

Haryana Motor Vehicles Rules, 1993

[30 July 1993]

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Haryana Motor Vehicles Rules, 1993

[30 July 1993]

G.S.R.44/C.A.59/88/S.28, 38, 65, 93, 95,96, 107, 111 & 213/93.-

- In exercise of the powers conferred by Sections 28, 38, 65, 93, 95, 96, 107, 111 and 213 of the MOTOR VEHICLES ACT, 1988 (Central Act of 1988) and all other powers enabling him in this behalf, the Governor of Haryana is hereby makes the following rules, namely :-

CHAPTER 1 PRELIMINARY

1. Short title and commencement :-

These rules may be called the Haryana Motor Vehicles Rules, 1993.

2. Definitions :-

In these rules, unless there is anything repungnant to the subject or context:-

(a) "Act" means the Motor Vehicles Act, 1988 (Central Act 59 of 1988);

(b) "Board of Inspection" means a Board of Inspection constituted under rule 37;

(c) "Central Rules" means the Central Motor Vehicles Rules, 1989;

(d) "Chapter" means a Chapter of these rules;

(e) "Government" means the Government of the State of Haryana in the Administrative Department;

(f) "Passenger" for the purposes of Chapters V and XII means any person traveling in a public service or any other employee of the permit holder while on duty;

(g) "Section" means a section of the Act;

(h) "State" means the State of Haryana;

(i) "Stand" means a place duly appointed as stand under Chapter IX of these rules;

- (j) "Transport Commissioner" means the Transport Commissioner, Haryana appointed as such by the Government;
- (k) "Transport Society" means a transport society registered as such under Section 4 of the Haryana Co-operative Societies Act, 1984;
- (l) "Transport Company" means a transport registered as such under the Companies Act, 1956;
- (m) "Transport firm" means a transport firm registered as such under the Indian Partnership Act, 1932;
- (n) "Urban Area" means the area of a Municipal Corporation, Municipality, urban estate, small town or cantonment or other local area which may be specially notified by the State Government as an urban area; and
- (o) Wherever, the Haryana Motor Vehicles Rules, 1993, are silent, the Central Motor Vehicles Rules, 1989, shall be applicable.

CHAPTER 2 LICENSING OF DRIVERS OF MOTOR VEHICLES

3. Licensing Authority [Section 28(2)(a)] :-

(1) Each of the Sub-Divisional Officer (Civil) shall be the licensing authority for Motor Cycles, and for all light motor vehicles and each of Secretary, Regional Transport Authorities in the State shall be the licensing authority for Medium Goods Vehicles, Medium Passenger Motor Vehicles, Heavy Goods Vehicles and Heavy Passenger Motor Vehicles for the Area for which he is appointed as such, to issue licenses under Chapter II or as Chapter III of the Act as the case may be and includes such other officer who is appointed in this behalf by the Government.

(2) The area of jurisdiction of each licensing authority shall be the area of the district/districts for which he is appointed as such or such other area as may be specified by the Government in this behalf.

4. Procedure for Processing application for driving license [Section 28] :-

On receipt of an application for grant of a learners license or driving license, as the case may be, in terms of the provisions of Section 8 or Section 9, the licensing authority shall process the application for the grant of a license under the provisions of the Act.

5. Licensing Authority to conduct the test [Section 28] :-

(1) If the application for grant of a license is found in order under rule 4, the test for a learners license specified in rule 11 and for a driving license specified in rule 15 of the Central Rules shall be conducted by the licensing authority.

(2) For the purpose of test in terms of sub-rule (1) the applicant shall produce himself at such time and place as may be specified by the licensing authority and bring with him a serviceable vehicle of the class to which the application belongs for testing purposes.

6. Photograph to be signed by licensing authority [Section 28] :-

(1) The photograph of the holder of the license when affixed to the license shall be sealed with the seal of the licensing authority in such a manner that a part of the impression to the seal is upon the photograph and part on the margin.

(2) If at any time it appears to the licensing authority that the photograph affixed to a license has ceased to be a clear likeness of the holder, the licensing authority may require the holder to surrender the license forthwith and to furnish two clear copies of a recent photograph of himself and holder shall, within such time as the licensing authority may specify, appear in person before the licensing authority and present the photograph accordingly.

(3) Upon receipt of the copies of the photograph in terms of the provisions of subrule(2), the licensing authority shall remove the old photograph from the license the seal thereto on one copy of the new photograph and return the license to the holder of license and shall, if he is not he licensing authority by whom the license was issued forward the second copy of the photograph to that authority. Provides that if the holder of the license so desires, the licensing authority shall issue a duplicate license with the new photograph affixed thereto and shall destroy the original license.

(4) When a new photograph is affixed to a license, a note shall be made upon the photograph of the date of affixture.

