

CHAPTER VI : REVENUE RECEIPTS

General

Trend of revenue receipts

6.1.1 The tax and non-tax revenue raised by the Government of Tripura during the year 2002-03, the State's share of divisible Union Taxes and grants-in-aid received from the Government of India during the year and the corresponding figures for the preceding four years are given below:

(Rupees in crore)

		1998-99	1999-2000	2000-01	2001-02	2002-03
I.	Revenue raised by the State Government					
	(a) Tax Revenue	84.13	101.74	125.58	158.50	183.09
	(b) Non-Tax Revenue	44.83	76.19	94.51	97.64	98.73
	Total	128.96	177.93	220.09	256.14	281.82
II.	Receipts from Government of India					
	(a) State's share of net proceeds of divisible Union taxes	457.02	529.55	236.22	232.62	249.71
	(b) Grants-in-aid	682.37	730.78	1181.75	1378.62	1348.54
	Total	1139.39	1260.33	1417.97	1611.24	1598.25
III.	Total receipts of the State Government (I+II)	1268.35	1438.26	1638.06	1867.38	1880.07
IV.	Percentage of I to III	10	12	13	14	15

Analysis of receipts during the year 2002-03 and the preceding four years is given below :

Tax revenue

(a) The details of tax revenue raised during the year 2002-03 along with the figures for the preceding four years are given below:

(Rupees in crore)

Sl. No.	Head of Revenue	1998-99	1999-2000	2000-01	2001-02	2002-03	Percentage of increase (+) or decrease (-) in 2002-03 over 2001-02
1.	Sales Tax	47.70	57.78	81.08	105.80	126.97	20.01
2.	State Excise	17.00	20.11	19.79	22.03	28.21	28.05
3.	Other taxes on Income and Expenditure	5.86	10.56	11.21	11.59	12.17	5.00
4.	Stamps and Registration Fees	4.82	5.10	5.94	9.61	7.81	(-) 18.73
5.	Taxes on Vehicles	3.50	3.59	4.26	5.28	5.29	0.19
6.	Other Taxes and Duties on Commodities and Services	1.23	1.19	1.22	2.71	1.16	(-) 57.20
7.	Land Revenue	3.37	2.57	1.82	1.14	1.31	14.91
8.	Taxes on Agricultural Income	0.64	0.78	0.25	0.13	0.01	(-) 92.31
9.	Taxes and Duties on Electricity	0.01	0.06	0.01	0.21	0.01	(-) 95.24
10.	Others	-	-	-	-	0.15	-
	Total	84.13	101.74	125.58	158.50	183.09	15.51

Non-tax Revenue

(b) The details of the major non-tax revenue raised during the year 2002-03 along with the figures for the preceding four years are given below:

(Rupees in crore)

Sl. No.	Heads of Revenue	1998-99	1999-2000	2000-01	2001-02	2002-03	Percentage of increase(+) or decrease (-) in 2002-03 over 2001-02
1.	Power	19.91	33.93	35.35	46.20	59.68	29.18
2.	Forestry and Wildlife	1.95	2.44	7.60	4.53	4.09	(-) 9.71
3.	Education, Sports, Art and Culture	0.34	0.26	0.71	4.35	1.10	(-) 74.71
4.	Crop Husbandry	1.57	1.21	1.43	1.46	0.84	(-) 42.47
5.	Other Administrative Services	1.23	2.67	1.04	1.02	1.16	13.73
6.	Water Supply and Sanitation	0.63	5.08	1.21	6.06	0.88	(-) 85.48
7.	Police	2.38	4.29	2.32	4.19	2.99	(-) 28.64
8.	Interest Receipts	3.60	11.62	18.49	3.58	5.83	62.85
9.	Stationery and Printing	1.39	1.75	1.42	1.18	0.69	(-) 41.53
10.	Animal Husbandry	0.49	0.43	0.60	0.92	0.75	(-) 18.48
11.	Industries	3.32	4.09	5.51	6.27	6.04	(-) 3.67
12.	Public Works	0.64	0.64	0.94	1.31	1.41	7.63
13.	Village and Small Industries	0.39	0.17	0.50	0.33	0.09	(-) 72.73
14.	Fisheries	0.17	0.33	0.45	0.33	0.43	30.30
15.	Other Rural Development Programmes	1.74	1.55	0.23	0.13	0.12	(-) 7.69
16.	Others	5.08	5.73	16.71	15.78	12.63	(-) 19.96
	Total	44.83	76.19	94.51	97.64	98.73	1.12

While the prescribed per annum growth rate of tax revenue was recommended as 14.40 per cent by the Eleventh Finance Commission, the actual growth rate registered was 21.72 per cent on an average during 2000-2003.

