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1. Introduction

“I Paid a Bribe” is a Janaagraha initiative aimed at reducing corruption by harnessing the collective energy of citizens to work against it.

Janaagraha is a Bangalore based Non-Profit Organisation which works towards improving the urban quality of life by improving the quality of citizenship and of infrastructure and services. I Paid a Bribe interacts with the public through its website, www.ipaidabribe.com, which provides a platform for citizens to share their corruption-related experiences. The website enables citizens to report instances where they have had to pay bribes in connection with various transactions relating to government services; where they successfully resisted paying bribes and where honest officials streamlined processes and ensured that they did not have to pay bribes at all in successfully transacting with the government.

This Janamahithi (peoples' information) report contains an analysis of citizens' corruption related experiences in Bangalore city, related to services provided by the Transport Department of Karnataka, posted on ipaidabribe.com. From the analysis, we have identified the pattern of corruption

and recommended changes in the internal systems of the department that can reduce the opportunities for bribery. We have also attempted to guide and educate citizens on how to resist and avoid paying bribes.

We hope that our effort will be useful to the Transport Department of Karnataka, to improve their procedures and provide more efficient and corruption free services to citizens. Alongside, we also hope that our report facilitates citizens to resist corruption and demand the services to which they are entitled.

This Janamahithi document is an evolving one, based on the reports received from citizens in the first three months since ipaidabribe.com was launched. As more citizens send in their reports, our understanding of the nuances of how the corrupt operate, will improve. We hope that our report will spur further debate and citizens will send us more suggestions on how services provided by the Transport Department can be improved.

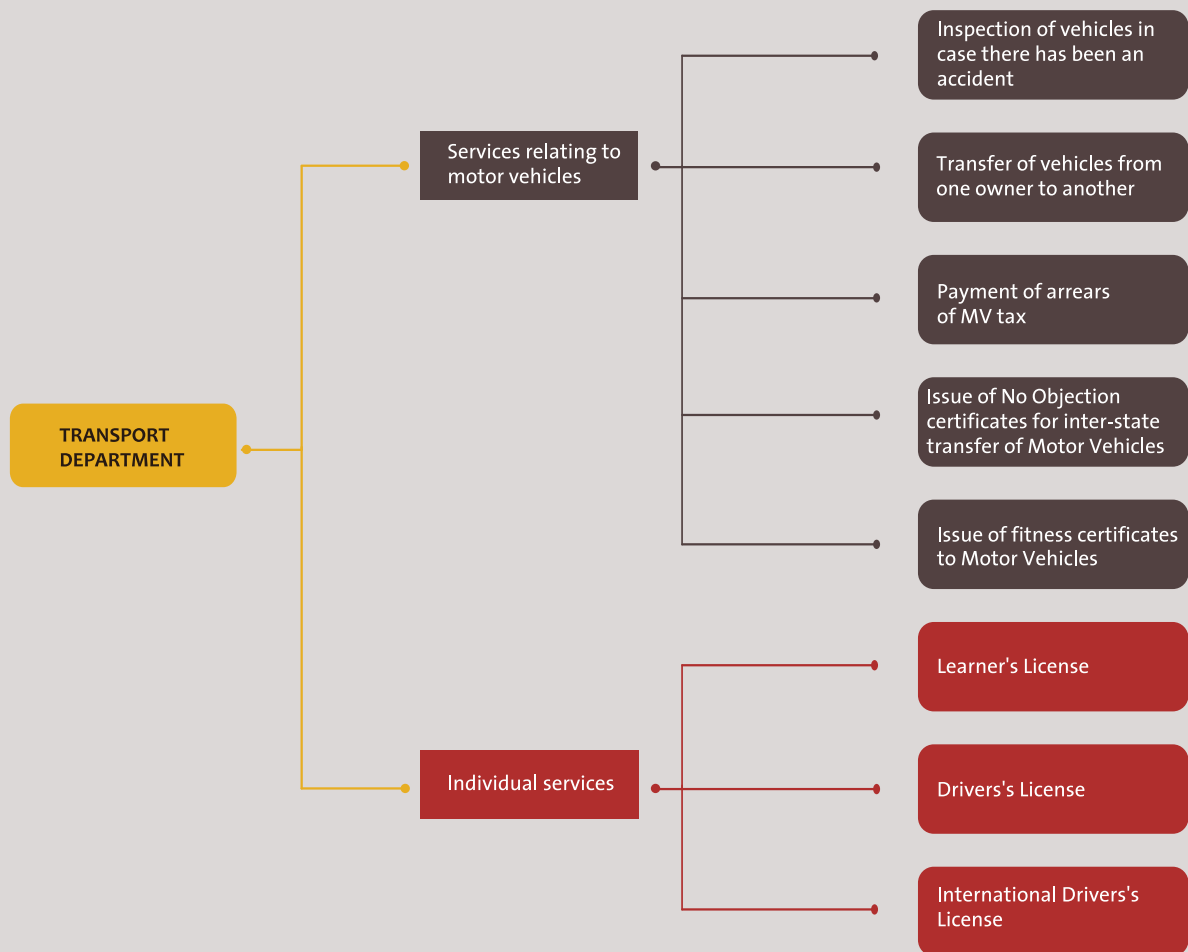
2. The legal framework for the Transport Department

Use of motor vehicles on public roads responsibly is an essential part of today's life. Therefore, all aspects of usage of vehicles such as authorizing citizens to drive vehicles, laying down traffic rules, registration of vehicles and laying down the fitness norms that vehicles must meet if they are to be used on public roads, are governed by law. In India, the subject of transportation is in the concurrent list of the Constitution. This means that both the central and state governments have powers to make laws on the subject. This is the reason why though the overall framework of the legal aspects is the same across the country, others vary from state to state.

The Motor Vehicle Act 1988 is the Central law that lays down the broad framework on the above mentioned aspects of road transport. The Central Motor Vehicle Rules also contain further details on processes, including the formats in which citizens can apply for various services. In addition, all states have their state specific amendments and rules and regulations, to suit their individual requirements.

This report analyses some key services provided by the Transport Department from the point of view of individuals who sometimes have to face inconveniences, and of course, demands for bribes, while dealing with it.

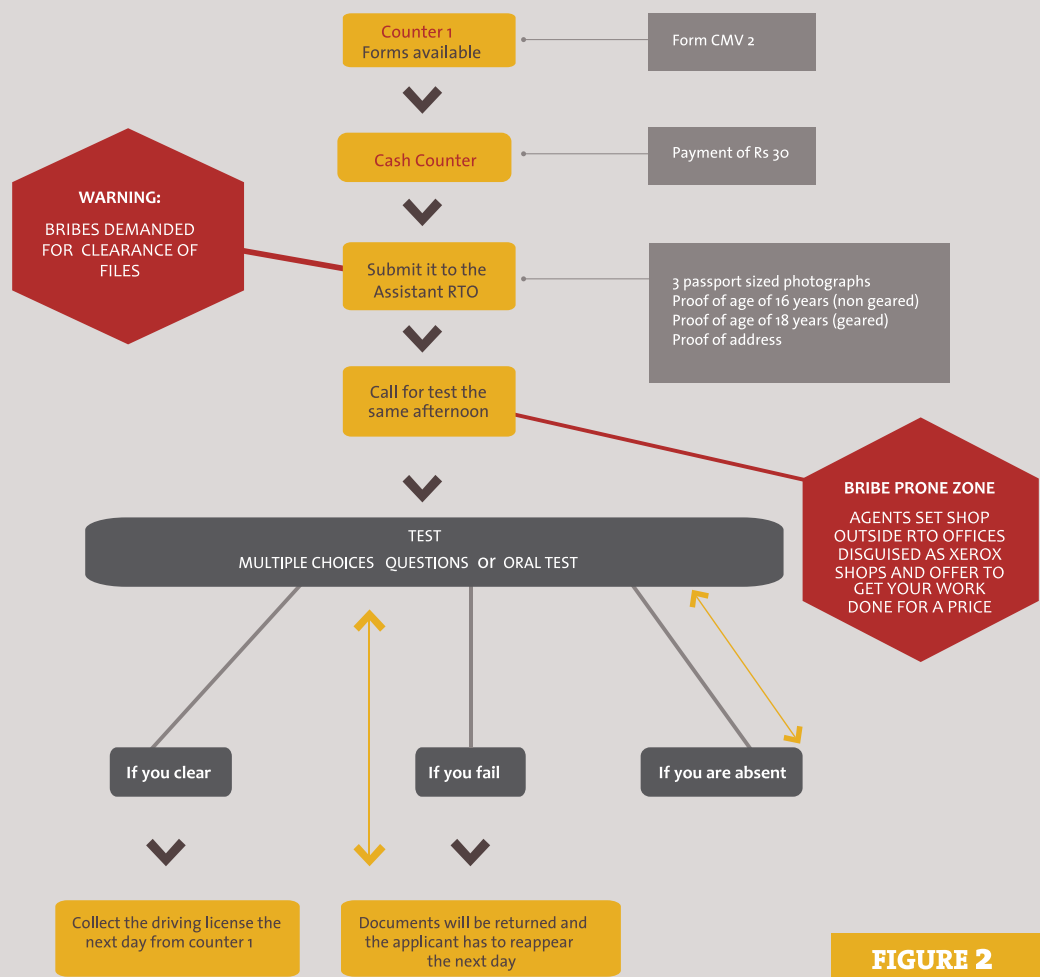
The Motor Vehicle Act 1988 is the Central law that lays down the broad framework on the above mentioned aspects of road transport.

**FIGURE 1**

3. Processes at the Transport Department, Karnataka

3.1. Getting a Learner's License

The validity of any Learner's License is six months. It can be renewed before the date of expiry. But once it expires, one will have to re-apply afresh for a new license copy.



3.2. Obtaining a Driver's License

The validity of the driver's license is for a period of 20 years or till the applicant turns 50, whichever comes first.

