

Madhya Pradesh Motor Vehicles Rules, 1994

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Madhya Pradesh Motor Vehicles Rules, 1994

CHAPTER 1 PRELIMINARY

1. Short title and application :-

- (1) These rules may be called the Madhya Pradesh Motor Vehicles Rules, 1994.
- (2) They shall, have as expressly provided otherwise, apply to and in relation to all Motor Vehicles in the State of Madhya Pradesh.
- (3) These rules shall come into force with effect from the date of publication in the "Madhya Pradesh Gazette."

2. Definitions :-

In these rules, unless the context otherwise requires,

- (a) "Act" means the Motor Vehicles Act, 1988 (No. 59 of 1988);
- (b) "Deputy Transport Commissioner" and "Assistant Transport Commissioner" means the Officers appointed as such by the State Government to perform the duties and functions of Deputy Transport Commissioner or Assistant Transport Commissioner under these rules;
- (c) "Central Rules" means the Central Motor Vehicles Rules, 1989 framed by the Government of India under the Motor Vehicles Act, 1988 (No. 59 of 1988);
- (d) "Form" means a Form set-forth in the First Schedule appended to these rules;
- (e) "Transport Department" means the Motor Vehicles Department established by the State Government under sub-section (1) of Section 213 of the Act;
- (f) "Passenger" means any person travelling in a public service vehicle other than the driver, conductor and a person engaged for the loading and unloading the luggage of the passengers or an employee of the permit holder while on duty;
- (g) "Region" means the territorial jurisdiction of a Regional Transport Authority, as notified from time to time;
- (h) "Regional Transport Officer", "Additional Regional Transport Officer" or "Assistant Regional Transport Officer" means any Officer appointed as such by the State Government for any region or area to perform the duties and functions under the Act and these rules;
- (i) "Stand" means a place duly notified as such under Rule 204 of these rules;
- (j) "State" means the State of Madhya Pradesh;
- (k) "Section" means a section of the Act;
- (1) "State Government" means the Government of Madhya Pradesh;
- (m) "Transport Commissioner" means the head of the Motor Vehicles

Department established under Section 213 of the Act and appointed as such by the State Government to perform the duty and function of the Transport Commissioner under the Act or the rules framed thereunder;

(n) "Transport Inspector", "Transport Sub-Inspector" or "Assistant Transport Sub-Inspector" means Officer appointed as such by the Transport Commissioner;

(o)

"Tribunal" means the State Transport Appellate Tribunal

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constituted under sub-section (2) of Section 89 of the Act;

(p) Words and Expression used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

CHHATTISGARH AMENDMENT

1. In Rule 2 after sub-clause (a), the following sub-clause shall be inserted, namely :

"(aa) Transport Check-post means the check-post established by the State Government from time to time for the control and enforcement of the provisions of Motor Vehicles Act, 1988 (No. 59 of 1988) and the rules made thereunder, the Chhattisgarh Motoryan Karadhan Adhiniyam, 1991 (No. 25 of 1991) and the rules made thereunder, and other related matters." [Vide Notfn. No. 668/Tr.D./2001, dated 10-10-2001]

2. In clause (h) of Rule 2, for words "or Assistant Regional Transport Officer" words "Assistant Regional Transport Officer or District Transport Officer" be substituted. [Vide Notfn. No. 510/Trans./2002, dated 12-5-2002]

CHAPTER 2 LICENSING OF DRIVERS OF MOTOR VEHICLES

3. Licensing Authority :-

¹[(1) Licensing authority (1) Except in the case of Driving Schools or Institutions, the Licensing Authority shall be Officers of the Transport Department of the rank of Assistant Regional Transport Officer or above or any other authority notified for the said purpose by the State Government.]

(2) The Licensing Authority for the purposes of licensing and regulation of schools or establishments for imparting instructions in driving of motor vehicles, and matters connected therewith shall be the Regional Transport Officer or such other Officer not below the rank of Regional Transport Officer as authorised by the State Government by notification, in the Madhya Pradesh Gazette.

²[(3) The powers of the Licensing Authority will extend to those categories of vehicles and for that area of the State as the State Government may by order, determine or as specified by the Transport Commissioner on the authority of the State Government].

1. Subs, by M.P. Notfn. No. 22-158-2005-VIII, dated 19-1-2006. Prior to substitution it read as under:

"(1) The Licensing Authority for the purposes of licensing and regulation and matters connected therewith, other than licensing and regulation of schools or establishments shall be the Regional Transport Officer, Additional Regional Transport Officer or Assistant Regional Transport Officer."

2.Subs, by ibid. Prior to substitution it read as under:

"(3) The area of jurisdiction of the each Licensing Authority shall be the region or such other area as the State Government may notify from time to time."

4. Testing Officer :-

The test as set forth in sub-section (5) of Section

8 and the test of competence to drive as set forth in sub-section (3) of Section 9 of the Act shall be conducted by the Licensing Authority or a Transport Inspector, or a Board, constituted by the State Government from time to time.

5. Production of Vehicle :-

Subject to the provisions of sub-section (6) of Section 9 of the Act the applicant shall furnish a servicable vehicle of the class to which the application relates and present himself for the test at such time and place as may be specified by the Licensing Authority.

6. Medical Practitioner/Medical Examination Fee :-

For the purposes of sub-section (3) of Section 8 of the Act the registered medical practitioner having MBBS degree in Allopathy from the recognised University, is authorised to examine the applicant for driving licence and for issue of Medical Certificate in Form 1-A of the Central Rules on payment of fee prescribed under Rule 24.

7. Authorisation to drive Transport Vehicle :-

(1) A certificate for authorisation to drive a transport vehicle shall be made in Form M.P.M.V.R.-I (ATVA) alongwith :

(a) the driving licence issued in Form 6 or 7 of the Central Rules; and

(b) the fee as specified in Rule 24.

(2) The Licensing Authority to which application is made for grant of authorisation under this rule may, if it thinks fit, in order to ascertain whether the applicant is a fit person for being granted the authorisation and whether the applicant is not disqualified for holding or obtaining a driving licence or to drive otherwise, make enquiries into the character and antecedents from the Superintendent of Police within whose jurisdiction the applicant resides.

(3) If the Licensing Authority is satisfied that the applicant is in all respects eligible and fit to be authorised to drive a transport vehicle, his driving licence shall be endorsed accordingly under the seal and signature of the Licensing Authority.

(4) The Licensing Authority shall refuse to grant the authorisation if it finds that the applicant is not eligible or fit person to drive transport vehicle and accordingly inform the applicant in writing giving reasons thereof.

8. Drivers Badge of Transport Vehicle :-

(1) A circular plastic or metal badge shall be issued by the Licensing Authority to every person, who has been granted an authorisation to drive a transport vehicle under Rule 7 on payment of fee as specified in Rule 24.

(2) The badge shall be in the form illustrated in the Second Schedule appended

to these rules and inscribed with the head-quarters of the Licensing Authority by which the badge is issued, the words "-cnc-iV an identification number and "

(3)The driver of a transport vehicle shall while on duty, display the badge on the left-side of his chest.

(4)No driver shall hold more than one such badge.

(5)If the badge is lost or destroyed a duplicate badge shall be issued by the authority by which it was issued, on an application made in Form M.P.M.V.R. 2 (DTVB) accompanied by the fee as specified in Rule 24.

(6)No driver shall lend or transfer the badge to any other person.

(7)Any person finding a badge shall, unless he returns the same to a person whom he knows to be the holder, forthwith surrender it to the authority by whom it was issued or to a nearest Police Station.

(8)When an authorisation on a driving licence; entitling the holder to drive a transport vehicle, is suspended or revoked by any licensing authority or by any Court or ceases to be valid by efflux of time, the driver shall within seven days of such suspension, revocation or cessation surrender the badge held by him to the authority by which it was issued.

9. Uniform for Driver of Public Service Vehicle :-

The driver of a Public Service Vehicle shall wear the following uniform :

(a)Khaki Bush-Shirt or Coat with four pockets with Flaps;

(b)Khaki full pant; and

(c)Khaki Cap or Turban :

Provided that the State Government may. by general or special order, exempt all or any class of such drivers from the operation of this rule for such period as may be specified in the order.

10. Display of Name Plate :-

A name plate to be displayed by the driver of a public service vehicle shall, be in black background or a metal or plastic plate of the size of 8 centimetres x 2 centimetres, inscribed with the name of driver in bold white letters in Hindi in Devnagri Script of the size of 6 millimetres. The cost of such plate shall be borne by the wearer himself.

11. Issue of Duplicate Driving Licence :-

(1) If at any time a driving licence is lost destroyed or mutilated the holder shall forthwith intimate the fact in writing and may apply for a duplicate in Form M.P.M.V.R.-3 (LLD) to the Licensing Authority in whose area he has his place of residence at the time.

(2)The holder of the driving licence shall furnish to the Licensing Authority three clear copies of recent photograph of himself in passport size.

(3)Upon the receipt of the application as aforesaid, the Licensing Authority shall if it is not the authority by which the driving licence was issued, transmit a copy of the photograph and call for the particulars of the driving licence and of any endorsement thereon from original Licensing Authority and may make such enquiries as it thinks fit.

(4)The Licensing Authority may ask the applicant to file an affidavit or a

declaration that the driving licence in respect of which the application has been made is actually lost and has not been impounded by any competent authority prescribed under the Act, and if the applicant is unable to do so, the Licensing Authority may refuse to issue a duplicate driving licence.

(5) The Licensing Authority shall if satisfied that a duplicate may properly be issued, issue duplicate driving licence :

Provided that where subsequent to the issue of a duplicate driving licence, it is found that there has been an endorsement by a Court since the date of the grant or last renewal of the licence, it shall be lawful for the Licensing Authority to call for the duplicate driving licence and make the necessary endorsement thereon.

(6) If a duplicate driving licence is issued by an authority other than that which issued the driving licence, intimation of the issue of duplicate driving licence shall be sent to the authority which issued the driving licence.

(7) Where a duplicate driving licence has been issued upon representation that a driving licence has been lost, and the original driving licence is afterwards found or received by the holder, the holder shall

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immediately return the duplicate driving licence to the Licensing Authority.

(8) Any other person finding a driving licence shall deliver it to the nearest Police Station or nearest Licensing Authority. The Officer-in-charge of Police Station, on receipt of driving licence, shall immediately forward it to the Licensing Authority. The Licensing Authority shall restore the driving licence in case a duplicate substitute it for the duplicate driving licence has not been issued and shall in case such a duplicate has already been issued.

(9) Where a duplicate driving licence is issued under this rule, it shall be clearly stamped "Duplicate" in red ink and shall be marked with the date of issue of the duplicate and the seal of Licensing Authority.

(10) The fee for issue of duplicate driving licence shall be as specified in Rule 24.

12. Precautions while Issuing Learners License :-

¹[12. Precautions while Issuing Learners License

(1) When the applicant presents himself before the Licensing Authority for testing the Licensing Authority shall verify that the address of the applicant and his age are correct.

(2) In case a Learners License is lost or destroyed, the holder will, in his application, bring this fact to the notice of the Licensing Authority which has issued the Learners License and shall deposit the fees specified in Rule 24 for the second copy along with application in MPMVR-4, and on receipt of such application the Licensing Authority shall verify the identity of the applicant and shall take further action as if the said application was for a new Learners License.]

1.Subs, by M.P. Notfn. No.22-158-2005-VIII, dated 19-1-2006. Prior to substitution it read as under:

"12. Learners Licence-Issue of Duplicate. -If at any time a learners licence is

lost or destroyed the holder shall intimate the fact to the Licensing Authority by which the learners licence was granted and apply for a duplicate in Form M.P.M.V.R.-4 (LLD) alongwith the fee as specified in Rule 24. On receipt of application the Licensing Authority shall proceed as if the learners licence was a driving licence."

13. Temporary Authorisation in Lieu of Driving Licence :-

(1) Where the holder of a driving licence has submitted the driving licence to the Licensing Authority for renewal and has deposited the prescribed fee or where a Police Officer or Officer of the Transport Department or Court has taken temporary possession of a driving licence under sub-section (2) of Section 206 of the Act for any purpose and the driving licence has not been suspended or cancelled, the Licensing Authority or the Police Officer or the Officer of the Transport Department or the Court, as the case may be, shall give him a temporary acknowledgement under sub-section (3) of the said section for the driving licence and temporary authorisation to drive in Form M.P.M.V.R.-5 (L Tem) and the production thereof on demand, shall be deemed to be production of the driving licence.

(2) Until the driving licence has been returned to the holder, he shall not be entitled to drive a motor vehicle (without being in possession of his driving licence) beyond the period specified in the temporary authorisation as aforesaid :

Provided that the authority, Court or any Officer by which the said temporary authorisation was granted, may in its or his discretion by order in writing extend the period thereon.

(3) No fee shall be payable in respect of such temporary authorisation.

14. Communication of Additions or Renewals to Driving Licence :-

(1) A Licensing Authority making addition under Section 11 of the Act to the classes of motor vehicles which a driving licence authorises the holder to drive, shall, if it is not the authority by which the driving licence was issued inform of such addition to the original Licensing Authority in Form M.P.M.V.R.-6 (L. Ad.).

(2) A Licensing Authority renewing a driving licence shall, as required by the provisions of sub-section (6) of Section 15 of the Act, inform of such renewal to the Licensing Authority which issued the driving licence in Form M.P.M.V.R.-7 (DLR).

15. Disqualification from Holding Driving Licence, etc :-

(1) Where a Licensing Authority declares a person disqualified or revokes any driving licence under sub-section (1) of Section 19 of the Act, it shall

(a) If the person holds a licence, endorse the licence accordingly;

(b) cause an entry made to this effect in the driving licence register and the State Register of Driving Licence; and

(c) send intimation of such disqualification or revocation to the authority by whom the licence was issued.

(2) On receipt of an intimation under clause (c) of sub-rule (1), the Licensing Authority shall cause an entry made in the driving licence register and the State

Register of Driving Licence.

16. Communication of Disqualification or Endorsement by Court :-

(1) The Court declaring a person disqualified under Section 20 or making an endorsement under Section 24 of the Act shall send intimation in Form M.P.M.VR.-8 (LE) to the Licensing Authority by which the driving licence was issued and the Licensing Authority by which it was last renewed.

(2) On receipt of an intimation under sub-rule (1) about an endorsement on a driving licence or disqualification from the Court, the Licensing Authority shall cause an entry made in the driving licence register and the State Register of Driving Licence.

17. Duties and Conduct of Drivers of Stage Carriages and Contract Carriages :-

(1) The driver of a stage carriage or a contract carriage, other than a motor-cab (i) shall not cause or allow any person, animal or thing to be placed or to be in the space reserved for a drivers seat or otherwise in such a way as to impede him in having a clear vision of the road or proper control of the vehicle;

(ii) shall, subject to any rules or regulations in force prohibiting the taking up or setting down of passengers at or except at certain specified places, bring the vehicle to rest for a sufficient period

of time in a safe and convenient position upon the demand or signal of the conductor or of any passengers desiring to alight from the vehicle, and unless there is no room in the vehicle, upon the demand or signal, of any person desiring to become a passenger;

(iii) shall not, when bringing vehicle to rest for the purpose of picking up or setting down any passenger at or near the place where another stage carriage is at rest for the same purpose, drive the vehicle so as to endanger, inconvenience or interfere with the driver or the conductor of the other vehicle or any person mounting or preparing to mount thereon or alighting therefrom and shall bring his vehicle to rest in front or behind the other vehicle and on the left hand side of the road or place;

(iv) shall all times exercise all reasonable care and diligence to maintain his vehicle in a fit and proper condition and shall not knowingly drive the vehicle when it, or any brake, tyre or lamp thereof is in a defective condition, likely to endanger any passenger or other person or when there is not sufficient fuel in the tank of the vehicle to enable him to reach the next fuel filling station on the route;

(v) shall not smoke in the vehicle while on duty;

(vi) shall behave in a civil and orderly manner with passengers and intending passengers;

(vii) shall be cleanly dressed in the uniform prescribed under Rule 9;

(viii) shall maintain the vehicle in a clean and sanitary condition; (ix) shall not solicit custom save in a civil and quiet manner;

(x) shall not loiter or unduly delay upon any journey but shall proceed to his destination as near as may be in accordance with the time table pertaining to

the vehicle or where there is no such time table with all reasonable despatch;
(xi) shall, in the event of vehicle being unable to proceed to its destination on account of mechanical breakdown or other cause, beyond his control, arrange to convey the passengers to their destination in some other similar vehicle or if unable so to arrange within a period of an hour after the failure of the vehicle, shall on demand refund to each passenger a proper proportion of the fare relating to the non-completion of the journey for which the passenger has paid the fare or if unable to refund shall issue a certificate in Form M.P.M.V.R.-9 (DCR); (xii) shall, while on duty, display the name plate as prescribed under Rule 10.

(xiii) shall not ply a stage carriage unless there is a duly licensed conductor on duty in the vehicle;

(xiv) shall not allow any person to be carried in any public service vehicle in excess of the capacity specified in the certificate of registration of the vehicle;

(xv) shall ensure that, when a vehicle is required to cross an un-manned railway level crossing, the conductor alights from the vehicle to guide its safe crossing;

(xvi) shall not while plying a contract carriage other than motor cab, permit or connive at picking up or setting down of passengers enroute and shall ensure that the contract carriage is hired by single party from starting point to the destination;

(xvi) shall not cause any act which is likely to cause nuisance or danger to the public as mentioned in Rule 21 of the Central Rules.

(2) No driver of stage carriage or contract carriage shall cause or allow to enter into or to place or carried in the vehicle, any person whom he knows or has reason to believe to be suffering from any infectious or contagious disease, or the corpse of any person.

(3) Notwithstanding the provisions of sub-rule (2) the driver may, upon application in writing by a registered medical practitioner, allow a person suffering from an infectious or contagious disease to be carried in a stage carriage or contract carriage provided that no other person save a person or persons in attendance on the person so suffering shall be carried in the vehicle at the same time.

(4) When a person suffering from infectious or contagious disease, or the corpse of any person has been carried in a contract carriage or a stage carriage, the driver of the vehicle shall be responsible to report the fact of such carriage to the medical officer-in-charge of the nearest Municipal Local Board or Government dispensary, and to the owner of the vehicle and neither the owner nor the driver shall use or allow any person to use the vehicle until the driver and the vehicle have been disinfected in such manner as the said medical officer may specify and a certificate to this effect has been obtained from the said medical officer.

18. Special duties and Functions of Drivers of Motor Cabs :-

(1) The drivers of the first two motor cabs on any stand shall always stay near their motor cabs which shall be ready for immediate hiring by any person.

(2) All drivers shall move their motor cabs up as vacancies occur on the stand.

- (3) Every motor cab shall be kept with front wheels straight at a distance of not less than 30 cm., from the motor cab immediately in front of it and where stand is by the side of kerb parallel to and not more than 30 cm. from the kerb.
- (4) No driver shall allow his motor cab to remain on the stand if it is disabled unless the disablement is of a temporary nature which can be immediately remedied and is so remedied.
- (5) No driver shall allow his motor-cab when it is not engaged to remain at any place other than a stand nor shall loiter in any public place for the purpose of its being hired.
- (6) No driver whose motor cab has been engaged for some future time shall keep his motor cab on a stand unless he is willing to accept any intermediate engagement that may be offered.
- (7) A driver of a motor cab shall in the absence of reasonable cause to the contrary proceed to the destination named by the hirer by the shortest and quickest route.
- (8) No driver of a motor cab shall make use of his motor cab in connection with or for the furtherance of prostitution.
- (9) No driver of a motor cab shall carry a cleaner or other attendant in the motor cab.
- (10) No driver of a motor cab shall demand or extract any fare in excess of that to which he is legally entitled.
- (11) No driver of a motor cab shall terminate the hiring thereof before he has been discharged by the hirer.
- (12) No driver of a motor cab shall shout in order to attract a passenger.
- (13) The driver of every motor-cab fitted with a taxi-meter shall not set it in motion before it is hired and shall stop it immediately the motor-cab arrives at the destination.
- Note. A motor cab shall be considered to be hired from the time it has been engaged or if called from a distance from the time of such call.
- (14) If the driver of any motor cab fitted with a taxi-meter which is hired by any person is unable to proceed owing to any defect in the mechanism of the motor-cab, he shall at once lower the flag to stopped position and shall not re-start his meter until such time as the defect is remedied.
- (15) No driver shall cover or obscure the face of taxi-meter under any circumstances or at any time.
- (16) No driver shall without reasonable excuse refuse to let the motor-cab for hire when the flag is in a vertical position.
- (17) The driver of a motor-cab shall whenever the vehicle approaches an unguarded level crossing, cause it to be stopped and after ensuring that no train or trolley is approaching in either direction, proceed to cross it.

19. Duties, Functions and Conduct of Drivers of Goods Carriage :-

The driver of a goods carriage

- (i) shall not cause or allow any person, animal or thing to be placed or to be in the space reserved for the drivers seat as provided under Chapter VII of these rules or Act or otherwise in such a way as to impede him in having a clear vision of the road or proper control of the vehicle;

(ii) shall at all times exercise all reasonable care and diligence to maintain his vehicle in a fit and proper condition and shall not knowingly drive the vehicle when its brake, tyre or lamp thereof is in a defective condition likely to endanger any occupant or other person or when there is not sufficient fuel in the tank of the vehicle to enable him to reach the next fuel filling station on the route; (iii) shall not demand or extract any freight in excess of that to which he is legally entitled; (iv) shall behave in a civil and orderly manner with hirers or their nominees and intending hirers or their nominees; (v) shall not loiter or unduly delay upon any journey but shall proceed to his destination with a reasonable despatch; (vi) shall take all reasonable precautions to prevent the goods being spoiled or lost on the way; (vii) shall, whenever the vehicle approaches an unguarded level crossing, cause it to be stopped and after ensuring that no train or trolley is approaching in either direction, proceed to cross it; (viii) shall not cause any act which is likely to cause nuisance or danger to the public as mentioned in Rule 21 of the Central Rules.

20. Exemption of Driver of Road Roller :-

Sub-section (1) of Section 3 of the Act shall not apply to the driver of a road roller.

21. Appellate Authority :-

The authority empowered under sub-section (8) of Section 9, sub-section (2) of Section 17 and sub-section (3) of Section 19 of the Act to hear appeal against the decision of a Licensing Authority shall be the Transport Commissioner or any other officer not below the rank of the Deputy Transport Commissioner authorised by the State Government.

22. Conduct and Hearing of Appeals :-

(1) An appeal referred to in Rule 21 shall be preferred in duplicate in the form of a memorandum, setting forth concisely the grounds of objection to the order of the Licensing

Authority and shall be accompanied by the fee as specified in Rule 24 and the certified copy of the order appealed against.

(2) When an appeal is filed, a notice shall be issued to the authority against whose order the appeal is preferred in such form as the Appellate Authority may direct.

(3) The Appellate Authority after giving an opportunity to the parties to be heard and after such further enquiry, as it may deem necessary, may confirm, vary or set-aside the order from which the appeal is preferred and shall make an order accordingly and the order the Appellate Authority shall be final.

(4) The Appellate Authority or Licensing Authority may, in its discretion, give any person interested in an appeal filed under sub-rule (1) copies of any document connected with the appeal on payment of fee as specified in Rule 24.

(5) The Appellate Authority or Licensing Authority may allow any person interested in an appeal to inspect the record connected with such appeal on payment of fee as specified in Rule 24.

23. Maintenance of State Register of Driving Licence :-

(1) The

Licensing Authority shall maintain a register in Form-10 of the Central Rules in respect of driving licences issued by it and enter the renewal and additions of such licences therein.

(2) The Licensing Authority shall also maintain a register in Form MPMVR 9-A (FDLR) in respect of renewal of or addition in a driving licence issued by the Licensing Authority of the region or State.

(3) As soon as the licence is issued or renewal or addition is allowed therein to a person, the Licensing Authority shall cause an entry to be made in the register mentioned under sub-rule (1) or sub-rule (2) as the case may be.

;

(4) State book with duplicate pages; the original of which shall be sent to the officer or person designated by Transport Commissioner for the custody of State Register of Driving Licences.

(5) Each Licensing Authority shall communicate every subsequent correction or entry in respect of driving licence on their record to the officer or person designated under sub-rule (4) and such officer or person shall maintain the updating of the said Register.

(6) The State Register of Driving Licences shall be maintained either manually or with the help of computer.

(7) The Transport Commissioner shall supply on behalf of the State Government a printed copy of the State Register of Driving Licences to the Central Government as required by sub-rule (2) of Rule 23 of Central Rules.

24. Fees :-

The fees which shall be charged under the provisions of this Chapter shall be as specified below :

S.No.	Purpose	Amount	
(1)	(2)	(3)	
1.	In respect of issue of medical Certificate	Rs. 50.00	
2.	In respect of issue of duplicate learning license	Rs. 50.00	
3.	In respect of issue of duplicate driving license —		

		(in Form No. 6)	Rs. 150.00
		(in Form No. 7)	Rs. 200.00
4.		In respect of issue of authorization to the driver of Transport	Rs. 200.00
		Vehicle	
5.		In respect of issue of badge and for issue of a duplicate	Rs. 100.00
		badge to the driver of Transport Vehicle	
6.		In respect of an appeal against the order/decision of the	Rs. 100.00
		Licensing Authority	
7.		In respect of supplying a copy of the decision of the	
		Licensing Authority—	
		(i) Ordinary	Rs. 100.00
		(ii) Urgent	Rs. 150.00
8.		In respect of inspection of record in connection with filing	Rs. 50.00
		an appeal	
9.		In respect of supply of copy of a document other than	
		decision of a Licensing Authority—	
		(i) Ordinary	Rs. 100.00
		(ii) Urgent	Rs. 150.00

10.		In respect of any other application addressed to Licensing Authority	Rs. 50.00]	

CIIHATTISGARH AMENDMENT

1. For Rule 24, the following Rule shall be substituted namely : —

24. Fees. —The fees which shall be charged under the provisions of this Chapter shall be as specified below : —

S.No.	Purpose	Amount
(1)	(2)	(3)
		Rs.
1.	In respect of issue of Medical Certificate	30.00
2.	In respect of issue of duplicate Learning License	50.00
3.	In respect of issue of duplicate Driving License —	
	In Form 6	100.00
	In Form 7	150.00

1.Subs by Notfn. No. F. 22-158-2005-VIII, dated 19-1-2006.

(1)	(2)	(3)
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4.	In respect of issue of authorization to the driver of Transport Vehicle	100.00	
5.	In respect of issue of badge and for issue of a duplicate badge to the driver of Transport Vehicle	100.00	
6.	In respect of issue an appeal against the order of the Licensing Authority	50.00	
7.	In respect of supplying a copy of the decision of the Licensing Authority—		
	(i) Ordinary	50.00	
	(ii) Urgent	100.00	
8.	In respect of inspection of record in connection with filing an appeal	50.00	
9.	In respect of supply of copy of a document other than decision of a Licensing Authority—		
	(i) Ordinary	50.00	
	(ii) Urgent	150.00	
10.	In respect of any other application addressed to Licensing Authority	50.00	
[Vide Notfn. No. 338/505/Transport/200], dated 7-6-2001]			

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CHAPTER 3 LICENSING OF CONDUCTORS OF STAGE CARRIAGES

25. Licensing Authority :-

(1) The Licensing Authority for Conductors Licence shall be the Regional Transport Officer or the Additional Regional Transport Officer or Assistant Regional Transport Officer.

(2) The area of jurisdiction of each Licensing Authority shall be the region or such other area as the State Government may notify from time to time.

26. When driver or any person can act as conductor without licence :-

(1) Where in any emergency it becomes difficult for the permit holder to provide for a conductor for his stage carriage, or where a conductor on duty for reason beyond his control, cannot perform his duties, the driver of a stage carriage may act as a conductor of stage carriage without holding a conductors licence under sub-section (1) of Section 29 of the Act.

(2) Any person other than driver of a stage carriage may act as a conductor without holding a conductors licence, for a period of not exceeding one month :
Provided that-

- (i) he intimates his intention to do so to the Licensing Authority within whose jurisdiction he intends to act as a conductor in Form M.P.M.VR.-10 (L. Con. Int); and
- (ii) he is not disqualified for holding a conductors licence.

27. Application for a Conductors Licence :-

(1) An application for a conductors licence as required by sub-section (1) of Section 30 of the Act shall be made in Form M.P.M.VR.-II (L. Con. A) and shall be accompanied by :-

- (a) a medical certificate of fitness in Form M.P.M.VR.-12 (M C Con) signed by a registered medical practitioner; and issued not more than 30 days prior to the presentation of application;
- (b) valid First-Aid Certificate in Form M.P.M.VR.-13 (F A) issued by the Civil Surgeon or the District Health Officer;
- (c) two clear copies of the applicants recent photographs of passport size;
- (d) fees as specified in Rule 40;
- (e) certificate of educational qualifications;
- (f) evidence of address and age as specified in Rule 4 of Central Rules.

(2) Every applicant shall present himself before the Licensing Authority or the Board constituted under Rule 4 on such date, place and time, as the Licensing Authority or the Board, as the case may be, appoint for a test and satisfy such authority or the Board that the applicant possesses adequate knowledge and understanding of the following matters, namely :-

- (a) The provisions of the Act and Rules made thereunder; relating to the duties and functions of the conductor;
- (b) the duties of a conductor when his vehicle is involved in an accident

resulting in the death or bodily injury of a person or damage to property of a third person;

(c) The precaution to be taken while passing an unmanned railway crossing; and
(d) the documents he should carry with him while on duty.

(3) The Licensing Authority may in order to ascertain whether the applicant possesses a good moral character, make enquiries into the character and antecedents from the Superintendent of Police within whose jurisdiction the applicant resides or carries on business.

(4) The Licensing Authority on being satisfied that the applicant is fit for holding or obtaining a conductors licence, may issue conductors licence in Form M.P.M.VR. 14 (L. Con.) for a period of three years.

28. Renewal of Conductors Licence :-

(1) An application for the renewal of a conductors licence shall be made in Form M.P.M.VR.-15 (L. Con. R.) to the Licensing Authority and shall be accompanied by-

(a) The conductors licence in original;

(b) three copies of the applicants recent photograph of passport size;

(c) a Medical Certificate of fitness in Form M.P.M.V.R.-12 (M.C. Con.) signed by a Registered Medical Practitioner and issued not more than 30 days prior to the date of presentation of application;

(d) fee as specified in Rule 40.

