



The Himachal Pradesh Taxation (On Certain Goods Carried by Road) Act, 1999

Act 16 of 1999

Keyword(s):

Distance Convered or Being Convered, Goods, Mechanical Vehicle, Official Gazette

Amendment appended: 13 of 2023

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**THE HIMACHAL PRADESH TAXATION (ON CERTAIN GOODS
CARRIED BY ROAD) ACT, 1999**

(ACT NO. 16 OF 1999)¹

(Received the assent of the President of India on 19th August, 1999 and was published in Hindi and English in R.H.P.Extra., dated 5th October, 1999 on pages 3743-3778.)

An Act to provide for the levy of tax on certain goods carried by road in the State of Himachal Pradesh and to validate certain taxes imposed on the goods carried by road and for certain other matters connected therewith.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Fiftieth Year of the Republic of India as follows:-

1. Short title and extent.- (1) This Act may be called the Himachal Pradesh Taxation on Certain Goods Carried by Road) Act, 1999.

(2) It extends to the whole of the State of Himachal Pradesh.

2. Definitions.- In this Act, unless the context otherwise requires,-

(a) "appointed day" means the day on which this Act comes into force;

(b) "barrier or check-post" means a barrier or check-post established under section 5 of this Act;

(c) "Commissioner" means the Commissioner appointed under section 7 of this Act;

(d) "distance covered or being covered" means the total distance calculated from the first point from which goods are carried by road (by means of a mechanical vehicles, cart, animal and human agency or any other means, except railways and airways) to the last point in the State;

(e) "goods" mean the goods specified in column(2) of Schedule-I or Schedule-II, as the case may be, appended to this Act;

(f) "Government" means the Government of Himachal Pradesh;

1. Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For Statement of Objects and Reasons see R.H.P. Extra., dated 5th April, 1999, p. 1171 and 1189.

- (g) "Inspector" means the person authorised by the State Government to collect tax in respect of any goods and includes every Government servant posted in connection with the collection of tax;
- (h) "kilogram" means kilogram as defined in the Standard of Weights and Measures Act, 1976(60 of 1976);
- (i) "mechanical vehicle" means any mechanically propelled vehicle adapted for use upon roads whether the power of propulsion is transmitted thereto from an external or internal source and includes a chassis to which a body has not been attached and a trailer;
- (j) "notification" means a notification published in the Official Gazette;
- (k) "Official Gazette" means the Rajpatra, Himachal Pradesh;
- (l) "prescribed" means prescribed by rules made under this Act;
- (M) "Schedule" means the Schedule appended to this Act;
- (n) "State" means the State of Himachal Pradesh;
- (o) "tax" means the tax levied under this Act; and
- (p) "taxing authority" means any officer of the Excise and Taxation Department not below the rank of an Excise and Taxation Inspector appointed under sub-section (1) of section 7 of this Act and conferred upon him the powers under sub-section(2) or invested with powers under sub-section (3) of section 7 for carrying out the purposes of this Act.

3. Levy and rate of tax.- (1) Subject to the provisions of this Act, there shall be levied and paid to the State Government a tax on every kind of goods specified, in column (2) of Schedule-I, carried by road by means of a mechanical vehicle, cart, animal and human agency or any other means except railways and airways.

(2) Such tax levied on the goods specified in Schedule-I, shall be payable for a distance of every one hundred and fifty kilometres or part thereof covered or being covered within the State and at the following rates, namely:-

- (a) where the distance covered does not exceeds 150 kilometres. at the rate as specified in column (3) of Schedule-I;
- (b) where the distance covered or being covered exceeds 150 Kilometres but does not exceed 300 kilometres. at twice the rates specified in column (3) of Schedule-I; and
- (c) where the distance covered or being covered exceeds 300 kilometres. at thrice the rates specified in column (3) of Schedule-I

(3) On every kind of goods, specified in column (2) of Schedule-II, carried by road by means of a mechanical vehicle, cart, animal and human agency or any other means, except railways and airways, at any time, on or after the 17th day of July, 1976 but before the appointed day, there shall be deemed and always deemed to have been levied and paid to the State Government, a tax for a distance of every one hundred and fifty kilometres, or part thereof, covered within the State, and for the period mentioned in column (3) thereof and at the following rates, namely:-

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| (a) where the distance covered does not exceed 150 kilometres. | at the rates as specified in column (4) of Schedule-II; |
| (b) where the distance covered exceeds 150 Kilometres but does not exceed 300 kilometres. | at twice the rates specified in column (4) of Schedule-I; and |
| (c) where the distance covered exceeds 300 kilometres. | at thrice the rates specified in column (4) of Schedule-I |

(4) The net weight, value, volume and species of the goods for the purpose of assessment of tax shall be determined in the manner prescribed.

Explanation.- The tax levied under this Act shall be in addition to any tax levied or leviable under the Himachal Pradesh Passengers and Goods Taxation Act, 1955 (15 of 1955).

4. Mode of payment of tax.- The tax payable under this Act shall be paid by every person-in-charge of the mechanical vehicle, cart or animal in or on which the goods are carried or the person-in-charge of the goods, as the case may be, in the prescribed manner, into the Government treasury or State Bank of India or to the taxing authority of the district through which the goods are carried subject to the condition that such authority shall issue him a receipt in the prescribed form, in token of having received the amount specified therein.

5. Establishment of check-posts or barriers and inspection of goods in transit.- (1) With a view to preventing or checking evasion of tax under this Act, the State Government may, by notification, direct the establishment of a check-post or the erection of a barrier or both on such road or roads as may be notified.

