

## **West Bengal Traffic Regulation Act, 1965**

**15 of 1965**

**[07 July 1965]**

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### PREAMBLE

An Act to provide for the regulation of traffic in streets and public places and for matters connected therewith.

Whereas it is expedient to provide for the regulation of traffic in streets and public places with a view to preventing danger, obstruction or inconvenience to the public and for matters connected therewith;

It is hereby enacted in the Sixteenth Year of the Republic of India, by the Legislature of West Bengal, as follows:-

1. For Statement of Objects and Reasons, see the Calcutta Gazette, Extraordinary, Part IV A, dated the 6th March, 1965, page 527; for proceedings of the West Bengal Legislative Assembly, see the proceedings of meeting of that Assembly held on the 4th May, 1965.

### **1. Short title, extent and commencement :-**

(1) This Act may be called the West Bengal Traffic Regulation Act, 1965.

(2) It extends to the whole of West Bengal.

(3) It shall come into force<sup>1</sup> on such date and in such area as the State Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different areas.

1. Provisions of this Act came into force to the City of Calcutta and its suburbs and the district of Howrah on 15th July, 1965, vide Notification No. 7179-W.T., dated the 12th July, 1965, published in the Calcutta Gazette, Extraordinary, Part I, dated the 13th July, 1965, page 2438.

## **2. Interpretation :-**

In this Act the expressions "public place", "street" and "vehicle" shall have the meanings assigned to them in the Calcutta Police Act, 1866,(Ben. Act IV of 1866.) unless there be something in the subject or context repugnant to such construction.

## **3. Act to override other laws :-**

(1) The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law.

(2) Subject to the provisions of sub-section (1), the provisions of this Act shall be in addition to, and not in derogation of, the provisions contained in any other law for the time being in force.

## **4. Powers to prohibit the plying of vehicles, to regulate traffic, etc :-**

(1) The State Government or any authority appointed by the State Government in this behalf may, by order published in the manner prescribed by rules made under this Act,-

(a) prohibit the plying of any class of vehicles in streets or public places subject to such conditions as may be specified in the order;

(b) regulate traffic of all kinds in streets or public places and the use or driving of vehicles in streets or public places with a view to preventing danger, obstruction or in convenience to the public;

(c) regulate the conditions under which vehicles may remain standing in streets or public places and the use of streets as halting places for such vehicles.

(2) An order made under sub-section (1) shall remain in force until it is modified or rescinded by the authority making it or by the State Government if the order has been made by an authority other than the State Government:

Provided that an order made by an authority other than the State

Government shall remain in force for such period not exceeding two months as may be specified in the order, unless, before the expiry of such period, it is approved by the State Government.

(3) The State Government may, by order published in the manner prescribed by rules made under this Act, regulate the size, construction or equipment of vehicles for which there is no provision in any other law.

## **5. Penalty :-**

(1) Any person contravening any order made under any of the provisions of section 4 shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees, or with both.

(2) Where a person is convicted of any offence under this Act the Court may direct that the vehicle in respect of which the offence is committed shall be forfeited to Government.

(3) Every offence under this Act shall be cognizable and bailable.

## **6. Penalty :-**

(1) Any person contravening any order made under any of the provisions of section 4 shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees, or with both.

(2) Where a person is convicted of any offence under this Act the Court may direct that the vehicle in respect of which the offence is committed shall be forfeited to Government.

(3) Every offence under this Act shall be cognizable and bailable.

## **7. Indemnity :-**

No suit or proceeding shall lie against the State Government and no suit, proceeding or prosecution shall lie against any officer of the State Government for anything in good faith done or intended to be done in pursuance of this Act or any rules or orders made thereunder.

## **8. Rules :-**

The State Government may make rules for carrying out the purposes of this Act.