(2) Upon receipt of an application for the renewal of a conductors licence, the Licensing Authority may, after making such enquiries as it may deem necessary, renew the licence.

(3) A Licensing Authority renewing the conductors licence if it is not the authority which issued the licence shall intimate the fact of renewal in Form M.P.M.VR.-16 (L. Con. R.R.) to the Licensing Authority by whom the licence was issued.

29. Qualification for Grant of Conductors Licence :-

No person shall be granted a conductors licence unless he satisfies the Licensing Authority that-

(a) he has adequate knowledge of provisions of the Act and the rules made thereunder and in particular the knowledge relating to the duties and functions of a conductor;

(b) he possesses a good moral character;

(c) he has passed VIII standard examination or above and possesses working knowledge of the language of the area in which he intends to work as a conductor.

30. Appellate Authority :-

The authority empowered under sub-section

(2) of Section 33 and sub-section (4) of Section 34 of the Act to hear appeal against the order of the Licensing Authority shall be the Collector of the district.

31. Conduct and Hearing of Appeals :-

- (1) An appeal under Rule 30 shall be preferred in duplicate in the form of a memorandum setting forth concisely the grounds of objection to the order of the Licensing Authority, and shall be accompanied by a fee as specified in Rule 40 and a certified copy of the order appealed against.
- (2) When an appeal is filed, a notice shall be issued to the authority against whose order the appeal is preferred in such form as the appellate authority may direct.
- (3) The appellate authority or the Licensing Authority may give any person interested in an appeal copies of any document connected with the appeal on payment of fee as specified in Rule 40.
- (4) The appellate authority after giving an opportunity to the parties to be heard and after such further enquiry, as it may deem necessary, may confirm, vary or set-aside the order from which the appeal is preferred and shall make an order accordingly.
- (5) The appellate authority or the Licensing Authority may allow any person interested in an appeal to inspect the record concerned with such appeal on payment of fee as specified in Rule 40.

32. Duties and Conduct of Conductors :-

- (1) The conductor of stage carriage-
 - (i) shall as far as may be reasonably possible having regard to his duties be responsible for the due observance of the provisions of the Act and these rules;
 - (ii) shall not smoke while on duty in the vehicle;
 - (iii) shall behave in a civil and orderly manner with passengers and intending passengers;
 - (iv) shall be cleanly dressed in the uniform as specified in Rule 36;
 - (v) shall, while on duty display the name plate as specified in Rule 37;
 - (vi) shall maintain the vehicle in clean and sanitary conditions;
 - (vii) shall not interfere with any person boarding or preparing to board any other vehicle;
 - (viii) shall not allow any person to be carried in the stage carriage in excess of the seating capacity specified in the certificate of registration of the vehicle and any additional number of passengers permitted under the condition of permit to be carried standing in the vehicle;
 - (ix) shall not, save for good and sufficient reasons refuse to carry any passenger tendering the legal fare;
 - (x) shall not allow any passenger to be carried in the stage carriage without payment of legal fare;
 - (xi) shall where the goods are carried on a vehicle in addition to passengers, take all reasonable precautions to ensure that the passengers are not endangered or unduly inconvenienced by the presence of goods;
 - (xii) shall not, save for good and sufficient reasons require any passenger, who has paid legal fare to alight from the vehicle before the conclusion of the journey;
 - (xiii) shall not loiter or unduly delay upon any journey but shall proceed to his destination as near as may be in accordance with the time table pertaining to

the vehicle or where there is no such time table with all reasonable despatch;
(xiv)shall, in the event of the vehicle being unable to proceed to its destination on account of mechanical breakdown or other cause beyond the control of the driver or conductor arrange to convey

the passenger to their destination in some other similar vehicle or, if unable so to arrange within a period of an hour after the failure of the vehicle shall on demand refund to each passenger a proper proportion of the fare relating to the non-completion of the journey for which the passenger had paid the fare or if unable to refund shall issue a certificate in Form M.P.M.V.R.-17

(Con. Cert. R.);

(xv)shall not cause or allow anything to be placed in the vehicle in such a manner as to obstruct the entry or exit to passengers;

(xvi)shall issue a ticket immediately on payment of the legal fare or freight by the passenger except where arrangement outside the vehicle for the issue of tickets in advance to the intending passengers on payment of the legal fare has been made;

(xvii)shall, at the conclusion of any journey take reasonable search in vehicle for anything left by any passenger and shall take into his custody anything so found by him or by any other person in such vehicle and as soon as may be make over the same to a responsible employee of the holder of the permit of the vehicle or to the officer-in-charge of the nearest police station;

(xviii)shall not cause or allow to enter into or to be placed or carried in the vehicle any person whom he knows or has reason to believe to be suffering from any infectious or contagious disease, or the corpse of any person;

(xix)shall notwithstanding, anything contained in clause (xviii), on application in writing by a registered medical practitioner allow a person suffering from an infectious or contagious disease to be carried in a stage carriage provided that no other person save a person or persons in attendance on the sick persons shall be

carried in the vehicle at the same time;

(xx)shall be responsible, when a person suffering from an infectious or contagious disease, or the corpse of any person has been carried in a stage carriage, for reporting the fact to a medical officer in charge of nearest municipality, Local Board or Government dispensary and to the owner of the vehicle and shall not cause or allow any person to use the vehicle until the driver and conductor and the vehicle have been disinfected in such manner as the said medical officer may specify and a certificate to this effect has been obtained from the said medical officer;

(xxi)shall be on the lookout for other motor vehicle approaching from behind and effectively signal its approach to the driver;

(xxii)shall assist the passenger in the loading and unloading of luggage and shall take all reasonable precautions to prevent luggage being miscarried or lost on the way;

(xxiii)shall not while on duty be under the influence of intoxicating drink or drug;

(xxiv)shall, on demand by any passenger, produce the complaint book for recording such remarks as the passenger may desire to make therein;

(xxv)shall, whenever the stage carriage approaches unguarded level crossing cause it to be stopped and after alighting therefrom and ensuring that no train or trolley is approaching from either direction, cause the vehicle to follow him till the other side of the level crossing is reached;

(xxvi)shall on demand by any officer of the Transport Department not below the rank of Assistant Transport Sub-Inspector or any Police Officer in uniform not below the rank of a Sub-Inspector produce all such vouchers and ticket books for his inspection;

(xxvii)shall not, while he is on duty permit the vehicle to be used for illegal or immoral purposes;

(xxviii)shall not permit any fuel to be poured into the fuel tank while the engine is in motion;

(xxix)in case of an accident of the bus, shall make all reasonable efforts to help the injured person and to inform the nearest Police Station, immediately;

(xxx)shall help the infants, disabled, pregnant ladies, old aged passengers and ladies with child in arm to board and alight the bus;

(xxxi)when the driver is taking the bus in reverse shall get down from the bus and be on the look out for other motor vehicle or any other obstacle in the back of the vehicle and effectively give signal to the driver;

(xxxii)shall not allow any explosive or dangerous or inflammable substances to be carried in the bus.

(2) A conductor of a stage carriage shall, on demand by any Police Officer in uniform not below the rank of a Sub-inspector of Police or any officer of the Transport Department not below the rank of Assistant Transport Sub-Inspector in uniform, produce his licence or in the absence of licence the badge prescribed under Rule 38 for inspection.

33. Prohibition against Holding More than one Licence :-

No person shall hold more than one conductors licence.

34. Affixing of Photograph :-

The photograph of the holder of a conductors licence shall be affixed on the licence and sealed with the seal of the Licensing Authority in such manner that part of the impression of the seal is upon the photograph and part on the margin.

35. Issue of duplicate Conductors Licence :-

(1) It at any time a conductors licence is lost, destroyed or mutilated the holder shall forthwith intimate the fact in writing and may apply for a duplicate in Form M.P.M.V.R.-18 (CLD) to the Licensing Authority in whose area he has his place of residence at the time.

(2)The holder of the conductors licence shall also furnish to the Licensing Authority three clear copies of his recent photograph in passport-size.

(3)On receipt of an application under sub-rule (1) the Licensing Authority if it is not the authority by whom the conductors licence was issued, shall transmit a copy of the photograph and call for the particulars of the conductors licence and

of any endorsement thereon from the original licensing authority and may make such enquiries as it thinks fit.

(4)The Licensing Authority may ask the applicant to file an affidavit or a declaration that the conductors licence in respect of which the application has been made is actually lost and has not been impounded by any authority and if the applicant fails to do so the Licensing Authority may refuse to issue a duplicate licence.

(5)The Licensing Authority if satisfied that a duplicate may properly be issued, issue a duplicate conductors licence and intimate to the authority by whom the conductors licence was originally issued :

Provided that where subsequent to the issue of duplicate licence, it is found that there has been an endorsement by a Court since the date of the grant or last renewal of the licence, it shall be lawful for the Licensing Authority to call for the duplicate conductors licence and make the necessary endorsement thereon.

(6)Where a duplicate conductors licence has been issued upon representation that a conductors licence has been lost and the original conductors licence is afterwards found or received by the holder, the holder shall immediately return it to the Licensing Authority.

(7)Any other person finding a conductors licence shall deliver it to the Officer-in-charge of the nearest Police Station or the nearest Licensing Authority. The Officer-in-charge of the Police Station, on receipt of the Conductors licence, shall immediately forward it to the Licensing Authority. The Licensing Authority shall restore the conductors licence to the holder in case duplicate conductors licence has not been issued and shall substitute it for the duplicate in case such a duplicate has already been issued.

(8)When a duplicate conductors licence is issued under sub-rule (5) it shall be clearly stamped "DUPLICATE" in red ink and shall be marked with the date of issue of the duplicate and the seal of the Licensing Authority.

(9)The fee for a duplicate conductors licence issued under this rule shall be as specified in Rule 40.

36. Uniform for Conductor of Stage Carriages :-

The conductor of a stage carriage shall wear following uniform :-

- (a)Khaki Bush-Shirt or Coat, with four pockets with flaps;
- (b)Khaki Trousers of Police Pattern; and
- (c)Khaki Cap or Turban.

37. Display of Name Plate :-

A name plate to be displayed by the conductor of a stage carriage shall be in black background on metal or plastic plate of the size of 8 cm. x 2 cm. inscribed with the name of conductor in bold white letters in Hindi Devnagri Script of the size of 6 mm., the cost of such plate shall be borne by the wearer himself.

38. Conductors Badge :-

- (1) The Licensing Authority issuing conductors licence shall also issue

simultaneously on payment of fee as specified in Rule 40 metal badge inscribed with its name, the word HR[^]itf* and an identification number, in the form illustrated in the second Schedule appended to these Rules.

(2) If the badge is lost or destroyed, a duplicate badge shall be issued on payment of fee as specified in Rule 47 by the authority which issued it on an application made to it in Form M.P.M.VR.-19 (DCB). In case the original badge is later on found by the conductor, he shall return the duplicate badge to the issuing authority.

(3) No conductor shall hold lend or transfer to any other person, or permit the use by any other person of the badge issued to him under sub-rule-

(4) If at any time a conductor's licence is suspended or revoked by a competent authority or by any Court or ceases to be valid by efflux of time, the conductor shall, within seven days, of such suspension, revocation or cessation surrender the badge to the authority by which it was issued.

39. Effectiveness of Conductors Licence Issued by any other State than the State of Madhya Pradesh :-

A person can act as a conductor having conductor's licence issued in any other State only if the stage carriage is operating in the State of Madhya Pradesh under the reciprocal transport agreement entered with the State Government.

40. Fees :-

The fees which shall be charged under the provisions of this chapter shall be specified below :-

SI. No.	Purpose	Amount	
(1)	(2)	(3)	
		Rs.	
1.	In respect of issue or renewal "s licence of	10.00	
2.	In respect of issue of duplicate licence	10.00	
3.	In respect of issue of a conductor's Badge,	15.00	

4.	In respect of issue of a duplicate conductors Badge.	20.00	
5.	In respect of an appeal against the orders of the Licensing Authority.	00.25	
6.	In respect of supplying a copy of the decision/document —		
	(i) Ordinary	10.00	
	(ii) Urgent	20.00	
7.	In respect of inspections of record in connection with filing an appeal.	10.00	
8.	In respect of miscellaneous application addressed to Licensing Authority.	10.00	

CHHATTISGARH AMENDMENT

2. For Rule 40, the following rule shall be substituted namely : -

40. Fees.—The fees which shall be charged under the provisions of this Chapter shall be specified below : —

S.No.	Purpose	Amount	
(1)	(2)	(3)	
		Rs.	
1.	In respect of issue or renewal of conductors Licence	100.00	

2.	In respect of issue of duplicate conductors Licence	150.00.
3.	In respect of issue of conductors Badge	100.00
4.	In respect of issue of duplicate conductors Badge	150.00
5.	In respect of an appeal against the order of the Licensing Authority	100.00
6.	In respect of supplying a copy of the decision/document —	
	(1) Ordinary	50.00
	(2) Urgent	100.00
7.	In respect of inspection of record in connection with filing an appeal	50.00
8.	In respect of miscellaneous application addressed to Licensing Authority	50.00
	[Vide Notfn. No. 338/505/Transport/2001, dated 7-6-2001]	

1. In Sr. No. 8 of Rule 40, the figure "50" shall be substituted by "20".

[Vide Notfn. No. 510/Trans./2002, dated 12-5-2002]

CHAPTER 4 REGISTRATION OF MOTOR VEHICLES

41. Registering Authority :-

(1) The Registering Authority shall be the I Regional Transport Officer, Additional Regional Transport Officer or such other officer as may be authorised by the State Government by notification in the Official Gazette.

(2) The Registering Authority for issuing letter of authority to the authorised testing stations, shall be the Regional Transport Officer or such other officer not below the rank of Regional Transport Officer as may be authorised by the State Government by notification in the Official Gazette.

(3) The area of jurisdiction of each Registering Authority shall be the region or such other areas as the State Government may notify in the Official Gazette.

42. Security Deposit by the Operator of Testing Station :-

The amount of security deposit specified in clause (b) of sub-rule (2) of Rule 63 of Central Rules shall be deposited by the operator of the testing station through bank draft drawn on any scheduled bank situated within the jurisdiction of the Registering Authority.

43. Appellate Authority :-

The authority to hear appeals under sub-section (1) of Section 57 of the Act against the order passed by a Registering Authority or a prescribed authority specified under sub-rule (1) of Rule 50 shall be the Transport Commissioner or such other officer not below the rank of Deputy Transport Commissioner as may be authorised by the State Government by notification in the Official Gazette.

44. Conduct and hearing of appeals :-

(1) An appeal against the orders under the provisions referred to in sub-section (1) of Section 57 shall be preferred, in duplicate, in the form of a memorandum setting forth concisely the grounds of objections to the order appealed against and shall be accompanied by appropriate fee as specified in Rule 62 and a certified copy of such order.

(2) The appellate authority after giving an opportunity to the parties to be heard and after such further enquiry as it may deem necessary may confirm, vary or set-aside the order appealed against and shall make an order accordingly.

(3) Any person preferring an appeal under this rule shall be entitled to obtain a copy of any document filed with the Registering Authority in connection with any order against which he is preferring an appeal on payment of fee as specified in Rule 62.

(4) Subject to the provisions of sub-rule (3) the appellate authority may give any person interested in an appeal preferred under Section 57 of the Act, copies of any document connected with the appeal on payment of fee as specified in Rule 62.

(5) The Registering Authority or appellate authority may allow any person interested in an appeal to inspect the record connected with such appeal on payment of fee as specified in Rule 62.

45. Temporary Registration :-

(1) An application for temporary registration or extension of period of validity thereof shall be made to the

Registering Authority in Form M.P.M.V.R.-20 (C.R. Temp. A) and shall be accompanied by fee as specified in Rule 62.

(2) An Officer of a manufacturer of motor vehicle posted at the place of manufacturing or at the Regional Sales Officer of the manufacturer, as the case may be, in respect of the motor vehicle, on the chassis whereof new bodies are built by it, shall also be competent to grant temporary certificate of registration under this rule, if so authorised by the Transport Commissioner :

Provided that the Transport Commissioner shall not give such approval unless he is satisfied that the manufacturer manufactures a substantial number of motor vehicles.

(3) A temporary certificate of registration shall be in Form M.P.M.V.R.-21 (C.R. Tern).

(4) The authority granting a temporary certificate of registration or extension thereof shall, in case where the registration under Section 40 of the Act is proposed to be effected by another authority forward to the latter a copy of Form M.P.M.V.R.-21 (C.R. Tern).

(5) The authority granting a temporary certificate of registration shall assign a temporary registration mark to the vehicle and the owner shall cause the said mark to be displayed in the front and rear of vehicle in the manner prescribed for registration mark.

(6)(a) The temporary registration mark to be assigned by the Registering Authority specified in the second column of Third Schedule appended to these rules shall be as set forth in corresponding entry in the third column thereof.

(b) The temporary registration mark to be assigned by the authority prescribed under sub-rule (2) shall be, from amongst a block of registration mark allotted by the Registering Authority concerned from those assigned to him in the Third Schedule.

(7) The record of the prescribed authority maintained for the purpose of issue of temporary certificate of registration mark shall be open for inspection by an officer of the Transport Department not below the rank of Assistant Regional Transport Officer.

46. Additional information to be furnished by the owner of a transport vehicle :-

In addition to the requirements as provided under Rule 47 of the Central Rules, the following information and documents shall be furnished by or on behalf of the owner of transport vehicle, at the time of registration or recording alteration in the certificate of registration of motor vehicle :

(a) A blue print of body, construction or alteration of body on a chassis, to be provided by the body builder. Such blue print shall among other dimensions and details of vehicle and alterations, if any, provide specifically all measurements of body, seats, floor space, doors and windows, sketch map of seating arrangement with name, address and dated signature of body builder. The owner of the vehicle shall also sign with date the blue print and write his

full name, and address thereon.

(b) Three outside coloured photographs of the transport vehicle taken from three different directions and two inside coloured photographs to identify the vehicle. Each photograph shall bear vehicle registration number, name and dated signature of the owner.

(c) Two clear copies of the impression of chassis number of the transport vehicle, on the white papers. The impression should be so clear that it can be easily legible. Such impression shall carry dated signature of the owner of the vehicle.

47. Delay in making application for Registration and Renewal thereof :-

If the owner fails to make an application under sub-section (1) or sub-section (8) of Section 41 within the prescribed period, the Registering Authority may on considering the circumstances of the case require the owner to pay, in lieu of any action as may be taken against him under Section 177 an amount as follows :-

(a) Rs. 50/- if the delay does not exceed thirty days, or

(b) Rs. 100/- if the delay exceeds thirty days.

48. Issue or renewal of certificate of fitness :-

(1) A certificate of fitness shall be issued or renewed by the Registering Authority or subject to its general control and direction by such officer of the Transport Department not below the rank of Transport Sub-inspector as may be authorised by it in this behalf or by an operator of the authorised testing station specified by the Government under sub-section (2) of Section 56 of the Act.

(2) An application for issue or renewal of certificate of fitness shall be made in Form M.P.M.V.R.-22 (C.F.A.), to the Registering Authority or the operator of the authorised testing station in whose jurisdiction the vehicle is normally kept or whose functional area includes the major portion of the route or area to which the permit relating to the vehicle extends and shall be accompanied with a tax clearance certificate in Form M.P.M.V.R.-23 (T.C.C.).

(3) If, owing to mechanical breakdown or otherwise a motor vehicle, after the expiry of the certificate of fitness, remains outside of the functional area of the authority by whom the certificate is to be renewed, the competent authority of such area, without prejudice to any penalty to which the owner or driver may have become liable may, if the vehicle is in his opinion, fit for use, may make an endorsement in Form M.P.M.V.R.-24 (C.F. Sub.) subject to such conditions as he may specify, authorise its continued use for such time as may reasonably necessary but in no case for more than ten days for the vehicle to return to the area of the Registering Authority by whom the certificate is to be renewed, and the vehicle may be driven to such area in accordance with such endorsement but shall not be used thereafter without renewal.

(4) While inspecting a transport vehicle, the Registering Authority or the operator of the authorised testing station shall fill in Form M.P.M.V.R.-25 (M.V. Ins.). If on inspection the vehicle is found fit in all respects, the

Registering Authority or the operator of the authorised testing station shall issue to the owner or person incharge of the vehicle a certificate of fitness in Form 36 of the Centra) Rules. If, however, the vehicle is found not to be complying with the provisions of the Act and Rules made thereunder, the Registering Authority or the operator of the authorised testing station shall hand over the original copy of the inspection report in Form M.P.M.VR.-25 (M.VIns.) to the owner indicating therein the defects found. The owner or person incharge of the motor vehicle shall when producing the vehicles for re-inspection after necessary repairs, surrender the inspection report in Form M.P.M.VR.-25 (M.VIns.) to the Registering Authority or the operator of the authorised testing station.

49. Register of certificate of fitness :-

(1) Registering Authority or other officer or authorised operator of a testing station granting certificate of fitness, shall maintain following registers for the record of certificate of fitness :

(a) Datewise issue and check register of certificate of fitness in Form M.P.M.VR.-26 (DFCR);

(b) Vehiclewise issue register of certificate of fitness in Form M.P.M.VR.-27 (VFCR).

(2) The authority, officer or operator responsible for maintaining registers which are prescribed in sub-rule (1) shall send a monthly report to Transport Commissioner by the fifth of the succeeding month in Form M.P.M.VR.-28 (F.C.S.) and also circulate the list of defaulted vehicle due for renewal of certificate of fitness to concerning authority for appropriate

50. Cancellation of certificate of fitness :-

(1) The Registering Authority or any other officer of the Transport Department not below the rank of Transport Sub-Inspector shall be the prescribed authority for the purpose of sub-section (4) of Section 56.

(2) The authority, mentioned in sub-rule (1) cancelling a certificate of fitness shall give the owner or other person in charge of the vehicle a notice in Form M.P.M.VR.-29 (C.F.C.) and shall alongwith a report of his action forward the certificate of registration, certificate of fitness, permit, if any, to the Registering Authority under whose direction or control he may be.

(3) If the authority, cancelling the certificate of fitness under this rule is of the opinion that the vehicle can be safely driven at a reduced speed to a place of repair may endorse in Form M.P.M.VR.-30 (C.F.X.) specifying the speed limit and other conditions, subject to which the vehicle may be driven to specified destination for the purpose of repair.

51. Issue of duplicate certificate of fitness :-

(1) If a certificate of fitness is lost, destroyed, or mutilated the owner of a transport vehicle shall forthwith report the matter to the authority by whom the certificate was issued or last renewed and shall apply for a duplicate in Form M.P.M.VR.-31 (CFLD) together with fee as specified in Rule 62.

(2) Upon receipt of an application under sub-rule (1) the Registering Authority

of the Authorised Testing Station as the case may be shall furnish the owner a duplicate copy of the certificate duly stamped Duplicate in red ink.

(3) Where a duplicate certificate of fitness has been issued upon representation that a certificate of fitness has been lost and the original certificate of fitness is afterwards found or received by the holders, the holder shall immediately return the duplicate to the Registering Authority or the Authorised Testing Station.

(4) Any other person finding a certificate of fitness shall deliver it to the nearest police station or to the Registering Authority. The Officer-in-charge of the Police Station on receipt of the certificate of fitness shall immediately forward it to the Registering Authority. The Registering Authority shall restore the certificate of fitness in case duplicate certificate of fitness has not been issued and shall substitute it for duplicate in case such a duplicate has already been issued.

52. Exemption from payment of registration fee :-

(1) No fee shall be charged for the registration of the following classes of motor vehicles,
namely :-

(a) Motor vehicles, owned by the State or Central Government and used solely for the purpose other than commercial enterprises;

(b) trailer or trailers owned by a bona fide agriculturist to the extent of one trailer used exclusively for agricultural purposes;

(c) Motor vehicles used exclusively for fire brigade purposes; and

(d) ambulances and other motor vehicles designed and intended to be used exclusively for affording free medical and other relief.

(2) The State Government may, by notification, exempt any person or classes of persons from payment of all or any portion of the fee payable under Chapter IV of the Act.

53. Change of address :-

(1) Upon receipt of application for change of address, the Registering Authority shall record the change of the address in the Motor Vehicle Registration Register and in the Register of Demand and collection of motor vehicle tax and also record the change of address in the certificate of registration.

(2) In case the new address is located in the jurisdiction of the Registering Authority other than the original Registering Authority the certificate shall be made to the Registering Authority under whose jurisdiction the new address is located along with the certificate of registration.

(3) The other Registering Authority shall record the change of address in the certificate of registration and shall intimate the original Registering Authority who will correct the Motor Vehicle Registration Register and the Register of Demand and Collection of Motor Vehicle Tax.

(4) For the purposes of sub-section (2) of Section 49 and having regard to the period of delay in intimating the change in the place of residence or place of business or both as recorded in the certificate of registration the Registering Authority, may, on considering the circumstances of the case require the owner to pay, in lieu of any action that may be taken against him under Section 177,

an amount as follows :-

(a)Rs. 50/- if the delay does not exceed thirty days; or

(b)Rs. 100/- if delay exceeds thirty days.

54. Intimation of transfer of ownership :-

(1) Upon receipt of intimation regarding transfer of ownership in the Forms prescribed under Central Rules, the Registering Authority shall, after making such reasonable enquiry as he may deem fit for assessing the genuineness of the transfer of the vehicle and after making physical inspection of the vehicle, effect the transfer of ownership on the registration certificate.

(2) Communication of transfer of ownership to the original Registering Authority and to the transferee under sub-section (7) of Section 50 of the Act shall be in Form M.P.M.VR.-32 (GRTI).

(3) For the purposes of sub-section (3) of Section 50 having regard to the period of delay on the part of the transferor or the transferee or the other person referred to in sub-section (2) of the said section in reporting the fact of transfer of ownership of motor vehicle, the Registering Authority may on considering the circumstances of the case, require the transferor or the transferee or the other person, as the case may be, to pay, in lieu of any action that may be taken under Section 177, an amount as follows :-

(a)Rs. 50/- if the delay does not exceed thirty days; or

(b)Rs. 100/- if delay exceeds thirty days.

55. Assignment of new registration mark :-

(1) Upon receipt of the application as required by sub-section (1) of Section 47, the Registering Authority shall before assigning the registration mark call for the particulars of registration of the vehicle from the original authority for the purpose of verifying the particulars and shall also make a physical inspection of the vehicle before proceeding to assign a new registration mark.

(2) The provision of Rule 46 shall also apply to the transport vehicles of other State at the time of assignment of a new registration mark, under Section 47, in Madhya Pradesh.

(3) The Registering Authority assigning a new registration mark to a motor vehicle shall intimate the fact to the owner and the other party, if any, to an agreement of hire-purchase, lease or hypothecation specified in the note on the certificate of registration and shall write to the original Registering Authority for transfer of the record of the vehicle in Form M.P.M.VR.-33 (R.M.I.).

(4) For the purpose of sub-section (5) of Section 47 of the Act and having regard to the period of delay in applying for the assignment of a new registration mark as required by sub-section (1) of Section 47, the Registering authority may require the owner to pay, in lieu of any action that may be taken against him under Section 177, an amount as follows :-

(a)Rs. 50/- if the delay does not exceed thirty days; or

(b)Rs. 100/- if delay exceeds thirty days.

55A. Allotment of registration mark :-

¹[55A] Allotment of registration mark

(1) On receipt of an application made in writing by any person to the registering authority for reservation of registration mark, the registering authority shall reserve the registration mark in the following manner : -

(a) Registration marks from 1 to 9 in any series prevalent within the jurisdiction of Registering Authority, shall be reserved on payment of fee of Rs. 15,000/- (Rupees Fifteen Thousand) for each registration mark.

(b) For reservation of registration mark from number 10 to 100 in any series prevalent within the jurisdiction of the Registering Authority, on payment of fee of Rs. 12,000/- (Rupees Twelve Thousand) for each registration mark.

(c) For reservation of registration mark number, 101, 111, 123, 200, 202, 222, 234, 300, 303, 333, 345, 400, 404, 444, 456, 500, 505, 555, 567, 600, 606, 678, 700, 707, 777, 786, 789, 800, 808, 888, 900, 909, 999, 1000, 1001, 1010, 1111, 1112, 1212, 1213, 1221, 1234, 1313, 1314, 1331, 1414, 1415, 1515, 1516, 1616, 1617, 1661, 1717, 1718, 1771, 1818, 1819, 1881, 1919, 1929, 1991, 2000, 2002, 2020, 2021, 2112, 2121, 2122, 2222, 2223, 2323, 2324, 2332, 2345, 2424, 2425, 2442, 2525, 2526, 2552, 2626, 2627, 2662, 2727, 2728, 2772, 2828, 2829, 2882, 2929, 2930, 2992, 3000, 3003, 3030, 3113, 3131, 3132, 3223, 3232, 3233, 3333, 3334, 3434, 3435, 3443, 3456, 3535, 3536, 3553, 3636, 3637, 3663, 3737, 3738, 3773, 3838, 3839, 3883, 3939, 3940, 3994, 4000, 4004, 4040, 4041, 4114, 4141, 4142, 4224, 4242, 4243, 4334, 4343, 4344, 4444, 4445, 4545, 4546, 4554, 4567, 4646, 4647, 4664, 4747, 4748, 4774, 4848, 4849, 4884, 4949, _ 4950, 4994 , 5 000 , 5 005 , 5 050 , 5 051 , 5 115 , 5 151 , 5152 , 5 225 ,

(d) For reservation of any other number not specified in sub- clauses (a), (b) and (c) of this rule within thousands numbers from the last number assigned in serial order on payment of a fee of Rs. 2000/- (Rupees Two Thousand) for each registration mark.

(2) The Registering Authority while reserving the registration mark on the application of any person shall strictly adhere to the following guidelines :-

(a) The Registering Authority shall reserve the registration mark on the basis of first come first served principle.

(b) If there is more than one application on a day for particular registration mark as specified above the reservation of registration mark shall be done in accordance with the serial number on the cash receipt regarding payment of the amount of fee.