(2) At every check-post or barrier or at any other place when so required by an officer-in-charge of the check-post or barrier or any other officer not below the rank of an Excise and Taxation Inspector, the driver or any other person-in-charge of the goods, mechanical vehicle, animal or cart, shall stop the mechanical vehicle or animal or cart, as the case may be, and keep it stationary as long as may reasonably be necessary, and allow the aforesaid officer to examine the contents in the mechanical vehicle or animal or cart by breaking open the package or packages, if necessary, and inspect all records relating to the goods carried which are in the possession of such driver or other person-in-charge, who shall also

furnish such other information as may be required by the aforesaid officer, and if considered, necessary, such officer may also search the goods, mechanical vehicle, animal or cart and the driver or other person-in-charge of the mechanical vehicle or animal or cart of the goods.

(3) The person-in-charge of the goods, mechanical vehicle, animal or cart shall keep with him the receipt in the prescribed form showing the tax paid by him under section 4 in respect of the goods being carried by him and produce on demand such receipt before an officer-in-charge of a check-post or barrier or any other officer not below the rank of an Excise and Taxation Inspector checking such mechanical vehicle, animal or cart at any other place.

(4) If the person-in-charge of the goods or mechanical vehicle, animal or cart fails to produce the receipt as required under sub-section (3), the officer-in-charge of the check-post or barrier or any other officer referred to in sub-section (3), as the case may be, shall recover the tax at the place of inspection or check-post or barrier and issue him the receipt in the prescribed form.

(5) If the goods on which the tax is payable under this Act, are passing through the check-post or the barrier falling first in the course of transit within the State, the person-in-charge of the goods, mechanical vehicle, animal or cart may pay the tax at such check-post or the barrier and obtain a receipt, in the prescribed form, against such payment.

6. Exhibition table of tax and statement of penalties.- A table of the tax authorised to be taken at the office of the taxing authority or at any check-post or barrier, shall be exhibited, in a conspicuous place near or in such office, check-post or barrier, legibly written or printed in Hindi and English words and figures, to which shall be annexed, written or printed like manner, a statement of penalties for evading or refusing to pay the tax.

7. Taxing Authorities.- (1) The State Government may, for carrying out the purposes of this Act, appoint a Commissioner and such other officer or officers to assist him as it thinks fit.

(2) The officer or officers, appointed under sub-section (1), shall exercise the powers of a taxing authority or such other powers as may be conferred upon them and perform such duties as may be required by or under this Act, and have jurisdiction over such area or areas, and have such relation with one another, as may be prescribed.

(3) The Government may, instead of appointing any person under sub-section (1), invest, by notification, any officer of the Excise and Taxation Department, not below the rank of an Excise and Taxation Inspector, to exercise any power under this Act and also specify therein the area in which power is to be exercised and thereupon such officer or officers shall be deemed to have been appointed under sub-section (1).

(4) All persons appointed under this Act, shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

8. Assistance to Inspectors and other taxing authorities.- All Police Officers shall be bound to assist the Inspectors and other taxing authorities, when required, in the performance of their duties under this Act, and for that purpose, shall have the same powers which they have in the discharge of their ordinary police duties.

9. Recovery of tax in case of refusal to pay or evasion.- (1) If the taxing authority having jurisdiction in the district or Inspector-in-charge of the check-post or barrier, as the case may be, is satisfied that any person carrying the goods specified in the Schedules has evaded payment of tax due under this Act, or such person has not made the payment of tax on demand, he may, for reasons to be recorded in writing and after hearing the said person, order detention of the goods and also the mechanical vehicle, cart or animal carrying such goods for such period as may reasonably be necessary shall allow the same to proceed, only on the owner of goods, or his representative or the driver or other person-in-charge of the goods, mechanical vehicle, cart or animal on behalf of the owner of the goods, making payment of the tax or furnishing to his satisfaction a security or executing a bond with or without sureties for securing a bond with or without sureties for securing the amount of tax, in the prescribed form.

(2) In case, the person-in-charge of the goods or the mechanical vehicle, cart or animal detained under sub-section (1) fails to pay the tax due or, furnish a bond referred to in sub-section (1) within 24 hours of the detention of such goods, the taxing authority or the Inspector may cause the goods to be sold in the prescribed manner.

(3) The sale proceeds of such goods after defraying the expenses of sale and after deducting the tax shall be paid to the person-in-charge of the goods in the prescribed manner.

10. Penalties.- (1) Whosoever,-

- (a) contravenes or abets the contravention of any of the provisions of this Act or the rules made thereunder or any order or direction made under any such provision or rule; or
- (b) conceals the particulars of the goods carried or deliberately furnishes inaccurate particulars of such goods,

shall, on conviction, be liable to imprisonment of either description which may extend to six months or a fine which may extend to one thousand rupees or both.

(2) No Magistrate shall take cognizance of any offence under this Act or the rules made thereunder except on a complaint in writing made by an officer or authority authorised by the Commissioner, in this behalf.

11. Composition of offences.- (1) The State Government may, by notification in the Official Gazette, authorise any officer, not below the rank of an Excise and Taxation Officer, to compound the offences committed under this Act and rules made thereunder.

(2) The officer authorised under sub-section (1), may compound the offence committed under this Act by charging either a sum of rupees one thousand or double the amount of tax, whichever is higher.

(3) On payment of the sum referred to in sub-section(2), no further criminal proceedings shall be taken or continued to be taken against the person concerned in respect of such offence.

12. Appeal - (1) An appeal shall lie to the Appellate Authority appointed by the State Government in this behalf, against any original order passed under this Act, within sixty day of the passing of such order:

Provided that no appeal shall be entertained by such authority unless it is satisfied that the amount to tax and penalty imposed has been paid:

Provided further that such authority, if satisfied that the person aggrieved is unable to make such payment, may, for reasons to be recorded in writing, entertain an appeal without such payment having been made.