Variations between budget estimates and actuals

6.1.2 The variations between the budget estimates and actuals of revenue receipts for the year 2002-03 in respect of the principal heads of tax and non-tax revenue are given below:

(Rupees in crore)

TAX REVENUE					
Sl. No.	Head of revenue	Budget estimates	Actuals	Variation: increase(+)/ decrease(-)	Percentage of variation over budget estimates
1.	Sales Tax	108.50	126.97	(+) 18.47	17.02
2.	State Excise	21.00	28.21	(+) 7.21	34.33
3.	Stamps and Registration Fees	7.05	7.81	(+) 0.76	10.78
4.	Taxes on Vehicles	5.06	5.29	(+) 0.23	4.55
5.	Land Revenue	2.21	1.31	(-) 0.90	(-) 40.72
6.	Taxes on Agricultural Income	0.16	0.01	(-) 15.00	(-) 93.75
7.	Taxes and Duties on Electricity	0.01	0.01	NIL	NIL

(Rupees in crore)

NON-TAX REVENUE					
Sl. No.	Head of revenue	Budget estimates	Actuals	Variation: Increase (+)/ decrease (-)	Percentage of variation
1.	Power	60.00	59.68	(-) 0.32	(-) 0.53
2.	Forestry and Wildlife	8.80	4.09	(-) 4.71	(-) 53.52
3.	Crop Husbandry	1.70	0.84	(-) 0.86	(-) 50.59
4.	Other Administrative Services	2.80	1.16	(-) 1.64	(-) 58.57
5.	Interest Receipts	20.15	5.83	(-) 14.32	(-) 71.07
6.	Stationery and Printing	1.69	0.69	(-) 1.00	(-) 59.17
7.	Public Works	1.00	1.41	0.41	41.00
8.	Animal Husbandry	0.70	0.75	0.05	7.14
9.	Fisheries	0.55	0.43	(-) 0.12	(-) 21.82
10.	Other Rural Development Programmes	0.26	0.12	(-) 0.14	(-) 53.85
11.	Industries	7.00	6.04	(-) 0.96	(-) 13.71
12.	Water Supply and Sanitation	1.30	0.88	(-) 0.42	(-) 32.31
13.	Education, Sports, Art and Culture	0.45	1.10	0.65	144.44
14.	Police	3.50	2.99	(-) 0.51	(-) 14.57
15.	Village and Small Industries	0.65	0.09	(-) 0.56	(-) 86.15

The reasons for variations in respect of heads of revenue where variations were substantial have not been received from the concerned departments (September 2003), though called for.

Time series analysis of GSDP and Receipts

6.1.3 The buoyancy factor of tax and non-tax receipts gradually increased from 0.38 in 2000-01 to 0.94 in 2002-03. But the buoyancy factor for tax and non-tax receipts was still lower than the prescriptive buoyancy factor of 1.20 as worked out by the Finance Commission. The details are shown in the following table:

(Rupees in crore)

Year	GSDP	Per-centage of growth	Total receipts			Per-centage of growth	Percentage of buoyancy	Receipts as percentage of GSDP
			Tax receipts	Non-tax receipts	Total			
1998-99	3814.18	15.64	84.13	44.83	128.96	21.08	0.74	3.38
1999-2000	4153.70	8.90	101.74	76.19	177.93	37.97	0.23	4.28
2000-01	4524.42	8.93	125.58	94.51	220.09	23.69	0.38	4.86
2001-02	4944.73	9.29	158.50	97.64	256.14	16.38	0.57	5.18
2002-03	5473.32*	10.69	183.09	98.73	281.82	10.03	0.94	5.15

Analysis of collection

6.1.4 Break-up of total collection at pre-assessment stage and after regular assessment of sales tax and other taxes for the year 2002-03 and the corresponding figures for the preceding two years as furnished by the Department are as follows:

* As the GSDP for the year 2002-03 is not yet available, it has been calculated on the average growth rate for the period 1998-99 to 2001-02.

