

GOVERNMENT OF PUNJAB

**DEPARTMENT OF LEGAL AND
LEGISLATIVE AFFAIRS**

**The Punjab Motor Vehicles
Taxation Act, 1924**

(PUNJAB ACT 4 OF 1924)

(As amended up to 31st August, 2004)



2004

Printed by :

The Controller, Printing and Stationery Department, U.T., Chd.

A-27-00

THE PUNJAB MOTOR VEHICLES TAXATION ACT, 1924

(PUNJAB ACT 4 OF 1924)

Section	CONTENTS	Page
1.	Short title, extent and commencement.	3
2.	Definitions.	3
3.	Imposition of Tax.	5
3-A.	Retrospective notification.	5
3-B.	Imposition of tax in lumpsum on motor vehicles.	5
3-C.	Refund of tax in certain cases.	5
3-D.	Imposition of tax in lump sum of four wheeled personalised motor vehicles.	6
3-E.	Refund of tax paid in respect of four wheeled personalised motor vehicles.	6
3-F.	Levy of special road tax.	7
4.	Obligation of persons keeping motor vehicles to make declaration and to pay tax.	7
4-A.	Obligation to make declaration in respect of transport vehicles to pay special road tax.	8
5.	Obligation to make additional declaration and to pay further tax.	8
5-A.	Obligation on revision of rates of tax.	8
6.	Service of special notice to make declaration and to pay tax.	8
7.	Grant of license.	9
7-A.	Owner to furnish security.	9
7-B.	Maintainance of accounts and determination of tax.	9

7-C.	Re-determination of tax.	..	9
8.	Offences and penalties.	..	10
9.	Compounding of offences.	..	11
10.	Recovery of tax or additional tax imposed under section 8 or section*9.	..	11
11.	Recovery of an arrear of tax.	..	11
11-A.	Payment of interest.	..	11
11-B.	Power of Licensing Officer to recover tax, interest and penalty.	..	12
11-C.	Liability of transferee of vehicles.	..	12
12.	Appeals.	..	13
12-A.	Revision.	..	13
13.	Refund and exemption.	..	14
14.	Bar to jurisdiction of civil and criminal courts in matters of taxations.	..	14
14-A.	Cognigence of offencess.	..	14
14-B.	Power to stop search and seizure.	..	14
14-C.	Tax payable by dealer or manufacturer.	..	15
15.	Power of State Government to make rules.	..	15
16.	Delegation of power.	..	16

THE PUNJAB MOTOR VEHICLES TAXATION ACT, 1924

(PUNJAB ACT 4 OF 1924)

[Received the assent of the Governor of the Punjab on the 25th November, 1924, and that of the Governor-General on the 25th January, 1925, and was first² published in the Punjab Gazette of the 30th January, 1925.]

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1924	4	The Punjab Motor Vehicles Taxation Act, 1924.	³ Amended Punjab Act 10 of 1925. Amended by the Government of India (Adaptation of Indian Laws) Order, 1937. ⁴ Amended by the Punjab Act 2 of 1940. Amended by the Indian Independence (Adaptation of Bengal and Punjab (Acts) Order, 1948 G.G.O. 40). Amended by the Adaptation of Laws Order, 1950. Amended by the Adaptation of Laws (Third Amendment) Order, 1951. ⁵ Amended by Punjab Act 14 of 1954.

1. For Statement of Objects and Reasons, see *Punjab Gazette*, 1924, Part I, pages 64-65 for Select Committee's Report, see *Punjab Gazette*, Extraordinary, 1924, pages 13-20, : for proceedings in Council see *Punjab Legislative Council Debates*, Vol. VI, pages 372-79, and 574 and Vol. VII, pages 309-16 and 332-39.

2. See *Punjab Gazette*, 1925, Part I, pages 60-65.

3. For Statement of Objects and Reasons, see *Punjab Gazette*, 1925, Extraordinary, page 72, and for Proceedings in Council see *Punjab Legislative Council Debates*, Volume VIII-B pages 1298-99.

4. For Statement of Objects and Reasons, see *Punjab Gazette*, 1940, Extraordinary, page 200, and for Proceedings in Assembly see *Punjab Legislative Assembly Debates*, Volume XI, P. 557, and Volume XI-A pages 270-93 and 364-89..

