

CHAPTER-VI : OTHER TAX RECEIPTS

6.1 Results of audit

We reported short levy, excess grant of refund, loss of revenue etc., amounting to ₹ 925.13 crore in 20,981 cases as mentioned below, on the basis of test check of the records relating to entertainment duty, electricity duty, state education cess, employment guarantee cess, tax on buildings (with larger residential premises), repair cess and profession tax conducted during the year 2009-10 (except paragraph No. 6.4, 6.5 & 6.6.1 which were noticed in audit during May 2010):

(Rupees in crore)

Sl. No.	Nature of receipts	No. of cases	Amount
1.	State education cess and employment guarantee cess	45	473.91
2.	Non/short recovery of electricity duty, inspection fees and excess refund	1,375	298.96
3.	Repair cess	16	119.99
4.	Profession tax	17,995	18.90
5.	Tax on buildings (with larger residential premises)	433	7.51
6.	Entertainment duty	1,117	5.86
	Total	20,981	925.13

In response to our observations made in the local audit reports during the year 2009-10 as well as during earlier years, the concerned Departments accepted underassessment, short levy, etc. and recovered ₹ 8.16 crore in 1,806 cases of which 704 cases involving ₹ 6.28 crore related to 2009-10 and the rest to earlier years.

A few audit observations involving ₹ 24.60 crore are included in the succeeding paragraphs, against which ₹ 1.45 crore had been recovered upto November 2010.

SECTION A ENTERTAINMENTS DUTY

6.2 Audit observations

During scrutiny of records in the offices of the Dy. Collectors/Resident Deputy Collectors/Taluka Magistrates/Entertainment Duty Officers, Municipal Corporations, Offices of the Chief Engineer (Electrical) and the Electrical Inspectors, Directors of Industries, Mumbai and Profession Tax Officers, we noticed cases of non-observance of provisions of the Acts and rules as mentioned in the succeeding paragraphs in this chapter. These cases are illustrative and are based on a test check carried out by us. There is a need for the Government to evolve suitable mechanism so that mistakes can be avoided, detected and corrected.

6.3 Non/short recovery of entertainment duty

The Bombay Entertainments Duty (BED) Act, 1923, provides for levy and collection of entertainment duty (ED) from cable operators and owners of video games, pool parlours and bowling alleys at the prescribed rates. The Entertainment Duty Officers did not observe some of the provisions which resulted in non-recovery of entertainment duty of ₹90.13 lakh.

6.3.1 Non-recovery of entertainment duty from cable operators

Deputy Collectors/Resident Deputy Collectors/Taluka Magistrates/ Entertainment Duty Officers

Under Section 3(4) of the BED Act, 1923, ED was payable by the cable operators at flat rates of ₹ 30, ₹ 20 or ₹ 10 per television set per month with effect from 1 April 2000 depending on whether the area is a municipal corporation (MC), A and B class municipality or other area. The rates were revised to ₹ 45, ₹ 30 or ₹ 15 per television set per month with effect from June 2006. Further, ED is payable on or before the 10th of the subsequent month to which it relates. Interest at the rate of 18 *per cent* per annum for the first 30 days and 24 *per cent* thereafter is to be levied in case of default in payment.

During test check of the records of 15 units¹ in nine districts², between June 2007 and January 2009, we noticed that ED amounting to ₹ 46.17 lakh was not paid by 154 cable

¹ Deputy Collectors: Mumbai-Zone X and XI; Resident Deputy Collectors: Amravati, Jalgaon, Jalna, Nagpur and Solapur; Entertainment Duty Officers, Zone M, Pune; and Taluka Magistrates: Lonar at Buldhana, Panhala at Kolhapur, Zone III, Andheri; Zone V: Borivali (West); Zone VI: Borivali; Zone IX: Kurla at Mulund and Parseoni at Nagpur.

² Amravati, Buldhana, Jalgaon, Jalna, Kolhapur, Mumbai, Nagpur, Pune and Solapur.

operators and ₹ 35.01 lakh was recovered short from 107 cable operators during various periods between May 2005 and March 2008. Action was not taken by the Department to recover these amounts from the cable operators. This resulted in non-recovery of ED aggregating ₹ 81.18 lakh from 261 cable operators. Besides, interest at the prescribed rates was also leviable.

