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MINISTRY OF LAW  
(Legislative Department)

New Delhi, the 17th December, 1962/Agrahayana 26, 1884 (Saka)

The following Act of Parliament received the assent of the President on the 15th December, 1962, and is hereby published for general information:—

THE DELHI MOTOR VEHICLES TAXATION ACT, 1962  
No. 57 of 1962

[15th December, 1962]

An Act to impose a tax on motor vehicles in the Union territory of Delhi and for other matters connected therewith.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Delhi Motor vehicles Taxation Act, 1962.

Short title,  
extent and

(2) It extends to the whole of the Union territory of Delhi.

(3) It shall come into force on such date as the Chief Commissioner may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,—

(a) "Chief Commissioner" means the Chief Commissioner of Delhi;

Definitions.

(b) "Delhi" means the Union territory of Delhi;

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

(d) "quarter" means a period of three months commencing on the first day of April, the first day of July, the first day of October or the first day of January in each year;

(551)

(e) "registered owner" means the person in whose name a motor vehicle is registered under the Motor Vehicles Act, 1939;

4 of 1939.

(f) "tax" means the tax levied under this Act;

(g) "taxation authority" means any person or authority appointed by the Chief Commissioner by notification in the Official Gazette to exercise the powers and perform the duties conferred or imposed upon a taxation authority by or under this Act;

(h) "token" means a ticket to be displayed on a motor vehicle as an indication that the tax has been duly paid or that no tax is payable;

(i) "year" means the financial year;

(j) all words and expressions used, but not defined in this Act, and defined in the Motor Vehicles Act, 1939, shall have the meanings respectively assigned to them in that Act.

4 of 1939.

**Levy of tax.]** 3. Subject to the other provisions of this Act, on and from the commencement of this Act, there shall be levied and collected on all motor vehicles used or kept for use in Delhi, a tax at the rate specified in Schedule I.

**Declaration and payment of tax.]** 4. (1) Every registered owner or person having possession or control of a motor vehicle used or kept for use in Delhi shall fill up and sign a declaration in the prescribed form stating the prescribed particulars and shall deliver the same to the taxation authority within the prescribed time.

(2) The tax to which a registered owner or person having possession or control of a motor vehicle appears by such declaration to be liable under section 3 shall be paid by him,—

(a) for a year at the rate specified in Schedule I (hereinafter referred to as the annual rate); or

(b) for one or more quarters, at one-fourth of the annual rate for each quarter; or

(c) once in two months or monthly, in equal instalments at one-sixth or one-twelfth, as the case may be, of the annual rate:

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

(3) The tax shall be paid within such time and in such manner as may be prescribed.

(4) In calculating the tax due for any period less than one year, fraction of a rupee shall be counted as a rupee.

5. (1) When a person pays the amount of tax leviable under section 3 in respect of any motor vehicle or proves to the satisfaction of the taxation authority that no such tax is payable in respect of such vehicle, the taxation authority shall,—

Issue of token.

(a) issue to such person a token in the prescribed form specifying therein the period for which such tax has been paid or that no such tax is payable, and

4 of 1939.

(b) specify in the certificate of registration granted in respect of the vehicle under the Motor Vehicles Act, 1939, or in the case of vehicles not registered under that Act, in a certificate in such form as may be prescribed, that the tax has been paid for the period specified under clause (a) or that no tax is payable in respect of that vehicle, as the case may be.

(2) No motor vehicle liable to tax under this Act shall be used or kept for use in Delhi unless the registered owner or the person having possession or control of such vehicle has obtained a valid token in respect of that vehicle, and that token is displayed on the vehicle in the prescribed manner.

6. (1) When a motor vehicle used or kept for use in Delhi is altered or is proposed to be used in such manner as to render the registered owner or the person who has possession or control of such vehicle liable to the payment of additional tax under section 7, such owner or person shall fill up, sign and deliver in the manner provided in sub-section (2), an additional declaration and shall, along with such additional declaration (accompanied by the certificate of registration in respect of such motor vehicle), pay to the taxation authority an additional tax payable under that section which he appears by such additional declaration to be liable to pay in respect of such vehicle.

Additional declaration

(2) The additional declaration shall be in the prescribed form containing the prescribed particulars and shall be delivered to the taxation authority after being duly filled up and signed within the prescribed time. The additional declaration shall indicate clearly also the nature of alteration made in the motor vehicle or, as the case may be, the altered use to which the vehicle is proposed to be put.