5. For Statement of Objects and Reasons, see *Punjab Government Gazette*, (Extraordinary), 1954, page 278.

1	2	3	4
Year	No.	Short title	Whether repealed or other affected by legislation
1924	4	The Punjab Motor Vehicles Taxation Act, 1924	¹ Extended to Pepsu Territory Punjab Act, 5 of 1957. ² Amended by Punjab Act 30 of 1957. ³ Amended by Punjab Act 5 of 1958. ⁴ Amended by Punjab Act 32 of 1958. ⁵ Amended by Punjab Act 25 of 1959. ⁶ Amended by Punjab Act 25 of 1960. ⁷ Amended by Punjab Act 4 of 1961. ⁸ Amended by Punjab Act 24 of 1961. ⁹ Amended by Punjab Act 9 of 1962. ¹⁰ Amended by Punjab Act 13 of 1963. ¹¹ Amended by Punjab Act 17 of 1964. ¹² Amended by Punjab Act 1 of 1965. ¹³ Amended by Punjab Act 12 of 1965. ¹⁴ Amended by Punjab Act 22 of 1965. ¹⁵ Amended by Punjab Act 12 of 2000. ¹⁶ Amended by Punjab Act 7 of 2001.

1. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) 1957, page 339.

2. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) 1961, page 1311-12.

3. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) 1936, page 199.

4. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) 1963, page 1164.

5. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) 1964, page 935-37.

6. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) 1965, page 1130.

7. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) 1971, page 70.

8. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) 1974, page 1746.

9. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) 1975, page 284.

10. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) dated the 3rd February, 1981 page 182.

11. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) dated the 30th August, 1983, page 1044.

12. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) dated the 15th December, 1986, page 1431.

13. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) dated the 21st December, 1992, page 2268.

14. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) dated the 5th April, 1992, page 824.

15. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) dated the 9th March, 2000, page 198.

16. For Statement of Objects and Reason's, see *Punjab Government Gazette* (Extraordinary) dated the 19th March, 2001, page 573.

An Act to impose a tax on motor vehicles in ¹[Punjab].

Whereas it is expedient to impose a tax on motor vehicles in ¹[Punjab] and whereas the previous sanction of the Governor-General under sub-section (3) of section 80-A of the Government of India Act has been obtained; it is hereby enacted as follows :—

1. (1) The Act may be called the Punjab Motor Vehicles Taxation Act, 1924. Short title, extent and commencement.

(2) It extends to ²[Punjab.]

(3) It shall come into force on the 1st day of April, 1925.

2. In this Act unless there is anything repugnant in the subject or context—

³[(a) “Commissioner” means the State Transport Commissioner, Punjab and includes any other officer appointed by notification in the Official Gazette in this behalf by the Government;

(aa) “Government” means the Government of State of Punjab in the Department of Transport;]

⁴[(ai) “four wheeled personalised motor vehicle” means a four wheeled motor vehicle other than a transport vehicle, omni bus, road roller, tractor, motor cycle or invalid carriage;]

⁵[(aii) “invalid carriage” means a motor vehicle the unladen weight whereof does not exceed 300 kilograms and which is specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical defect or disability, and used solely by or for such a person;]

⁶[(aiii) “licensing officer” means ⁷[a person] appointed by the ⁸[State] Government to perform the duties and exercise the powers imposed or conferred upon a licensing officer under this Act ;

1. Substituted for the word “East Punjab” by Adaptation laws (IIIrd Amendment) Order, 1951.

2. Substituted for the words “East Punjab” the Adaptation of laws Order, 1950.

3. Inserted by Punjab Act 22 of 1993, section 2.

4. Inserted by Punjab Act 12 of 1993, section 2.

5. Inserted by Punjab Act 11 of 1987, section 2.

6. Relettered as “(a-iii)” by Punjab Act 22 of 1993, section 2.

7. Substituted for the word “an officer” by Punjab Act 30 of 1961, section 2.

8. Substituted for the words “Provincial” by Adaptation of Laws Order, 1950.

¹[(aiv) "motor cycle" means a two wheeled motor vehicle, inclusive of any detachable side-car having an extra wheel attached to a motor vehicle;]

²[(av) "mini bus" means a stage carriage having the capacity to carry not more than thirty passengers excluding the driver and the conductor;]

(b) "motor vehicle" includes a vehicle, carriage or other means of conveyance propelled, or which may be propelled, on a road by electrical or mechanical power either entirely or partially ;

³[(bi) "owner" for the purpose of transport vehicle means the owner of a transport vehicle in respect of which a permit has been granted or countersigned under the provision of the Motor Vehicles Act, 1988, and includes—

(a) the holder of a permit in respect of such vehicle including the holder of a goods carriage permit for carriage of goods for or in connection with a trade or business carried on by the permit holder;

(b) any person for the time being incharge of such vehicle;

(c) any person responsible for the management of the place of business of such owner; and

(d) Government or a Corporation established under the Road Transport Corporation Act, 1950;]

(c) "prescribed" means prescribed by rules made under this Act ;

⁴[(cc) "registration" means the registration of a motor vehicle under the provisions of the Motor Vehicles Act, 1939 (Central Act 4 of 1939);]

(d) "tax" means the tax imposed under this Act ;

⁵[(e) "token" means a ticket to be displayed on a moter vehicle as an indication that the tax leviable thereon has been duly paid or that no tax is payable;]

⁶[(f) the words and expressions used in this Act but not defined and defined in the Motor Vehicles Act, 1988 (Central Act 59 of 1988), shall have the meaning, respectively, assigned to them in that Act.]