After we pointed out the cases, between July 2007 and February 2009, the Department accepted the observations and recovered ED amounting to ₹ 23.94 lakh, between September 2007 and June 2010 from 99 cable operators. A report on recovery of the balance amount has not been received (November 2010). The Deputy Collector (Entertainment), Mumbai further stated that demand notices have been issued to the defaulters after issue of audit objection.

We reported the matter to the Government in April and May 2010; their reply has not been received (November 2010).

6.3.2 Non/short recovery of entertainment duty and surcharge from operators of video games, pool parlours and bowling alleys

Resident Deputy Collector/Taluka Magistrates

Under the provisions of the (BED) Act, 1923, ED is payable by the owners/operators of video games, pool parlours and bowling alleys at the rates notified by the Government from time to time with effect from May 2003. In respect of video games, entertainment duty is payable at ₹ 1,000, ₹ 750 or ₹ 500 per machine per month, depending on whether the area is a Municipal Corporation (MC), other MCs or other areas. For pool parlours entertainment duty is payable at ₹ 5,000, ₹ 3,000, ₹ 2,000 or ₹ 1,000 per pool table per month in advance, depending on whether the area is within Brihanmumbai Municipal Corporation; Navi Mumbai and Thane, Pune Municipal Corporation, other MCs or any other area. In respect of bowling alleys entertainment duty is payable at ₹ 5,000 in Brihanmumbai Municipal Corporation and ₹ 3,000 in other areas, per lane per month. Further, surcharge at 10 *per cent* is payable on all payments of admission to every entertainment.

During test check of the records of eight units³ in five districts⁴, between April 2007 and July 2009, we noticed that ED/ surcharge amounting to ₹ 5.88 lakh, ₹ 1.96 lakh and ₹ 1.11 lakh was not paid by 23 video game operators, 16 operators of pool parlours and 6 owners of bowling alleys, respectively. Action was not taken by the Department to recover the amounts from these operators/owners of video games, pool

³ Resident Deputy Collectors: Chandrapur, Mumbai-Zone: III, VI, VII, XI, Solapur and Thane, Taluka Magistrate : Wani, Yavatmal.

⁴ Chandrapur, Mumbai, Solapur, Thane and Yavatmal.

parlours and bowling alleys. This resulted in non-recovery of ED and SC aggregating ₹ 8.95 lakh.

After we pointed out the cases between April 2007 and July 2009, the Department accepted the observations and recovered ₹ 2.90 lakh against 12 cases between December 2008 and March 2010. A report on recovery of the balance amount has not been received (November 2010). The Deputy Collector (Entertainment), Mumbai further stated that demand notices have been issued to the defaulters after issue of audit objection.

We reported the matter to the Government in May 2010; their reply has not been received (November 2010).

SECTION B STATE EDUCATION CESS AND EMPLOYMENT GUARANTEE CESS

6.4 Non-remittance of education and employment guarantee cess

Non-observance of the provisions of Maharashtra Education and Employment Guarantee Cess (Cess), Act, Tax on Lands and Buildings (Collection and Refund) Rules, 1962 resulted in non-remittance of State education cess and employment guarantee cess to the extent of ₹ 259.39 crore.

Assessor and Collector, Brihanmumbai Municipal Corporation (BMC)

Education and Employment Guarantee (Cess) and penalty collected by the Municipal Corporations (MC) during a calendar week are required to be credited into the Government account before the expiry of the following week. For defaults in payment of any sum the Government may, after holding such enquiry fix a period for the payment of such sum. The Government is empowered to direct the bank/treasury in which the earnings of the MC are deposited, to pay such sum from the bank account to the Government.

Mention was made in paragraph No. 6.5 of Comptroller & Auditor General (C&AG) Audit Report for the year 2008-09 regarding non-remittance of State education cess and employment guarantee cess by the Municipal Corporations. The BMC remitted/adjusted against the grants due to them from the Government ₹ 160.37 crore between July 2009 and July 2010.

During test check of the records in May 2010, we noticed that BMC did not remit revenue amounting to ₹ 259.39 crore relating to State education cess and employment guarantee cess which was collected during the year 2009-10. The Government also did not initiate any action either to fix a period for the payment of the dues or direct the bank to pay the amounts due from the accounts of the BMC.

After we pointed out the case, the Deputy Assessor and Collector (City), BMC, Mumbai stated (May 2010) that the collected amounts will be remitted to the Government account after receipt of the audited collection reports from the wards. The fact, however, remains that the amount collected on behalf of the Government is required to be remitted before the expiry of the following week in which it was recovered.

