रजिस्ट्री सं० डी० 221 REGISTERED No. D. 221

भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 18] नई दिल्ली, शनिवार, फरवरी 1, 1969/माघ 12, 1890

No. 18] NEW DELHI, SATURDAY, FEBRUARY 1, 1969/MAGHA 12, 1890

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF HOME AFFAIRS

NOTIFICATIONS

New Delhi, the 1st February 1969

G.S.R. 253.—In exercise of the powers conferred by section 87 of the Punjab Reorganisation Act, 1966 (31 of 1966), the Central Government hereby extends to the Union territory of Chandigarh, the enactments specified in column (1) of the Schedule hereto annexed, as at present in force in the State of Haryana, subject to the modifications specified in the corresponding entries in column (2) of the said Schedule.

THE SCHEDULE

Enactment	Modifications
(1)	(2)
1. The Punjab Passengers and Goods Taxation (Haryana Amendment) Act, 1967 (Haryana Act No. 7 of 1967).	1. In section 2, for the words, figures, and brackets "In section 6 of the Punjab Passengers and Goods Taxation Act, 1952 (hereinafter referred to as the Principal Act)", the words, figures and brackets "In section 6 of the Punjab Passengers and Goods Taxation

(1)	(2)
	Act, 1952, as in force in the Union territory of Chandigarh (hereinafter referred to as the principal Act)" shall be substituted.
	2. In section 6, in sub-section (1) of the section which is directed to be substituted for section 15 of the principal Act, for the words "State Government", the words "Central Government" shall be substituted.
2. The Punjab Passengers and Goods Taxation (Haryana Second Amendment) Act, 1967 (President's Act No. 11 of 1967).	1. In section 2,—
	(a) for the words, figures and brackets "In section 3 of the Punjab Passengers and Goods Taxation Act, 1952 (hereinafter referred to as the principal Act)", the words, figures and brackets "In section 3 of the Punjab Passengers and Goods Taxation Act, 1952, as in force in the Union territory of Chandigarh (hereinafter referred to as the principal Act)" shall be substituted ; and
	(b) in the sub-section which is directed, by clause (ii), to be substituted for sub-section (3) of section 3 of the principal Act, for the *Explanation*, the following Explanation shall be substituted, namely :—
	"*Explanation* :—For the purposes of this sub-section, "joint route" means a route which lies partly in the Union territory of Chandigarh and partly in any other Union territory or State."
	2. Section 3 shall be omitted.

ANNEXURE I

THE PUNJAB PASSENGERS AND GOODS TAXATION (HARYANA AMENDMENT) ACT, 1967 AS EXTENDED TO THE UNION TERRITORY OF CHANDIGARH

HARYANA ACT NO. 7 OF 1967

An Act to amend the Punjab Passengers and Goods Taxation Act, 1952.

Be it enacted by the Legislature of the State of Haryana in the Eighteenth Year of the Republic of India as follows : —

1. **Short title.**—This Act may be called the Punjab Passengers and Goods Taxation (Haryana Amendment) Act, 1967.

2. **Amendment of section 6 of Punjab Act 16 of 1952.**—In section 6 of the Punjab Passengers and Goods Taxation Act 1952, as in force in the Union territory of Chandigarh (hereinafter referred to as the principal Act), sub-sections (2) and (3) shall be omitted.

3. **Amendment of section 13 of Punjab Act 16 of 1952.**—In section 13 of the principal Act, in sub-section (5), for the words "for a prosecution", the words "for the purpose of any proceedings under this Act" shall be substituted.

4. **Substitution of section 13A of Punjab Act 16 of 1952.**—For section 13A of the principal Act, the following section shall be substituted, namely :—

Impounding of licence, etc.

"13A. (1) The prescribed authority may, if he has reason to believe that the driver or conductor of a motor vehicle has contravened any provision of this Act or the rules made thereunder or any order or direction made or given thereunder, seize any

licence held by such driver or conductor, or any other document relating to the vehicle in their possession, which in the opinion of the prescribed authority will be useful for, or relevant to any proceeding under section 14A and forward the same to the Excise and Taxation Officer, concerned

(2) The prescribed authority seizing the licence or other document under sub-section (1) shall give to the person surrendering the same a temporary acknowledgment therefor and such acknowledgment shall have effect, until the licence or other document is returned to the driver or conductor, as the case may be, as if the same had not been seized.'