(3) On receipt of the additional tax under sub-section (1), the taxation authority shall issue to the registered owner or the person who has possession or control of the vehicle, a fresh token in place of the original token and shall cause an entry of such payment to be made in the certificate of registration.

Liability for additional tax.

7. When any motor vehicle in respect of which a tax for any period is payable or has been paid, is altered during such period, or proposed to be used during such period in such manner as to cause the vehicle to become a vehicle in respect of which a higher rate of tax is payable, the registered owner or the person who has possession or control of the vehicle, shall, in addition to the tax, if any, due from him for that period, be liable to pay for the unexpired portion of such period since the vehicle is altered or proposed to be used, an additional tax of a sum equal to the difference between the amount of tax payable for such unexpired portion at the higher rate and the rate at which the tax was payable or paid before the alteration or use of the vehicle for that portion; and until such additional tax has been paid, the taxation authority shall not grant a fresh token in respect of the vehicle so altered or proposed to be so used.

*Explanation.*—In calculating the unexpired portion under this section any broken period in a month shall be considered as a full month.

Production of certificate of insurance.

8. Every registered owner or person having possession or control of a motor vehicle shall, at the time of making payment of the tax, produce before the taxation authority a valid certificate of insurance in respect of the vehicle complying with the requirements of Chapter VIII of the Motor Vehicles Act, 1939.

4 of 1939.

Liability to pay arrears of tax of person succeeding to the ownership, possession or control of motor vehicles.

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

(2) Nothing contained in this section shall be deemed to affect the liability to pay the said tax of the person who has transferred the ownership or has ceased to be in possession or control of such vehicle.

Refund of tax.

10. (1) When any person who has paid the tax in respect of a motor vehicle produces before the taxation authority a certificate signed by the registering authority stating that the tax token and the certificate of registration issued in respect of such vehicle have been surrendered on the date specified by the registering authority in his certificate, such person shall, on an application made in that behalf to the taxation authority and subject to such conditions as may be prescribed, be entitled to a refund for each complete month

of the period for which such tax has been paid and which is unexpired on the date on which the tax token and the certificate of registration were surrendered, of an amount equal to one-twelfth of the annual tax payable in respect of such vehicle.

(2) When any person has paid the tax in respect of a motor vehicle and the vehicle is removed outside Delhi before the expiry of the period for which the tax has been paid and taxed in another State, such person shall, on an application made in that behalf to the taxation authority and subject to such conditions as may be prescribed, be entitled to a refund for each complete month of the period for which such tax has been paid and during which the vehicle was removed from Delhi, of an amount equal to one-twelfth of the annual tax payable in respect of such vehicle.

11. When any registered owner or any person who has possession or control of any motor vehicle used or kept for use in Delhi is in default in making a payment of the tax the taxation authority may direct that, in addition to the amount of arrears, a sum not exceeding the annual tax payable in respect of such vehicle shall be recovered from him by way of penalty:

Penalty payable when tax not paid.

Provided that before giving any such direction the registered owner or such person shall be given a reasonable opportunity of being heard.

12. (1) Any tax due and not paid as provided for by or under this Act and any sum directed to be recovered by way of penalty under section 11 shall be recoverable in the same manner as an arrear of land revenue.

Arrears of tax and penalty recoverable as arrears of land revenue.

(2) The motor vehicle in respect of which the tax is due or in respect of which any sum has been directed to be recovered as penalty under section 11, or its accessories may be distrained and sold in pursuance of this section whether or not such vehicle or accessories is or are in the possession or control of the person liable to pay the tax or penalty.

13. (1) Where the registered owner or the person having possession or control of a motor vehicle is an agriculturist and that motor vehicle has been designed for agricultural operations and is used solely for such operations in relation to his own land then, that vehicle shall be exempt from the payment of the tax.

Exemptions.

*Explanation.*—For the purposes of this sub-section the expression “agricultural operations” includes,—

(i) tilling, sowing, harvesting, crushing of any agricultural produce or any other similar operation carried out for the purpose of agriculture;

(ii) transport of manure, seeds, insecticides and other like articles required for work in the land from the market to the land; and

(iii) transport of any agricultural produce from the land to the place of storage or from the place of storage to the market.

(2) When the registered owner or the person having possession or control of a motor vehicle has given previous intimation in writing to the taxation authority that the motor vehicle would not be used in any public place for a particular period, being not less than one month, and deposits the certificate of registration of such motor vehicle with the taxation authority and obtains an acknowledgment therefor from that authority, he shall be exempt from the payment of the tax for that period.