We reported the matter to the Government in June 2010. In response to the draft para the Government (Finance Department) replied (January 2011) that it has asked the Municipal Commissioner to issue instructions to the concerned authorities to henceforth credit the amount collected into the Government treasury in accordance with the provisions of the Act/Rules.

SECTION C REPAIR CESS

6.5 Non-remittance of repair cess

Non-observance of the provisions of the Maharashtra Housing and Area Development Act, 1976, resulted in non-remittance of repair cess of ₹ 73.79 crore.

Assessor and Collector, Brihanmumbai Municipal Corporation

The tax recovered by an MC on behalf of the Government is to be credited to the Consolidated Fund of the State within fifteen days from the date of its recovery. If any MC defaults in payment the Government may fix a period for the payment of such sum. The Government is empowered to direct the bank/treasury in which the earnings of the MC are deposited, to pay such sum from the bank account to the Government.

During test check of the records in May 2010, we noticed that BMC did not remit revenue amounting to ₹ 73.79 crore, collected on account of repair cess during the year 2009-10. The Government also neither initiated action to fix a period for payment nor directed the bank to pay the amounts due from the accounts of the MC. This resulted in non-remittance of cess of ₹ 73.79 crore.

After we pointed out the matter, the Deputy Assessor and Collector (City), BMC, Mumbai remitted ₹ 50 crore into Government account

in September 2010. A report on recovery of the balance amount is awaited (November 2010).

We reported the matter to the Government in June 2010. In response to the draft para the Government (Finance Department) replied (January 2011) that it has asked the Municipal Commissioner to issue instructions to the concerned authorities to henceforth credit the amount collected into the Government treasury in accordance with the provisions of the Act/Rules.

SECTION D TAX ON BUILDINGS (With Larger Residential Premises)

6.6 Non-remittance of tax

Non-observance of the provisions of the Maharashtra Tax on Buildings (with Larger Residential Premises) (Re-enacted) (MTOB) Act, 1979 resulted in non-remittance of tax of ₹ 4.33 crore and non-levy of tax of ₹ 10.76 lakh.

6.6.1 Non-remittance of tax on buildings

Assessor and Collector, Brihanmumbai Municipal Corporation

Under section 14 of the Maharashtra Tax on Building (with Larger Residential Premises) (Re-enacted) (MTOB) Act, 1979, tax recovered by a municipal corporation (MC) on behalf of the State Government is to be credited to the Consolidated Fund of the State within 30 days from the date of its recovery. If any MC defaults in payment to the State Government any sum due under the Act, the State Government can, after holding such enquiry as it thinks fit, fix a period for payment of such sum. The Act also empowers the Government to direct the bank/treasury in which the earnings of the MC are deposited, to pay such sum from such bank account to the State Government. Any such payment made in pursuance of the orders of the Government shall be a sufficient discharge to such bank/treasury from all liabilities to the MC. There is no provision in the Act to levy interest or penalty on delay in remittance of Government revenue by the MC.

Mention was made in paragraph No. 6.7 of CAG Audit Report for the year 2008-09 –Government of Maharashtra regarding non-remittance of revenue amounting to ₹ 2.14 crore. The BMC remitted tax on building of ₹ 1.44 crore in July 2009.

During test check of the records in May 2010, we noticed that BMC did not remit revenue amounting to ₹ 4.33 crore which was collected during the year 2009-10 on account of tax on

building (with larger residential premises). Further, the Government had not directed the bank/treasury to pay the sum into the Government account as required. This resulted in non-remittance of tax of ₹ 4.33 crore.

After we pointed out the matter, the Deputy Assessor and Collector, BMC, Mumbai stated (June 2010) that the collected amounts will be remitted to the Government account after receipt of the audited collection reports from the concerned wards. The fact, however, remains that the amount collected on behalf of the Government is required to be remitted within 30 days from the date of its recovery.

We reported the matter to the Government in June 2010. In response to the draft para the Government (Finance Department) replied (January 2011) that it has asked the Municipal Commissioner to issue instructions to the concerned authorities to henceforth credit the amount collected into the Government treasury in accordance with the provisions of the Act/Rules.

There is need for a provision to levy interest/penalty on delayed remittances to curb the tendency on the part of the MC for retention of Government money. A mechanism also needs to be evolved at Government level, to watch the timely credit of revenues into its accounts.