(Rupees in lakh)

Head of Revenue	Year	Amount collected at pre-assessment stage	Amount collected after regular assessment (additional demand)	Penalties for delay in payment of taxes and duties	Amount refunded	Net collection	Percentage of column 3 to 7
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Finance Department							
1. Sales Tax	2002-03	12058.30	87.82	0.01	0.14	12145.99	99.28
2. State Excise	2002-03	2647.42	-	-	-	2647.42	100
3. Other taxes on income and expenditure	2002-03	1142.25	-	-	-	1142.25	100
4. Taxes and duties on commodities and services	2002-03	97.99	-	0.52	-	98.51	99.47
5. Taxes on Agricultural income	2002-03	1.35	-	-	-	1.35	100

During 2002-03, under Sales Tax, percentage of collection at pre-assessment stage was 99.28.

Cost of collection

6.1.5 The gross collection in respect of major revenue receipts, expenditure incurred on their collection and the percentage of such expenditure to gross collection during the years 2000-01, 2001-02 and 2002-03 along with relevant all India average percentage of expenditure on collection to gross collection for 2000-03 are given below :

(Rupees in crore)

Head of revenue	Year	Gross collection	Expenditure on collection	Percentage of expenditure to gross collection	All India average percentage of expenditure to gross collection
1. Sales Tax	2000-01	81.08	1.16	1.43	
	2001-02	105.80	1.24	1.17	1.27
	2002-03	126.97	2.05	1.61	
2. State Excise	2000-01	19.79	0.53	2.68	
	2001-02	22.03	0.57	2.59	3.21
	2002-03	28.21	0.51	1.81	
3. Stamps and Registration Fees	2000-01	5.94	0.86	14.48	
	2001-02	9.61	1.01	10.51	3.51
	2002-03	7.81	1.01	12.93	
4. Taxes on Vehicles	2000-01	4.26	0.44	10.33	
	2001-02	5.28	0.66	12.50	2.99
	2002-03	5.29	0.51	9.64	

It is thus observed that expenditure on collection under Sales Tax, Stamp Duty and Registration Fees, Taxes on Vehicles is higher than all India Average.

Collection of sales tax per assessee

6.1.6 The following table shows collection of sales tax per assessee for the five years ending 2002-03:

Year	Number of assessee	Sales tax revenue (Rupees in crore)	Revenue per assessee (Rupees in lakh)
1998-99	5469	45.78	0.84
1999-2000	5858	55.41	0.95
2000-01	6236	78.22	1.25
2001-02	6608	102.19	1.55
2002-03	6868	121.75	1.77

Note : The figures provided by the Department are at variance with the figures shown in Finance Accounts.

Analysis of arrears of Revenue

6.1.7 The arrears of revenue as on 31 March 2003 in respect of some principal heads of revenue amounted to Rs.2.46 crore of which Rs.0.30 crore were outstanding for more than five years as detailed in the following table:

(Rupees in crore)

Sl No.	Head of revenue	Amount outstanding as on 31 March 2003	Amount outstanding for more than 5 years as on 31 March 2003
1.	Sales tax	2.46	0.30

Arrears in assessment

6.1.8 The details of cases pending assessment at the beginning of the year 2002-03, cases becoming due for assessment during the year, cases disposed of during the year and number of cases pending finalisation at the end of the year 2002-03 are as follows:

(Cases in number)

Name of tax	Opening balance	New cases due for assessment during 2002-03	Total assessments due	Cases disposed of during 2002-03	Balance at the end of the year 2002-03	Percentage of Column 5 to 3
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Finance Department						
Sales Tax	16577	5193	21770	3045	18725	58.64

