

## CHAPTER 2 PROFILE OF ORGANISATION

### 2.1-A. Deputy Regional Transport Office, Kolhapur.

The State Government has created a separate department since ( 1st April 1940), called Motor Vehicles Department under the Home Department. The head of the department is now the Transport Commissioner stationed at Bombay. The State is divided into 10 regions. In every Region there are 2 or 3 districts. The Regional Transport Officer ( R.T.O.) and the District Transport Officer is incharge of suboffice following authorities like registering, Licensing, Taxation., Permit etc. Under the head of the office there are executive staff and ministerial (clerical) staff.

Each office is further divided into functional units. Generally Regional Transport Office is having following sections, Motor Vehicles Registration section, Cash section, Motor Vehicles Permit section, Prosecution section, Vehicles Tax section etc. The head of the each section is responsible for the proper working of the section. He is also responsible for supervising, guiding, training and controlling staff allowed to the section and to help them in functioning efficiently as a team. He/she should see if any work in His/Her section is likely to fall in arrears due to any reason. The work is suitably distributed amongst, the other

assistants in his section. He/she is responsible for all arrears in His /Her section and is equipped to them to the notice of Gazetted Officer Inchange for taking suitable steps for the clearence of the arrears.

There is increase in the number of Motor Vehicles in Kolhapur District. The above number is gone above 1,00,000, due to increase in vehicles the work load on Motor Vehicles Department increased, but the staff of Regional Transport Office, Kolhapur remains same. So due to heavy load of work the man power required is more.

**1) Man Power :**

Man power and time is to be saved. To improve the efficiency and accuracy the Computerisation is the only alternative solution. The various reports / statistical reports were required for the Top Management for making decisons for planning and contorl of the Motor Vehicles department Activities.

To generate such reports is very tedious work.

Substationaly it requires a more time span.

It is very essential that these schedules are to be computerised. Computerisation saves time, man power and gives speedy and accurate result.

**2) Fast decision making :**

The decisions, planning and forecasting is generally done by the Top level management. The Managers have to depend on manually and normally collected information. In case of critical and important decision making the decisions may be delayed due to getting delayed results. Due to Computerisation this important problem is solved effectively.

Information and reports may be available whenever required.

**3) Information :**

Information created about each & every record permanently. Whenever in future required its possible to access the information.

## **2.1-B. Levy Of Tax**

Bombay Motor Vehicles Tax Act, 1958 was came into force from 1st April 1958. In the section 3(a) given in above Act on each vehicles the levy of tax is done. According to BMVT.Act section first maximum possible amount of revenue levied as per the norms are given.

The Government of Maharashtra State by circularates the notices within the norms of suggested in tax Act and as per the classification given in schedules the annual rate of tax fixes. All types of vehicles are taxable under certain classification as class A, class B & class C.

The levy of tax on the basis of sections is done on class "A".

### **section 1**

All two wheeler and ( side car) having two wheeler vehicles come under this class. Here tax is levied on the basis of empty weight of motor-vehicles.

### **section 2**

The vehicles used for handicapped ( Carrage) comes under this class. This type of vehicles is charged Rs. 5%

### **section 3**

In this subclass all types of goods carrier vehicles are considered. The tax is levied on basis of capacity of laden

weight. In section 4 in this subclass all public carrier come and vehicles based on hire, and on the basis of section (1) section (2) of BMVT the tax is levied.

**section 4**

In this sub class vehicles kept for hire or which used for travelling of passengers are considered. Based on the passenger seating capacity the tax is levied.

**section 5**

In this sub class all the Motor Vehicles which are under repair may be carried to the safe place. These carrying vehicles are covered in this class. Here tax is levied on the basis of unladen weight of vehicles.

**section 5 A)**

In this sub class all tractors, krains having Compressor and projector is kept on whichever vehicles and thorough which passanger or goods transport is not done, all these vehicles come under this section. Here tax is levied on unladen weight of motor vehicles.

**Section 6**

In this sub class all types Private Vehicles are considered. Eg. Motor car, Jeep, Station Vagan etc. On the basis of unladen weight of vehicles the tax is levied.

## **Section 7**

In this sub class all types of trailers come. The vehicles used for carrying passengers or carrying goods are covered. For passenger carrying vehicles class "A" area is given in section 4 and for goods carrying trailers class "A" is given and as per section 3 the tax is levied.

### **Class B**

All the subclasses of "A" come under this class. While tax calculating in this class 50 % extra tax is added here.

### **Class C**

The vehicles manufactured and kept for sale at distributors place come under this class.

## **2.1-C. AREA OF OPERATION :-**

The study is done regarding the Kolhapur Region only.

## 2.2.

### ROLE, GROWTH AND DEVELOPMENT

#### MOTOR VEHICLES TAX ACT

##### A BRIEF HISTORY :

In the year 1935 British Government constituted some zonal acts, among one of them is 1935 act, which is called as Bombay Motor Vehicles Tax Act, 1935. The basic purpose behind this act was to collect revenue for the building of new roads, to repair the existing ones and to maintain them, for this the act called motor vehicle tax act 1935 was brought into existence.

As due to needs of changing circumstances the required modifications were made in the Bombay Motor Vehicles (BMV) Tax Act, 1935 and it was amended in year 1958 as BMV Tax Act from 1st April 1958. According to BMV Tax Act 1958, the revenue is levied there onwards.

