HARYANA GOVERNMENT

TRANSPORT DEPARTMENT

Notification

The 3rd February, 2017

No. 13/11/2016-1T(I) .— In exercise of the powers conferred by Section 25 of the Haryana Motor Vehicles Taxation Act, 2016 (Act 24 of 2016) and with reference to Haryana Government, Transport Department, notification No. 13/11/2016-1T(1), dated the 2nd November, 2016, the Governor of Haryana hereby makes the following rules, namely:–

Rules

Short title.

1. (1) These rules may be called the Haryana Motor Vehicles Taxation Rules, 2016.

(2) They shall come into force with effect from 1st April, 2017.

Definitions.

Manner of payment. section 3.

Presentation of declaration. section 4.

Issue of licence. section 4.

Issue of duplicate licence. section 25.

Presentation of additional declaration. section 7.

2. (1) In these rules, unless the context otherwise requires,–

(a) "Act" means the Haryana Motor Vehicles Taxation Act,2016 (24 of 2016);

(b) "declaration and additional declaration" means a declaration and additional declaration delivered under Section 4 and 7 respectively of the Act;

(c) "Form" means a Form appended to these rules;

(d) "section" means a section of the Act;

(e) "State" means the State of Haryana;

(f) "Taxation Officer" means Secretary, Regional Transport Authority in his respective jurisdiction or any other officer authorized by the State Government in this regard;

(g) "representative" means a person authorized in writing by an owner of the vehicle to appear on his behalf before any officer empowered under the act to carry out the purposes of the Act.

(2) Words and expressions used in the Act but not defined in these rules shall have the same meaning as assigned to them in the Act.

3. The tax, penalty or any other amount payable under the Act shall be either paid online or by way of bank draft or in cash or in such other manner, as may be specified by the State Government, from time to time.

4. (1) Every person who keeps possession or control of motor vehicle shall fill up, sign and deliver the declaration in Form I in person or through his representative to the licensing

(2) A separate declaration shall be made in respect of every motor vehicle.

5. (1) The licensing officer, on depositing of the tax in respect of a vehicle under sub-section (2) of section 4 shall grant the licence in Form II

(2) The office copy of the licence granted to the applicant shall be retained in itself.

(3) A licence issued in respect of a motor vehicle shall be kept in the motor vehicle and presented, on demand, to the officer specified by the State Government under Section 13.

6. (1) Where the licence issued under these rules is lost, destroyed or become illegible; a duplicate licence shall be issued by the licensing officer on submission of an application by the owner of the motor vehicle.

(2) On receipt of any such application, the licensing officer shall issue a duplicate licence in Form II, marked with the word 'DUPLICATE' across it.

7. The additional declaration under sub-section (2) of section 7 shall be filled up, signed and delivered by the applicant, in Form III to the licensing officer

Rectification of errors. section 8.

8. The licensing officer may, at any time, examine the record and rectify any clerical or arithmetical error in the licence or determination of tax:

Provided that rectification of any clerical or arithmetical error after one year from the date of order shall be made with the prior approval of the Transport Commissioner, Haryana.

Service of notice to make declaration. section 9.

9. The licensing officer, on receiving information that any person is using or keeping a motor vehicle in the State without payment of tax due under the Act, shall serve upon him a notice in Form IV requiring him to fill up, sign and deliver the declaration in Form I or Form III, as the case may be.

Furnishing of security. section 11.

10. (1) The security under sub-section(1) of section 11 shall be deposited in the form of a surety bond, duly attested by a notary public, to the satisfaction of the licensing officer.

(2) Where the security furnished by the owner of the motor vehicle is rendered insufficient by reason of an order under sub-section (3) of section 11, the owner of the motor vehicle shall deposit the amount of balance tax or any other amount due under the Act in cash within a period of seven days.

Change of residence or place of business. section 25.

11. If the owner of a motor vehicle ceases to reside or wants to have his place of business as recorded with the licensing officer changed, he shall within thirty days of doing so, intimate his new address to the licensing officer or if the new address is outside the jurisdiction of that licensing officer to the licensing officer of the place to which he has subsequently moved.

