



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**THE GOA MOTOR VEHICLES TAX  
(AMENDMENT) BILL, 2004.**

(Bill No. 20 of 2004)

~~To be~~ introduced in the Legislative Assembly of the State of Goa)

GOA LEGISLATURE SECRETARIAT  
ASSEMBLY HALL, PORVORIM-GOA  
JULY, 2004

# The Goa Motor Vehicles Tax (Amendment) Bill, 2004

(Bill No. 20 of 2004)

A

BILL

*further to amend the Goa, Daman and Diu Motor Vehicles Tax Act, 1974. Be it enacted by the Legislative Assembly of Goa in the Fifty-fifth Year of the Republic of India as follows:—*

5     1. *Short title and commencement.*— (1) This Act may be called the Goa Motor Vehicles Tax (Amendment) Act, 2004.

(2) Save as otherwise provided in this Act, it shall come into force at once.

10    2. *Insertion of new Section 3-A.*— In the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act 8 of 1974) (hereinafter referred to as the "principal Act"), after section 3, the following section shall be inserted, namely:—

15     "3-A. *Levy of Green Tax.*— There shall be levied and collected a cess called "green tax", in addition to the tax levied under this Act, on the motor vehicles suitable for use on road as specified in column (2) of the Table below, at the rates specified in column (3) thereof, for the  
20     purpose of implementation of various measures to control air pollution.

**TABLE**

Sr.No.	Class and age of the vehicle	Rate of cess in rupees	
(1)	(2)	(3)	
(1)	Non-transport vehicle which has completed 15 years from the date of its initial registration, at the time of renewal of certificate of registration as per sub-section (10) of section 41 of the Motor Vehicles Act, 1988 (Act 59 of 1988)	—	5
	(a) Two Wheelers	250.00 per five years	10
	(b) Other than two wheelers	500.00 per five years	15
(2)	Transport vehicle which has completed 15 years from the date of its initial registration, at the time of renewal of fitness certificate as per section 56 of the Motor Vehicles Act, 1988 (Act 59 of 1988)	1000.00 per annum."	20
<b>3. Substitution of new section for section 4.—</b>			
For section 4 of the principal Act, the following section shall be substituted with effect from the 1 <sup>st</sup> day of April, 2005, namely:—			25
"4. <i>Payment of tax.</i> — The tax levied under section 3 shall be paid in advance for a year by every registered owner, or person having possession or control of the motor vehicle and on such payment, he shall be granted a tax licence:			30
Provided that the tax levied under sub-section (3) of section 3 shall be paid in respect of such vehicles at such rates as may be prescribed for periods less than a quarter:			35

Provided further that the registered owner or person having possession or control of the motor vehicle shall, at the time of making payment of tax under this section, produce before the authority a valid certificate of insurance in respect of the vehicle complying with the requirements of Chapter XI of the Motor Vehicles Act, 1988 (Act 59 of 1988)."

4. *Amendment of the Schedule.*— In the Schedule appended to the principal Act, in Part 'B', under item No. (B), for clause (3), the following clause shall be substituted, namely:—

- "(3) Any other motor vehicle (i) 5% of the cost of the vehicle, for vehicles priced Rs.6.00 lakhs and below.
- (ii) 6% of the cost of the vehicle, for vehicles priced above Rs.6.00 lakhs."

## Statement of Objects and Reasons

(1) The Bill seeks to insert a new section 3-A in the Goa, Daman and Diu Motor Vehicles Tax Act, 1974 (Act 8 of 1974), so as to provide for levy and collection of a cess called "Green Tax" in respect of non-transport and transport vehicles at the time of renewal of certificate of registration and grant of fitness certificate respectively, on completion of 15 years from the date of its initial registration, in order to negatively reinforce old and polluting vehicles and for the purpose of implementation of various measures to control air pollution.

(2) The Bill further seeks to substitute section 4 of the said Act, 1974, by a new section so as to provide for collection of taxes levied on transport vehicles on annual basis from the year 2005-2006. The taxes levied on transport vehicles are currently collected on quarterly/half yearly/yearly basis, which has resulted in massive administrative problems of record keeping, leading to piling up of arrears of tax. The Bill seeks to overcome this problem.

(3) The Bill also seeks to amend Part 'B' of the Schedule to the said Act, 1974, vis-à-vis the One Time Tax slab applicable to four wheelers. The proposed change is only with respect to the slabs and not the rates of tax.

This Bill seeks to achieve the above objects.

### Financial Memorandum

(1) The Bill seeks to levy a cess called "Green Tax" in respect of non-transport and transport vehicles at the time of renewal of certificate of

registration and grant of fitness certificate respectively. This levy of cess would result in revenue collection of approximately Rupees Thirty Lakhs per annum.

(2) The Bill further seeks to amend the One Time Tax slabs applicable to four wheelers, without changing the rates of tax. This change of slab would result in revenue collection of approximately Rupees Fifty Lakhs per annum.

