

MANIPUR



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 340(A) Imphal, Tuesday, February 18, 2003 (Magha 29, 1924)

OFFICE OF THE SEKMAI NAGAR PANCHAYAT : SEKMAI

NOTIFICATION

Sekmai, the 18th February, 2003

No. 340(A) Imphal, Tuesday, February 18, 2003 (Magha 29, 1924)
In pursuance of the Government of Manipur, MAHOD Department's letter No. 3/S,2001-MAHOD(NP) dated 13-1-2003 and in exercise of the powers conferred by section 212 of the Manipur Municipalities Act, 1994, the following Bye-Laws are hereby published in the Official Gazette for the information of the general public:—

THE SEKMAI NAGAR PANCHAYAT
(ENTRY TOLL ON VEHICLES AND ANIMALS) BYE LAWS, 2003.

1. (1) These bye-laws may be called the Sekmai Nagar Panchayat (Entry Toll on Vehicles and Animals) Bye-Laws, 2003.

(2) They shall extend to the whole areas of Sekmai Nagar Panchayat.

(3) They shall come into effect from the date of their publication in the Official Gazette.

2. In these bye-laws unless the subject or context otherwise requires:—

(a) "Act" means the Manipur Municipalities Act, 1994;

(b) "Check post" means a place at the limit of the Municipal area where Municipal Officers/employees/agents authorised for the purpose of assessing realising toll on vehicles and animals entering the municipal area are stationed;

(c) "Executive Officer" means Executive Officers of the Sekmai Nagar Panchayat.

(d) "Heavy vehicle" means a heavy vehicle as defined in the Motor Vehicle Act, 1988.

(e) "Light vehicle" means light vehicle as defined in the Motor Vehicle Act, 1988.

- (f) "Municipal area" means Municipal area of Sekmai Nagar Panchayat;
- (g) "Municipal officer/employee" means Municipal officer/employee of the Sekmai Nagar Panchayat;
- (h) "Panchayat" means Sekmai Nagar Panchayat;
- (i) "Schedule" means schedule appended to these bye-law;
- (j) "Vehicle" means and includes both motorised vehicles such as bus, lorry, mini bus, tempo car, jeep, autorickshaw and non-motorised vehicles, such as animal driven cart, and rickshaw.

3. Every vehicle and/or animal entering the Municipality area shall be levied and payable on entry toll at the rate specified in Schedule 'A'.

Explanation.—Where a vehicle is loaded with vehicle(s) or animal(s), the vehicle(s) or the animal(s) be treated as load and no separate toll(s) shall be payable for such loaded vehicle(s) or animal(s).

4. The Panchayat may determine and declare as many number and location of check posts or different convenient and suitable point(s) of entry into the Municipality area as considered necessary for the purpose of these bye-laws.

5. (1) No vehicle and/or animal shall enter or attempt to enter the Municipality area except through a check post.

(2) No vehicle and/or animal shall enter into the Municipality area without the full payment of the due entry toll at the check post.

(ii) The amount of compounded tolls for yearly, half-yearly and monthly shall be the amount or toll payable under bye-law 3 for 363 days, half of the yearly amount and 1/12 (one-twelve) of the yearly amount and respectively subject to the following rebate:—

- (a) 25% rebate in respect of yearly payment;
- (b) 15% rebate in respect of 1/2 yearly payment, &
- (c) 5% rebate in respect of monthly payment.

(iii) The toll shall be payable to the Panchayat Office instead of at the Check Posts in case of realisation of the tolls by the Panchayat itself and to the agent, in case of realisation of the same through the agent appointed under the provisions of bye-law 14.

(iv) A token or badge or pass shall be issued by the Panchayat or the agent as the case may be, in respect of all compound payment of tolls.

9. The agent of the authorised officer(s) employee(s) at the Check Post shall, on payment of the full amount of toll, forthwith issue a formal dated receipt in the form given in the Schedule 'F' affixing the seal of the agent or the Panchayat, as the case may be.

10. The officer/employee in charge of a Check Post shall submit the amount of tolls collected daily to the Executive Officer with a collection statement in the form given in Schedule-B. They will also submit weekly and monthly collection statements in the form given Schedule 'C' and 'D' respectively.

11. (i) Every Check Post shall maintain as Inspection book in the form given in Schedule E. The Executive Officer or other authorised by the Executive Officer shall inspect the Check Post periodically; and

(ii) The Check Posts shall be visited and inspected by the Executive Officer or any other Officer/employee of the Panchayat duly authorised by the Executive Officer in this behalf and note their observations/findings in the Inspection Books.

12. The Panchayat shall examine the collection figures as reflected in the collection statements (daily, weekly and monthly) once in a month and decide such other arrangements/actions to be taken-up for ensuring the speedy and increased collection of tolls.

13. The agent or the officer/employee-in-charge of a Check post shall display a copy of the Schedule of Rates, duly signed by the Executive Officer, as a conspicuous part of Check Post.

14. The Panchayat may, by a resolution passed, in a meeting, appoint agents periodically by inviting tenders through open auction for collection of entry toll on vehicles and/or animals on such terms and conditions as may be decided by it.

The agent(s) appointed under this bye-law shall have the same power of the officer/employees of the Panchayat in charge of a Check Post in respect of collection of tolls.

15. All powers of the Panchayat under these bye-law or any other power that is expedient or necessary for the purpose of these bye-laws shall be exercised by the Executive Officer or any other officer/employees of the Panchayat authorised or empowered by the Executive Officer in this behalf.

16. Whenever a dispute arises as to the liability of payment of toll, the aggrieved party shall first pay the toll to authorised agents or the other/employee in charge of the Check Post and may then prefer an appeal to the Executive Officer of the Panchayat whose decision shall be final in all such cases. The Executive Officer shall clearly state in his orders whether the toll paid as aforesaid shall be returned or not.

17. Every officer/employee, or agents, duly authorised to realise entry toll under these bye-law, may reasonably seek the assistance of any Police Officer on duty under section 107(6) of the Act for the different discharge of the duties under these bye-laws.

18. Any person committing a breach of any of these bye-laws shall be liable in addition to the penalties imposed under the Act, to pay a fine not exceeding Rs. 10/- for every such breach and his vehicle and/or animal may be seized or detained by the officer/employees/agent at the Check Post.

SCHEDULED—"A"

(See byc-law-3)

SEKMAI NAGAR PANCHAYAT

Schedule of rate of entry toll on vehicles and animals

	Loaded	Un-loaded
A-Vehicles :		
1. Each heavy vehicles etc.	Rs. 10/-	Rs. 5/-
2. Each light vehicle	Rs. 5/-	Rs. 3/-
3. Others (including 2-wheelers)	Rs. 2/-	Rs. 2/-
B-Animals :		
1. Each Elephant	Rs. 10/-	
2. Each Buffalo	Rs. 7/-	
3. Each pony, Mule, Bull, Bullock Cow, Donkey, either etc.	Rs. 5/-	
4. Each ass, pig, goat	Rs. 3/-	
5. Each calf of more than 6 months old	Rs. 3/-	
6. Others	Rs. 2/-	