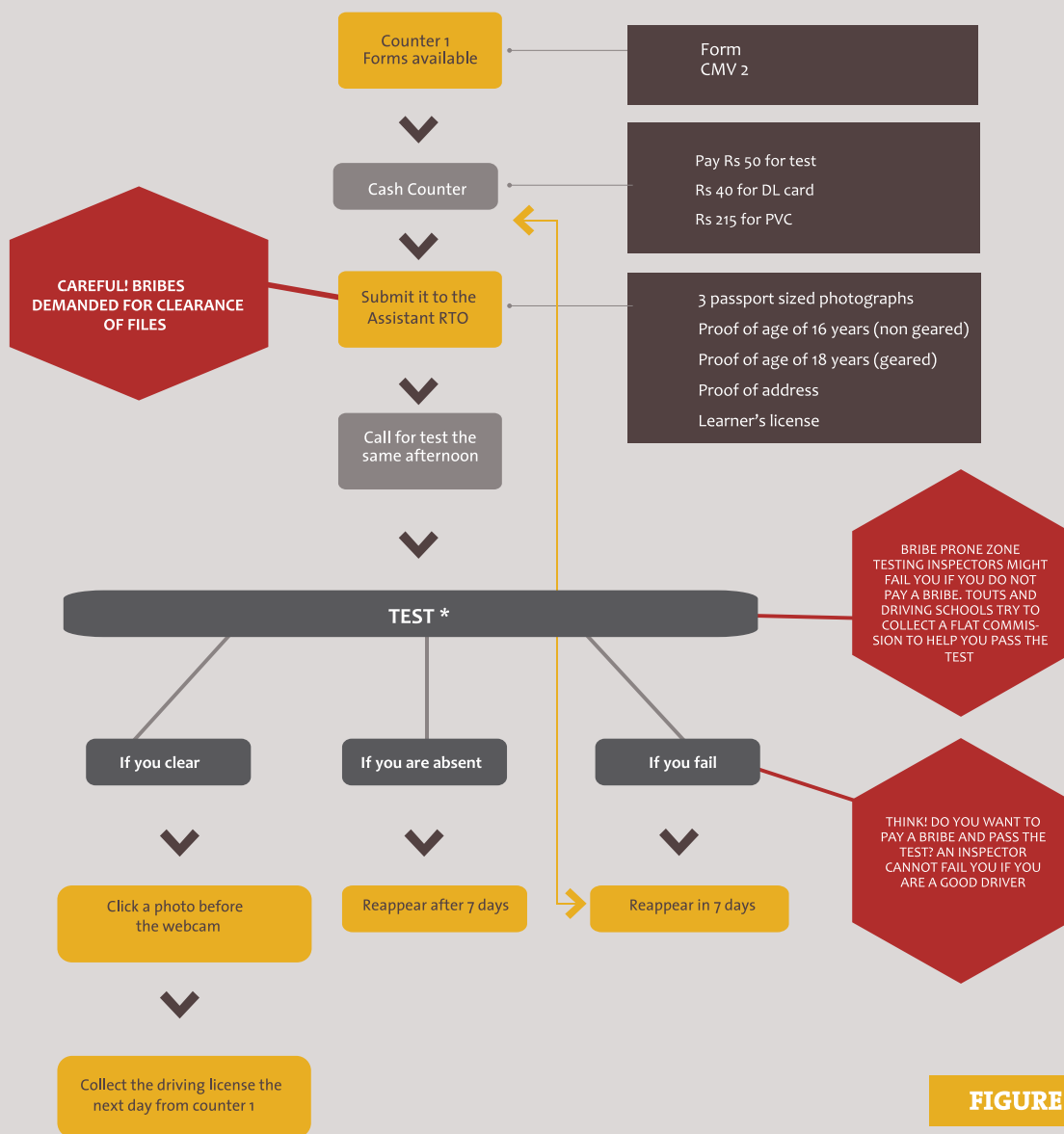


FIGURE 3

3.3. Renewal of licenses

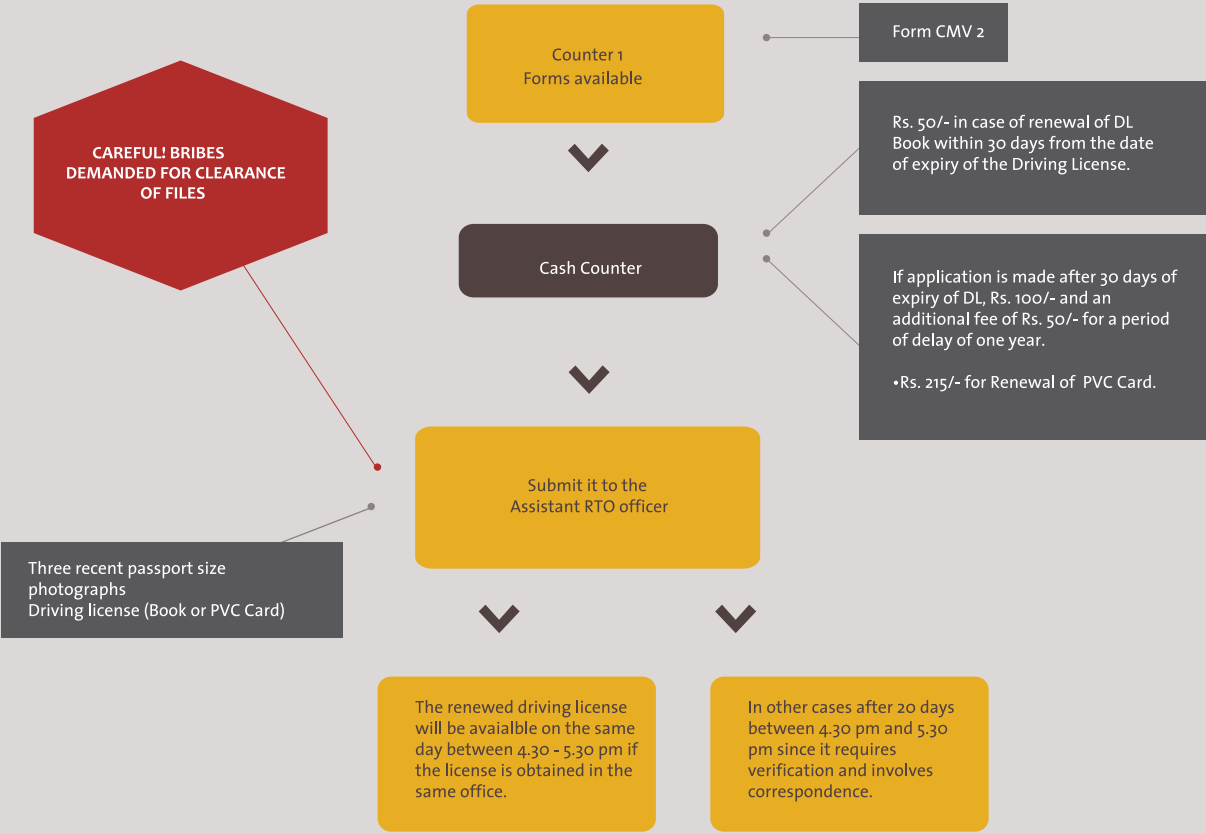


FIGURE 4

3.4 Change of address in the license

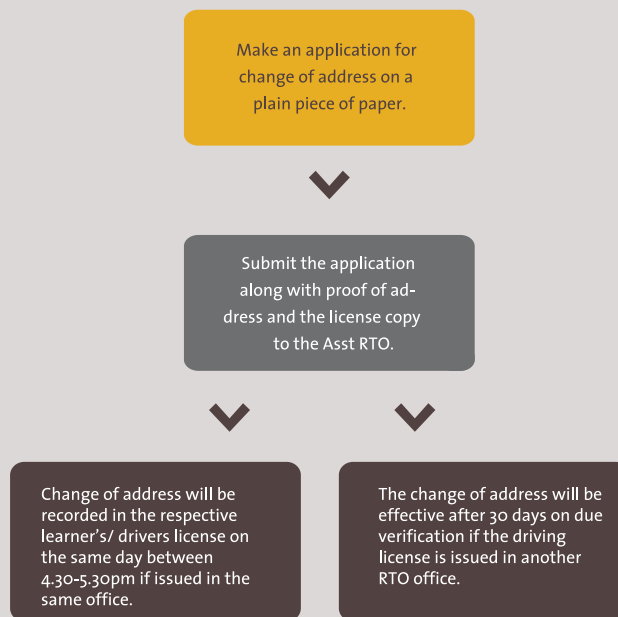
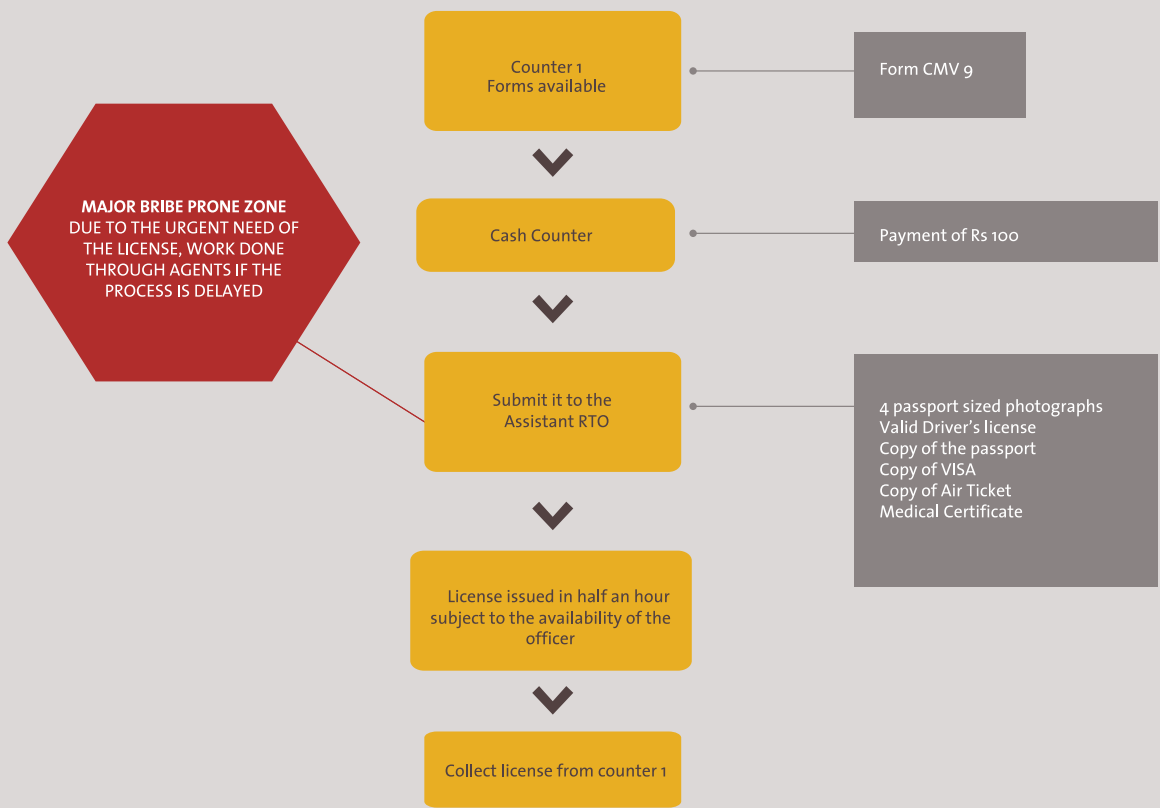


FIGURE 5

3.5 Obtaining an International Driver's license

An International Driver's License can be issued for a period of one, three, five or 10 years.



Issue of a Driving License to the Holder of a foreign driving license

Issuing Indian driving licenses to foreign driving license holders is a variant of issuing international driving licenses. Persons holding driving licenses issued by another country are to undertake the preliminary tests for obtaining Learner's licenses, but are exempted from taking the driving test. They can obtain Indian driving licenses by paying the prescribed learner's license/driving license fees and producing medical certificates in Forms CMV 1 & 1A. Individuals who apply should also produce their residence permit issued by the Police Commissioner along with the proof of legal residence in India as per rule 4 of CMV rules.

