ORISSA ORDINANCE No. 10 OF 1971

THE ORISSA MOTOR VEHICLES TAXATION LAWS (AMENDMENT) ORDINANCE, 1971

[*Promulgated by the Governor of Orissa on the 29th December, 1971, published in an extraordinary issue of the* Orissa Gazettee, *dated the 29th December 1971*]

AN

ORDINANCE

TO AMEND THE BIHAR AND ORISSA MOTOR VEHICLES TAXATION ACT, 1930 AND THE MADRAS MOTOR VEHICLES TAXATION ACT, 1931 IN THEIR APPLICATION TO THE STATE OF ORISSA

WHEREAS the Legislature of the State of Orissa is not in session ;

AND WHEREAS the Governor of Orissa is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Bihar and Orissa Motor Vehicles Taxation Act, 1930 and the Madras Motor Vehicles Taxation Act, 1931 in their application to the State of Orissa in the manner hereinafter appearing ;

B. & O. Act 2 of 1930. Madras Act 3 of 1931.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor of Orissa is pleased to make and promulgate the following Ordinance in the Twenty-second Year of the Republic of India :—

Short title and commencement.

1. (1) This Ordinance may be called the Orissa Motor Vehicles Taxation Laws (Amendment) Ordinance, 1971.

(2) It shall come into force with effect from the 1st January 1972.

Amendment of the Second Schedule, B & O. Act 2 of 1930.

2. For the Second Schedule to the Bihar and Orissa Motor Vehicles Taxation Act, 1930, the following Schedule shall be substituted namely :— B. & O. Act 2 of 1930.

"SECOND SCHEDULE

[*See* sub-section (1) of section 6]

Description of Motor Vehicles	Annual rate of tax — For vehicles fitted entirely with pheumatic tyres	Annual rate of tax — For other vehicles
(1)	(2)	(3)
	Rs.	Rs.
1. Motor Cycles—		
(*a*) Bicycles		
(*i*) Not exceeding 91 kilograms in weight unladen.	40	56
(*ii*) Exceeding 91 kilograms in weight unladen	56	68
(*b*) Tricycles ..	52	68
2. Vehicles (including cycles with an attachment for propelling the same by machanical power) not exceeding 254 kilograms in weight unladen adapted and used for invalids.	30	40
3. Vehicles (including tricycles weighing more than 406 kilograms unlade) constructed or adapted for use and used solely for the transport of goods in the course of trade—		
(*i*) Not exceeding 1,000 kilograms in weight laden	300	450
(*ii*) Exceeding 1,000 kilograms but not exceeding 3,000 kilograms in weight laden.	1,300	1,950
(*iii*) Exceeding 3,000 kilograms but not exceeding 5,000 kilograms in weight laden.	1,400	2,100
(*iv*) Exceeding 5,000 kilograms but not exceeding 7,000 kilograms in weight laden.	1,700	2,550
(*v*) Exceeding 7,000 kilograms but not exceeding 8,000 kilograms in weight laden.	1,900	2,850
(*vi*) Exceeding 8,000 kilograms but not exceeding 10,000 kilograms in weight laden.	2,200	3,300
(*vii*) Exceeding 10,000 kilograms but not exceeding 12,000 kilograms in weight laden.	2,600	3,900
(*viii*) Exceeding 12,000 kilograms but not exceeding 15,000 kilograms in weight laden.	3,000	4,500
(*ix*) Exceeding 15,000 kilograms in weight laden.	3,000 Plus Rs. 200 for every additional 1,000 kilograms or part thereof in addition to 15,000 kilograms.	4,500 Plus Rs. 200 for eve[ry] additional 1,000 kil[o-] grams or part there[of] in addition to 15,0[00] kilograms.
(*x*) Additional tax payable in respect of goods vehicles used for drawing trailers—		
(*a*) For each trailer not exceeding 1,000 kilograms in weight laden.	120	180

