

1. The rate of hiring as shown above is the maximum rate at which a vehicle may be hired, there is no bar in hiring a vehicle at a rate lower than the ceiling of rates as shown above.
2. Revised rates of hiring charges of above stated category of vehicles for casual hiring should be fixed either on the basis of Kilometers covered or on the basis of hours of use of vehicle whichever is higher subject to the minimum charges as prescribed in the Schedule,
3. Maximum 10 Kilometer between the garage of the vehicle and the place of reporting or one hour's hiring charge (both way inclusive) whichever is convenient to the owner of the vehicle may be allowed.
4. Only transport vehicle having valid Contract Carriage permit can be placed on hire.
5. In case of hiring of a vehicle for more than 10 days in a month or hiring of vehicles in a regular manner the rate hiring should be on monthly rate on pro-rata basis.
6. Vehicle to be hired by Government Department / Offices shall require prior concurrence of Finance Department as usual.
Express permission of the Finance Department shall also be required for hiring of vehicle the categories of other than Non-Air-Conditioned Motor Cab and Maruti Omni Petrol driven vehicle should not be hired by Government Departments **without the approval of the Financial Department**

This is issued with the concurrence of Finance Department
vide their U.O. No. 510 Gr "R" Dt. 05.11.20

By order of the Governor

Sumantra Choudhury
Additional Chief Secretary

B. MINI-BUS/SPECIAL/JNNURMSERVICES/LIMITEDSERVICES

STAGES	NEWFARE (in Rs.)
Up to 3 kms	8
3 + - 6kms	9
6 + - 10 kms	10
10 + - 16 kms	11

After 16 km, for every 3 km stage, fare to be increased by Re. 1.00 as is the practice now.

II. SERVICES IN DISTRICTS OTHER THAN DARJEELING AND KALIMPONG:

(Provided by buses / mini-buses plying in the regions / on the routes other than the regions / routes referred under Sl. No. I above)

A. ORDINARY BUSES SERVICES

STAGES	New Fare (in Rs.)
Up to 4 kms	7
Beyond 4 kms	Additional @ Re. 0.70 for every additional 1 km, as is the practice now, over the base fare and to be rounded off to the nearest Rupee.

B. MINIBUS/LIMITEDSERVICES

STAGES	New Fare (in Rs.)
Up to 4 kms	8
Beyond 4 kms	Additional @ Re. 0.75 for every additional 1 km, as is the practice now, over the base fare and to be rounded off to the nearest Rupee.

III. SERVICES IN DARJEELING AND KALIMPONG DISTRICTS:

A. ORDINARY BUS SERVICES (NON-HILLY)

STAGES	New Fare (in Rs.)
Up to 4 kms	6.50
Beyond 4 kms	For every additional 1 km fare will continue to be increased, as is the practice now, by Re. 0.75 over the aforesaid base fare and to be rounded off to the nearest Rupee.

B. MINI BUS/EXPRESS SERVICES (NON-HILLY)

STAGES	New Fare (in Rs.)
Up to 2 kms	7.50
2 + - 4 kms	8.00
Beyond 4 kms	For every additional 1 km fare will continue to be increased, as is the practice now, by Re. 0.80 over the aforesaid base fare and to be rounded off to the nearest Rupee.

WHEREAS in a recent case, the Governor has been pleased to decide and direct that the Parliamentary Secretaries, en block, will be provided hired vehicular support by the Departments to which they are tagged from out of their departmental budgets as per conditions and rates of hiring to be centrally approved of by the Transport Department from time to time [vide this Department's Notification no. 559-WT/TR/O2M-04/2013, dated 21-02-2013 issued with concurrence of the Finance Department's (Group-R) U.O. No. 458, dated 19-02-2013].

NOW, THEREFORE, the Governor has been, on consideration of all these issues, further pleased to decide and direct that the Hon'ble Ministers of the State Government may also be provided hired vehicles from their Departments (in lieu of Government pool cars) if the Ministers so choose subject to terms and conditions and rates of hiring cars being decided by the Transport Department, and the other Departments concerned bearing expenditure from out of their own budgets.

This order issues with the concurrence of the Finance Department (Group-R) vide their U.O. No. C480 dated 08-03-2013.

By order of the Governor

Joint Secretary
to the Government of West Bengal

No. 825-WT/TR/O/2M-07/2012

Date - 12-03-2013

Copy to :-

- 1-65) ACS / Pr. Secy / Secy _____ Department
 66-109) P.S. to MIC / MOS _____ Department
 110) A.O. Pool Car office, Kolkata.

Joint Secretary
to the Government of West Bengal



GOVERNMENT OF WEST BENGAL

Transport Department
Writer's Buildings Kolkata- 700001

No. 292-WT/2E-29/87 Pt-I

Date - 24-01-2013

ORDER

Sub :- Creation of 31 (Thirty One) posts of Special Cadre Drivers on temporary basis and engagements thereto.

The Government of West Bengal is of the view that for providing effective vehicular service to Hon'ble Ministers to the Governments as well as other VIPs/VVIPs, 31 (Thirty One) posts of Special Cadre Drivers in the Pool Car Section of Transport Department are to be created and filled-up with special terms and conditions.

2. Accordingly, after careful consideration of the matter, the Governor has been pleased to accord sanction to the creation of 31 (thirty one) posts of Special cadre Drivers under Transport Department, temporarily, keeping in abeyance equal member of (now vacant) regular posts and to simultaneously accord approval to filling up the said special cadre posts on contract basis, subject to execution of agreement with, inter-alia, the express condition that engagement against such posts will not be regularised in future in any manner whatsoever. The monthly consolidated remuneration against each such post shall be Rs. 6,000/- (Rupees Six thousand) only per month plus overtime allowance as admissible to regular Drivers within the prescribed ceiling limit and the same is to be borne and paid by the respective Departments. The engagement of such Drivers is to be done at the discretion of the Hon'ble Minister(s) who desires / desire to engage such Driver(s) on a purely temporary basis and the services of each incumbent shall terminate as soon as the Hon'ble Minister concerned relinquishes office.
3. Charges towards fuel, lubricants etc. and minor repairs shall be borne by the concerned Departments, Garage arrangements of the vehicles shall also be done by the concerned Departments. Only for major repair works the vehicles may be sent to the Pool car office, Kolkata under Transport Department.
4. The vehicle(s) shall be returned to the Transport Department immediately when the Hon'ble Minister(s) relinquishes / relinquish office (s).



Gazette

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JYAIKTHA 22 |

TUESDAY, JUNE 12, 2018

| SAKA 1940

PART I.—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL TRANSPORT DEPARTMENT NOTIFICATION

No. 2528-WT/3M-47/2008 Pt.-III. - 8th June, 2018. - In exercise of the powers conferred by clause (i) of sub-section (1) of Section 67 of the Motor Vehicles Act, 1988 (Act 59 of 1988) and in supersession of all previous notifications issued by the Transport Department in this regard, the Governor, having regard to clauses (a) to (d) of Section 67 of the said Act, is pleased hereby to issue the following directions to the State Transport Authority, West Bengal and the Regional Transport Authorities of Kolkata and all other regions;

DIRECTIONS

The existing fares of Non-AC Stage Carriages operated by private operators and State Transport Undertakings shall be fixed as per Schedule given below. New fares shall take effect from 11.06.2018.

Secretaries of the Regional Transport Authorities of all regions including Kolkata region are hereby directed to issue appropriate orders to give effect to the new fares. The Secretary, State Transport Authority, West Bengal is also hereby directed to issue appropriate directions to the concerned Regional Transport Authorities to give effect to the new fares in respect of intra-State and inter-State routes.

The Schedule

I KOLKATA CITY & SUBURBAN SERVICES:

(Provided by buses/minibus plying in the regions of Kolkata, Howrah and in the routes of the South 24 Parganas and North 24 Parganas whose starting or terminating points are lying within the Kolkata Municipal Corporation area)

A ORDINARY BUS SERVICES

STAGES	NEWFARE (in Rs.)
Up to 4 kms	7
4 + kms-8kms	9
8 + kms - 12 kms	9
12 + kms - 16 kms	10
16 + kms-20kms	11
20 + kms - 24 kms	12

After 24 km, for every 4 km stage, fare to be increased by Re. 1.00 as is the practice now.

(Page - 366)

- e) Minimum 40% of hiring charges are to be paid in advance at the time of reporting of vehicle. The balance payment may also be made within a period of 15 days from the date of release or submission of bill whichever is later. A time-table may be drawn up by the District Magistrate/Returning Officer in advance regarding payment of balance compensation/charges.
- f) Tiffin allowances/meal charges are to be paid to the drivers/khalisis of the requisitioned vehicles by the District Magistrate/Returning Officer at the rate Rs. 170.00 per person per day at the time of reporting of the vehicles and should not be deducted from the bill.
- g) When a vehicle is requisitioned from Kolkata or neighbouring places and is sent for performing Election Duty to districts, the total Kilometer run for journeys from the place of requisitioning Election Duty to district, the total kilometer run for journey from the place of requisition to the place of reporting should also be considered for calculating fuel charges, similarly the time of journey shall also be considered for calculating detention charges.

If a vehicle after obtaining 40% advance as stated above fails to perform duty because of mechanical defect of otherwise, the amount so advanced together with the cost of fuel, if issued, shall be recovered fully before it is de-requisitioned.

This order is issued with the concurrence of Finance Department's U.O No. Group-R/2018-19/0013 dt-03.05.2018

Yours faithfully,
Sd/-
Commissioner, Transport Department

(Page - 363)

- 5. This order issues with the concurrence of Finance Department vide their U.O. No. 2969 Gr. P. (Service) dated 27-09-2012 as well as approval of Cabinet vide their decision no. 973 in the Cabinet Meeting held on 16-11-2012.
- 6. A subsequent communication will follow on details to be co-ordinated by the Administrative officer, Pool Car office, Kolkata in consultation with the Private Secretaries to the Hon'ble Ministers.

(P.K. Dutta)

Joint Secretary to the
Government of West Bengal

Date - 24-01-2013

No. 292-WT/2E-29/87 Pt-I

Copy forwarded for information and necessary action to ::-

- 1) The Principal Accountant General (A & E), West Bengal, Treasury Building, Kolkata- 700001.
- 2) The P.S. to Hon'ble MIC / MOS (IC) / MOS Deptt.
- 3) Additional Chief secretary / Principal Secretary / Secretary Deptt.
- 4) The P.A. to Principal secretary to Transport Department.
- 5) The Pay& Accounts Officer, Kolkata pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata- 700012.
- 6) The Pay & accounts Officer, Kolkata Pay & Account office-II, P-1, Hyde Lane, Kolkata- 700073.
- 7) The Pay & Accounts Officer, Kolkata Pay & Accounts office-III, IB Market, Salt Lake, Kolkata- 700091.
- 8) The Assistant secretary & D.D.O., Transport Department.
- 9) The Administrative officer, Pool Car office, Kolkata, 7 & 11/1, Ashutosh Mukherjee Road, Kolkata- 700020.
- 10) Establishment Branch.



GOVERNMENT OF WEST BENGAL
 Transport Department
 Paribahan Bhawan
 12, R.N. Mukherjee Road, Kolkata- 700001

Order no. 1993-WT/3M-10/2011 date-07.05.2018

From : Commissioner, Transport Department
 To.: Commissioner,
 West Bengal State Election Commission

Subject:-Rates of hiring charges/compensation in respect of vehicles/launches to be hired/requisitioned during forthcoming Panchayet Election, 2018.

Sir,

In supersession of all earlier order in this regard I am directed to convey the rates of hiring charges/compensation in respect of vehicles/launches to be hired/requisition during forthcoming Panchayet Election, 2018 in the State of West Bengal, as approved by the Government, as follows:-

1.	Bus (Excluding fuel)	1910-00
2.	Mini Bus (Excluding fuel)	1580-00
3.	Small passenger vehicle (Sitting Capacity upto 7 persons including driver) (Excluding fuel)	670-00
4.	Maxi Cab (Sitting Capacity-8to 13 persons including driver) (Excluding fuel)	990-00
5.	Goods Vehicle GVW upto 2 M.T (Excluding fuel)	670-00
6.	Goods Vehicle GVW upto3.5 M.T. (Excluding fuel)	990-00
7.	Goods Vehicle GVW upto 6 M.T. (Excluding fuel)	1090-00
8.	Goods Vehicle GVW upto 8 M.T . (Excluding fuel)	1290-00
9.	Goods Vehicle GVW beyond 8 M.T (Excluding fuel)	1540-00
10.	Tractor/Breakdown Van. (Excluding fuel)	1000-00
11.	Auto-Rickshaw. (Excluding fuel)	370-00

Vehicles used for Election Observers.

12.	Launch/Vessel (Having capacity of passenger upto 50) (Including Fuel)	2100-00
13.	Launch/Vessel (Having capacity of passenger 51 to 75) (Including Fuel)	3140-00
14.	Launch/Vessel (Having capacity of passenger above 75) (Including Fuel)	4180-00
15.	Motor Car air conditioned (Seating capacity upto 7 persons including driver) (Excluding fuel)	930-00
16.	Omnibus-Air-Conditioned (Seating capacity between 8 to 13 including driver) (Excluding fuel)	1160-00

I am further directed to convey that at the time of settlement of the bills for hired charges etc. following aspects to be taken into consideration.

