

The Delhi Municipal Corporation (Toll Tax) Bye-Laws, 2007

DELHI

India

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Rule

THE-DELHI-MUNICIPAL-CORPORATION-TOLL-TAX-BYE-LAWS-2007 of 2007

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The Delhi Municipal Corporation (Toll Tax) Bye-Laws, 2007Published vide Notification No. F. 13/22/99/UD/ 18312, dated 31st October, 2007, published in the Delhi Gazette, Extra., Pt. IV, dated 31st October, 2007.The following bye-laws to be called "The Delhi Municipal (Toll Tax) Bye-laws, 2007" for levy and collection of Toll Tax from the specified types/categories of commercial vehicles entering the National Capital Territory of Delhi, as framed by the Municipal Corporation of Delhi under entry (9) of List 'A' (bye-laws relating to taxation) below sub-section (1) of section 481, read with sections 113 and 483 of the Delhi Municipal Corporation Act, 1957 (66 of 1957) as amended by the Delhi Municipal Corporation (Amendment) Act, 1993 (67 of 1993), after previous publication and taking into consideration the objections and suggestions received in this behalf, and with the prior approval of the Government of National Capital Territory of Delhi, are hereby published as under, namely:

1. Short title and commencement.

(1)These bye-laws may be called the Delhi Municipal Corporation (Toll Tax) Bye-Laws, 2007.(2)They shall come into force on the [date] [Came into force on 31-10-2007.] of their publication in the Official Gazette.

2. Definitions.

(1)In these Bye-Laws, unless the context otherwise requires,(a)"Act" means the Delhi Municipal Corporation Act, 1957 (66 of 1957);(b)"commercial vehicle" means a vehicle registered as a "transport vehicle" under the Motor Vehicles Act, 1988 (59 of 1988) and includes in relation to a motor vehicle, a taxi, tempo, TATA 407, goods carrying three-wheeler, bus, truck, Nishan, TATA 709, Canter, six

wheels truck, ten wheels truck, fourteen and above wheels truck and allied commercial vehicle;(c)"toll tax" means the tax imposed on commercial vehicles entering Delhi.(2)Words and expressions appearing in these bye-laws but not defined, and defined in the Act, shall have the same meaning as assigned to them under the Act.

3. Vehicles liable to pay Toll Tax and Tax Rates.

(1)The Corporation shall levy toll tax on all commercial vehicles entering Delhi, except the following types of vehicles, namely:(a)Ambulance,(b)Fire Fighting vehicles,(c)Police Vehicles,(d)Government vehicles having Red and Amber lights,(e)Defence Vehicles, and(f)Hearses.(2)All such vehicles entering Delhi shall be liable to pay toll tax at such rates as specified by the Corporation from time to time, and published in the leading newspapers, but not exceeding those specified below, as per Corporation's Resolution No. 200 dated the 21st September, 2007:

Sl. No.	Type of Vehicles	Toll Tax per entry (Rs.)	Monthly Pass (Rs.)	Quarterly Pass (Rs.)
(1)	(2)	(3)	(4)	(5)
1.	Taxi, Tempo, Tata-407 and similar type of other commercial vehicles	100	3,000	9,000
2.	Bus, Truck-Nissan, Tata-709/Canter and similar type of other commercial vehicles	200	6,000	18,000
3.	6 Wheels Truck	400	12,000	36,000
4.	10 Wheels Truck	800	24,000	72,000
5.	14 and above Wheels Truck	2,000	60,000	1,80,000

4. Collection of Toll Tax.

(1)The Commissioner may deploy the personnel in such number and manner and on such routes as he may deem fit for the purpose of collection of toll tax, including deployment of checking squads for tax evaders.(2)The Commissioner, subject to his overall supervision, may allot the work of collection of toll tax of all or any of the Zones/routes to one or more private agencies by way of auction process or otherwise, and on such terms and conditions as may be decided by the Corporation:Provided that the collection of toll tax may also be given to private agencies on contract basis by adopting either or both the methods of collection, that is to say, tendering/ auctioning all or any number of toll tax posts on the basis of monthly/annual lump-sum payment to the Corporation or on the basis of payment of a per cent. of collection as collection charges to the agencies:Provided further that the private agencies shall allow entry of all vehicles possessing monthly and quarterly coupons in force already issued by the Corporation till the date of their expiry.