FIGURE 6

3.6 Registration of a new vehicle with the RTO

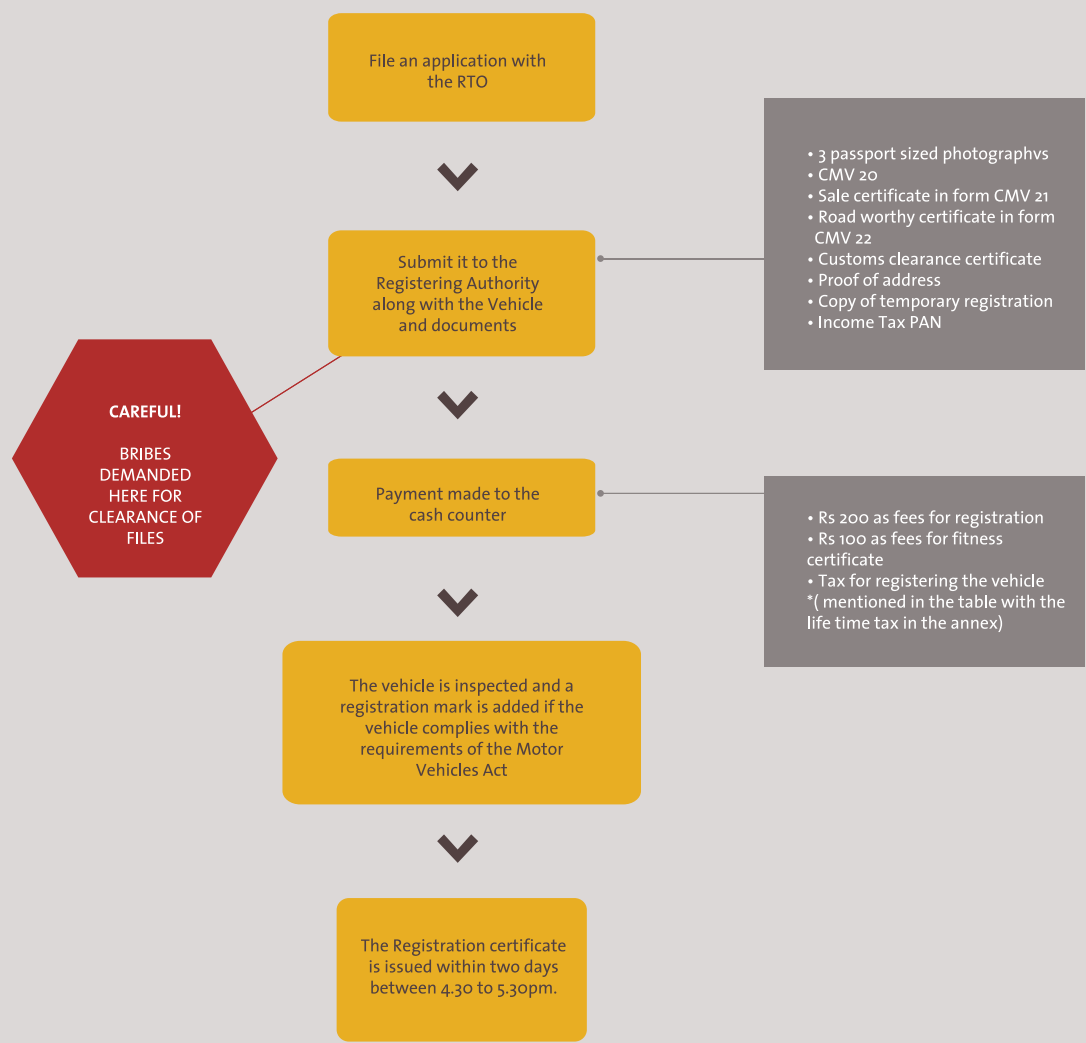
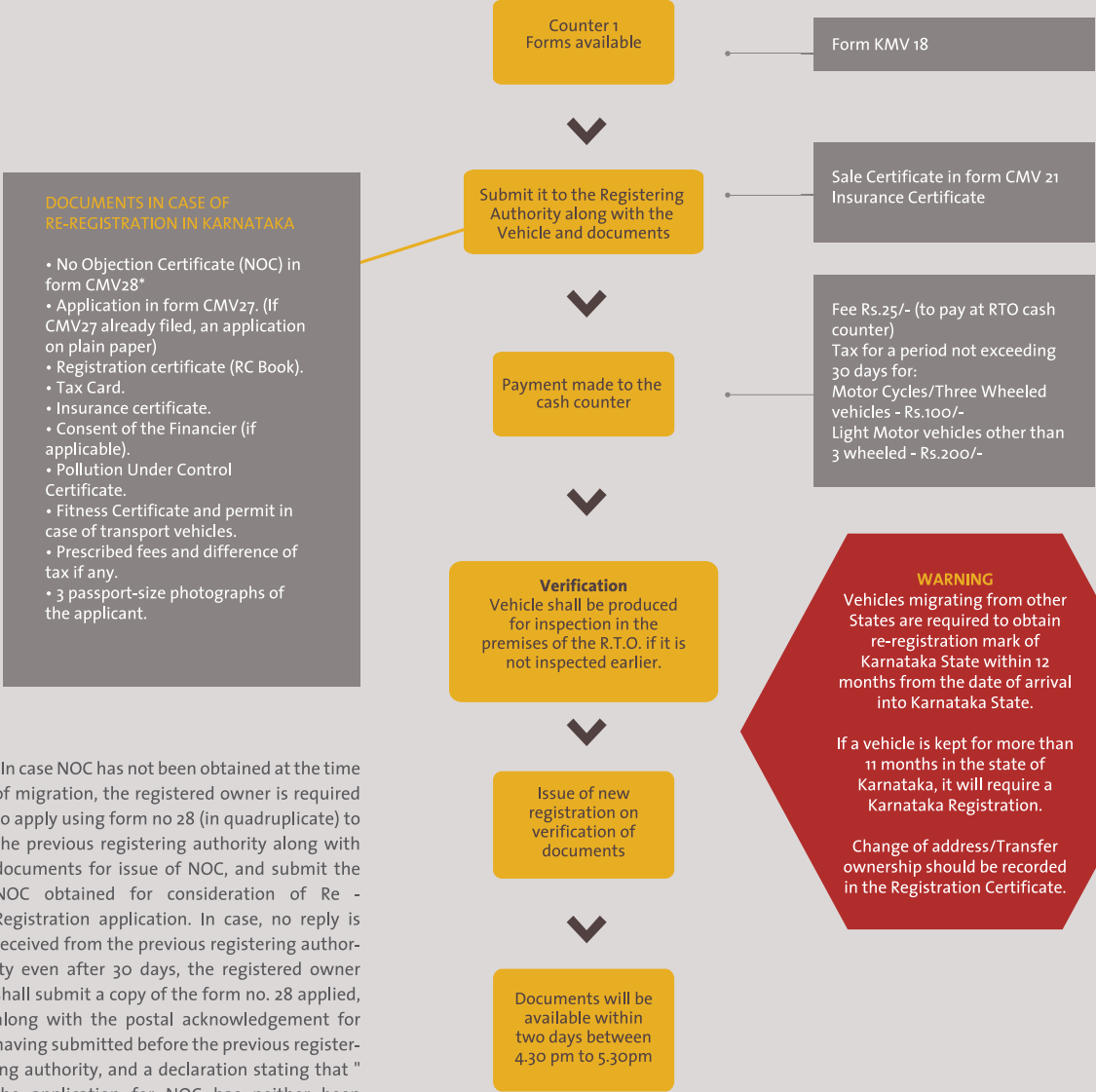


FIGURE 7

3.7 Temporary Registration of vehicles

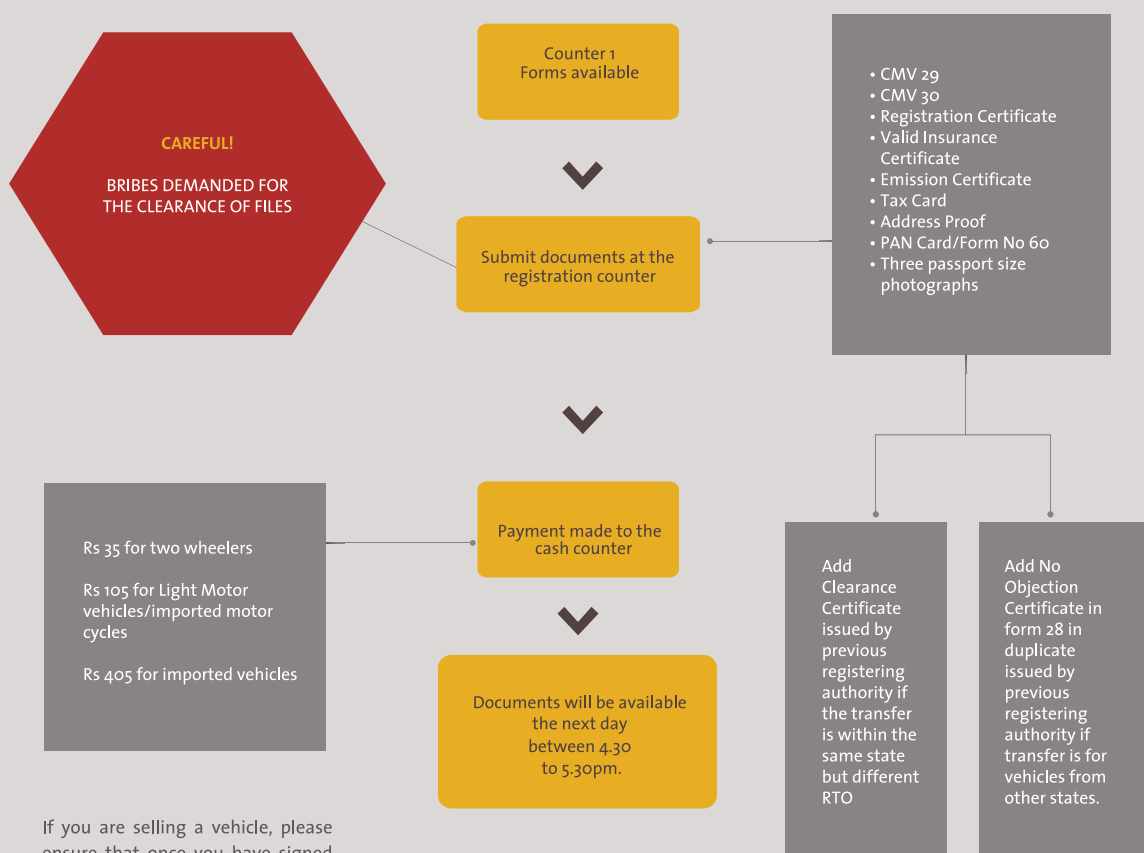


*In case NOC has not been obtained at the time of migration, the registered owner is required to apply using form no 28 (in quadruplicate) to the previous registering authority along with documents for issue of NOC, and submit the NOC obtained for consideration of Re - Registration application. In case, no reply is received from the previous registering authority even after 30 days, the registered owner shall submit a copy of the form no. 28 applied, along with the postal acknowledgement for having submitted before the previous registering authority, and a declaration stating that " the application for NOC has neither been rejected nor any reply received from the previous registering authority" to whom the application has been made.
For further information on registration visit www.rto.kar.nic.in

FIGURE 8

3.8 Transfer of ownership of vehicles

The following flow chart shows the process of the transfer of ownership of vehicles.