Evasion of tax

6.1.9 The details of cases of evasion of tax detected by the Sales Tax Department, cases finalised and the demands for additional tax raised as reported by the Department are given below:

Sl. No.	Name of tax/duty	Cases pending as on 31 March 2002	Cases detected during 2002-03	Total	No. of cases in which assessments/ investigations completed and additional demand including penalty etc., raised		No. of cases pending finalisation as on 31 March 2003
					No. of cases	Amount of demand (Rupees in lakh)	
1.	Sales Tax	10	12	22	4	14.14	18

Write-off and waiver of revenue

6.1.10 During the year 2002-03, there was no case of write-off and waiver of revenue as informed by the Department.

Refunds

6.1.11 The number of refund cases pending at the beginning of the year 2002-03, claims received during the year, refunds allowed during the year and cases pending at the close of the year 2002-03, as reported by the Sales Tax Department are given below:

(Rupees in lakh)

Sl. No.	Position of Refund cases	Sales Tax	
		No. of cases	Amount
1.	Claims outstanding at the beginning of the year	-	-
2.	Claims received during the year	4	28.96
3.	Refunds made during the year	2	0.14
4.	Balance outstanding at the end of the year	2	28.82

Results of audit

6.1.12 Test check of records of Sales Tax, Land Revenue, State Excise, Motor Vehicles Tax, Stamps and Registration Fees, Electricity Duty, Other Tax Receipts, Forest Receipts and other Non-tax Receipts conducted during the year 2002-03 revealed under-assessment / short levy / loss of revenue amounting to Rs. 4.18 crore in 86 cases.

This Report contains seven paragraphs, of which six paragraphs are relating to non-levy of taxes, duties, interest and penalties etc., involving Rs. 54.17 lakh. The Department / Government have accepted audit observations involving Rs. 54.17 lakh, of which Rs. 34.60 lakh had been recovered up to August 2003. No reply has been received from the Government in other cases.

Departmental Audit Committee Meetings

6.1.13 No meeting of Audit committee was held during 2002-03.

Response of departments to Draft Audit Paragraphs

6.1.14 Draft paragraphs and reviews were forwarded to the Secretary of the administrative department concerned demi-officially seeking confirmation of facts and figures and their comments thereon within a period of six weeks from the date of receipt by them. It was, however, observed that seven draft paragraphs were forwarded to the various departments during March-May 2003, but reply for only one draft paragraph was received as of September 2003.

Internal audit

6.1.15 The Finance (Excise and Taxation) Department had not yet built up any internal audit system for auditing revenue receipts of the State Government (September 2003).

Follow up of Audit Reports – summarised position

6.1.16 112 audit paragraphs and 10 reviews had been featured in Audit Reports 1988-89 to 2001-02. Out of 112 paragraphs, 35 paragraphs were discussed by the PAC leaving a balance of 77, and out of 10 reviews featured during the same period six reviews were discussed by the PAC leaving a balance of four at the end of September 2003. As of September 2003, against four reviews and 77 paragraphs remaining to be discussed, three and 41 action taken notes (ATNs) respectively were received. On the other hand, against six reviews and 35 paragraphs already discussed in the PAC, only four ATNs (two against the reviews and two against the paragraphs) were received.

SECTION - B
FINANCE (EXCISE AND TAXATION) DEPARTMENT
STATE EXCISE

6.2 Loss of revenue due to non-deposit of bottling fee

Failure of the Collector of Excise, West Tripura, Agartala, to realise bottling fee on 'India Made Foreign Liquor' from a distillery functioning in the State resulted in loss of revenue amounting to Rs. 35.53 lakh.

The Government of Tripura imposed (April 2002) by a notification issued under the Tripura Excise Act, 1987, bottling fee on production/manufacture of 'India Made Foreign Liquor' (IMFL) by any distillery functioning in the State at the rate of Rs. 5 per bulk litre (BL) of IMFL with effect from 1 April 2002. The manufacturer was to deposit the bottling fee into Government account.

