GOVERNMENT OF PONDICHERRY

LEGISLATIVE ASSEMBLY SECRETARIAT

No. 4773/2002-LA/Legn.

Pondicherry, the 16th October 2002.

Under rule 140 of the Rules of Procedure and Conduct of Business of Pondicherry Legislative Assembly, the following bills, viz.,—

(a) The Salary, Allowances and Pension of Members of the Legislative Assembly (Pondicherry) Amendment Bill, 2002 (Bill No. 11 of 2002);

(b) The Pondicherry Motor Vehicles Taxation (Amendment) Bill, 2002 (Bill No. 12 of 2002),

which are introduced in the Legislative Assembly on 16th October, 2002 are published for general information.

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THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF THE LEGISLATIVE ASSEMBLY (PONDICHERRY) AMENDMENT BILL, 2002

(Bill No. 11 of 2002)

A BILL

further to amend the Salary, Allowances and Pension of Members of the Legislative Assembly (Pondicherry) Act, 1964.

Be it enacted by the Legislative Assembly of Pondicherry in the Fifty-third Year of the Republic of India as follows:

1. (1) This Act may be called the Salary, Allowances and Pension of Members of the Legislative Assembly (Pondicherry) Amendment Act, 2002.

(2) It shall come into force at once.

2. In the Salary, Allowances and Pension of Members of the Legislative Assembly (Pondicherry) Act, 1964, in sub-section (3) of section 3, for the words "rupees one thousand per mensem", the words "rupees five thousand and five hundred per mensem" shall be substituted.
STATEMENT OF OBJECTS AND REASONS

The Salary, Allowances and Pension of Members of the Legislative Assembly (Pondicherry) Act, 1964 was amended by Amendment Act, 1998 (Act No. 4 of 1999), whereby a new sub-section (3) under section 3 was inserted which provided for payment of secretarial allowance at Rs. 1,000 per mensem to each member of the Legislative Assembly with effect from 13th day of March 1997.

In July 1998 the Legislative Assembly of the National Capital Territory of Delhi amended "the Members of Legislative Assembly of the National Capital Territory of Delhi (Salaries, Allowances, Pension, etc.) Act, 1994, vide Delhi Act 8 of 1998 whereby the secretarial allowance payable to each Member was raised to Rs. 5,500 per mensem.

It is only on these lines it is proposed to enhance the quantum of the secretarial allowance payable to the Members of the Legislative Assembly, Pondicherry.

The Bill seeks to achieve the above objects.

N. RANGASAMY,
Chief Minister.

FINANCIAL MEMORANDUM

The proposal underlying the Bill will involve a recurring expenditure of Rs. 21,78,000 (Rupees twenty-one lakhs and seventy-eight thousand only) per annum approximately from the Consolidated Fund.

ADMINISTRATOR’S RECOMMENDATION UNDER SUB-SECTIONS (1) AND (3) OF SECTION 23 OF THE GOVERNMENT OF UNION TERRITORIES ACT, 1963

(A copy of the Letter No. H.12017/1/2001/CCD/SS1(2), dated 15–10–2002 from Thiru N. Rangasamy, Hon’ble Chief Minister to the Hon’ble Speaker, Legislative Assembly, Pondicherry.)

The Lieutenant-Governor of Pondicherry having been informed of the subject matter of the proposed Salary, Allowances and Pension of Members of the Legislative Assembly (Pondicherry) Amendment Bill, 2002 providing for enhancement of the quantum of secretarial allowance payable to the Members of the Legislative Assembly, Pondicherry at par with their counterparts in the National Capital Territory of Delhi, recommends under sub-sections (1) and (3) of section 23 of the Government of Union Territories Act, 1963, the introduction in and consideration by the Legislative Assembly of the said Bill.

M. SIVAPRAKASAM,
Secretary.
THE PONDICHERRY MOTOR VEHICLES TAXATION (AMENDMENT) BILL, 2002

(Bill No. 12 of 2002)

A B I L L

further to amend the Pondicherry Motor Vehicles Taxation Act, 1967.

BE it enacted by the Legislative Assembly of Pondicherry in the Fifty-third Year of the Republic of India as follows:

1. (1) This Act may be called the Pondicherry Motor Vehicles Taxation (Amendment) Act, 2002.

(2) It shall be deemed to have come into force on and from the 1st day of April, 2002.

2. In the Pondicherry Motor Vehicles Taxation Act, 1967,—

(A) in the Schedule I,

I. for sub-items (f) and (g) of item No. 1 and the entries relating thereto, the following shall be substituted, namely:

“(f) Goods Carriages exceeding 13,000 kgs. but not exceeding 15,000 kgs. in weight laden .. 1,800

Quarterly Tax Rs.
(g) Goods Carriages exceeding 15,000 kgs. in weight laden

Quarterly Tax
Rs.