(3) Where the Chief Commissioner is of opinion that it is necessary or expedient in the public interest so to do, he may, by notification in the Official Gazette, and subject to such conditions as he may specify in the notification, exempt either totally or partially any class of motor vehicles other than those falling under sub-section (1) or any motor vehicles belonging to any class of persons from the payment of the tax.

Reduction  
of tax in  
cases of  
certain  
motor  
vehicles.

14. Where the registered owner of a motor vehicle used or kept for use in Delhi is a co-operative society registered under any law relating to co-operative societies for the time being in force, the tax payable in respect of that motor vehicle shall be one half of the rates specified in Schedule I, if the taxation authority is satisfied, after such enquiry as it deems fit, that,—

(i) the co-operative society is solely engaged in the business of transport of goods or passengers or both from one place to another in motor vehicles;

(ii) at least seventy-five per cent. of the members of the co-operative society are its employees;

(iii) at least fifty per cent. of the members of the co-operative society are not related to each other; and

(iv) the motor vehicle is used or kept for use exclusively for the purpose of the co-operative society.

*Explanation.*—For the purposes of this section a member shall be deemed to be related to any other member if that member is the husband, wife, brother or sister or any lineal ascendant or descendant of that other member.

15. Where in respect of a motor vehicle the tax payable under the law relating to taxation on motor vehicles in force in any State has been paid in that State for any period and that motor vehicle is brought into Delhi for use during that period, then,—

Effect of payment of tax in other States with respect to motor vehicles brought into Delhi.

(i) no tax under this Act shall be payable in respect of that motor vehicle; and

(ii) the token issued in that State in respect of that motor vehicle shall be deemed to be a token issued under this Act,

for such period or for a period of ninety days from the date on which the motor vehicle is brought into Delhi, whichever is shorter:

Provided that the registered owner or the person having possession or control of the motor vehicle complies with the provisions of sub-section (1) of section 4.

16. (1) Any person who is aggrieved by any order or direction of the taxation authority may file an appeal before such person or authority, in such manner, within such time and on payment of such fees, as may be prescribed.

(2) The appeal shall be heard and decided in such manner as may be prescribed.

(3) Every decision on such appeal shall be final and shall not be called in question in any court of law.

17. Any police officer in uniform, not below the rank of Sub-Inspector or any other officer prescribed in this behalf may—

Powers of police officers and other officers.

(a) enter at any time between sunrise and sunset any premises where he has reason to believe that a motor vehicle is kept, or,

(b) require the driver of any motor vehicle in any public place to stop such vehicle and cause it to remain stationary so long as may reasonably be necessary,

for the purpose of satisfying himself that the amount of the tax in respect of such vehicle, has been paid.

18. Whoever—

(a) delivers in respect of a motor vehicle a declaration or additional declaration wherein the particulars required by or under this Act to be therein set forth are not fully and truly stated, or

Penalty for incomplete and untrue declaration, etc.

(b) obstructs any officer in the exercise of the powers conferred by clause (a) of section 17 or fails to stop the motor vehicle

when required to do so by such officer under clause (b) of that section,

shall on conviction be punishable—

(i) with fine which may extend to a sum equal to the annual tax payable in respect of such vehicle; and

(ii) in the event of such person having been previously convicted of an offence under this section, with fine which may extend to a sum equal to twice the annual tax payable in respect of such vehicle.

Other penalties.

19. Whoever contravenes any of the provisions of this Act or the rules made thereunder other than those punishable under section 18 shall on conviction be punishable with fine which may extend to one hundred rupees and in the event of such person having been previously convicted of an offence under this section, with fine which may extend to two hundred rupees.

Utilization of the proceeds of tax.

20. The proceeds of the tax collected under this Act (which shall form part of the Consolidated Fund of India) reduced by the cost of collection as determined by the Central Government shall, if Parliament by appropriation made by law in this behalf so provides, be paid,—

(i) to the Municipal Corporation of Delhi established under section 3 of the Delhi Municipal Corporation Act, 1957, and

66 of 1957.

(ii) the New Delhi Municipal Committee established under section 11 of the Punjab Municipal Act, 1911, as extended to Delhi,

Punjab Act 3 of 1911.

for the performance of their respective functions under the said Acts and the payment shall be made in such proportion as may be prescribed.

Trial of offences.

21. No court inferior to that of a magistrate of the second class shall try an offence punishable under this Act.

Protection for bona fide acts.