A test-check of records of the Collector of Excise, West Tripura, Agartala, in January and February 2003 revealed that a distillery at Khayerpur, Agartala, had manufactured 7,10,533.76 BL of IMFL and charged and collected bottling fee of Rs. 35.53 lakh against supply of the full quantity from bonded warehouses (the purchasers) during the period from April 2002 to December 2002. But the bottling fee of Rs. 35.53 lakh so charged and collected had not been deposited, as per the provision of the notification, into Government account until March 2003.

Thus, failure of the Collector of Excise, West Tripura, to realise the bottling fee from the distillery on its products of IMFL, resulted not only in loss of revenue of Rs. 35.53 lakh but also extension of undue financial benefit to the manufacturer.

On this being pointed out in audit, the Collector of Excise stated (August 2003) that bottling fees of Rs. 34.60 lakh was deposited (April 2003) to the Government account. Deposit of the balance amount of Rs. 0.92 lakh is awaited (August 2003).

The matter was reported to the Government (June 2003); reply had not been received (September 2003).

SALES TAX

6.3 Loss of revenue due to delay in assessment

Although the business was closed down in 1990, the Department took 11 years thereafter to assess the dealer, who was then not traceable, resulting in loss of revenue of Rs. 6.63 lakh.

The Tripura Sales Tax Act, 1976, provides that every registered dealer is required to furnish quarterly returns of turnover of taxable goods within the prescribed date and pay the tax thereon. If a dealer fails to furnish a return or fails to comply with the terms of notices requiring him to produce specific accounts and documents, the Commissioner of Taxes shall assess the dealer to the best of his judgement and determine the tax payable by him.

During test-check of records of the Superintendent of Taxes, Charge I, Agartala, in July 2002, it was noticed that a manufacturer of tubular electrical poles neither submitted any return nor paid any tax for the assessment year 1988-89. However, the Assessing Authority determined that the dealer supplied electrical poles valued Rs. 10.04 lakh to the Government between June and September 1988. A departmental inspection disclosed in September 1993 that the dealer had closed down his business in 1990. The Assessing Authority after issuing four notices in July 1990, June 1991, December 1996 and May 1997 finally assessed the dealer on 31 July 2001 after a gap of 11 years on the basis of best judgement and determined the tax payable at Rs. 6.63 lakh inclusive of interest and penalty. A demand notice was prepared in August 2001 but as the dealer could not be traced the notice remained undelivered. No further steps were taken for recovery of the dues (July 2002).

Thus, inordinate delay in assessment despite non-submission of return and delay in initiating follow up action against the dealer even after departmental enquiry in 1993 resulted in a loss of revenue of Rs. 6.63 lakh.

On this being pointed out in audit, the Assessing Authority in his reply in October 2002 stated that, due to heavy workload, the assessment could not be taken up in time. However, a notice under the relevant section had been issued in October 2002 to the Executive Engineer, Electrical Stores Division, A.D. Nagar, Agartala (main purchaser of electrical poles) for realisation of the assessed dues from the dealer. Further development had not been intimated (November 2002).

The matter was reported to the Government in May 2003; reply had not been received (September 2003).

6.4 Irregular appropriation of departmental receipts towards departmental expenditure

The Superintendent of Taxes, Churaibari checkpost, utilised the revenue receipts of Rs. 5.71 lakh, in violation of Rules, to meet departmental expenses without depositing the receipts into Government account.

According to the Treasury Rules, all moneys received by or tendered to Government officers on account of revenues of the State, shall without undue delay be paid in full into treasury or into the bank. Money so received shall not be utilised to meet departmental expenditure unless specifically authorised by the above Rules.

Test-check of the records of the Superintendent of Taxes, Churaibari checkpost in May-June 1999 revealed that, between June 1995 and March 1999, an amount of Rs. 5.71 lakh collected from the defaulting dealer/transporter in cash on account of tax, composition money^ε, interest, penalty etc. was utilised, in violation of the Rules, towards departmental expenditure.

On this being pointed out in July 1999, the Commissioner of Taxes stated in December 2000 that the money received was utilised towards labour charges for loading and unloading of vehicles in pursuant to Government instructions. The reply is not tenable since deposit of revenue so collected into the Government account is mandatory, except as specifically provided in the Treasury Rules.

The matter was reported to the Government in May 2003; reply had not been received (September 2003).