(2) Save as provided in section 13, an order passed by the Appellate Authority shall be final.

13. Revision.- The Commissioner may, of his own motion, call for the record of any proceedings which are pending before, or have been disposed of by, any authority subordinate to him, for the purpose of satisfying himself as to the legality or propriety of such proceedings or order made therein and may pass such order in relation thereto as he may think fit.

(2) The State Government may, by notification confer on any officer powers of the Commissioner under sub-section(1) to be exercised subject to such conditions and in respect of such areas as may be specified in the notification.

(3) No order shall be passed under this section which adversely affects any person unless such person has been given a reasonable opportunity of being heard.

14. Refund.- The taxing authority, either suo-motu or on application made to it, shall, in the prescribed manner, refund any amount of tax or penalty, paid in excess of the amount due under this Act, to the person who paid such amount in excess:

Provided that the refund under this section shall be subject to such conditions as may be prescribed.

15. Power to amend Schedule-I.- (1) The State Government may, subject to the condition of previous publication, add to or delete any goods

specified in column (2) of Schedule-I and amend the rate of tax specified in column (3) thereof and thereupon the said Schedule-I shall stand amended accordingly:

Provided that the rate of tax shall not be increased at any one time by more than 50% of the rate specified in Schedule-I.

(2) Every notification issued under sub-section (1) shall, as soon as may be, after it is issued, be laid on the Table of the Legislative Assembly.

16. Bar of Proceedings. - No suit, prosecution or other legal proceedings shall lie against any person authorised to act by or under this Act or the rules made thereunder for anything done, or purporting to have been done, in good faith under this Act or the rules made thereunder.

17. Power to make rules.- The State Government may, by notification in the Official Gazette, make rules consistent with this Act, for securing the levy and collection of tax and generally for carrying out the purposes of this Act.

18. Validation and exemption.- (1) Notwithstanding anything contained in any judgement, decree, or order of any court or other authority to the contrary, any assessment, levy or collection of any tax, on certain goods carried by road within the State (hereinafter in this section referred to as "aforesaid tax"), made or purporting to have been made or any action taken or anything done under the provisions of the Himachal Pradesh Taxation (on Certain Goods Carried by Road) Act, 1976(14 of 1976) and the Himachal Pradesh Taxation (on Certain Goods Carried by Road) Act, 1991 (10 of 1991) (hereinafter in this section referred to as "the said Acts"), at any time, on or after the 17th of July, 1976 but before the commencement of this Act, shall be deemed to be as valid and effective as if such assessment, levy or collection or action or thing had been made, taken or are done under the provisions of this Act and accordingly-

- (i) the aforesaid tax assessed, levied or collected or purporting to have been assessed, levied or collected under the provisions of the said Acts before the commencement of this Act shall be deemed to be and always deemed to have been validly assessed, levied or collected in accordance with law;
- (ii) no suit or other proceedings shall be maintained or continued in any court or before any authority for the refund of, and no enforcement shall be made by any court or authority, or any decree or order directing the refund of any such aforesaid tax which has been collected;
- (iii) recoveries, if any, shall be made in accordance with the provisions of the said Acts of all amounts which would have been collected thereunder as such aforesaid tax if this Act had been in force at all material times; and

- (iv) anything done or any action taken (including any rule or order made, notification issued or direction given or exemption granted or penalty imposed) under the said Acts before the commencement of this Act shall be deemed always to have been validly done, taken or made in accordance with this Act.

(2) Notwithstanding anything contained in sub-section (1), any goods specified in column (2) of the Schedule-II appended to this Act shall be exempted from the aforesaid tax where such goods have been carried by road, at any time, on or after the 17th day of July, 1976 but before the commencement of this Act and the aforesaid tax or part thereof has not been collected on such goods on the grounds that no such tax or part thereof could have been levied or collected at that time.

(3) For the removal of doubts, it is hereby declared that-

- (a) nothing in sub-section (1) shall be construed as preventing any person-
- (i) from questioning, in accordance with the provisions of this Act, the assessment, levy or collection of the aforesaid tax; or
 - (ii) from claiming refund of the aforesaid tax paid by him in excess of the amount due from him under this Act; and
- (b) no act or omission on the part of any person, before the commencement of this Act, shall be punishable as an offence which would not have been so punishable as if this Act had not come into force.

19. Repeal and savings.- (1) The Himachal Pradesh Taxation (on Certain Goods Carried by Road) Act, 1991 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken (including any rule, notification, order issued) under the repealed Act shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken or issued under the corresponding provisions of this Act.

SCHEDULE-I

[See sub-sections (1) and (2) of section 3]

Sl. No.	Particulars of the goods on which tax is leviable	Rate of tax
1.	2.	3.
1.	Apples contained in the boxes upto 10. Kg. capacity	50 paise per box.
2.	Apples contained in boxes of more than 10 Kg and upto 20 Kg. capacity.	Re. 1.00 per box.