A. In case of Launches

- a) The rates are applicable for every 24 hours engagement inclusive of fuel etc. and no separate fuel charges be paid.
- b) Half the charges shall be payable for engagement of 12 hours out of 24 hours.
- c) A lump compensation amounting to Rs. 900/- is to be paid if Sub-divisional limit is crossed and a lump compensation of Rs. 1800/- is to be paid if the district limit is crossed.
- d) 100 lits. of High Speed Diesel (HSD) and 5 (Five) lits. of mobil oil may be supplied at the time of reporting for duty, the cost of which shall be adjusted against the payment of compensation/ hiring charges for said launch.

B. In case of vehicles

- a) Full charges are to be allowed for a calendar day for duties/ hiring for 8 hours or more. Half day charges shall be allowed to a vehicle for more than 4 hours but less than eight hours of duty/hiring in a calendar day.
- b) Fuel cost for the distance between Garage and reporting place and back to garage shall be paid in addition to the compensation.
- c) When a vehicle is requisitioned and kept unused as a Reserved Vehicle but released during the course of the day, compensation charge should be paid at the rates mentioned at 9(b) and (c) above.
- d) The consumption of fuel rate in respect of different categories of vehicles shall be guided by this Department's No. 1636-WT dated-04.05.2009 (Copy enclosed) with 1 liter of Mobil Oil for 500 Km run from the place of reporting for each category of vehicles.



GOVERNMENT OF WEST BENGAL

Transport Department
Writer's Building, Kolkata-700 001

Order no. 4903-WT,

dated the 2nd May, 1992

Sir,

Refer your memo no. MV/1659, dated-02.11.1991 on determination of legal heirship in the case of death of owner of a motor vehicle. Under Rule 56 of the CMV Rules, the ownership of motor vehicles on the death of its registered owner is supposed to be passed on to the person succeeding to the possession of the vehicle. In terms of the said rule read with Form-31 of the CMV Rules, it is for the Registering Authority to satisfy themselves about the correctness of the proof of succession. MV Act and the CMV Rules do not prescribe any authority for whom succession certificate is required to be obtained. The present practice in deferent district is to ascertain the actual successor of the owner on the basis of the local enquiry and on the basis of no objection furnished by wife/son/daughter/near relation of the deceased. Satisfaction of the Registering Authority about the correctness of the proof of succession will, therefore, be adequate.

Yours faithfully,

Sd/- Sumantra Choudhury
Spl. Secretary to the Govt. of West Bengal

C. MINI BUS SERVICES (PLAIN TO HILL)

SERVICE	New Fare (in Rs.)
Mini-bus	@ Re. 1.25 per km and for every 4th km Re. 1.15 to be added to determine the fares for all segments and to be rounded off to the nearest Rupee.

D. MINI-BUS SERVICES (HILL TO HILL)

SERVICE	New Fare (in Rs.)
Mini-bus	Re. 1.40 per km and for every 3rd km Re. 1.15 to be added to determine the fares for all segments and to be rounded off to the nearest Rupee.

IV. EXPRESS SERVICES:

A. INTRA-STATE EXPRESS BUS SERVICE:

STAGES	New Fare (in Rs.)
Up to 6 kms	8.50
Beyond 6 kms	Additional @ Re. 0.75 for every additional 1 km, as is the practice now, over the aforesaid base fare and to be rounded off to the nearest Rupee.

B. INTER-STATE EXPRESS BUS SERVICE:

STAGES	New Fare (in Rs.)
Up to 6 kms	12
Beyond 6 kms	Additional @ Re. 0.75 for every additional 1 km, as is the practice now, over the aforesaid base fare and to be rounded off to the nearest Rupee.

Better passenger amenities and conditions of buses like proper sitting space, back-to-back space, cleanliness and safety of passengers are preconditions for increased fares.

By order of the Governor,
ALAPAN BANDYOPADHYAY,
Addl. Chief Secy. to the Govt. of West Bengal.



Government of West Bengal

Transport Department

Paribahan Bhawan

12, R. N. Mukherjee Road, Kolkata-700001

No.- 2781-WT/3M- 74/99

Date- 25.06.2018

NOTIFICATION

WHEREAS, meter taxi fare has been revised vide Notification No. 2529- WT/3M- 47/2008 pt.-111 dtd.08.06.2018;

WHEREAS, pre- paid Taxi fare had been last fixed vide Notification No. 1480 - WT/3M- 74/99 pt. dtd.12.04.2013;

Now, In exercise of the powers conferred by proviso to sub- rule (1) of Rule 262 of the West Bengal Motor Vehicles Rules 1989 and in partial modification of Notification No. 1480 - WT/3M- 74/99 pt. dtd.12.04.2013, the Governor has been pleased to re-fix the fare of pre-paid Taxi system as per the schedule placed below:

SCHEDULE

Distance	Basic fare (in Rs.)	Waiting Charge (in Rs.)	Service Charge (in Rs.)	Day Time consolidated fare (Between 4.30 A.M. and 10.30 P.M. (Inclusive all (in Rs.) rounded off to nearest multiple of Rs. 5	Night Time consolidated fare (Between 10.30 P.M. and 4.30 A.M. of the next day) (Inclusive night charge @15% on basic fare rounded off to nearest multiple of Rs. 5 (in Rs.)
Upto 2 K.M.	30	15	10	55	60
Upto 4 K.M.	60	15	10	85	95
Upto 6 Kms	90	15	10	115	130

Subject:
Miscellaneous, other important notifications & clarifications

b) OTHER THAN VOLVO SERVICES:

DISTANCE	FARE (in Rs.)
Upto 5 kms	20.00
5+-10 kms	25.00
10+-20 kms	35.00
20+-25 kms	40.00
25+-30 kms	45.00
30+-35 kms	50.00
35+-40 kms	55.00
Beyond 40 kms	Additional Rs. 1.00 for every subsequent km

II. INTER-CITY/INTER-STATE SERVICES:

a) VOLVO SERVICES:

DISTANCE	FARE (in Rs.)
For every km	@2.20 and rounded off to the nearest multiple of Rs. 5.00

b) OTHER THAN VOLVO SERVICES:

DISTANCE	FARE (in Rs.)
For every km	@2.20 and rounded off to the nearest multiple of Rs. 5.00

Upto 8 K.M.	120	22	10	150	170
Upto 10 Kms	150	22	10	180	205
Upto 12 Kms	180	22	10	210	240
Upto 14 Kms	210	22	10	240	275
Upto 16 Kms	240	22	10	270	310
Upto 18 Kms	270	22	10	300	340
Upto 20 Kms	300	22	10	330	380
Upto 23 Kms	345	22	10	375	430
Upto 26 Kms	390	22	10	420	480
Upto 29 Kms	435	22	10	465	530
Upto 32 Kms	480	22	10	510	585
Upto 35 kms	525	22	10	555	635
Upto 38 Kms	570	22	10	600	690

The Police Commissioners/other Police Authorities would issue matching orders/notifications with a copy to the Additional Chief Secretary, Transport Department, 12, R. N. Mukherjee Road, Kolkata-700 001 mentioning the names of places/ destinations/ landmarks within the distance slabs for transparency and clarity of the passengers. The other terms and conditions as mentioned in Notification No. 1480- WT /3M- 74/99 pt. dtd.12.04.2013 will remain unaltered.

This shall take immediate effect.

By order of the Govenor

(Biswajit Dutta)
Commissioner, Transport Department

No.2781 / 1(1)- WT

Date- 25.06.2018

Copy forwarded to the Superintendent, Bengal Government Press, 38, Gopal Nagar Road, Ali pore, Kolkata- 700 027. He is requested to take steps to publish this Notification in the official Gazette and send 20 (twenty) copies of the same to this Deptt. for official use.

Commissioner, Transport Department

Copy forwarded for information and necessary action to:

1. The District Magistrate & Chairman, RTA (all)
2. The Commissioner of Police, (all)
3. The Secretary, STA, West Bengal
4. The Secretary, RTA (all)
5. The Director, Transport Directorate, West Bengal
6. P.S. to the M.I.C. Transport Department, Government of West Bengal
7. P.A. to the Chief Secretary to the Government of West Bengal
8. P.A. to the Home Secretary to the Government of West Bengal
9. P.A. to the Principal Secretary, Finance Department, Government of West Bengal
10. Sr. Pr.S. to Additional Chief Secretary, Transport Department, Government of West Bengal
11. Director General of Police, West Bengal
12. Transport Department's website

Commissioner, Transport Department



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THURSDAY, JULY 19, 2018

| SAKA 1940

PART I.—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

TRANSPORT DEPARTMENT

NOTIFICATION

No. 3081-WT/3M-23/2012 Pt.-I.—9th July, 2018.—In exercise of the powers conferred by clause (i) of sub-section (1) of Section 67 of the Motor Vehicles Act, 1988 (Act 59 of 1988) and in supersession of all previous notifications issued by the Transport Department in this regard, the Governor, having regard to clauses (a) to (d) of section 67 of the said Act, is pleased hereby to issue the following directions to the State Transport Authority, West Bengal and the Regional Transport Authorities of Kolkata and all other regions;

DIRECTIONS

The existing fares of Air Conditioned Stage Carriages operated by private operators and State Transport Undertakings shall be fixed as per Schedule given below. New fares shall take effect from 11.07.2018.

Secretaries of the Regional Transport Authorities of all regions including Kolkata region are hereby directed to issue appropriate orders to give effect to the new fares. The Secretary, State Transport Authority, West Bengal is also hereby directed to issue appropriate directions to the concerned Regional Transport Authorities to give effect to the new fares in respect of intra-State and inter-State routes.

The Schedule

I. CITY SERVICES:

a) VOLVO SERVICES:

DISTANCE	FARE (in Rs.)
Upto 2 kms	20.00
2+ -10 kms	30.00
10+ -15 kms	40.00
15+ -20 kms	50.00
20+ -25 kms	60.00
25+ -30 kms	70.00
30+ -35 kms	80.00
Beyond 35 kms	Additional Rs. 1.50 for every subsequent km

GOVERNMENT OF WEST BENGAL

Transport Department
Writer's Building, Kolkata-700 001

No 2545 ()-WT/3M- 22/2009

Date-01.08.2011

From: Shri D.K. Baksi
Joint Secretary
to the Government of West Bengal -

To: 1. The Director
Public Vehicles Department
38, Belatala Road
Kolkata- 700 020

2. The District Magistrate

P.O. Dist.

Sub: Compulsory reservation of 2 (two) seats for "Senior Citizen" in Bus/ Minibus

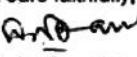
Sir,

I am directed to say that complaints are often received by this Department that in many Buses/ 2 (two) seats for "Senior Citizens" as stipulated under the provisions of law are not kept reserved

In this connection I am to bring your notice to the relevant Notification No. 2050- WT/ 3M- 22/2009 dt. 16.06.2009 issued by this Department making it compulsory for the Bus/ Minibus operators to keep at least 2 (two) nos of seats reserved for such "Senior Citizen".

In view of above I am to request you for strict enforcement of the aforesaid directives regarding reservation of two seats for "Senior Citizens" in Stage Carriage Bus/ Minibus and to ensure that these are followed scrupulously..

I would also request to issue necessary instruction so that at the time of issue of "Certificate of Fitness" of these vehicles such reservation of seats is checked positively..

Yours faithfully,

Joint Secretary

GOVERNMENT OF WEST BENGAL

TRANSPORT DEPARTMENT
PARIBAHAN BHAWAN

12, R.N. MUKHERJEE ROAD, KOLKATA- 700001

No. 4961-WT/3M-31/2010

Dated-11.12.2014

From : Additional Secretary to the Government of West Bengal
Transport Department

To : The Registering Authorities (RAs) (all)

Sub: Transfer of ownership of the confiscated vehicles sold through public auction by the Department of Forests, Government of West Bengal-matter regarding.

Sir,

It has been brought to the notice of this Department by the Department of Forests, Government of West Bengal that the purchasers of the confiscated vehicles sold through public auction by different offices under the administrative control of the Department of Forest have been facing difficulties in having the said vehicles registered in their name (s) because the Registering Authorities concerned have reportedly been insisting on production of "No objection certificate(s)" (NOC) from the original owners of the said vehicles. After careful consideration of the matter, it has been decided that the Registering Authority (ies) concerned shall strictly abide by the guidelines noted below in the matter of registering the vehicles as aforementioned.

Guidelines:-

1. In case transfer of ownership of vehicles purchased through public auction organized by any of the Departments of the State Government and/or its instrumentality with the approval of its administrative Department, production of "No Objection Certificate (NOC)" from the original owner is **Not** required but the verification of the relevant records pertaining to the auction may be done by the Registering Authority concerned in accordance with the provisions of Rule 57 of the Central Motor Vehicle Rules, 1989.