1,800
(Plus Rs. 50 for every 250 kgs. of weight or part thereof in excess of 15,000 kgs. in weight laden)

II. for sub-item I(g) of item No. 2 and the entries relating thereto, the following shall be substituted, namely:

"I.(g) More than twenty-seven persons other than the driver, for every person other than the driver

300"

(h) Heavy Passenger Motor Vehicle having seating capacity not exceeding 54 persons, including the driver, for every person other than the driver considered as "Deluxe Contract Carriage"

550"

(i) Heavy Passenger Motor Vehicle having seating capacity not exceeding 54 persons, including the driver, for every person other than the driver considered as "Ordinary Contract Carriage"

350"
III. For sub-item II of item No. 2 and the entries relating thereto, the following shall be substituted, namely:

"II. Vehicles carrying more than five persons other than the driver and attendant classified as Tourist Vehicle permitted to ply under subsection (9) of section 88 of the Motor Vehicles Act, 1988 for every person permitted to carry other than the driver and the attendant .................. 750"; and

IV. For sub-item III of item No. 2 and the entries relating thereto, the following shall be substituted, namely:

"III.(a) Vehicles to carry more than twelve persons (other than the driver and conductor) and plying exclusively within the limits of the urban areas, for every person permitted to carry other than the driver and conductor ............... 125

(b) Vehicles to carry more than twelve persons (other than the driver and conductor) and plying exclusively within the limits of this Territory, for every person permitted to carry other than the driver and conductor ............... 250

Explanation: "Limits of this Territory" includes the distance covered in the enclaves of other States, if any, lying in between different commune panchayats of this Territory, if such distances covered in the enclaves in the aggregate on a particular route do not exceed 16 kms.

(c) Vehicles to carry more than twelve persons (other than the driver and conductor) and plying on the routes partly lying in this Territory and partly lying in other States, for every person permitted to carry, other than the driver and conductor —

(i) Ordinary Stage Carriage .. 340
(ii) Express Stage Carriage .. 350

Note: These will also include routes, the termini of which lying within the limits of this Territory by intervening distance of the enclaves of other States in the aggregate exceeding 16 kms.

The tax payable in respect of a reserve stage carriage or a bus shall be three-fourths of the maximum rates payable per passenger for any one of the regular stage carriages of the permit holder."
(B) In the Schedule II,

(i) for sub-item (f) under serial No. 3 and the entries relating thereto, the following shall be substituted, namely:--

"(f) Vehicle exceeding 13,000 kgs. but not exceeding 15,000 kgs. in weight laden ........ 320 960";

(ii) for sub-item (g) under serial No. 3 and the entries relating thereto, the following shall be substituted, namely:--

"(g) Vehicles exceeding 15,000 kgs. in weight laden ........ 320 960 (Plus* Plus*
Rs. 5 Rs.15 (*for every 250 kgs. in excess or part thereof)

(iii) for sub-item (d) under serial No. 5 and the entries relating thereto, the following shall be substituted, namely:--

Rates of taxes

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<th>For a period not exceeding seven days</th>
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320 960
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<td>For a period exceeding seven days but not exceeding thirty days</td>
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"(d) Vehicles permitted to ply solely as contract carriage (not being stage carriage plying as contract carriages) and to carry more than five persons (other than the driver) in respect of Light Motor Vehicles and Medium Motor Vehicles for every person (other than the driver) which the vehicle is permitted to carry... 40 120

(e) Heavy Passenger Motor Vehicles having seating capacity not exceeding 54 persons, including the driver, for every person other than the driver considered as "Deluxe Contract Carriage"... 75 225
Rates of taxes

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(f) Heavy Passenger Motor Vehicles having seating capacity exceeding 54 persons, including the driver, for every person other than the driver considered as "Ordinary Contract Carriage".

(iv) after serial No. 5 and the entries relating thereto, the following serial No. and the entries relating thereto shall be inserted, namely:

"5A. Vehicles carrying more than five persons other than the driver and conductor, classified as Tourist Vehicle permitted to ply under sub-section (9) of section 88 of the Motor Vehicles Act, 1988 for every person permitted to carry other than the driver and the attendant

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<td>300</td>
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STATEMENT OF OBJECTS AND REASONS

In order to mobilise the additional resources of revenue to this Administration and to rationalise the tax, it has been proposed to enhance quarterly tax in respect of Goods Carriages, Omni Buses, Tourist Vehicles, Stage Carriages and Contract Carriages.

2. Notifications were issued in G.O.Ms. No. 29/2002 (Tr.), dated 24th May 2002 and G.O.Ms. No. 31/2002 (Tr.), dated 24th May, 2002 of the Transport Department (Secretariat Wing), Pondicherry making amendments to Schedule I and Schedule II to the Pondicherry Motor Vehicles Taxation Act, 1967. Simultaneously notifications under sub-section (1) of section 20 and clause (c) of sub-section (1) of section 4 of the Pondicherry Motor Vehicles Taxation Act, 1967 were issued prescribing the revised rates of tax to be effective from the quarter commencing on and from 1st April, 2002 in G.O.Ms. No. 30/2002 (Tr.), dated 24th May, 2002 and G.O.Ms. No. 32/2002 (Tr.), dated 24th May, 2002 of the Transport Department (Secretariat Wing), Pondicherry. Necessary amendments to these effects have to be made to the principal Act.

3. This Bill seeks to achieve the above objects.

A. ELUMALAI,
Transport Minister.

ADMINISTRATOR'S RECOMMENDATION UNDER SUB-SECTION (1) OF SECTION 23 OF THE GOVERNMENT OF UNION TERRITORIES ACT, 1963

(Copy of the Letter No. I. 13011/2/2002(Tr.), dated 15–10–2002 from Thiru A. Elumalai, Hon’ble Transport Minister to the Hon’ble Speaker, Legislative Assembly, Pondicherry.)

The Lieutenant-Governor, Pondicherry having been informed of the subject matter of the proposed Pondicherry Motor Vehicles Taxation (Amendment) Bill, 2002, recommends under sub-section (1) of section 23 of the Government of Union Territories Act, 1963, the introduction in and consideration by the Legislative Assembly of the said Bill.

M. SIVAPRAKASAM,
Secretary.

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Directorate of Stationery and Printing
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