3.	Apples contained in any other packing or loose	50 paise per 10 kg. or part thereof.
4.	Mangoes	50 paise per 10 kg. or part thereof.
5.	Mandrin, Sweet Oranges including Kinnu	50 paise per 10 kg. or part thereof.
6.	Apricots, Peaches, Plums	50 paise per 10 kg. or part thereof.
7.	Grapes	50 paise per 10 kg. or part thereof.
8.	Bananas	50 paise per 10 kg. or part thereof.
9.	Pears	50 paise per 10 kg. or part thereof.
10.	All other fruits	50 paise per 10 kg. or part thereof.
11.	Potatoes	25 paise per 10 kg. or part thereof.
12.	All other vegetables	25 paise per 10 kg. or part thereof.
¹ [13	Forest produce:-	
(a)	Timber (Sawn, Hakries, Dimdimas, logs, Ballies and Rough Axed of All sizes.	Rs. 45 per cum.
(b)	Khair Wood (including rots or in any other form)	Rs. 60.00 per quintal
(c)	Fuel Wood and Chil Pulpwood	Rs. 10.00 per quintal.]
² [14.	Seeds:	
	Seeds of all forest species like Deodar, Kail, Chil and Broad leaved species	Rs. 10.00 per 10 Kg. or part thereof.]
³ [15.	Other Forest Produce:	
(i)	Bhabar Grass	Rs. 5/- per quintal
(ii)	Bambo, Barberies, Emblica officianale (Ambala fruit), Resin	Rs. 2.00 per 10 Kg. or part thereof.
(iii)	Dioscorca, Saussure lappa (Kuth), Retha.	Rs. 4.00 per 10 Kg. or part thereof
(iv)	Centiana Karu (Kaur), Jurinea Macrorephila (Dhoop) Picrothiza Karrosa (Kaur, Karu).	Rs. 5.00 per 10 Kg. or part thereof
(v)	Juglans regia (Akhrot bark and fruit), Violserpens Violaedorata (Banafsha) and Chilgoza	Rs. 10.00 per 10 Kg. or part thereof

1. Item No. 13 subs. vide Not No. EXN-F(1)1/94, dated 15.12.1999, published in R.H.P.Extra., dated 15.12.1999, p. 4535-4536.

2. Item No. 14 subs. vide ibid.

3. Item No. 15 subs. vide ibid.

(vi) Carum Carvi (Kala Zeera and Katha)	Rs. 30.00 per 10 Kg. or part thereof.
(vii) Rauwelfla Serpantina (Rauwolfla)	Rs. 75.00 per 10 Kg. or part thereof.]
(viii) Marchella Escullanta (Guchhi)	Rs. 30 per 10 Kg. or part thereof
¹ [16. (a) Bricks	Rs. 45/- per thousand.]
² [(b) Bajri	Rs. 7.00 per ton.
(c) Sand	Rs. 7.00 per ton.
(d) Other minerals (excluding Barytes, Shale and Rock Salt).	Rs. 7.00 per ton]
17. Cement	Rs.3/-per bag of 50 Kg.
³ [18 Brick bats	Rs. 22/- per ton.]
⁴ [19 Clinker	Rs. 70.00 per ton.
20. Prepared explosive, safety fuses, detonating fuses, detonating caps, detonators and propellant powder.	Rs. 5.00 per Kg. or part thereof .]

⁵[*Explanation.*- For the purposes of this Schedule "Timber" means all wood whether cut up or fashioned or hollowed out for any purpose or not but excluding fuel wood.]

SCHEDULE-II

[See sub-section (3) of section 3]

Sl No.	Particulars of the goods	Period	Rate of tax
1.	Apples contained in boxes upto 10 kg. capacity.	From 17.7.1976 onwards	50 paise per box.
2.	Apples contained in boxes of more than 10 kg. and upto 20 Kg. capacity.	From 17.7.1976 onwards	Re. 1.00 per box.

- 1 Item No. 16(a) subs. vide Not. No. EXN-F(11)4/98, dated 7.12.99, published in R.H.P.Extra., dated 9.12.1999, p. 4400.
2. Item No. 16(b), 16(c) and 16(d) subs. vide Not No. EXN-F(1)1/94, dated 15.12.1999, published in R.H.P.Extra., dated 15.12.1999, p. 4535-4536.
3. Item No. 18 Item subs. vide Not. No. EXN-F(11)4/98, dated 7.12.99, published in R.H.P.Extra., dated 9.12.1999, p. 4400.
4. Items No. 19 and 20 subs. vide Not No. EXN-F(1)1/94, dated 15.12.1999, published in R.H.P.Extra., dated 15.12.1999, p. 4535-4536.
5. Explanation added vide Not No. EXN-F(1)1/94, dated 15.12.1999, published in R.H.P.Extra., dated 15.12.1999, p. 4535-4536.

3.	Apples contained in any other packing or loose.	From 17.7.1976 onwards	50 paise per 10 Kg. or part thereof.
4.	Mangoes	From 17.7.1976 to 21.8.85 From 22.8.85 onwards	25 paise per 10 Kg. or part thereof. 50 paise per 10 Kg. or part thereof.
5.	Mandarin, Sweet Oranges including Kinnu.	From 17.7.1976 to 21.8.85 From 22.8.85 onwards	25 paise per 10 Kg. or part thereof. 50 paise per 10 Kg. or part thereof.
6.	Apricots, Peaches, Plums	From 17.7.1976 to 21.8.85 From 22.8.85 onwards	25 paise per 10 Kg. or part thereof. 50 paise per 10 Kg. or part thereof.
7.	Grapes	From 29.9.76	50 paise per 10 Kg. or part thereof.
8.	Bananas	From 29.9.1976 to 21.8.85 From 22.8.85 onwards	25 paise per 10 Kg. or part thereof. 50 paise per 10 Kg. or part thereof.
9.	Pears	From 29.9.1976 to 21.8.85 From 22.8.85 onwards	25 paise per 10 Kg. or part thereof. 50 paise per 10 Kg. or part thereof.
10.	All other fruits	From 22.8.85 onwards	50 paise per 10 Kg. or part thereof.
11.	Potatoes contained in bags upto 40 Kg. capacity.	(i) From 29.4.78 to 21.8.85 (ii) From 22.8.85 to 7.4.86	50 paise per bag. Re. 1/- per bag.
12.	Potatoes contained in bags of more than 40 Kg. and upto 80 Kg. capacity	(i) From 29.4.78 to 21.8.85 (ii) From 22.8.85 to 7.4.86	Re 1/- per bag Rs. 2/- per bag.
13.	(a) Potatoes contained in other Package or loose.	(i) From 29.4.78 to 21.8.85 (ii) From 22.8.85 to 7.4.86	50 paise per 40 Kg. or part thereof. Re. 1/- per 40 Kg. or part thereof.
	(b) Potatoes	From 8.4.86 onwards	25 paise per 10 Kg. or part thereof.
14.	All other vegetable	From 22.8.85 onwards	25 paise per 10 Kg. or part thereof.