2. In case(s) where the transferring Authority is other than the last Registering Authority where the vehicle stands registered, the Registering Authority concerned shall invariably verify the relevant registration particulars from the Registering Authority concerned (the last Registering Authority) with reference to the registration number of the vehicle and also have the vehicle physically inspected by the Motor Vehicle Inspector (Technical).
3. Exact position with regard to the payment or other wise of taxes in respect of the subject-vehicle has also to be ascertained by the Registering Authority concerned from the previous Registering Authority. Exemption from the payment of taxes in respect of the subject vehicles(s) will apply for such period as the said vehicle(s) had been under the effective custody of the Department of forests i.e. from the date and time of the confiscation of the vehicle to the time and date of the physical delivery of the vehicle to the purchaser after the public auction as also for the rest of the period, if any, i.e. the period between the date of physical delivery of the vehicle to the purchaser concerned and the date before the actual registration of the new ownership in terms of the provisions of the extant Tax Acts.

The Registering Authority concerned are required to dispose of all the pending applications in the above context in strict observance of the guidelines noted above and the applicants concerned should also be informed of the requirements and time-frame to be complied with by them in the matter of registration of their vehicles. In case the applicant concerned fails to respond within the specified time-frame to the Registering Authority concerned, his/ her application should be rejected after giving him/her reasonable opportunity of being heard.

Yours faithfully,
Sd/-
Additional Secretary to the Government of West Bengal
Transport Department



GOVERNMENT OF WEST BENGAL

Transport Department
Paribahan Bhawan
12, R.N. Mukherjee Road, Kolkata- 700001

NO. 259-WT/3M-54/2006

Dated : 19.01.2017

From : Special Secretary

To the Government of West Bengal

To:

1. District magistrate
2. CP (All)
3. ADG & DIG, Police
4. Director, PVD & Director Transport
5. SDO. (All)
6. Regional Transport Officer (All)
7. Additional Regional Transport Officer (All)

Subject : Third party insurance of vehicles

Reference : Latter No. 56/2015/CoRS, dated 27.12.2016 received from secretary to the supreme court committee on road safety

Sir ,

In inviting reference to the above, I am directed to send herewith a copy of communications dated 27/12/2016 received from secretary, supreme court committee on road safety which, inter alia, contains the directions of the committee for ensuring that vehicles . are covered under valid 'Third party insurance policy ' and any vehicles that is not so covered will be detained till such time the valid insurance certificate is produced.

You are requested to act in accordance with that and this department may please be informed of the action taken every three months positively.

Yours faithfully

Special Secretary
To the government of west Bengal

No. 259/1 (1) -WT

Date : 19.01.2017

Copy forwarded for information to :

The Secretary,
Supreme Court Committee on Road Safety, Room No. 249
Vigyan Bhawan Annexe, Maulana Azad Road, New Delhi, Pin- 110011

Special Secretary
To the government of west Bengal

committee desires that your Govt. should periodically check the vehicles to see whether the vehicle owners have third party insurance cover, in case they are not covered by the third party insurance, the vehicles should be detained till such time the valid Insurance Certificate is produced by the vehicle owner.

4. The State Govt. may initiate appropriate action and inform the Committee of the details.

Yours faithfully,

(S.D. Banga)
Secretary to the Committee

Copy to :

The Additional Chief Secretary (Transport) / Principal Secretary (Transport) / Secretary (Transport) / Transport Commissioner of all States / UTs



GOVERNMENT OF WEST BENGAL

TRANSPORT DEPARTMENT

PARIBAHAN BHAWAN

12, R.N. MUKHERJEE ROAD, KOLKATA- 700001

No. 3346(19)-WT/3M-36/2010,

Dated-29.08.2016

From : Special Secretary
to the Govt. of West Bengal

To : The Registering Authority (All)

Subject: Demands of Hire Purchase and Lease Association.

Sir,

In inviting a reference to the above, I am directed to state that 'Hire purchase and Lease Association' has placed different demands before Transport Department relating to Change of Ownership, Change of Address, Tax Matter and other issues relevant with vehicles having Hire purchase Agreement.

After verification of the demands/proposals I am directed to request you to take the following steps as mentioned seriatim:-

1. Applications for issue of fresh RC in the name of financier of vehicle repossessed by financier following the provisions laid down in Sec. 51(5) of the Motor Vehicles Act, 1988 and Rule 61 of Central Motor Vehicles Rules, 1989 are to be disposed of within 3 weeks after observing all formalities.
2. Registration of Transport vehicles by any Registering Authority may be done as per convenience of the owner depending on the residential address or business address of the owner in terms of Section 40 of the Motor Vehicle Act, 1988.
3. Applications for 'Change of Address' of owner of any vehicle under Section 49 of Motor Vehicle Act, 1988 read with Rule 59 of Central Motor Vehicles Rules, 1989 may be processed and disposed of on the basis of verification of registration data from National Register of VAHAN without insisting on "No Objection Certificate".

However, in case of assignment of new Registration Mark in this State, production of 'No objection certificate' issued

- under Section 47 of the Motor Vehicle Act, 1988 is mandatory.
4. Disposal of application for "No Objection Certificate" issued under Section 47 of the Motor Vehicles Act, 1988 must be completed within thirty (30) days.

Yours faithfully,
Sd/-
Special Secretary to the Govt. of West Bengal
Transport Department



SUPREME COURT COMMITTEE ON ROAD SAFETY

Chairman : Justice K.S Radha Krishnan
Members : S. Sundar
Dr. Nishi Mittal

No. 56/2015/CoRS

Dated 27th December, 2016

To
The chief secretaries of all states/UTs

Sub: Third party insurance of Vehicles

Sir,

As you are aware, the motor Vehicles Act. 1988 provides for mandatory third party insurance cover for all Vehicles in India. From the information provided by the insurance regularity development Authority (IRDA), and General Insurance Council (GIC), it appears that more than 50% of the Vehicles playing on roads in India are uninsured.

2. The issue to bring all Vehicles under insurance cover has been discussed in detail by the committee with IRDA, ministry of road transport & highways (MoRTH) were asked to map VAHAN data with a insurance data to identify the Vehicles with out third party insurance. IRDA has informed that the mapping is informed progress. The committee that this should be completed by 31st January, 2017 and details of the uninsured Vehicles should sent to the transport authority in the state.
3. You will appreciate that the non-insurance of vehicles cause hardship to the road accident victims in obtaining compensation that is due. The Committee is examining various to bring all vehicles under third party insurance cover. In the first instance, the

- (b) in case of old or obsolete motor vehicle manufactured in India, value shall be such ex-showroom price, as the State Government may, by notification in the *Official Gazette*, specify;
- (c) in case of vehicle manufactured outside India, value shall be the purchase price in Indian currency and inclusive of freight charges and all taxes and levies at the time of import into India or brought from other State for change of address in West Bengal;
- (d) in case of vehicles purchased or registered outside the State and brought in West Bengal on change of address, and for vehicles already registered in West Bengal on which life-time tax has not been paid, value shall be the cost prevailing in West Bengal on the day the tax becomes due on similar type of vehicle in West Bengal;
- (e) in case of military disposal vehicles, value shall be the amount as prevailing on the day of registration on similar type of vehicle in West Bengal.

Explanation.—For the purpose of this Act, the expression “ex-showroom price” means—

- (a) in respect of new motor vehicle, the price of motor vehicle of new model on which value added tax has been calculated and charged;
- (b) in respect of old or obsolete motor vehicle, the price of the last model before it became obsolete, and includes value added tax, entry tax and any other tax as may be applicable but excludes the charges for registration and insurance.

Amendment of section 3.

3. In section 3 of the principal Act —

(1) In clause (e) —

- (a) for the words “, not being transport vehicles, the words, figures and brackets not being transport vehicles, or motor cycles or motor cycle combinations, or motor cars and omnibuses (with seats upto 14 and not registered as transport vehicles),” shall be substituted;



GOVERNMENT OF WEST BENGAL

INFORMATION & CULTURAL AFFAIRS DEPARTMENT

NABANNA, 325, SARAT CHATTERJEE ROAD, SHIBPUR HOWRAH
- 711102

NO.1267/PR,S/ICA

DATED : 30.12.2015

NOTIFICATION

The Governor is pleased to extend facilities for free travel on Government buses / trams to accredited journalists working in the state of West Bengal, subject to the following conditions.

1. This facility will be given to only accredited journalists having press accreditation cards.
2. Such facilities shall be available in city buses / trams and long distance within the state of West Bengal state of West Bengal, owned and operated by public sector undertakings.

by order of the Governor

ATRI BHATTACHARYA

principal secretary

NO.1267/PR,S/ICA

DATED : 30.12.2015

copy forwarded for information to the:

1. Principal Secretary, Transport Department, Government of West Bengal. This is in continuation of latter NO. 1254PR.S/ICA dated 07.12.2015.

NO.1267/PR,S/ICA

DATED : 30.12.2015

copy forwarded for information to the :

1. All District Magistrates
2. Director of Information
3. Chief of News Bureau of this department.
5. All District Information & Cultural Officers
6. All Media House with the request to kindly intimate the accredited Journalists of your concern accordingly.



GOVERNMENT OF WEST BENGAL

Transport Department

Paribahan Bhawan

12, R.N. Mukherjee Road, Kolkata- 700001

Order no. 3976(75)-WT/3M-88/2009 Kolkata, the 20th October, 2016

From : The Special Secretary
to the Govt. of West Bengal

To:

1. The Director,
Public Vehicles Department, Kolkata
2. The District Magistrate (All)
3. The Managing Director,
CSTC/CTC/WBSTC/NBSTC/SBSTC
4. The Regional Transport Officer (All)
5. The Addl. Regional Transport Officer (All)

Sub.: Strict compliance of provisions of the 'Persons with Disabilities Act, 1995' and Rule 233 (2) of West Bengal Motor Vehicles Rules, 1989'

Sir,

You are aware that extending the benefit of Free Travel Facilities to the persons with disabilities in stage carriages under the provisions of 'Persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995, this Department issued Memorandum No. 2203-WT/7B-22/2001 dated-16.05.2003 read with order no. 1183-WT/3M-28/2008 dated-01.04.2008. Strict compliance of Rule 233 (2) of the West Bengal Motor Vehicles Rules, 1989 extending facilities of reservation of seats in stage carriage along with the said Memorandum has also been requested from time to time. But complaints from the persons with disabilities are being received continuously. Commissioner (Disabilities), West Bengal has made a reference to it.

In view of above I am directed to request you to look into the matter for strict compliance of Rule 233 (2) of the West Bengal Motor Vehicles Rules, 1989 as regards reservation of two seats in all buses and the guidelines framed by this Department regarding free travel facilities in stage carriage buses of STUs, as well as private operators, so that the rights of the persons with disabilities are ensured. Regional Transport Authorities should convince the private operators to extend such free travel facility to persons with disabilities. Drivers and conductors may be sensitized to that they do not misbehave with such persons with disabilities.

Yours faithfully,

Sd/-

Special Secretary
to the Government of West Bengal

The West Bengal Additional Tax and One-time Tax on Motor Vehicles (Amendment) Act, 2012.

(Sections 2, 3.)

**Amendment of Section 2 of
West Bengal Act XIX of 1989**

2. In section 2 of the West Bengal Additional Tax and One time Tax on Motor Vehicles Act, 1989 (hereinafter referred to as the principal Act) –

(1) after clause (a), the following clause shall be inserted:—

***(aa) "age" means the number of completed years from the date of registration of the motor vehicle: Provided that in case of refund of life-time tax or one-time tax, as the case may be, in respect of a motor vehicle, the part of a year shall be considered as one year of age of such motor vehicle;';**

(2) for clause (d2), the following clause shall be substituted:—

'(d2) "life-time tax" means the tax imposed on motor cycle or motor cycle combination or motor car and omnibus (with seating capacity upto 14 and not registered as transport vehicle) under the Act, other than battery operated motor vehicle, and leviable for the entire life-time of such motor cycle or motor cycle combination or motor car and omnibus, as the case may be;

(3) after clause (o), the following clause shall be inserted:—

'(ol) "value" means, for the purpose of computation of life-time tax or one-time tax, as the case may be, the value of the motor vehicle other than battery operated motor vehicle, calculated in the manner as follows:—

(a) in case of new motor vehicle manufactured in India, value shall be such ex-showroom price, as the State Government may, by notification in the *Official Gazette*, specify;

The
Kolkata Gazette
Extraordinary
Published by Authority

SRAVANA 19] MONDAY, DECEMBER 2, 2013 [SAKA
1923

Part-II – Acts of the West Bengal Legislature

**GOVERNMENT OF WEST BENGAL
LAW DEPARTMENT**
Legislative

NOTIFICATION

No. 1182-L.—10th August, 2012.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

WEST BENGAL ACT XVIII OF 2012

**THE WEST BENGAL ADDITIONAL TAX AND ONE-TIME TAX ON
MOTOR VEHICLES (AMENDMENT) ACT, 2012.**

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Kolkata Gazette, Extraordinary*, of the 10th August, 2012.]

An Act to amend the West Bengal Additional Tax and One-time Tax on Motor Vehicles Act, 1989.