(c) The registration mark reserved shall be allotted on production of the vehicle alongwith the application in Form-20 of the Central Motor Vehicles Rules, 1989 and when the vehicle is found complying with the provisions of the Motor Vehicles Act, 1988 and the rules made thereunder for registration of a motor, vehicle.

(d) The reservation of registration mark shall stand automatically cancelled if the vehicle is not produced for allotment of registration number within three months from the date of reservation of registration mark.

(e) The amount of the fee paid for reservation of registration mark shall not be refundable.

(f) The registration mark cancelled under clause (d) can be re- reserved by the Registering Authority in accordance with the above procedure.]

CHHATTISGARH AMENDMENT

1. After Rule 55, the following rule shall be inserted, namely : -

55-A. Allotment of registration mark. - (1) On receipt of an application made in writing by any person to the registering authority for reservation of registration mark, the registering authority shall reserve the registration mark in the following manner : -

(a) Registration marks from 01 to 09 in any series prevalent within the jurisdiction of registering authority, shall be reserved on payment of fee of Rs. 15000/- (Rupees Fifteen Thousand) for each registration mark.

(b) For reservation of registration mark from number 10 to 100 in any series prevalent within the jurisdiction of the registering authority, on payment of fee of Rs. 12,000/- (Rupees Twelve Thousands) for each registration mark.

(c) For reservation of registration mark number, 101, 111, 123, 200, 202, 222, 234, 300, 303, 333, 345, 400, 404, 444, 456, 500, 505, 555, 567, 600, 606, 666, 678, 700, 707, 777, 786, 789, 800, 808, 888, 900, 909, 999, 1000, 1001, 1010, 1111, 1112, 1212, 1213, 1221, 1234, 1313, 1314, 1331, 1414, 1415, 1441, 1515, 1516, 1551, 1616, 1617, 1661, 1717, 1718, 1771, 1818, 1819, 1881, 1919, 1929, 1999, 2000, 2002, 2020, 2021, 2112, 2121, 2122, 2222, 2223, 2323, 2324, 2332, 2345, 2424, 2425, 2442, 2525, 2526, 2552, 2626, 2627, 2662, 2727, 2728, 2772, 2828, 2829, 2882, 2929, 2930, 2992, 3000, 3003, 3030, 3113, 3131, 3132, 3223, 3232, 3233, 3333, 3334, 3434, 3435, 3443, 3456, 3535, 3536, 3553, 3636, 3637, 3663, 3737, 3738, 3773, 3838, 3839, 3883, 3939, 3940, 3993, 4000, 4004, 4040, 4041, 4114, 4141, 4142, 4224, 4242, 4243, 4334, 4343, 4344, 4444, 4445, 4545, 4546, 4554, 4567, 4646, 4647, 4664, 4747, 4748, 4774, 4848, 4849, 4884, 4949, 4950, 4994, 5000, 5005, 5050, 5051, 5115, 5151, 5152, 5225, 5252, 5253, 5335, 5353, 5354, 5445, 5454, 5455, 5555, 5556, 5656, 5657, 5665, 5678, 5757, 5758, 5775, 5858, 5859, 5885, 5959, 5960, 5995, 6000, 6006, 6060, 6061, 6116, 6161, 6162, 6226, 6262, 6263, 6336, 6363, 6364, 6446, 6464, 6465, 6556, 6565, 6666, 6667, 6767, 6768, 6776, 6789, 6868, 6869, 6886, 6969, 6970, 6996, 7000, 7007, 7070, 7071, 7117, 7171, 7172, 7227, 7272, 7273, 7337, 7373, 7374, 7447, 7474, 7475, 7557, 7575, 7576, 7667, 7676, 7677, 7777, 7778, 7878, 7887, 7979, 7980, 7997, 8000, 8008, 8080, 8081, 8182, 8228, 8282, 8283, 8338, 8383, 8384, 8448, 8484, 8558, 8585, 8586, 8668, 8686, 8687, 8778, 8787, 8788, 8888, 8889, 8989, 8998, 9000, 9009, 9090, 9091, 9119, 9191, 9192, 9229, 9292, 9293, 9339, 9393, 9394, 9449, 9494, 9495, 9559, 9595, 9596, 9669, 9696, 9697, 9779, 9797, 9798, 9889, 9898, 9899, 9999, on payment of fee of Rupees 10,000/- (Rupees Ten Thousand) for each registration mark.

(d) for reservation of any other number not specified in sub-clause (a), (b) and (c) of this rule within thousands numbers from the last number assigned in serial order on payment of a fee of Rs. 2000/- (Rupees Two Thousand) for each registration mark.

(2) The registering authority while reserving the registration mark on the application of any person shall strictly adhere to the following guidelines : -

(a) The registering authority shall reserve the registration mark on the basis of first come first served principle.

(b) If there is more than one application on a day for particular registration

mark as specified above the reservation of registration mark shall be done in accordance with the serial number on the cash receipt regarding payment of the amount of fee.

(c) The registration mark reserved shall be allotted on production of the vehicle alongwith the application in Form 20 of the Centfal Motor Vehicle Rules, 1989 and when the vehicle is found complying with the provisions of the Motor Vehicles Act, 1988 and the rules made thereunder for registration of a Motor Vehicle.

(d) The reservation of registration mark shall stand automatically cancelled if the vehicle is not produced for allotment of registrtrtion number within three months from the date of reservation of registration mark.

(e) The amount of the fee paid for reservation of registration mark shall not be refundable.

(f) The registration mark cancelled under clause (d) can be reserved by the registering authority in accordance with the above procedure."

[Vide Notfn. No. 475/Tr.D./2001, dated 6-8-2001]

1. Ins. by Notfn. No. F. 22-15-2000-VIII, dated 15-2-2001.

5252, 5253, 5335, 5353, 5354, 5445, 5454, 5455, 5555, 5556, 5656, 5657, 5665, 5678, 5757, 5758, 5775, 5858, 5859, 5885, 5959, 5960, 5995, 6000, 6006, 6060, 6061, 6116, 6161, 6162, 6226, 6262, 6263, 6336, 6363, 6364, 6446, 6464, 6465, 6558, 6565, 6666, 6667, 6767, 6768, 6776, 6789, 6869, 6886, 6969, 6970, 6996, 7000, 7007, 7070, 7071, 7117, 7171, 7172, 7227, 7272, 7273, 7337, 7373, 7374, 7447, 7474, 7475, 7557, 7575, 7576, 7667, 7676, 7677, 7777, 7778, 7878, 7887, 7979, 7980, 7997, 8000, 8008, 8080, 8081, 8181, 8182, 8228, 8282, 8283, 8338, 8383, 8384, 8448, 8484, 8558, 8585, 8586, 8668, 8686, 8687, 8778, 8787, 8788, 8888, 8889, 8989, 8998, 9000, 9009, 9090, 9091, 9119, 9191, 9192, 9229, 9292, 9293, 9339, 9393, 9394, 9449, 9494, 9495, 9559, 9595, 9596, 9669, 9696, 9697, 9779, 9797, 9798, 9889, 9898, 9899, 9999, on payment of fee of Rupees 10,000/- (Rupees Ten Thousand) for each registration mark.

56. Re-assignment of registration number under certain condition :-

(1) State Government may, by general or special order, direct all Registering Authority of the State, to reassign the new number under the Act, in place of number allotted under the Motor Vehicles Act, 1939 (No. 4 of 1939) in respect of all or any class of vehicles and also prescribe the manner and condition thereof, and the provision of sub-section (6) of Section 41 of the Act shall apply in this respect.

(2) State Government while issuing order under sub-rule (1), shall provide a reasonable time which shall not be less than six months within which the owner of such vehicle shall obtain new number.

(3) No fee shall be charged for the assignment of new number under sub-rule (1), if the owner applies within the prescribed time. Where the application is received after the expiry of prescribed period, a late fee of Rs. 100/- shall be payable.

CHHATTISGARH AMENDMENT

For Rule 56, the following rule shall be substituted, namely : -

"56. Re-assignment of registration number under certain conditions. - (1)

State Government may, by general or special order, direct all Registering

Authorities of the State in their respective jurisdictions to reassign the new number under the Act :

(a) in place of number allotted under the Motor Vehicles Act, 1939 (No. 4 of 1939); and

(b) in place of number registered or assigned in Madhya Pradesh series, in respect of all or any class of vehicles and also prescribe the manner and condition thereof, and the provision of sub-section (6) of Section 41 of the Act shall apply in this regard.

(2) State Government while issuing order under sub-rule (1), shall provide a reasonable time, which shall not be less than four months within which the owner of such vehicle shall obtain a new number.

(3) No fee shall be charged for the assignment of new number under sub-rule

(4) After expiry of the time so fixed under sub-rule (2) the Registering Authority may initiate action against the defaulter vehicle under clause (a) of sub-rule (1) of Section 53 of the Act.

(5) Where the registration certificate of a vehicle is cancelled or suspended under sub-rule (4), the Competent Authority and/or officers may take action under Sections 192 and 207 of the Act.

(6) Where the owner applies for re-registration of a vehicle after expiry of the time so fixed under sub-rule (2), the Registering Authority may, require the owner to pay composition fee under Section 200 of the Act in lieu of any action that may be taken against him under sub-rules (4) and (5) and also deposit the registration fee under Rule 81 of the Central Motor Vehicles Rules, 1989, and then reassign the number." [Vide Notfn. No. 788ITrans./2001, dated 1-12-2001]

57. Exemption from Registration :-

¹[57. Exemption from Registration

The State Government may, by notification at any time direct that any motor vehicle or class of vehicles shall be exempted from the requirement of this Chapter.]

1. Subs, by M.P. Notfn. No. F. 22-158-2005-VIII, dated 19-1-2006. Prior to substitution it read as under:

"57. Exemption of Road Roller, Graders and other vehicles. -(1) Nothing contained in Chapter IV of the Act shall apply to road rollers, graders and other vehicles designed and used solely for the construction, repair and cleaning of roads.

(2) State Government may by notification at any time exempt any motor vehicle from the provisions of this chapter."

58. Supply of copy of particulars of registration :-

Any person may obtain a copy of particulars of registration from the Registering Authority on payment of fee specified in Rule 62.

59. Notice of alteration of motor vehicle :-

(1) The notice of alteration of motor vehicle by the owner of motor vehicles to the Registering Authority in accordance with sub-section (1) of Section 52 of the Act, shall be in Form M.P.M.VR.-34 (B.TI.).

(2)The Registering Authority may require the owner to produce motor vehicle before him or his nominee, for the purpose of verification of alteration in the vehicle and shall record the verified particulars in the registration certificate.

60. Intimation regarding stolen/recovered motor vehicles :-

(1) An officer-in-charge of the police station where the theft of a motor vehicle is reported by the owner or any other person in possession of the vehicle, shall, immediately after the registration of an offence send intimation to the State Transport Authority in Form M.P.M.VR.-35 (MVT) and send a copy thereof to the Registering Authority where the vehicle is registered.

(2) On receipt of this intimation under sub-rule (1), the Secretary, State Transport Authority shall inform all the Registering Authorities the details of the stolen vehicle in Form M.P.M.VR.-36 (MVTR).

(3)The Secretary, State Transport Authority shall also maintain a register of stolen vehicles in Form M.P.M.VR.-37 [MVT Reg. (T)].

(4)The Registering Authority shall maintain the register of stolen vehicles in Form M.P.M.VR.-38 [MVT Reg. (P)] on the basis of the intimation received from the Secretary, State Transport Authority and the Registering Authority concerned.

(5)If the vehicle, reported to be stolen, is recovered the police station which recovered the vehicle shall intimate the fact in Form M.P.M.VR.-39 (MVTRR) to the State Transport Authority and the Registering Authority concerned.

(6)Upon receipt of intimation under sub-rule (5) the Secretary, State Transport Authority and the Registering Authority shall take notice of such recovery and record the fact in the register maintained in Forms prescribed under sub-rules (3) and (4).

61. Maintenance of State Register of motor vehicles :-

(1) The Registering Authorities shall maintain a State Register of Motor Vehicles in the form as prescribed in the Central Rules.

(2)This register may be in bound book form with duplicate pages, the original of which shall be sent to the Transport Commissioner at the end of each quarter.

(3)As soon as the vehicle is registered the necessary entries shall be entered in the State Register of motor vehicles.

(4)Each Registering Authority shall communicate every subsequent correction or entry in respect of registered vehicles to the officer or person designated by the Transport Commissioner for the custody of the State Register of Motor Vehicles and such officer or person shall maintain the updating of the said Register.

(5)The State Register of Motor Vehicles shall be maintained either manually or with the help of computer.

(6)The Transport Commissioner shall supply on behalf of the State Government a printed copy of the State Register of Motor Vehicles to the Central Government as required by sub-rule (2) of Rule 75 of the Central Rules.

62. Fees :-

The Fees which shall be charged under the provisions of the Chapter shall be as

specified below :-

S.NO.	Purpose	Amount
(i)	(2)	(3)
1.	Issue of temporary registration or extension thereof and assignment of temporary registration mark	
	(a) Invalid carriage	Rs. 10.00
	(b) Motor Cycle or Motor Cycle Rickshaw	Rs. 100.00
	(c) Light Motor Vehicle —	
	(1) Private	Rs. 200.00
	(2) Transport	Rs. 400.00
	(d) Medium Motor Vehicle or any other Vehicle not	Rs. 250.00
	mentioned above	
2.	Appeal	Rs. 150.00
3.	Certified copy of the decision/document—	
	(i) Ordinary	Rs. 100.00
	(ii) Urgent	Rs. 150.00
4.	Miscellaneous application	Rs. 50.00

5.		Issue of Particulars of Registration	Rs. 100.00	
6.		Issue of duplicate Certificate of fitness for		
		(a) Light Motor Vehicle -		
		(1) Non Transport Vehicle	Rs. 200.00	
		(2) Transport Vehicle	Rs. 400.00	
		(b) Medium Goods Motor Vehicle, Medium Passengers	Rs. 450.00	
		Motor Vehicle		
		(c) Heavy Goods Vehicle, Heavy Passenger Vehicle	Rs. 500.00]	

CHHATTISGARH AMENDMENT

For Rule 62, the following rule shall be substituted, namely : —

62. Fees. —The Fees which shall be charged under the provision of this Chapter shall be as specified below : —

S.No.	Purpose	Amount
(1)	(2)	(3)
		Rs.
1.	Issue of temporary registration or extension thereof and	
	assignment of temporary registration mark—	
	(a) Invalid carriage	10.00

		(a) Private carriage		250.00	
		(b) Motor Cycle or Motor Rickshaw		50.00	
		(c) Light Motor Vehicle —			
		(1) Private		100.00	

1. Subs, by M.P. Notfn. No. F. 22-158-2005-VIII, dated 19-1-2006.

(1)	(2)	(3)	
	(2) Transport	200.00	
	(d) Medium Motor Vehicle or other Vehicle not mentioned	200.00	
	above		
2.	Appeal	100.00	
3.	Certified copy of the decision/document —		
	(a) Ordinary	50.00	
	(b) Urgent	100.00	
4.	Miscellaneous application	50.00	

5.	Issue of particulars of Registration	50.00	
6.	Issue of duplicate Certificate of fitness for —		
	(a) Light Motor Vehicle —		
	(1) Non Transport	100.00	
	(2) Transport	200.00	
	(b) Medium Goods Motor Vehicle/Medium Passengers Motor	300.00	
	Vehicle		
	(c) Heavy Goods Vehicle, Heavy Passenger Vehicle	500.00	

[Vide Notfn. No. 338/505/Transport/2001, dated 7-6-2001]

In Sr. No. 4 of Rule 62, the figure "50" shall be substituted by "20".

[Vide Notfn. No. 510/Tmns./2001, dated 12-5-2002]

CHAPTER 5 CONTROL OF TRANSPORT VEHICLES

63. State Transport Authority :-

(1) The State Transport Authority shall have a Secretary to be appointed by the State Government and Assistant Transport Commissioner (Administration) shall be the Ex-officio Assistant Secretary of the State Authority.

(2) An official appointed to be a member of the State Transport Authority shall continue as such, until such time as the State Government may otherwise order. Subject to the provisions of sub-rule (3) a non-official member of the State Transport Authority shall hold office for a period of three years.

(3) The State Government may at any time remove any member of the State Transport Authority.

- (4)The State Transport Authority shall meet at such time and at such place as the Chairman may appoint.
- (5)Not less than three days notice shall be given to a member of the meeting of the State Transport Authority.
- (6)The quorum to constitute a meeting of the State Transport Authority shall be the Chairman or the nominated Chairman under the sub-rule (7) and two other members (whether official or non-official). If within half an hour from the time appointed for the meeting a quorum is not completed, the meeting shall be adjourned to such day and at such time and place as the Chairman or the acting Chairman nominated under sub-rule (7) may appoint and no quorum is necessary for holding the adjourned meeting.
- (7)The Chairman, if unable to attend the meeting, shall nominate a member to act as Chairman at the meeting.
- (8)The Chairman or the acting Chairman nominated under sub-rule (7) shall have a second or casting vote.
- (9)Nothing in sub-rules (5), (6), (7) and (8) shall be applicable if the State Transport Authority is constituted of a single member as per second proviso of sub-section (2) of Section 68.

64. Regional Transport Authority :-

- (1) The Regional Transport Officer or any other officer of the Transport Department not below the rank of the Regional Transport Officer shall be the Secretary of the Regional Transport Authority. The Additional Regional Transport Officer shall be the Additional Secretary of the Regional Transport Authority. The Regional Transport Authority may also have an Assistant Secretary, not below the rank of the Assistant Regional Transport Officer, as may be nominated by the Chairman, Regional Transport Authority,
- (2)An Official appointed to be a member of the Regional Transport Authority shall continue as such until such time as the State Government may otherwise order. Subject to the provisions of sub-rule (3) a non-official member of the Regional Transport Authority shall hold office for a period of three years.
- (3)The State Government may, at any time remove any member of the Regional Transport Authority.
- (4)The Regional Transport Authority shall meet at such time and at such place as the Chairman may appoint.
- (5)Not less than three days notice shall be given to a member of the meeting of the Regional Transport Authority.
- (6)The quorum to constitute a meeting of the Regional Transport Authority shall be the Chairman of that Authority and one other member (whether official or non-official). If within half an hour from the time appointed for the meeting quorum is not completed, the meeting shall be adjourned to such day and at such time and place as the Chairman or the acting Chairman nominated under sub-rule (7) may appoint; and no quorum is necessary for holding the adjourned meeting.
- (7)The Chairman, if unable to attend the meeting, shall nominate a member to act as Chairman at the meeting.
- (8)The Chairman or the acting Chairman shall have a second or casting vote.
- (9)Nothing in sub-rules (5), (6), (7) and (8) shall be applicable if the

Regional Transport Authority is constituted of a single member as per second proviso to sub-section (2) of Section 68.

CHHATTISGARH AMENDMENT

In the said Rules, for sub-rule (1) of Rule 64, the following sub-rule shall be substituted, namely : -

"1. (a) The Secretary to the Regional Transport Authority shall be as under for the area specified against them : -

S.No.	Officer	For the area consisting district of
(1)	(2)	(3)
1.	Regional Transport Officer, Raipur	Raipur, Mahasamund, Dhamtari, Durg, Rajnandgaon and Kabirdham
2.	Regional Transport Officer, Bilaspur	Bilaspur, Korba, Janjgir-Champa, Raigarh, Jashpur Nagar, Sarguja and Korea
3.	Regional Transport Officer, Jagdalpur	Bastar, Uttar Bastar (Kanker) and Dakshin Bastar (Dantewara)

(b) The Additional Regional Transport Officer posted in the area as specified in clause (a) of sub-rule (1) shall be the Additional Secretary to the Regional Transport Authority and Assistant Regional Transport Officer/District Transport Officer posted in the area as specified in the sub-rule (1) shall be the Assistant Secretary to the Regional Transport Authority.

(c) Subject to the provisions of Section 69, the application for a permit may be made in the office of Secretary Regional Transport Authority of the area as specified in clause (a) of sub-rule (1) in which major portion of the area or route lies.

(d) The application received for a specific area or route in various offices mentioned in clause (a) of sub-rule (1) shall be collected and arranged date-wise and considered by the Regional Transport Authority simultaneously."

[Vide Notfn. No. F. 5-18/Two/Eight-Trans./2003, dated 2-1-2004]

65. Conduct of Business of Transport Authorities :-

(1) The Secretary, Additional Secretary and Assistant Secretary of a Transport Authority shall exercise such powers as specified in these rules and shall perform such administrative duties as may be directed by the Transport Authority from time to time.

(2) The State or Regional Transport Authority, as the case may be, may decide any matter of urgent nature without holding a meeting by the majority of votes of members by recorded in writing and send to the Secretary (hereinafter referred to as the procedure by circulation).

(3) In the event of procedure by circulation being followed, the Secretary shall send to each member of the Transport Authority such particulars of the matter as may be reasonably necessary in order to enable the member to arrive at a decision and shall specify the date by which the votes of members are to be received in the office of the Transport Authority. Upon receipt of the votes of members as aforesaid, the Secretary shall lay the papers before the Chairman, who shall record the decision by endorsement on the form of application or other document, as the case may be, according to the votes received and the vote or votes cast by the Chairman. The record of the votes cast shall not be available for inspection by any person save by a member of

the Transport Authority at a regularly constituted meeting of the Transport Authority. No decision shall be made upon procedure by circulation, if before the date by which the votes of members are required to reach the office of the Transport Authority, not less than one-third of the members of the Transport Authority have given notice in writing to the Secretary demanding that the matter be referred to a meeting of the Transport Authority.

(4) The number of votes, excluding the Chairmans second or casting vote, necessary for a decision to be taken upon procedure by circulation shall not be less than the members necessary to constitute a quorum.

(5) The State or the Regional Transport Authority as the case may be, may require any applicant for a permit to appear before it or before the officer authorised by it and may withhold the consideration of application for the permit until the applicant himself has appeared or through an authorised representative and until he has furnished such information as may be required by the Transport Authority in connection with the application.

(6) Nothing contained in this rule shall prevent a State or a Regional Transport Authority from deciding any matter which has been considered at a meeting or has been the subject of a hearing and upon which a decision has been reserved by following the procedure by circulation.

(7) Where a matter is decided by the votes of a member present at a meeting of a State or a Regional Transport Authority, no person other than a member of the Transport Authority shall be entitled to be present and no record of the voting shall be kept save of the number of votes cast on either side :

Provided that when any matter is decided by the exercise of the second or casting vote of the Chairman or the acting Chairman the fact shall be recorded.

(8) (a) Regional Transport Authority shall send in return in Form M.P.M.VR.-41 (READ) to State Transport Authority by the fifth of every month in respect of pending applications of permit, and disposal thereof.

(b) State Transport Authority receiving the returns in Form M.P.M.VR.-41 (RPAD) shall compile the information and send a consolidated report including information of STA every six months to the State Government.

66. Delegation of powers by State Transport Authority :-

A State Transport Authority may by general or special resolution recorded in its proceedings and subject to such restrictions, limitations and conditions as may be specified delegate to the Chairman, Secretary, Assistant Secretary or any officer of the Transport Department not below the rank of Assistant Commissioner, the power :-

(a) to permit replacement of one vehicle by another under Section 83;

(b) to suspend permit under Section 86 of the Act and in lieu thereof to recover from the holder thereof a sum of money agreed upon in accordance with sub-section (5) of the said section;

(c) to grant temporary permit under Section 87, sub-section (7) of Section 88 or special permit under sub-section (8) of Section 88;

(d) to countersign the permits or attach to or vary the conditions thereof under sub-sections (1) and (3) of Section 88;

(e) to distribute quota of goods carriage permits specified in the reciprocal agreement entered with the other States to the different Regional Transport

Authorities;

(f) to issue permits under Chapter VI in accordance with the approved nationalisation scheme :

Provided that the Chairman or Secretary or Assistant Secretary or other officer, as the case may be, shall:-

(i) keep informed the State Transport Authority from time to time of the action taken by him in pursuance of the power delegated; and

(ii) arrange to paste on a notice board on the premises of the office of the State Transport Authority a copy of every resolution of that Transport Authority delegating its power to him.

CHHATTISGARH AMENDMENT

After clause (f) of Rule 66 the following clause shall be inserted, namely : - "(g) to grant the letter of authorisation to the vehicle covered by All India Tourist Permit." [Vide Notfn. No. 660/Transport/2002, dated 18-7-2002]

67. Delegation of powers by Regional Transport Authority :-

(1) A Regional Transport Authority may, by general or special resolution recorded in its proceedings and subject to such restrictions, limitations and conditions as may be specified, delegate to Chairman, Secretary, Additional Secretary, or Assistant Secretary of the Authority all or any of the following powers, namely :-

(a) to grant, refuse or renew a private service vehicle permit under sub-section (1) of Section 76;

(b) to grant, renew or refuse goods carriage permit under Section 79;

(c) to renew goods carriage permit under Section 81; R]

(d) to permit the replacement of one vehicle by another under Section 83;

(e) to suspend a permit under Section 86 or to recover from the holder thereof the sum of money agreed upon in accordance with sub-section (5) of the said section;

(1) to grant or refuse to grant a temporary permit under Section 87 or under sub-sections (7) and (8) of Section 88, as the case may be;

(g) to countersign a temporary permit under sub-section (1) of Section 88 or to attach or vary conditions thereof under sub-sections (1) and (3) of the said section; (h) to grant, renew and refuse the national permit for goods

carriage under sub-section (12) of Section 88; (i) to grant, refuse or renew licences of Agents under Rule 120 and 132 or to suspend a licence under Rule 128 or to recover from the holder thereof sum of money agreed upon in lieu of suspension :

Provided that the Chairman, Secretary or Assistant Secretary, as the case may be, shall

(i) keep informed the Regional Transport Authority from time to time of the action taken by him in pursuance of the power delegated; and

(ii) arrange to paste on a notice board on the premises of the office of the Regional Transport Authority a copy of every resolution of that Transport Authority delegating its power to him. ¹[(2) The Regional Transport Authority may also by general or special resolution delegate to a Collector of District the following powers namely :-

(a) to grant temporary permit under clauses (a) and (b) of sub-section (1) of

Section 87 for a period of not more than seven days authorising the use of a Transport Vehicle temporarily within the State of Madhya Pradesh for- (i) the conveyance of passengers on special occasion, such as to and from fairs and religious gatherings; or (ii) transport of personal kit and luggage of an officer on transfer or transport of dead bodies; or

(iii) transport of polling personnel and officers and carriage of ballot boxes and papers during the period of an election.

(b) To grant temporary permit under clause (e) of sub-section (1) of Section 87 to be effective for a limited period which shall not, in any case, exceed four months, to authorise the use of a motor cab, maxicab and public service vehicle (State Carriage) to meet particular temporary need, under the following limitations and restrictions-

(i) that the permit shall be valid for the area or routes within the respective jurisdiction of a Collector of the district;

(ii) that limitations and restrictions imposed and relaxation granted under nationalisation Schemes shall be strictly adhered to;

(iii) that the applicant/owner of the Vehicle shall furnish no dues certificate of concerning Taxation Authority in respect of the Vehicle alongwith the application;

(iv) that in case of any mistake in computation of distance or areas/route or rate of tax applicable, the difference amount, if any, shall be payable by the owner in accordance with the provisions of Madhya Pradesh Motor Vehicle Taxation Act, 1991.]

(3) Notwithstanding anything contained in this rule a Regional Transport Authority may from time to time issue instructions to its Secretary, Additional Secretary or the Assistant Secretary or the Collector as to the manner in which he shall exercise the powers delegated to him.

CHHATTISGARH AMENDMENT

For sub-rule (3) of the Rule 67, the following sub-rules shall be substituted, namely : -

"(3) The Regional Transport Authority may also by general or special resolution delegate to an officer-in-charge of the transport check-post in its region, the power under sub-section (I) of Section 87 to grant temporary permit to a goods carriage for a period of one month or part thereof authorizing the use of a goods carriage of other State temporarily within the State of Chhattisgarh for transport of goods subject to the condition that such vehicle shall not be used for intra-state operation in Chhattisgarh :

Provided that an officer-in-charge of the transport check-post shall keep informed the Regional Transport Authority and the Transport Commissioner from time to time of the action taken by him in pursuance of powers delegated and a list of all permits so issued shall be sent :

Provided further that before issue of temporary permit under this sub-rule the officer-in-charge of the transport check-post shall ensure that the taxes under the Chhattisgarh, Motor Vehicle Taxation Act, 1991 (No.25 of 1991) are paid in respect of the vehicle for permit is to be issued by him.

(4) Notwithstanding anything contained in this rule, the Regional Transport Authority may, from time to time, issue instructions to its Secretary, Additional

Secretary, Assistant Secretary, Collector or an officer-in-charge of the transport check-post as to the manner in which he shall exercise the powers delegated to him."

[Vide Notfn. No. 668/Tr.D./2001, dated 10-10-2001]

1.Subs, by Notfn. No. F. 22-64-97-VIII, dated 24-4-1998.

68. Power of refusal to accept applications for permits :-

Where the State Government by notification in Official Gazette directed the Transport Authorities to limit the number of stage carriages or contract carriages generally or of any specified type under sub-section (3) of Section 71, or sub-section (3) of Section 74 respectively and has limited the number of vehicles of any class for which permits may be granted in any specified area or on any specified route and has actually granted permits equal to the maximum number of vehicles of any class, in such area or as the case may be, on such route, the Regional Transport Authority shall notify this fact on the notice board of its office and may decline to receive any further application for permits in respect of the class of vehicles in the area or on the route aforesaid.

69. Reservation of permits for Scheduled Castes and Scheduled Tribes :-

(1) Where the number of stage carriage is fixed under sub-section (3) of Section 71 the number of permits reserved for Scheduled Castes and Scheduled Tribes shall be 15 and 18 percent respectively.

(2) The Transport Authority shall maintain a roster of stage carriage and contract carriage permits reserved for Scheduled Castes and Scheduled Tribes in the same manner and as prescribed for the recruitment from these categories for the Government service.

(3) No sooner any vacancy of permit occurs, the Regional Transport Authority shall decide according to the roster whether it should be reserved, for scheduled caste or scheduled tribe. If the vacancy is so reserved for scheduled castes or scheduled tribes, no applications from other categories of persons shall be considered against the reserved vacancy.