22. No prosecution, suit or other proceedings shall lie against the taxation authority or any other authority for anything in good faith done or intended to be done under this Act.

Power to make rules.

23. (1) The Chief Commissioner may, subject to the condition of previous publication, make rules for carrying out the purposes of this Act.



(2) In particular and without prejudice to the generality of the foregoing provision, the Chief Commissioner may make rules for all or any of the following matters, namely:—

(a) the time within which, and the manner in which, the tax shall be paid;

(b) the form of declaration and additional declaration, particulars to be stated therein and the time within which the declaration or additional declaration shall be delivered under section 4 or section 6, as the case may be;

(c) the form of the tax token and the manner in which the tax token shall be displayed in the motor vehicle under section 5;

(d) the conditions subject to which refund of tax may be allowed under section 10;

(e) the authority before which, the manner in which, the time within which and the fee on payment of which, an appeal may be filed and the manner in which such appeal shall be heard and decided under section 16;

(f) the issue of duplicate tokens and of certified copies of the records of the taxation authority and the fees chargeable therefor;

(g) any other matter which is to be, or may be, prescribed.

(3) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

24. (1) On and from the commencement of this Act, the Acts specified in Schedule II shall stand repealed. Repeal.

(2) The repeal of the said Acts by sub-section (1) shall not affect,—

(a) the previous operation of the said Acts or anything duly done or suffered thereunder; or

(b) any right, privilege, obligation or right conferred, accrued or incurred under any of the said Acts; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any of the said Acts;

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the said Acts had not been repealed.

(3) Subject to the provisions contained in sub-section (2) notwithstanding the repeal of the Punjab Motor Vehicles Taxation Act, 1924, as extended to Delhi,—

Punjab Act  
4 of 1924.

(i) every declaration delivered under that Act in respect of any motor vehicle shall be deemed to be a declaration delivered under this Act; and

(ii) every token issued under that Act and valid immediately before the commencement of this Act, shall continue to be valid after such commencement for the unexpired portion of the period for which it has been issued.

Amendment of section 184, Act 66 of 1957. Central Government to pay proceeds of entertainment and betting taxes to Corporation.

25. In the Delhi Municipal Corporation Act, 1957, for section 184, the following section shall be substituted, namely:—

“184. The proceeds of the entertainment and betting taxes collected in Delhi under the provisions of the U.P. Entertainment and Betting Tax Act, 1937, as extended to Delhi (which shall form part of the Consolidated Fund of India) reduced by the cost of collection as determined by the Central Government shall, if Parliament by appropriation made by law in this behalf so provides, be paid to the Corporation for the performance of its functions under this Act.”

U.P. Act 8  
of 1937.

SCHEDULE I  
(See section 3)

<i>Description of motor vehicles</i>	<i>Annual rate of tax</i>
	Rs.
<b>PART A.—Motor vehicles fitted solely with pneumatic tyres—</b>	
<b>I. Motor cycles and tricycles (including motor scooters and cycles with attachment for propelling the same by mechanised power)—</b>	
(a) Motor cycles, scooters (Flat rate)	32/-

<i>Description of motor Vehicles</i>	<i>Annual rate of tax</i>
	Rs
(b) Scooterettes and auto cycles (Flat rate) .	16/-
(c) Tricycles (Flat rate) . . . . .	40/-
(d) Motor cycles or tricycles used for drawing a trailer or side car; in addition to above rates . . . . .	12/-
II. Motor vehicles the registered unladen weight of which does not exceed 250 kilogrammes, adapted and used for invalids . . . . .	8/-
III. Motor vehicles (including tricycles) used for the transport or haulage of goods or materials—	
(a) Vehicles the registered laden weight of which does not exceed one tonne . . . . .	140/-
(b) Vehicles the registered laden weight of which exceeds one tonne but does not exceed 2 tonnes . . . . .	200/-
(c) Vehicles the registered laden weight of which exceeds 2 tonnes but does not exceed 4 tonnes . . . . .	300/-
(d) Vehicles the registered laden weight of which exceeds 4 tonnes but does not exceed 6 tonnes . . . . .	400/-
(e) Vehicles the registered laden weight of which exceeds 6 tonnes but does not exceed 8 tonnes . . . . .	500/-
(f) Vehicles the registered laden weight of which exceeds 8 tonnes but does not exceed 9 tonnes . . . . .	600/-
(g) Vehicles the registered laden weight of which exceeds 9 tonnes but does not exceed 10 tonnes . . . . .	700/-
(h) Vehicles the registered laden weight of which exceeds 10 tonnes . . . . .	100/- for every tonne or part thereof.
(i) Additional tax payable in respect of such vehicles used for drawing trailers—	
(1) For each trailer the registered laden weight of which does not exceed 2 tonnes . . . . .	100/-
(2) For each trailer the registered laden weight of which exceeds 2 tonnes . . . . .	200/-
Provided that two or more vehicles shall not be chargeable under this clause in respect of the same trailer.	