1. Substituted by Punjab Act 12 of 2000, section 2.

2. Inserted by Punjab Act 22 of 1993, section 2.

3. Inserted by Punjab Act ibid, section 2.

4. Inserted by Punjab Act 1 of 1987, section 2.

5. Inserted by Punjab Act 2 of 1940, section 2.

6. Inserted by Punjab Act 12 of 1993, section 2.

3. (1) A tax shall be leviable on every motor vehicle in equal instalments for quarterly periods commencing on the first day of April, the first day of July, the first day of October and the first day of January, at ¹[such rates not exceeding ²rupees thirty-five thousand] per vehicle for a period of one year, as the State Government may by notification direct:

Imposition of tax.

Provided that any broken period in such quarterly periods shall, for the purpose of levying the tax, be considered as a full period :

³[Provided further that in the case of a motor-vehicle, registered in any State, other than the State of Punjab, which is brought in the State on the basis of a temporary permit granted under section 62 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), tax shall be leviable for the period of duration of the temporary permit on fortnightly basis and any broken period of a fortnight shall, for the purpose of levying the tax, be considered as a full fortnight.]

(2) The tax shall be paid upon a license to be taken out and paid for under the provisions of this Act by the person who keeps the motor vehicle for use.

⁴[(3-A) Notwithstanding anything contained in this Act,—

Retrospective notification.

- (i) a notification under section 3 may be issued so as to be effective on and from the commencement of the Punjab Motor Vehicles Taxation (Amendment) Act, 1981;
- (ii) the tax payable by virtue of notification referred to in clause (i) for the quarters commencing on the 1st day of October, 1980, and the 1st day of January, 1981, may be paid within a period of one month from the date of publication of that notification.]

⁵[(3-B) Notwithstanding anything contained in section 3, on and from the commencement of the Punjab Motor Vehicles Taxation (Amendment) Act, 2000, tax on a motor cycle shall be leviable in lump sum, as may be notified by the State Government on the basis of the price of the motor cycle, subject to the maximum of ten per cent of the value of the motor cycle.

Imposition of tax in lump sum on motor-cycles.

(3-C) Where an owner of a motor cycle in respect of which tax has been paid in lump sum under section 3-B, ceases to be the resident of the State of Punjab and takes alongwith him such motor cycle or if the ownership of the motor cycle is transferred to a person having residence outside the State of Punjab, then partial refund of the lump sum tax so paid, shall be allowed as hereunder specified :—

Refund of tax in certain cases.

1. Substituted for the word "the rate specified in the Schedule to this Act" by Punjab Act 14 of 1954.

2. Substituted for the word "rupees twenty thousand" by Punjab Act 13 of 1981, section 2.

3. Added by Punjab Act 9 of 1975, section 2.

4. Inserted by Punjab Act 13 of 1981, section 3.

5. Inserted by Punjab Act 12 of 2000, section 3.

Serial No.	Duration of use after the date of registration of motor cycle	Amount of refund of tax on motor cycle
1.	Less than three years.	Sixty per cent of the amount of tax already paid under section 3-B.
2.	Three years or more, but less than six years.	Forty per cent of the amount of tax already paid under section 3-B.
3.	Six years or more, but less than nine years.	Twenty per cent of the amount of tax already paid under section 3-B.
4.	Nine years or more.	Ten per cent of the amount of tax already paid under section 3-B.

Imposition of tax in lump sum on four wheeled personalised motor vehicles.

(3-D). Notwithstanding anything contained in section 3, on and from the commencement of the Punjab Motor Vehicles Taxation (Amendment) Act, 2000, tax on a four wheeled personalised motor vehicle shall be leviable in lump-sum, as may be notified by the State Government by notification on the basis of the price of the four wheeled personalised motor vehicle, subject to the maximum of ten per cent of the value of such four wheeled personalised motor vehicle.

Refund of tax paid in respect of four wheeled personalised motor vehicles.

(3-E). Where an owner of a four wheeled personalised motor vehicle in respect of which tax has been paid in lump sum under section 3-D, ceases to be the resident of the State of Punjab and takes alongwith him such four wheeled personalised motor vehicle or if the ownership of the four wheeled personalised motor vehicle is transferred to a person having residence outside the State of Punjab, then partial refund of the lump sum tax so paid, shall be allowed as hereunder specified:—

Serial No.	Duration of use after the date of registration of the four wheeled personalised motor vehicle.	Amount of refund of tax on four wheeled personalised motor vehicles
1.	Less than three years.	Sixty per cent of the amount of tax already paid under section 3-D.
2.	Three years or more, but less than six years.	Forty per cent of the amount of tax already paid under section 3-D.
3.	Six years or more, but less than nine years.	Twenty per cent of the amount of tax already paid under section 3-D.
4.	Nine years or more.	Ten per cent of the amount of tax already paid under section 3-D.]