(4) The vacancy or vacancies of permits reserved for the scheduled castes and scheduled tribes shall be published in the Official Gazette and in at least one Hindi Newspaper circulating in the region, inviting applications from these categories on or before an appointed date.

(5) In case no applications are received from the persons belonging to the Scheduled Castes or Scheduled Tribes the permit shall be treated as unreserved and shall be granted to other persons.

(6) The number of reserved permits granted to persons, not belonging to Scheduled Castes and Scheduled Tribes during a calendar year shall be carried forward to the next year and added to the number reserved in that year for these categories but the number of reservations shall not exceed fifty percent of the total stage carriage permits, granted during a year. Also the number of reserved permits shall not be carried forward beyond one year after which they shall be considered as lapsed.

70. Matters for consideration of Application for Stage Carriage or Contract Carriage Permit :-

In addition to the matters mentioned in clause

(d) of sub-section (3) of Section 71 and clause (b) of sub-section (3) of Section 74, the Regional Transport Authority may also have regard to the following matters, namely :-

- (a) that the applicant is an unemployed Graduate;
- (b) that he is a displaced person affected by any development project;
- (c) that he is a person whose stage carriage or contract carriage permit has been cancelled as a result of any nationalization scheme;
- (d) that he is having a diploma in Automobile Engineering, Tourism or Transport Management, from an institution recognised by the State Government;
- (e) that he is a Travel Agent approved by the Indian Tourism Development Corporation or Madhya Pradesh Tourism Development Corporation;
- ¹[(f) that a person makes an application for plying vehicle for ladies only on city routes;
- (g) that widow or a divorced woman who applies to ply vehicle on city routes;
- (h) that the owners of mini-buses belonging to Scheduled Castes, Scheduled Tribes, Backward Classes and Minority Communities who have been provided mini buses by giving loans under different schemes by the State Government while making application for a permit; or
- (i) that the beneficiaries under clause (h) while applying for mini bus permit for Mahanagariya Service routes.]

1. Ins. by Notfn. No. F. 8-7-98-VIII, dated 6-1-1999.

71. Route motorability :-

(1) State Transport Authority or the Regional Transport Authority, as the case may be, may while considering an application for grant of stage carriage permit, may ensure the motorability of route with specific reference to condition of road, existence of bridges, culverts thereon and other obstructions in safe operation of stage carriage. Such authority while ascertaining the motorability of route, may obtain survey report thereof from any subordinate officer not below the rank of Transport Inspector of the Transport Department.

(2) Each survey report as referred to in sub-rule (2) shall consist of the following points :

- (a) Physical survey of route by the Surveying Officer;
- (b) Actual distance between enroute Villages/Towns;
- (c) Topography of road and various obstructions and constraints in safe operation of stage carriage; and
- (d) Opinion regarding safe operation of service on the route.

72. Forms of application for permits :-

(1) Every application for grant or renewal of a permit in respect of any transport vehicle shall be in one of the following forms that is to say-

- (a) in respect of a stage carriage or reserve stage carriage permit in Form

M.P.M.VR.-42 (SCPA);

(b)in respect of a contract carriage in Form M.P.M.VR.-43 (CCPA);

(c)in respect of a goods carriage in Form M.P.M.V.R.-44 (GCPA)

(d)in respect of a temporary permit in Form M.P.M.V.R.-45 (TPA);

(e)in respect of a private service vehicle permit in Form M.P.M.V.R.-46 (PSVPA)
and

(f)in respect of a special permit in Form M.P.M.V.R.-47 (SPA).

(2)The application shall be addressed to the State Transport Authority or the Regional Transport Authority as the case may be and shall be accompanied by the fee specified in Rule 145.

(3)The application for stage carriage permit or reserved stage carriage permit as required under sub-section (1) of Section 70 shall be accompanied by the following documents, namely :

(a)an authentic route map alongwith certified distance between various stages and certificate regarding motorability of the route

from the departments which have control over such road;

(b)certificate from Registering Authority containing make, model and seating capacity of the vehicles owned by the applicant at the time of making the application;

(c)details of the stage carriage and reserved stage carriage permits already held by the applicant;

(d)no dues certificate issued by the Regional Transport Officer concerned;

(e)declaration duly certified by an officer of the Madhya Pradesh State Road Transport Corporation authorised by the Managing Director about the portion and distance of the route covered by any nationalization scheme; and

(f)any other information as may be required by the Transport Authority.

73. Forms of permits :-

(1) Every permit shall be in one of the following forms that is to say :-

(a)in respect of stage carriage or reserve stage carriage permit in Form M.P.M.VR.-48 (SCP) or Form M.P.M.VR.-43-A (RSCP) as the case may be;

(b)in respect of a contract carriage Form M.P.M.VR.-49 (CCP);

(c)in respect of a goods carriage in Form M.P.M.VR.-50 (GCP);

(d)in respect of a temporary permit in Form M.P.M.VR.-51 (TP);

(e)in respect of a private service vehicle permit in Form M.P.M.VR.-52 (PSVP);

(f)in respect of a special permit in Form M.P.M.VR.-53 (SP);

(g)in respect of a tourist vehicle permit in Form M.P.M.VR.- 54 (TVP);

(h)in respect of a National Permit in Form M.P.M.V.R.-55 (GCNP).

(2)Every permit shall be issued on such water paper as may be specified by the Transport Commissioner and shall be printed in form as specified in sub-rule (1) in different colours for different category of permits and shall be numbered in book form serially.

74. Procedure on receipt of permit application and manner of disposal thereof :-

(1) Where an application for the grant, renewal, countersignature or transfer of

permit or for variation of any condition of permit or for replacement of vehicle is presented, it shall be marked with dated initial by an officer of the Transport Department.

(2) Every application presented and duly marked under sub-rule (1) shall be acknowledged in Form M.P.M.VR.-56 (APA). Such application shall be entered serially in a register in Form M.P.M.VR.-57 (Form RPA) and shall be presented before the Transport Authority for consideration.

(3) Transport Authority shall after considering the application, as per provisions of law, pass an appropriate order thereon and communicate.

75. Entry of registration mark on permit :-

No permit shall be issued until the registration mark of the vehicle to which it relates, has been entered therein and in the event of the applicant failing to produce the certificate of registration within the specified period, the Transport Authority may revoke its sanction regarding the grant of permit.

76. Extension of area of permit :-

(1) A stage carriage permit granted by the Regional Transport Authority of one region of the State shall be valid in the other region of Madhya Pradesh, without countersignature if the total distance of the route in such other region or regions are not more than twenty-five kilometres, and where the distance of route in other region or regions is more than twenty-five kilometres, the permit holder shall file an application alongwith prescribed documents and prescribed fee for the countersignature of permit in the office of the Secretary, Regional Transport Authority of that other region, within 30 days of the issue of permit by the granting Authority.

(2) A Regional Transport Authority of one region may extend the effect of the permit in respect of a motor cab or a private service vehicle in any other region within the State without countersignature by the other authority and may attach or vary the conditions to the permit to be effective in such other region.

(3) The Transport Authority which issued a permit to be operative in any other region shall send a copy of the permit to the Transport Authority of the other region.

(4) The State Government may, if it considers necessary in the interest of the development of the area lying or near the border of the State, exempt all or any specified class of transport vehicles of the Bordering State from the necessity of counter signature of permit by the Transport Authority of the State provided similar facilities are extended by the other State in its area to the Transport Vehicles of Madhya Pradesh.

77. Additional conditions in respect of certain permits :-

(1) In addition to the conditions prescribed in sub-section (2) of Section 72, the Regional Transport Authority or State Transport Authority granting a stage carriage permit may attach any of the following conditions, namely :-

(i) that the permit holder, shall not use the stage carriage in a public place for the purpose of carrying or intending to carry passengers unless it carries in addition to the driver, a conductor who holds an

effective conductors licence issued under Chapter III of the Act.

(ii) that there shall be exhibited on the vehicle adequate particulars indicating to the public the place to which and the route by which the vehicle is proceeding.

(iii) that the service shall be regularly operated on the specified route in accordance with the approved time table except-

(a) when prevented by accident, unmotorability of the route, or any unavoidable cause; and

(b) when otherwise authorised in writing by the Regional Transport Authority.

(2) A permit in respect of a public service vehicle may be subject to the conditions that its holder shall make provision on such vehicle for the conveyance of a reasonable quantity of passengers luggage with efficient means for securing it and protecting it against rain.

(3) A permit in respect of a goods carriage may be subject to one or more of the following conditions :-

(i) that the vehicle shall not be used for the conveyance of any class or description of goods in contravention of any law or any rule or order made thereunder prohibiting or regulating the import, export, or transport of such goods;

(ii) that the number of persons to be carried in the vehicle shall not exceed the number which may be specified in the permit;

(iii) that no goods shall be picked up or set down between any two points lying wholly within the countersigning state.

(4) It shall be a condition of every permit that taxes shall be paid in respect of the vehicle in accordance with the provisions of the Madhya Pradesh Motor Vehicle Tax Act, 1991 (No. 25 of 1991) and the rules made thereunder. When the Transport Authority has suspended a permit for non-payment of tax the order of suspension shall be in force as long as the tax remains unpaid and shall become inoperative immediately on payment of the tax due on the vehicle.

78. Carriage of goods on stage carriages :-

(1) Subject to the provisions of Rule 80, luggage may be carried on the roof of a stage carriage or in the hoot, locker or compartment set-aside for the purpose but where it is so carried on a roof, adequate protection in the form of a guard rail and water proof cover shall be provided.

(2) No luggage shall be carried in any stage carriage in such a way as to block any entrance or exit.

(3) No goods shall be carried on the top deck of a double decked stage carriage.

(4) Subject to the provisions of sub-rule (3) and Rule 81, goods may be carried in a stage carriage at any time in accordance with the conditions specified in the permit, provided that obligation of the holder to carry passengers in accordance with the terms of the permit is discharged.

(5) Where goods are carried in a stage carriage in addition to passengers, the goods shall be of such a nature and shall be so packed and secured on the vehicle that no danger, inconvenience or discomfort is caused to any passenger and that the access to the entrance and exit from the vehicle remain unobstructed.

(6) The weight in kilogram of goods carried in a stage carriage shall not exceed $(R-P) \times 75$, where in relation to a single-decked stage carriage or to the lower deck of a double decked stage carriage.

Explanation.-R is the registered passenger seating capacity of the vehicle and P is the number of passengers actually carried on the vehicle.

79. Carriage of goods on contract carriage prohibited :-

The Regional Transport Authority shall not authorise the use of a contract carriage for the carriage of goods save for :

(a) Special reasons on particular occasions and subject to condition and restriction to be specified on the permit; or the carriage of

(b) the personal effects or household effects of a hirer if so authorised in the permit but not the carriage of general merchandise.

80. Carriage of personal luggage in stage carriage :-

Except in the case of stage carriage services operated exclusively within municipal areas, a passenger in a stage carriage shall be entitled to carry free of charge not more than fifteen kilograms of luggage and personal effects.

81. Carriage of animals in goods carriages :-

(1) No cattle shall be carried in a goods carriage in a public place unless :-

(i) In the case of goats, sheep, deers, or pigs, a minimum floor space of one square metre per five heads of such cattle is provided in the vehicle.

(ii) In the case of any other cattle :-

(a) a minimum floor space of 2 x 1 metre per head of cattle and half of such floor space for young weaned one of cattle is provided in the vehicle;

(b) the load body of the vehicle is constructed of strong wooden planks or of iron sheets with a minimum height of one and one half metre measured from the floor of the vehicle on all sides;

(c) floor battens are provided to prevent slipping of hoofs;

(d) every projection likely to cause suffering to an animal is removed; and

(e) the cattle are properly secured by ropes tied to the sides of the vehicle.

Explanation.-CATTLE for the purpose of this sub-rule includes goats, sheeps buffaloes, bulls, oxen, cows, deers, horses, ponies, mules, asses, pigs or the young oxen thereof.

animal belonging to or intended for a circus, manageric or zoo ,ed in goods vehicle in a public place unless :- j) in the case of a wild or ferocious animal, a suitable cage of sufficient strength to contain the animal securely at all times, either separate from or integral with the load body of the vehicle is provided; and

(ii) reasonable floor place for each animal is provided in the vehicle. (3) No goods vehicle when carrying any cattle under sub-rule (1) or any animal under sub-rule (2) shall be driven at a speed in excess of forty kilometres per hour.

82. Renewal of permits :-

(1) Application for the renewal of permit shall be made in the form prescribed under sub-rule (1) of Rule 72 to the Transport Authority by which the permit was issued. The application shall be accompanied by the fee as specified in Rule 145.

(2) The Transport Authority renewing a permit shall call upon the holder to produce the permit and shall return the same after endorsement.

(3) On or after the commencement of this rule, permits relating to service of stage carriages or casual contract carriages issued before the commencement of the Motor Vehicles Act, 1988 (No. 59 of 1988) in Form P. St. S and Form P. Co. S respectively, shall, on renewal of such permits be issued in Form M.P.M.V.R.-48 (S.C.P.) or Form M.P.M.V.R.-49 (C.C.P.), as the case may be.

(4) The permits granted or renewed during the period between the date of coming into force of the Motor Vehicles Act, 1988 and the date of commencement of these rules, and issued in Form P. St. S or P. Co. S as the case may be shall be, converted and issued in Form M.P.M.V.R. 48 (S C P) or Form M.P.M.V.R.-49 (C.C.P.) respectively, after giving a notice to the permit holder in Form M.P.M.V.R.-57-A (N C F P) and after giving him an opportunity of being heard.

83. Renewal of counter signature of permits :-

(1) Application for the renewal of counter signature of a permit shall be made in the form prescribed under sub-rule (1) of Rule 72 to the Transport Authority concerned and shall be accompanied by a copy of the permit and application fee as specified in Rule 145.

(2) The Transport Authority granting the renewal or a counter signature shall call upon the holder to produce the original permit, and shall return the same after endorsement.

84. Replacement of vehicle authorised by permits :-

(1) If the holder of a permit desires at any time to replace any vehicle covered by the permit by another vehicle, he shall forward the permit or the temporary permit, as the case may be, and apply in Form M.P.M.V.R.-56 (MV Rep. A) to the Transport Authority by which the permit was granted stating the reasons why

the replacement is desired and shall also simultaneously-

(i) if the another vehicle is in his possession, forward the certificate of registration of that vehicle, or

(ii) if the another vehicle is not in his possession, state the particulars including the model, make and seating capacity of the vehicle proposed to be replaced, and (iii) shall pay the fee as specified in Rule 145.

(2) On receipt of an application under sub-rule (1) the Transport Authority may reject the application :-

(i) if the another vehicle proposed for replacement differs in material particulars from the existing vehicle, and (ii) if

there are arrears of tax in respect of the existing vehicle.

(3) If the Transport Authority grants an application for replacement of a vehicle under this rule, it shall call upon the holder of the permit to produce the permit

and the certificate of registration of the new vehicle, if not already delivered to it and the Secretary of the Transport Authority shall endorse the permit accordingly under his signature and seal and return it to the holder.

85. Validation of replacement order in respect of counter signature on permit :-

(1) The Transport Authority granting permission for the replacement of a vehicle under Rule 84 shall, unless the counter signing authority by general or special resolution otherwise, directed, endorse on the correction made on the permit the words valid also for, inserting the name of the countersigning authority and shall intimate the fact and particular; of the replacement to the said authority.

(2) Unless the permit has been endorsed as provided in sub-rule (1) or unless the replacement has been approved by endorsement by the counter-signing authority concerned, the counter signature on a permit shall not be valid in respect of any new vehicle.

86. Procedure on cancellation or suspension of permit :-

(1) The holder of a permit may at any time surrender the permit for cancellation to the Transport Authority by which it was granted and the Transport Authority shall forthwith cancel any permit so surrendered.

(2) Where an authority suspends or cancels any permit under Section

(i) the holder shall surrender the permit immediately after the suspension or cancellation takes effect,

(ii) the Transport Authority suspending or cancelling the permit shall send intimation to the authority by which the permit was counter signed, and to such Transport Authority in whose area the validity has been extended under Rule 76.

87. Permit-Transfer of :-

(1) When the holder of permit desires to transfer the permit to some other person under sub-section (1) of Section 82 . with the person to whom he desires to make the transfer make application, in Form M.P.M.V.R.-59 (Tr. P.A.) along with the fee . in Rule 145 to the Transport Authority by which the permit was issued stating the reasons for the proposed transfer.

(2) On receipt of an application under sub-rule (1) the Transport Authority may require the holder to file an affidavit stating whether any premium, payment or other consideration arising out of the transfer, is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration.

(3) Without prejudice to any other penalty to which the parties may be liable, any transfer of a permit ordered, upon such an application which the Transport Authority is subsequently satisfied was false in respect of the matter specified in sub-rule (2) or in respect of any other material particulars, shall be void.

(4) The State/Regional Transport Authority may summon both the parties to the application to appear before it and may, if it deems fit, deal with the application as if it is an application for a permit.

(5) If the Transport Authority decides to transfer the permit it shall call upon the holder to surrender the permit and shall cancel the particulars of holder thereon and endorse particulars of the transferee and shall return the permit to the transferee.

(6) The Transport Authority making a transfer of a permit as aforesaid may, unless any other Transport Authority by which the permit has been counter signed has, by general or special resolution otherwise directed endorse the permit with the words "transfer of permit valid for" inserting the name of the authority by which the permit has been counter signed with effect from the date of transfer.

(7) Unless the permit has been endorsed as provided in sub-rule (6) or unless the transfer of the permit has been approved by endorsement by the authority which counter signed the permit, the countersignature on a permit shall not be valid after the date of transfer.

88. Issue of duplicate permits :-

(1) If a permit is lost or destroyed the holder shall forthwith intimate the fact to the Transport Authority by which the permit was issued along with the fee specified in Rule 145.

(2) The Transport Authority shall upon receipt of an application in accordance with sub-rule (1) issue a duplicate permit and to the extent that it is able to verify the facts may also endorse the fact of countersignature by other authority and intimate the fact to that Authority.

(3) A duplicate permit issued under this rule shall be clearly stamped duplicate in red ink.

(4) Where a permit has become dirty, torn or otherwise so defaced that in the opinion of Transport Authority it is illegible, the holder thereof shall surrender the permit to the Transport Authority and apply for the issue of a duplicate permit in accordance with this rule.

(5) Where a duplicate permit has been issued upon representation that a permit has been lost and the original permit is afterwards found or received by the holder, the holder shall immediately return the duplicate permit to the Transport Authority.

(6) Any other person finding a permit shall deliver it to the nearest police station or to the Transport Authority. The Officer-in-charge of the Police Station on receipt of the permit, shall immediately forward it to the Transport Authority. The transport Authority shall restore the permit in case duplicate permit has not been issued and shall substitute it for the duplicate, if a duplicate has been issued.

89. Exemption to drivers from restrictions of hours of work :-

Subject to the provisions of sub-section (2) of the Section 91 of the Act, sub-section

(1) of that section shall not apply in the case of-

(a) any transport vehicle used by or on behalf of any military or police authority in connection with military maneuvers or exercises or in the quelling of riots or civil disturbances;

- (b) any fire brigade-vehicle or ambulance when being used as such;
- (c) any vehicle being used for the carriage of passengers or goods in any emergency arising out of fire, earthquake flood, pestilence or other calamity, riots or civil disturbance;
- (d) any vehicle going for, or returning with medical aid in an emergency or carrying any seriously injured or sick person for medical treatment, when no other means are reasonably available;
- (e) any vehicle proceeding to the nearest place of halt, at which the driver and occupants can reasonably obtain shelter and refreshment, after delay in the journey arising out of the provision of Sections 132 and 134 or out of the failure of any of the tyres or the machinery of the vehicle failure could not have been prevented by the exercise of reasonable care and diligence.

90. Interval of rest :-

Any time spent by the driver of a vehicle on or near the vehicle when it is at rest, when he is at liberty to leave the vehicle for rest and refreshment although required to remain within sight of the vehicle shall be deemed to be an interval of rest for the purpose of clause (a) of sub-section (1) of Section 91.

91. Conduct of passengers in stage carriages :-

(1) If at any time a passenger or person using or intending to use a stage carriage-

(i) obstructs any authorised employees of the permit holder in the execution of his duties; or

has bulky luggage of a form or description which obstructs,

(ii)

annoys; or causes inconvenience to another passenger or is likely to do so, or

(iii) carries any animal, bird, flesh, or fish (other than tinned food in its original packings) any instrument, implement, substance or any other article which annoys or causes inconvenience or is offensive to any other passenger or is likely to do or be so; or

(iv) without lawful excuse occupies any seat exclusively reserved for female passengers; or

(v) sings or plays upon any musical instrument; or

(vi) is reasonably suspected to be suffering from any contagious or infectious disease; or

(vii) rings without lawful excuse, or otherwise interferes with, any signs of the stage carriage; or

(viii) knowingly or intentionally enters a stage carriage which is carrying the maximum number of passengers according to the seating capacity specified in the certificate of registration of the vehicle and any additional number permitted under the terms of the permit to be carried in excess of the seating capacity of the vehicle; or

(ix) has dress or clothing which is likely to spill or damage the seats or the dress or clothing of another passenger or which for any other reason is offensive to other passengers, or

(x) commits or abets any breach of the provisions of the Act or rules made thereunder; the driver or the conductor may require such person to alight from

the vehicle forthwith and may stop the vehicle or keep it stationary until such person has alighted. Any person failing to comply forthwith such requirement may be forcibly removed by the conductor or the driver or any Police Officer on being requested by the driver or conductor or passenger in that behalf and shall be guilty of an offence.

(2) No passenger, or person using or intending to use a stage carriage shall-

(i) refuse to pay the legal fare; or

(ii) refuse to show any ticket on demand by any authorised person; or

(iii) behave in a disorderly manner; or

(iv) behave in a manner likely to cause alarm or annoyance to any female passenger; or

(v) use abusive language; or

(vi) molest any other passenger; or (vii) smoke, spit, or eject betel juice in the vehicle; or (viii) enter or leave or attempt to enter or leave any stage carriage while it is in motion and except at a bus stop; or (ix) enter or attempt to enter or alight or attempt to alight from a stage carriage except by the entrance or exit provided for the purpose; or

(x) interfere with the driving of the vehicle; or

(xi) use or attempt to use a ticket other than the ticket valid for a particular journey or use or attempt to use a ticket which has already been used by another passenger or on another journey; or

(xii) wilfully damage or spoil or remove any fittings in or on the stage carriage or interfere with any light or any part of the stage carriage or its equipment; or

(xiii) hang on to any exterior part of stage carriage; or (xiv) travel beyond the destination for which the fare has been paid except by paying to the conductor the legal fare for the additional journey sufficiently in advance; or

(xv) on demand being made by the driver or conductor or an officer of the Police or Transport Department when reasonably suspected of contravening any of the provisions of this rule, refuse to give his correct name and address to such driver or conductor or officer of the Police or Transport Department; or

(xvi) on a request being made by the conductor, refuse to declare to him the journey he intends to take or has taken in the stage carriage, or before leaving the stage carriage, attempt to ignore the conductor in making the payment of the legal fare for the whole journey; or

(xvi) lean out or project any part of his body outside the vehicle while the vehicle is in motion.

(3) If at any time a passenger in stage carriage takes a seat without obtaining a ticket for the journey, the driver or conductor or any authorized person may require such passenger to alight from the vehicle if the journey is yet to begin or charge double the fare from the place from which the stage carriage originally started, if the journey has already been performed and in case of non-payment may report the case to a Police Officer, who shall proceed to take action against him.

(4) Every passenger shall be entitled to receive a ticket from the conductor for the fare paid and no passenger or person shall travel in a stage carriage unless he has obtained a ticket for the journey.

Explanation.-In this rule the expression ticket includes a season ticket, pass or authorisation issued by the permit holder authorising a person to travel on the

stage carriage.

92. Conduct of passengers in motor cabs :-

(1) No passenger in a motor cab shall-

(i) wilfully or negligently damage the cab or any of its fittings; or

(ii) on termination of the hiring, refuse or omit to pay the legal fare.

(2) In the case of dispute is referred shall, if the dispute is not settled amicably, record the names and addresses alongwith the substance of the respective contentions of both parties and shall take such further action as may be necessary.

93. Carriage of children and infants in Public Service Vehicle :-

In relation to the number of persons that may be carried in a public service vehicle-

a child of not more than twelve years of age shall be reckoned as one half, and

a child of not more than three years of age shall be regarded as an infant and shall not be reckoned as one half.

94. Disinfection of Public Service Vehicle :-

(1) No person shall drive any public service vehicle and no owner of a public service vehicle shall cause or allow such vehicle to be used unless once in every two months, it is disinfected with D.D.T. or any other liquid insecticide approved for the purpose by the Director of Health Services of the State.

(2) The owner of a public service vehicle shall maintain and, on demand by an officer of the Transport or Police Department not below the rank of an Inspector, produce for inspection, a current register showing the dates on which the public service vehicle was disinfected from time to time, and shall also satisfy him that a mechanical spray which shall be used for the purpose of such disinfection is in working order.

95. Maintenance of Complaint Books in Stage Carriages :-

(1) A bound complaint book in Form M.P.M.V.R.-60 (COMP) duly ruled, paged, signed and stamped with the seal of the permit holder and countersigned by the Secretary State/Regional Transport Authority concerned shall be maintained by such permit holder in every public service vehicle and at such bus stands as may be directed by the State/Regional Transport Authority, to enable passengers to record any legitimate complaint.

(2) Such complaint shall be written clearly and in an intelligible manner and the complainant shall also clearly and legibly record in the complaint book his full name, address and date on which complaint is written.

(3) The permit holder shall promptly look into every complaint recorded in the complaint book, remove the cause of the complaint or of its recurrence and submit within a month of recording of the complaint an explanation to the Transport Authority which granted the permit together with a copy of the complaint stating the action taken by him in connection with the complaint. A copy of the report shall be forwarded by the permit holder to the

complainant.

(4) The complaint book shall be so securely kept in the public service vehicle and at the bus stands, as the case may be, and shall at all times be made available by the driver and the conductor, if any, of the vehicle to any passenger desiring to record a complaint or to an officer of the Transport or Police Department not below the rank of Assistant Sub-Inspector for purpose of inspection.

(5) If the complaint book is lost or destroyed, the permit holder shall within one week of such loss or destruction intimate the fact in writing to the Transport Authority.

(6) The fee for obtaining a complaint book shall be as specified in Rule 145.

96. Carriage of Corpses in Transport Vehicles :-

No driver, conductor or person in charge of any transport vehicle shall permit any corpse to be placed or carried on such vehicle when such vehicle is plying for hire for the conveyance of any passenger other than the person or persons by whom the vehicle has been expressly hired for the purpose of conveying such corpse.

97. Carriage of person in Goods Carriage :-

(1) No person shall be carried in a goods carriage other than a bona fide employee or the owner or the hirer and except in accordance with this rule.

(2) No person shall be carried in the cabin of goods carriage beyond the number for which there is seating accommodation at the rate of thirty-eight centimetres measured along with the seat for each person excluding the space reserved for the driver, and not more than-

(i) six persons in addition to the driver in any goods carriage other than light transport vehicle;

(ii) three persons in addition to the driver in any light goods carriage;

(iii) one person in addition to the driver in the light goods carriage having gross vehicle weight less than one thousand kilograms.

(3) Notwithstanding anything contained in sub-rule (1) but subject to provisions of sub-rules (5) and (6) a Regional Transport Authority may by an order in writing permit that a large number of persons may be carried in the vehicle on the condition that no goods at all are carried in addition to such persons and such persons are carried free of charge in connection with the work for which the vehicle is used, and that such other conditions as may be mentioned by the Regional Transport Authority are observed and where the vehicle is required to be covered by a permit, the conditions of permission aforesaid are also made conditions of the permit.

(4) Notwithstanding anything contained in sub-rules (1) and (2), but subject to the provisions of sub-rules (4) and (5)-

(i) for purpose of celebrations in connection with the Republic day or Independence day, the Regional Transport Officer, and

(ii) where it considers expedient in public interest in respect of vehicles owned or hired by it and in respect of other vehicles on such grounds of urgent nature to be specified in the order, the State Government may, by general or special order, permit goods carriage to be used for the carriage of persons for the

purpose aforesaid and subject to the conditions as be specified in the order.

(5) No person shall be carried in any goods carriage-

(i) unless an area of not less than 3600 square centimetres of the floor of the vehicle is kept open for each person,

(ii) in such manner-

(a) that such person when carried on goods or otherwise is in danger of falling from the vehicle;

(b) that any part of his body, if he was in a sitting position, is not a height exceeding three metres from the surface upon which the vehicle rests.

(6) The provisions of this rule shall not apply to motor vehicles registered under Section 60 of the Act.

(7) Notwithstanding anything contained in sub-rules (1) and (2) but subject to the provisions of sub-rule (5) such tractor-trailer other than those registered in the name of industrial organisation, Municipal Institutions, water supply institution and non-agricultural cooperative societies, and the unladen weight of which does not exceed 7300 Kgs. may be used for the following purposes-

(i) for carrying labourers and the member of the family of agriculturist for the purpose of agriculture or any purpose connected with agriculture including sale and purchase of articles or agriculture.

(ii) for carrying persons at the time of Mela, Markets, Religious Functions, Marriages and at other ceremonial occasions provided that the number of persons so carried shall not exceed 20 at a time.

98. Duty to carry goods in Goods Carriage :-

An owner or person in charge of a goods carriage shall not, save for reasonable and lawful excuses refuse to carry any goods of any person tendering the same for not less than the maximum freight, if any, fixed under sub-section (1) of Section 67 of the Act.

99. Change of address of Permit Holder :-

(1) If the holder of a permit ceases to reside or to have his place of business, as the case may be, at the address set forth in the permit he shall, unless the change be for a temporary period not exceeding three months shall intimate the change within fourteen days alongwith the permit to the Transport Authority by which the permit was issued^

(2) Upon receipt of intimation under sub-rule (1) the Transport Authority shall after making such enquiries as it may deem fit, enter in the permit the new address and shall intimate the particulars to the Transport Authority of any region in which the permit is valid by virtue of counter-signature or otherwise.