15 Timber:

(a) Sawn, Hakries (All sizes):		
(i) Deodar, Swan, Hakries, Dimdimas, rough axed (All sizes)	From 29.4.78 to 5.11.78	Rs. 50/- cum
(ii) Deodar, Walnut, Maple, Birdcherry, Betula species (Bhojpattar), Aesculus indica (Khanor).	From 6.11.78 onwards	Rs. 50/- Cum.
(iii) Kail	From 29.4.78 to 5.11.78	Rs. 40/- Cum.
(iv) Kail, Sal	From 6.11.78 onwards	Rs. 40/- Cum.
(v) Chil	From 29.4.78 onwards	Rs. 35/- Cum.
(vi) Fir	From 29.4.78 to 5.11.78	Rs. 35/- Cum.
(vii) Fir/Spruce	From 6.11.78 onwards	Rs. 30/- Cum.
(viii) Hornbeam (Khirkee), Ash	From 6.11.78 onwards	Rs. 75/- Cum.
(b) Logs (All sizes):		
(i) Deodar	From 29.4.78 to 5.11.78	Rs. 35/- Cum.
(ii) Deodar, Walnut, Maple, Birdcherry, Betula species (Bhojpattar), Aesculus indica (Khanor).	From 6.11.78 onwards	Rs. 35/- Cum.
(iii) Kail	From 29.4.78 to 5.11.78	Rs. 28/- Cum.
(iv) Kail, Sal	From 6.11.78 onwards	Rs. 28/- Cum.
(v) Chil	From 29.4.78 onwards	Rs. 25/- Cum.
(vi) Fir	From 29.4.78 to 5.11.78	Rs. 20/- Cum.
(vii) Fir/Spruce	From 6.11.78 onwards	Rs. 20/- Cum.
(viii) Hornbeam (Khirkee), Ash	From 6.11.78 onwards	Rs. 52/- Cum.

(c)	Ballies (All sizes):		
(i)	Deodar	From 29.4.78 onwards	Rs. 25/- Cum.
(ii)	Kail	From 29.4.78 to 5.11.78	Rs. 20/- Cum.
(iii)	Kail, Sal	From 6.11.78 onwards	Rs. 20/- Cum.
(iv)	Chil	From 29.4.78 onwards	Rs. 18/- Cum.
(iv)	Fir	From 29.4.78 to 5.11.78	Rs. 15/- Cum.
(v)	Fir/Spruce	From 6.11.78 onwards	Rs. 15/- Cum.
(d)	Khair:		
(i)	Chipped heartwood or billets of heartwood.	From 6.11.78 to 21.8.85	Rs. 10/- per quintal
(ii)	Chipped heartwood or log form or roots or any other form.	(i) From 22.8.85 to 31.3.92 (ii) From 1.4.92 onwards	Rs. 50/- per quintal. Rs. 75/- per quintal.
(iii)	Khair wood with bark in billets or log form.	From 6.11.78 to 21.8.85	Rs. 5/- per quintal.
(iv)	Khairwood with bark in billets or log form or roots or any other form.	(i) From 22.8.85 to 31.3.92 (ii) From 1.4.92 onwards	Rs. 25/- per quintal. Rs. 37.50 per quintal
(e)	Fuel Wood	(i) From 6.11.78 to 21.8.85 (ii) From 22.8.85 onwards	Rs. 0.75 per quintal. Rs. 10/- per quintal.
(f)	Chil Pulpwood	(i) From 6.11.78 to 21.8.85 (ii) 22.8.85 onwards	Rs. 1/- per quintal. Rs. 10/- per quintal
(g)	Any other coniferous or broad leaved timber	From 6.11.78 onwards	Rs. 40/- cum.
16.	Seeds:		
	Seeds of all forest species like Deodar, Kail, Chil and Broad leaved species	From 6.11.78 onwards	Rs. 100/- per quintal.

17 Other Forest Produce:

(a)	Bamboo	(i) From 29.4.78 to Rs. 1.50 per quintal. 21.8.85
		(ii) From 22.8.85 to Rs. 5/- per quintal 23.4.91
		(iii) From 24.4.91 Rs. 10/- per quintal. onwards
(b)	Katha	(i) From 29.4.78 to Rs. 150 per quintal. 23.4.91
		(ii) From 24.4.91 to Rs. 500/- per quintal 10.12.92
		(iii) From 11.12.92 Rs. 250/- per quintal. onwards
(c)	Resin	(i) From 29.4.78 to Rs. 12.50 per quintal 8.4.79
		(ii) From 29.4.79 to Nil 23.4.91
		(iii) From 24.4.91 Rs. 20/- per quintal. onwards
(d)	Dioscorea	(i) From 29.4.78 to Rs. 14/- per quintal 21.8.85 (Dry).
		(ii) From 22.8.85 Rs. 28/- per quintal. onwards
(e)	Barberries	(i) From 29.4.78 to Rs. 10/- per quintal 21.8.85 (Dry).
		(ii) From 22.8.85 Rs. 20/- per quintal onwards (Dry).
(f)	Carum Carvi (Kala-zeera).	(i) From 29.4.78 to Rs. 200/- per quintal 21.8.85 (Dry).
		(ii) From 22.8.85 Rs. 400/- per quintal onwards (dry).
(g)	Emblica officianale (Ambala fruit)	(i) From 29.4.78 to Rs. 2.50 per quintal 21.8.85 (Dry).
		(ii) From 22.8.85 to Rs. 5/- per quintal 23.4.91 (Dry)
		(iii) From 24.4.91 Rs. 10/- per quintal onwards (Dry).
(h)	Centiana Karu (Kaur)	(i) From 29.4.78 to Rs. 25/- per quintal 21.8.85 (Dry).
		(ii) From 22.8.85 Rs. 50/- per quintal onwards (Dry)
(i)	Jurnca Macrocephala (Dhoop)	(i) From 29.4.78 to Rs. 5/- per quintal 21.8.85 (Dry).
		(ii) From 22.8.85 to Rs. 10/- per quintal 23.4.91 (Dry)