¹[3-F (1) In addition to the tax levied under section 3, on and from the commencement of the Punjab Motor Vehicles Taxation (Amendment) Act, 1993, and subject to the rules made by the Government under this Act, there shall be levied and paid to the Government, a special road tax on transport vehicles at the rates as may be specified by the Government but not exceeding the rates specified in Schedule 'A' to this Act.

Levy of special road tax.

(2) The rates of the special road tax as may be specified under sub-section (1), in respect of stage carriages shall be applicable to and charged on the entire distance permitted to be covered.

(3) Where a transport vehicle is plied without a valid permit or if it is in any other manner not authorised by the permit to be plied, there shall be levied and paid to the Government further special road tax in addition to the tax payable under sub-section (1), on such vehicle at the rates as may be specified but not exceeding the rates specified in this behalf in Schedule 'A' to this Act.

(4) Where a transport vehicle registered in a State other than the State of Punjab, enters the State of Punjab, the special road tax shall become chargeable, on such entry in the prescribed manner.

Explanation.—For the purpose of special road tax levied under this Act, transport vehicle shall include non-transport vehicle when used as transport vehicle by the owner.]

4. (1) Every person who keeps a motor vehicle for use shall fill up and sign a declaration in the prescribed form, stating the prescribed particulars, and shall deliver the declaration as filled up and signed by him to the licensing officer before the 30th day of April, 1925, or if such person commences to keep the motor vehicle for use after the 10th day of April, 1925, then before the expiration of 21 days from the day of his commencing to keep the motor vehicle for use.

Obligation of persons keeping motor vehicles to make declaration and to pay tax.

(2) The tax to which he appears by such declaration to be liable shall be paid by the person keeping the motor vehicle, if for the first quarterly period before the 30th day of April, if for the second quarterly period before the 31st day of July, if for the third quarterly period before the 31st day of October, and if for the fourth quarterly period before the 31st day of January:

Provided that if such person commences to keep the motor vehicle for use, after the 10th day of April, 1925, he shall pay the first instalment due before the expiration of 21 days from the day of his commencing to keep the motor vehicle for use.

(3) Every person who owns any motor vehicle which is let for hire, shall, for the purposes of this Act, be deemed to be the person who keeps the motor vehicles for use.

1. Inserted by Punjab Act 22 of 1993, section 3.

Obligation to make declaration in respect of transport vehicles to pay special road tax.

¹[4-A (1) In respect of a transport vehicle an owner shall also be required to make declaration in the prescribed form stating the prescribed particulars.

(2) The special road tax payable under section 3-F in respect of a transport vehicle shall be paid in the prescribed manner :

Provided that unless the manner is prescribed, the amount of tax payable quarterly and monthly shall be one fourth and one twelfth, respectively, of the annual rates of tax specified in Schedule 'A' to this Act referred to in section 3-F.]

Obligation to make additional declaration and to pay further tax.

5. Whenever any person, who has delivered a declaration under ²[section 4 and 4-A] becomes liable to an additional tax by reason of his keeping a greater number of motor vehicles, for use than he has stated in the declaration or by reason of any change in the character of any motor vehicle kept by him for use, he shall fill up and sign an additional declaration specifying with reference to such liability the particulars required under ²[section 4 and 4-A].

Such person shall deliver the additional declaration so filled up and signed and pay such additional tax as by the last mentioned declaration appears to be payable by him to the licensing officer before the expiration of 21 days from the day of his becoming so liable as aforesaid :

Provided that when payment is made of additional tax by reason of any change in the character of any motor vehicle, an allowance shall be made for the tax already paid.

Obligation on revision of rates of tax.

³[(5-A) If as a result of revision of rate of tax as may be specified under section 3 or section 3-F, a motor vehicle or a transport vehicle, as the case may be, in respect of which tax has been paid, becomes liable to tax at a high rate, the owner or any person having possession or control of the motor vehicle or transport vehicle, as the case may be, shall, within the time allowed for payment of tax for the following year or quarter or month thereof, as the case may be, pay additional tax of a sum which is equal to the difference between the tax already paid and the tax which becomes payable at the higher rate due to such revision in respect of such vehicles for the remainder of the complete current month of the quarter or the year, as the case may be, and the licensing officer shall not issue a fresh token in respect of such vehicle until such amount of tax has been paid.]

Service of special notice to make declaration and to pay tax.