100. Intimation of damage to or failure of Public Service Vehicle :-

(1) The holder of any stage carriage permit shall within two days of the occurrence, report in writing to the Transport Authority by which the permit was issued, any failure of or damage to such vehicle or to any part thereof, and such failure or damage is of such a nature to render the vehicle unfit for use in accordance with the conditions of the permit for a period exceeding three days.

(2) Upon receipt of a report under sub-rule (1) the Transport Authority by

which the permit was issued may, subject to the provisions of Rules 84 and 85-

- (i) direct the holder of the permit within such period not exceeding two months from the date of the occurrence as the Authority may specify either to make good the damage to or failure of the vehicle or to provide a substitute; or
- (ii) If the damage to or failure of, the vehicle is such that in the opinion of the said authority it cannot be made good within a period of two months from the date of occurrence, direct the holder of the permit to provide a substitute vehicle and where the holder of permit fails to comply with such direction, may suspend or cancel the permit or vary the conditions of the permit as the case may be.

(3) The Transport Authority after giving a direction for suspending or cancelling the permit or varying the conditions of the permit under clause (ii) of sub-rule (2) shall send intimation for the fact to the Transport Authority of any other region in which the permit is valid by virtue of counter signature or otherwise.

101. Alteration in Motor Vehicle :-

(1) When a transport vehicle is altered in accordance with Section 52 of the Act, the permit holder shall intimate the alteration to the Transport Authority by which the permit was granted.

(2) Upon receipt of an intimation under sub-rule (1) the Transport Authority by which the permit was issued may, if the alteration is such as to contravene any of the conditions of the permit-

(i) vary the conditions of permit; or

(ii) require the permit holder to provide a substitute vehicle within such period as the Transport Authority may specify, and if the holder fails to comply with such requirement, cancel or suspend the permit.

(3) A Transport Authority suspending or cancelling a permit or varying conditions of the permit or causing another vehicle to be substituted for a vehicle covered by a permit, shall intimate the particulars to the Transport Authority of any other region in which the permit is valid by virtue of counter signature or otherwise.

102. Restriction on use of trailers as Permit Condition :-

A State Transport Authority or a Regional Transport Authority granting or countersigning goods carriage permit, may require as a condition of the permit or of the countersignature, as the case may be, that no trailer or that no trailer of a specified description shall be attached to any transport vehicle covered by the permit.

103. Exhibition of certain particulars on Stage Carriage or Contract Carriage :-

(1) In respect of Public Service Vehicle the following particulars shall be exhibited in the manner specified below :-

(a) In the case of public service vehicle covered with a valid permit following particulars shall be exhibited on the Upper edge of the left side of the wind screen in red colour :-

- (i)Category of Service;
- (ii)Permit Number with validity;
- (iii)Granting Authority;
- (iv)Route.

(b)In the case of vehicle, which is not covered with any permit the words "Reserve stage carriage or spare Bus" as the case may be shall be painted in red colour on the upper edge of the left side of wind screen.

(c)The size of letters mentioned in clauses (a) and (b) shall be 8 cm. in height and shall be clearly legible from a distance of twenty-five metres.

(2)No inscription on the wind screen shall be so painted which obstruct the vision of the driver on the steering wheel. Where any inscription on the wind screen obstructs the vision of the driver, it shall be removed forthwith and shall be properly repainted.

104. Distinguishing Boards for Goods Carriage :-

Every goods carriage shall carry in a prominent place on the front of the vehicle a

distinguishing board in Hindi with the letters Hiding* painted respectively in black on white background and in white on black background. The height and the width of each letter shall be not less than 12 centimetres and 6 centimetres, respectively.

105. Inspection of Transport Vehicles and their contents :-

(1) A Police Officer in uniform not below the rank of Sub-Inspector, or an officer of the Transport Department not below the rank of Assistant Transport Sub-Inspector within his respective jurisdiction may at any time when a goods carriage is in a public place call upon the driver of such vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable such police officer or officer of the Transport Department to make reasonable examination of the contents of the vehicle.

(2)Notwithstanding anything contained in sub-rule (1), the Police Officer or the officer of the Transport Department shall not be entitled to examine the contents of any goods vehicle unless-

(i)the permit in respect of the vehicle containing a condition in respect of the goods which may or which may not be carried on the vehicle;

(ii)the police officer or officer of the Transport Department has reasons to suppose that the vehicle is being used in contravention of the provisions of the Act, Central rules or these rules.

(3)A Police Officer in uniform not below the rank of Sub-Inspector or an officer of the Transport Department not below the rank of Assistant Transport Sub-Inspector within his respective jurisdiction may at any time when a public service vehicle is in a public place call upon the driver of such vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable the Police Officer or the officer of the Transport Department to make reasonable examination of the number of passengers and other contents of the vehicle so as to satisfy himself that the provisions and conditions of the permit in respect of the vehicle are being complied with.

(4) An officer of the Transport Department not below the rank of Assistant Transport Sub-Inspector may at any time when a transport vehicle is in a public place call upon the driver of such vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable the officer to inspect such vehicle. The officer shall give to the driver or any other person incharge of the vehicle, a certificate stating the date on which, the hour at which and the period for which the vehicle was detained.

106. Motor Cabs may be required to carry Taxi Meters :-

(1) The State Transport Authority may, by order require that within such limits and subject to such exceptions as may be specified in the order all motor cabs intended for hire shall be fitted with taxi meters.

(2) No motor cab, required to be fitted with a taxi meter under this rule, shall be used as motor cab unless it is so fitted. The taxi-meter shall be of the type or types approved by the State Transport Authority. Such taxi meter shall be fixed to, and operated from, a non-driving wheel and shall bear the seal of the registering authority or an officer of the Weights and Measures Department authorised in this behalf to indicate that it has been tested and is in proper working order.

(3) Every taxi-meter shall be fitted with an indicator or handle in the form of a flag which shall be inscribed with the words "For Hire". The taxi-meter shall be so fixed that, when the indicator is vertical, the taxi-meter shall be out of action. Such indicator shall be so placed as to be clearly visible to any person outside of and in front of the vehicle and to the hirer when inside.

(4) The vertical position shall indicate that the vehicle is available for hire and no driver shall, without reasonable excuse, refuse to accept for hire when the indicator is in a vertical position.

(5) Where an order as mentioned in sub-rule (A) has been issued, permits in respect of any motor cab covered by such order shall not be granted unless fitted with taxi meter.

107. Examination and Sealing of Taxi Meter :-

A taxi-meter, after it has been affixed to a motor cab, whether for the first time or after repair or adjustment it shall be submitted for examination to the Registering Authority or any other officer of the Weights and Measures Department appointed by it in this behalf, for examination as to the correctness of the fittings and for a practical road test over a measured distance of not less than ten kilometres and for a time test of not less than a half-hours duration. If found correct its fitting shall be sealed to the motor cab in such a manner that it cannot be removed or tampered without the breaking or removing the seals. No person shall break or tamper with or attempt to break or tamper with such seal or with the taxi-meter or its fittings.

108. Subsequent examination of Taxi-meter :-

A taxi meter shall be submitted for examination and test once every six months and at other time if required by the Registering Authority or by an officer of the Weights and Measures Department authorised in this behalf. The result of each

examination and test shall be entered in the fitness certificate of the motor cab.

109. Illumination of Taxi-meter :-

In every motor cab there shall be a light so placed as to illuminate the taxi-meter at night.

110. Operation of Taxi Meter :-

The driver of a motor cab shall as soon as it is hired, set the taxi meter in motion, and upon the termination of the hiring shall immediately stop the same.

111. The fare recorded by the Taxi Meter :-

The fare recorded by the taxi meter for detention by time and for distance travelled shall be according to the rates fixed by the State Government under Section 67 of the Act.

112. Power of Transport Department Officers to inspect Taxi Meter :-

An officer of the Transport Department not below the rank of an Assistant Transport Sub-Inspector may, if he has reason to believe that a motor cab fitted with taxi meter has been tampered with, stop such motor cab and may test the meter over a distance not less than 10 kilometres and for not less than half an hour, and if the meter is found to be defective he shall seize the fitness certificate of the vehicle and cause the vehicle to be produced before the registering authority.

113. Lost Property :-

(1) Where a permit holder or any responsible person receives any article under clause (xvii) of Rule 32, he shall keep that article for a period of two days and shall if the article is not claimed during that period hand over the same to the officer-in-charge of the nearest police station :

Provided that if the article is of a perishable nature, it may be handed over to the officer-in-charge of the nearest police station even before the expiry of two days.

(2) Where during the period mentioned in sub-rule (1)-

(i) the article is claimed by not more than one person, the permit holder may after making such enquiry as he deems fit and if necessary, after taking an indemnity bond from the claimant hand over the article to the claimant;

(ii) the article is claimed by two or more than two persons, the permit holder shall hand over the same to the officer-in-charge of the nearest police station.

114. Prohibition on painting or marking of Transport Vehicles in certain manner :-

(1) No advertising device, figure or writing shall be exhibited on any transport vehicle save as may be specified by the Regional Transport Authority by general or special order.

(2) A public service vehicle when regularly used for carrying postal mail by or under a contract with the posts and telegraphs department, may exhibit in a conspicuous place upon a plate or a plain surface of the motor vehicle the words "Mail" in red colour on a white ground, each letter being not less than fifteen centimetres in height and of a uniform thickness of two centimetres.

(3) Save as aforesaid, no motor vehicle shall display any sign or inscription which includes the word "Mail".

(4) No transport vehicle, except those owned by the Central or State Government shall be painted wholly in red, olive green, khaki or dark blue colours and no vehicle painted in these colours shall be used by any person or shall be caused or allowed to be used in any public place :

Provided that if the State Government so directs fire-engines owned by local bodies and transport vehicles of State Road Transport undertaking may be painted in red colour.

(5) An Educational Institute bus as defined under clause (ii) of Section 2 of the Act shall be painted in yellow colour.

115. Painting and marking of Motor Cabs in certain manner :-

(1) Except the motor cabs covered by All India Tourist permit and such other motor cabs or class of motor cabs as may be exempted by the State Transport Authority, the hood of every motor cab shall be painted in cream yellow and the rest of the body in black colour.

(2) In addition to the registration mark, a serial number of permit allotted by the Registering Authority shall be painted on the motor cab at each of the following different place, namely : -

(i) the left hand top portion of the front wind screen; (ii)

on rear boot on the side of the registration mark;

(iii) in the middle of the left front door; and in the middle of the right front door.

(3) The aforesaid number shall be painted in white and in a red circle and the numerical shall not be less than 50 millimetres and 30 millimetres in breadth.

(4) The number on the left hand portion of the windscreen shall be so painted as to be readable from inside and the number on the rear boot, the left front door and the right front door shall be painted against the black background.

(5) Notwithstanding anything contained in these rules no permit shall be granted or renewed in respect of any motor cab which does not conform to the provisions of sub-rules (1) to (4).

(6) No motor vehicle other than a motor cab shall be painted in the manner prescribed in sub-rule (1).

¹[(1) The upper portion (hood) of maxi-cab shall be painted in yellow colour.

(2) The provisions of sub-rules (2), (3), (4) and (5) of Rule 115 shall mutatis mutandis apply in respect of maxi-cab also.]

1 . Ins. by Notfn. No. F. 8-7-98-VIII, dated 6-1-1999.

116. Classification of Stage Carriage Services :-

(1) State carriage services shall be classified as Ordinary, Express and Deluxe.

The Express and Deluxe services shall not ordinarily have stage at less than 50 Kms. apart unless the permit granting authority specifically allows otherwise.

(2) The State Transport Authority may, by general or special order, direct that vehicles plying as Express and Deluxe services shall be painted in such colours different from the colour of vehicles plying an ordinary service or may have such special markings, as the State Transport Authority may specify and no Motor Vehicle than those operating as Express or Deluxe service shall be painted or carry marking in the manners so specified.

117. Air conditioning and cooling :-

Only vehicles whether omnibus or motor cabs fitted with air-conditioning units or air-cooling device of marks and specifications approved by the State Transport Authority shall be recognised as being air-conditioned or air-cooled and no other form of air-conditioning or air-cooling device shall be recognised for purpose of grant of permit or for charging of fare applicable to air-conditioned or air-cooled services.

118. Conveyance of animals in Stage Carriage :-

Cattle and goats shall not be carried in stage carriages but dogs and other small pets may be carried on payment of half of the adults fare, if permitted by the conductors. All dogs and other small pets conveyed in stage carriage shall be securely fastened and shall be under full control of the owner.

119. Licensing and regulation of conduct of Agent for sale of tickets for travel by Public Service Vehicle :-

In Rules 120 to 130 unless the context otherwise requires-

- (a)"Travel Agent" means an agent or a convasser in the sale of tickets for travels or otherwise soliciting customers for such vehicles;
- (b)"Travel Agent Licence" means a licence granted under Rule 122;
- (c)"Licensing Authority" means the Regional Transport Authority of the place where the applicant has his principal place of business.

120. Application for licence to act as a Travel Agent :-

(1) An application for grant or renewal of a Travel Agents licence shall be made in Form M.P.M.V.R.-61 (L.Ag. A) to the Licensing Authority and shall be accompanied by a fee as specified in Rule 145.

(2)Where the applicant has besides the main office, branch office within the jurisdiction of the Licensing Transport Authority referred to in sub-rule (1), the applicant shall indicate such place with full address in his application for grant of licence.

(3)Where the applicant has branch offices outside the jurisdiction of the Licensing Authority, a separate application shall be made to the Licensing Authority in whose jurisdiction the branch office situated in Form M.P.M.V.R.-61 (PAGA) accompanied by a fee as specified in Rule 145.

121. Scrutiny of application :-

A Licensing Authority, while granting or renewing a Travel Agents licence, shall take into consideration the following, namely :-

(a) The financial stability of the applicant and his experience of passenger transport business.

(b) The number of public service vehicles either owned by the applicant or under his control.

(c) Suitability of the accommodation under the control of the applicant for sale of tickets for travel by public service vehicle.

(d) Facilities provided by the applicant for parking of public service vehicles for embarking or disembarking of passengers without hindrance to general traffic in the area.

122. Grant, Renewal of Travel Agents Licence :-

The Licensing Authority, on receipt of application under Rule 120 may for reasons to be recorded in writing, grant or renew or refuse to grant a licence :
Provided that the Licensing Authority shall not refuse to grant a licence unless the applicant is given an opportunity of being heard and reasons for refusal are communicated to him in writing.

123. Furnishing of Security Deposit :-

A person who has been granted the Travel Agents licence shall deposit a sum of Rupees Five Thousand through Treasury Challan under appropriate revenue head of the Transport Department. The amount of security deposit for a licence for branch office under sub-rule (3) of Rule 120 shall be Rupees Three Thousand.

124. Form and validity of Licence :-

A Travel Agents licence shall be in Form M.P.M.VR.-62 (L Ag) and shall be valid for a period of three years from the date of grant or renewal:

Provided that if the licence is in respect of branch office referred to in sub-rule (3) of Rule 120 the validity of such licence shall be restricted to the validity of licence granted in respect of the main office.

125. Renewal of Licence :-

An application for renewal of Travel Agents licence may be made to the Licensing Authority within fifteen days before the expiry of the licence and shall be accompanied by the original licence and the fee as specified in Rule 145.

126. General conditions to be observed by the holder of Travel Agents Licence :-

A holder of a Travel Agents licence shall-

(a) maintain a register containing names and addresses of the passengers booked, destination of their journeys and other details as mentioned in Form M.P.M.VR.-63 (TV Reg.);

(b)ensure that the public service vehicles for which he sold tickets or otherwise booked the passengers for travel, carries a valid permit for the route and complies with the other requirements of the Act, and that such vehicle departs from the Scheduled place and at the Scheduled time for its journey;

(c)keep the premises and all records and registers maintained by him, open for inspection at all reasonable times by the Licensing Authority or by any officer not below the rank of Transport

Sub-Inspector as may be authorised in this behalf by the Licensing Authority;

(d)not shift the main office or branch office mentioned in the licence without the prior approval in writing by the Licensing Authority;

(e)display at a prominent place in its main office and its branch office the licence issued in original and certified copies thereof, attested by the Licensing Authority;

(f)maintain the main office and its branch office in conspicuous place a "Complaint Book" in Form M.P.M.V.R.-64 (Comp T Ag.) with serially numbered, paged in triplicate. The licensee

shall despatch the duplicate copy of complaint, if any, to the Licensing Authority by registered post expeditiously and in any case not later than three days; .

(g)submit from time to time to the Licensing Authority such information and return as may be called for by it;

(h)in case engaged in issuing tickets for stage carriage-

(i)charge the fare in accordance with the fare table approved by the Transport Authority;

(ii)not charge fare less than the prescribed for attracting the passengers, and thereby creating unhealthy competition;

(iii)not curse or mislead any passenger to board his bus;

(iv)behave in a civil and orderly manner with a person who is demanding ticket; and

(v)issue tickets to the person in serial order.

127. Suspension or cancellation of Agents Licence and forfeiture of Security :-

(a) Without prejudice to any action which may be taken against a licensee, the Licensing Authority may, by order in writing cancel the licence or suspend it for such period, as it thinks fit, if in its opinion any of the conditions under which the licence has been granted, have been contravened.

(b)Before making any order of suspension or cancellation under clause (a), the Licensing Authority shall give the licensee an opportunity of being heard and shall, record reasons in writing for such cancellation or suspension.

(c)The Licensing Authority may order the forfeiture in whole or in part of the security furnished by the licensee under Rule 123 for contravention of any provision of this rule or Rule 126 for breach of any conditions specified therein : Provided that no such forfeiture shall be made unless the licensee is given an opportunity of being heard.

(d) In the event of a forfeiture of a security deposit or part thereof, by the Licensing Authority, the licence shall be ceased to be valid, if the licensee fails to make payment to bring the security already furnished by him to its original

value within thirty days of the receipt of the order of forfeiture.

128. Issue of duplicate Licence :-

If, at any time Travel Agents licence is lost, destroyed, torn or otherwise defaced so as to be illegible, the agent shall forthwith apply to the Licensing Authority for the grant of a duplicate licence. The application shall be accompanied by the fee as specified in Rule 145. Upon receipt of such application the authority shall issue a duplicate licence stamped "Duplicate" in red ink. If the duplicate licence is issued on a representation that the licence originally granted has been lost or destroyed and the original licence has been subsequently found, the duplicate licence shall be surrendered to the Licensing Authority.

129. Appeal :-

Any person aggrieved by an order of the Licensing Authority under Rules 122 or 127 may within thirty days of the receipt of the order appeal to the State Transport Authority.

130. Procedure for Appeal :-

(1) An appeal under Rule 129 shall be preferred in duplicate in the form of a memorandum, setting forth grounds of objections to the order of the Licensing Authority and shall be accompanied by the fee as specified in Rule 145 and a certified copy-of such order.

(2)The appellate authority or the Secretary, Regional Transport Authority may give any person interested in an appeal preferred under Rule 129 copies of any document connected with the appeal on payment of the fee as specified in Rule 145.

(3)The appellate authority after giving an opportunity to the parties to be heard and after such further enquiry, as it may deem necessary, may confirm, vary or set-aside the order for which the appeal is preferred and shall make an order accordingly.

131. Licensing of Agents engaged in the business of collecting or forwarding and distributing goods :-

In Rules 132 to 143 unless the context otherwise requires-

(a)"Agent"means any person engaged in the business of collecting or forwarding and distributing goods carried by road by goods carriage plying for hire;

(b)"Agents Licence" means a licence granted to an agent under sub-rule (4) of Rule 133 for the principal establishment, and includes a supplementary licence granted to such agent for any additional establishment or branch office specified in such supplementary licence;

(c)"Licensing Authority" means the Regional Transport Authority of the region in which the applicant intends to carry on the business.

132. Prohibition to act as Agent except under Licence :-

No person shall act as an agent unless he holds a valid licence authorising him to carry business as an agent at the place or places specified in the licence.

133. Agents Licence :-

(1) Any person desiring to obtain Agents Licence shall make an application to the Regional Transport Authority of the region in which he has his place of business. Such application shall be made in Form M.P.M.VR.-65 [L Ag A (Goods)].

(2) The application shall be accompanied by the fee as specified in Rule 145.

(3) In considering an application made under this rule, the Licensing Authority shall have due regard, among other things to-

(a) the number of goods carriages, if any, either owned by the applicant or under his control;

(b) the suitability of accommodation under the control of the applicant for the storage of goods at every operating place;

(c) the facilities provided by the applicant for parking the goods carriages while loading or unloading without hindrance to the general traffic in the area; and

(d) the financial resources of the applicant and his experience in the trade.

(4) The Licensing Authority shall either grant the licence including a supplementary licence for a branch office if any, in Form M.P.M.VR.-66 [L Ag P (Goods)] or M.P.M.VR.-67 [L Ag S (Goods)] as the case may be specifying the place or places where the business may be carried on, or refuse to grant the licence :

Provided that the Licensing Authority shall not refuse to grant a licence or a supplementary licence for a branch office applied for, unless the applicant is given an opportunity of being heard, and the reasons for refusal are recorded and communicated to him in writing.

(5) The Licensing Authority shall, while granting a licence (including any supplementary licence) or at any time during the validity of licence by order require the licensee to furnish a security in cash of rupees ten thousand and when a licensee has furnished earlier any security in pursuance of an order passed under this sub-rule additional security not exceeding rupees one thousand.

(6) The licence shall be in two parts, namely, the principal part (hereinafter referred to as "the principal licence") in which supplementary licence issued for every separate establishment or branch office for loading, unloading or receipt of delivery of consignments is carried on shall be mentioned and the supplementary part (hereinafter referred to as "the supplementary licence"). The details of the establishment or branch office (such as, municipal house number, the nearest road, bye-lane, the postal delivery district and other landmarks in the vicinity to enable identification of the place of licensee duly attested by the Licensing Authority shall be attached to the licence.

(7) The Principal licence shall be kept and displayed prominently at the head office, and the supplementary licence shall be kept and displayed prominently at each branch office to which it refers except when the principal

licence or supplementary licence, as the case may be, is forwarded to the Licensing Authority for effecting renewal and the licensee is in possession of an acknowledgement to that effect. Such licence or acknowledgement shall be produced before any inspecting officer of the Transport Department.

(8) An Agents licence shall be non-transferable.

(9) An agents licence shall be valid for a period of one year from the date of grant or its renewal. The date of expiry of the supplementary licence shall be co-terminus with the date of expiry of the principal licence irrespective of the date on which the supplementary licence is granted.

134. Renewal of Agents Licence :-

(1) An Agents licence may be renewed on an application in Form M.P.M.V.R.-65 [L Ag A (Goods)] made to the Licensing Authority not less than thirty days before the date of its expiry, and shall be accompanied by the principal and all supplementary licences, if any and the fee as specified in Rule 145.

(2) The renewal of a licence shall be made by endorsement of renewal thereof by the Licensing Authority on the principal and supplementary licences, if any.

135. Rate of Commission :-

The State Government may, by notification in the Official Gazette, prescribe the maximum rates of commission which may be charged by licensees under these rules and the Regional Transport Authority may prescribe such rate of commission not exceeding the rates prescribed by the State Government, as it thinks fit.

136. Revocation of Agents licence and forfeiture of Security :-

(1) Without prejudice to any other action which may be taken against a licensee, the Licensing Authority by order in writing, revoke an agents licence or suspend it for such period as it thinks fit, if in its opinion any of the conditions under which the premises have been approved or under which the licence has been granted have been contravened.

(2) Before making any order of suspension or revocation under sub-rule (1) the Licensing Authority shall give the licensee an opportunity of being heard and shall record reasons in writing for such revocation or suspension.

(3) Where a licence is liable to be revoked or suspended under sub-rule

(1) except in the contravention of condition (c) (iii) of Rule 138 and the Licensing Authority is of the opinion that having regard to the circumstances of the case, it would be inexpedient so to revoke or suspend the licence, if the licensee agrees to pay certain sum of money, then notwithstanding anything in sub-rule (1) the Licensing Authority may, instead of revoking or suspending, as the case may be, the licence, recover from the licensee the sum of money agreed upon.

(4) The Licensing Authority may order the forfeiture in whole or in part of the security furnished by the licensee under sub-rule (5) of Rule 133 for contravention of any provision of this rule or Rules, 132, 133, 138, 139, 140 or for breach of any of the conditions specified in Rule 138 by the licensee :

Provided that, no such forfeiture shall be made unless the licensee is given

opportunity of being heard.

(5) In the event of the forfeiture of a security deposit or part thereof, by the Licensing Authority, the licence shall cease to be valid if the licensee fails to make payment to bring the security already furnished by him to its original value within thirty days of the receipt of the order of forfeiture.

137. Issue of duplicate Licence :-

(1) If at any time an agents licence is lost, destroyed, torn or otherwise defaced so as to be illegible the agent shall forthwith apply to the Licensing Authority for the grant of a duplicate licence. The application shall be accompanied by the fee as specified in Rule 145.

(2) Upon receipt of such application the Licensing Authority shall issue a duplicate agents licence clearly stamped "Duplicate" in red ink.

(3) If the duplicate agents licence is issued on a representation that the licence originally granted has been lost or destroyed and the original licence has been subsequently found the original licence shall be surrendered to the Licensing Authority.

138. Conditions of Agents Licence :-

An agents licence shall be subject to the following conditions, namely :-

(1) The licensee shall, subject to the provisions of Rule 140 provide adequate space for the parking of vehicles for the purpose of loading and unloading of goods;

(2) the licensee shall be responsible for proper arrangement for storage of goods collected for despatch or delivery or both;

(3) the licensee shall-

(a) take all necessary steps for proper delivery of the goods to the consignee;

(b) be liable to indemnify the consignee for any loss or damage to goods while in his possession, by adequate insurance cover where available, at the cost of the consignor or consignee;

(c) issue to consignor and consignee a goods transport receipt only after he actually receives goods for despatch and state therein the weight, nature of goods, destination,

approximate distance over which the goods are to be carried, the freight charged, the service charge, if any, such as for local transport insurance while in his custody and labour charge, if any, for loading and unloading provided that the service charges shall be reasonable and the Licensing Authority may, require the agent to prove the

said charges to be reasonable;

(d) not deliver the goods to the consignee without actually receiving the consignees note or any such note issued by the office which received the goods for despatch or if this note is lost or misplaced, an indemnity bond covering the value of the goods;

(e) issue a copy of every goods transport receipt issued to the consignor or consignee to the driver of the goods vehicle transporting the goods and shall not allow any consignment to be loaded without handing over a copy of the receipt in respect thereof to the driver;

- (t) maintain proper record of collection, despatch or delivery of goods, the registration mark of the vehicle in which goods are carried for transport and make the same available for inspection by the Licensing Authority, or by any person duly authorised by it in this behalf and file an annual return in Form M.P.M.VR.-68 (ART) to the Licensing Authority;
- (g) not charge commission in excess of the rate fixed by the Regional Transport Authority subject to the orders of the State Government, if any;
- (h) maintain proper account of the commission charged by him from every operator of goods carriage engaged by him;
- (i) maintain a weighing device in good condition and capable of weighing at a time not less than 250 kilograms;
- (j) not refuse to accept goods for transport without valid reasons; and
- (k) not effect the transport unless he verifies the identity of the consignor and also obtains the signature of the consignor or his agent with details of material to be transported and full address of the consignor and shall not deliver the goods to the consignee unless he verifies the identity of the consignee or his agent and also obtains a receipt with signature, name and address in detail of the consignee or his agent when the goods are booked at consignees risk with a condition that the consignor shall pay the transport charges;
- (1) comply with the provisions of this rule and Rules 132, 133, 138, 139 and 140.

139. Particulars to be mentioned in contract of agency :-

All contracts entered into or way bills issued by a licensee for the purpose of collecting forwarding or distributing goods shall be in writing and shall contain the following particulars, namely :-

- (a) name and address of consignors and consignees;
- (b) description and weight of consignment;
- (c) destination and its approximate distance in kilometres from the starting station;
- (d) freight on weight destination basis or weight distance basis or truck distance basis for long distance haulage and for local transport for collection at consignors place or delivery at consignees place if required;
- (e) delivery instructions Le. the approximate date by which and the place at which goods are to be delivered to the consignee, and
- (f) terms for payment separately for long distance transport, local transport, home delivery and collection, labour charges for loading and unloading and the demurrage.

140. Place to be used for loading and unloading of goods etc :-

(1) The Regional Transport Authority, may in consultation with the local municipal authority or Police authority having jurisdiction over the local area concerned, or both, approve any premises owned or to be used by an applicant for an agents licence for loading, unloading and for parking goods vehicles or for the storage of goods while in the custody of the licensee having regard to the suitability of the site, traffic conditions obtaining in the locality, sanitary conditions, storage facilities, space for parking vehicles for the purpose of

loading or unloading from transporting trucks provided at such premises, as the place of carrying on the business under the licence.

(2) Any approval under sub-rule (1) shall be subject to the following conditions, namely :-

(i) that the premises shall at all times be kept in clean condition and in good state of repair; (ii) that the premises shall be administered in an orderly manner;

(iii) that the licensee shall not change the premises or make any external alteration to, it or in the parking arrangements thereat as may be likely to cause obstruction to the general traffic in the vicinity without prior approval of the Licensing Authority.

(iv) that the licensee shall take precautions to ensure that no breach of any provisions of the Act or these rules in so far as these provisions relate to the following matters is committed in respect of any vehicle engaged by him and which is entering or leaving or standing at such premises, namely :-

(A) Requirement that a goods vehicle shall be covered by-

(i) valid and effective permit/counter-signature of the route/area of travel;

(ii) valid certificate of fitness; (iii) valid certificate of insurance; and (iv) payment of tax under the Madhya Pradesh Motor Vehicle Tax Act, 1991;

(B) Observance of the regulation/conditions as to-

(i) construction, equipment and maintenance of motor vehicles to the extent the defects are easily noticeable from the exterior appearance of a motor vehicle;

(ii) limits of weight and prohibition or restrictions on use of motor vehicle;

(iii) loading of goods, overall height, length width and projections of load laterally, to the front, to the rear and in height;

(iv) transport of dangerous or explosive substances, contraband articles, under any law for the time being in force;

(v) parking or abandonment of motor vehicles on road in such a way as to cause obstruction to traffic or danger to any person or other user of roads;

(vi) leaving vehicles in dangerous position; and

(vii) driving of motor vehicles by person holding valid and effective driving licence.