6.6.2 Non-levy of tax on building with larger residential premises

Deputy Commissioner, Municipal Corporation (city), Jalgaon

Under the provisions of the Maharashtra Tax on Buildings (with Larger Residential Premises) (Re-enacted) Act, 1979, tax is leviable (with effect from 1 April 1974) on all buildings in MC area containing residential premises with floor area exceeding 125 square metres and whose rateable value exceeds ₹ 1,500. In other corporation areas, tax is leviable in respect of residential premises with floor area exceeding 150 square metres and whose rateable value exceeds ₹ 1,500. The rate of tax is 10 *per cent* of the rateable value of the residential premises and tax is collected in the same manner in which property tax is collected by the MCs.

During test check of records in December 2009, we noticed from the assessment register that there were 203 properties since the inception of the corporation on 21 March 2003 upto December 2009, with an area in excess of 150 square meters and the rateable value of which exceeded ₹ 1,500. No action was taken by the corporation to levy and recover the tax in respect of these

properties. Out of these properties, we worked out the tax leviable in respect of 86 properties, for the periods between 2003-04 and 2008-09, which aggregated to ₹ 10.76 lakh. In respect of the remaining properties the corporation was asked to assess, levy and recover the tax.

After we pointed out, the Deputy Commissioner, Municipal Corporation (city) Jalgaon stated (December 2009) that the matter would be investigated and compliance sent to audit. Further report is awaited (November 2010).

The aspect of non assessment and consequent non-levy of tax was brought to the notice of the corporation during its first audit in May 2006 itself although the observation was of general nature as detailed evaluation of the properties had not been done by the Department. In reply the Deputy Commissioner of the corporation had stated (July 2006) that the tax would be assessed after revaluation of properties. Though revaluation of properties has since been done, action to assess and levy tax had still not been initiated though more

than four years passed since we pointed out the matter. This resulted in non-realisation of Government revenue.

We reported the matter to the Government in May and November 2010; their reply is awaited (November 2010).

A mechanism needs to be evolved at Government level to ensure that a watch is kept for timely assessment, levy and realisation of revenues by the corporation.

SECTION E ELECTRICITY DUTY

6.7 Non/delayed remittance of electricity duty and interest thereon

Non-observance of the provisions of the Bombay Electricity Duty Act, 1958, resulted in non-remittance of electricity duty and non-levy of interest of ₹ 2.14 crore on delayed remittance of electricity duty (ED).

6.7.1 Incorrect retention of electricity duty and non-levy of interest on delayed remittance of ED

Chief Engineer (Electrical), Mumbai (CE)

6.7.1.1 During test check of the records in September 2009, we noticed

Under Section 4 of the Bombay Electricity Duty Act read with Rule 2 of the Bombay Electricity Rules, 1962, every licensee who supplies electricity to consumers is required to collect duty from the consumers and pay it to the State Government on or before the last date of the succeeding calendar month in which the bills are raised. Further, as per Section 8 of the said Act, in case of default, interest at the rate of 18 *per cent* per annum for the first three months and 24 *per cent* per annum thereafter is chargeable on the amount of duty remaining unpaid till the date of payment.

from the report of collection of electricity duty submitted by Maharashtra State Electricity Distribution Company Ltd., (MSEDCL) to the CE that electricity duty aggregating ₹ 1,184.03 crore was collected by it during the period April 2008 to March 2009. Out of this, ₹ 1,056.28 crore was remitted into the treasury by MSEDCL

as per the remittance challans sent to this office by the CE in March 2010. This resulted in retention of electricity duty of ₹ 127.75 crore by MSEDCL.

After we pointed out the matter in September 2009, the CE stated that the matter will be referred to the Government for recovery of arrears from the subsidy to be paid to MSEDCL along with penal interest. However, the fact remains that instead of crediting the amounts collected on behalf of the

Government into the treasury, MSEDCL had retained the duty without any authorisation from the State Government. The MSEDCL should have simultaneously intimated the Government about the retention for adjustment against Government dues if any.

We reported the matter to the Government/Department in June 2010; their reply has not been received (November 2010).

6.7.1.2 Further, we noticed that out of ₹ 1,056.28 crore remitted into the treasury by MSEDCL, ₹ 474.19 crore for the months of April to June 2008, August to October 2008 and December 2008 to March 2009 were remitted into the Government account after delays ranging from two to 40 days. On delayed payment, interest amounting to ₹ 2.14 crore was leviable. However, the CE had neither levied nor demanded interest from MSEDCL.

After we pointed out the matter in September 2009 and July 2010, the CE stated that the interest on delayed payment of electricity duty would be recovered. Further action taken was awaited (July 2010).