Production of motor vehicle before Licensing Officer. section 3.

12. For the purpose of assessing the tax, the licensing officer may require the owner of a motor vehicle to produce the motor vehicle before him for inspection.

Manner of service of notice/orders. section 25.

13. Every notice/order to be served under the Act shall be served –

(a) by tendering or delivering a copy thereof to the person on whom it is to be served or any adult male member of his family residing with him or his representative, if any, empowered to adopt service; or

(b) by sending it by registered post at the last known address of the person on whom it is to be served; or

(c) by affixing it on some conspicuous part of his last known residence or where he carries on business in case the above two methods are considered impracticable; or

(d) in such other manner, as the State Government may specify.

Refund of tax section 24.

14. (1) The owner of the motor vehicle shall apply in Form V to the Taxation Officer or any other officer authorized by the State Government for refund of the amount of tax or penalty paid by such owner in respect of the vehicle owned by him in excess of the amount due from

(2) When the owner of a motor vehicle opted to pay tax in lump-sum under these rules applies to the Taxation Officer for the refund of the tax in the event of total damage of the motor vehicle rendering the same incapable of being use or in case of untraceable stolen vehicles, the Taxation Officer after satisfying himself that the motor vehicle did not ply during the claimed period shall grant prorata relief in the payment of lump-sum tax.

(3) If the Taxation Officer is satisfied that the payment of tax made by the owner of the motor vehicle is in excess of the tax due along with penalty, if any, and the claim has been made within the stipulated period and the arrears of the taxes in respect of such vehicle are cleared, he shall pass an order for refund of the amount and shall issue a refund order in

Form VI :

Provided that the tax shall not be refunded, if the Registration Certificate of the vehicle has been suspended/cancelled under Section 53(1)(b) and 54 of the Motor Vehicles Act, 1988(Act 59 of 1988) and permit has been suspended/cancelled under section 86 of the said Act.

Payment of refund, section 24.

15. The p

credited in the account of the

Register of refunds.

16. The Taxation Officer shall maintain a register in Form VII of refunds of the tax and

every amount for which a refund order in Form VI has been issued shall be entered in such

Repeal and Savings.

17. (1) The Haryana Motor Vehicles Taxation Rules, 2014 and Punjab Passenger and Goods Taxation Rules, 1952, as applicable to the State of Haryana are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said rules shall be deemed to have been done or taken under these rules.

FORM I

(see rule 4(1) and 9)

DECLARATION

I hereby tender ` _____ in cash/by way of demand draft No._____/vide e-payment receipt no. _____as the tax due and/penalty in respect of the motor vehicle, the particulars of which are given below:-

1. Type of motor vehicle * :_____
2. Registration mark :_____
3. Chassis No. :_____
4. Manufacturer's name :_____
5. Year of manufacture :_____
6. Seating capacity excluding driver :_____
7. Gross vehicle weight :_____
8. Cost of vehicle (`) :_____
9. Permit No. :_____
10. Permit valid upto (date) :_____
11. Certificate of fitness valid upto (date) :_____
12. Date from which the motor vehicle is being kept for use in Haryana :_____
13. Amount of tax deposit (`) with date :_____ 14. Amount of penalty deposited (`) with date :_____ I hereby declare that the above particulars are true.

Date : Signature of the declarant

Name

Address

_____

_____

(For official use)

The tax on the motor vehicle has been assessed at ` .

The amount of penalty imposed is ` .

Date Licensing Officer

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* Vehicle for personal use/goods carriage/contract carriage/stage carriage/private service vehicle/ educational institution vehicle/construction equipment vehicle/ any other type of vehicle.

FORM II

(see rule 4(1) and (2) and 6(2))

LICENCE

Whereas Sh./Ms._____ has paid the tax as per the details below, he/she is permitted to keep for use the said motor vehicle within the limits of the State of Haryana upto _____ (date).