6. The licensing officer may direct a special notice to be served upon any person requiring such person to fill up, sign and deliver to the officer named in such notice, a form of declaration to be left with such notice, stating whether such person is or is not liable to the payment of any tax and to pay the tax to

1. Inserted by the Act Punjab Act 22 of 1993, section 4.

2. Substituted for the word "preceding section" by the Act *ibid*, section 5.

3. Inserted by the Act *ibid*, section 6.

which he appears by such declaration, to be liable to the person named therein before the expiration of 14 days from the date of the service of such special notice.

7. Every licensing officer shall grant and deliver to every person who pays to him the first instalment of tax due, a license in which shall be specified the particulars of the tax paid, with any other particulars that may be prescribed. The license shall be dated on the day of granting the same and shall expire on the 31st day of March, next following.

Grant of license

[7-A. (1) The licensing officer, for the proper realisation of tax levied under this Act, shall after giving an opportunity of being heard, require any owner of the transport vehicle to deposit as security an amount not exceeding fifty thousand rupees in the prescribed manner where such an owner makes a default in the payment of tax under this Act for a continuous period of two months or more.

Owner to furnish security.

(2) Where the security furnished by an owner of a transport vehicle under sub-section (1) is in the form of a surety bond and the surety becomes insolvent or is otherwise incapacitated or dies or withdraws, such owner shall within fifteen days of the occurrence of any of the aforesaid events, inform the licensing officer and shall within thirty days of such occurrence, furnish a fresh surety bond.

(3) The licensing officer may, by an order in writing for good and sufficient cause and after giving the owner a reasonable opportunity of being heard, forfeit the whole or any part of the security furnished by such owner for realising any amount of tax, interest or penalty payable by him under this Act.

(4) Where by reason of an order under sub-section (3), the security furnished by such owner is rendered insufficient, he shall make up the deficiency in such manner and within such time as may be prescribed.

(5) The licensing officer may, on an application by such owner release the security furnished by him or any part thereof, if the same is no longer required to be retained for the purposes of this Act.

7-B. (1) An owner of a transport vehicle may be required to maintain such accounts as may be prescribed and to submit the same to the licensing officer as and when required.

Maintenance of accounts and determination of tax.

(2) If the licensing officer is satisfied that tax has not been correctly paid or the owner has not furnished declaration as provided in sub-section (1) of section 4-A or has given inaccurate particulars in the declaration, he shall, after giving the owner a reasonable opportunity of being heard, proceed to determine the amount of tax due and recover the same.

7-C. (1) If in consequence of an information, the licensing officer discovers that the tax due from the owner has been under determined or escaped determination in any year, the licensing officer, may, at any time, within ten years following the close of the year for which re-determination is to be made

Re-determination of tax.

and after giving the owner a reasonable opportunity in the prescribed manner of being heard, proceed to re-determine the tax payable.

(2) The licensing officer, may, at any time, within one year from the date of any order passed by him and subject to such conditions as may be prescribed rectify any clerical or arithmetical error apparent from the record.]

Offences and
Penalties.

[8. (1) Whoever—

(a) keeps in his possession or control any motor vehicle, in the State, without having paid the amount of tax due in accordance with the provisions of this Act in respect of such vehicle or keeps the motor vehicle for use without having proper licence or furnishes a declaration under section 4 or section 4-A wherein the particulars required by or under this Act to be furnished, are not fully and truly stated ; or

(b) fails to stop the motor vehicle when required to do so by the said officer or obstructs any officer in the exercise of the powers conferred by section 14-B, shall on conviction be punishable with fine, which may extend to a sum equal to twice the average monthly tax payable, in respect of such vehicle, or rupees five thousand, whichever is more.

(2) Whenever, the licensing officer determines or re-determines the tax in respect of a transport vehicle under section 7-B or in respect of an owner of motor-vehicle under section 7-C, as the case may be, which such owner was liable to pay, and has not paid, the licensing officer, may, after giving an opportunity of being heard, also direct that such owner shall pay in the prescribed manner by way of penalty, a sum not exceeding five times the amount of tax so assessed subject to a minimum of five thousand rupees.

(3) If a person (a) fails to furnish a declaration in accordance with the provisions of this Act, or (b) furnishes a declaration wherein particulars prescribed to be therein, are not fully and truly stated, the licensing officer may after making such enquiry, as he deems fit and after hearing the person, if he desires to be heard, impose on such person any tax or additional tax for such quarterly period or periods, as the licensing officer may find that such person is liable to pay under the provisions of this Act and may also impose a penalty, which may extend to twice the amount of the tax to which he is found liable.

(4) Whoever contravenes or fails to comply with any of the provisions of this Act, or the rules made thereunder or any order or direction, made or given thereunder, in respect of tax liable on a transport vehicle shall be liable to imposition of penalty not exceeding five thousand rupees but not less than one thousand rupees :

Provided that before imposing such penalty a reasonable opportunity of being heard shall be given to the person concerned.