WHEREAS it is expedient to amend the West Bengal Additional Tax and One-time Tax on Motor Vehicles Act, 1989, for the purposes and in the manner hereinafter appearing;

It is hereby enacted in the Sixty-third Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. (1) This Act may be called the West Bengal Additional Tax and One-time Tax on Motor Vehicles (Amendment) Act, 2012.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

The
Kolkata Gazette
Extraordinary
Published by Authority

SRAVANA 19] FRIDAY, AUGUST 10, 2012 [SAKA 1934

Part-III – Acts of the West Bengal Legislature

**GOVERNMENT OF WEST BENGAL
LAW DEPARTMENT**

Legislative

NOTIFICATION

No. 1181-L-10th August, 2012 The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information :—

WEST BENGAL ACT XVII OF 2012

**The West Bengal Motor Vehicles Tax
(AMENDMENT) ACT, 2012**
[Passed by the West Bengal Legislature]
Extraordinary of the 10th August, 2012

An Act to amend the West Bengal Motor Vehicles Tax Act, 1979.

WHEREAS the Hon'ble High Court, Calcutta, time to time issued number of directions for controlling noise pollution from various sources inter-alia-loudspeakers, public address system, fireworks, vehicular horns including air horns and also from other sources.

West Ben. Act IX of 1979

AND WHEREAS, Central Government also notified ambient air quality standards and also other emission standards generated from different sources for controlling noise pollution, which reads as follows :—

Short title and commencement :-

- (1) This Act may be called the West Bengal Motor Vehicles Tax (Amendment) Act, 2012.
- (2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

The West Bengal Motor Vehicles Tax (Amendment) Act, 2012

(Sections 2, 3)

Amendment of section 4 of West Bengal Act IX of 1979.**2. In sub-section (2) of section 4 of the West Bengal Motor vehicles Tax Act, 1979 (hereinafter referred to as the principle Act) -****1. In clause (d) -**

- for the words "not being a transport vehicle," the words, fugures and brackets" not being a transport vehicle or motor cycle or motor cycle combination or motor car and omnibus (with seats up to 14)," shall be substituted;
- for the words "at the rate specified in Part-I under the sub-heading "A" vehicles for carrying passengers not playing for hire or reward." under the heading "Description of Motor vehicles. and rate of Tax" in the schedule, the words at the rate specified in the schedule" shall be substituted.
- for the words "In such case, tax shall be realised for a period of one year preceding the date of interception of such vehicle together with a fine of an equivalent sum, in addition to realisation of tax for a further period of one year from the date of interception of such vehicle without fine." the words "In such case, the tax shall be realised for a period of one year preceeding the date of interception of such vehicle together with a fine of twenty five per centum of the amount of tax shall be substituted.

2. to clause (d) the following proviso shall be added :-

"Provided that the tax for a period of not less than seven days but not more than thirty days as may be required by the owner, shall be realised after the date of interception of such vehicle so as to allow the owner to take the vehicle out of the State".

3. In schedule to the principal Act -

- In the heading "Description of Motor vehicles and Rate of annual Tax - "
 - sub-heading, "A" vehicle for carrying passengers not plying for fire or reward.: shall be omitted.
 - item (2) and the entries relating thereto shall be omitted;
 - in item (3) -
 - clause (a) and the entries relating thereto shall be omitted.
 - In the entry in clause (b), for the words and figures "capacity beyond 10", the words and figures "capacity beyond 14" shall be substituted;
- after item (2) of sub-heading "B". Vehicles for carrying passengers plying for hire or reward" the following item and entries relating thereto shall be inserted -
 - Tourist taxi, luxury taxi or contract carriages with seats upto 14 and registered as transport vehicle in West Bengal and covered by any contract carriage permit issued by the authority -
 - with seating capacity upto 7 1.2 per centum of the value of vehicle or Rs. 8,000 which ever is higher.
 - with seating capacity beyond 7 1.2 per centum of the value of vehicle or Rs. 14,000 whichever is higher.

The West Bengal Motor Vehicles Tax (Amendment) Act, 2012**(Section 3)**

- for sub-heading "C" Goods carriages (including those owned by Motor Training Schools) the following sub-heading shall be substituted :-
(N.B.: Please see original order)

Amendment of schedule-I

8. In serial No. 3 of item B of Schedule I to the principal Act, for the words "owned by motor training school", the words, figures and brackets "owned by motor training school, but excluding tourist taxi, luxury taxi and omnibus (with seats upto 14 and not registered as transport vehicle)" shall be substituted.

Amendment of schedule-III

9. In Schedule HI to the principal Act, after Part **n**, the following Part shall be inserted:—

"PART- III"

[See sub-section (2a) of section 9A]

Life-time tax of newly registered motor cycle or motor cycle combination

SI. No.	Description of motor vehicle	Engine capacity	Rate of life-time tax
(1)	(2)	(3)	(4)
1.	Motor cycle and motor cycle combination for first time of registration	(a) Upto 80 cc	6.5% of the value of the whichever is higher,
		(b) More than 80 cc but within 160 cc	9% of the value of the vehicle or Rs. 3600/- whichever is higher,
		(c) More than 160 cc	10% of the value of the vehicle or Rs. 5,800/- whichever is higher.

Amendment of schedule-IV**10. In Schedule IV to the principal Act,—**

- (1) in the heading, for the words, figures, letter and brackets "(See sections 9B and **10**)", the words, figures, letters and brackets "(See sections 9B, 9BB and **10**)" shall be substituted;

- (2) after Part I, the following Parts shall be inserted:—

(b) for the words and letters ⁴at the rate specified under the heading "A. Motor vehicles for carrying passengers not plying for hire:" in Schedule.F, the words "at the rate specified in Schedule" shall be substituted;

(c) for the words "In every such case, the additional tax shall be realised for a period of one year preceding the date of interception of the vehicle together with a fine of an equivalent sum, in addition to the realisation of such tax for a further period of one year from the date of interception of the vehicle without fine.", the words "In every such case, the tax shall be realised for a period of one year preceding the date of interception of the vehicle together with a fine of twenty-five *per centum* of the amount of tax:" shall be substituted;

(2) **to clause (e), the following proviso shall be added:—**

"Provided that the tax for a period of not less than seven days but not more than thirty days as may be required by the owner, shall be realised after the date of interception of such vehicle so as to allow the owner to take the vehicle out of the State".

(3) **after clause (e), the following clause shall be inserted:—**

"(ea) Where motor cycle or motor cycle combination or motor car and omnibus (with seats upto 14 and not registered as transport vehicle) registered outside West Bengal but kept for any temporary period, are found to be plying in West Bengal without paying the additional tax under this Act while continuing to have their registration outside West Bengal, such vehicle shall be liable to pay the additional tax at the rate of one decimal two (1.2) *per centum* of the value of the motor vehicle for a period of one year preceding the date of interception of the vehicle together with a fine of twenty-five *per centum* of the amount of tax:

Provided that additional tax for a period not less than seven days but not more than thirty days, as may be required by the owner, shall be realised after the date of interception of such vehicle so as

to allow the owner to take the vehicle out of the State".

Amendment of section 9A.

4. in section 9A of the principal Act,—

- (1) after sub-section (1), the following sub-sections shall be inserted:—

“(la) The owner of any motor cycle or motor cycle combination, other than the battery operated motor cycle, registered on or after coming into force of this sub-section, shall be liable to pay life-time tax at the rate specified in Part HI of Schedule HI, at the time of first registration.

(lb) The owner of any motor cycle or motor cycle combination, other than the battery operated motor cycle, registered in any other State and brought to West Bengal on change of address, shall, after coming into force of this sub-section, be liable to pay life-time tax at the rate specified in Part HI of Schedule EI, reduced by five *per centum* for every completed year of the age of such motor vehicle already completed or 40 *per centum* of the life-time tax payable, whichever is higher”;

(2) after sub-section (2), the following sub-section shall be inserted:—

“(2a) Where any motor cycle or motor cycle combination is registered in West Bengal and subsequently, removed from West Bengal on change of address, or where the registration of any motor cycle or motor cycle combination is cancelled or where such motor cycle or motor cycle combination is destroyed or rendered permanently incapable of being used under section 55 of the Motor Vehicles Act, 1988, after coming into **59 of 1988**, force of this sub-section, the owner of such motor cycle or motor cycle combination shall be entitled to claim refund at the rate of five *per centum* for every year or part thereof of the age of the vehicle already completed on the date of removal or cancellation of registration, as the case may be, by way of reducing the rate of life-time tax mentioned in Part **in** of Schedule ffl:

(F) for the item (iii), the following item shall be substituted :-

(iii) for the delay in payment of such one time tax or life time tax, as the case may be, beyond two years and upto three years from the date when such one time tax, as the case may be becomes payable

(G) for the item (iv), the following item shall be substituted :-

(iv) for the delay in payment of such one time tax or life time tax, as the case may be, beyond three years and upto four years from the date when such one time tax or life time tax, as the case may be, becomes payable

(H) for the item (v), the following item shall be substituted :-

(v) for the delay in payment of such one time tax or life time tax, as the case may be, beyond three years and upto four years from the date when such one time tax or life time tax, as the case may be, becomes payable

amount equal to the amount of one time tax or life time tax, as the case may be payable.

3/5th part of the one time tax or life time tax, as the case may be payable;

Amendment of section 21 :-

7. In sub-section (1) of section 21 of the principal Act, for the words, figures, letters and brackets “or sub-section (2) of section 9BA”, the words, figures, letters and brackets “or sub-section (2) of section 9BA or under sub-section (4), or sub-section (5), of section 9BB” shall be substituted.

(A) for the delay upto 15 days after Nil the expiry of the day on which the one-time tax or life-time tax, as the case may be, becomes payable	NIL
(B) for the delay upto 16th to 45th day after the expiry of the day on which the one time tax or life time tax, as the case may be, becomes payable.	1/20th part of the one time tax or life time tax, as the case may be payable
(C) for the delay upto 46th to 75th day after the expiry of the day on which the one time tax or life time tax, as the case may be, becomes payable	1/10th part of the one time tax or life-time tax, as the case may be payable
(D) for the delay for more than 75th day after the expiry of the day on which the one time tax or life time tax, as the case may be becomes payable	1/5th part of the one time tax or life time tax, as the case may be payable;
(E) for item (ii) the following item shall substituted :– (ii) for the delay in payment of such one time tax or life time tax as the case may be beyond one year and upto two years from the date when such one time tax or life time tax, as the case may be, becomes payable	2/5th part of the one time tax or life time tax, as the case may be payable;
(E) for item (ii) the following item shall substituted :– (ii) for the delay in payment of such one time tax or life time tax as the case may be beyond one year and upto two years from the date when such one time tax or life time tax, as the case may be, becomes payable	2/5th part of the one time tax or life time tax, as the case may be payable;

Provided that in case of a motor cycle or motor cycle combination is removed from West Bengal on change of address, or where the registration of any motor cycle or motor cycle combination is cancelled or where such motor cycle or motor cycle combination is destroyed or rendered permanently incapable of being used under section 55 of the Motor Vehicles **59 of 1988**. Act, 1988, after completion of fourteen years of age of such motor cycle or motor cycle combination, no refund of life-time tax shall be allowed in respect of such motor cycle or motor cycle combination

(3) after sub-section (4), the following sub-section shall be inserted:—

“(5) Where the Taxing Officer is satisfied that the owner of a motor cycle or motor cycle combination registered after coming into force of this sub-section, other than battery operated motor cycle, has paid life-time tax but such motor cycle or motor cycle combination has become temporarily unusable and that the certificate of registration and the tax token under section 14 have been duly surrendered or that such motor cycle has not been used or kept for use for a complete calendar month, he shall, on claim by the owner of such motor cycle or motor cycle combination, refund or remit for each other calendar month 1/360th of the life-time tax paid”.

Insertion of new section after section 9BA

5. After section 9BA of the principal Act, the following section shall be inserted :–

9BB. (1) The owner of any motor car and omnibus (with seats upto 14 and not registered as transport vehicle), other than battery operated motor vehicle, shall, after coming into force of this sub-section, be liable to pay either life-time tax or one time tax at the rate specified in PART IA of schedule IV, as may be opted by him at the time of first registration. In case, the owner of any such motor vehicle opts for payment of

one time tax, such owner shall continue payment of one time tax at the same rate for the entire life of the vehicle.

- (2) The owner of a motor car and omnibus (with seats upto 14 and not registered as transport vehicle), other than battery operated motor vehicle, registered in West Bengal or in any other State and brought to West Bengal on change of address, shall be liable to pay life-time tax at the rate specified in Part IB of Schedule IV:

Provided that the owner of any such motor vehicle registered in West Bengal may opt to pay one-time tax at the rate prescribed in Part IA of Schedule IV.

- (3) The owner of motor car and omnibus (with seats upto 14 and not registered as transport vehicle), other than battery operated motor vehicle, shall not be liable to pay special tax under the provisions of the West Bengal Motor Vehicles Tax Act, 1979 and ^{and}~~g^o~~ the fees for fitment of audio or video system.

- (4) (a) Where any motor car and omnibus (with seats upto 14 and not registered as transport vehicle) is registered in West Bengal and subsequently, removed from West Bengal on change of address, or where the registration of such motor vehicle is cancelled or where such motor vehicle is destroyed or rendered permanently incapable of being used under section 55 of the Motor Vehicles Act, 1988, after coming into force of this sub-section, the owner of such motor vehicle shall be entitled to claim refund at the rate specified in Part IC of Schedule IV.