		(iii)From 24.4.91 onwards	Rs. 50/- per quintal (Dry).
(j)	Juglansregia (Akhrot and fruit) bark	(i) From 29.4.78 to 21.8.85. (ii) From 22.8.85 to 23.4.91 (iii) From 24.4.91 onwards	Rs. 10/- per quintal (Dry). Rs 20/- per quintal (Dry). Rs. 100/- per quintal (Dry).
(k)	Merchella esculenta (Guchhie)	(i)From 29.4.78 to 21.8.85 (ii)From 22.8.85 to 25.4.89 (iii)From 26.4.89 to 24.4.91 (iv) From 24.4.91 to 31.5.91 (v) From 1.6.91 onwards.	Rs. 2000/-per quintal (Dry). Rs.4000/- per quintal (Dry) Rs.3000/- per quintal (Dry). Rs. 5000/- per quintal (Dry). Rs. 3000/- per quintal (Dry).
(l)	Picrothiza Karrosa (Kaur, Karu)	(i)From 29.4.78 to 21.8.85 (ii)From 22.8.85 to onwards	Rs. 25/- per quintal (Dry). Rs. 50/- per quintal (Dry).
(m)	Rauwolfia Serpentina (Rauwolfia)	(i)From 29.4.78 to 21.8.85 (ii)From 22.8.85 to 23.4.91 (iii)From 24.4.91 onwards	Rs. 250 per quintal (Dry). Rs. 500/- per quintal (Dry) Rs. 750/- per quintal (Dry).
(n)	Saussurea Lappa (Kuth)	(i)From 29.4.78 to 21.8.85 (ii)From 22.8.85 onwards	Rs. 15/- per quintal (Dry). Rs. 30/- per quintal (Dry).
(o)	Terminala Chebula (Hara fruit).	(i)From 29.4.78 to 21.8.85 (ii)From 22.8.85 to 23.4.91 (iii)From 24.4.91 onwards	Rs. 10/- per quintal (Dry). Rs. 20/- per quintal (Dry) Rs. 40/- per quintal (Dry).
(p)	Violserpens Violaedorata (Banafsha)	(i)From 29.4.78 to 21.8.85 (ii)From 22.8.85 onwards	Rs. 50 per quintal (Dry). Rs. 100/- per quintal (Dry).
(q)	Reetha	(i)From 29.4.78 to 21.8.85	Rs. 10/- per quintal (Dry).

		(ii)From 22.8.85 onwards	Rs. 40/- per quintal (Dry).
	(r) Chilgoza	(i)From 29.4.78 to 21.8.85	Rs. 75/-per quintal (Dry).
		(ii)From 22.8.85 onwards	Rs. 150/- per quintal (Dry).
	(s) Terminala Belerica (Behra Fruit).	(i)From 29.4.78 to 21.8.85	Rs. 10/- per quintal (Dry).
		(ii)From 22.8.85 to 23.4.91	Rs. 20/- per quintal (Dry)
		(iii)From 24.4.91 onwards	Rs. 40/- per quintal
	(t) Bhabar Grass	(i)From 29.4.78 to 21.8.85	Rs. 0.50 per quintal (Dry).
		(ii)From 22.8.85 to 23.4.91	Re. 1/- per quintal (Dry)
		(iii)From 24.4.91 onwards	Rs. 5/- per quintal (Dry).
18.	(a) Bricks	(i)From 22.8.85 to 23.4.91	Rs. 25/- per thousand
		(ii)From 24.4.91 onwards	Rs. 30/-per thousand.
	(b) Lime Stone	(i)From 22.8.85 to 16.12.85	Rs. 10/ per ton.
		(ii)From 17.12.85 to 30.4.88	Rs. 5/- per ton.
		(iii)From 1.5.88.to 23.4.91	Rs. 10/- per ton.
		(iv) From 24.4.91 to 31.5.91	Rs. 50/- per ton.
		(v) From 1.6.91 onwards	Rs. 25/- per ton.
	(c) Bajri	(i)From 22.8.85 to 23.4.91	Rs. 5/- per ton.
		(ii) From 24.4.91 to 30.10.94	Rs. 10/- per ton.
		(iii) From 31.10.94 onwards	Rs. 5/- per ton.
	(d) Sand	(i)From 22.8.85.to 23.4.91	Rs. 5/- per ton.
		(ii) From 24.4.91 to 30.10.94	Rs. 10/- per ton.
		(v) From 31.10.94 onwards	Rs. 5/- per ton..