We reported the matter to the Government/Department in July 2010; their reply is awaited (November 2010).

6.8 Short levy and incorrect retention of tax on sale of electricity

Non-observance of the provisions of the Maharashtra Tax on Sale of Electricity (TOS) Act, 1963, resulted in short levy of tax of ₹78.03 lakh and non-levy of interest of ₹14.91 lakh on incorrect retention of tax on sale of electricity.

6.8.1 Short levy of tax on sale of electricity

Electrical Inspector (Duty), Mumbai

Under Section 3 and 4 of the Maharashtra Tax on Sale of Electricity Act, 1963, every bulk licensee shall pay tax in respect of all his sales of energy in bulk. The Government under notification issued in May 2008 increased the tax on sale of electricity to industrial or commercial consumers from 19 paise to 23 paise per unit with effect from 1 May 2008.

During test check of the records in August 2009, we noticed that Brihanmumbai Electric Supply and Transport Undertaking (BEST), Mumbai had paid tax on 1,950.87 lakh units of electricity sold during the month of May 2008

at 19 paise per unit instead of 23 paise per unit. This resulted in short payment of tax of ₹ 78.03 lakh. The Department had not taken any action to recover the differential amount of tax from BEST.

After we pointed out the matter in September 2009, the Department accepted the observation and recovered ₹ 77.19 lakh in April 2010. A report on recovery of balance amount ₹ 83,655 is awaited (November 2010).

We reported the matter to the Government in April 2010; their reply is awaited (November 2010).

6.8.2 Incorrect retention of tax on sale of electricity and non-levy of interest

Chief Engineer (Electrical), Mumbai

Under Section 3 and 4 of the Maharashtra Tax on Sale of Electricity Act, 1963, every bulk licensee shall pay tax on or before the last date of the succeeding calendar month in respect of all his sales of energy in bulk. Further, in case of failure to pay the tax on sale of electricity collected, by the due date, interest at the rate of 18 *per cent* per annum for the first three months and 24 *per cent* per annum thereafter is chargeable on the amount of tax remaining unpaid till the date of payment.

During test check of the records in September 2009, we noticed that between April 2008 and August 2008, the Maharashtra State Electricity Distribution Company Ltd. (MSEDCL) collected tax on sale of electricity aggregating ₹ 22.72 crore from the consumers but remitted the tax in the Government treasury after delays ranging from 10 to 40 days. Interest amounting to ₹ 14.91 lakh on the delayed payment was neither levied nor demanded by the CE from MSEDCL.

After we pointed out the matter in September 2009, the CE stated that the interest on delayed payment of tax on sale of electricity would be recovered.

We reported the matter to the Government in April 2010; their reply is awaited (November 2010).

6.9 Excess grant of refund of electricity duty

Non-observance of the prescribed conditions of the eligibility certificate under the Package Scheme of Incentives resulted in excess grant of refund of electricity duty of ₹ 35.63 lakh.

Director of Industries, Mumbai

Under the Package Scheme of Incentives which was introduced in 1964 to encourage dispersal of industries outside Mumbai-Pune-Thane belt, sales tax incentives, special capital incentives for Small Scale Industrial units, refund of octroi/entry tax/electricity duty, etc. were given to new/pioneer/prestigious units as well as existing units under expansion/diversification. Under the scheme the Industries Department issues an eligibility certificate (EC) to such a unit specifying the period of eligibility and quantum of incentives to be availed. Incentives to the eligible units in the form of refund of electricity duty paid to Maharashtra State Electricity Board (MSEB) were available for a period of five, seven or 10 years depending on the area in which the unit was located. If the EC is issued to an existing/new/pioneer unit for expansion/diversification then the refund of electricity duty is sanctioned proportionately by considering the original connected load and connected load after expansion.

During test check of the records in March 2010, we noticed that M/s. Jindal Polyester Limited was granted EC, for the period April 1996 to April 2007, under the package scheme of incentives. The company was also granted EC under sales tax for expansion during the period December 2000 to May 2011 for addition to the fixed capital investment. The company was entitled to refund of electricity duty against consumption of electricity and payment of electricity duty made to MSEB in proportion to the original connected load and connected load after expansion. Scrutiny of records revealed that the Department had granted full refund of electricity duty paid to MSEB of ₹ 92.03 lakh, for the periods 1996-97 to 2001-02, as against the refund of electricity duty in proportion to the original connected load and the connected load after expansion. Due to this the company was entitled to refund of electricity duty of ₹ 56.40 lakh only. This resulted in excess grant of refund of electricity duty of ₹ 35.63 lakh.