If you are selling a vehicle, please ensure that once you have signed all the documents of transfer, that the buyer should promptly transfer the vehicle to his/her name in the records of the RTO. The reason is that in case it is not transferred, the buyer might have a problem in securing the insurance of the vehicle in his name. Moreover, if the vehicle is involved in a traffic violation or an accident, you will have to face problems because the vehicle still stands in your name in the RTO's records.

FIGURE 9

4. Data Analysis

4.1 Kind of reports on ipaidabribe.com

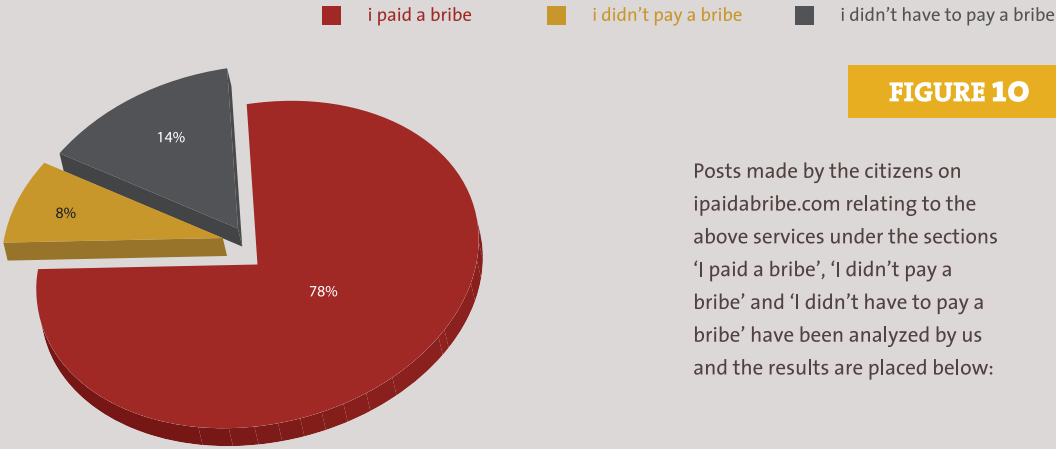


FIGURE 10

Posts made by the citizens on ipaidabribe.com relating to the above services under the sections 'I paid a bribe', 'I didn't pay a bribe' and 'I didn't have to pay a bribe' have been analyzed by us and the results are placed below:

4.2 'I paid a bribe' reports

In terms of percentage, the highest numbers of bribes were taken to issue a driver's license (30%), followed by inspection of vehicles involved in accidents (20%). With respect to the latter, the bribes have been taken mostly by the police.

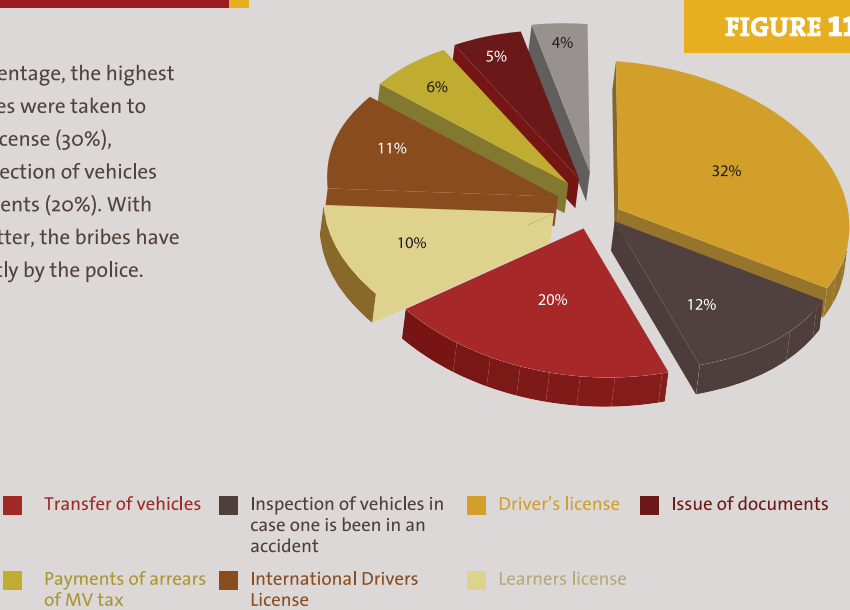


FIGURE 11

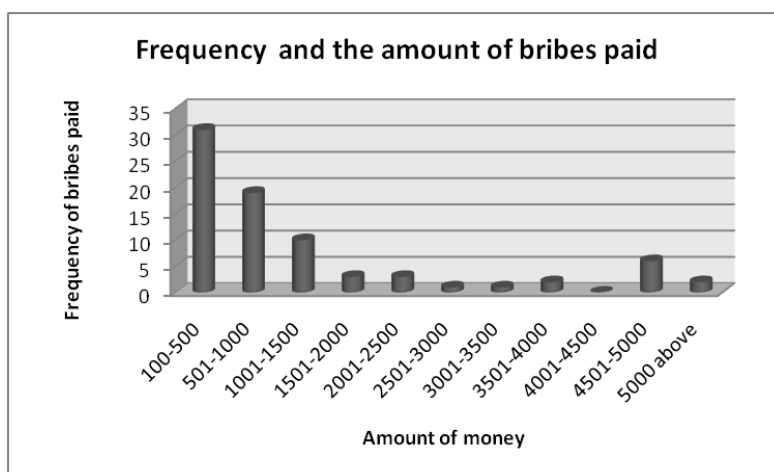
4.3 Volume of bribes paid in the Transport Department, Karnataka

| Transaction | No of cases reported | Total bribe reported | Average bribe paid |
|--|----------------------|----------------------|--------------------|
| Learners License | 8 | 5,600 | 700 |
| Driving license | 25 | 24,950 | 2750 |
| International driving license | 9 | 12,750 | 1416 |
| Inspection of vehicles involved in accidents | 9 | 9,300 | 1033 |
| Transfer of vehicles | 16 | 74,123 | 4632 |
| Payment of arrears of MV tax | 5 | 32,000 | 6400 |
| Issue of fitness certificates | 3 | 5,150 | 1716 |
| Issue of Documents | 4 | 3,900 | 975 |

Although the number of cases reported was the highest for issuing a driving license, the highest number of bribe paid was for the transfer of vehicles.

FIGURE 12

4.4 The frequency and the amount of bribes paid in the Transport Department



The highest number of bribes paid was between the range of Rs 100 and Rs 500.

FIGURE 13

4.5 The average amount of bribe paid in transactions

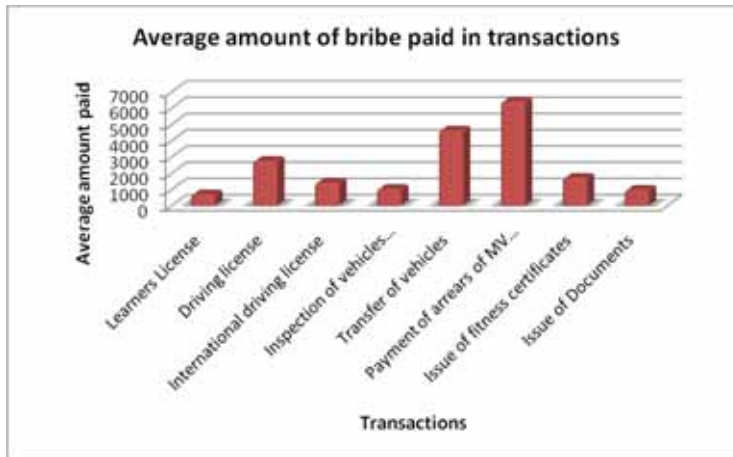


FIGURE 14

The highest average amount of bribes was paid as arrears of the Motor Vehicle Tax followed by the registration of vehicles.

4.6 Frequency of the bribe amount paid for a driving license

The total number of money paid for the issue of driving license for a total number of 25 bribes is Rs. 24,950. The data is represented below.

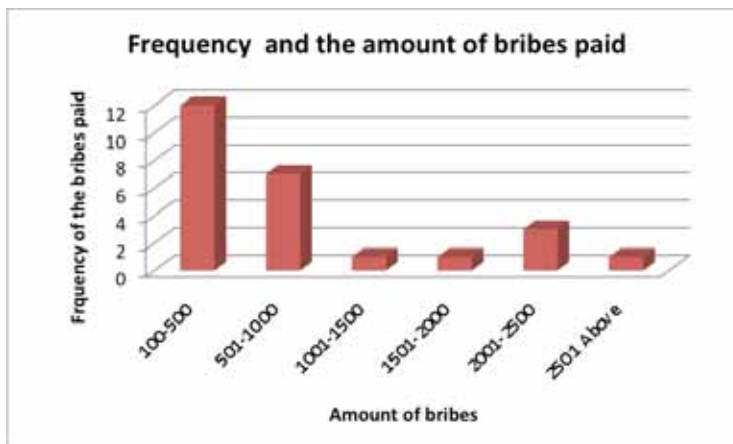


FIGURE 15

The maximum bribes were paid in the range from Rs 100 to 500.

4.7 Frequency of the bribe amount paid for the registration of a vehicle

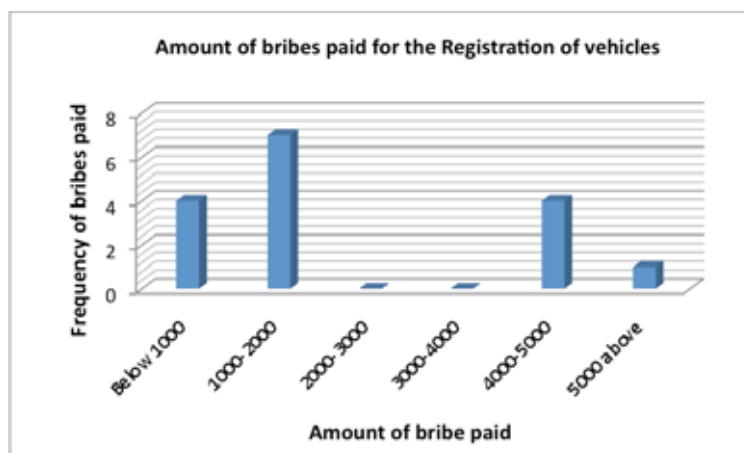


FIGURE 16

Although the maximum amount of bribe was between Rs 1000-2000, the highest bribe paid was Rs 43,500.