6.5 Non-assessment of additional sales tax

The Assessing Authority did not assess additional sales tax for 15 assesseees resulting in short realisation of tax of Rs. 2.18 lakh and loss of Rs. 2.49 lakh towards penalty and interest on unrealised tax.

The Tripura Additional Sales Tax Act, 1990 provides that the tax payable under the Tripura Sales Tax (TST) Act, 1976 shall be increased in the case of a dealer whose taxable turnover for a year exceeds Rs.10 lakh by an additional rate of tax of 0.25 *per cent* of the taxable turnover. The rates were changed subsequently from time to time.

^ε Amount receivable for an offence as provided for in Section 32 of the Tripura Sales Tax Act, 1972.

Test-check of assessment records of three Superintendent of Taxes (STs)* revealed that although assessments under the TST Act for the assessment years 1993-94 to 2000-01 in respect of 15 assessees were finalised between October 1999 and October 2002, additional sales tax of Rs. 5.60 lakh was not assessed. However, a sum of Rs. 3.42 lakh was paid by three dealers on their own leaving a balance of Rs. 2.18 lakh and interest of Rs. 2.27 lakh upto the date of assessment. Besides, penalty of Rs. 0.22 lakh on interest was also leviable on the dealers for evading the liability to pay additional tax.

On this being pointed out in audit, the Superintendent of Taxes, Charge I, stated (February 2003) that the cases were taken up for hearing. The Superintendent of Taxes, Udaipur stated during the currency of audit that assessment cases which were pending would be taken up shortly. No further development had been intimated (March 2003).

The matter was reported to the Government in June 2003; reply had not been received (September 2003).

6.6 Loss of revenue due to non-levy of penalty

Failure to levy penalty resulted in loss of revenue amounting to Rs. 1.50 lakh.

Under the TST Act, 1976, if the Assessing Authority (AA), in the course of proceeding under the Act is satisfied that any dealer has, without reasonable cause, failed to furnish the return within the time allowed or failed to comply with a notice issued under Section 9(2) of the Act or has concealed the particulars of his turnovers or has evaded in any way the liability to pay tax, he may direct such dealer to pay by way of penalty, in addition to the tax due, a sum not exceeding one and a half times of that amount but not less than 10 *per cent* of that amount. To ensure uniform practice throughout the State, the Commissioner of Taxes issued (26 December 1987) instructions that a dealer shall be liable to pay penalty where interest was payable and where assessment was made as per best judgement under Section 9(4) of the Act. Further, by Memorandum dated 12 April 2001 the Commissioner decided that a full penalty of 150 *per cent* would be imposed when the liability to pay tax is evaded intentionally and when there is non-compliance of the notice issued by the AA under Section 9(2) of the Act.

Audit of assessment records of the Superintendent of Taxes, Udaipur, revealed that a dealer of bricks was assessed in May 1998 on best judgement basis for the assessment years 1995-96 and 1996-97 for non-compliance of the notices issued under Section 9(2). The dealer appealed in November 1998 to the Revisional Authority (RA) against the assessment order. The case was reassessed under the direction of the RA and it revealed concealment of turnover of Rs. 8.31 lakh and consequent evasion of tax of Rs. 1.54 lakh including interest for which demand was issued in March 1999. For

* STs, Charges I and III, Agartala; and ST, Udaipur.

concealment of turnover, maximum penalty not exceeding Rs. 1.50 lakh was also leviable, but not levied.

The dealer, by paying Rs. 0.51 lakh in June and August 1999, appealed to the TST Tribunal. The appeal was rejected and the case was again remanded in December 2001 to the AA. The AA did not recover the unpaid tax from the dealer nor did it levy the penalty for concealment of turnover as of December 2002. This resulted in non-levy of penalty of Rs. 1.50 lakh.

On this being pointed out in audit, the Superintendent of Taxes stated in December 2002 that the case would be reviewed and a separate proceeding for imposition of penalty would be initiated.

The reply of the Department is not tenable in view of the fact that the existing provision of the Act should have been applied in the case straightway.

The matter was reported to the Government in June 2003; reply had not been received (September 2003).