After we pointed out the matter, the Deputy Director of Industries, Mumbai stated that the excess refund of electricity duty granted will be adjusted against the claim for the year 2002-03.

We reported the matter to the Government in June 2010. In turn the Finance Department, in July 2010, required the Industries, Energy and Labour Department to furnish compliance to audit in the matter. Compliance is awaited (November 2010).

6.10 Non-recovery of inspection fees

Electrical Inspectors (EI) of sixteen districts⁵

Under Rule 4 of the Indian Electricity Rules (IER), 1956, inspection fees are required to be paid by the consumers prior to or at the time of or within 10 days from the date of the inspection, examination or test of electrical installations. The rates of fees payable are regulated by notifications issued by the Government from time to time. Further, as per sub-rule 2 of rule 4, of the IER, if, for any reason, the fee is not paid by the consumer, upto or within 10 days from the date of inspection, examination or test, the EI may direct the licensee to disconnect the supply to the installation of such consumer or recover the same along with the energy bills.

During test check of the records between May 2009 and December 2009, we noticed that inspection fees aggregating ₹ 1.41 crore for the inspection of electrical installations carried out between 2006-07 and 2008-09 were not paid by 726 consumers. The EIs had not recovered the amounts from the consumers.

After we pointed out these cases, the EIs accepted the observations and stated that recoveries would be made. Accordingly, the department recovered ₹ 41.38 lakh, between May 2009 and July 2010, from 214 consumers. A report on recovery of the balance amount is awaited (November 2010).

The Chief Engineer (Electrical), Mumbai stated (November 2010) that the position of recoveries is being watched through quarterly returns sent to him by the EIs and also stated that instructions are being issued to the EIs in review meetings of the Superintendent Engineer (SE) and also during the inspection of the offices of the EIs by the SE and Executive Engineer.

However, the fact remains that recovery process is slow as inspection fees from large number of consumers are pending recovery for more than two to four years. Mention was made in para 6.7 and 6.10 of the Reports of the Comptroller and Auditor General of India for the years ended 31 March 2008 and 31 March 2009 respectively.

We reported the matter to the Government in June 2010; their reply is awaited (November 2010).

The Government may devise a suitable mechanism to strengthen the existing system to ensure that inspection fees are recovered in time.

⁵ Electrical Inspectors: Aurangabad, Beed, Dhule, Hingoli, Jalgaon, Jalna, Kolhapur, Latur, Nagpur, Osmanabad, Parbhani, Pune, Ratnagiri, Sindhudurg, Solapur and Thane.

SECTION F PROFESSION TAX

6.11 Non-realisation of Profession Tax

Non-enrolment of the medical practitioners with the profession tax Department resulted in non-realisation of the profession tax to the tune of ₹ 18.76 crore.

Profession Tax Officers of five districts

Under Section 3 of the Profession Tax Act, 1975, every person liable to pay tax under the Act is required to obtain an enrolment certificate and pay tax annually at the rates specified in Schedule I to the Act. Section 5(5) of the Act provides that, if a person liable for enrolment fails to apply for such certificate, a penalty of Rupees two per day is leviable.

We collected the details of medical practitioners who were registered with the four medical councils⁶ between January and March 2010 in order to ascertain whether all the

medical practitioners in allopathic, homeopathy, ayurvedic and dental medicine of Amravati, Latur, Nanded, Sangli and Solapur districts had been brought under the purview of the Act.

As per the information received from the medical councils 19,843 medical practitioners were registered with the medical councils upto March 2009. We cross-checked these details with the information furnished by the profession tax offices of Amravati, Latur, Nanded, Sangli and Solapur districts and found that only 2,136 medical practitioners were enrolled with the Profession Tax Department. Non-enrolment of the other 17,707 persons for the period from 2005-06 to 2009-10 resulted in non-realisation of profession tax of ₹ 18.76 crore. Further penalty at the prescribed rate was also leviable.

We reported the matter to the Government/Department in June 2010; their reply is awaited (November 2010).

⁶ Maharashtra Medical Council (Allopathic), Mumbai, Homeopathic Medical Council Maharashtra, Mumbai, Medical Council for Indian Medicines (Ayurvedic), Mumbai and Maharashtra Dental Council, Mumbai.