(5) Whoever contravenes any of the provisions of this Act, or any rules made thereunder, and no penalty is provided for such contravention, shall on conviction be punishable with a fine, which may extend to five hundred rupees and in the event of such person, having previously been convicted of an offence under this Act, or the rules made thereunder, with fine which may extend to one thousand rupees.

9. Where an offence under this Act has been committed, such an offence may at any time before conviction, be compounded by any officer of the Transport Department not below the rank of Assistant District Transport Officer authorised by the Commissioner in this behalf, after accepting by way of composition thereof, a sum of money not exceeding, such amount, as may be prescribed, together with the amount of tax, if any, which may be due from the person committing the offence. Such composition shall have the effect of discharging such person from liability for the offence and no further proceedings shall be taken or continued against him in respect of the offence so compounded.]

Compounding of offences.

10. Any tax or additional tax imposed under the provisions of section 8 or section 9 may be recovered in the manner provided in section 11 for the recovery of an arrear tax.

Recovery of tax or additional tax imposed under section 8 or section 9.

11. When a person neglects or refuses to pay an instalment of tax within one month from the expiration of period fixed for such payment, the licensing officer may forward to the '[Commissioner] a certificate under his signature specifying the amount of the arrears due from the person, and the '[Commissioner] on receipt of such certificate shall proceed to recover from such person the amount specified therein as if it were an arrear of land revenue.

Recovery of an arrear of tax.

²[(11-A). (1) If an owner fails to pay tax due from him as required under section 3 or section 3-F, he shall in addition to the amount of tax be liable to pay simple interest on the amount of tax due from him at the rate of one and

Payment of interest.

1. Substituted for the word "Collector" by Punjab Act 22 of 1993, section 9.

2. Inserted by the Act. *ibid*, section 10.

a half per cent per month from the date immediately following the last date for the submission of declaration as provided in sub-section (1) of section 4-A till the default continues.

(2) If the amount of tax under section 3 or section 3-F or penalty under section 8 due from an owner is not paid by him within the period specified in the prescribed notice, or, if no period is specified in the notice, within thirty days from the service of such notice, the owner shall, in addition to the amount of tax or penalty, be liable to pay simple interest on the due amount of tax or penalty, as the case may be, at the rate of one and a half per cent per month from the date following the date on which the period specified in the aforesaid notice or the period of thirty days, as the case may be, expires till the default continues:

Provided that where the recovery of any tax or penalty is stayed by an order of a court, the amount of tax or penalty shall, after the order of stay is vacated, be recoverable alongwith interest at the aforesaid rate on the amount due and such interest shall be payable from the date, the tax or penalty had first become due.

(3) The amount of interest payable under this section shall be calculated by treating part of a month as one month but no interest shall be chargeable if the total amount payable on account of tax or penalty or both, is fifty rupees or less and if such an amount is more than fifty rupees but less than one hundred rupees, interest shall be calculated treating such amount to be one hundred rupees.

Power of
licensing officer
to recover tax,
interest and
penalty.

11-B. (1) Without prejudice to the provisions of section 11, the licensing officer may proceed to recover tax, interest or penalty due under this Act, in the prescribed manner, by attachment and sale of the moveable property of the person liable for the payment thereof.

(2) The licensing officer may also recover tax, interest or penalty due, under this Act in instalments but he shall not grant more than four equal instalments payable on monthly basis.

Liability of
transferee of
vehicle.

11-C. (1) If the tax leviable in respect of any motor vehicle remains unpaid by any person liable for payment thereof and any such person, before having paid the tax, has transferred the ownership of such vehicle, or has ceased to be in possession or ownership of such vehicle, the person to whom the ownership of such vehicle has been transferred or the person who has possession or control of such vehicle, shall also be liable to pay the said tax.

(2) Nothing contained in this section shall apply to a person, who has obtained possession or control of such vehicle by purchase in a public auction conducted by a Government Department to recover the arrears of tax, interest or penalty except under the orders of a competent court.]

[(12). Any person aggrieved by an order relating to the determination, re-determination, imposition or recovery of the tax, interest or penalty may, within a period of thirty days from the date of such order, appeal against such order to the Commissioner or if the Commissioner is the officer who passed such order, then to the Government. The appellate order of the Commissioner or the Government, as the case may be, shall be final and conclusive: Appeal.

Provided that no appeal shall be entertained unless it is accompanied by a satisfactory proof of payment of tax, interest or penalty or such other amount as is admitted by the appellant to be due from him.

12-A. (1) The Commissioner, on his own motion, or, on application made to him in the prescribed manner, may, call for the record of any proceedings, which are pending before or have been disposed of by any other authority subordinate to him under this Act for the purpose of satisfying himself as to the legality or propriety of such proceedings or of any order made therein and may pass such orders in relation thereto as he may think fit : Revision.