<i>Description of motor Vehicles</i>	<i>Annual rate of tax</i>
	Rs.
IV. Motor vehicles (including tricycles) plying for hire and used for the transport of passengers—	
(a) Vehicles licensed to carry in all not more than 2 passengers (excluding driver)	80/-
(b) Vehicles licensed to carry in all more than 2 but not more than 4 passengers (excluding driver and conductor)	160/-
(c) Vehicles licensed to carry in all more than 4 passengers but not more than 6 passengers (excluding driver and conductor)	300/-
(d) Vehicles licensed to carry in all more than 6 passengers but not more than 18 passenger (excluding driver and conductor)	400/-
(e) Vehicles licensed to carry more than 18 passengers (excluding driver and conductor) . . . . .	
	The rates specified in (d) above <i>plus</i> Rs. 60/- for every passenger in addition to eighteen passengers which the vehicle is so licensed to carry subject to a maximum of Rs. 2,200/- per annum.
V. Motor vehicles owned by Airline Companies or Corporations for carrying passengers and staff—	
(a) Vehicles the seating capacity of which does not exceed 4 (excluding driver)	160/-
(b) Vehicles the seating capacity of which exceeds 4 but does not exceed 6 (excluding driver) . . . . .	300/-
(c) Vehicles the seating capacity of which exceeds 6 but does not exceed 18 (excluding driver) . . . . .	400/-
(d) Vehicles the seating capacity of which exceeds 18 . . . . .	
	The rate specified in (c) above <i>plus</i> Rs. 60/- for every person in addition to eighteen persons subject to a maximum of Rs. 2,200/- per annum.

<i>Description of motor vehicles</i>	<i>Annual rate of tax</i>
	Rs.
VI. Break-down vans used for towing disabled vehicles . . . . .	200/-
VII. Motor vehicles other than those liable to tax under the foregoing provisions of this Schedule—	
(a) Vehicles the registered unladen weight of which does not exceed 1000 kilograms .	80/-
(b) Vehicles the registered unladen weight of which exceeds 1000 kilograms but does not exceed 1500 kilograms . . . .	100/-
(c) Vehicles the registered unladen weight of which exceeds 1500 kilograms but does not exceed 2000 kilograms . . . .	140/-
(d) Vehicles the registered unladen weight of which exceeds 2000 kilograms.	The rate specified in (c) above <i>plus</i> Rs. 100/- for every additional 1000 kilograms or part thereof in addition to 2000 kilograms.
(e) Additional tax payable in respect of such vehicles used for drawing trailers—	
(i) for each trailer the registered unladen weight of which does not exceed 1 tonne . . . . .	40/-
(ii) For each trailer the registered unladen weight of which exceeds 1 tonne.	80/-
Provided that two or more vehicles shall not be chargeable under this clause in respect of the same trailer.	
PART B.—Motor vehicles other than those fitted solely with pneumatic tyres.	The rates shown in Part A <i>plus</i> 50 per cent. thereof.
NOTE 1.—When tax is paid for the whole year at a time, a rebate of 10 per cent. of the rates specified in this Schedule shall be allowed.	
NOTE 2.—The registered unladen weight of a motor vehicle shall be as specified in the certificate of registration.	

## SCHEDULE II

[See section 24(1)]

1. The Punjab Motor Vehicles Taxation Act, 1924 (Punjab Act 4 of 1924) as extended to Delhi.
2. The Punjab Motor Vehicles Taxation (Amendment) Act, 1940 (Punjab Act 2 of 1940) as extended to Delhi.
3. The Punjab Motor Vehicles Taxation (Delhi Amendment) Act, 1954 (6 of 1954).
4. The Punjab Motor Vehicles Taxation (Delhi Amendment) Act, 1955 (2 of 1956).
5. The Punjab Motor Vehicles Taxation (Delhi Amendment) Act, 1956 (10 of 1956).

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R. C. S. SARKAR,  
*Secy. to the Govt. of India.*