(3) Where the Regional Transport Authority refuses to approve any premises under sub-rule (1) it shall communicate in writing the reasons for such refusal.

141. Power of entry and inspection :-

Any officer of the Transport Department in uniform or any other person authorised in this behalf by the State Government, may enter upon the premises at all reasonable times for inspection of the premises used by the holder of the Agents licence for the purpose of his business.

142. Appeal and Revision :-

Appeal and Revision against the orders of the State Transport Authority and Regional Transport Authority.-Any person preferring an appeal or revision against the order of the State Transport Authority or the Regional Transport Authority under Section 89 or Section 90 of the Act shall, within 30 days from

the date of the order do so in writing to the Tribunal in the form of a memorandum setting forth concisely the grounds of objections against the order of the State Transport Authority or the Regional Transport Authority, as the case may be, and the memorandum shall, unless the Tribunal otherwise, permits be accompanied by a certified copy of the order against which the appeal or revision has been preferred. The memorandum shall also be accompanied by as many copies of it as there are parties to whom notice is required to be issued under Rule 143 and bear court-fee stamps of the value as specified in Rule 145.

143. Procedure in Appeals and Revisions :-

(1) When a memorandum of appeal or revision application has been admitted, the Tribunal shall call for the concerned record of the State Transport Authority or the Regional Transport Authority and if any party at the proceedings prays that the record be called for through special messenger and deposits such amount as the Tribunal may direct to cover such expenditure, the Tribunal may call for the record through a special messenger.

(2) The Tribunal may either on its own motion or on an application made to it bearing court-fee stamps of the prescribed value, stay the order against which the appeal or revision has been preferred in such manner and to such extent as it may deem fit.

(3) The Tribunal shall intimate the time and place for the hearing of the appeal or revision to the appellant or applicant as the case may be, and shall give notice of the appeal or application for revision as the case may be, to the authority against whose order the appeal or revision application is made and to any person likely to be prejudicially affected by the grant of the relief prayed for and such appellant or applicant or person may appear before the Tribunal in person or through a pleader or an advocate or an officer duly authorised by the Managing Director, Madhya Pradesh State Road Transport Corporation, on the appointed date and at subsequent hearings.

(4) The Tribunal may after following the procedure prescribed in Sections 89 and 90 of the Act and after further enquiry, if any, as it may consider necessary confirm, vary or set-aside the order against which the appeal or revision is preferred or may pass such other order in relation thereto as it deems fit and shall make an order accordingly.

(5) Unless otherwise expressly provided in the Act or in these Rules the procedure laid down in the Code of Civil Procedure, 1908 (V of 1908) shall, so far as may be, followed in all proceedings under these rules.

(6) Subject to any express provision to the contrary, the provisions of the Limitation Act, 1963 (No. 36 of 1963) shall, so far as may be, followed in all proceedings under these rules.

144. Inspection of record and supply of copies to persons interested in appeal, revision or otherwise :-

(1) Where an appeal or an application for revision is preferred or intended to be preferred the Secretary of the State Transport Authority or Regional Transport Authority or the Tribunal shall, on an application bearing court-fee stamps of

the prescribed value made in this behalf allow inspection of the record concerning the appeal or revision as the case may be :

Provided that if the State Transport Authority, Regional Transport Authority or the Tribunal considers that any record of which inspection is sought is of a confidential nature, or the inspection would be prejudicial to the public interest it may refuse to allow inspection of such record.

(2) Where an appeal or revision has been preferred or intended to be preferred the authority to decide the appeal or revision or the authority against whose order the appeal or revision has been preferred shall give copies of the memorandum of appeal or revision application or of any document appended thereto and may give copies of any other document connected with appeal or revision to any person interested in the appeal or revision on payment of fee as specified in Rule 145.

145. Fees :-

The fees which shall be charged under the provisions of this Chapter shall be as specified in the table below :-

Table

S.No.	Purpose	Amount
(1)	(2)	(3)
1.	In respect of an application for grant or renewal of stage carriage/reserve stage carriage permit	Rs. 1500.00
2.	In respect of an application for grant or renewal of counter signature of stage carriage/reserve stage carriage permit	Rs. 1500.00
3.	In respect of an application for grant or renewal of contract carriage permit	Rs. 1500.00
4.	In respect of an application for grant or renewal of countersignature of contract carriage permit	Rs. 1500.00

5.	In respect of an application for grant/renewal of	Rs. 1500.00
	private service Vehicle permit	
6.	In respect of an application for grant/renewal of	Rs. 1000.00
	Motor Cab Permit	
7.	In respect of grant/renewal of countersignature of	Rs. 1000.00
	Motor Cab Permit	
8.	In respect of an application for grant/renewal of	Rs. 1000.00
	goods carriage permit	
9.	In respect of an application for grant/renewal of a	Rs. 1000.00
	countersignature of goods carriage permit	

1. Subs, by Notfn. No. F. 22-158-2005-VIII, dated 19-1-2006.

(1)	(2)	(3)
10.	In respect of an application for grant/renewal of	Rs. 1500.00
	goods carriage permit	
11.	In respect of an application for grant/renewal of a	Rs. 1500.00
	countersignature of goods carriage permit	
12.	In respect of an application for grant/renewal of a	Rs. 1500.00
	National Permit for Goods Carriage	

13.	In respect of an application for grant/renewal of a	Rs. 2000.00
	tourist Vehicle permit	

		Tourist Vehicle permits (OMNI Bus)								
14.	In respect of an applicatiopn for grant/renewal of					Rs. 1500.00				
	All India Tourist Taxi Cab permit									
15.	In respect of an application for Temporary permits									
	of Transport other than Motor Cab —									
	(a) Under Section 87 (1) (A) For Passengers					Rs. 300.00				
	Vehicle									
	(b) Under Section 87 (1) (B) For Passengers					Rs. 750.00				
	Vehicle									
	(c)	Under Section 87 (1) (C)				For Passengers		Rs. 750.00		
	Vehicle									
16.	In respect of an application for temporary permit of					Rs. 200.00				
	Motor Cab									
17.	In respect of		an application for a Special Permit							
	U/ s88(8) of the Act -									
	(a) For up to Seven days						Rs. 500.00			
	(b) For exceeding seven days up to 15 days					Rs. 1000.00				
	(c)	For exceeding 15 days						Rs. 1500.00		
18.	In respect of an application for extension of					Rs. 1500.00				
	variation in area or routes on a Permit or									
	Countersignature			of	stage		carriage/contract			
	carriage permit									
19.	In respect of an application of change of Timing of					Rs. 1500.00				
	stage carriage									

		permit/reserve stage carriage								
20.		In respect of an application for countersignature of								
		a temporary permit —								
	(a)	For Motor Cab						Rs. 500.00		
	(b)	Any other Transport Vehicle						Rs. 1000.00		
21.		In respect of an application for Grant of temporary			Rs. 750.00					
		replacement of Vehicle for the period not exceeding								
		four months								
22.	In	respect	of	an		application for grant of			Rs. 750.00	
		replacement of Vehicle of stage carriage or								
		Contract carriage permit								

(1)	(2)	(3)								
23.	In respect of an application for transfer of each	Rs. 1500.00								
	permit other than motor cab under Section 82 of									
	the Act.									
24.	In respect of an application for transfer of each	Rs. 750.00								
	permit of motor cab under Section 82 of the Act.									
25.	In respect of an application for issue of duplicate of	Rs. 250.00								
	permit									
26.	In respect of an application for issue of a duplicate	Rs. 500.00								
	of a temp, permit									
27.	In respect of an application for obtaining	Rs. 100.00								

				2.		For Grant of supplementary licence of each	Rs. 500.00
						branch office	
				3.		For Renewal of licence	Rs. 1000.00
				4.		For Renewal of supplementary licence for	Rs. 300.00
						each branch office	
				5.		Issue of duplicate copy of —	
						(i) Principal Licence	Rs. 250.00
						(ii) for Branch Office Licence	Rs. 200.00.
				6.		For filing of appeal	Rs. 500.00
				7.		For supply of certified copy of order of	
						(a) the licensing authority —	
						(i) Ordinary	Rs. 100.00
						(ii) Urgent	Rs. 200.00
						(2)	(3)
	(1)						

						(b) Certified copy of any other document—			
							(i) Ordinary	Rs. 20/- for the first page	
								and Rs. 10/- for each	
								subsequent page.	
							(ii) Urgent	Twice the amount	
							;	specified in sub-clause	
								(1) above.]	

CHHATTISGARH AMENDMENT

145. Fees.— The fees which shall be charged under the provision of this Chapter shall be as specified below : —

S.No.	Purpose	Amount
(1)	(2)	(3)
		Rs.
1	In respect of an application for grant or renewal of stage carriage/reserve stage carriage permit	1000.00
2	In respect of an application for grant or renewal of counter-signature of stage carriage/reserve stage carriage	1000.00

	permit		
3	In respect of any application for grant or renewal of	1000.00	
	contract carriage permit		
4	In respect of an application for grant or renewal of	1000.00	
	counter-signature of contract carriage permit		
5	In respect of an application for grant/renewal of private	1000.00	
	service vehicle permit		
6	In respect of an application for grant/renewal of Motor	1000.00	
	Cab Permit		
7	In respect of grant/renewal of countersignature of Motor	500.00	
	Cab Permit		
8	In respect of an application for grant/renewal of a Goods	1000.00	
	Carriage Permit		
9	In respect of an application for grant/renewal of a	1000.00	
	countersignature of Goods Carriage Permit		
10	In respect of an application for grant/renewal of a	1000.00	
	National Permit for Goods Carriage		
11	In respect of an application for grant/renewal of a Tourist	1000.00	
	Vehicle Permit (Omni Bus)		
12	In respect of an application for grant/renewal of an All	200.00	

12	In respect of an application for grant/renewal of an All	800.00	
	India Tourist Taxi Cab Permit		
13	In respect of an application for Temporary Permit or		
	Transport Vehicle other than Motor Cab : —		
	(a) For a Passenger Vehicle under Section 87 (I)(a)	500.00	

(1)	(2)	(3)						
	(b) For a Passenger Vehicle under Section 87 (1) (b)	500.00						
	(c) For a Passenger Vehicle under Section 87 (1) (c)	500.00						
14	In respect of an application for temporary permit of	100.00						
	Motor Cab							
15	In respect of an application for a special permit under	1000.00						
	Section 88 (8) of the Act							
16	In respect of an application for extension or variation in	1000.00						
	area or routes on a permit or countersignature of stage							
	carriage/contract carriage permit							
17	In	respect of an application of change of carriage	1000.00					
	permit/reserve stage carriage							
18	In respect of an application for countersignature of a							
	temporary permit : —							

	(a)		for Motor Cab		100.00				
	(b)		any other Transport Vehicle		500.00				
19	In respect of an application for grant of temporary				500.00				
	replacement of Vehicle for the period not exceeding four								
	months.								

20	In respect of an application for grant of replacement of				500.00				
	Vehicle of stage carriage or contract carriage permit								
21	In respect of an application for transfer of each permit				1000.00				
	other than Motor Cab under Section 82 of the Act								
22	In respect of an application for transfer of each permit of				500.00				
	Motor Cab under Section 82 of the Act.								
23	In respect of an application for issue of permit				100.00				
24	In respect of an application for issue of duplicate or a				100.00				
	temporary permit								
25	In respect of an application for obtaining complaint book				100.00				
26	In respect of an application for issue/renewal of Travel				5000.00				
	Agents Licence for sale of tickets for travels by public								

			service Vehicle.						
27			In respect of an application for issue of duplicate Travel			2000.00			
			Agents Licence						
28			In respect of an application for appeal or revision : —						
			(i) Memorandum of appeal against the order of —						
			(a) State Transport Authority			300.00			
			(b) Regional Transport Authority						
			(ii) In respect of an application for revision against the						
			order of—						
			(a) State Transport Authority			300.00			
			(b) Regional Transport Authority						

29			In respect of an application to inspect the records of			50.00		
					Transport Authority or Appellate Authority			
30					In respect of power of an attorney when presented to the	50.00		
					Transport Authority or Appellate Authority			
					In respect of an application for			

[illegible]

1. For Sr. Nos. 13, 15 and 19 of Rule 145, the following shall be substituted : -

S.No.	Purpose	Amount in Rs.
(1)	(2)	(3)
13.	In respect of an application for temporary permit of transport vehicle other than motor cab —	
	(a) Under Section 87 (I)(a)	200.00
	(b) Under Section 87 (I)(b)	300.00
	(c) Under Section 87 (I)(c)	300.00
	(d) Under Section 87 (I)(d)	300.00
15.	In respect of an application for a special permit under Section 88 (8)	500.00
19.	In respect of an application for grant of a temporary replacement of a vehicle for the period not exceeding four months	300.00

Note— No fee shall be payable in respect of an application for grant/renewal of permit or for grant of temporary permit in Sr.No. 8 and 13 of this rule, if the application is presented by the bona-

fide agriculturist in respect of a tractor-trolley combination owned by him.

Explanation. — The expression "Bona-fide agriculturist" shall have the meaning as assigned to it in the Chhattisgarh Land Revenue Code, 1959 (No. 20 of 1959).

[Vide Notfn. No. 510/Tmns./2002, dated 12-5-2002]

CHAPTER 6 SPECIAL PROVISIONS RELATING TO STATE TRANSPORT UNDERTAKING

146. Definitions :-

In this Chapter unless there is anything repugnant in the subject or context,-

(1)"Head of the State Transport Undertaking" means the Managing Director of Madhya Pradesh State Road Transport Corporation.

(2)"Scheme" means a proposal regarding scheme prepared by the State Government under Section 99 of the Act.

(3)"State Road Transport Service" means a Road Transport Services provided by the State Transport Undertaking.

147. Preparation and publication of Scheme :-

(1) Every scheme shall provide for the following matters, that is to say :

(i)the date on which the State Road Transport Service shall commence to operate;

(ii)the name of route or area or any portion thereof on which State Road Transport Service shall be provided;

(iii)(a) the nature of the State Road Transport Service to be provided on the route or area or any portion thereof;

(b)the number of vehicles proposed to be operated on each route; and

(c)the number of trips proposed to be operated daily on each route;

(iv)the prohibition, restriction or curtailment of road transport services, if any, other than those under the Scheme;

(v)whether the State Road Transport Service shall be run and operated to the exclusion complete or partial, of other persons or otherwise;

(vi)the extent, if any, to which persons other than the State Transport Undertaking will be permitted to provide road transport service on the route, area or any portion, thereof, specified in clause (b);

(vii)the type and carrying capacity of the transport vehicles to be used in such service;

(viii)the cancellation or modification of or refusal to renew or renewal for a specified period the existing permits, granted under Chapter V, of the Act;

(ix)the reduction in the number of transport vehicles plying on the route and the number of services to be operated;

(x) the curtailment of the route or portion thereof, covered by the existing permits or transfer of the permits to any other route or routes and giving of

compensation if any;

(xi)convenience of passengers;

(xii)filing of objections to the scheme before an officer authorised by the State Government by notification in this behalf;

(xiii)such other consequential or incidental matters as may appear necessary or expedient for the purposes of the Scheme;

(xiv)the extent to which Contract Carriages may be permitted to operate.

(2)The Scheme shall be published in Form M.P.M.VR.-69 (NS I) and in case of cancellation or modification of any approved scheme under sub- section (2) of Section 102 in Form M.P.M.VR.-70 (NS II), in the Official Gazette ofthe State and in not less than one of the newspapers in Hindi language circulating in the area or route proposed to be covered by such Scheme and also by pasting it on a notice board of the office of the State Transport Authority, Madhya Pradesh and of the office of the concerned Regional Transport Authority of the State.

148. Manner of filing objections :-

(1) Any person affected by the Scheme and desirous of filing objection under sub-section (1) of Section 100 of the Act, shall do so within a period of thirty days from the date of publication of the Scheme in the Form of a memorandum in duplicate, setting forth concisely the grounds of objections to the Scheme.

(2)The memorandum of objections shall be addressed to such officer as may be authorised by the State Government by notification in this behalf.

(3)A copy of memorandum shall be sent by the objector to the Head of the State Transport Undertaking.

(4)The memorandum of objections shall also contain the following information-

(a)full name and address of the objector;

(b)whether such person is a holder of a permit issued under the provisions of the Act;

(c)the particulars of the route or routes or the area or zone specified in such permits;

(d)whether the objector, if a permit holder, agrees to the route, if any assigned to him under the Scheme.

149. Agreement to Scheme by permit holders :-

A permit holder, who agrees to the Scheme in so far as it makes any provisions about him shall express his agreement by filing a statement in Form M.P.M.V.R.-71 (NS III), within a period of thirty days.

150. Consideration and disposal of objections :-

(1) The officer authorised by the State Government under sub-rule (2) of Rule 148 above shall fix a date or dates, time and place for hearing of the objections and shall publish a notice in Form M.P.M.VR.-72 (N.S. IV) specifying the date or dates, time and place so fixed, not less than seven clear days before the date on which the first hearing of objections is to commence :-

(a)in the Madhya Pradesh Gazette;

(b)by affixing a copy thereof on the notice boards-

(i)in the office of the Collector of district in which area or route covered by the

Scheme or part thereof lies;

(ii) in the office of the Regional Transport Authority or Authorities within whose jurisdiction the area or route covered by the scheme or part thereof lies; and

(c) in not less than one local newspaper in the Hindi language circulating in the area or route which is proposed to be covered by such scheme.

(2) Any objector may appear on the date appointed for hearing objections either in person or through his duly authorised representative.

(3) Head of the State Transport Undertaking or such other person as may be authorised in writing by him in this behalf may appear on behalf of the State Transport Undertaking to represent the ease in regard to the scheme.

(4) The State Government shall hear such objectors or their duly authorised representatives as may desire to be heard and also the Head of the State Transport Undertaking or the person authorised by it in writing in this behalf.

(5) The State Government shall, after considering the objections, approve or modify the scheme as it thinks fit and shall subject to the proviso to sub-section (3) of Section 100 of the Act, publish the Scheme so approved or modified in Form M.P.M.V.R.-73 (N.S.V.) in the Official Gazette and in not less than one newspaper in the Hindi language circulating in the area or route covered by such scheme.

151. Implementation of the Approved Scheme :-

Upon the publication of the scheme under sub-section (3) of Section 100, the Head of the State Transport Undertaking shall communicate the scheme published under Rule 147 to the State Transport Authority or Regional Transport Authority, as the case may be. The State Transport Authority or the Regional Transport Authority, as the case may be, shall give effect to the approved scheme in accordance with the provisions of the Act.

152. Procedure for giving effect to Approved Scheme :-

(1) The State Transport Authority or Regional Transport Authority as the case may be shall cause a copy of every order passed under sub-section (2) of Section 100 of the

Act, to be pasted on the notice boards of the offices of the State Transport Authority and the Regional Transport Authority concerned.

(2) The State Transport Authority or Regional Transport Authority concerned shall also cause to be served upon the permit holder affected by the order a copy of the order either by sending it by registered post acknowledgement due or delivering it to permit holder in person. If the notice cannot be served in the manner aforesaid it may be served by delivering the same to any adult member of his family or servant residing with him or by affixing it on some conspicuous place at his residence or business or in such other manners as the State Transport Authority or Regional Transport Authority, as the case may be, think fit.

153. Disposal of Unclaimed Property :-

(1) Where any article is found in the public service of the State Transport

Undertaking by its employees, the person receiving such article shall deliver it immediately to the officer authorised by the head of the State Transport Undertaking in this behalf. The officer who will receive the article shall keep the article for a period of seven days and if the article is not claimed during the period he shall hand over the same to the in-charge of the nearest police station :

Provided that if the article is of a perishable nature and is not claimed within a period of 24 hours, it may be auctioned after giving sufficient publicity by the person authorised in this behalf by the head of the State Transport Undertaking.

(2) If the article is claimed within the prescribed time mentioned in sub-rule (1) then-

(a) If the article is claimed by not more than one person, the person authorised in sub-rule (1) may after making such enquiries as he deems fit and if necessary after taking indemnity agreement from the claimant hand over the article to the claimant.

(b) If the article is claimed by two or more than two persons, the officer authorised under sub-rule (1) shall hand over the same to the officer-in-charge of the nearest Police Station.

CHAPTER 7 CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF MOTOR VEHICLES

154. General :-

(1) No person shall use and no person shall cause or allow to be used or to be in any public place, any motor vehicle which does not comply with the rule contained in this Chapter, or with any order thereunder made by any officer of the Transport Department not below the rank of Transport Inspector or any officer of the Police Department not below the rank of Deputy Superintendent.

(2) Nothing in this rule shall apply to a motor vehicle which has been damaged in an accident while at the place of the accident or to vehicle so damaged or otherwise defective while being removed to the nearest place of repair:

Provided that where a motor vehicle can no longer remain under the effective control of the person driving the same, it shall not be moved except by towing.

155. Maintenance of public service vehicle :-

Every public service vehicle, and all parts thereof including paint work, varnish and upholstery shall be maintained in a clean and sound condition, and the engine mechanism and all working parts in proper working order.

156. Stability :-

(1) The stability of a double decked public service vehicle shall be such that, when loaded with weight of sixty kilograms corresponding to a person placed in the correct relative positions to represent the driver and conductor, if carried and a full complement of passengers on the upper deck only, if the surface on which the vehicle stands were tilted to either side to an angle of twenty-eight degrees from the horizontal, the point at which

overturning occurs would not be reached.

(2)The stability of a single-decked public service vehicle other than a motor cab shall be such that under any conditions of load, at an allowance of seventy kilograms per passenger and his personal luggage, for which the vehicle is registered, if the surface on which the vehicle stands were tilted to either side.

(3)For the purpose of conducting tests of stability the height of any stop used to prevent a wheel of the vehicle from slipping sideways shall not be greater than two thirds of the distance between the surface upon which the vehicle stands before it is tilted, and that part of the rim of that wheel which is then nearest to such surface when the wheel is loaded in accordance with the requirements of this rule.

157. Side Overhang :-

In the case of a vehicle used as a stage carriage no part of the vehicle other than a direction indicator, when in operation, or a driving mirror shall project laterally more than thirty-five centimetres beyond the centre line of the rear wheels in the case of single rear wheels or more than fifteen centimetres beyond the extreme outer edge of the outer tyres in the case of dual rear wheels.

158. Seating Room :-

(1) The minimum and maximum seating space, back rest and gang-way to be provided in public service vehicles, other than motor cabs or maxi-cab deployed as Ordinary or Express services shall be as follows :

	Ordinary				Express							
	Minimum			Maximum		Minimum			Maximum			
(1)	(2)				(3)		(4)				(5)	
Distance of Seats back to back—											-	
When seats are placed across the vehicle and facing in the same direction.	66 cm				70cm		66 cm				74 cm	

When seats are placed across	127cm						130cm		Not permissible				
the vehicle but facing each													
other.													
When seats are placed along	137cm						140cm		Not permissible				
with length of the vehicle and													
facing each other.													
II. Size of the seats.	38 cm Sq.				40 cm Sq.		38 cm Sq.				40 cm Sq.		
Height of the back of the seat	40cm						40cm		40cm				60cm
above seat level													
Type of seat and seat cushion	Rubberized				coir or		Foam or		Rubber foam				
	Polymanance				Foam		cushion of minimum 5 cm						
	cushion with upholstery						thickness with upholstery						
	of PVC leather cloth.						of leather, the remix or						
									like material.				
V.	30cm						30cm		30cm				35cm

[illegible]

Provided that in any or all express services or in express service plying as night services, seats of size minimum 40 cm. square instead of 38 cms. square placed at a minimum back to back distance of 74 cms. instead of 66 cms. with square of back above seat level minimum 60 cms. instead of 40 cms. shall be provided.

(2) The specifications for Tourist Vehicles as provided under Rule 126 of the Central Rules, shall apply to the Deluxe buses.

(3) Notwithstanding anything contained in sub-rule (1) or (2), the seating capacity of a stage carriage of all makes and models, having following wheel base, shall not be less than the minimum capacity indicated against them :-

Minimum capacity indicated against them :			
	Wheel base		Minimum capacity of seats excluding seats of driver and conductor.
	1. 166"		46
	2. 205"		50
	3. 210"		55

Minimum capacity of seats excluding seats of

driver and conductor.

1.166"

46

2. 205"

50

3. 210"

55

(4) The restriction imposed by sub-rule (3) in so far as they relate to the stage carriages registered before the coming into force of these rules, shall not be operative for a period of four months from the date of commencement of these rules.

159. Head Room :-

(1) Every public service vehicle other than a motor cab or a maxi-cab shall have the following internal height or head-room measured along the centre of the vehicle from the top of the floor boards or

battens to the under side of the roof support:

(i) in the case of single decked vehicle and the lower deck of double decked vehicle not less than one hundred and seventy-five centimetres and not more than two hundred centimetres respectively;

(ii) in the case of the upper deck of a double decked vehicle, not less than one hundred and seventy-two centimetres :

Provided that the Regional Transport Authority may vary the above measurements in respect of any public service vehicle plying solely on any specified corporation or municipal or cantonment limits and environs thereof.

(2) Nothing in sub-rule (1) shall apply to motor vehicles constructed before the commencement of these rules in conformity with the provisions of rules made

under the repealed Act.

160. Permission to carry passengers standing and condition thereof :-

(1) (a) Subject to the provisions of Rule 161 passengers may be carried standing on a single deck public service vehicles or on the lower deck of a double decked public service vehicles, if-

(i) there is fixed in the roof of the gangway along the vehicle a grabber fixed with hanger straps;

(ii) there is a head room of not less than one hundred and seventy-five centimetres and not more than two hundred centimetres.

(iii) there is a clear space serving as a gangway along the vehicle is forty centimetres in width.

(b) The number of passengers standing under sub-rule (1) (a) shall not exceed the number arrived at by dividing by forty the length of the gangway in centimetres measured from the foremost seat behind the front exit to the rearmost of the seat in front of entrance door.

(2) The provision of sub-rule (1) shall apply provided :-

(i) the passenger standing travels a distance of not more than fifty kilometres or voluntarily agrees to travel standing for a longer distance;

(ii) the vehicle is operated only on first class or equivalent roads.

(3) The provisions in sub-rule (1) shall not apply to a stage carriage adopted to be used in as Express service.

(4) Notwithstanding anything contained in sub-rules (1), (2) and (3) of this rule, and Rules 158, 159 and 161 a Transport Authority may exempt any public service vehicle or class of such public service vehicles from the provisions of the said rules for a specified period of not more than three days from carriage of persons by 25 percent in excess of the actual seating accommodation on special occasions, such as to and from fairs and religious gathering, or to meet a particular temporary need.

161. Limit of carrying capacity :-

Notwithstanding anything contained in these rules no public service vehicle other than a motor cab or a maxi-cab shall be licensed to carry a number of passengers, including those standing in excess of that number obtained by subtracting ninety kilograms from the difference between the registered laden and unladen weight of the vehicle and dividing the resulting figures by sixty-five in the case of a double decked vehicle and single decked vehicle operated exclusively within the Municipal and cantonment areas and by seventy-five in the case of other single decked vehicles.

162. Exemption :-

Notwithstanding anything contained in Rules 158, 160 and 161, the State Government may by notification in the Official Gazette exempt any public service vehicle or class of such vehicles used in any specified area from the provisions of the said rules either generally or for a specified period and may prescribe the number of passengers that may be carried in excess of the registered seating capacity.

163. Drivers seat in public service vehicle :-

(1) No public service vehicle shall be driven other than from the right hand side of the vehicle.

(2) On every public service vehicle space shall be reserved for the drivers seat as to allow him to have full and unimpeded control of the vehicle and in particular-

(i) the part of the seat against which the drivers back rests shall not be less than 28 centimetres from the nearest point on the steering wheel;

(ii) the width across the vehicle shall be not less than sixty-eight centimetres and shall extend to the left of the centre of the steering column in no case less than twenty-five centimetres and so that a line drawn parallel to the axis of the vehicle through the centre of any rear lever, brakes lever or other device to which the driver has to have frequent access lies not less than five centimetres inside the width reserved for the drivers seat.

(3) Arm rests for the driver not more than ten centimetres wide may be provided within the space specified in clause (ii) of sub-rule (2).

(4) No public service vehicle shall be so constructed that any person may sit or any luggage may be carried on the right hand side of the driver.

(5) Every public service vehicle other than a motor-cab, shall be so constructed that there shall be a separate compartment containing proper sitting accommodation for the driver. This compartment may be separated by suitable rigid partition of expanded metal or adequately spaced metal bars both on the side and on the rear so as to isolate the driver without obstructing his vision.

(6) Every public service vehicle shall be so constructed that, save from the front pillar of the body, the driver shall have a clear vision both to the front and through an angle of ninety degrees to his right hand side. The front pillar of the body shall be so constructed as to obstruct the vision of the driver to the least possible extent.

164. Width of doors :-

Every entrance and exit of a public service vehicle other than a motor car shall be at least fifty-three centimetres in width and of sufficient height.

165. Grab-rail :-

A grab rail shall be fitted to every entrance or exit, excluding an emergency exit of a public service vehicle other than a motor cab to assist passengers in boarding or alighting from the vehicle.

166. Steps :-

(1) In any public service vehicle other than a motor cab, the top of the tread of the lowest step for any entrance or exit, other than an emergency exit shall not be more than fifty centimetres or less than twenty-five centimetres above the ground when the vehicle, is empty. All steps shall be fitted with non-slip treads. Fixed steps shall not be less than twenty-five centimetres wide and shall in no case project laterally beyond the body of the vehicle unless they are so

protected by the front wings or otherwise that they are not liable to injure pedestrians.

(2) In the case of a double decked vehicle :

(i) the risers of all steps leading from the lower to the upper deck shall be closed, and no unguarded aperture shall be left at the top landing board;

(ii) all steps leading from the lower to the upper deck shall be fitted with non-slip treads;

(iii) the horizontal distance from the nearest point of the riser of the top step to the vertical line passing through the nearest point of the seat opposite to the top tread of the staircase, excluding any grab rail which does not project more than eight centimetres from back of the seat shall not be less than sixty-six centimetres.