(5) The fee for a duplicate license issued under the proviso to sub-rule (3) shall be rupees ten.

7. Appellate authority [Sections 17, 19 and 28] :-

The appellate authority for the purposes of sub-section (2) of Section 17 and sub-section (3) of section 19 shall be the Transport Commissioner, or Additional Transport Commissioner, Additional State Transport Controller, Joint Transport Controller as the case

may be.

8. Conduct and hearing of appeals [Sections 28(2)(b)] :-

(1) An appeal under subsection (2) of Section 17 or sub-section (3) of section 19 shall be preferred in duplicate in the form of a memorandum, one copy of which shall bear a cash receipt of a treasury challan under head "0041-Taxes on Vehicles-800-Other Receipts" of rupees ten, setting forth concisely the grounds of objection to the order of the licensing authority and shall be accompanied by a certified copy of the order appealed against.

(2) When an appeal is preferred under sub-rule (1) a notice shall be issued by an appellate authority to the licensing authority concerned in such form as the appellate authority may specify.

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

(4) Any person preferring an appeal under sub-rule (1) may obtain a copy of any document filed with the licensing authority in connection with the orders appealed against on payment of a fee at the rate of rupees two per page.

(5) Any person preferring an appeal under sub-rule (1) shall be entitled to inspect the file of the appellate authority by making an application bearing cash receipt or a treasury challan under head "0741-Taxes on Vehicles-800-Other Receipts", or,--

(a) in respect of urgent inspection rupees ten; and

(b) in respect of ordinary inspection rupees five.

(6) A copy of the order made by appellate authority in appeal may be obtained on payment of a fee at the rate of rupees two per page.

9. Authority for making appointment of Medical Officer [Sections 8(3) and 28(2)(e)] :-

(1) the Chairman of the State Transport Authority in consultation with the Chief Medical Officer of the district concerned shall be the authorized person to appoint Medical Officer of each Government hospital/dispensary or of a Primary Health Centre, or registered medical practitioner having Bachelor of Medicine and Bachelor of Surgery (M.B.B.S.) degree or a Doctor attached to the Establishment of Army and other defence services located in the State for the purposes of sub-section (3) of Section 8.

(2) The fee payable for issue of medical certificate under sub-section (3) of section 8 shall be rupees fifteen and shall be deposited under the appropriate head of account of the Department of Health and Family Welfare of the Government of Haryana where the examination is conducted.

10. Licenses lost or destroyed [Section 28(2)(c)] :-

(1) If at any time the license is lost by the holder or is destroyed the holder there of shall forthwith intimate the facts in Form HR No.1 or in a letter setting out the particulars required by the Form HR No.1 to the licensing authority in whose area he has his place of residence.

(2) Upon the receipt of intimation under sub-rule (1), the licensing authority shall, if it is not the licensing authority by whom the license was issued apply to that licensing authority for particulars of the license and after making such enquiries as it thinks fit, shall, if it is satisfied that a duplicate may properly be issued, issue a duplicate license.

(3) Where a photograph has become obsolete, the holder of the license shall furnish the licensing authority with two clear copies of a recent photograph of himself, one of which shall be affixed to the duplicate license and the second one be kept in record.

(4) The fee for a duplicate license to be issued under this rule shall be rupees twenty five:

Provided that if the license is lost while in the custody of a Court or a n authority to which it has been submitted or surrendered in pursuance of the provisions of the Act or these rules, a duplicate copy shall be issued free of charge.

(5) When a duplicate license has been issued upon a representation that a license has been lost and the original license is afterwards found by the holder, he shall deliver the original license forthwith to the licensing authority but the fee so paid for the issue of duplicate license shall not be refundable.

(6) Any person find a driving license shall deliver it to the holder of the license or to the nearest police station.

11. Mutilated license [Section 28(2)(c)] :-

(1) If at any time it appears to a licensing authority that a license held by any person is so torn or defaced that it has ceased to be reasonably legible or that any important part of the original license has been detached or is missing or that any unauthorized

alterations have been made, the licensing authority may impound the license and issue a duplicate license.

(2) If any of the entries are illegible or are missing or it appears that they have been detached or altered without authority, the licensing authority shall, if it is not the licensing authority by whom the license was issued, apply to that authority for particulars of the license and after making such enquires as he thinks fit shall, if it is satisfied that duplicate may properly be issued, issue a duplicate license.

(3) If a license impounded under this rule is required to have a photograph of the holder affixed thereto, the -

(a) if the photograph on the impounded license is in the opinion of the licensing authority satisfactory and conveniently transferable to the duplicate license, the licensing authority may, so transfer, affix and seal the photograph to the duplicate license; and

(b) if the photograph affixed to the license impounded is not in the opinion of the licensing authority such, as can be transferred to the duplicate license, the holder of the license shall, on the demand of the licensing authority furnish two clear copies of recent photograph of himself, one of which shall be affixed to the duplicate license and sealed.