### Memorandum Regarding Delegated Legislation

No delegated legislation is envisaged in this Bill.

Panaji  
12th July, 2004.

PANDURANG MADKAIKAR  
Minister for Transport

Assembly Hall,  
Porvorim-Goa  
12th July, 2004.

SUDHIR NARVEKAR  
Secretary to Legislative  
Assembly of Goa

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### Governor's recommendation under Article 207 of the Constitution of India

Pursuant to Article 207 of the Constitution, I, Mohd.Fazal, Governor of Goa, hereby recommend the introduction and consideration by the Legislative Assembly of Goa, of the Goa Motor Vehicles Tax Act (Amendment) Bill, 2004.

ANNEXURE TO BILL NO. 20 OF 2004

**THE GOA MOTOR VEHICLES TAX (AMENDMENT)  
BILL, 2004**

**The Goa Daman and Diu Motor Vehicles Tax Act, 1974**

(1) Section 3: Levy of tax.— (1) A tax shall be leviable on every motor vehicle used or kept for use in the State at such rates not exceeding the rates specified in the Schedule Part 'A' to this Act, and on every motor vehicle other than transport vehicle used or kept for use in the State at such rates not exceeding the rates specified in the Schedule Part 'B' to this Act, as the Government may, by notification, in the Official Gazette, specify:

Provided that in the case of motor vehicles kept by a dealer in or manufacturer of, such vehicles for the purposes of trade, the tax shall be payable by such dealer or manufacturer on such vehicles which under the Motor Vehicles Act, 1939, have been permitted to be used on the road whether under a trade certificate or under a temporary registration.

(Central Act 4 of 1939)

Provided also that the Government may, in respect of any motor vehicle or class of vehicles prescribe by rule or order that tax in respect of such vehicle or class of motor vehicles shall be levied for periods less than a quarter for which such vehicle or class of vehicles has been kept for use in the State and whereupon tax shall be paid in respect of such vehicles or class of vehicles at such rate as may be prescribed for periods less than a quarter, so however that it shall not proportionately be in excess of the annual rate.

(2) Except during any period for which the taxation authority has, in the prescribed manner, certified that a motor vehicle was not used or kept for use in the State, the registered owner, or any person having possession or control of a motor vehicle of which the certificate of

registration is current, shall for the purposes of this Act, be deemed to use or keep such vehicle for use in the State.

(3) In the case of motor vehicles in respect of which any reciprocal arrangement relating to taxation has been entered into between the Government of Goa and any other State Government or in respect of which any special Scheme has been formulated by the Central Government, the levy and collection of tax either in the form of composite fee or otherwise shall, notwithstanding anything contained in this Act, be in accordance with the terms and conditions of such reciprocal arrangement or special Scheme.

(2) Section 4: Payment of tax.— (1) The tax levied under section 3 shall be paid in advance by every registered owner, or person having possession or control of the motor vehicle for a quarter, half year or year, at his choice and on such payment, he shall be granted a quarterly, half-yearly or annual tax licence as the case may be:

Explanation.— The tax for a half yearly licence shall be double the tax for the quarterly licence and the tax for the yearly licence shall be four times the tax for a quarterly licence:

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

Provided all that the registered owner or person having possession or control of the motor vehicle shall, at the time of making payment of tax under this sub-section produce before the authority a valid certificate of insurance in respect of the vehicle complying with the requirements of Chapter VIII of the Motor Vehicles Act, 1939.

(Central Act 4 of 1939)

(2) In the case of the annual licences, such rebate in respect of the tax as may be prescribed, shall be granted.

(3) In calculating the amount of tax due under sub-section (1) for any period less than one year, the fraction of a rupee less than fifty paise shall be taken as fifty paise, and the fraction of a rupee exceeding fifty paise shall be taken as a rupee.

(4) Notwithstanding anything contained in the preceding sub-sections, the tax levied under Schedule Part 'B' under sub-section (1) of section 3 shall be paid in advance in a lumpsum by the registered owner or persons having possession or control of the vehicle and the tax so paid shall be the one time tax of the vehicle unless the vehicle is altered during such period, or proposed to be used in such a manner as to cause the vehicle to become a vehicle in respect of which a different tax is payable.

Provided that in respect of vehicles registered prior to the first day of April 1997, of which taxes were being paid annually, the tax specified in Part 'B' of the Schedule shall be paid on or before the last working day of June 1997.

(3)

**"SCHEDULE"**

**PART 'B'**

**SCHEDULE OF TAXATION**

(Section 3)

(II) in part 'B', under item No. (B), for clause (3), the following shall be substituted, namely:—

- "(3) Any other motor vehicle (i) 5% of the cost of the vehicle, for vehicles priced Rs.10 lakhs and below.
- (ii) 6% of the cost of the vehicle, for vehicles priced above Rs.10 lakhs".

Assembly Hall  
Porvorim Goa  
12<sup>th</sup> July, 2004.

(SUDHIR NARVEKAR)  
Secretary to Legislative  
Assembly of Goa.