5. **Insertion of new section 14A in Punjab Act 16 of 1952.**—After section 14 of the principal Act, the following section shall be inserted namely :—

"14A (1) Whoever contravenes, or fails to comply with any of provisions of this Act or the rules made thereunder or any order or direction made or given thereunder, shall, if no other penalty is provided under this Act for such contravention or failure, be liable to imposition of a penalty not exceeding five hundred rupees.

Penalty.

(2) An officer of the rank of Excise and Taxation Officer appointed under sub-section (1) of section 7 may, after affording to the person concerned a reasonable opportunity of being heard, impose the penalty specified in sub-section (1)."

6. **Amendment of section 15 of Punjab Act 16 of 1952.**—For section 15 of the principal Act, the following section shall be substituted, namely :—

"15 (1) An appeal shall lie to the appellate authority appointed by the Central Government in this behalf, against any original order passed under this Act within sixty days of the passing of such order or within such further period as the appellate authority may, for sufficient cause, allow.

Appeals.

(2) Save as provided in section 16, an order passed by the appellate authority shall be final."

7. **Omission of sections 17 and 18 of Punjab Act 16 of 1952.**—Sections 17 and 18 of the principal Act shall be omitted

8. **Amendment of section 22 of Punjab Act 16 of 1952.**—In section 22 of the principal Act in sub-section (2), for clauses (d) and (f), the following clauses shall respectively be substituted, namely :—

"(d) prescribing the manner and payment of tax and penalty assessed and imposed under this Act;

(f) prescribing the manner in which appeals under this Act may be preferred."

ANNEXURE II

THE PUNJAB PASSENGERS AND GOODS TAXATION (HARYANA SECOND AMENDMENT) ACT, 1967 AS EXTENDED TO THE UNION TERRITORY OF CHANDIGARH

No. 11 OF 1967

Enacted by the President in the Eighteenth Year of the Republic of India

An Act further to amend the Punjab Passengers and Goods Taxation Act, 1952.

In exercise of the powers conferred by section 3 of the Haryana State Legislature (Delegation of Powers) Act, 1967 (30 of 1967), the President is pleased to enact as follows :-

1. **Short title.**—This Act may be called the Punjab Passengers and Goods Taxation (Haryana Second Amendment) Act, 1967

2. **Amendment of section 3.**—In section 3 of the Punjab Passengers and Goods Taxation Act, 1952 (Punjab Act 16 of 1952), as in force in the Union territory of Chandigarh (hereinafter referred to as the principal Act),—

(i) in sub section (1), for the word "one fourth", the words "thirty-five percentum" shall be substituted;

(ii) for sub-section (3), the following sub-section shall be substituted, namely :—

"(3) Where passengers are carried or goods are transported by a motor vehicle operating on a joint route, the tax shall be payable in respect of the distance covered within the State at the rate laid down in sub-section (1) and shall be calculated on such amount as bears the same proportion to the total fare or freight as the distance covered in the State bears to the total distance of the journey.

Explanation.—For the purposes of this sub-section, "joint route" means a route which lies partly in the Union territory of Chandigarh and partly in any other Union territory or State.".

3. [Omitted].

[No. F. 15/4/68-UTL-(i)-107.]

G.S.R. 254.—In pursuance of clause (1) of article 239 of the Constitution and all other powers enabling him in this behalf and in partial modification of the notification of the Government of India in the Ministry of Home Affairs No. S.O. 3894 dated the 30th October, 1968, in so far as it relates to the exercise of powers, and discharge of functions, under the Punjab Passengers and Goods Taxation Act, 1952 (Punjab Act No. 16 of 1952), as in force in the Union territory of Chandigarh, by the Administrator of that Union territory, the President hereby directs that the powers and functions exercisable and dischargeable by the Central Government under the said Act shall, subject to the control of the President and until further orders, be also exercised and discharged by the said Administrator in relation to the said Union territory.

[No. F. 15/4/68-UTL-(ii).]

K. R. PRABHU, Jt. Secy.

PRINTED BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI AND PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, 1969