4.8 'I didn't pay a bribe' reports

These include reports where in the people resisted paying bribes when faced with demands.

| Serial Number | Transaction | Total bribes reported |
|---------------|--|-----------------------|
| 1 | Driver's license | 5 |
| 2 | Learners license | 1 |
| 3 | Inspection of vehicles involved in accidents | 1 |
| 4 | Transfer of vehicles | 1 |
| TOTAL | | 8 |

FIGURE 17

There were no instances of people resisting demands for bribes in respect of payment of arrears of MV Tax, issue of fitness certificates and international driving licenses

4.9 ‘I didn’t have to pay a bribe’ reports

These are the cases where citizens had the pleasant experience of obtaining the services they wanted from the Transport Department without having to pay bribes.

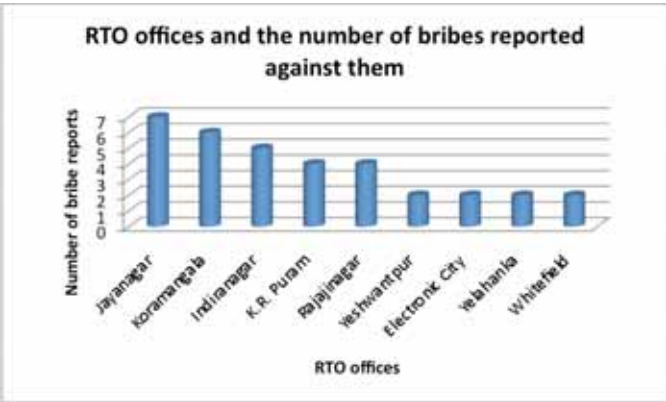
| Serial Number | Transaction | Number of bribes |
|---------------|---------------------------------|------------------|
| 1 | Driver's license | 5 |
| 2 | Transfer of vehicles | 2 |
| 3 | Recognition of honest officials | 2 |
| 4 | Learners license | 1 |
| 5 | Payment of Arrears of MV Tax | 1 |
| 6 | Transfer of vehicles | 1 |
| | TOTAL | 12 |

There were no instances of people having come across honest officials in cases of inspection of vehicles involved in accidents and issue of fitness certificates.

FIGURE 18

4.10 Bribery in Bangalore’s RTO offices

Below is a graph describing the number of cases where bribes had to be paid in RTO offices in Bangalore by citizens.



From these areas, 7 cases were from Jayanagar RTO, 6 from Koramangala each and 5 from Indira Nagar. 4 cases were reported from Rajajinagar RTO and K.R Puram each.

FIGURE 19

Apart from the RTO offices mentioned above, there were other areas of Bangalore where bribe cases were reported by citizens. Since these areas could not be classified, we have mentioned them in the following table.

| | |
|-------------|----------------------|
| R.R. Nagar | Nelamangala |
| Ulsoor | Bangalore Cantonment |
| Kengeri | Janakpuri |
| Mysore Road | Madiwala |

FIGURE 20

4.11 Bangalore offices which did not accept bribes

Out of the 14 cases where bribes were not asked for, 7 reports did not mention names of the offices concerned. Where the offices are mentioned, the details are as follows:
RTO offices were instances of 'I didn't have to pay a bribe' were reported

| <i>RTO's office</i> | <i>No of reports</i> |
|----------------------------|-----------------------------|
| Koramangala | 3 |
| Jayanagar | 2 |
| Bammanahalli & Kengeri | 1 case each |

There were no instances of people resisting demands for bribes in respect of payment of arrears of MV Tax, issue of fitness certificates and international driving licenses

FIGURE 21

5. Citizens' voices on ipaidabribe.com

** The reports in the boxes given below are verbatim.*

5.1 'I paid a bribe' reports

I opted for driving license. For drivers test I refused to pay bribe indirectly and I was failed by the inspector.

So I started renewing my LL every six months and paying the fee.

I had a 4 wheeler license from some other state and I took a xerox of it and entered DD for motor cycle with gear in in xerox and I carry the same all the time.

I don't feel to go and give test and get a genuine 2 wheeler DL.

They apparently had a different question papers like tougher and easier. You pay bribe you get easier paper and you pass the test.

I went to Jayanagar RTO. I had all the documents with me regarding my vehicle transfer. First when I went in there was no one to listening on what to do. No Properly understandable arrangement of office etc. Finally when I couldn't understand what to do I reached one person(a tout) who helped me get through this ordeal (though at a price). I had to pay a bribe of around 2000 for Vehicle transfer even though I had a valid case with me without any legal problems of any sorts.

*One ridiculous case was: the person responsible for entering vehicle details in Dept's Database, asked for INR 200 for just making that entry. This is all B****t. Why is not possible to drive a vehicle across India with all valid legal documents even after state change.*

As I needed an international driver's license, I approached the RTO office at the Koramangala BDA complex. I was directed to one of the rooms where the concerned person requested for a list of documents. After going through the documents he pointed out that they can't issue me an international driver's license as my driver's license was not issued in Karnataka and I should go to the same RTO in the other state to get my international license. When I told him that I live in Bangalore for the last 3 years and that I don't live in the other state anymore and what can be done now, he suggested I should go for a change of address.

And then on the same breath he continued further that it will take more than 3 months for the change of address. He added that if I am serious about the International driver's license then I should listen to him and he can help me get it in 2 days. He then asked me to pay him Rs3000 and he will organise my international driver's license. As I was to leave in 2 weeks time, I couldn't wait indefinitely for our corrupt govt employees to wake up after 3 months so I paid the Rs3000 plus the license fee and got my international drivers license.

5.2 'I didn't pay a bribe' reports

I generally don't like to pay bribe to anyone. When I contacted a RTO agent, he asked for Rs.1400 to get the driving license. So I decided to go on my own and appear for test.

The MVI has failed me two times but the third time I passed the test. How many times they can fail me when I am driving better than those coming through agents or driving schools.

This happened many years back. I had applied for a learner's license in Bangalore in one of the RTOs. I gave my first written test but failed in the first attempt. Then I came back to give a second attempt and failed again. When I went for the third time, the lady inspector, whose signature I was supposed to take, asked me sarcastically as to how many more times would I write the exam. She later told me that instead of writing so many times I could pay up and easily get through. I said I will not pay anything and that I will write the test until I pass it. She signed the paper in a huff, and I went on to write the test and pass it.

I had appeared for getting a Learner's License in Jan 1990 when the licensing procedure was first computerized in Bangalore. I got passed at the first attempt and got the LL in flat 20 minutes without pay a rupee at RTO, Yeswantpur. But then to get a permanent licence I had to renew every 6 months because I was failed 8 times and finally got a permanent licence in 1998 due to some genuine RTO official.

5.3 'I didn't have to pay a bribe' reports

*Amidst the rampant corruption I see and read everywhere, my hope for a clean future is still not dead. I have had quite a few transactions done at RTO, Bommanahalli, like renewal of driver's license and duplicate RC. The fee for these services are nominal. I also got a major service done i.e. transfer of registration of a vehicle from another state. The transfer fee was not small and the road tax that had to be paid was pretty high. But to my joy, I got all these done without paying a single rupee as a bribe and also without any mental hassle. The staff here were very courteous and helpful. We were new to all the procedures and we were guided very well. Yes there are honest officers in this country. This RTO needs to be applauded I also read once that Mr. ***** too got his license renewed here in 10 mins. It ***** be thought that he is a big name and he getting his job done in 10 mins is not a big surprise. I am an unknown name and I too got wmy work done within the scheduled time. Lets wish we hear more of such experiences*

I am not sure if the officials were tipped of that there was an impending ride or what. But it was amazing. My licence issued in Mysore had expired in 2008 and had to get it renewed. Went on a weekday, had carried all the necessary documents and forms, the officer in the front office guided me to the concerned case worker who in turn explained to me the fee structure and the necessary paper work. I paid only the official fee of 420Rs which included the fee for smartcard issuing, the Job got done in 40 minutes. When I came out, I had expected them to demand at least to the tune of 500Rs, but not even 5Rs was demanded. May be we all have got used to this so much when the job gets done straight, though it is a pleasant experience, some of us feel the way I felt. Keep it up Kengeri RTO, even if it was an One off day.

6. An analysis of the reported transactions relating to the Transport Department in Bangalore

The chart below provides a transaction wise comparative analysis of the 'I paid a bribe', 'I didn't pay a bribe' and 'I didn't have to pay a bribe' reports

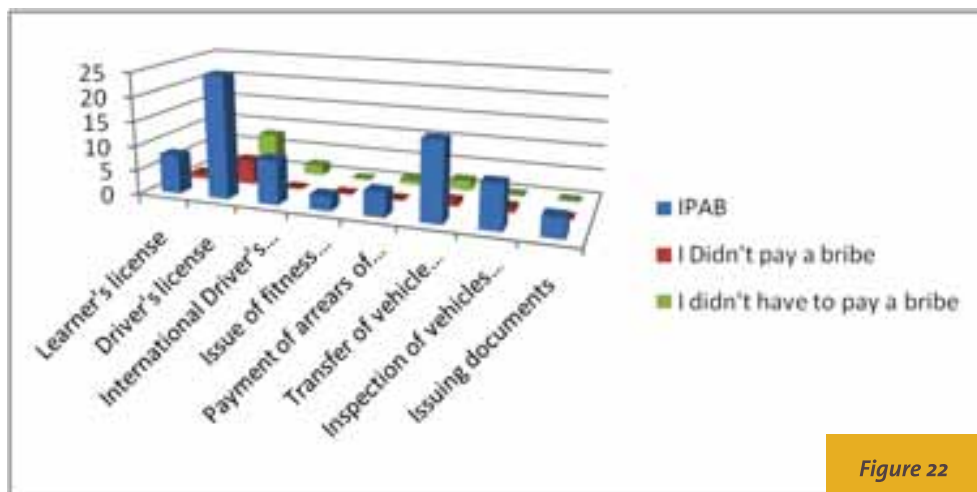


Figure 22

In the case of licensing transactions, it is seen that while there are large number of cases where bribes have been demanded and paid, there are also many cases where these were resisted and where officials did the work without taking bribes.

However, the reports show that the most corruption prone transactions are those where vehicles are involved, such as regarding transfer of vehicle registration, payment of arrears of tax and issuing of documents. In respect of these cases, there are fewer instances of bribes resisted or honest officials helping out citizens.

In the case of individual related transactions such as licenses, there are a larger number of cases where citizens have successfully resisted the payment of bribes, or where officials have not taken bribes. The average bribe paid is also lesser, than in the case of vehicle related transactions. The most corruption prone transaction in the Transport department relates to the inspection of vehicles following accidents. This is obvious. The inspector has all the discretion at his command and the individual involved is usually at a disadvantage.