(b) Where any motor car and omnibus (with seats upto 14 and not registered as transport vehicle), already registered and for which one-time tax has been paid, and removed from West Bengal on change of address or the registration of the same has been cancelled or it is destroyed or rendered permanently incapable of being used under section 55 of the Motor Vehicles Act, 1988, the owner of the said vehicle shall be entitled to claim refund at the rate specified in Part II under the Schedule IV.

- (5) (a) Where the Taxing Officer is satisfied that the owner of a vehicle, as described above, has paid life-time tax but the vehicle has become temporarily unusable and that the certificate of registration and the tax token under section 14 have been duly surrendered or that such vehicle has not been used or kept for use for a complete calendar month,

he shall, on claim by the owner, of such vehicle refund or remit for each such calendar month 1/360th of the life-time tax paid.

- (b) Where the Taxing Officer is satisfied that the owner of a vehicle, as described above, has paid one-time tax but the vehicle has become temporarily unusable and that the certificate of registration and the tax token under section 14 have been duly surrendered or that such vehicle has not been used or kept for use for a complete calendar month, he shall, on claim by the owner, of such vehicle refund or remit for each such calendar month 1/60th of the one-time tax paid.
- (6) The life-time tax and one-time tax payable under the above sub-sections shall be payable in advance for the years for which it is due and the mode of payment shall be such as laid down in section 10."

Amendment of section 10

- (1) in clause (b), for the words "owner of a motor cycle or motor cycle combination", the words "owner of the motor vehicle" shall be substituted;
- (2) **in clause (c),—**
- (a) for the words "owner of the motor vehicle or the person legally in possession of the motor vehicles, as the case may be", the words, figures and brackets "owner of motor cycle or motor cycle combination or motor car and omnibus (with seats upto 14 and not registered as transport vehicle) or the person legally in possession of such motor cycle or motor cycle combination or motor car and omnibus (with seats upto 14 and not registered as transport vehicle), as the case may be," shall be substituted;
- (b) for the words "for payment of one-time tax", the words "for payment of one-time tax or life-time tax, as the case may be," shall be substituted;
- (c) for item (i), the following item shall be substituted:—
- (i) for the delay in payment of such one-time tax or life-time tax, as the case may be, upto one year from the date when such one-time tax or life-time tax, as the case may be, becomes payable—

AND, WHEREAS, E-Rickshaws are to be registered as "Contract Carriages" as defined under Sec. 2 (3) of the Motor Vehicle Act, 1989 and all the procedures for registration, certificate of fitness and permit of E-Rickshaws are to be followed in terms of the relevant provisions of Motor Vehicles Act, 1988 and Central Motor Vehicles Rules, 1989 on realization of the prescribed fees;

AND, WHEREAS, subsequent to the registration of any vehicle as aforesaid tax and additional tax are also to be realized at the rate prescribed under the West Bengal Motor Vehicles Tax Act, 1979 and the West Bengal Additional Tax and One Time Tax on Motor Vehicles Act, 1989;

AND, WHEREAS, after due consideration to the relevant aspects of the matter including the utility of E-Rickshaw as a green mode of vehicle from the point of environmental protection it has been considered necessary in public interest to exempt payment of taxes by the E-Rickshaw owners for the Financial Year, 2015-2016 in terms of Section 21 of the West Bengal Motor Vehicle Tax Act 1979 read with sub-section 3 of section 3 of West Bengal Additional Tax and One-time Tax on MV Act, 1989;

NOW, THEREFORE, the Government in exercise of powers under section 21 of West Bengal Motor Vehicles Tax Act, 1979 read with sub-section 3 of West Bengal Additional Tax and One-Time Tax on Motor Vehicle Act, 1989, is pleased to exempt payment of taxes by the E-Rickshaw owners for the Financial Year, 2015-2016 in public interest and to make the migration to the E-Rickshaw regime seamless and barrier-free.

The Governor is further pleased to direct that all the RTAs will take necessary action for registration and issuance of permits for E-Rickshaw within their jurisdiction subject to fulfillment of applicable criteria in this regard.

This issuance with the concurrence of the Finance Department, Group-R, vide U.O No. 2011 dated-18.03.2015.

Life time tax or one time tax on motor cars and omnibuses (with seats upto 14 and not registered as transport vehicle) for first time of registration

SI. No.	Description of motor vehicle	Engine capacity	Rate of life-time tax	Rate of life-time tax
(1)	(2)	(3)	(4)	(5)
1.	Motor cars and omnibuses (with seats upto 14 and not registered as transport vehicle) for first time of registration	(a) Upto 900CC	10% of the value of the vehicle or Rs. 40,000/- whichever is higher; Note- A rebate of Rs. 10,000 on Life time tax, shall be allowed to non AC vehicle having engine capacity upto 800 cc.	5.5% of the value of the vehicle or Rs. 17,000/- whichever is higher; Note- A rebate of Rs. 3000 on one-time tax, shall be allowed to non AC vehicle having engine capacity upto 800 cc.
		(b) More than 900 cc but within 1490 cc	10% of the value of the vehicle or Rs. 55,000/- whichever is higher;	5.5% of the value of the vehicle or Rs. 25,000/- whichever is higher;
		(c) More than 1490 cc but within 2000 cc	10% of the value of the vehicle or Rs. 90,000/- whichever is higher;	5.5% of the value of the vehicle or Rs. 35,000/- whichever is higher;
		(d) More than 2000 cc	10% of the value of the vehicle or Rs. 1,00,000/- whichever is higher;	5.5% of the value of the vehicle or Rs. 45,000/- whichever is higher;

By order of the Governor

Sd/-

Alapan Bandyopadhyay

Principal Secretary to the Government of West Bengal

Life-time tax on motor cars and omnibuses (with seats upto 14 and not registered as transport vehicle), already registered, and on motor cars and omnibuses (with seats upto 14 and not registered as transport vehicle) for change of address on removal from any State other than West Bengal.

SI. No. (1)	Description of motor vehicle (2)	Age of Vehicle (3)	Rate of life-time tax (4)
1.	Motor cars and omnibuses (with seats upto 14 and not registered as transport vehicle) already registered	(a) within 1 year	100% of life time tax payable under Part IA
		(b) Between 1 and 2 years	93% of life time Tax payable under Part-IA
		(c) Between 2 and 3 years	87% of life time Tax payable under Part-IA
		(d) Between 3 and 4 years	80% of life time Tax payable under Part-IA
		(e) Between 4 and 5 years	74% of life time Tax payable under Part-IA
		(f) Between 5 and 6 years	67% of life time Tax payable under Part-IA
		(g) Between 6 and 7 years	60% of life time Tax payable under Part-IA
		(h) Between 7 and 8 years	54% of life time Tax payable under Part-IA
		(i) Between 8 and 9 years	48% of life time Tax payable under Part-IA
		(j) Between 9 and 10 years	42% of life time Tax payable under Part-IA
		(k) Between 10 and 11 years	36% of life time Tax payable under Part-IA



GOVERNMENT OF WEST BENGAL

Transport Department
12, R.N. Mukherjee Road, Kolkata- 700001

Order no. 1526-WT/3M-56/13/Pt-II

dated, the 27th April, 2015

NOTIFICATION

Whereas, the Ministry of Road Transport & Highways, Government of India vide Notification no. G.S.R 709 (E) dated-08.10.2014 amended the Central Motor Vehicles (Sixteenth Amendment) Rules, 2014 whereby “E-Rickshaw” has been defined as special purpose battery operated vehicle having three wheels and intended to provide last mile connectivity for transport of passengers for hire or reward, provided (i) such vehicle is constructed or adapted or carry not more than four passengers, excluding the driver, and not more than forty kilograms luggage in total; (ii) the net power of its motor is not more than 2000 W; (iii) the maximum speed of the vehicle is not more than twenty-five kilometre per hour;

AND, WHEREAS, the Central Government vide notification no. G.S.R 27(E) dated-15.01.2015 further amended the Central Motor Vehicles Rules, 1989 and inserted Rule 8A after Rule 8 regarding issue of license to an applicant for driving E-Rickshaw provided the applicant has undergone training at least for a period of ten (10) days and obtained a certificate of training from the registered E-Rickshaw Association or a manufacturer producing E-Rickshaw, as the case may be;

AND, WHEREAS, the prescribed safety standards of E-Rickshaw have also been notified by the Ministry of Road Transport and Highways, Government of India vide Notification no. S.O 2590 (E) dated-08.10.2014;

AND, WHEREAS, by amending the Motor Vehicles Act, 1988 and Central Motor Vehicles Rules, 1989 it has been sought to popularize the green mode of transport at an affordable cost to the benefit of the people;

AND, WHEREAS, the movement of E-rickshaw which has already emerged as a popular mode of passengers transport with significant opportunities to generate employment across the State will be regulated in accordance with the existing legal framework;



GOVERNMENT OF WEST BENGAL

Transport Department
Writer's Building, Kolkata-700 001

Notification no. 3994-WT/6M-5/98 dated-30th September, 2005

Whereas the Government of West Bengal in the Transport Department after due consideration considers it fit to exempt totally the Motor Vehicles as described hereinafter from payment of Motor Vehicles Tax, Addl. Tax in the public interest.

Now, therefore, in exercise of the power conferred by section 21 of the West Bengal Motor Vehicles Tax Act, 1979 (West Bengal Act IX of 1979) read with sub-section (3) of section 3 of the West Bengal Addl. Tax and One Time Tax on Motor Vehicles Act, 1989 and in supersession of the Notification no. 3656-WT/6M-5/98 dt-17.06.1998 the Governor is pleased to exempt totally with immediate effect the Motor Vehicles (Private Service Vehicles) owned by (i). The West Bengal Pollution Control Board, (ii) Central Bureau of Investigation, 1(iii) Border Security Force, (iv) Subsidiary Intelligence Bureau, and (v) Central Reserve Police Force and registered in this State.

By Order of the Governor
Sd/-Sumantra Choudhury
Principal Secretary
to the Government of West Bengal

PART-IC

Rate of refund of life-time tax in terms of clause (a) of sub-section (4) of section 9BB

SI. No.	Description of motor vehicle	Age of Vehicle	Rate of life-time tax
(1)	(2)	(3)	(4)
1.	Motor cars and omnibuses (with seats upto 14 and not registered as transport vehicle) already registered	(a) within 3 years	80% of life time tax Paid
		(b) More than 3 years, but within 6 years	60% of life time Tax paid
		(c) More than 6 years, but within 9 years	40% of life time Tax paid
		(d) More than 9 years, but within 12 years	20% of life time Tax paid
		(e) More than 12 years,	NIL

- (3) In Part II, in the heading, for the words, figure and letter "under section 9B", the words, figures and letters, "under section 9B and 9BB" shall be substituted.

By order of the Governor

Malay Marut Banerjee
Secy, to the Govt. of West Bengal Law Department



GOVERNMENT OF INDIA

Transport Department
Paribahan Bhawan
12, R.N. Mukherjee Road, Kolkata- 700001

No. 2928-WT/3M-17/2012

Date-22.08.2012

NOTIFICATION

WHEREAS in terms of sub-section (1) or sub-section (2) section 5 of West Bengal Additional Tax and One Time Tax on Motor Vehicles Tax (Amendment) Act, 2012 for realization of tax of any car and omnibus (with seats upto 14 and not being a transport vehicle) the owner is to declare his option for payment of life-time-tax or one-time-tax clearly before payment of tax and to submit such option before the Taxing Officer concerned,

AND WHEREAS the Taxing Officer is to act for realization of tax from such vehicles according to the option submitted by the owner,

NOW, THEREFORE, the Governor is hereby pleased to order that option of the owner is to be accepted by the Taxing Officer against an application made by the owner only in the proforma given at Annexure-I and the said option-application is to be kept in record.

By order of the Governor

B. P. Gopalika
Secretary
Government of West Bengal

No. 2928-WT/3M-17/2012

Date-22.08.2012

Copy forwarded with request to publish this in the Official Gazette to :

1. The Assistant Secretary, Commerce & Industries Department.
2. The Superintendent, Bengal Government Press, Gopal Nagar Road, Kolkata-700027. He is also requested to send 25(twenty five) copies of the same to the Transport Department.

OSD & EO Deputy Secretary

No. 2928-WT/3M-17/2012

Date-22.08.2012

Copy forwarded for information and necessary action to:

1. The Director, Public Vehicles Department, 38, Beltala Road, Kolkata-20.
2. The District Magistrates (All)
3. The Taxing Officer (All)

OSD & EO Deputy Secretary **ANNEXURE - I**

(to the Notification No. 2928-WT/3M-17/2012 dated 22.08.2012)

APPLICATION FORM OPTION FOR PAYMENT OF LIFE-TIME-TAX / ONE-TIME-TAX

To: The Taxing Officer,
.....

Sub: Declaration on option for payment of Life-Time-Tax Or One-Time-Tax.

Sir,

In terms of sub-section (1) / sub-section (2) of section 5 of West Bengal Additional Tax and One Time Tax on Motor Vehicles Tax (Amendment) Act, 2012,

- I, , owner of vehicle,
 i) having Registration Number **
 ii) Chassis No. and Engine No. ** (in case of new vehicle), do hereby submit my option for payment of tax as
 a) LIFE-TIME-TAX **
 b) ONE-TIME-TAX **

for my above mentioned vehicle. I also agree to pay penalty on due tax, if applicable, at the rate prescribed under section 10 of the said Act.

