—

"Provided that, no appeal against the direction of the licensing officer under section 15-A shall be entertained unless it is accompanied by satisfactory proof of the payment of fifty per cent of the tax as so directed to be paid by the licensing officer.".

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STATEMENT OF OBJECTS AND REASONS

At present, there is no provision in the Tamil Nadu Motor Vehicles Taxation Act. (Tamil Nadu Act 13 of 1974) for payment of part of the fax to be paid as specified in the direction of the Licensing Officer under Section 15-A of the said Act by the registered owner or the person having possession or control of the motor vehicle while preferring an appeal. It is, therefore, proposed to amend the said Act suitably for payment of fifty per cent of the tax directed to be paid under Section 15-A while preferring an appeal. Accordingly, the Government have decided to amend the said Act for the purpose in view.

2. The Bill seeks to give effect to the above decision.

K.N. NEHRU.
Minister for Transport.

M. SELVARAJ,
Secretory.

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was Introduced in the Legislative Assembly of Ihe State of Tamil Nadu on 20th July 2009 Is published together with Statement of Objects and Reasons for general information:—

LA. **BH-L** No. 30 OF **2009**

A Bill further to amend **the** Tamil Nadu Motor Vehicles Taxation **Act, 1974.**

it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixtieth Year of the Republic of India as follows:—

Short title and commence-ment

1. (t) This Act may be called the Tamil Nadu Motor Vehicles Taxation rd Amendment) Act. 2009.

(2) It shall come into force on the first day of August 2009.

Insertion of section 3-B.

2. After section 3-A of the Tamil Nadu Motor Vehicles Taxation Act, 1974 (hereinafter referred to as the principal Act), the following section shall be inserted, namely.—

"3-8. *Levy of Road Safety Tax.*—(1) There shall be levied and collected an additional tax called "road safety tax", at the time of registration of motor vehicle, at the rates specified in the Sixth Schedule for the purpose of implementation of various road safety measures.

(2) The tax levied under sub-section (1) shall be paid in such manner as may be prescribed.

(3) Subject to the provisions of sub-section (2), the provisions of the Act and the rules made there under excluding those relating to refund of tax shall, so far as may be apply in relation to the levy and collection of the tax payable under sub-section (1), as they apply in relation to the levy and collection of motor vehicles tax under this Act".

Insertion of new Schedule.

3. After the Fifth Schedule to the principal Act, the following Schedule shall be added, namely:—

"SIXTH SCHEDULE. (See section 3-B)

Class of Motor Vehicles.

	(V	*Tax Rs.*
1.	Motor Cycles	*(2)*
2.	Light Motor Vehicles	2507-
3.	Other Motor Vehicles.	1,500/-
		2.000/-".

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TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY

STATEMENT OF OBJECTS AND REASONS

In the Budget for the year 2009-2010, it has been announced that in order to implement the Road Safety Policy and to give relief to the families of victims of road accidents, the Government have proposed to levy Road Safety Tax on the new motor vehicles at the time *of* registration. Accordingly, the Government have decided to amend the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974) for the purpose.

2. The Bid seeks to give effect to the above decision.

K.N. NEHRU,
Mktister *for Transport.*

M. SELVARAJ,
Secretary.