	(e) Other minor minerals	(i) From 22.8.85 to 23.4.91	Rs. 5/- per ton.
		(ii) From 24.4.91 onwards	Rs. 10/- per ton.
19.	Cement	(i) From 22.8.85 to 30.4.88	Re 1/ per bag of 50 Kg.
		(ii) From 1.5.88 to 23.4.91	Re. 1.50/- per bag of 50 Kg.
		(iii) From 24.4.91 to 30.5.94	Rs. 2/- per bag of 50 Kg.
		(iv) From 31.5.94 onwards	Rs. 3/- per bag of 50 Kg.
20.	Brick bats	(i) From 24.4.91 to 31.5.91	Rs. 20/- per ton.
		(ii) From 1.6.91 onwards	Rs. 15/- per ton.
21.	Clinker	(i) From 23.9.91 to 27.10.94	Rs. 30/- per ton
		(ii) From 28.10.94 to onwards	Rs. 60/- per ton.
22.	All types of yarn (excluding woolen yarn).	(i) From 31.5.94 to 31.7.94	0.75 paise per Kg. or part thereof.
		(ii) From 1.8.94 onwards	0.20 paise per Kg. or part thereof.
23.	Prepared explosives, safety fuses, detonating fuses, detonating caps, detonators and propellant powder.	From 31.5.94 onwards	Rs. 5/- per Kg. or part thereof.

Note. - In this Schedule the word "onwards" shall mean the period ending on the day immediately before the appointed day.

THE HIMACHAL PRADESH TAX ON LUXURIES (IN HOTELS AND LODGING HOUSES) AMENDMENT ACT, 1999

ARRANGEMENT OF SECTIONS

Sections:

1. Short title.
2. Amendment of section 2.

27. Meter Mechanic
28. Technical Mechanic
29. Junior Office Assistant (IT)
30. Junior Draughtsman/Assistant Draughtsman
31. Clerk/Junior Assistant
32. Data Entry Operator
33. Ferro Printer
34. Laboratory Technician
35. Technician (Carpenter, Mason, Blacksmith, Electrician, Fitter/Plumber, & Mechanic)
36. Male and Female Health Worker
37. Tailoring Teacher

SCHEDULE-IV
[See section 5(1)]

Sl. No.	Name of Service
1	2

1. Architect Planner
2. Corporation Health Officer/Health Officer
3. Town Planner
4. Veterinary Public Health Officer
5. Law Officer
6. Planning Officer
7. Naib Tehsildar
8. Veterinary Pharmacist
9. Deputy Controller Accounts
10. Section Officer (F&A)
11. Assistant Architect Planner
12. Kanungo
13. Patwari.”.

7. Repeal and savings.—(1) The Himachal Pradesh Municipal Services (Amendment) Ordinance, 2023 (3 of 2023) is hereby repealed.

(2) Notwithstanding such repeal any action taken or anything done under the Ordinance so repealed, shall be deemed to have been done or taken under the corresponding provisions of this Act.

विधि विभाग

अधिसूचना

शिमला-2, 20 नवम्बर, 2023

संख्या: एल0एल0आर0-डी0(6)-18 / 2023-लेज.—हिमाचल प्रदेश के राज्यपाल ने भारत के संविधान के अनुच्छेद 200 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के

वहन पर) कराधान संशोधन विधेयक, 2023 (2023 का विधेयक संख्यांक 13) को दिनांक 16-11-2023 को अनुमोदित कर दिया है तथा अनुच्छेद 348 के खण्ड (3) के अधीन, विधेयक के अंग्रेजी पाठ को राजपत्र, हिमाचल प्रदेश में प्रकाशित करने के लिए प्राधिकृत कर दिया है। अतः उपरोक्त विधेयक को वर्ष 2023 के अधिनियम संख्यांक 13 के रूप में अंग्रेजी प्राधिकृत पाठ सहित राजपत्र (ई-गजट) हिमाचल प्रदेश में प्रकाशित किया जाता है।

ओदश द्वारा,

शरद कुमार लगवाल,
सचिव (विधि)।

हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के वहन पर) कराधान संशोधन
अधिनियम, 2023

धाराओं का क्रम

धारा:

1. संक्षिप्त नाम।
2. धारा 3 का संशोधन।

2023 का अधिनियम संख्यांक 13

हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के वहन पर) कराधान संशोधन अधिनियम, 2023

(माननीय राज्यपाल महोदय द्वारा तारीख 16 नवम्बर, 2023 को यथा अनुमोदित)

हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के वहन पर) कराधान अधिनियम, 1999 (1999 का अधिनियम संख्यांक 16) का और संशोधन करने के लिए अधिनियम।

भारत गणराज्य के चौहत्तरवें वर्ष में हिमाचल प्रदेश विधान सभा द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

1. **संक्षिप्त नाम.**—इस अधिनियम का संक्षिप्त नाम हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के वहन पर) कराधान संशोधन अधिनियम, 2023 है।

2. **धारा 3 का संशोधन.**—हिमाचल प्रदेश (सड़क द्वारा कतिपय माल के वहन पर) कराधान अधिनियम, 1999 की धारा 3 में, -

(i) उप-धारा (1) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:-

“(1) इस अधिनियम के उपबन्धों के अधीन रहते हुए यांत्रिक यान या छकड़ा के माध्यम से सड़क द्वारा वहन किए गए अनुसूची-1 के स्तंभ (2) में विनिर्दिष्ट प्रत्येक प्रकार के माल पर अनुसूची-1 के स्तंभ (3) में यथाविनिर्दिष्ट दरों पर कर उद्गृहीत किया जाएगा और राज्य सरकार को संदत्त किया जाएगा।”।

(ii) उपधारा (2) का लोप किया जाएगा।

*AUTHORITATIVE ENGLISH TEXT***THE HIMACHAL PRADESH TAXATION (ON CERTAIN GOODS CARRIED BY ROAD) AMENDMENT ACT, 2023**

ARRANGEMENT OF SECTIONS

Sections:

1. Short title .
2. Amendment of Section 3.

Act No. 13 of 2023**THE HIMACHAL PRADESH TAXATION (ON CERTAIN GOODS CARRIED BY ROAD) AMENDMENT ACT, 2023**

(As Assented to by the Hon'ble Governor on 16th November, 2023)

AN

ACT

further to amend the Himachal Pradesh Taxation (on Certain Goods Carried by Road) Act, 1999 (Act No. 16 of 1999).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventy-fourth Year of the Republic of India as follows:—

1. Short title.— This Act may be called the Himachal Pradesh Taxation (on Certain Goods Carried by Road) Amendment Act, 2023.