I request you to take necessary action accordingly.

Yours faithfully,

**** Strike off whichever is not applicable / opted**

Date: _____

(Signature)

(Name in full)

(Address)

(Contact No.)

(d) Medium goods vehicle	One thousand rupees		
(c) Medium passenger motor vehicle	One thousand rupees		
(f) Heavy goods vehicle	One thousand and five hundred rupees		
(g) Heavy passenger motor vehicle	One thousand and five hundred rupees		
(h) Imported motor vehicle	Five thousand rupees		
(i) Imported motor cycle	Two thousand and five hundred rupees		
(j) Any other vehicle not mentioned above	Three thousand rupees		
Note 1: Additional fee of two hundred rupees shall be levied if the certificate of registration is a smart card type issued or renewed in Form 23A.			
Note 2: In case of delay in applying for renewal of certificate of registration, an additional fee of three hundred rupees for delay of every month or part thereof in respect of motor cycles and five hundred rupees for delay of every month or part thereof in respect of other classes of non-transport vehicles shall be levied.			
5. Issue of duplicate certificate of registration	Half of the fee mentioned against Serial No.4	53(2)	
6. Transfer of ownership	Half of the fee mentioned against Serial No.4. Note: In case of delay in submission of 'No Objection Certificate', an additional fee of rupees three hundred for delay of each month or part thereof in case of motor cycles and five hundred rupees for each month of delay or part thereof for other vehicles shall be levied.	55(2)(iii), 55(3), 56(2)(a) and 57(1)(a)	



GOVERNMENT OF WEST BENGAL

Transport Department
Paribahan Bhawan
12, R.N. Mukherjee Road, Kolkata- 700001

No. 1086 -WT/6M-01/2017

Date : 22.03.2017

NOTIFICATION

WHEREAS, the State Government by way of issuance of Notification bearing no. 7964-WT/6M-37/89 dated 07.07.1989 (herein referred as said notification) has allowed to exempt totally the motor vehicles of various categories as described in the said notification from payment towards taxes in the public interest which includes motor vehicles belonging to the Ramkrishna Mission Sarada Pith and Belur Math and Mission used in connection with spreading of social education and other charitable purposes;

AND WHEREAS, the General Secretary, Sri Sarada Math & Ramkrishna Sarada Mission, Dakshineswar, Kolkata (herein referred as said organisation) has applied for exemption of motor vehicles tax as per amendment of clause (10) of the said Notification;

AND WHEREAS, in terms of Clause 7(d) of notification no. 3014-WT/6M-13/2004 (Pt-I) dated 19th July, 2005 taxes are totally exempted for the ambulances / mobile clinics owned by, inter alia Ramkrishna Mission and its brother / sister organizations;

AND WHEREAS, the said organization has submitted relevant documents indicating that both Sri Sarada Math & Ramkrishna Sarada Mission are the sister institutions of Ramkrishna Math and Mission;

NOW THEREFORE, in exercise of the powers conferred by Section 21 of the West Bengal Motor Vehicles Tax Act, 1979 (West Ben. Act IX of 1979) read with sub-section 3 of section 3 of the West Bengal Additional Tax & One Time Tax on Motor Vehicles Act, 1989, the Governor is pleased to direct that clause (10) of the Notification No. 7964-WT/6M-37/89 dated 07th July, 1989 be substituted by the following clause::

"(10) motor vehicles of the Ram Krishna Mission and its brother and sister organisation which includes Sarada Pith, Belur Math

and Mission, Sri Sarada Math and Ramakrishna Sarada Mission used in connection with the spreading of social education and used for other charitable purposes;"

By order of the Governor Sd/-

(M. Chatterjee)
Joint Secretary
to the Government of West Bengal

ORDERED THAT

ORDERED that the Notification be published in the *Official Gazette*.

Sd/-

(M. Chatterjee) Joint Secretary
to the Government of West Bengal

No. 1086/1 (1) - WT/6M-01/2017

Date: 22.03.2017

Copy along with a copy of the above Notification is forwarded to the Joint Secretary, Commerce & Industries Department, 4, Camac Street, Kolkata-700 016 with request to suitably advise the Superintendent, B.G. Press for publication of the Notification in the *Official Gazette*.

Sd/-

Joint Secretary
to the Government of West Bengal

No. 1086/1(1)/2(1) -WT/6M-01/2017

Date : 22.03.2017

Copy with a copy of the above Notification is forwarded to the Superintendent, West Bengal Government Press, 38, Gopal Nagar Road, Alipore, Kolkata- 700 027 with the request to publish this Notification in the Kolkata Gazette Extraordinary and send 20 (twenty) copies of the same to this Department for official use.

Sd/-

Joint Secretary
to the Government of West Bengal

(iv) for rule 81, the following rule shall be substituted, namely:-

"81. **Fees**.-The fees which shall be charged under the provisions of this Chapter shall be as specified in the Table below:

Provided that the States may levy additional amounts to cover the cost of automation and technology utilized for conducting the testing or providing value added services.

TABLE

Sl No	Purpose	Amount	Rule	Section
(1)	(2)	(3)	(4)	(5)
1.	Grant or renewal of trade certificate in respect of each class of vehicle:		34(1)	
	(a) Motorcycle	Five hundred rupees		
	(b) Invalid Carriage	Five hundred rupees		
	(c) Others	One thousand rupees		
2.	Duplicate trade certificate:		38(1)	
	(a) Motorcycle	Three hundred rupees		
	(b) Invalid Carriage	Three hundred rupees		
	(c) Others	Five hundred rupees		
3.	Appeal under rule 46	One thousand rupees	46(1)	
4.	Issue or renewal of certificate of registration and assignment of new registration mark:		47(1)	
	(a) Invalid Carriage		52(1)	
	(b) Motor cycle	Fifty rupees	54(1)	
	(c) Three wheeler/Quadricycle/Light Motor Vehicles:	Three hundred rupees	76(1)	
	i) Non transport;	Six hundred rupees	and	
	ii) Transport	One thousand rupees	78(1)	

(ii) in rule 14, in sub-rule (1), for clause (b), the following clause shall be substituted, namely:-

“(b) appropriate fee as specified in rule 32, for the test, or the subsequent test, as the case may be, of competence to drive for each class and for issue of licence;”;

(iii) for rule 32, the following rule shall be substituted, namely:-

32. Fees.—The fees which shall be charged under the provisions of this Chapter shall be as specified in the table below:

Provided that the States may levy additional amounts to cover the cost of automation and technology utilised for conducting the testing or providing value added services.

TABLE

Sl. No.	Purpose	Amount	Rule	Section
(1)	(2)	(3)	(4)	(5)
1.	Issue of learner's licence in Form 3 for each class of vehicle	One hundred and fifty rupees	10	8
2.	Learner's licence test fee or repeat test fee, as the case may be	Fifty rupees		27(q)
3.	For test, or repeat test, as the case may be, of competence to drive (for each class of vehicle)	Three hundred rupees	14 (1)(b)	9
4.	Issue of a driving licence	Two hundred rupees	14 (1)(b)	9
5.	Issue of International Driving Permit	One thousand rupees	14(2)(b)	9
6.	Addition of another class of vehicle to driving licence	Five hundred rupees	17(1)(d)	11
7.	Endorsement or renewal of authorisation for vehicle carrying hazardous goods	One hundred rupees	9	27(q)
8.	Renewal of driving licence	Two hundred rupees	18(1)(a)	15
9.	Renewal of a driving licence for which application is made after the grace period	Three hundred rupees. Note:- Additional fee at the rate of one thousand rupees for delay of each year or part thereof reckoned from the date of expiry of the grace period shall be levied.		15
10.	Issue or renewal of licence to a school or establishment for imparting instructions in driving	Ten thousand rupees	24(2)	12
11.	Issue of duplicate licence to a school or establishment for imparting instructions in driving	Five thousand rupees	26(2)	12
12.	An appeal against the orders of licensing authority referred to in rule 29	Five hundred rupees	30(1)	17
13.	Any application for change in address or any other particulars recorded in the driving licence e.g. address etc.	Two hundred rupees		27(q)

Note. 1. Where a Smartcard Type driving licence is issued in Form 7, an additional fee of two hundred rupees shall be levied.

2. The fees specified at serial numbers 1, 2 and 3 of the Table above shall be paid collectively at the time of submission of application for issue of learner's licence or driving licence or for endorsement of another class of vehicle, as the case may be.”;

Copy forwarded for information and necessary action to:

1. The Director, Transport Directorate, Parbahan Bhawan-II, Kasba
2. The Director, Transport Directorate, Parbahan Bhawan-II, Kasba
3. The District Magistrate (All).....
4. The Sub-Divisional Officers (All).....
5. The R.T.O. / A.R.T.O. (All).....
6. Shri Tamal Das, Nodal Officer, Transport Department - with a request to extend necessary cooperation in uploading the Notification in the website of the Transport Department.
7. The General Secretary, Sri Sarada Math & Ramakrishna Sarada Mission, Dakshineswar, Kolkata-76
8. The PS. to the MIC, Transport Department, Government of West Bengal
9. The Sr. Personal Secretary to the Principal Secretary, Transport Department, Government of West Bengal.

Sd/-

Joint Secretary
to the Government of West Bengal



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड ३—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. ८९४]

नई दिल्ली, वृहस्पतिवार, दिसम्बर २९, २०१६/पौष ८, १९३८

No. ८९४]

NEW DELHI, THURSDAY, DECEMBER 29, 2016/PAUSA ८, १९३८

सड़क परिवहन और राजमार्ग मंत्रालय

अधिसूचना

नई दिल्ली, २९ दिसम्बर, २०१६

सा.का.नि. ११८३(अ).—केन्द्रीय मोटर यान नियम, १९८९ का और संशोधन करने के लिए प्रारूप नियम जिसे भारत सरकार के सड़क परिवहन और राजमार्ग मंत्रालय की अधिसूचना सं. सा.का.नि. ७४४(अ) तारीख २८ जुलाई, २०१६ द्वारा मोटर यान अधिनियम, १९८८ (१९८८ का ५९) की धारा २१२ की उप-धारा (१) की अपेक्षातुमार उन सभी व्यक्तियों से जिनके उनसे प्रभावित होने की संभावना थीं, प्रारूप नियमों से युक्त उक्त अधिसूचना की प्रतियां जनता को उपलब्ध करा दी गई थीं, तीस दिन की अवधि के समाप्ति से पहले आधेप और सुझाव आमंत्रित करते हुए प्रकाशित किए गए थे;

और उक्त राजपत्र अधिसूचना की प्रतियां तारीख २८ जुलाई, २०१६ को जनता को उपलब्ध करा दी गई थीं;

और उक्त प्रारूप नियमों की वारत जनता से कोई आधेप और सुझाव प्राप्त नहीं हुए हैं;

अतः, अब, केन्द्रीय सरकार, मोटर यान अधिनियम, १९८८ (१९८८ का ५९) की धारा ११० की उपधारा (१) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय मोटर यान नियम, १९८९ का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:-

१. (१) इन नियमों का संक्षिप्त नाम केन्द्रीय मोटर यान (२२वाँ संशोधन) नियम, २०१६ है।

(२) ये राजपत्र में उनके प्रकाशन की तारीख को प्रदृश्य होंगे।

२. केन्द्रीय मोटर यान नियम, १९८९ में,—

(i) नियम ९ में, उपनियम (२) में “नियम ३२ की सारणी की क्रम संख्या ८ में यथानिर्दिष्ट” शब्दों, अशरों और अंकों के स्थान पर “नियम ३२ की सारणी में यथानिर्दिष्ट” शब्द और अंक रखे जाएंगे;

(ii) नियम १४ के उपनियम (१) में खंड (ब) के स्थान पर निम्नलिखित खंड रखा जाएगा, अर्थात्:—

“(ब) यथास्थिति, परीक्षण या पश्चातवर्ती परीक्षण नियम ३२ में प्रत्येक वर्ष को चलाने के लिए और अनुबन्ध जारी करने के लिए यथानिर्दिष्ट समूचित कीस;”;

NOTIFICATION

New Delhi, the 29th December, 2016

G.S.R. 1183(E).—Whereas, the draft rules further to amend the Central Motor Vehicles Rules, 1989 were published, as required by sub-section (1) of Section 212 of the Motor Vehicles Act, 1988 (59 of 1988), vide notification of the Government of India in the Ministry of Road Transport and Highways number G.S.R. 744(E), dated the 28th July, 2016, in the Gazette of India, Extraordinary, Part II, Section (3), Sub-section (i), inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of thirty days from the date on which copies of the said notification containing the draft rules were made available to the public;

And whereas, copies of the said Gazette notification were made available to the public on the 28th July, 2016;

And whereas, no objections and suggestions were received from the public in respect of the said draft rules.