Registration mark of the motor vehicle : _____

Amount of tax paid(`) : _____

Mode of payment : _____

Date of payment of tax : _____

Receipt number : _____

Date _____

Signature and seal of Issuing Officer

FORM III

(see rule 7 and 9)

ADDITIONAL DECLARATION

I hereby declare that I have made the alteration in the motor vehicle/propose to use the motor vehicle in the manner described below, thereby making it liable to a higher rate of tax under Section 7(1) of the Haryana Motor Vehicles Taxation Act, 2016(24 of 2016). The Licence granted in respect of the said motor vehicle is hereby surrendered/has been destroyed.

I hereby tender ` _____ in cash/by way of demand draft No._____ / *vide* e-payment receipt no. _____as the additional tax due in respect of the said motor vehicle, the particulars of which are given below:-

1.	Registration mark	: _____
2.	Tax paid upto (date)	: _____
3.	Amount of tax paid (`)	: _____
4.	Alteration made in motor vehicle	: _____
5.	Manner in which the vehicle is proposed to be used i.e. non-transport or transport vehicle.	: _____
6.	Date of alteration/change in the use of vehicle making it liable to pay the tax at higher rate.	: _____
7.	Amount of tax at the applicable higher rate	: _____ (`)
8.	Additional tax paid (7-3) (`)	: _____

I hereby declare that the above particulars are true.

Date :

Signature of the declarant

Name _____

Address _____

(For official use)

The additional tax on the motor vehicle has been assessed at ` _____.

Date

Licensing Officer

FORM IV

(see rule 9)

NOTICE

To

_____

FORM-I/FORM-III in respect of motor vehicle kept by you for use, and to pay the tax/additional tax due under the Haryana Motor Vehicles Taxation Act, 2016(24 of 2016) on such vehicle before the expiration of fourteen (14) days from the date of service of this notice.

Failure to pay the tax involves a penalty under Section 10 and fine, on conviction, under Section 21 of the Haryana Motor Vehicles Taxation Act, 2016(24 of 2016).

Dated: **Signature of Licensing Officer**

FORM V

(see rule 14(1))

Application for refund of tax

To

Taxation Officer,

_____

I, _____ residing at _____ owner of motor vehicle(s) bearing registration mark No. _____ having paid the tax on the said vehicle for the period from _____ to _____ on _____ vide receipt/GR number_____ hereby claim a refund of tax in respect of the period from _____ to _____ (onwards) on the following grounds :-

(1)_____

(2)_____

(3)_____

(4)_____

The details of my bank account are as under: -

(i)

Account Number_____ (ii)Name of Bank and branch address_____

(iii)IFSC/MICR Code _____

(iv)PAN Number_____

Date: Signature of applicant

FORM VI

(see rule 14(3), 15 and 16)

Refund Order

Whereas, Sh./Smt. _____ has applied for the refund of the tax in respect of the vehicle, the details of which are given below:-

Name of the owner of the vehicle : _____

Date of submission of claim : _____

Registration mark of the motor vehicle : _____

Amount of tax : _____

Amount of penalty, if any : _____

Total amount of tax to be paid : _____

Amount of tax actually paid : _____

Receipt No. : _____

Excess amount of tax or penalty paid : _____

I, after having confirmed from the perusal of the relevant record and the application submitted by the vehicle owner, that a tax or penalty has been paid in excess of the amount due from the vehicle owner under this act and the Registration Certificate/Permit of the said vehicle has not been suspended/cancelled under the provisions of the Motor Vehicles Act, 1988(Act 59 of 1988), order the refund of the excess tax amount to ` _____ to Sh./Smt. _____ owner of vehicle No._____.

Dated: **Signature and Seal of Taxation Officer**

FORM VII

(see rule 16)

Register of Refund Order

Refund order No._____ **Dated:_____**

Name of the owner of the vehicle		
Date of submission of claim		
Registration mark of the motor vehicle	:	_____
Amount of tax	:	_____
Amount of penalty, if any	:	_____
Total amount of tax to be paid	:	_____
Amount of tax actually paid	:	_____
Receipt No.	:	_____
Excess amount of tax or penalty paid	:	_____
Net amount refunded	:	_____
Bill/Voucher No. and date	:	_____
Dated:	:	_____

Signature of Taxation Officer

S. S. DHILLON,

Additional Chief Secretary to Government Haryana,
Transport Department.

54980—C.S.—H.G.P., Chd.