The methods of collecting bribes:

Various methods are used to collect bribes in the offices of the RTOs. The most popular system seems to be to collect money through touts and agents. These touts and agents take many forms, as follows:

- ◆ Persons who take you from counter to counter, to get you through each transaction.
- ◆ Persons who sell you materials that you require immediately (of which you are not aware when you go to the RTO)
- ◆ Persons who come into action, when the RTO rejects your application for some reason or the other. For example, the RTO rejects your application because your address details are not sufficient. Then the agent offers to do this for a price.
- ◆ Staff (or outsourced staff, such as computer operators) who demand money to do the work that they are supposed to do. If not, they just delay your work.
- ◆ Inspectors who conduct the driving test. They have a lot of discretion to pass or fail you, so they demand (often successfully) bribes to be paid to them.
- ◆ Inspectors who demand bribes for inspection of vehicles involved in accidents. This is a blatant demand because the inspector knows that you do not have recourse to higher ups to complain to them, without losing a lot of time in doing this.

7. Making RTOs bribe free

It is a given fact that rampant corruption exists in our system today. In general, corruption flourishes when there is a monopolistic system for the provision of a particular service, where there is discretion with the individual who is tasked with providing you that service and where there is no way that you can hold this individual accountable for failure to provide you what you are entitled to get. The RTOs are authorized under law to be the sole providers of services under the Motor Vehicles Act. They are also the authorities to collect transportation related taxes from you. Because the RTOs are natural monopolies, any reform to reduce corruption there will need to focus on reducing discretion, increase the speed of transactions and ensure that corrupt elements are not allowed to operate in the premises.

We therefore make the following recommendations to reduce the corruption in RTOs :

Getting the anti-corruption message across:

1. Citizens' charter: One of the main reasons for frequent reports on corruption in RTOs is the lack of awareness on behalf of the citizens regarding the various governmental processes. The Transport Department has already come out with a Citizens' Charter, which is available on their website at www.rto.kar.nic.in. However, this is not enough. The key commitments contained in the citizens' charter should be displayed prominently in three languages, Kannada, Hindi and English, for the benefit of all citizens. The time limits within which the RTOs commit to complete its work for each transaction should be displayed prominently.

2. Easy to follow visual instructions and signage: Based on the Citizens Charter, illustrated charts should be put up, visually depicting all the RTO processes in an easy to understand manner.

3. Pamphlets with workflows:

Pamphlets that contain visually appealing workflows diagrams explaining the process to citizens can be made available free of cost at the RTOs.

4. Cautionary notices to citizens to beware of touts and not to pay bribes:

Simple notices cautioning citizens against corruption should be put up. This should contain practical advice such as 'Do not accept any verbal decision from a government officer' 'Complain if an official is rude' 'Do not entertain touts' 'Demand identification if anybody approaches you', should also be provided. The telephone numbers of important officials such as the PRO of the Transport Department should also be provided.

5. Place CCTVs in all RTOs:

CCTV's connected to a single control

room is a tough, but effective way to monitor RTOs for suspicious activity, particularly the movement of agents and touts.

6. Identity Badges: All employees of

RTOs should wear identity badges that clearly show his/her name and designation at all time while in office. Any individual without the badge should not be allowed to transact official business in the office.

Streamlining processes:

1. Single window system:

The workflows adopted in the RTOs need to be streamlined. In the current system, each official is given a specialized task and the customer is to go from one counter to another. In the

Table below, we have described how a citizen has to go from desk to desk to get a simple transaction done, namely, renewal of driving license. Consequently, a citizens' transaction takes up to 2 hours to complete.

- **Counter 1:** Providing application form and assisting to fill up
- **Counter 2** (sometimes outside the office): Additional forms, file and plastic case sold to the customer
- **Counter 3:** (again, requiring to go outside the office) Eye test (including fee for eye test)
- **Counter 4:** Scrutiny of papers
- **Counter 5:** Collection of pre-paid envelope (post office counter within RTO)
- **Counter 6:** Payment of DL fees.
- **Counter 7:** Photo
- **Counter 8:** Collection of complete documents and receive acknowledgement.

A single window system, where a citizen can complete all transactions at one counter will make the process convenient and faster. For instance, in a single-window system, the process would be as follows:

- **Step 1:** Customer walks in and obtains a token from a Token dispensing machine and waits for his turn. Comfortable and pleasant seating arrangements could be made for customers to wait.
- **Step 2:** A lighted display shows the customer which counter he has to go to.
- **Step 3:** All counter assistants are empowered and enabled to perform all the steps required (for example, the counter assistants can take the photo, perform the eye test and collect fees.
- **Step 4:** Once the fees are paid, the license is issued immediately

2. Customers can be enabled to submit forms in advance, online:

Waiting time can be reduced even further if a customer can fill up and send his/her form online. This could be implemented as follows:

- **Step 1:** Customer downloads form for the transaction of his choice, fills it up and submits it to the RTO concerned. He obtains a unique number for his application (Like a PNR number for a rail or air ticket), also bearing the date on which he should go to the RTO concerned.
 - The applicant may also be permitted to submit his photograph online, thus further reducing the burden on the RTOs to take photos.
 - Payment of various fees can also be taken online,

Step 2: The customer can quote his unique number at the RTO, thus enabling his application to be pulled up and further steps taken.

This will substantially reduce waiting time and eliminate the inconvenience of cash transactions.

3. Automatic cash payment machines can be installed in the RTO premises to speed up the process of payment of fees in cash.

4. Replacement of manual driving tests with simulator tests:

Conducting of the driving test before issuing a license is a highly corruption

prone process. Driving simulators with automatic recording of the performance of the applicant will bring in standardization in testing. It will take away the discretion that the inspector now has, to pass or fail the learner's license holder. A simulator has already been installed in Marathahalli and the same should be now installed in all RTOs.

Improving responsiveness and transparency:

1. Helpline with support system for queries: From the questions and clarifications sought on ipaidabribe.com, it is clear that there are many transactions about which citizens have doubts. (For

instance, the amount of tax to be paid when an out station vehicle is again registered in Karnataka). A helpline with well trained staff can be very useful for this purpose.

Today, touts and agents haunt every RTOs and exploit the inefficiency and lack of transparency to become middlemen and collect bribes. Much as we dislike them, it cannot be denied that they know the system very well. We suggest a novel solution of counseling for these agents and touts and getting those who are willing, to transit from extracting bribes to providing useful and legitimate services to people. We suggest that some of those who respond well to counseling can be accommodated in the helpline system.

2. Obtaining immediate citizens' feedback on services:

A system by which customers are encouraged to provide their immediate response should be installed on a touch screen. Citizens can enter their token number and give their responses in a few, quick and easy steps. This can be combined with a system of recording the time of entry of the customer into the office (time of issuing the token) and of leaving the office (maybe when the token is returned when the transaction is completed). The reports of the citizens and average time spent by citizens in the RTOs should be reported daily, online, so that the performance of the office can be tracked.

3. Performance grading of RTOs :

Based upon the annual performance of the RTOs, a system of grading and ranking can be introduced.

4. Constituting a 'Friends of RTO' team:

Today, because of the pressure of work in the RTOs, precious little time is spent by the officials on outreach activities, such as inculcating safe driving habits in road users. For each RTO, a 'Friends of RTO' team of concerned citizens can be constituted, to assist the RTO in undertaking such activities. The 'Friends of RTO' team could also be given a role in undertaking checks to see that improvements in performance are sustained.

Medium term reforms:

1. Remove the Area specific nature of RTO's offices:

All databases of RTOs should be linked up, thus enabling customers to go to any RTO of their choice to secure their services. This will give incentives to those offices that are run well to compete with others in providing better service.

2. Outsourcing the process of vehicle inspection:

It is suggested that the process of vehicle inspection can be outsourced to authorized private garages, as is done in other countries such as the UK. This will give customers a choice of going to those who provide better service in this regard and introduce an element of competition.

8. Acknowledgement

This Janamahithi would not have been possible without the support and able guidance of many.

First and foremost, we would like to thank the Transport Commissioner, Bangalore Mr. Bhaskar Rao, for his encouragement and support. Any process reform needs the support of government departments without which, one cannot look towards implementing smooth process reforms. It was Mr. Bhaskar Rao's keen interest that encouraged us to position the Transport Department Janamahithi as the first in the series. We sincerely thank Mr. BL Chandrasekhar, Assistant RTO, Bangalore (West) and Mr. Sridhar, Superintendent, RTO Bangalore (Central) for having provided us with valuable information on procedures followed in RTO offices, which made it easier for us to chalk out our workflows. Second, we would like to thank Mr Taniappa Vidyadhar for having shared his

experiences in relation to the RTO processes in India as well as in the US. This gave us a better insight into the functioning of the Transport Department and helped streamline our workflows. We would also like to thank Mr. Vinay Agarwal for having given an account of slow procedures in RTOs.

Thank you, Bandana Agarwal, Nalini Desikan, Ranjani Krishnakumar, Velu Shankar, Chetan Singai and Indira Vishwanathan for reviewing the initial Janamahithi drafts and giving us their valuable suggestions.

Last but not the least, we would also like to thank our followers on Facebook, Brandt D'Mello, Regina Sundara, Manoj Kumar and Abhijith C.R for providing us with recommendations on how to make the RTO processes bribe-free. It is only through an active citizenry that we can aim for a corruption-free country.

I Paid a Bribe team

Anjana Balakrishnan

Awanti Bele

Tanvi Bhatikar

T. R Raghunandan

9. Annexures

1. Some of the sample 'Ask Raghu' questions on ipaidabribe.com

Q1.) Raghu, we always go through an agent to accomplish even simple RTO tasks, therefore, we pay more. The seemingly super inflated agent fee is apparently because the agent himself will need to pay the official a bribe or "the papers just won't move." This is a grey area because it's not an instance of actually giving the bribe ourselves. Conclusion: Every transaction through agents likely involves a bribe. Do you suppose customers merely going through agents can be coaxed to report that they've done so at a highly inflated fee? For example, through an agent, it costs 1200 at the Koramangala RTO to get merely the permanent driver license whereas it should 550 roughly, off the desk so perhaps max 700 through an agent. For customers the 1200 is "worth" the extra cost, considering RTO officials will make them visit the office repeatedly, even 4 or 5 times on more pretexts. Today's white collar Bangalore executives dole out 1200 without batting an eyelid. The ones to suffer are regular citizens that don't earn as much. When they approach the desks to get their work done by themselves, the officials tacitly bring up hurdles which a discerning person would interpret as "Why didn't you go through an agent (Read: Why didn't you help me make my cut?)" Solution: Perhaps agents fees can be fixed and boldly displayed in such offices and CCTVs man the area. Then perhaps more 'invisible bribes' can be made visible so as to be reported. Needless to say, it can apply to all government officers that are customer-facing?