Now, therefore, in exercise of the powers conferred by section 110 of the Motor Vehicles Act, 1988 (59 of 1988), the Central Government hereby makes the following rules further to amend the Central Motor Vehicles Rules, 1989, namely:

- (1) These rules may be called the Central Motor Vehicles (Twenty-second Amendment) Rules, 2016.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Central Motor Vehicles Rules, 1989,-
 - (i) in rule 9, in sub-rule (2), for the words, letters and figures “as is referred to in Sl.No.8 of the Table to rule 32”, the words and figures “as specified in the Table in rule 32” shall be substituted;

7.	Change of residence	Half of the fee mentioned against Serial No.4. Note: In case of delay in submitting 'No Objection Certificate' for change of residence, an additional fee of rupees three hundred for delay of each month or part thereof in case of motor cycles and five hundred rupees for each month of delay or part thereof for other vehicles shall be levied.	59	
8.	Recording alteration in the certificate of registration	Half of the fee mentioned against Serial No.4		
9.	Endorsing hire purchase/lease/hypothecation agreement-		60	
	(a) Motorcycle	Five hundred rupees		
	(b) Three wheeler/quadricycle/light motor vehicle	One thousand and five hundred rupees		
	(c) Medium or heavy vehicle	Three thousand rupees		
	Note: No separate fee will be levied for cancellation of lease, etc, or for issue of fresh Certificate of Registration thereafter.			
10.	Conducting test of a vehicle for grant or renewal of certificate of fitness		62(2)	
	(a) Motorcycle	(i) Manual: Two hundred rupees (ii) Automated: Four hundred rupees		
	(b) Three wheeled or light motor vehicle or quadricycle	(i) Manual : Four hundred rupees (ii) Automated: Six hundred rupees		
	(c) Medium or heavy motor vehicle	(i) Manual: Six hundred rupees (ii) Automated: One thousand rupees		
11.	Grant or renewal of certificate of fitness for motor vehicle	Two hundred rupees. Note: Additional fee of fifty rupees for each day of delay after expiry of certificate of fitness shall be levied.	62(2)	
12.	Grant or renewal of letter of authority	Fifteen thousand rupees	63(2)(a)	
13.	Issue of duplicate letter of authority	Seven thousand and five hundred rupees	66(2)	
14.	Appeal under rule 70	Three thousand rupees	71(1)	

15.	Any application not covered under entries at Serial Nos. 1 to 14 above	Two hundred rupees		64(p)
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Note 1: For the removal of doubts, it is hereby clarified that medium passenger motor vehicles, heavy goods vehicles, imported motor vehicles or any other vehicles not mentioned against Serial No.4 of the above Table include both transport and non-transport vehicles.

Note 2: Where the certificate of registration issued is in the form of any Smart Card Type, an additional fee of rupees two hundred shall be charged *except* in the case of issue of fresh certificate of registration after cancellation of hire purchase or lease or hypothecation agreement".

[No. RT-11017/12/2013-MVL]

ABHAY DAMLE, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i) vide notification number G.S.R. 590(E), dated the 2nd June, 1989 and last amended vide notification number G.S.R. 1096(E), dated the 28th November, 2016.

Nishok
Kumar Paria



**GOVERNMENT OF WEST BENGAL
TRANSPORT DEPARTMENT
12. R. N. MUKHERJEE ROADi KOLKATA-700001**

No: 2367(42)-VVT/3M - 56/2013

From: Principal Secretary
to the Government of West Bengal

Dated: 20.06.2016

To: 1. District Magistrate (All)
2. Commissioner of Police, Kolkata / Howrah / Bidhannagar / Barrackpore
3. Superintendent of Police (All)

Sub: Decision of High Power Committee - reg. existing TOTO and VANO

Sir,

In the meeting of the High Power Committee, constituted by the Hon'ble Division Bench of High Court, Kolkata, it has been decided that the State Government will not encourage or allow any further influx of TOTOS (battery- operated rickshaws) and VANOs (fuel- engine driven vans), which are not recognized and registered under Motor Vehicles Act. 1988 and rules made thereunder. It has also been decided that the existing TOTOS and VANOs would be identified and listed by B.D.O.s of Blocks or E.O.s of Municipalities or Corporations, as the case may be, with the help of Police.

You are requested to kindly take necessary actions immediately to comply with the decision of High Power Committee.

MIC, Transport will shortly address you in a video-conference mode on the subject mentioned above as well as on the overloading issue.

(Alapan Bandyopadhyay)
Principal Secretary



**GOVERNMENT OF WEST BENGAL
TRANSPORT DEPARTMENT
12. R. N. MUKHERJEE ROADi KOLKATA-700001**

Memo no. 1233-WT /3M-38/2013

Dated:30/03/2017

To,
District Magistrates (All).

Sub: Compliance of order dated 29/03/2017 of Honourable Supreme Court on registration of vehicles - matter regarding.

Sir,

I am directed to send you the copy of the order of the Honourable Supreme Court of India dated 29/03/2017 in W. P. (Civil) No. 13029/1985 in the matter of M. C. Mehta-vs-Union of India. I am further directed to request you to forward this to all concerned in your District and ensure strict compliance of the order positively.

Yours faithfully,

Joint Secretary
to the Government of West Bengal

Memo no.1233/1(80)-WT/3M-38/2013

Dated:30/03/2017

Copy forwarded for information and necessary actions to:

1. Director, Transport Directorate.
2. Secretary, STA, WB.
3. Sub-Divisional Officers (All).
4. PS to Honourable MIC, Transport Department, Government of West Bengal.
5. Regional Transport Officers (All).
6. Additional Regional Transport Officers (All).
7. Sr. PA to Principal Secretary, Transport Department, Govt. of West Bengal.
8. PA to Additional Secretary, Transport Department, Govt. of West Bengal.

Joint Secretary
to the Government of West Bengal

M.C.MEHTA ...PETITIONER(s)
VERSUS ... RESPONDENT(s)
UNION OF INDIA & ORS.

ORDER

We have heard the learned Solicitor General, learned *Amicus curiae*, learned counsel for the interveners who are manufacturers of vehicles (two wheelers, three wheelers, four wheelers and commercial vehicles for short referred to as 'such vehicles') and learned counsel for the association of dealers of such vehicles.

The seminal issue in these applications is whether the sale and registration and therefore the commercial interests of manufacturers and dealers of such vehicles that do not meet the Bharat Stage-IV (for short 'BS-IV') emission standards as on 1st April, 2017 takes primacy over the health hazard due to increased air pollution of millions of our country men and women. The answer is quite obvious.

The controversy relates to the sale and registration (on and after 1st April, 2017) of such vehicles lying in stock with the manufacturers and dealers that meet the Bharat Stage III emission standards (for short BS-III standards) but do not meet the BS-IV emission standards.

Briefly, according to the manufacturers, they are entitled to manufacture such vehicles till 31st March, 2017 and they have done so. In so doing, they say that they have not violated any prohibition or any law. Hence, the sale and registration of such vehicles on and from 1st April, 2017 ought not to be prohibited. They say that they will not be manufacturing any vehicle that does not comply with the BS-IV emission standards from and after 1st April, 2017 and therefore the only issue is the sale and registration of the existing stock of such vehicles that comply with BS-III emission standards. They say that they may be given reasonable time to dispose of the existing stock of such vehicles.

On the other hand, according to the learned *Amicus*, permitting such vehicles to be sold or registered on or after 1st April, 2017 would constitute a health hazard to millions of our country men and women by adding to the air pollution levels in the country (which are already quite alarming). It is her submission that the manufacturers of such vehicles were fully aware, way back in 2010, that all vehicles would have to convert to BS-IV fuel on and from 1st April, 2017 and therefore, they had more than enough time to stop the production of BS-III compliant vehicles and switch over to the manufacture of BS-IV compliant vehicles. In fact, the major manufacturer of 4 wheeler vehicles, Maruti Suzuki had completely switched over to the manufacture of BS-IV compliant vehicles a few years ago. However, for reasons best known to manufacturers of such vehicles and entirely at their peril,

they did not make a complete switch (though a partial switch has been made) even though they had the technology and technical know-how to do so. Therefore, keeping the larger public interest in mind and the potential health hazard to millions of our country men and women due to increased air pollution, there is no justification for any of the manufacturers not shifting to the manufacture of BS-IV compliant vehicles well before 1st April, 2017.

It has been brought to our notice that on 5th January, 2016 the learned Solicitor General on behalf of the Government of India had submitted before this Court that requisite quality fuel for BS-IV compliant vehicles would be available (all over the country) with effect from 1st April, 2017.¹ This was confirmed and reiterated by the learned Solicitor General during the course of hearing and he stated that now from 1st April, 2017 requisite quality fuel for BS-IV compliant vehicles would be available all over the country. He also pointed out that the refineries of the Government of India had incurred an expenditure of about Rs.30,000 crores for producing



**GOVERNMENT OF WEST BENGAL
TRANSPORT DEPARTMENT
PARIBAHAN BHAWAN
12. R. N. MUKHERJEE ROADi KOLKATA-700001**

No. 3368-WT/6M-09/2005

Date-24.07.2017

NOTIFICATION

In continuation of the Notification No. 4281-WT/6M-02/2005 dated 15.09.2006 and in partial modification of the Notification No. 3048-WT/6M-02/2005 dated 20.07.2005, the Governor has been pleased to direct that payment on account of refund of motor vehicle tax shall be made with prior concurrence of the Officer, not below the rank of Joint Director, Transport Directorate, of the respective zones, subject to a limit of Rs. 40,000/- . Payment on account of such refund of tax exceeding Rs. 40,000/- shall be made with prior concurrence of the Transport Department, Government of West Bengal only and in all such cases the relevant papers will have to be sent to the Transport Department, Government of West Bengal for each such case by the concerned Taxing Officer along with assessment of refundable amount and recommendation of the Officer, not below the rank of Joint Director, Transport Directorate, of the respective zones. The recommendations will have to be routed through the Director, Transport.

2. This order is issued with the concurrence of the Finance Department vide their U.O. No. 0083 dated 03.07.2017, Group-R.

By order of the Governor,

(B. Dutta)
Special Secretary to the Govt. of West Bengal

ORDER

Ordered that the notification be published in the *official gazette Extraordinary*.

Special Secretary to the Govt. of West Bengal

No. 3368/1(1)-WT

Date-24.07.2017

Copy with the copy of the above Notification forwarded to the Superintendent, Bengal Government Press, 38, Gopal Nagar Road, Kolkata-700027, with request to publish the Notification in the *Official Gazette Extraordinary* and send 20 (twenty) copies of the same to this Department for official use.

Special Secretary to the Govt. of West Bengal

No. 3368/2(80)-WT

Date-24.07.2017

Copy forwarded for information and necessary action to :

- (1) Director, Transport
- (2) District Magistrate (all)
- (3) Addi. Director, Transport, Kolkata Zone
- (4) RTO / ARTO (all)
- (5) P.S. to M.1.C, Transport Department
- (6) Sr. P.S. to Principal Secretary, Transport Department

Special Secretary to the Govt. of West Bengal



**GOVERNMENT OF WEST BENGAL
TRANSPORT DEPARTMENT
PARIBAHAN BHAWAN**

12. R. N. MUKHERJEE ROADi KOLKATA-700001

No: 4785-WT/3M-27 /2017

Dated: 09.11.2017

WHEREAS a number of vehicles [both transport (taxi, truck, bus etc) and non-transport (two-wheelers, cars etc)] registered in the adjoining or other States regularly enter into this State for temporary use (some of which are then kept for use in this State for indefinite period without following the provisions of law);

AND WHEREAS in terms of section 4(2)(b) of WBMV Tax Act, 1979 and provision of Section 3(1) of WBAT & OTT on MV Act, 1989 any motor vehicle registered in any other State and used or kept for use in West Bengal is liable to pay tax and additional tax for the period of its stay in this State;

AND WHEREAS the non-transport vehicles of other states are, as a matter of practice, not usually intercepted or checked during M.V. Enforcement Raids or at the static M. V. Check-posts at the borders and as a result this State is losing not only revenue as tax due from those vehicles, but also in terms of administration and control over those vehicles in absence of their data and movement particulars which is deemed to be very important enough from the security point of view in the present scenario;

AND WHEREAS reckless use and racing and negligent driving of such vehicles, especially the two-wheelers, on the roads of this State contribute to the growth in number of accidents and fatalities in this State without giving much edge to the law enforcing authorities due to lack of proper data of such vehicles and riders in time;

Now, therefore, in view of the above facts and observations, the Governor is pleased to hereby direct that necessary actions, as noted below, are to be taken in order to check and regulate the illegal entry of non-transport vehicles from other states:

A. Checking of other state vehicles at entry point and realization of Tax:

- i) Necessary actions are to be taken at the M.V. Check-posts at the border to restrict illegal entry of non-transport vehicles including two-wheelers registered in other States and entering into this State.
- ii) For that purpose the documents of the vehicle, period and purpose of temporary visit declared by the owner in the Form annexed to this order are to be checked and scrutinized more thoroughly and records of the vehicles entering this State should be kept properly. It is also to be ascertained that period of

temporary visit should not exceed the period prescribed in the provision of Section 49 of M V Act, 1989.