The changes and required modifications were made from time to time in BMV Tax Act, 1958.

### 2.3. FUNCTIONS AND ACTIVITIES OF THE MOTOR VEHICLES DEPARTMENT :

The Motor Vehicles Department of the State Government is constituted under section 133(A)(1) of the Motor Vehicles Act, 1939 for the enforcement of the provisions of that act and also for the administration of the various taxation laws pertaining to Motor Vehicles in the whole State.

Mainly there are two broad functions of the Motor Vehicles Department:

- a) Implementations of the provisions of the Motor Vehicles Act, 1939.
  - b) Revenue collection as per the provisions of the Bombay Motor Vehicles Tax Act, 1958 and the Bombay Motor Vehicles (Taxation of Passengers) Act, 1958.
- A) Implemematation of the Motor Vehicles Act, 1939 is a regulatory function. The main intention of the Motor Vehicles Act, 1939 can be broadly termed as "ensuring safety on the roads" in a little more detail the objectives to be achieved under this Motor Vehicles Act, 1939 are as follows:
- i) Controlling Motor Traffic
  - ii) Controlling Drivers
  - iii) Providing Cumpulsory 3rd party insurance



iv) Securing safety and convenience of Public

v) Development of a co-ordinated system of transport.

With a view to achieve the above objectives the Motor Vehicles Act, 1939 provides for issue of Learners licence, Issue and Renewal of Motor driving licence. Counter signature of public service vehicle authorization to drive public service vehicles. Issue and renewal of conductors licenees.

Registrations of Motor Vehicles, grant of certificate of Mechanical fitness of transport and Private service vehicles, control of transport by Issue of permits to various types of transport vehicles and taking departmentwise action and launching of prosecution for breach of various provisions of the Act and Rules.

B) Under the Bombay Motor Vehicles Tax Act 1958 and the rules framed there under tax is levied on all motor vehicles assessed and collected. It becomes necessary to levy tax, collect the tax, enter the tax collected in the appropriate ledger pertaining to the motor vehicles keep watch on defaulters, Issue demand notices on defaulters and finally recover tax. If necessary by following overview procedure. For this purpose a large number of clerical staff is utilised by the Motor Vehicles Department for maintenance of necessary ledger accounts known as cash balance review CBR in

the Motor Vehicles department.

### THE STORY OF THE FAMILY

The family word belongs to family called Motor Vehicles Department which is created under section 133(a)(1) of the Motor Vehicles Act, 1939 and were born on 1st March 1940. This is an Act of Parliament and is valid throughout India. The authority for making this Central Legislation can be found in Item 35 of list III (concurrent list) of the VIIth the schedule of the Indian constitution. If you open the constitution and check up entry 35 of list III you will find " Mechanically propelled vehicles including the principles on which taxes on such vehicles are to be levied ". Under this entry, the Motor vehicles act, 1939 has become valid legislation in independent India. You will notice from this entry that the Central Parliament also has powers to make a law on " The principles of taxation of mechanically propelled vehicles ". However till now Central Government has not made any such law.

The Bombay Motor Vehicles Tax Act, 1958 on the other hand is Act of Maharashtra Government which is valid within the State of Maharashtra. The State Legislations of Maharashtra has enacted this Act under the powers vested in it under entry 57 of list II (State List ) of the VIIth of the constitution similarly, the Bombay Motor vehicles ( notation of passengers ) Act, 1958 is

an act of the State Government valid only in Maharashtra.

**THE TAX RATES WERE REVISED.**

In respect of motor cars and transport vehicles in the production and availability of Motor Cycles, Scooters and other types of two wheeled motor vehicles and the new registration. Such vehicles was showing a higher power trend as compared to other vehicles. The total number of such vehicles registered in the State as on 1st Jan 1987 was 10,36,200, and this number increased in the past at the rate of about 30 percent every year. The collection of yearly tax from motor vehicles requires lot of manpower. The amount of tax which is being collected from motor cycles and other two wheeled Motor Vehicles and Tricycles is dis-proportionate to the administrative cost. It is estimated that out of the total vehicles population in the State approximately 56 percent, were the Motor Cycles. Other two wheeler motor vehicles and tricycles. The tax collected from such vehicles was only 6.4 percent. It was therefore considered expedient to levy one time tax on Motor Cycles and Tricycles at the time of registration, for the life of such vehicles. If such one time tax was levied and collected for the motor cycles and tricycles at the time of registration, it would reduce considerably the tax collection work and would also give the Government lumpsum revenue.

The staff of the Motor Vehicles Department which devoted considerable amount of time in collection of tax. They could give attention to other important work. This would also reduce the repeated visits of the owners of these Vehicles to the Motor Vehicles Department every year.

The BMVT Act, 1958 has been recently amended by the Bombay Motor Vehicles Tax (Second Amendment) Act, 1987 ( Maharashtra Act. No. XIV of 1987) suitably for levy and collection of one time tax for the life time of Motor Cycle and Tricycles. The amendment so made provide inter alia for refund of tax in case of removal of the Motorcycles or Tricycle to any other State on transfer of Ownership or change of address or cancellation of registration of Motor Cycles, or any other reason.