5. Construction of Booths and Barriers.

-The Commissioner may cause to construct collection booths/barriers and other installations as considered appropriate for collection of toll tax on such routes and in such manner as he may deem

fit. In case the collection of toll is made by the private contractors, the provision for the above shall be made by them at their own cost, as may be approved by the Commissioner.

6. Method of collection of Toll Tax.

(1)Where the collection is made by the Corporation itself directly by deploying its own personnel(a)the collection of toll tax shall be made by issuing of printed coupons (serial numbered) clearly specifying therein the category/type of commercial vehicles and the amount of toll tax to be levied:Provided that the registration number of the commercial vehicles and date of issue shall be written by hand by the toll tax personnel on duty, with his initials;(b)The counterfoil of such coupons shall be maintained and duly accounted for;(c)In addition to daily coupons, the Commissioner may issue monthly or quarterly coupons at such rates as prescribed by the Corporation from time to time and the drivers of the commercial vehicles shall show the coupons to the toll tax personnel/ checking squad while entering Delhi and entry of vehicle liable to pay toll tax shall be allowed only after satisfying that the dues of toll tax are fully paid;(d)The Commissioner may provide different colours to different types of coupons for easy identification and samples of such coupons may be displayed prominently at all the toll tax collection booths/posts.(2)The issue of daily coupons (in case the collection of toll is given on contract) shall be the responsibility of the contractor and not that of the Corporation. The contractor may be kept free to devise his own system of collection which shall be scrutinized /checked by the Commissioner or the officer /employee to whom delegation has been made by the Commissioner in this behalf in writing.

7. Prohibition of forcible or illegal entry.

-No commercial vehicle liable to pay toll tax shall forcibly enter Delhi either by breaking the toll tax barrier or any other entry or in violation of the instructions from toll tax personnel, as are employed for regulating the traffic in connection with the collection of toll tax, or in any manner or through any other route without making the payment of toll tax.

8. Recovery of damages caused to barriers or collection Booths or any other structures.

-Whosoever contravenes these bye-laws shall be liable to pay such damages as may be determined by the Commissioner, in addition to the toll tax and penalty as payable by him.

9. Penalty.

-Whosoever being the owner or driver in charge of the commercial vehicle liable to pay toll tax causes such vehicle to enter Delhi without payment of toll tax, payable from time to time shall be punishable with penalty equal to the amount five times of basic rate, per entry, prescribed for such type of vehicle, provided that the amount of penalty in one such violation shall not exceed five hundred rupees.

10. Impounding of vehicles.

-Unless and until the toll tax, penalty and damages, if any, in respect of any vehicle liable to pay the toll tax is paid, such vehicle shall be impounded by the Corporation and shall not be released till payment of all the dues of toll tax, penalty and also damages, is made in full.

11. Procedure for closing the transaction of the day and credit of daily proceed of Toll Tax.

(1)For the toll tax posts managed by the personnel of the Corporation at the time or times fixed for change of shift of duties, the barrier incharge shall,(i)have the progressive total of money received upto the said time taken upto the last counterfoil used in each book of coupons;(ii)have the entries in the charge register and handed over the same to his successor barrier in-charge along with;(a)total money collected with cash book;(b)counterfoil of used toll tax coupons; and(c)unused toll tax receipts and monthly/ quarterly coupons; and (iii) the barrier in-charge at 24 hours shall close the accounts for the day and prepare challan for depositing cash with toll tax cashier.(2)The collection of the toll tax from the toll tax posts managed by the private contractors shall be made in the manner specified in the terms and conditions of the contract.

12. Maintenance of Toll Tax Schedule and Bye-Laws at Toll Tax Posts.

(1)At every toll tax post, there shall be kept an uptodate and duly authenticated under-signature and seal of the Administrative Officer (Toll Tax), a copy of-(a)the Schedule of Taxes, and(b)the toll tax Bye-Laws.(2)It shall be the duty of the toll tax inspector to make documents mentioned in clause (1) available, on demand, against payment of such amount as may be prescribed from time to time by the Corporation, and which -I- 'l be generally printed or mentioned on such documents.