Provided that the owner may make such application only within one year from the date of the order required to be revised.

(2) No application under sub-section (1) shall be entertained unless the application is accompanied by a satisfactory proof of the payment of the tax or interest or of the penalty, if any, imposed, as the case may be :

Provided that if the Commissioner is satisfied that the owner is unable to pay the tax determined or interest or the penalty, if any, imposed, he may, for reasons to be recorded in writing, entertain the application without the tax or interest or penalty having been paid or after part payment of such tax or interest or penalty :

Provided further that if the owner of a motor vehicle has preferred, a revision under this section, the Commissioner, may, on an application in writing from the owner of such vehicle stay the recovery of the disputed amount of tax, interest or penalty or any part thereof, during the pendency of the revision, if the owner furnishes security in such form and in such manner as may be prescribed, for the entire amount for which stay has been prayed for :

Provided further that if the recovery of tax, interest or penalty or any part thereof is stayed, under the preceding proviso, then such an amount shall be recoverable with interest at such rate, as may be prescribed, on the amount ultimately found due and such interest shall be payable on such amount from the date the same had become first due.

1. Substituted by Punjab Act 22 of 1993, section 11.

(3) No order shall be made under this section without giving an owner or any other person interested a reasonable opportunity of being heard.]

Refund and
exemption.

¹[13. (1) When any person, who has paid the tax under section 3 or section 3-F, proves to the satisfaction of the Commissioner in the prescribed manner that the motor vehicle or the transport vehicle in respect of which such tax has been paid, has not been used for a continuous period of not less than one month since the tax was last paid, he shall be entitled to the exemption in respect of that tax and to the refund of an amount equal to one twelfth of the annual rate of the tax paid in respect of such vehicle for each complete month for which such tax has been paid and an endorsement to that effect on the license shall be made by the licensing officer.

(2) The licensing officer may refund or adjust in the prescribed manner any amount paid in excess of the tax due.

(3) The Government may, by general or special order and subject to such conditions, as may be specified, exempt any person or class of persons from the operation of all or any of the provisions of this Act, if in its opinion, such exemption would promote national or public interest.

(4) Nothing in this Act shall apply to a motor vehicle used solely for the purpose of Agriculture.]

Bar to jurisdiction of civil and criminal courts in matters of taxation.

14. The liability of a person to pay the tax or penalty shall not be determined or questioned in any other manner or by any other authority than is provided in this Act or in the rules made thereunder, and no prosecution, suit or other proceedings shall lie against any Government officer for anything in good faith done or intended to be done under this Act.

Cognizance of offences.

²[14-A. (1) No court inferior to that of a Judicial Magistrate of First Class shall try any offence punishable under this Act.

(2) The court shall not take any cognizance except upon a complaint made by the licensing officer in this behalf.

Power of stop, search and seizure.

14-B.(1) Any officer of the Transport Department, not below the rank of Assistant District Transport Officer authorised by a general or special order, in this behalf, by the Commissioner, may require the driver of any motor vehicle at any place to stop the vehicle and cause it to remain stationary so long as may be reasonably necessary for the purpose of satisfying himself that the amount of the tax due in accordance with the provisions of this Act in respect of such vehicle, has been paid.

1. Substituted by Punjab Act 22 of 1993, section 12.

2. Inserted by the Act *ibid*, section 13.

(2) Where any tax due in respect of any vehicle has not been paid, any officer referred to in sub-section (1), may seize and detain such vehicle and take or cause to be taken such steps as he may consider necessary for the safe custody of the vehicle until it is produced before the licensing officer of the area concerned, within a reasonable time or until the tax due in respect of the vehicle is paid :

Provided that where the vehicle so seized is a non-transport vehicle, such officer may release the vehicle after obtaining a bond for a sum not exceeding five hundred rupees from the driver or the owner or any person, having possession or control of the vehicle, as the case may be, for depositing the tax within the period specified in the bond.

(3) Any officer of the Department of Transport referred to in sub-section (2), may for the purpose of this Act enter at any time between sun rise and sun set, in any premises, where he has reason to believe that a motor vehicle is kept in contravention of the provisions of this Act.

14-C. If a dealer or manufacturer of motor vehicles keeps any such vehicle in his possession, in course of his business as such dealer or manufacturer and such possession is authorised under a trade certificate granted under the Central Motor Vehicles Rules, 1989, he shall pay a tax at the specified annual rate.]

Tax payable by
dealer or
manufacturer.

15. (1) The ¹[State] Government may after previous publication make ²rules for the purpose of carrying into effect the provisions of this Act.

Power of State
Government to
make rules.