2. Amendment of Section 3.—In Section 3 of the Himachal Pradesh Taxation (on Certain Goods Carried by Road) Act, 1999;

- (i) in sub-section (1), for the words “except railways and airways”, the words “at the rates as specified in column (3) of Schedule-I” shall be substituted; and
- (ii) sub-section (2) shall be omitted.

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH**FORM -5
(See rule -8)

NOTICE OF PUBLICATION OF EXISTING LAND USE MAP

Shimla, the 24th November, 2023

No. HIM/TP/PJT/ Sh. Naina Devi Ji-PA/2018/Vol-I/6168-90.—In exercise of the powers vested under sub-section (1) of Section 15 of the Himachal Pradesh Town and Country Planning

Act, 1977 (Act No. 12 of 1977), notice is hereby given that the Existing Land Use Map for **Sh. Naina Devi Ji Planning Area** has been prepared under sub-section (1) of Section 15 of the Act *ibid* and a copy thereof is available for inspection during office hours in the following offices:—

1. The Director,
Town and Country Planning Department,
Nagar Yojana Bhawan, Block No. 32-A, Vikas Nagar,
Kasumpti, Shimla, Himachal Pradesh-171009.
2. The Assistant Town Planner,
Sub-Divisional Town Planning Office,
Bilaspur, District Bilaspur, Himachal Pradesh.
3. The Executive Officer,
Municipal Council, Sh. Naina Devi Ji,
District Bilaspur, Himachal Pradesh.

If there be any objection or suggestion with respect to the Existing Land Use Map so prepared, it should be sent in writing to the Director, Town and Country Planning Department, Nagar Yojana Bhawan, Block No. 32-A, Vikas Nagar, Kasumpti, Shimla, Himachal Pradesh-171009 or to the Assistant Town Planner, Sub-Divisional Town Planning Office, Bilaspur, District Bilaspur, Himachal Pradesh or to the Executive Officer, Municipal Council, Sh. Naina Devi Ji, District Bilaspur, Himachal Pradesh, within a period of thirty days from the date of publication of this Notice in the Official Gazette of Himachal Pradesh.

Any objection or suggestion which may be received from any person with respect to the said Existing Land Use Map before the period specified above will be considered by the Director.

Place: Shimla

Date: 24-11-2023

Sd/-
Director,
Town and Country Planning Deptt.
Himachal Pradesh, Shimla-171009.

FORESTS DEPARTMENT

NOTIFICATION

Shimla-2, the 10th November, 2023

No. FFE-B-A (4)-2/2015-L.—In exercise of the power conferred by Section 6 of the H.P. Forest Produce (Regulation of Trade) Act, 1982 read with Rule-5 of H.P. Forest Produce (Regulation of Trade) Rules, 1982, the Governor Himachal Pradesh is pleased to constitute the following Advisory Committee for the year 2024-25 in respect of each Forest Division to advise the State Government in the matter of fixation from time to time of a fair and reasonable price at which forest produce offered for sale by the owners be purchased by the H.P. State Forest

Development Corporation, an agent of the State Government and also on such matters as may be referred to them by the State Government:—

Sl. No.	Particulars	Remarks
1.	Divisional Forest Officer of the concerned Division	<i>Chairman-cum-Convener</i>
2.	Representative of Deputy Commissioner of the area, not below the rank of Tehsildar, to be nominated by concerned Deputy Commissioner.	<i>Member</i>
3.	Two Pradhans of the Gram Panchayat of the area due for felling under the Approved Ten Years Felling Programme formulated under Section 4 of the H.P. Land Preservation Act, 1978, to be nominated by the concerned CCFs/ CFs.	<i>Members</i>
4.	Representative of the Managing Director, H.P. State Forest Dev. Corporation Ltd., not below the rank of Assistant Manager.	<i>Member</i>

The Chairman-cum-Conveners of the Advisory Committees are directed to convene the meeting of the Committee and do needful as per Section 6 of the H.P. Forest Produce (Regulation of Trade) Act, 1982 read with Rule-5 of H.P. Forest Produce (Regulation of Trade) Rules, 1982. The recommendations of the Advisory Committees be forwarded to the Government through proper channel before 15th January, 2024.

By order,

Dr. AMANDEEP GARG
Secretary (Forests).

ब अदालत तहसीलदार एवं सहायक समाहर्ता प्रथम श्रेणी, सन्धोल तहसील सन्धोल,
जिला मण्डी (हि0प्र0)

मुकद्दमा : नाम दुरुस्ती

मिसल नम्बर : 29/2023

तारीख दायर : 16-11-2023

तारीख पेशी : 12-12-2023

श्री सुरेन्द्र पाल पुत्र रांझा राम, निवासी गांव चौलगढ निचला, डाकघर चौलगढ, तहसील सन्धोल,
जिला मण्डी (हि0प्र0) प्रार्थी।

बनाम

आम जनता

प्रत्यार्थी।

अधीन धारा 37(2) भू-राजस्व अधिनियम, 1954 के तहत आवेदन-पत्र।

श्री सुरेन्द्र पाल पुत्र रांझा राम, निवासी गांव चौलगढ निचला, डाकघर चौलगढ तहसील सन्धोल, जिला मण्डी (हि0प्र0) द्वारा समस्त औपचारिकताओं सहित इस न्यायालय में प्रस्तुत आवेदन-पत्र में उल्लेख किया है