Thanks for your suggestions! In my view, there should not be any agents at all! The RTOs offices have already brought out a citizens charter that is available on the ipaidabribe.com website. I think they must be forced to obey their own rules and give everybody the same quality of service. The idea of using closed circuit cameras is a good one and must be implemented universally. We are working with the Transport Commissioner's office and will be shortly coming out with a Janamahithi report, which gives details of how to improve the services provided in the RTOs offices. This will also be available to the public at large.

Q.2) Hey Raghu! I've sold my bike to one of my colleague before flying abroad (2-Jan-2010). Since I couldn't get the registration transfer under before the date of travel, I requested my colleague to get that done. But I came to know that it is not yet done. Will there be any problem for me? I am coming back to India in December. Can you please advise me what can I do now? Thanks & Regards.

Once a sale of a vehicle is concluded, it's always better to have the registration transferred in the records of the RTO. The reason is that in case it is not transferred, your friend might have a problem in securing the insurance of the vehicle in his name. Moreover, if the vehicle is involved in a traffic violation or an accident, you

will have to face problems because the vehicle still stands in your name in the RTO's records.

Q.3) I brought my Delhi registered car to Bangalore in July 2010. As I have plans to stay in Bangalore for more than a year, I became a member of AASI and through them I sent the requisite tax amount to the RTO. The RTO, Electronics City has refused to accept the tax, insisting that I must produce a NOC from Delhi RTO. The Karnataka Govt. Website categorically states that NOC is not required for paying taxes. It states that NOC is required only at the time of registering the car here. What should I do in this case. In any case NOC from Delhi may take time, but the tax has to be paid here within 30 days of arrival of the car here. The AASI appears to be helpless. Jagannath Sharma, 1950, 2nd Main, 9 "A" Cross, Nisarga Layout, Bangalore 560083. sharmajagannath@hotmail.com ?

Please take a copy of the provisions of the law and visit the RTO again. Keep a copy of the citizen's charter also ready, so that you can show them the standards of service to which they have committed. Please do not be put off by any lower level official who speaks to you. Please meet the highest authority in the office (The Deputy Commissioner or the Joint Commissioner), even if it takes some time. Have an application ready under the Right to Information Act, to seek from them the reasons why they are going to disregard the law. If there is a new rule or

provision that supersedes the earlier rule, then they must show you a copy of the same. If you are clear that you are going to stay in Bangalore only for a year, then nobody can force you to get the car re-registered here.

Please see the new video on our On Air section, where a young girl describes how doing her research and homework with RTO related issues ensured that she got her work done without paying a bribe.

Q.4) why aren't people there to guide us in RTO? Is RTO run by government or agents?? i pity?

Many RTO offices set up helpdesks, but quite often, after some time, they fail to function and are taken over by agents. One way to beat the system is to go to the RTO's office with their own Citizens charter, which you can download from their website, <http://rto.kar.nic.in/> This document contains specific commitments to complete tasks within a specified period of time. Let us see how many officials will disregard their own departments citizens charter!

9.2 Some sample bribe reports on ipaidabribe.com

1.) Recently i went to the rto,for my driver's licence test.After verifying all my documents and that of the bike they asked me to take the test,i.e to ride in their track. I did no mistakes while i drove around the track. after which i was asked to go in and register my name. after registering they gave me two stamps of "indian airforce" and asked me to pay Rs100.00.when i refused to pay,she asked me to go and ***** the inspector,when i went there and asked him,he told me that its contribution for the nation and not for them,after arguing for a long time, i HAD to pay the money.after going home,i checked these stamps,nowhere in it have they mentioned that its worth inr100.00 and i think its fake. they are making money in newer ways each and every day.

2.) I have heard from my friends that you can't get a learner's license on the first attempt. No matter how well you do on the test. The RTO officer will always fail you if you don't go in with an agent it seems.. I needed one urgently so I went to an agent who has shop right on the RTO campus disguised as xerox shops.. Almost 20 shops for xerox right next to each other.. Pay the agent 700 bucks and he will take you to test room and he will signal the inspector there that I'm his client.. Then that inspector will clear you on the test and you get the license right there within the hour.. After a month I went back to the same agent and paid 400 more to get the driver's license.. Same story again.. Many of my friends suffered to get their license without going through an agent so I had to do it...

3.) When I went to get my purchased second hand vehicle registered at this government

office near E-city, Bangalore, and the officer asked me if I have either Reshan Card or Voter card with local address. When I said, I am not a localite and can only produce address proof from my company and electricity bill or any other legal document with lawyers help, they resited and said that they can't register the vehicle. After coming out, I could come across a broker who is sitting beside this office. He asked me for 1K bibe and gave me my RC book the very immediate next day without even a single proof.

4.) I was driving a LMV without gear less than 50cc & also had an 'L Board" both sides as per my learner's license & also was accompanied my someone who had a permanent driving licence but inspite of it had to pay a fine of 600 rupees which at that time was a big amount. This happened at Bhashyam Circle in Sadashivnagar & I have seen the same officer taking bribe in and around Sadashivnagar.

5.) I went to Jayanagar RTO. I had all the documents with me regarding my vehicle transfer. First when I went in there was no one to listening on what to do. No Properly understandable arrangement of office etc. Finally when I couldn't understand what to do I reached one person(a tout) who helped me get through this ordeal (though at a price). I had to pay a bribe of around 2000 for Vehicle transfer even though I had a valid case with me without any legal problems of any sorts. One ridiculous case was: the person responsible for entering vehicle details in Dept's Database, asked for INR 200 for just making that entry. This is all Bullshit. Why is not possible to drive a vehicle across India with all valid legal documents even after state change.

9.3 Some excerpts from the Motor Vehicles Act of 1988

Section 3. Necessity for driving license.

(1) No person shall drive a motor vehicle in any public place unless he holds an effective driving license issued to him, authorising him to drive the vehicle; and no person shall so drive a transport vehicle [other than [a motor cab or motor cycle] hired for his own use or rented under any scheme made under sub-section (2) of section 75] unless his driving license specifically entitles him to do so.

(2) The conditions subject to which sub-section (1) shall not apply to a person receiving instructions in driving a motor vehicle shall be such as may be prescribed by the Central Government.

Section 4. Age limit in connection with driving of motor vehicles.

(1) No person under the age of eighteen years shall drive a motor vehicle in any public place: Provided that [a motor cycle with engine capacity not exceeding 50cc] may be driven in a public place by a person after attaining the age of sixteen years.

(2) Subject to the provisions of section 18, no person under the age of twenty years shall drive a transport vehicle in any public place.

(3) No learner's license or driving license shall be issued to any person to drive a vehicle of the class to which he has made an application unless he is eligible to drive that class of vehicle under this section.

Section 8. Grant of learner's license.

(1) Any person who is not disqualified under

section 4 for driving a motor vehicle and who is not for the time being disqualified for holding or obtaining a driving license may, subject to the provisions of section 7, apply to the licensing authority having jurisdiction in the area-

(i) *in which he ordinarily resides or carries on business, or*

(ii) *in which the school or establishment referred to in section 12 from where he intends to receive instruction in driving a motor vehicle is situate, for the issue to him of a learner's license.*

(2) Every application under sub-section (1) shall be in such form and shall be accompanied by such documents and with such fee as may be prescribed by the Central Government.

(3) Every application under sub-section (1) shall be accompanied by a medical certificate in such form as may be prescribed by the Central Government and signed by such registered medical practitioner, as the State Government or any person authorised in this behalf by the State Government may, by notification in the Official Gazette, appoint for this purpose: [Provided that no such medical certificate is required for licence to drive a vehicle other than a transport vehicle.]

(4) If, from the application or from the medical certificate referred to in subsection (3), it appears that the applicant is suffering from any disease or disability which is likely to cause the driving by him of a motor vehicle of the class which he would be authorised by the learner's licence applied for to drive to be a source of danger to the public or to the passengers, the licensing authority shall refuse to issue the learner's licence:

Provided that a learner's licence limited to driving an invalid carriage may be issued to the applicant, if the licensing authority is satisfied that he is fit to drive such a carriage.

(5) No learner's licence shall be issued to any applicant unless he passes to the satisfaction of the licensing authority such test as may be prescribed by the Central Government.

(6) When an application has been duly made to the appropriate licensing authority and the applicant has satisfied such authority of his physical fitness under sub-section (3) and has passed to the satisfaction of the licensing authority the test referred to in sub-section (5), the licensing authority shall, subject to the provisions of section 7, issue the applicant a learner's licence unless the applicant is disqualified under section 4 for driving a motor vehicle or is for the time being disqualified for holding or obtaining a licence to drive a motor vehicle:

Provided that a licensing authority may issue a learner's licence to drive a motor cycle or a light motor vehicle notwithstanding that it is not the appropriate licensing authority, if such authority is satisfied that there is good reason for the applicant's inability to apply to the appropriate licensing authority.

(7) Where the Central Government is satisfied that it is necessary or expedient so to do, it may, by rules made in this behalf, exempt generally, either absolutely or subject to such conditions as may be specified in the rules, any class of persons from the provisions of sub-section (3), or sub-section (5), or both

(8) Any learner's licence for driving a motor cycle in force immediately before the commencement of this Act shall, after siTch

commencement, be deemed to be effective for driving a motor cycle with or without gear.

Section 9. Grant of driving licence.

(1) Any person who is not for the time being disqualified for holding or obtaining a driving licence may apply to the licensing authority having jurisdiction in the area- (i) in which he ordinarily resides or carries on business, or (ii) in which the school or establishment referred to in section 12 from where he is receiving or has received instruction in driving a motor vehicle is situated.

(2) Every application under sub-section (1) shall be in such form and shall be accompanied by such fee and such documents as may be prescribed by the Central Government.

(3) If the applicant passes such test as may be prescribed by the Central Government, he shall be issued the driving license: Provided that no such test shall be necessary where the applicant produces proof to show that-

(a) (i) *the applicant has previously held a driving license to drive such class of vehicle and that the period between the date of expiry of that license and the date of the application does not exceed five years, or*

(ii) *the applicant holds or has previously held a driving licence to drive such class of vehicle issued under section 18, or*

(iii) *the applicant holds a driving licence to drive such class of vehicle issued by a competent authority of any country outside India, subject to*

the condition that the applicant complies with the provisions of sub-section (3) of section 8.

(b) the applicant is not suffering from any disability which is likely to cause the driving by him to be a source of danger to the public; and the licensing authority may, for that purpose, require the applicant to produce a medical certificate in the same form and in the same manner as is referred to in sub-section (3) of section 8:

Provided further that where the application is for a driving licence to drive a motor vehicle (not being a transport vehicle), the licensing authority may exempt the applicant from the test of competence to drive a vehicle prescribed under this sub-section, if the applicant possesses a driving certificate issued by any institution recognized in this behalf by the State Government.]

(4) Where the application is for a licence to drive a transport vehicle, no such authorisation shall be granted to any applicant unless he possesses such minimum educational qualification as may be prescribed by the Central Government and a driving certificate issued by a school or establishment referred to in section 12.