- iii) Necessary actions are to be taken also to realize due tax on spot from such vehicles for the period of their proposed temporary stay in this State, as stated in the declaration of the owner as mentioned above, in terms of Section 4(2)(b) of WBMV Tax Act, 1979 and Section 3(1) of WBAT&OTT on MV Act, 1989.
- iv) Where there is no MV Check-post at the entry point, the owner of such vehicle is liable to pay due tax at the M.V. Office nearest to the entry point following similar procedures immediately after entry into this State and the concerned Taxing Officer shall take necessary actions to realize such tax early.
- v) The particulars of such vehicles are to be kept with date of entry and date of exit in a database created by the Transport Directorate particularly for this purpose. The database will be administered centrally by the Transport Directorate also.
- vi) Regular enforcement raids in districts are to be intensified with special purpose to detect use of such vehicles in this State without payment of tax at the entry point and immediate action is to be taken to realize tax in terms of section 4(2)(d) of WBMV Tax Act, 1979 and section 3(2)(e) & (ea) of WBAT&OTT on MV Act, 1989.

B. Procedures to effect 'Change of address' of owners of other state vehicles:

In case of any vehicle registered outside this State is brought to this State and used for longer period, the owner is to apply for registration of the same on change of address in this State in terms of Section 49 of MV Act, 1939 read with Rule 59 of CMV Rules, 1989 and such applications are to be disposed by RAs following Rule 53 of WBMV Rules, 1989. Also in terms of Section 4(2)(e) of WBMV Tax Act, 1979 the owner is to produce a convincing document regarding the arrival of the vehicle in West Bengal. Only the receipt of tax-payment at entry-point at the border is to be considered as such convincing document which clearly reflects the date of entry. For verification of date of entry and relevant vehicle particulars, every application for change of address of such vehicle is to be referred to the Transport Directorate for verification with the database.

By order of the Governor,

Sd/-

(B. Dutta)

Commissioner
Transport Department

No: 4785/1(136)

Dated: 09.11.2017
Copy forwarded for necessary information and taking necessary actions immediately to:

1. District Magistrate (All)
2. Sub-Divisional Officers (All)
3. Regional Transport Officer (All)
4. Additional Regional Transport Officer (All)

Sd/-
(B. Dutta)
Commissioner
Transport Department

No: 4785/1(1)

Dated: 09.11.2017

Copy forwarded for necessary information and taking necessary actions to:
1. Director, Transport Directorate, West Bengal. He is requested to take necessary action to develop the database referred in the order and the computer system to record the relevant information at the field level. He is also requested to monitor the actions taken.

(B. Dutta)
Commissioner
Transport Department

No:4785/2(2)

Dated: 09.11.2017

Copy forwarded for necessary information to:
1. P.S. to Minister-in-charge, Transport Department, Government of West Bengal.
2. Sr.P.S. to Additional Chief Secretary, Transport Department, Government West Bengal.

(B. Dutta)
Commissioner
Transport Department

ANNEXURE

Declaration for payment of tax of vehicles registered in other state and entering into West Bengal

1. Name of owner
2. Address of owner
3. Vehicle No.
4. Registering authority..... of.....State)
5. Type of vehicle
6. Engine capacity/seats
7. Name of driver/in-charge of vehicle
8. Driving licence No.

I, Shri/Smt....., owner/driver/in-charge of the vehicle, described above, hereby declare that I am coming from (place) in (State) and I intend to enter into the jurisdiction of the state of West Bengal through the (M.V. Check-post)/ (NH/SH) in the district of with my aforesaid vehicle for a temporary visit for a period of week/weeks from this date i.e and want to visit (place) for personal/business reason.

Accordingly I intend to pay the tax of the vehicle for the aforesaid period at the rate prescribed by the Government of West Bengal and I also undertake to return to my home state within that period.

Date:
(Signature of owner/driver/in-charge of vehicle)

.....
(Mobile Phone No.)



**GOVERNMENT OF WEST BENGAL
TRANSPORT DEPARTMENT
PARIBAHAN BHAWAN
12. R. N. MUKHERJEE ROAD KOLKATA-700001**

No. 2730-WT/12E-29/2007

Date-21.06.2018

State Government has decided to adopt uniform format of '**Self Appraisal cum Annual Confidential Report**' for all Group-A employees of the State Government **w.e.f. 1st June, 2018** vide Finance Department Memorandum No. 2748-F(P2) dated 27th April, 2018.

Guidelines detailing the modalities for submission of on line Self Appraisal Report has been issued vide Finance Department Memorandum No. 2861-F(Y) dated 6th May, 2018.

Now, accordingly, the Governor is pleased to adopt the following procedure for Self Appraisal Report mechanism of Group-A Motor Vehicles Officers (i.e. ARIO, RTO & E.O. Assistant Director, Deputy Director and Joint Director) in partial modification of Memorandum No. 1537-WT dated 01.04.2004 :-

- a) **Mandatory submission of 'Self Appraisal Report' through HRMS** : It shall be mandatory w.e.f Appraisal Year 2017- 18 onwards to make submission of Self Appraisal Report through Self Appraisal Sub-Module of HRMS in terms of Memorandum Memorandum No. 2861-F(Y) dated 6th May, 2018.
- b) **Introductory provision** : The Group-A Motor Vehicles Officers, who have already submitted 'Self Appraisal Report' for the full period of the Appraisal year 2017-18, have to resubmit the same on line through Self Appraisal Sub-Module of HRMS. The online SAR for the Appraisal year 2017-18 in respect of Group-A Motor Vehicles Officers is available for submission in HRMS from 1st June, 2018 onwards. The period of on line submission of the SAR to respective Reporting Officers shall be up to 31" July, 2018.
- c) **Transitory provision** : The Annual Confidential Reports/Self Appraisal Reports pertaining to the period up to Appraisal year 2016-17 shall be continued to be accepted in the existing manner. In case the ACR/SAR for a part of the Appraisal Year 2017-18 has already been submitted by the Officer Reported Upon then that ACR/SAR shall be accepted by the Accepting Authority and a copy of the ACR/SAR shall be scanned & uploaded online in the Self Appraisal Sub-Module of HRMS by the Custodian in due course of time.
- d) **Submission of SAR i.r.o. the Motor Vehicles Officers posted on Deputation** : It shall be continued to be accepted in the existing manner. After acceptance of the same, a copy of

ACR/SAR thereafter shall be scanned & uploaded online in the Self Appraisal Sub-Module of HRMS by the Custodian in due course of time.

- e) **Custodian** : Special/Joint/Deputy/Assistant Secretary in charge of establishment matters of Motor Vehicles Officers, Transport Department shall be Custodian in terms of Memorandum No. 2861-F(Y) dated 6th May, 2018.
- f) **Nodal Officer** : Deputy/ Assistant Secretary in charge of establishment matters of Motor Vehicles Officers, Transport Department shall be Custodian in terms of Memorandum No. 2861-F(Y) dated 6th May, 2018.

This order will take immediate effect.
All concerned are hereby informed accordingly.

Additional Chief Secretary
to the Government of West Bengal

No. 2730/1(144)-WT/12E-29/2007

Date-21.06.2018

Copy forwarded for information and necessary action:

- (1) AG(A&E), WB, Treasury Buildings, Kolkata-1
- (2) Director of Treasuries & Accounts, West Bengal, 8, Lyons Range, Kolkata-1
- (3) Director, Transport Directorate
- (4) Additional Director, Transport Directorate, Kolkata Zone
- (5) Additional Director, Transport Directorate, North, South & Central Zone
- (6) District Magistrate (all)
- (7) SDO (all)
- (8) RTO & E.O. Assistant Director (all)
- (9) Additional Regional Transport Officer (all)
- (10) P.S. to Hon'ble MIC, Transport Department
- (11) Sr. P.S. to Additional Chief Secretary, Transport Department



**GOVERNMENT OF WEST BENGAL
TRANSPORT DEPARTMENT
PARIBAHAN BHAWAN
12. R. N. MUKHERJEE ROAD KOLKATA-700001**

No.: 3338-WT/3M-15/2016 Pt. I

Date-20.07.2018

From : Commissioner, Transport Department
To : Registering Authority (all)

Subject: Implementation of Advisory Circular No.2936-WT/3M-15/2016 Pt. I, dtd.28.06.2018 and matters regarding

Ref: Advisory Circular No.2936-WT/3M-15/2016 Pt. I,
dtd.28.06.2018

Sir,

In inviting a reference to the subject captioned above, I am directed to state that several representations have been received by this Department from various organizations / two wheeler dealers about difficulties faced for registration of the two wheelers sold on 28.06.2018 or before, but registration process could not be completed before issuance of the Advisory Circular No.2936-WT /3M- 15/2016 Pt.I dtd.28.06.2018.

After careful consideration of all the problems and all relevant aspects in this regard, I am further directed to convey that two wheelers sold before 28.06.2018 may be allowed for registration without following the procedures mentioned in the said circular provided the particular case/cases be approved by Director, Transport, Directorate, West Bengal.

You are, therefore, requested you to act accordingly .

Enclo : as above

Yours faithfully,

Commissioner, Transport Department

No. 3338/1(1)- WT

Date- 20.07.2018

Copy forwarded for information and taking necessary action to:

Director, Transport, Directorate, West Bengal

Commissioner, Transport Department

**GOVERNMENT OF WEST BENGAL
TRANSPORTDEPARTMENT
12, R. N. MUKHERJEE ROAD, KOLKATA-700001**

No: 2936(50)-WT/3M - 15/ 2016 Pt. I

Dated: 28.06.2018

To: Registering Authorities (All)

Advisory

Whereas in view of the directions of the Supreme Court Committee on Road Safety the State Government has taken several steps to reduce the numbers of road-accidents and resultant fatalities; and

Whereas the Transport Department has also decided to engage an expert institute to conduct a study on traffic congestion on different roads in the State for taking short term and long term policy decisions in order to ensure free flow of traffic and to reduce number of road accidents in the State; and

Whereas analysis of the available data of road-accidents of the State in last 3 years reveals that the number of accidents of motor-cycle/two-wheeler riders is ever increasing with maximum number of fatalities, a significant percentage of which are either minors or not holding any driving licences; and

Whereas from the statistics of new registration of vehicles it is clear that motor-cycle/two-wheeler constitutes the maximum (around 80%) of all categories of vehicles and the said percentage is ever increasing; and

Now, therefore, in order to check such indiscriminate registration of new two wheelers and their unauthorized use in the State, the Registering Authorities are advised to follow the methods of verification rigorously as detailed below before allowing submission of applications for registration of motor-cycles/two-wheelers within his jurisdiction:

- i. Proof of address of the proposed buyer shall invariably be verified with the documents prescribed in the CMV Rule, 1989.
- ii. The requirement under sub-rule (2) of Rule 53 of West Bengal Motor Vehicles Rules, 1989 shall be followed strictly.
- iii. In general the proposed buyer shall not be minor in age. However, in case of any minor, consent of the guardian will be required by ensuring physical appearance.
- iv. The proposed buyer, if not minor, must be holder of DL of two-wheeler class.

All the Registering Authorities are advised to direct the dealers of motor-cycles/two-wheelers under their jurisdictions to submit the

profiles of the proposed buyers of motor-cycles/two-wheelers with all necessary documents and to ensure presence of such proposed buyers before the Registering Authority for verification and approval of the profile before selling any motor-cycle/two-wheeler. The process of such verification and approval thereof is to be regularly monitored by Director, Transport Directorate, West Bengal.

The dealer shall sell any motor-cycle/two-wheeler only after profile of the proposed buyer has been approved by the Registering Authority and thus be entitled to apply for registration on-line only for those approved cases. The Registering Authority shall not allow, without permission of Director, Transport Directorate, West Bengal, any application for registration which was made by the dealer without approval of the profile by the Registering Authority.

This advisory may be followed until further order.

Commissioner

No: 2936-WT/1(3)

Dated: 28.06.2018

Copy forwarded for information and taking necessary actions to

1. Director General of Police, West Bengal
2. Commissioner of Police, Kolkata Police
3. Director, Transport Directorate, West Bengal

Commissioner

No: 2936 -WT/2(2)

Copy forwarded for information to

Dated: 28.06.2018

1. P.S. to Minister-in-Charge, Transport Department, Government of West Bengal
2. Sr. P.S. to Additional Chief Secretary, Transport Department, Government of West Bengal

Commissioner

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 8th March, 2019

S.O. 1215(E).—In exercise of the powers conferred by sub-section (4) of section 213 of the Motor Vehicles Act, 1988 (59 of 1988), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Road Transport and Highways published in the official Gazette *vide* number S.O. 443(E), dated the 12th June, 1989, namely:—

In the said notification, under the heading ‘Qualification’, for serial numbers 1 to 4 and the entries realting thereto, the following serial numbers and entries shall respectively, be substituted, namely:—

- “(i) 10th standard pass from any recognised Board; and
 - (ii) a diploma in Automobile Engineering (three year course);
- or
- a diploma in Mechanical Engineering (three year course), awarded by any institution recognised by the Central Government or State Government; and
 - (iii) holding a driving license authorising to drive motor cycle with gear and light motor vehicles.”.

[F.No. RT-11036/62/2018-MVL]
PRIYANK BHARTI, Jt. Secy.

Note : The principal notification was published in the Gazette of India, Extraordinary, Part II Section 3, Sub-Section (ii) *vide* S.O. 443(E), dated the 12th June, 1989.