(iv) the outer stringer of an out-side staircase shall be so constructed or a bend shall be so placed, as to act as a screen to persons ascending or descending the height of the outer guard rail shall not be less than one hundred centimetres above the front of the tread of each step.

167. Body dimensions, guard rails and life guards :-

(1) Every public service vehicle other than a motor cab or a maxi-cab shall so constructed

(i) in the case of a single decked vehicle with an enclosed body-

(a) the height of the body side from the floor to the sill of the window shall be less than seventy centimetres;

(b) if the height of the sides of the body or the sills of the body windows, as the case may be, above the highest part of any seat is less than forty-five centimetres, is made by means of guard rails or otherwise to prevent the arms of seated passengers being thrust through or the extent to which the side windows or Venetian can be lowered is such that when lowered their top edges is not less than forty-five centimetres above the highest part of any seat.

(ii) in the case of a single decked vehicle with open side, guard rails shall be provided along the right hand side of the vehicle to prevent any person other than the driver from mounting or alighting from the vehicle on the side;

(iii) in the case of a double decked vehicle with an uncovered top deck, the top deck shall be provided with side rails and end rails the top of which shall be at least ninety centimetres above the deck boards or battens at the modes and forty-five centimetres above the highest part of any seat, and the top of front and back rails shall be at least one hundred centimetres above the deck boards or battens and shall follow the contour of the deck.

(2) For the purposes of this rule, the seat back shall not be deemed to be a part of the seat.

(3) A Regional Transport Authority may in the case of stage carriages plying solely in any specified municipal or cantonment limits and in the environs thereof require that life guards of a type approved by the authority shall be fitted to the sides of the vehicle between the wheels.

168. Protection of passengers from weather :-

(1) Save in the case of the uncovered top deck of a double decked vehicle, every public service vehicle other than a motor cab shall be constructed with a fixed and water-tight roof and every motor cab shall be constructed with a fixed and water tight roof or be equipped with water tight hood that may be raised or lowered as required.

(2) Save in the case of the uncovered top deck of a double decked vehicle, every public service vehicle shall have suitable windows, Venetians or screens capable at all times of protecting the passengers from the weather without preventing adequate ventilation of the vehicle. When the screen are made of fabric, the whole of them shall be at all time of fastened securely to the vehicle :

Provided that in the case of vehicles plying as Express and Deluxe services, the windows shall be fitted with clear and tinted glass and with no other material.

(3) Where glass windows or Venetians are used they must be provided with effective means to prevent their rattling.

169. Internal lighting :-

Every public service vehicle other than motor-cab, having permanent roof, shall be furnished with one or more electric lights adequate to give reasonable illumination throughout the passengers compartment or compartments including the landing but of such power or so screened as not to impair the forward vision of the driver.

Vehicles plying as night services shall be provided with blue coloured night lights.

170. Body construction :-

The body of every public service vehicle shall be constructed and fastened to the frame of the vehicle in compliance with such directions as may from time to time be issued by the State Transport Authority.

171. Compulsory Electric lighting :-

No light other than an electric light shall be fitted to any public service vehicle.

172. Fuel tanks :-

(1) No fuel tank shall be placed in any public service vehicle within sixty centimetres of any entrance or exit of a single decked vehicle or the lower deck of a double decked vehicle.

(2) The fuel tank of every public service vehicle shall be so placed that no over flow therefrom shall fall on any wood work or accumulate where it can be readily ignited. The "off" position of the means of operation shall be clearly marked on the outside of the vehicle. The filling points of all fuel tanks shall be out side the body of the vehicle and the filling-caps shall be so designed and constructed that can be securely fixed in position.

173. Carburettors :-

In every public service vehicle any carburettors and apparatus associated therewith shall be so placed and shielded that no fuel leaking therefrom shall fall on any part of fitting that is capable of igniting it on into any receptacle where it might accumulate.

174. Exhaust pipe :-

The exhaust pipe of every public service vehicle shall be so fitted or shielded that no inflammable material can be thrown upon it from any other part of the vehicle and that it is not likely to cause a fire through proximity to any inflammable material on the vehicle; the outlet thereof shall be placed far enough to the rear to prevent, so far as practicable, fumes from entering the vehicle.

175. Electric Wires :-

All electric wires or leads shall be adequately insulated.

176. Fire Extinguishers :-

Every public service vehicle other than a motor car shall be equipped with one or more fire extinguishers of such type and capacity as may be specified by the State Transport Authority, and such fire extinguishers shall at all times be maintained in working condition.

177. Locking of nuts :-

All moving parts of every public service vehicle and all parts subject to service vibration connected by belts or suits and nuts shall be fastened by lock nuts or by nuts with efficient springs or lock nut washers or by castellated nuts and split pins or by some other efficient device so as to prevent them from working or coming loose.

178. Floor Boards :-

- (1) The floor boards of every public service vehicle shall be strong and closely fitted so as to exclude as far as possible drought dust.
- (2) The floor boards may be pierced for the purpose of drainage but for no other purpose.

179. Spare Wheel and tools :-

- (1) Save as otherwise specified by the Regional Transport Authority in respect of municipal or cantonment areas, every public service vehicle shall at all times be equipped with not less than one spare wheel or rim fitted with a pneumatic tyre in good and sound condition ready inflated, and mounted in such a way that it can be readily dismounted and fitted to the vehicle in place of any one of the road wheels.
- (2) Sub-rule (1) shall not apply to a public service vehicle during the completion

of any journey during which it has been necessary to bring the spare wheel or rim and tyre into use.

(3) Every public service vehicle shall at all times be furnished with an efficient jack and other tools necessary to change a wheel or rim and tyre and with the equipment necessary to repair a puncture.

(4) Every public service vehicle shall at all times be furnished with one screw driver and at least with one spare fuse, one side light bulb, and head light bulb, and when such vehicle is fitted with sealed beam head light with one spare sealed beam unit:

Provided that the State Government may by general or special order exempt, for such period as may be specified, any public service vehicle or class of such vehicles in respect of any area, if it is satisfied that adequate arrangements exist for expeditious and efficient emergency repairs in such area.

180. First-Aid Box :-

Every stage carriage shall carry a dust proof first-aid box containing the following articles, namely :-

(1) A leaflet containing first-aid instructions issued under the authority of the St. Johns Ambulance Association;

(2) Twenty-four sterilized finger dressing;

(3) Twelve sterilized hand and foot dressing;

(4) Twelve sterilized large or body dressing;

(5) One extra large, two large and three small sterilized burn dressings;

(6) Two-twenty-four packets of sterilized cotton wool;

(7) A bottle of 2 per cent tincture of iodine or a tube of antiseptic cream containing 0.5 per cent of centrimide B.P. in a non-greasy base;

(8) A bottle of Sal Volatile;

(9) Empty bottle fitted with cord and camel hair brush for eye drops;

(10) Two ounce medicine glass :

Provided that the State Government may by general or special order, exempt from the provisions of this rule, public service vehicles plying in such area or areas or on such particular route or routes, and on such conditions, if any, as may be specified in the order, if they are satisfied that medical aid is readily available in such area or areas or route or routes.

181. Chokes :-

In order to prevent a goods vehicle from running backward on slopes or otherwise to render it immobile, every such vehicle not being a light motor vehicle, shall be equipped with two edge-shaped rigid chocks, each measuring thirty centimetres in length, thirty centimetres in breadth and twenty-five centimetres in height with one of its sides having a slope making an angle of 45 degree at the end. The plane surface of the sloped side of each chock shall be rendered concave so as to fit the other circumstance of the tyres normally fitted to the rear wheels of the vehicles. The registration number of the vehicle shall be painted on the chocks.

(2) Notwithstanding anything contained in sub-rule (1), where such vehicle is fitted with single rear wheels, the breadth of each such chock may be less than

thirty centimetres but not less than fifteen centimetres.

(3) Each such chock shall have a hook and be kept,

(a) in a bracket fitted on the outer skirt of the tailboard of the vehicle; or

(b) where the vehicle has no tailboard, in a metal carrier fitted between the frame side members, underneath and body nearest to the rear wheel on either side.

The tailboard of the vehicle and where the vehicle has no tailboard the wooden planks above the frame side members shall also have a hook in the centre.

(4) Each such chock shall be linked with the tailboard or where the vehicle has no tailboard with the wooden planks above the frame side members by means of a metal chain or steel wire rope of sufficient length and strength fastened to the hook in the chock and the hook in the tailboard or the wooden planks as the case may be.

(5) No person shall use any boulder or any substance of a similar nature in lieu of wooden chocks on slopes or otherwise to prevent the goods vehicle other than light motor vehicle from running backwards on slopes or to render it immobile otherwise.

(6) Notwithstanding anything contained in this rule, the State Government may by notification in the Official Gazette exempt from the provisions of this rule any goods vehicle or class of such vehicles which in its opinion are not likely to slip backwards on the slopes.

(7) Every heavy transport vehicle shall at all times be furnished with at least five cautionary boards of size of 30 cms. square mounted on a stand of 50 cms. high with the words "Caution" written in black on white background and fitted with red-light reflector on the top.

182. Drivers seat in Goods Vehicles :-

The provisions of Rule 163 applicable to a public service vehicle shall also apply to goods vehicle other than a light motor vehicle provided with bucket-type seats.

183. Securing of goods in open goods vehicles :-

Goods transported in an open goods vehicle, shall be properly secured within the body of such vehicle in such a manner so as to prevent the goods from falling from such vehicle.

184. Checking of designs of locally manufactured Trailers :-

(1) An application for approval of a new design of trailer manufactured in India and intended to be used as a transport vehicle shall be sent to the State Transport Authority in triplicate by the manufacturer or his authorised assembler. Such application shall be accompanied by three copies of each of the following documents :

(i) full specification;

(ii) Drawings giving all dimensions and details; and

(iii) Set of design calculation of-

(a) Axles;

(b) Springs;

- (c) Long-bearers;
 - (d) Cross-bearers;
 - (e) Platform tank or anything that may be carried on the cross bearers;
 - (f) Tow bar;
 - (g) Turn table or any other scribbling device for the front axle, in case of two axle trailers;
 - (h) Braking arrangements; and
 - (i) Any other item such as shock absorbers, if included.
- (2) (a) The State Transport Authority shall forward the application and the copies of documents to such authority as he may think proper for verification and recommendation of the maximum laden and axle weights in respect of the trailer which is compatible with reasonable safety.
- (b) The authority shall then go through the design and calculations and if the design is found satisfactory by it, certify what would be in its opinion the greatest laden and axle weights of trailer which is compatible with reasonable safety.
- (c) When a design is found satisfactory by the authority it shall return two copies of the approved design, specifications and calculations with its recommendations as to the maximum laden and axle weights compatible with reasonable safety to the State Transport Authority :
- Provided that where the design of a trailer is approved in any other State by a competent or prescribed authority, the approval of such design shall not be necessary in this State.
- (d) The applicant, on approval of his design, shall, if he wants to manufacture the trailers for trade, supply the State Transport Authority with as many extra copies of the approved type of the design, specifications and calculations as may be required by him for sending them to different Registering Authority for their record.

(3) The fee chargeable for such checking of a design shall be as follows :

- (1) Rs. 1000.00 for single axle trailer;
- (2) Rs. 1500.00 for double axle trailer.

The fee shall be paid in cash with the application and such fee shall not be refunded.

CHHATTISGARH AMENDMENT

In Rule 184, for the words "State Transport Authority or Authority" wherever they occur, the word "Transport Commissioner" shall be substituted.

[Vide Notfn. No. F-I-10/TwoEight-Trans./03, dated 2-9-2003]

185. Prohibition or restriction on the use of Audible Signals :-

(1) No driver of a motor vehicle shall sound the horn or other device for giving audible warning with which the motor vehicle is equipped or shall cause or allow any person to do so continuously or to an extent beyond what is necessary to ensure safety.

(2) The District Magistrate may, by notification published in one or more regional newspapers circulating in the area, and by the erection in suitable place of mandatory traffic sign, M 18 as set forth in the Schedule to the Act, prohibit the use by driver of a motor vehicle of any horn, going or other device for giving audible warning in any area within the district and during such hours

as may be specified in the notification :

Provided that when the District Magistrate prohibits the use of any horn, going or other device for giving audible warning during certain specified hours he shall cause a suitable notice in Hindi and English to be affixed below the traffic sign setting forth the hours within which such use is so prohibited.

[(3) The provisions of sub-rules (1) and (2) shall not apply to the driver of a Fire-brigade while proceeding to extinguish fire or the driver of an ambulance while carrying a serious patient or the driver of a vehicle in which the Chief Justice of India or of any State or the Judge of Supreme Court or the Judge of any High Court is travelling.]

186. Particulars to be exhibited on transport vehicle :-

(1) Save in the case of motor-cabs, the following particulars in respect of every transport vehicle shall be exhibited on the left hand side of the vehicle in serial order given below :

(i) the name of the owner as set forth in the certificate of registration and his address in brief.

(ii) the chassis number..... located at.....

(iii) Engine No

(iv) the unladen weight denoted by U.L.W. (Kgs.)

(v) the gross vehicle weight denoted by G.V.W.

(vi) (Kgs.)

(vii) the number of passengers permitted to be carried denoted by passenger the number, size and nature of tyres :

(1) Front axle denoted by F (Nos)..... size ply rating

(2) Rear axle denoted by R (Nos.)..... size ply rating.

(2) In the case of motor cabs, such particulars like motor cab number, taxi plate and the like shall be displayed in such manner as may be directed by the Registering Authority.

(3) The above particulars shall be in letter and numerals each not less than two and half centimetres high legibly painted on a plain surface or a plate affixed on the vehicle.

187. The use of Trailers with motor vehicles :-

(1) No trailer other than the trailing half of an articulated vehicle shall be attached to a public service vehicle.

(2) No motor vehicle which exceeds nine hundred and twenty centimetres in length shall draw a trailer :

Provided that this sub-rule shall not apply to any motor vehicle being towed in consequence of disablement.

(3) No invalid carriage shall draw a trailer.

(4) A motor cycle with two wheels and a side car shall not draw a trailer.

(5) A motor cycle with two wheels without a side car shall not draw a trailer unless combination complies with the following requirements :

- (i) the connection of the trailer with the motor cycle shall be made within the wheel base of the motor cycle;
 - (ii) the motor cycle can rotate free about the vertical axis which lies between connection with the trailer and the centre of the rear wheel;
 - (iii) the motor cycle remains always in a vertical plane without the rider having to balance it;
 - (iv) the trailer has automatic over running brakes;
 - (v) the unladen weight and the laden weight of the trailer does not exceed ninety kilograms and one hundred eighty kilograms respectively;
 - (vi) the overall length, width and height of the trailer does not exceed one hundred and twenty centimetres;
 - (vii) the track of the two wheels of the trailer does not exceed 70 percent of its overall width.
- (6) No motor cycle other than a motor cycle referred to in sub-rule (5) shall draw a trailer exceeding two hundred and twenty-five kilograms in weight unladen or one hundred and fifty centimetres in overall width.
- (7) No tractor shall draw more than three trailers :
- Provided that no tractor shall draw on a public road-
- (i) a trailer exceeding five hundred kilograms in weight unladen and fitted with solid steel wheels less than sixty centimetres in diameter;
 - or
 - (ii) a disc harrow without trolley wheel used as trailing implements behind a tractor.
- (8) No other goods vehicle shall draw more than one trailer.
- (9) The sum total of the length of any vehicle and its attached trailer or trailers shall not exceed twenty-three metres.
- (10) The provisions of sub-rules (1) to (9) shall not apply to any motor vehicle exempted from the operation of these rules by the State Government.

188. Distinguishing Mark for Trailers :-

- (1) No person shall drive offer or cause to be driven in any public place any motor vehicle to which a trailer is or trailers are attached unless there is exhibited on the back of the trailer or of the last trailer in train, as the case may be a distinguishing mark in the form set out in the diagram contained in Fourth Schedule to these rules in retro-reflective red colour on white background.
- (2) The mark shall be kept clean and visible and shall be so fixed to the trailer that-
 - (i) the letter on the mark is vertical and easily distinguishable from the rear of the trailer.
 - (ii) the mark is either on the centre or to the right hand side of the rear of trailer; and
 - (iii) no part thereof is at a height exceeding one hundred and twenty centimetres from the ground.

189. Attendant on trailer :-

- (1) When a trailer is or trailers are being drawn by a motor vehicle there shall

be carried in the trailer or trailers or on the drawing motor vehicle, as the case may be, the following persons not being less than twenty years of age and competent to discharge their duties that is to say :

(a) If the brakes of the trailer or trailers cannot be operated by the driver of the drawing motor vehicle or by some other person carried on that vehicle-

(i) one person on every trailer competent to apply the brakes; and

(ii) one person placed at or near the rear of the last trailer in train in such a position as to be able to have a clear view of the road in rear of the trailer to signal to the drivers of overtaking vehicles and communicate with the driver of the drawing motor vehicle.

(b) If the brakes of the trailer can be operated by the driver of the drawing motor vehicle, or by some other person carried on that vehicle such other person in addition to the driver shall be carried on that vehicle and one person on the last trailer in train in accordance with the provision of sub-clause (ii) of clause (a).

(c) If the trailer is or trailers are being drawn by tractor the unladen weight of which exceeds 7250 Kgs. notwithstanding that the brakes of the trailer or trailers can be operated by the driver or some other person on the tractor not less than two persons on the last trailer in train one of whom shall be the person required by the provisions of sub-clause (ii) of clause (a).

(2) This rule shall not apply-

(a) to any trailer having not more than two wheels and not exceeding 770 Kgs. in weight laden when used singly and not in a train with other trailers;

(b) to the trailing half of an articulated vehicle;

(c) to any trailer used solely for carrying water for the purpose of the drawing vehicle when used singly and not in a train with other trailers;

(d) to any agricultural or road making or road repairing or road cleaning implement drawn by a motor vehicle; or

(e) to any closed trailer specially constructed for any purpose and specifically exempted from any or all of the provisions of this rule an order in writing made by the Registering Authority, to the extent so exempted.

190. Placement of Audio-visual or Radio or Tape Recorder Devices in the vehicle :-

In any motor vehicle other than taxi-cab, devices like an audio-visual, radio or tape recorder if fitted, shall be placed in such a manner that it is beyond the reach of the driver. The driver shall not operate such audio-visual devices if fitted in the vehicle while driving.

191. Mirror :-

Every motor vehicle, other than a transport vehicle not being a motor-cab or a motor cycle having not more than two wheels and to which a side car is not attached, shall be fitted either internally or externally and every transport vehicle other than a motor-cab shall be fitted externally with a mirror so placed that the driver shall be able to have a clear and distinct vision of vehicles approaching from the rear :

Provided that the State Government may, by a general or special order exempt

any transport vehicle or class of transport vehicles from the provisions of this rule on such conditions as may be specified in the order, if it is satisfied that having regard to the construction of such vehicle or class of vehicles, fitting of a mirror does not serve any useful purpose.

192. Dangerous Projections :-

(1) No mascot or other similar fitting or device shall be carried by any motor vehicle registered in India in any position where it is likely to strike any person with whom the vehicle may collide unless the mascot is unlikely to cause injury to any person by reason of any projection thereon.

(2) No motor vehicle shall be permitted to be used which is so constructed that any axle hub or hub cap projects laterally more than ten centimetres beyond the rim of the wheel to which it is attached, unless the hub or hub cap does not project laterally beyond the body or wings of the vehicle or is provided with an adequate guard.

193. Springing :-

Every motor vehicle and every trailer drawn thereby shall be equipped with suitable and sufficient means of springs adequately maintained in good and sound condition between the road wheels and the frame of the wheels :

Provided that this shall not apply to :

(i) Any motor vehicle registered in India before the first day of April, 1940 if any means of springing with which it is fitted are adequately maintained in good and sound condition;

(ii) any tractor not exceeding four thousand five hundred kilograms in weight unladen if all the unsprung wheels of the tractor are fitted with pneumatic tyres;

(iii) any land tractor, land implement, agricultural trailer, equipped with pneumatic tyres having axle weight not exceeding three thousand kilograms or any trailer used solely for the haulage of fallen trees or such other heavy loads as cannot be carried on springs; Motor Cycles;

(iv) (V) Vehicles designed for use in workshop or in private premises- and used on a road only in passing from one part of the workshop or premises to another workshop or premises within a distance of three kilometres;

(Vi) Such motor vehicle or class of motor vehicles not fitted with the means of springing by the manufacturers which the State Government may by general or special order declare to be otherwise suitable for use on public road on the conditions specified in the order.

194. Turning Circle :-

Every motor vehicle shall be so constructed as to be capable of turning in either direction in a circle not exceeding two hundred and forty-five centimetres in diameter. For the purposes of this rule such diameter shall be determined by reference to the extreme outer edge of the wheel track at ground level.

195. Electronic device for overtaking :-

The State Transport Authority may by notification in the Official Gazette direct that all or any class of transport vehicles or transport vehicles plying in specified areas or routes shall be fitted with an electronic device of make and specifications approved by the State Transport Authority, which would amplify in the drivers cabin of the vehicle, the horn sound of a vehicle approaching from the rear and intending to overtake the vehicle.

196. Motor Vehicles fitted with left hand steering control :-

A motor vehicle fitted with a left hand steering control shall exhibit at a conspicuous place to the rear words "Left Hand Drive" on a plain place or a plain surface of the vehicle in red colour on white background, each letter being not less than eight centimetres in height and of uniform thickness of 1.25 cms.

197. Mud Guards :-

(1) Every motor vehicle except a tractor or trailer, shall unless adequate protection is afforded by the body of the motor vehicle, be provided with mud guards or other similar fittings to catch, so far as practicable mud or water thrown up by the rotation of the wheels.

(2)The rear wheels of every trailer shall be provided with mud guards as aforesaid.

198. Attachment to motor cycle :-

(1) Every side car attached to a motor cycle shall be so attached, at the left hand side of the motor cycle, that the wheel thereof is not outside perpendicular planes at right angles to the longitudinal axis of the motor cycle passing through the extreme projecting points in front and in the rear of the motor cycle.

(2)Every pillion seat attached to a motor cycle shall-

(i)have two foot rests one on either side and directly below the seat fitted in such a manner that a person sitting on the pillion seat can rest his feet on such foot rests;

(ii)have a hand grip fitted to the front of the seat.

199. Signal to driver to stop vehicle :-

Every motor vehicle for the use of passengers in which the drivers seat is separated from any passengers compartment by a fixed partition which is not capable of being readily opened, shall be furnished with efficient means to enable the passengers in such compartment and the conductor, if any, to signal to the driver to stop the vehicle.

200. Coupling :-

The coupling by which a trailer is attached to a motor vehicle shall be rigid and so constructed as to bear the strain put upon it and in no case shall exceed 120 centimetres in length.

CHAPTER 8 CONTROL OF TRAFFIC

201. Vehicle abandoned on road :-

If due to mechanical breakdown or otherwise any vehicle is prevented from moving or has stopped at rest on road except at a duly appointed parking place in such a manner as to cause obstruction to traffic or danger to any person, the driver shall-

- (i) forthwith cause the vehicle to be removed along making the road clear of any obstruction or danger;
- (ii) unless a heavy goods vehicle or heavy passenger motor vehicle is moved to a position as stated above, put the following mandatory precautionary signals to indicate the presence of the vehicle on the road namely :-
 - (a) Switch on all the flasher lights, or
 - (b) Place cautionary boards of the size 30 centimetres square mounted on a stand of 50 centimetres height with the word "Caution" written in black on white background and fitted with red light reflectors on the carriage way and along the side of the vehicle.

202. Installation and use of weighing devices :-

- (1) A weighing device for the purpose of Section 114 of the Act may be-
 - (i) a weighing bridge installed and maintained at any place by or under the order of the Government or a local authority or a railway administration;
 - (ii) a weigh-bridge installed and maintained by any person and certified by the weights and measures department of the State, or
 - (iii) a portable wheel-weigher of any kind approved by the Transport Commissioner.
- (2) The driver of any goods carriage shall upon demand by an officer of the Transport Department not below the rank of Assistant Transport Sub-Inspector or a Police Officer not below the rank of Sub-Inspector so drive and manipulate the vehicle as to place it on any wheel on wheels thereof, as the case may be, upon any weigh-bridge or wheel-weigher in such a manner that the weight of the vehicle or the weight transmitted by any wheel or wheels may be exhibited by the weigh-bridge or wheel-weigher.
- (3) If the driver of a motor vehicle fails within a reasonable time to comply with a requisition under sub-rule (2), a person authorised under Section 114 of the Act may cause any person, being the holder of a licence authorising him to drive the vehicle, so to drive and manipulate the vehicle.
- (4) When the weight or axle weight of a motor vehicle is determined by separate and independent determination of the weight transmitted by any wheel or wheels of the vehicle, the axle weight and the laden weight of the vehicle shall be deemed to be the sum of the weights transmitted by the wheel of any axle or by all the wheels of the vehicles as the case may be.
- (5) Upon the weighment of the vehicle in accordance with Section 114 and this rule the person who required the weighment or the person in charge of the weighing device shall deliver to the driver or other person in charge of the vehicle a statement in writing of the weight of the vehicle and of any axle, the weight of which is separately determined.

- (6) The driver or other person in charge of, or the owner of, a vehicle which has been so weighed may challenge the accuracy of the weighing device, by a statement in writing accompanied by a deposit of fifty rupees, deliver-
- (i) within an hour of the receipt of the statement referred to in sub-rule (5) to the person by whom the statement was delivered to him; or
 - (ii) within fourteen days of the service on him of a notice of proceedings against him under Section 113 of the Act to the Court issuing such a notice.
- (7) Upon receipt of a statement challenging the accuracy of weight device under sub-rule (6), the person or the Court by whom the statement is received shall write to weights and measures department for the weighing device to be tested by an Inspector of the Department and the certificate of such Inspector regarding the accuracy of the weighing device shall be final.
- (8) If, upon testing the weighing device under sub-rule (7) the weighing device is certified to be accurate or to be inaccurate to an extent less than any weight by which the laden weight or unladen weight of the vehicle is shown in the statement referred to in sub-rule (5) to have exceeded the gross vehicle weight or the unladen weight, as the case may be, a contravention of sub-section (3) of Section 113 of the Act shall be deemed to have been proved.
- (9) If upon the testing of weighing device as aforesaid, the weighing device is certified to be inaccurate to an extent greater than any weight by which the laden weight or unladen weight of the vehicle is shown in the statement referred to in sub-rule (5) to have exceeded the laden weight or unladen weight, as the case may be, no further proceedings shall be taken in respect of any such laden weight or unladen weight if the device is certified to be inaccurate to the said extent in respect of every such laden weight or unladen weight actually weighed the amount of deposit provided in sub-rule (6) shall be refunded.
- (10) No person shall, by reason of having challenged the accuracy of any weighing device under sub-rule (6) be entitled to refuse to comply with any order in writing under Section 114 of the Act.

203. Maintenance and management of parking places :-

- (1) The District Magistrate may, in consultation with the Superintendent of Police and the local body, by notification, in the Official Gazette or by the erection of appropriate traffic sign of the Schedule to the Act, declare any place as the parking place for motor vehicles. Different places may be declared as parking places for different category of vehicles.
- (2) The District Magistrate may enter into an agreement with or grant a licence to any person or local body for the maintenance of the parking places under certain conditions. The agreement or licence may be terminated forthwith upon the breach of any conditions thereof.
- (3) The maximum period for parking of a vehicle may be fixed by the District Magistrate.
- (4) The District Magistrate shall prescribe fees for the use of the parking places. Uniform or different fee may be fixed for different vehicles.

204. Maintenance and management of stands :-

- (1) The Regional Transport Authority by notification in the Official Gazette, or by the erection of appropriate traffic sign of the Schedule of the Act or both, may in respect of the taking up or setting down the passengers or both by public service vehicles or by specified class of public service vehicles :-
- (a) Conditionally or unconditionally prohibit the use of any specified place or of any place of a specified nature or class, or
 - (b) Require that within the limit of any Municipal Corporation, Municipality notified area or cantonment, or within such other limits as may be specified in the notification, certain specified stands only shall be so used :
- Provided that no place which is privately owned shall be so notified except with the previous consent in writing of the owner thereof.
- (2) Where a place has been notified or has been demarcated by traffic signs or both, as being stand for the purpose of this rule, then notwithstanding that the land is in possession of any person, the place shall subject to the provisions of these rules, may be deemed to be a public place within the meaning of the Act and the Regional Transport Authority may enter into an agreement with, or grant a licence to any person or local body or State Transport Undertaking for the purpose of maintenance of the building or works necessary thereto subject to the termination of the agreement or licence forthwith upon the breach of any condition thereof and may otherwise make rules or give directions :-
- (i) Prescribing the fees to be paid by the owners of public service vehicle using the place and providing for the receipt and disposal of such fees;
 - (ii) Specifying the public service vehicles or the class of public service vehicles which shall use the place or which shall not use the place;
 - (iii) Appointing a person to be the manager of the place and specifying the power and the duties of the manager;
 - (iv) Requiring the owner of the land, or the local body or the State Transport Undertaking as the case may be, to erect such shelters, lavatories and latrines and to execute such other works as may be specified in the rules or in the directions and to maintain the same in a serviceable clean and sanitary condition.
 - (v) Requiring the owner of the land or local body or the State Transport Undertaking as the case may be, to arrange for the free supply of drinking water for passengers including intending passengers;
 - (vi) Prohibiting the use of such place by specified persons or by other than specified persons.
- (3) If the owner of the land, local body or State Transport Undertaking, as the case may be, fails to comply with any rule or direction made or given to him under this rule, the Regional Transport Authority may prohibit the use of such place for the purpose of this rule.

205. Prohibition on driving with gear disengaged :-

No person shall drive a motor vehicle on any hill marked by traffic sign No. 9 of the Schedule to the Act, with the engine free that is to say with the gear lever

in neutral, the clutch lever depressed or with any free wheel or other device in operation which frees the engine from acting as a brake when the vehicle is travelling down an incline.

206. Prohibition of taking hold of or mounting of vehicle in motion :-

(1) No person shall mount or attempt to mount or dismount from any motor vehicle when the motor vehicle is in motion.