FOREST DEPARTMENT

6.7 Short realisation of revenue due to non-application of the revised rates

The Divisional Forest Officer, Udaipur, did not realise additional proceeds from the sale of timber at revised rates, which led to loss of revenue of Rs. 1.18 lakh.

Pending upward revision of sale price of timber, the Principal Chief Conservator of Forests, Tripura, had directed in May 1998 all Divisional Forest Officers to issue permits on receipt of application from concerned departments/ organisations/local bodies after obtaining an undertaking to the effect that they would pay the balance dues for timber after the revised rates were notified by the Government. The royalty/sale price of timber was revised (September 1999) with effect from 15 January 1998 at the instance of the Hon'ble Supreme Court.

Test-check of records of the Divisional Forest Officer (DFO), Udaipur, in February 2002 revealed that 33,601 cum of timber of different species was sold by the division at Rs. 1.58 lakh through six permits issued to the buyers between February 1999 and August 1999 after obtaining necessary undertaking. But the enhanced value of 29,357 cum of timber amounting to Rs. 1.18 lakh due to revision of royalty/sale price of timber was not realised from four buyers⁽¹⁾, as of November 2002.

The DFO stated in August 2003 that the balance amount would be realised soon.

⁽¹⁾ 1. The Executive Engineer, Rural Development Division, Udaipur; 2. Ashis Kr. Dey, on behalf of Managing Director, TFDPC Ltd.; 3. The Manager, Udaipur Primary Marketing Co-op Society Ltd., on behalf of Inspector of Schools, Udaipur; 4. S. Ahmed, on behalf of the Executive Engineer, NPCC Ltd., Banduar.

The matter was reported to the Government in May 2003; reply had not been received (September 2003).

TRANSPORT DEPARTMENT

6.8 Loss of revenue due to non-imposition of fine for carriage of excess load

Failure to identify trucks with load of coal in excess of permissible limit resulted in non-realisation of Rs. 4.67 lakh towards fine from the transporters.

Under Section 194 of the Motor Vehicles Act, 1988, excess loading of goods vehicle beyond the permissible weight shall be punishable with a minimum fine of two thousand rupees and an additional amount of one thousand rupees per tonne of excess load together with the charges for off-loading of the excess load. The Government of Tripura by notification dated 1 September 1991 imposed restriction on plying of public carrier goods vehicle within the State, the laden weight of which exceeded 15.5 tonnes.

Test check of records of the District Transport Officer (DTO), North Tripura, Kailashahar, revealed that cases of excess loading of goods vehicles and imposition of fines therefor were not recorded. But information collected from the records of the Superintendent of Taxes (Sales Tax), Kailashahar, revealed that, between July 1999 to July 2001, coal was imported by two agencies from outside the State through 20 trucks in 47 trips. The coal carried by the trucks per trip ranged from 18 to 19 tonnes as measured and recorded on each occasion of their crossing the sales tax checkpost at Churaibari. But the excess load of the trucks beyond permissible weight was not detected at the motor vehicle checkpost, Churaibari located at the same building wherefrom the sales tax checkpost was operating. Considering the unladen weight[♦] of five tonnes for each truck, the fine leviable for carriage of excess load of 372.50 tonnes worked out to Rs. 4.67 lakh⁼ against 47 cases which were not realised by the Department due to failure to identify cases of excess loading at the motor vehicle checkpost.

The Government to whom the matter was reported in May 2003, stated in their reply in July 2003 that in absence of security forces and weighbridge under the Motor Vehicles Inspector, Churaibari, the tendency of drivers to carry the overload could not be resisted. The reply was not acceptable as the department did not take any initiative to identify cases of excess loading from the State Sales Tax checkpost at Churaibari located at the same building who measured and recorded on each occasion the load of trucks carrying coal and crossing the Sales Tax checkpost at Churaibari.

[♦] The body weight of the vehicle is called unladen weight.

⁼ For 47 cases @ Rs. 2000 per case	= Rs. 94,000
For 372.50 tonnes of excess load @ Rs. 1000 per tonne	= <u>Rs. 3,72,500</u>
Total realisable	Rs. 4,66,500