Description of Motor vehicles	Annual rate for tax — For vehicles fitted entirely with pneumatic tyres	For other vehicles
(1)	(2)	(3)
	Rs.	Rs.
(*b*) for each trailer exceeding 1,000 kilograms but not exceeding 3,000 kilograms in weight laden.	450	675
(*c*) for each trailer exceeding 3,000 kilograms in weight laden :	900	1,350
Provided that two or more goods vehicles shall not be chargeble under this clause in respect of the same trailer.		
Explanation—A vehicle shall not be deemed to be used otherwise than solely for the transport of goods in the course of trade because it is used to convey employees of the trader in the course of their employment.		
4. Motor vehicles plying for hire and used for conveyance of passengers, including motor cabs—		
(*a*) Stage carriages—		
(*i*) for every seating person, excluding the driver and the conductor, the vehicle is permitted to carry.	120	180
(*ii*) for carrying standing paassengers which the vehicle is permitted to carry in addition to the seating capacity, for every such standing passenger.	40	60
(*b*) Vehicles other than Stage carriages—		
(*i*) for seating not more than five persons ...	480	720
(*ii*) for seating more than five persons for every person which the vehicle is permitted to carry.	144	216
5. Motor vehicles not themselves constructed to carry any load (other that water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment) used for haulage solely and weighing together with the largest number of trailers proposed to be drawn—		
(*a*) not more that 4,572 kilograms laden ...	250	375
(*b*) more than 4,572 kilograms but not more than 7,620 kilograms laden.	1,800	2,700
(*c*) more than 7,620 kilograms laden but not more than 10.160 kilograms laden.	2,400	3,600

Description of Motor vehicles	Annual rate of tax	
	For vehicles fitted entirely with pneumatic tyres	For other vehicles
(1)	(2)	(3)
	Rs.	Rs.
(*d*) More than 10,160 kilograms laden but not more than 12,193 kilograms laden.	2,800	4,200
(*e*) More than 12,193 kilograms laden but not more than 14,733 kilograms laden.	3,000	4,500
(*f*) More than 14,733 kilograms laden ..	3,000	4,500
	Plus Rs. 50 for every additional 508 kilograms or part thereof in addition to 14,733 kilograms.	*Plus* Rs. 75 every additional 508 kilograms or part thereof in addition to 14,733 kilograms.
6. Motor Vehicles other than those liable to tax under the foregoing provisions of the schedule—		
(*i*) weighing not more than 762 kilograms unladen.	96	132
(*ii*) weighing more than 762 kilograms but not more than 1,524 kilograms unladen.	132	200
(*iii*) weighing more than 1,524 kilograms but not more than 2,286 kilograms unladen.	172	264
(*iv*) weighing more than 2,286 kilograms but not more than 3,048 kilograms unladed.	212	320
(*v*) weighing more than 3,048 kilograms unladen.	264	396
(*vi*) additional tax payable in respect of such vehicles used for drawing trailers—		
(*a*) having such trailer not exceeding 1,016 kilograms in weight unladen.	60	90
(*b*) for each trailer exceeding 1,016 kilograms in weight unladen :	120	180

Provided that two or more vehicles shall not be chargeable under this clause in respect of the same trailer.

(The rate of tax is chargeable annually)"

Amendment Schedule II, Madras Act 3 of 1931.

3. For Schedule II to the Madras Motor Vehicles Taxation Act, 1931, the following Schedule shall be substituted, namely:— Madras Act 3 of

"SCHEDULE II

(*See* Section 4)

Description of Motor vehicles	Annual rate of tax	
	For vehicles fitted entirely with pneumatic tyres	For other vehicles
(1)	(2)	(3)
	Rs.	Rs.
1. Motor Cycles— ..		
(a) Bi-cycles		
(*i*) Not exceeding 91 kilograms in weight unlanden.	40	56
(*ii*) Exceeding 91 kilograms in weight unladen.	56	68
(b) Tricycles ..	52	68
2. Vehicles (including cycles with an attachment for propelling the same by mechanical power) not exceeding 254 kilograms in weight unladen, adapted and used for invalids.	30	40
3. Vehicles (including tricycles weighing more than 406 kilograms unladen) constructed or adapted *for use and used solely for the transport of* goods in the course of trade—		
(*i*) Not exceeding 1,000 kilograms in weight laden.	300	450
(*ii*) Exceeding 1,000 kilograms but not exceeding 3,000 kilograms in weight laden.	1,300	1,950
(*iii*) Exceeding 3,000 kilograms but not exceeding 5,000 kilograms in weight laden.	1,400	2,100
(*iv*) Exceeding 5,000 kilograms but not exceeding 7,000 kilograms in weight laden.	1,700	2,550
(*v*) Exceeding 7,000 kilograms but not exceeding 8,000 kilograms in weight laden.	1,900	2,850
(*vi*) Exceeding 8,000 kilograms but not exceeding 10,000 kilograms in weight laden.	2,200	3,300
(*vii*) *Exceeding 10,000 kilograms but not exceed-*ing 12,000 kilograms in weight laden.	2,600	3,900
(*viii*) Exceeding 12,000 kilograms but not exceeding 15,000 kilograms in weight laden.	3,000	4,500
(*ix*) Exceeding 15,000 kilograms in weight laden	3,000	4,500
	Plus Rs. 200 for every additional 1,000 kilograms or part thereof in addition to 15,000 kilograms.	Plus Rs. 200 for every additional 1,000 kilograms or part thereof in addition to 15,000 kilograms.

