

Haryana Motor Transport Vehicles (Toll) Rules, 1990

HARYANA

India

Haryana Motor Transport Vehicles (Toll) Rules, 1990

Rule

HARYANA-MOTOR-TRANSPORT-VEHICLES-TOLL-RULES-1990 of 1990

- Published on 1 January 1990
- Commenced on 1 January 1990
- [This is the version of this document from 1 January 1990.]
- [Note: The original publication document is not available and this content could not be verified.]

Haryana Motor Transport Vehicles (Toll) Rules, 1990Published vide Notificaiton Haryana Gazette, (Extraordinary), Legislative Supplement, Part 3, dated December 28, 1990/Pausa 7, 1912Transport DepartmentNo. GSR 81/H.M.T.V.(T.)Ordinance/90/Cl. 13/90. - In exercise of the powers conferred by Clause 13 of the Haryana Motor Transport Vehicles (Toll) Rules, 1990, the Governor of Haryana hereby makes the following Rules, namely :-

1. Short title and commencement.

(1)These rules may be called the Haryana Motor Transport Vehicles (Toll) Rules, 1990.(2)These rules shall come into force on the 1st day of January, 1990.

2. Definitions.

- In these rules unless the context otherwise requires, -(a)"Form" means the form appended to these rules;(b)"Ordinance" means the Haryana Motor Transport Vehicles (Toll) Ordinance, 1990; and(c)"Clause" means a clause of the Ordinance.

3. Disposal of detained vehicle or any part or accessory thereof Clause 6(3).

(1)When the Toll Tax Officer takes action under sub-clause (2) of Clause 6, he shall prepare a detention order in Form I (in triplicate) and serve a copy of the order on the driver or any other person in charge of the motor transport vehicle and obtain his signatures on the third copy of the order.(2)The Toll Tax Officer may keep the motor transport vehicle or things detained in his custody for 24 hours and if during that period, toll and/or penalty is not paid, then the Toll Tax Officer shall send or cause the be sent the motor transport vehicle or things detained to the nearest police station

and may for that purpose require the driver to drive the vehicle.(3)One copy of the detention order shall be given by the Toll Tax Officer to the driver or any other person in-charge of the vehicle and the second copy shall be given to the police officer in whose custody the vehicle is given and the third copy retained by the Toll Tax Officer for his record.(4)The vehicle or things detained under sub-clause (2) of Clause 6 shall be released on payment of the toll and/or penalty and where the vehicle or things are in the custody of the police officer, a release order Form II shall be issued by the Toll Tax Officer and on receipt of the release order, the vehicle or things shall be released forthwith.(5)If after the period of 15 days from the date of detention, due toll and/or penalty is not paid, the vehicle or things detained may be disposed of by the Toll Tax Officer by public auction at the risk and expenses of the operator of the vehicle concerned and the sale proceeds shall be disbursed to the operator after deducting therefrom the amount of toll and/or penalty due along with the expenditure incurred on the auction.(6)The cash security shall be adjusted towards the penalty and the amount remaining in balance, if any, shall be returned to the operator.(7)All the Toll Tax Officers may check any vehicle plying in the State for the purpose of verifying whether toll has been paid or not.

4. Appellate Authority Clause 7(2).

- The appellate authority for the purpose of sub-clause (2) of Clause 7 shall be Joint State Transport Controller (Administration) under the Ordinance.

5. Manner of levy, payment and collection of toll Clause 8(1).

(1)The driver or the person incharge of the motor transport vehicle shall pay the toll in cash to the Toll Tax Officer at the barriers established for the collection of toll against proper receipt in Form III.(2)If the Toll Tax officer has reason to believe that a motor or transport vehicle has entered the limits of Haryana without payment of toll due, he may, at any time after giving due opportunity to the driver or person incharge of the motor transport vehicle of making a representation, levy a toll on such vehicle and realise the same.

6. Lump sum agreement Clause 9.

- Where an agreement to pay the toll in lump sum has been entered into in Form IV, such agreement together with endorsement showing the entries of payment of toll, duly authenticated by the Toll Tax Officer or the Incharge of barrier, shall be produced on demand by the Toll Tax Officer or the Incharge of barrier as the case may be. The calculations for lump sum will be made on the prevalent rate multiplied by the number of days for which the agreement is entered into. Form I Detention Officer (in triplicate) [Rule 3(1)]

No. _____ Dated _____

The driver of Vehicle No. _____ has failed to make payment of toll at the time of entry in the State of Haryana. He was given a reasonable opportunity to being heard in person to explain the reason for not depositing the toll. He has failed to explain the cogent reasons for not depositing the

toll. I am satisfied that he has committed breach of provisions of the Haryana Motors Transport Vehicles (Toll) Ordinance, 1990, and Rules made thereunder. I, therefore, detain the vehicle or any part or accessory _____ for the realisation of the toll.

Toll Tax Officer

Endorsement No.

Dated the

A copy to :-

1. The Owner/Driver of the vehicle.
2. Police Officer.
3. Office file.

Toll Tax Officer.

Form II Release Order [Rule 3(4)] Where the Vehicle No./accessory _____ was detained vide order No. _____ dated _____ for not making payment of toll. Since the said payment of toll has been realised from owner/driver of the vehicle, I, therefore, order of the release of the vehicle/accessory.

Toll Tax Officer

Endorsement No.

Dated the

A copy to :-

1. The Owner/Driver of the vehicle.
2. Police Officer.
3. Office file.

Toll Tax Officer.

Form III [Rule 5(1)] Book No. _____ Receipt No. _____ Date _____
Transport Department, Haryana Account Head :- 0041 - Taxes on Vehicles _____
Receipts under State Motor Vehicles Provision Act Token Tax. Received with thanks from Shri _____ a sum of Rs. _____ (in words) rupees _____ by cash _____ on account of toll (path-kar) in respect of vehicle No. _____ on its entry in Haryana State on _____.
Signature Officer Incharge, Barrier. Form IV Lump sum agreement (Rule 6) This agreement is made the _____ day of _____ in the year between the Toll Tax Officer or Incharge of the barrier on one part and Shri _____ the operator of vehicle No. _____ on the other part. Whereas the operator of the vehicle is desirous of making the payment of toll in lump sum amounting of Rs. _____ for the period _____ in advance.

Signature of

Toll Tax Officer/Incharge of barrier

Signature of Operator of vehicle No. _____