(5) Where the applicant does not pass the test, he may be permitted to reappear for the test after a period of seven days:

Provided that where the applicant does not pass the test even after three appearances, he shall not be qualified to re-appear for such test before the expiry of a period of sixty days from the date of last such test

6) The test of competence to drive shall be carried out in a vehicle of the type to which the application refers:

Provided that a person who passed a test in driving a motor cycle with gear shall be deemed also to have passed a test in driving a motor cycle without gear.

(7) When any application has been duly made to the appropriate licensing authority and the applicant has satisfied such authority of his competence to drive, the licensing authority shall issue the applicant a driving licence unless the applicant is for the time being disqualified for holding or obtaining a driving licence:

Provided that a licensing authority may issue a driving licence to drive a motor cycle or a light motor vehicle notwithstanding that it is not the appropriate licensing authority, if the licensing authority is satisfied that there is good and sufficient reason for the applicant's inability to apply to the appropriate licensing authority:

Provided further that the licensing authority shall not issue a new driving licence to the applicant, if he had previously held a driving licence, unless it is satisfied that there is good and sufficient reason for his inability to obtain a duplicate copy of his former licence.

(8) If the licensing authority is satisfied, after giving the applicant an opportunity of being heard, that he-

*(a) is a habitual criminal or a habitual drunkard; or
(b) is a habitual addict to any narcotic drug or psychotropic substance within the meaning of the Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985); or*

(c) is a person whose licence to drive any motor vehicle has, at any time earlier, been revoked,

it may, for reasons to be recorded in writing, make an order refusing to issue a driving licence to such person and any person aggrieved by an order made by a licensing authority under this sub-section may, within thirty days of the receipt of the order, appeal to the prescribed authority.

(9) Any driving licence for driving a motor

(9) Any driving licence for driving a motor cycle in force immediately before the commencement of this Act shall, after such commencement, be deemed to be effective for driving a motor cycle with or without gear.

Section 50. Transfer of ownership.

(1) Where the ownership of any motor vehicle registered under this Chapter is transferred,

(a) the transferor shall,-

(i) in the case of a vehicle registered within the same State, within fourteen days of the transfer, report the fact of transfer, in such form with such documents and in such manner, as may be prescribed by the Central Government to the registering authority within whose jurisdiction the transfer is to be effected and shall simultaneously send a copy of the said report to the transferee; and

(ii) in the case of a vehicle registered outside the State, within forty-five days of the transfer, forward to the registering authority referred to in sub-clause (i)-

(A) the no objection certificate obtained under section 48; or

(B) in a case where no such certificate has been obtained,-

(I) The receipt obtained under sub-section (2) of section 48; or

(II) the postal acknowledgment received by the transferee if he has sent an application in this behalf by registered post acknowledgment due to the registering authority referred to in section 48, together with a declaration that he has not received any communication from such authority refusing to grant such certificate or requiring him

to comply with any direction subject to which such certificate may be granted;

(b) the transferee shall, within thirty days of the transfer, report the transfer to the registering authority within whose jurisdiction he has the residence or place of business where the vehicle is normally kept, as the case may be, and shall forward the certificate of registration to that registering authority together with the prescribed fee and a copy of the report received by him from the transferor in order that particulars of the transfer of ownership may be entered in the certificate of registration.

9.4 Websites used as references

<http://www.ipaidabribe.com/>

<http://www.idlservice.com/app/faq.php>

<http://www.indiandrivingschools.com/driving-license-in-india.html>

<http://rto.kar.nic.in/>

<http://www.vakilno1.com/bareacts/MotorVehiclesAct/Motor-Vehicles-Act.htm>

9.5 Life-Time Tax

2

" Part A 1

(See Section 3(1))
Lifetime Tax for Two-wheelers

| Sl. No. | Class of Vehicles | Motor Cycles whose cost does not exceed Rs. 50,000 | Motor cycles cost of which exceeds Rs. 50,000 | Motor Cycles run on Electricity |
|---------|--|---|---|---|
| A. | At the time of Registration of New Vehicles. | 8 Percent of cost of the vehicle. | 10 percent of the cost of the vehicle. | 4 percent of the cost of the vehicle. |
| B. | If the vehicle is already registered and its age from the month of Registration is : | Percentage of the life time tax levied under Clause A | Percentage of the life time tax levied under Clause A | Percentage of the life time tax levied under Clause A |
| 1. | Not more than 2 years | 93% | 93% | 93% |
| 2. | More than 2 years but not more than 3 years | 87% | 87% | 87% |
| 3. | More than 3 years but not more than 4 years | 81% | 81% | 81% |
| 4. | More than 4 years but not more than 5 years | 75% | 75% | 75% |
| 5. | More than 5 years but not more than 6 years | 69% | 69% | 69% |
| 6. | More than 6 years but not more than 7 years | 64% | 64% | 64% |
| 7. | More than 7 years but not more than 8 years | 59% | 59% | 59% |
| 8. | More than 8 years but not more than 9 years | 54% | 54% | 54% |
| 9. | More than 9 years but not more than 10 years | 49% | 49% | 49% |
| 10. | More than 10 years but not more than 11 years | 45% | 45% | 45% |
| 11. | More than 11 years but not more than 12 years | 41% | 41% | 41% |
| 12. | More than 12 years but not more than 13 years | 37% | 37% | 37% |
| 13. | More than 13 years but not more than 14 years | 33% | 33% | 33% |
| 14. | More than 14 years but not more than 15 years | 29% | 29% | 29% |
| 15. | More than 15 years | 25% | 25% | 25% |

Note:-

1. In respect of vehicles for which lifetime tax was due prior to the 1st day of April, 2009, but has not been paid, such tax shall be collected at the rates prevailing prior to such day along with the penalty due, if any.
2. Cost of the vehicle in relation to a motor vehicle means, -
 - (a) In respect of a vehicle manufactured in India, cost of the vehicle as per the purchase invoice issued either by the manufacturer or by the dealer of the vehicle including the excise duty, sales tax, surcharge or cess, entry tax, etc., as payable in the State of Karnataka; and
 - (b) In respect of an imported motor vehicle, irrespective of its place of manufacture, the total cost incurred in importing the vehicle, that is to say, the value of the motor vehicle as endorsed in the Bill of Entry or such other document and assessed as such under the Customs Act 1962, together with the Customs Duty levied, freight charges incurred and other taxes levied thereupon including additional duty/penalty levied if any, by the Customs Department or any other Department.
- (iii) For Part A5, the following shall be substituted namely:-

*** Part A 5**

(See Section 3(1))

Lifetime Tax for Motor cars, Jeeps, Omni Buses and Private Service Vehicles

| Sl. No. | Class of vehicles | Motor cars, Jeeps, Omni Buses and Private Service Vehicles having floor area upto 5 Sq.Mtrs, cost of which does not exceed Rs.5 Lakhs | Motor cars, Jeeps, Omni Buses and Private Service Vehicles having floor area upto 5 Sq.Mtrs, cost of which exceeds Rs.5 Lakhs but not exceeding Rs.10 Lakhs | Motor cars, Jeeps, Omni Buses and Private Service Vehicles having floor area upto 5 Sq.Mtrs, cost of which exceeds Rs.10 Lakhs | Motor Cars, Vans run on Electricity |
|---------|--|---|---|--|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| A. | At the time of Registration of New Vehicles. | 12 Percent of cost of the vehicle. | 13percent of the cost of the vehicle. | 16 percent of the cost of the vehicle. | 4 percent of the cost of the vehicle. |
| B. | If the vehicle is already registered and its age from the month of Registration is : | Percentage of the life time tax levied under Clause A | Percentage of the life time tax levied under Clause A | Percentage of the life time tax levied under Clause A | Percentage of the life time tax levied under Clause A |
| 1. | Not more than 2 years | 93% | 93% | 93% | 93% |
| 2. | More than 2 years but not more than 3 years | 87% | 87% | 87% | 87% |
| 3. | More than 3 years but not more than 4 years | 81% | 81% | 81% | 81% |
| 4. | More than 4 years but not more than 5 years | 75% | 75% | 75% | 75% |
| 5. | More than 5 years but not more than 6 years | 69% | 69% | 69% | 69% |

| Sl. No. | Class of vehicles | Motor cars, Jeeps, Omni Buses and Private Service Vehicles having floor area upto 5 Sq.Mtrs, cost of which does not exceed Rs.5 Lakhs | Motor cars, Jeeps, Omni Buses and Private Service Vehicles having floor area upto 5 Sq.Mtrs, cost of which exceeds Rs.5 Lakhs but not exceeding Rs.10 Lakhs | Motor cars, Jeeps, Omni Buses and Private Service Vehicles having floor area upto 5 Sq.Mtrs, cost of which exceeds Rs.10 Lakhs | Motor Cars, Vans run on Electricity |
|---------|---|---|---|--|-------------------------------------|
| 6. | More than 6 years but not more than 7 years | 64% | 64% | 64% | 64% |
| 7. | More than 7 years but not more than 8 years | 59% | 59% | 59% | 59% |
| 8. | More than 8 years but not more than 9 years | 54% | 54% | 54% | 54% |
| 9. | More than 9 years but not more than 10 years | 49% | 49% | 49% | 49% |
| 10. | More than 10 years but not more than 11 years | 45% | 45% | 45% | 45% |
| 11. | More than 11 years but not more than 12 years | 41% | 41% | 41% | 41% |
| 12. | More than 12 years but not more than 13 years | 37% | 37% | 37% | 37% |
| 13. | More than 13 years but not more than 14 years | 33% | 33% | 33% | 33% |
| 14. | More than 14 years but not more than 15 years | 29% | 29% | 25% | 25% |
| 15. | More than 15 years | 25% | 25% | 25% | 25% |

Note:-

- In respect of vehicles for which lifetime tax was due prior to the 1st day of April, 2009, but has not been paid, such tax shall be collected at the rates prevailing prior to such day along with the penalty due, if any.
- Cost of the vehicle in relation to a motor vehicle means, -
 - In respect of a vehicle manufactured in India, cost of the vehicle as per the purchase invoice issued either by the manufacturer or by the dealer of the vehicle including the excise duty, sales tax, surcharge or cess, entry tax, etc., as payable in the State of Karnataka; and
 - In respect of an imported motor vehicle, irrespective of its place of manufacture, the total cost incurred in importing the vehicle, that is to say the value of the motor vehicle as endorsed in the Bill of Entry or such other document and assessed as such under the Customs Act 1962, together with the Customs Duty levied, freight charges incurred and other taxes levied thereupon including additional duty/penalty levied if any, by the Customs Department or any other Department.

By Order and in the name of the Governor of Karnataka

G.K. BOREGOWDA

Secretary to Government,

Department of Parliamentary Affairs and Legislation

ಸಹಕಾರಿ ಮುದ್ರಣಾಲಯ, ವಿಜಯ ನಗರ ಭವನ, ಬೆಂಗಳೂರು.