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	For vehicles fitted entirely with pneumatic tyres	For other vehicles
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	Rs.	Rs.
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(a) for each trailer not exceeding 1,000 kilograms in weight laden.	120	180
(b) for each trailer execeding 1,000 kilograms but not excèeding 3,000 kilograms in weight laden.	450	675
(c) for each trailer exceeding 3,000 kilograms in weight laden.	900	1,350
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Explanation—A vehicle shall not be deemed to be used otherwise than solely for the tranport of goods in the course of trade because it is used to convey employees of the trader in the course of their employment.		
4. Motor vehicles plying for hire and used for conveyance of passengers, including motor cabs—		
(a) Stage carriages—		
(i) for every seating person, excluding the driver and the conductor, the vehicle is permitted to carry.	120	180
(ii) for carrying standing passengers which the vehicle is permitted to carry in addition to the seating capacity, for every such standing passenger.	40	60
(b) Vehicles other than Stage carriages—		
(i) for seating not more than five persons ..	480	720
(ii) for seating more than five persons for every person which the vehicles permitted to carry.	144	216
5. Motor vehicles not themselves constructed to carry any load (other than water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment) used for haulage solely and weighing together with the largest number of trailers proposed to be drawn—		
(a) not more than 4,572 kilograms laden ..	250	375
(b) more than 4,572 kilograms but not more than 7,620 kilograms laden.	1,800	2,700

Description of Motor vehicles	Annual rate of tax — For vehicles fitted entirely with pneumatic tyres	Annual rate of tax — For other vehicles
(1)	(2)	(3)
	Rs.	Rs.
(e) more than 7,620 kilograms laden but not more than 10,160 kilograms laden.	2,400	3,600
(d) more than 10,160 kilograms laden but not *more than 12,193 kilograms laden.*	2,800	4,200
(e) more than 12,193 kilograms laden but not more than 14,733 kilograms laden.	3,000	4,500
(f) more than 14,733 kilograms laden ..	3,000 plus Rs. 50 for every additional 508 kilograms or part there of in addition to 14,733 kilograms.	4,500 plus Rs. 75 for every additional 508 kilograms or part thereof in addition to 14,733 kilograms.
6. Motor Vehicles other than those liable to tax under the foregoing provisions of this Schedule—		
(i) weighing not more than 762 kilograms unladen.	96	132
(ii) weighing more than 762 kilograms but not more than 1,524 kilograms unladen.	132	200
(iii) weighing more than 1,524 kilograms but not more than 2,286 kilograms unladen.	172	264
(i v) weighing more than 2,286 kilograms but not more than 3,048 kilograms unladen.	212	320
(v) weighing more than 3,048 kilograms unladen.	264	396
(iv) Additional tax payable in respect of such vehicles used for drawing trailers—		
(a) Having such trailer not exceeding 1,016 *kilograms in weight unladen.*	60	90
(b) For each trailer exceeding 1,016 kilo*grams in weight unladen:*	120	180

Provided that two or more vehicles shall not be chargeable under this clause in respect of the same trailer.

(The rate of tax is chargeable annually)."

JOGENDRA SINGH

DATED THE 29th DECEMBER 1971

GOVERNOR OF ORISSA