(2) In particular and without prejudice to the generality of the foregoing power, the ¹[State] Government may make ²rules for all or any of the following purposes, namely :—

- (a) to prescribe the form of any declaration, license, certificate or special notice and the particulars to be stated therein;
- (b) to perscribe the officer by whom any duties are to be performed and the area in which they shall exercise their authority;
- (c) to provide for the total or partial exemption for a limited period from liability to taxation in respect of any motor vehicle brought into ³[Punjab] by persons making only a temporary stay in ³[Punjab];

1. Substituted for the word "Provincial" by the Adaptaion of Laws Order, 1950.

2. For rules see notification No. 7083, dated 16th March, 1925, *Punjab Gazette*, 1925, Part I, page 177 : No. 8576 dated 18th March, 1926, *Punjab Gazette*, 1926, Part I, Page 254, and No. 18617, dated 14th June, 1926, *Punjab Gazette* 1926, Part I page 583.

3. Substituted for "East Punjab"—which had been substituted for "the Punjab" by G.G.O., 40 of 1948—by Adaptation of Laws Order, 1950.

- (d) to regulate the method of assessing and recovering the tax;
- (e) to regulate the manner in which special notices may be served;
- (f) to regulate the extent to which licenses may be transferred;
- (g) to regulate the manner in which exemptions or refunds may be claimed and granted;
- (h) to regulate the manner in which appeals may be instituted and heard;
- ¹[(i) to require that no motor vehicle shall be used in the ²[State] unless a token is displayed thereon indicating that the tax has been duly paid or that the owner of the vehicle is entitled to exemption;
- (j) to prescribe the form of tokens and the manner in which they shall be displayed;
- (k) to provide for the issue of token and its duplicate ; and]
- ³[(l) to provide for any other matter which may be required to be prescribed.]
- ⁴[16. The Commissioner may by general or special order in writing delegate its power of hearing an appeal or revision to any person not below the rank of Deputy State Transport Commissioner.]

Delegation of
Power.

⁵[SCHEDULE 'A'

Sr. No.	Description of Trpt. Vehicle		Maximum Rate
			Rate per seat per kilometer per day in paise
1	Stage Carriages		
	(a) Ordinary buses	..	8.52
	(b) Express buses	..	10.64
	(c) Semi-delux buses	..	12.78
	(d) Deluxe buses	..	17.04
	(e) Air-conditioned buses	..	29.82

1. Inserted by Punjab Act, 2 of 1940, section 3.

2. Substituted for the words "Province" and "Provincial" respectively, by Adaptation of Laws Order, 1950.

3. ²Added by Punjab Act 22 of 1993, section 14.

4. Substituted by the Act *ibid*, section 15.

5. Inserted by Punjab Act 22 of 1993, section.

¹ [2	Goods Carriages	..	Rate per annum (in rupees)		
	(a) Light Motor Vehicle		10,000.00		
	(b) Medium Goods Vehicle		15,000.00		
	(c) Heavy Goods Vehicle		20,000.00]		
OTHER PASSENGER VEHICLES			Rate of Special Road Tax excluding drivers and conductors per year (Rs.)		
1	Auto Rickshaws :				
	(a) having two seats	..	600.00		
	(b) for each additional seats	..	200.00		
2	Taxi cabs up to 5 seats	..	1,000.00		
3	Maxi cabs having 6 to 12 seats	..	8,000.00		
4	Mini buses having 1 to 15 seats	..	8,800.00		
² [5	Mini Buses having 16 to 30 seats	..	25,000.00]		
6	Buses plied on private service vehicle permits	..			
	(i) Ordinary	..	20,000.00		
	(ii) Deluxe buses	..	40,000.00		
	(iii) Air-conditioned buses	..	50,00,000		
³ [7	Vehicles plied on Contract Carriage Permits or All India Tourist Permits or any other similar permit registered in other States entering the State of Punjab having seating capacity of—		Rate of Special Road Tax per day of Operation (Rs.)		
		Ordinary	Deluxe	Air- conditioned	
(a)	Up to 15 seats	800.00	1,200.00	1,600.00	
(b)	16 to 30 seats	1,200.00	1,600.00	2,000.00	
(c)	31 to 54 seats	1,600.00	2,000.00	2,400.00]	
8	Vehicles plied on All India Tourist permit :				
	⁴ [(i) Motor Cabs	Rs. 3,000.00 per year.]			
	(ii) Tourist buses—				
	Ordinary	Rs. 2,00,000 per year			
	Deluxe buses	Rs. 2,50,000 per year			
	Air-conditioned buses	Rs. 2,88,000 per year.]			

1. Substituted by Punjab Act 12 of 2000, section 4.

2. Substituted by the Act *ibid*, section 4.

3. Substituted by Punjab Act 7 of 2001, section 2.

4. Substituted by the Act *ibid*, section 2.