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NOTIFICATIONS BY GOVERNMENT

HOME DEPARTMENT

Amendment to Tamil Nadu Motor Vehicles Taxation Rules, 1974.

[G.O. Ms. No. 1235, Home (Transport-1), 26th September 2008.]

No.SRO A-41/2008.— In exercise of the powers conferred by Section 24 of the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974), the Governor of Tamil Nadu hereby makes the following amendment to the Tamil Nadu Motor Vehicles Taxation Rules, 1974:—

AMENDMENT

In the said Rules, in Rule 3-A, for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1). The tax levied under Section 4 of the Act shall be paid by cash or crossed bank draft or crossed bankers cheque or through India Post Office.”.

Amendment to Tamil Nadu Prison Rules, 1983.

[G.O. Ms. No. 1236, Home (Prison.I), 26th September 2008.]

No.SRO A-42/2008.— In exercise of the powers conferred by Section 59 of the Prisons Act, 1894 (Central Act IX of 1894), the Governor of Tamil Nadu hereby makes the following amendment to the Tamil Nadu Prison Rules, 1983:—

AMENDMENT

In the said Rules, In rule 519, after sub-rule (3) the following sub-rule shall be added namely:—

“(4). A Police Officer not below the rank of Sub-Inspector of Police, working in the Intelligence-cum-Vigilance Wing of Prison Department or in the Special Vigilance Team of Central Prisons, who is authorised by Inspector-General or Deputy Inspector-General of Prisons shall be permitted to enter Central Prisons and other institutions of Prison Department and to collect intelligence. The duty Prison Officer, not below the rank of Assistant Jailor, shall accompany such Police Officer during the course of such visit inside the prisons and institutions”.

S. MALATHI,
Principal Secretary to Government.

HOME, PROHIBITION AND EXCISE DEPARTMENT

Draft Amendment to Tamil Nadu Motor Vehicles Accident Claims Tribunal Rules, 1989.

[G.O. Ms. No. 1248, Home Prohibition and Excise (Tr.IV), 29th September 2008, புரட்டாசி 13, திருவள்ளூர் ஆண்டு-2039.]

No.SRO A-43/2008.—The following draft amendment to the Tamil Nadu Motor Vehicles Accident Claims Tribunal Rules, 1989, which it is proposed to make in exercise of the powers conferred by Section 176 read with Section 211 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), is hereby published for the information of all persons likely to be affected thereby, as required by sub-section (1) of Section 212 of the said Act.

2. Notice is hereby given that the draft amendment will be taken into consideration on or after the expiry of thirty days from the date of publication of this Notification in the *Tamil Nadu Government Gazette* and that any objection or suggestion, which may be received from any person with respect thereto before the expiry of the aforesaid period will be considered by the Government of Tamil Nadu.

3. Objection or suggestion, if any, should be addressed in duplicate to the Secretary to Government, Home Department, Secretariat, Chennai 600 009.

DRAFT AMENDMENT

In the said Rules, for Rule 24, the following rule shall be substituted, namely:—

“24. (1) Every application under sub-section (1) of Section 166 of the Act for payment of compensation shall be accompanied by a nominal fee of Re.1 (Rupee one only) in the form of court fee stamp, if the claim in a case of accident is confined to special damage and if any further general damage is claimed. When the award is passed, the Claims Tribunal shall calculate the court fee payable on the amount ordered in the award and direct the contesting respondent to pay the same, on the following scale specified in the Table below namely:—

THE TABLE

1. Upto Rs. 50,000	Rs. 100.
2. Rs. 50,001 to Rs. 1,50,000	Rs. 100 plus one fourth per cent of the amount by which the claim exceeds Rs. 50,000.
3. Rs. 1,50,001 to Rs. 3,00,000	Rs. 350 plus half per cent of the amount by which the claim exceeds Rs. 1,50,000.
4. Above Rs. 3,00,000	Rs. 1,100 plus one per cent of the amount by which the claim exceeds Rs. 3,00,000.

(2) (a) The respondent shall deposit the award amount into court along with the amount ordered to be paid to the party as damages.

(b) The Claims Tribunal shall credit the court fee amount to the court account.

(c) If for any reason the Claim Petition is dismissed, it will be open to the Claims Tribunal, at its discretion, either to order recovery of the court fee payable from the claimant or to order that no such recovery need be made, depending upon the reasons for the dismissal of the petition.

(3) An appeal under Section 173 of the Act shall be accompanied by a fee of Re.1 (Rupee one only) in the form of Court fee stamp, if the claim in a case of accident is confined to special damages and if any further general damage is claimed, an advalorem fee shall be charged on the aggregate of the special and general damages claim on the following scales specified in the Table below namely:—

THE TABLE

<i>Amount of Claim.</i> (1)	<i>Amount of Court Fee.</i> (2)
1. Below Rs. 2000	No appeal
2. Rs. 2,001 to 50,000	Rs. 100.
3. Rs. 50,001 to Rs. 1,50,000	Rs. 100 plus one-fourth per cent of the amount by which the claim exceeds Rs. 50,000.
4. Rs. 1,50,001 to Rs. 3,00,000	Rs. 350 plus half per cent of the amount by which the claim exceeds Rs. 1,50,000.
5. Above Rs. 3,00,000	Rs. 1,100 plus one per cent of the amount by which the claim exceeds Rs. 3,00,000.

(4) The provisions in sub-rule (2) shall not apply to appeals”.

EXPLANATORY NOTE

The draft amendments to the Tamil Nadu Motor Vehicle Accident Claims Tribunal Rule, 1989 are prepared based on the recommendation of the State Law Commission for upward revision of court fees on Accident claims petition with the approval of the High Court of Madras.

S. MALATHI,
Principal Secretary to Government.