(2) No person shall take hold of, and no driver of a motor vehicle shall cause or allow any person to take hold of, any motor vehicle when in motion for the purpose of being towed or drawn, upon some other wheeled vehicle or otherwise.

207. Prohibition of the use of footpaths or pavements by motor vehicles :-

Where any road or street is provided with footpaths, pavement or tracks reserved for pedestrians, cycles or specified classes of other traffic, no person shall drive any motor vehicle or cause or allow any motor vehicle to be driven on any such footpath, pavement or track.

208. Projection of loads :-

(1) Nothing shall be placed or carried upon the roof of a double decked public service vehicle.

(2) No person shall drive, and no person shall cause or allow to be driven, in any public place any motor vehicle which is loaded in a manner likely to cause danger to any person or in such a manner that the load or any part thereof or anything extends-

(i) Laterally beyond the side of the body or beyond a vertical plane in prolongation of the side of the body;

(ii) To the front beyond the foremost part of the load body of vehicle;

(iii) To the rear beyond the rearmost part of the vehicle; and

(iv) In height by a distance which exceeds 380 centimetres in case of a goods carriage and 350 centimetres in case of any other motor vehicle from the surface which the motor vehicle rests.

(3) Clause (iii) of sub-rule (2) shall not apply to a goods carriage when loaded with any pole or other projecting thing so long as-

(i) The projecting load falls within the limit of the body of a trailer being drawn by the goods carriage or;

(ii) The distance by which the pole or other thing projects beyond the rearmost point of the motor vehicle does not exceed one hundred and eighty-five centimetres; and

(iii) There is attached to the rear of such pole or other thing in such a way as to be clearly visible from the rear at all times a white circular disc of not less than thirty-eight centimetres diameter; and during the period of commencing half an hour after sun-set and ending half an hour before sunrise a lamp in addition to the prescribed lamps on the vehicle so arranged as to show red light to the rear.

(iv) The Registering Authority may, on application accompanied by prescribed

fee by order in writing exempt any motor vehicle, for such purpose, for such period and subject to such conditions as he may specify, from any or all the provisions of this rule.

(v) If the Registering Authority of the vehicle is located outside the State of Madhya Pradesh, the registered owner of the vehicle may apply for exemption to the Registering Authority in whose jurisdiction the motor vehicle will start journey in the State or enter the State and shall obtain the exemption under clause (iv) prior to the entry into the State.

(vi) While granting exemption under sub-rules (4) and (5), the Registering Authority shall consult the authority of the public works department and the State Traffic police and only if satisfied that such exemption shall not cause any danger to the other vehicle or passengers travelling in other vehicles, shall grant such exemption.

(vii) Such exemption under clause (iv) or (v) shall be granted in form M.P.M.V.R.-74 (TODP) and copies thereof would be despatched to the Registering Authorities through whose jurisdiction the motor vehicle will travel.

209. Prohibition on use of cut outs :-

No driver of a motor vehicle shall in any public place, made use of any cut out or other device by means of which the exhaust gases of the engine are released, save through the silencer.

210. Unguarded railway level crossing :-

Every driver of a motor vehicle shall at the approach of any unguarded railway level crossing stop the vehicle to check and see both sides of the track to ensure that the way is clear and shall proceed only when he is convinced that no train is approaching from either direction.

211. Erection or placing of signs or advertisements on road prohibited :-

No person shall place or cause or allow to be placed or erected, on any road any sign or advertisement which, in the opinion of District Magistrate or the Superintendent of Police, is so placed as to obstruct the visibility of any traffic sign or is so similar in appearance to a traffic sign as to be misleading.

212. Attendant :-

The driver of a heavy goods carriage and heavy passenger motor vehicle shall be accompanied by an attendant, who shall be in a position to give warning of any traffic approaching from the rear and assist the driver by giving signals when the motor vehicle is being taken in reverse.

213. Head Gear :-

(1) The head gear to be worn by any person while driving or riding on a motor cycle shall be of the I.S.I, specification No. 181-4151-19776 as amended from time to time.

(2) The provision of Section 129 of the Act, shall not apply to a woman or a child who is not more than 12 years of age.

214. Inspection of vehicle involved in an accident and penalty for causing obstruction to free flow of traffic :-

(1) Subject to the provisions of Section 136 of the Act, any officer of the Police Department or Transport Department not below the rank of Inspector shall inspect any vehicle involved in an accident.

(2) Subject to the provisions of Section 201 of the Act, the police officers in uniform not below the rank of Sub-Inspector and all Officers of the Transport Department not below the rank of Assistant Transport Sub-Inspector are authorised to recover the penalties under sub-section (2) of the said section.

¹[(3) Towing costs payable under Section 127 and sub-section (1) of Section 201 of the Motor Vehicles Act, 1988 in respect of different vehicles shall be levied as specified below, namely :-

1. Scooter, Motor Cycle Rs. 30.00 per vehicle
2. Light Motor Vehicle (Car, Jeep, Auto rickshaw etc.) Rs. 60.00 per vehicle
3. Heavy Motor Vehicle (Empty Truck, Bus) Rs. 100.00 per vehicle
4. Heavy Motor Vehicle (loaded Truck, Bus) Rs. 130.00 per vehicle
5. Medium Motor Vehicle Rs. 80.00 per vehicle.]

1. Ins. by Notfn. No. F. 8-1-95-VIII, dated 22-4-1998.

215. Power to restrict use of vehicle :-

In accordance with Section 155 of the Act, the District Magistrate may, within the jurisdiction, prohibit or restrict the use of motor vehicles, driving of motor vehicles or of any specific class of motor vehicles or use of trailers in specified area or specified road in the interest of public safety, convenience or the condition of any road or bridge.

216. Main road :-

In accordance with sub-section (1) (b) of Section 116 of the Act, the District Magistrate may, within his jurisdiction, designate any road to be main road.

217. Limit of speed :-

In accordance with sub-section (2) of Section 112 of the Act, the District Magistrate having regard to the public safety or convenience or because of the nature of the road or bridge may, within his jurisdiction fix such maximum or minimum speed limits as he thinks fit for motor vehicles by placing or erecting appropriate traffic signs under Section 116 of the Act at suitable places.

218. Loading of public service vehicle on ferry boats :-

The driver, conductor, or other person incharge of a public service vehicle shall cause all passengers to alight before embarking the said vehicle on any ferry

boat and

shall not allow them to take their places in the vehicle until it has been disembarked.

219. Construction of speed breakers or humps on roads :-

The District Magistrate in consultation with the District Level Road Safety Committee, the Superintendent of Police and local authorities/bodies may construct speed breakers or road humps on public road at suitable places of such specifications as approved by the All India Road Research Institute from time to time.

CHAPTER 9 CLAIMS TRIBUNAL

220. Application for compensation arising out of an accident :-

(1) An application for compensation arising out of an accident of the nature specified under the Act shall be in Form M.P.M.V.R.-75 (COMP-A).

(2) Every such application shall be sent to the Claims Tribunal by registered post or may be presented to such Claims Tribunal and shall, unless the Claims Tribunal otherwise directs be made in duplicate and shall be signed by the applicant.

(3) There shall be appended to every such application, the following documents, namely :-

(i) injury certificate in Form MPMVR-76 (COMP-B) or in case of death certificate;

(ii) first information report in respect of the accident; and

(iii) certificate regarding ownership and insurance particulars of the vehicle involved in the accident obtained from Registering Authority or Accident Information Report in Form 54 of the Central Rules obtained from the Registering Authority or the Police.

(4) If any of the documents specified in clause (c) of sub-rule (3) are not appended to the application the reasons for not appending them shall be stated, and if the tribunal is satisfied, it may proceed with the application and require production of such document at a later stage.

221. Production of passport size photograph by applicant :-

Notwithstanding anything contained in sub-rule (3) of Rule 220 the Claims Tribunal may require the applicant to produce a passport size photograph, which shall be attested by an Advocate. The photograph shall either be affixed to the original application or affixed to a separate sheet of paper which shall be fastened to the original application.

222. Fees :-

An application for compensation shall be -affixed with court-fee stamps of the value of fifteen rupees as well as an additional stamp at the rate of rupees ten as process fee for each person whom the applicant proposes to summon as a witness.

223. Examination of applicant :-

On receipt of an application under Rule 220 the Claims Tribunal may examine the applicant on oath and the substance of such examination shall be reduced to writing and shall be signed by the Claims Tribunal.

224. Summary dismissal of application :-

The Claims Tribunal may after considering the application and the statement of the applicant recorded

under Rule 223 dismiss the application summarily, if for reasons to be recorded in writing, the Claim Tribunal is of the opinion that there are no sufficient grounds for proceeding therewith :

Provided that, the Claims Tribunal shall not reject the application made for compensation under Section 140 on the grounds of any technical defects but shall give notice to the applicant and get the defects rectified.

225. Notice to opposite party and its examination :-

(1) If the application is not dismissed under Rule 224 the Claims Tribunal shall send a copy of the application and issue notice to the party or parties from whom applicant claims relief (hereinafter referred to as an opposite party) of the date on which it will consider the application and may call upon the parties to produce on that date any evidence which they may wish to tender.

(2) Where the applicant makes a claim for compensation under Section 140, the Claims Tribunal shall give notice to the owners and Insurer, if any, of the vehicle involved in the accident directing them to appear on the date, not later than fifteen days from the date of the issue of such notice. The date so fixed for such appearance shall also be not later than fifteen days from the receipt of the claim application filed by the claimant. The Claims Tribunal shall state in such notice that in case they fail to appear on such appointed date, the Claims Tribunal shall proceed exparte on the presumption that they have no intention to make against the award of compensation.

(3) The opposite party may on or before the first hearing or within such time as the Claims Tribunal may permit, file a written statement dealing with the claim raised in the application alongwith the document on which it relies and any such written statement and such documents shall form part of the record.

(4) No document which is not produced by the opposite party on or before the first hearing shall not without the sanction of the Claims Tribunal be recorded in evidence on behalf of that party.

(5) If the opposite party contests the claim the Claims Tribunal shall proceed to examine the parties on the claim and shall reduce the result of examination to writing.

226. Obtaining of information and documents necessary for awarding compensation under Section 40 :-

The Claims Tribunal shall obtain whatever information and documents which may be found necessary from the police, medical and other authorities and proceed to award the claim whether the parties who were given notice, appear or not, on the appointed date.

227. Judgment and award of compensation under Section 140 :-

(1) The Claims Tribunal shall proceed to award the claim of compensation under Section 140 on the basis of-

(a) Application and Statement of the parties;

(b) Accident Information Report in Form 54 of the Central Rules or certificate regarding ownership and insurance particulars of the vehicle involved in the accident, obtained from the Registering Authority;

(c) First Information Report;

(d) Post-Mortem Report or Death Certificate or Injury Report in Form M.P.M.V.R.-76 (Comp. B) by the Medical Officer who has examined the victim.

(e) Any other information or documents obtained by the Tribunal under Rule 226.

(2) The Claims Tribunal in passing orders shall make an award of compensation in respect of the death or permanent disablement to be paid by the insurer or owner of the vehicle involved in the accident, within a period of thirty days.

(3) The Claims Tribunal shall as far as possible, dispose of the application for compensation within forty-five days from the date of receipt of such application.

228. Procedure of disbursement of compensation under Section 140 :-

Legal heirs in case of death.-Where the Claims Tribunal feels that the disbursement of actual amount due to the claimant is likely to take time because of the identification and the fixation of legal heirs of the deceased, the Claims Tribunal may call for the amount of compensation awarded, to be deposited with the Claims Tribunal and then proceed with the identification of the legal heirs for deciding the payment of compensation to each of the legal heir.

229. Local inspection :-

(1) The Claims Tribunal may, at any time during the course of an enquiry before it, visit the site at which accident occurred for the purpose of making a local inspection or examining any persons likely to be able to give information relevant to the proceeding.

(2) Any party to a proceeding or the representative of any such party may accompany the Claims Tribunal for a local inspection.

(3) If the Claims Tribunal thinks it fit so to do, it may require the owner of the vehicle involved in the accident or in his absence the person in charge of such vehicle to produce the vehicle for inspection at the time and place to be mentioned by it, if necessary, in consultation with the owner or such person.

(4) The Claims Tribunal after making a local inspection shall note briefly in a memorandum any facts observed, and such memorandum shall form part of the record of enquiry.

(5) The memorandum shall be made available to any party who desires the same, and a copy thereof shall be supplied, if applied for, on payment of fee calculated at the rate of rupees ten for the first page and rupees four for each additional page.

230. Framing and determination of issues :-

- (1) After considering the written statement or the result of examination of the opposite party and the result of the local inspection, if any, the Claims Tribunal shall proceed to frame the issues.
- (2) After framing the issues, the Claims Tribunal shall proceed to record evidence thereon which each party may desire to produce.

231. Summoning of witnesses :-

If an application is presented by any party to the proceeding for the summoning of witnesses the Claims Tribunal shall on payment of the expenses involved, if any, issue summons for the appearance of such witnesses, unless it considers that their appearance is not necessary for a just decision of the case.

232. Appearance of parties :-

Any appearance, application or any act required to be made or done by any person before or to a Claims Tribunal other than appearance of a party which is required for the purpose of his examination as a witness may be made or done on behalf of such person by a legal practitioner or by an official of the Insurance Company or with the permission of the Claims Tribunal by any other person so authorised.

233. Appointment of representatives on behalf of parties :-

- (1) Where any party to a proceeding is a minor or a person suffering from physical disability and on that account is unable to make an appearance, the Claims Tribunal shall appoint suitable person who consents to the appointment, represent such party for the purpose of the proceeding.
- (2) If the Claims Tribunal considers that the interest of any party for whom a representative has been appointed under sub-rule (1) are not being adequately protected by that representative or if a person appointed to act as representative dies or becomes incapable of acting, or otherwise ceases to act as such, Claims Tribunal shall appoint in his place another person who consents to the appointment.

234. Power of summary examination :-

- (1) The Claims Tribunal during an inspection or at any other time, save at a formal hearing of a case pending before it, may examine summarily any person likely to be able to give information relevant to such case, whether such person has been or is to be called as a witness in the case or not, and whether any or all the parties are present or not.
- (2) No oath shall be administered to a person examined under sub-rule
- (3) Statements made by person examined under sub-rule (1) if reduced to writing, shall not be signed by the person making the statement, nor shall they, except as hereinafter provided, be incorporated in the record or utilised by the Claims Tribunal for the purpose of arriving at a decision in the case.
- (4) If a witness who has been examined under sub-rule (1) makes in evidence

any material statement contradicting any statement made by him in such examination and reduced to writing the Claims Tribunal may call his attention to such statement and shall in that case direct that the parties be furnished with the relevant part of such statement for the purpose of examining or cross-examining the witness.

(5) Any statement or part of a statement which is furnished to the parties under sub-rule (4) shall be incorporated in record.

(6) Where a case is settled by agreement between the parties the Claims Tribunal may incorporate in the record any statement under sub-rule

(1) and may utilize such statement for the purpose of justifying its acceptance of, or a refusal to accept, the agreement reached at.

235. Method of recording evidence :-

The Claims Tribunal shall on examination of a witness, proceed to make a brief memorandum of a substance of the evidence of such witness and such memorandum shall be

written and signed by the Claims Tribunal and shall form part of the record :

Provided that, if the Claims Tribunal is prevented from making such memorandum, it shall record the reason of its inability to do so and shall cause such memorandum to be made in writing from its dictation and shall sign the same, and such memorandum shall form part of the record :

Provided further, that the evidence of any medical witness shall be taken down, as nearly as may be, word by word.

236. Expert :-

(1) The Claims Tribunal may, for the purpose of adjudicating upon any claim for compensation, other than claims for compensation under Section 140, choose not more than two persons having technical or special knowledge with respect to any matter before the Claims Tribunal for the purpose of assisting it in the holding of the enquiry.

(2) The remuneration, if any, to be paid to the expert shall be determined by the Claims Tribunal.

237. Procedure in connected cases :-

(1) Where two or more cases pending before a Claims Tribunal arise out of the same accident, and any issue involved is common to two or more cases, such cases may, so far as the evidence bearing on such issue is concerned, be held simultaneously.

(2) Whereas action is taken under sub-rule (1) the evidence bearing on the common issue or issues shall be recorded on the record of one case and the Claims Tribunal shall certify under its hand on the records of any such other case, the extent to which evidence so recorded applies to such other case and the fact that the parties to such other case had the opportunity of being present, and, if they were present, of cross-examining the witnesses.

238. Award of compensation :-

(1) The Claims Tribunal in passing orders, shall record concisely in a judgment the findings on each of the issues framed and the reasons for such findings and make an award specifying the amount of compensation to be paid by the insurers and the owner of the vehicle who may be found vicariously responsible for causing the accident and also the person or persons whom compensation shall be paid.

(2) Where compensation is awarded to two or more persons, the Claims Tribunal shall also specify the amount payable to each of them.

(3) The Claims Tribunal may in its discretion pass such order in respect of costs incidental to any proceedings before it as it may deem fit.

239. Receipt for compensation :-

Upon payment of compensation a receipt shall be obtained by the Claims Tribunal and such receipt shall be forwarded to the Insurer concerned or, as the case may be, the owner of the vehicle, for the purpose of record.

240. Procedure to be followed by Claims Tribunal in holding enquiries :-

Application of certain provisions of Code of Civil Procedure 1908; Save as otherwise expressly provided in the Act or these rules, the following provisions of the First Schedule to the Code of Civil Procedure, 1908 (V of 1908) namely, those contained in Order V, Rules 9 to 13 and 15 to 20, Order IX, Order XVIII, Rules 3 to 10, Order XVI, Rules 2 to 21, Order XVII, Order XXI and Order XXIII, Rules 1 to 3 shall apply to proceedings before a Claims Tribunal in so far as they may be applicable thereto.

241. Minor accident :-

Summary procedure.-Notwithstanding anything contained in these rules, in the case of minor accidents the Claims Tribunal may follow such summary procedure, as it thinks fit.

242. Form of appeal and contents of memorandum :-

(1) Every appeal against the award of the Claims Tribunal shall be preferred in duplicate in the form of memorandum signed by the appellant or an Advocate or

Attorney of the High Court duly authorised in that behalf by applicant and shall be presented within ninety days from the date of the award to the Registrar of the High Court or to such officer authorised by him in this behalf. The Memorandum shall be accompanied by a certified copy of the award.

(2) The memorandum in sub-rule (1) shall set forth concisely and under distinct heads the grounds of objection to the award appealed from without any argument or narrative; and such ground shall be numbered consecutively.

(3) Save as provided in sub-rule (1) and (2) the provisions of Order XXI and Order XLI of the First Schedule of the Code of Civil Procedure, 1908 (V of 1908) shall mutatis mutandis apply to appeals preferred to the High Court under Section 173.

SYNOPSIS

1.No benefit can be claimed by the party against the exercise of discretion of the Court in dispensing with notice.

2.Quantum of compensation by way of cross-objection.

1.No benefit can be claimed by the party against the exercise of discretion of the Court in dispensing with notice. -In order to avoid delay in deciding the appeal discretion is conferred upon the appellate Court to dispense with service upon the parties, who were proceeded ex pane in the Court of first instance. Once discretion is exercised by the Court, then appeal cannot be thrown out on the ground that owner and driver are going to be affected by modification of award in the appeal and on mere assumption appeal cannot be dismissed. It may be mentioned that once discretion is exercised by the Court the order will not be nullified, unless that order is reversed or

modified. Bench hearing the appeal finally cannot throw out the appeal merely on the ground that the service of notice upon the respondents, who were exports before the Court of first instance has been dispensed with. The effect of dispensing with service

is that the respondent remains a party in the appeal but service of notice is dispensed with. Dispensing with notice cannot be termed as deleting the name of unserved respondents, on the contrary they continue to remain party in the appeal. The appeal shall not fail on account of dispensing with notice upon the respondents, who were ex parte before the Court of first instance and they have not submitted the address of service for notice. Since respondents have chosen not to appear before the Court of first instance, they cannot claim right to be heard at the appellate stage. No benefit can be claimed by the party against the exercise of discretion of the Court in dispensing with notice. When notices have been dispensed with appeal cannot be dismissed and appellate Court has power to modify or enhance the quantum of compensation. [Jamunabai v. Chhote Singh, 2004 (2) MPHT 325at 330, 331, 333 (MP) (Gwalior Bench)-Approving; Ramandeep Singh v. Mohd. Hasan, 2003 (1) MPWN 131.]

2. Quantum of compensation byway of cross-objection.-From bare reading of Rule 242 of the Rules, it was clear that the provisions of Order XLI of CPC shall mutatis mutandis apply to the appeals preferred to the High Court under Section 173 of the Act. On plain reading of Rule 242, it is clear that the provisions, of Order XLI of CPC will be applicable in appeals filed against the award of Claims Tribunal under Section 173 of the Motor Vehicles Act, 1988. Since the statute has conferred power and applicability of Order XLI of CPC, the provisions of cross-objection shall also apply. Contention of the counsel for appellant that since the insurance company has come up in appeal against a limited question, hence, appeal cannot be re-opened under the garb of cross-objection on the questions which have not been challenged by the appellant is misconceived. Cross-objection is nothing but a form of appeal and this right has accrued to the party after it has received the notice of appeal. The party gets right to file cross-objection within thirty days from the date of receipt of notice. As such, it was open for the claimants to file cross-objection and the claimants cannot be estopped from challenging the quantum of compensation by way of cross-objection. [New India Assurance Co. Ltd. v. Smt. Guddi, 2002(2) MPHT

CHAPTER 10 MISCELLANEOUS**243. Establishment of Motor Vehicles Department :-**

(1) The Motor Vehicles Department within the meaning of Section 213 of the Act shall be the Transport Department of Government of Madhya Pradesh. The officer designated as Transport Commissioner, Madhya Pradesh shall be in overall charge and control of the Department and subject to the general and specific guidance of the State Government. The following officers shall be deemed to be officers of the Motor Vehicles Department in terms of Section 213 of the Act, the officers in a lower category being subordinate to officers in the higher

Category	Designation of Officers
I.	Transport Commissioner.
II.	Secretary, State Transport Authority.
III	Deputy Transport Commissioners.
IV.	(a) Assistant Transport Commissioners.
	(b) Regional Transport Officers.
	(c) Additional Regional Transport Officers.
V.	Assistant Regional Transport Officers.
VI.	Transport Inspectors.
VII.	Transport Sub-Inspectors.
VIII.	Assistant Transport Sub-Inspectors.
IX.	Transport Head Constables.
X.	Transport Constables.

(2) The Officers specified in categories V to X of sub-rule (1) above shall belong to the Madhya Pradesh Transport Department Subordinate (Class III Executive) Service.

244. Jurisdiction of the officers of the IVansport Department :-

(1) The Transport Commissioner, the Secretary, State Transport Authority, the Deputy Transport Commissioners and Assistant Transport Commissioner posted in the Transport Commissioners office shall exercise jurisdiction over the entire State of Madhya Pradesh and the remaining officers shall exercise jurisdiction within the region or zone to which they are posted :
 Provided that Transport Inspector and a Sub-Inspector posted to the office of the Transport Commissioner and any other Transport Inspector or Sub-

inspector when accompanying the Transport Commissioner, Deputy Transport Commissioner or Assistant Transport Commissioners or when specifically directed in writing by the Transport Commissioner or the Deputy Transport Commissioners shall exercise jurisdiction throughout the State or Zone concerned.

245. Performance of functions of subordinate officers by superior officers :-

Notwithstanding anything contained in these rules and subject to such general or special orders as may be issued by the Transport Commissioner in this behalf-

(a) The Transport Commissioner, Deputy Transport Commissioner or Assistant Transport Commissioners may at any time exercise the powers and perform the functions of a Regional Transport Officer or Transport Inspector under these Rules.

(b) A Regional Transport Officer, Additional Regional Transport Officers or Assistant Regional Transport Officer may, at any time, perform any of the functions of a Transport Inspector.

246. Performance of function of superior officers by subordinate officers :-

Notwithstanding anything contained in these rules and subject to such general or special order, as may be issued by the Transport Commissioner, in this behalf-

(a) A Deputy Transport Commissioner may exercise the powers conferred under the Act and these rules and any other enactment in force, of the Transport Commissioner;

(b) An Additional Regional Transport Officer and Assistant Regional Transport Officer shall exercise the powers conferred under the Act or these Rules or any other enactment in force, of a Regional Transport Officer.

247. Powers including powers exercisable by police officers under the Act to be exercised by the officers of the Transport Department :-

The officers of the Transport Department specified in Column (1) of the table below shall exercise the powers under the provisions of section of the Act as specified in column (2) of the said Table :-

Officers			Sections of the Act	
(1)			(2)	
1.		Transport Commissioner		Section 114 (1)

2.		All Deputy Transport Commissioners.			130 (1), 130 (2), 130 (3), 132 (1),		
							133, 134 (b), 136.
3.		All Assistant Transport Commissioners			158 (1), 158 (2).		
4.		Regional Transport Officers				158 (3), 154 (4)	
5.		Additional	Regional		Transport		202, 206 and 207.
		Commissioners					
6.		Assistant Regional Transport Officers.					
7.		Transport Inspectors.					
8.		Transport Sub-Inspectors.					
9.		Assistant Transport Sub-Inspectors.					

248. Uniform to be worn by officers in the subordinate transport service :-

(1) The uniform to be worn by Transport Inspectors, Transport Sub-Inspector and Assistant Transport Sub-Inspector shall be as follows :-

- (i) Dress on Duty-Blue woollen and one piece barret cap with badge, Khaki Shirt or bushirt, Whistle with Blue lanyard, Khakhi Socks and Brown boots;
- (ii) Dress for formal occasions-Khakhi peak cap with badge, Khaki shirt whistle with blue lanyard, Khakhi trousers, brown cross belt with white metal fittings, khakhi socks and brown boots;
- (iii) Winter Clothing-Woollen khakhi shirt, olive green jersey, Khakhi woollen, over coat and woollen khakhi socks may be worn with the dress;

(iv) Badges of rank-Transport Inspector, shall wear three stars with blue and red ribbon, Transport Sub-Inspectors shall wear two stars with red and blue ribbon and Transport Assistant

Sub-Inspectors shall wear one star with red and blue ribbon. Cap badge stars and shoulder badges shall be as illustrated in the Fifth Schedule to these Rules.

(2) The Uniform to be worn by Transport Constables and Constables shall be as follows :-

(i) Dress on duty-Blue barret cap with badge, khakhi shirt, whistle with blue lanyard, khakhi trousers, web belt, khakhi socks, and black boots, (ii) Dress for formal occasions-Orange hackle, anklets and

ammunition shall be worn on formal occasions, (iii) Winter dress-Olive green jersey, khakhi woollen over coat and woollen socks may be worn during the winter season, (iv) Badges of rank-Head constables shall wear red chevron on both shirt sleeves. The cap badge and shoulder badges shall be as prescribed in Fifth Schedule to these rules.

Note.-Sikh officer may wear Khakhi turban in place of barret cap or peak cap.

249. Certificate of appointment :-

(1) Every officer of the Madhya Pradesh Transport Department of Gazetted Service and the subordinate Transport Service shall be issued a certificate of - appointment in Form M.P.M.V.R.-77 (C.A.P.P.). The certificate of appointment shall bear the signature and seal of the Transport Commissioner and shall be conclusive proof of the fact of appointment of the officer as such. The officer to whom the certificate of appointment has been issued shall keep it in his personal custody and shall surrender it when he ceases to be in the service of the Transport Department.

(2) In case the certificate of appointment is lost or stolen, the officer to whom it was issued shall immediately notify the fact of loss to his next superior officer, the Transport Commissioner and the nearest Police Station. Any person finding a certificate of appointment shall forthwith hand it over to the nearest Police Station and no person shall retain or in any way put to his own use, a certificate of appointment issued to an officer of the Transport Department.

250. Reward and Punishment :-

(1) Officer belonging to the subordinate Motor Vehicles Department Service may be given special reward , for:-

(i) Good Service or definite acts of good conduct, bravery or intelligence, or

(ii) For good detection of offence and prevention of evasion of taxes.

Rewards may take the form of either cash or commendation certificate or articles of value. The Authority competent to sanction reward of value upto Rs. 250/- shall be the Transport Commissioner, Reward of higher value shall require the sanction of the State Government. A cash reward shall not be less than Rs. fifty in the case of a Transport Inspector and Rupees twenty five in case of Transport Sub-Inspector and Assistant Transport Sub-Inspector.

(2) Notwithstanding anything contained in the Madhya Pradesh Civil Service (Classification, Control and Appeals) Rules, 1966 the following punishment be imposed on any member of the subordinate Transport service by the officer and

in the manner indicated herein below :-

(i) In the case of Transport Inspector, Transport Sub-Inspector and Assistant Transport Sub-Inspector, the Transport Commissioner or a Deputy Transport Commissioner may after obtaining the explanation of the defaulter and conducting such summary enquiry as they may deem fit, impose fine of an amount not exceeding one months pay.

(ii) In the case of Transport Head Constable and Transport Constable, the Transport Commissioner, Deputy Transport Commissioner, Assistant Transport Commissioner or Regional Transport Officer or Additional Regional Transport Officer may after obtaining the explanation of the defaulter and conducting such summary enquiry as they may deem fit, impose a fine of an amount not exceeding one months pay.

(3) An appeal against the order of a Deputy Transport Commissioner, Assistant Transport Commissioner, Regional Transport Officer or Additional Regional Transport Officer shall lie to the Transport Commissioner whose orders shall be final.

251. Repeal and Savings :-

On the commencement of these rules, the Madhya Pradesh Motor Vehicles Rules, 1974, the Madhya Pradesh State Transport Appellate Tribunal (Appeal and Revision) Rules, 1972, the Madhya Pradesh Motor Vehicles (National Permits) Rules, 1975, the Madhya Pradesh Motor Vehicles (Payment of Fee) Rules, 1974, and the Madhya Pradesh Licensing of Agents, Collecting, Forwarding and Distributing Rules, 1972, in force in the State immediately before the commencement of these rules, shall stand repealed :

Provided that anything done or any action taken under any of the said rules so repealed, shall be deemed to have been done or action taken under the corresponding provisions of these rules unless such thing or action is inconsistent with any of the provisions of these rules.