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GOVERNMENT OF KERALA

Transport (B) Department

NOTIFICATION

G.O(P) No.13 /2018/Tran. Dated, Thiruvananthapuram 30th April, 2018
17th Medam, 1193

S.R.O. No...../2018. - In exercise of the powers conferred by section 22 of the Kerala Motor Vehicle Taxation Act, 1976 (19 of 1976) the Government of Kerala, being satisfied that it is necessary in the public interest so to do, hereby exempt the Motor Cabs and Tourist Motor Cabs, registered on or after 1st April, 2014 and for which tax has been remitted for 5 years instead of one time tax for 15 years, from payment of additional tax and interest and are allowed to remit the balance tax, for the remaining period of ten years, at the rate specified in Annexure I of the Schedule to the Kerala Motor Vehicle Taxation Act, 1976, in five equal bi monthly instalments as follows:-

- 1st instalment shall be remitted on or before 10th May, 2018;
- 2nd instalment shall be remitted on or before 10th July, 2018;
- 3rd instalment shall be remitted on or before 10th September, 2018;
- 4th instalment shall be remitted on or before 10th November, 2018;
- 5th instalment shall be remitted on or before 10th January, 2019;

Provided that, in case of default in payment of tax or any instalment as above, the facility shall be forfeited and registered owner or person having possession or control of the vehicle shall be liable to remit the entire balance tax with additional tax and annual interest with effect from 9th March, 2017.

By order of the Governor,

K.R. JYOTHILAL,

Principal Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

As per section 7(2) of the Kerala Finance Act, 2014 (29 of 2014) Government have introduced onetime tax for Motor Cabs and Tourist Motor Cabs for a period of 15 years by amending section 3 of Kerala Motor Vehicle Taxation Act, 1976 (19 of 1976). But some vehicle owners approached the Hon'ble High Court of Kerala vide WP(C) No.13972/2014 and connected cases, and the Hon'ble High Court, vide an interim order dated 4th June, 2014 had permitted the vehicle owners to remit tax for 5 years. As the Hon'ble High Court in its final judgment dated 8th March, 2017 upheld the above amendment to section 3 of the Kerala Motor Vehicles Taxation Act, 1976 Motor Vehicle Department initiated action to realise the balance tax from vehicle owners. Government have received various representations from owners of these vehicles, seeking instalment facility to pay the balance tax as the balance amount due is very high to be paid in lump sum. Government have examined the request in detail and decided to grant instalment facility to pay the balance tax, exempting additional tax or interest to be paid by them, considering the hardship and financial liability of the vehicle owners.

The notification is intended to achieve the above object.