(4) The fee for a duplicate license issued under this rule shall be rupees ten.

12. Issue of duplicate license [Section 98(2)(c)] :-

When a duplicate license is issued 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.

13. Temporary authorization in lieu of license [Section 28(2)(c) and Section 206] :-

(1) when the holder of a license has surrendered it to a licensing authority for renewal or obtaining an addition to drive a public service vehicle under Section 11 or for any other purpose under the Act or these rules and has deposited the fee as specified under rule 32 of the Central Rules for this purpose and the license so surrendered has not been suspended or cancelled. The licensing authority or other authority to whom the license has been surrendered shall furnish him with a receipt for the license in Form HR No.2 or in Form HR No.3 and during the period specified in the receipt so furnished it may be produced in place of the license

under Section 130 and under sub-section (3) of Section 206.

(2) The licensing authority, a police officer or any other person authorized by the Government may extend the term of the receipt issued under sub-rule (1) by an order endorsed thereon.

(3) No fee shall be payable in respect of a receipt given under this rule.

14. Communication of particulars of license [Section 28(2)(g)] :-

(1) A licensing authority taking possession of a license under Section 19 shall, if the license was issued under the Act and was granted by another licensing authority, intimate that fact to the authority, by whom the license was issued.

(2) The particulars of the persons disqualified from holding or obtaining a driving license and the particulars of persons convicted under Section 182 shall be published in the Official Gazette and entry to that effect shall be made in the State Register of driving license maintained under Section 26.

15. Intimation to original licensing authority of endorsement & renewals [Section 28(2)(g)] :-

(1) The Court or authority making or causing to be made an endorsement on a license regarding disqualification under Section 24 shall send intimation thereof in Form HR No.4 to the licensing authority by whom the license was issued.

(2) A licensing authority renewing a license under the provisions of sub-section (6) of Section 15 shall intimate in Form HR No.5 the fact of renewal to the licensing authority by whom the licensing authority by whom the license so renewed was issued.

(3) A licensing authority adding to the classes of vehicle under which a license authorizes the holder to drive vehicles under sub-section (3) Section 6 shall, if it is not the authority by whom the license was issued. Intimate the addition so made to that authority in Form HR No.6.

16. Change of address [Section 28(2)(g)] :-

The holder of a license entitling him to drive as a paid employee or to drive a public service vehicle, shall except in the case of a temporary absence not involving a change of residence for a period exceeding three months, report any change of his temporary or

permanent address as given on the license to the licensing authority by whom the license was issued and to the licensing authority by whom it was last renewed.

17. Exemption from the payment of fees [Section 28(2)(f)]

:-

(1) Fees specified under rule 32 of the Central Rules shall not be charged from a person, if he is or has been serving in any army unit abroad or in the field area of the defense services of the Union whether employed on driving motor vehicles or otherwise;

Provided that such a person shall also be eligible for the aforesaid exemption if he makes an application for the grant or renewal of a license within three month of his return from the service abroad or as the case may be, from the field area.

(2) Ex-Military drivers other than commissioned officers and junior commissioned officers shall be eligible for grant of a driving license without payment of any fee specified for the purpose under rule 32 of the Central Rules.

18. Drivers badge [Section 28(2)(d)] :-

(1) The driver of a stage carriage or a contract carriage shall display on his left breast, a metal badge in the form specified in the First Schedule to these rules issued to him by the concerned licensing authority and inscribed with the name of the authority by which an authorization to drive a stage carriage or a contract carriage has been granted and the word, "DRIVER" together with an identification number :

Provided that a driver shall not hold more than one badge.

(2) The fee for the issue of badge under sub-rule (1) shall be rupees ten and if the badge is lost or destroyed, a duplicate badge shall be issued by the authority by which it was issued on payment of rupees ten.

(3) No driver shall lend or transfer the badge issued to him under sub-rule (1) to any other person and no driver shall wear a badge other than one issued to him by the licensing authority.

(4) Any person finding a drivers badge shall, unless he returns the same to the holder, forthwith surrender it to the licensing authority by which it was issued or to a police officer of the nearest police station.

(5) If at any time the authorization on a drivers license entitling him to drive a stage carriage or a contract carriage is suspended or

revoked by any licensing authority or by any Court or ceases to be valid by the efflux of time, the driver shall surrender the badge to the authority by which it was issued within seven days from the date of suspension or revocation or from the date of expiry of the license, as the case may be.

19. Duties, functions and conduct of drivers of transport vehicle [Section 28(2)(h)] :-

Driver of a transport vehicle shall :-

- (i) be responsible for the due observance of the provisions of the Act and of these rules and conditions of the permit relating to vehicle.
- (ii) not to smoke in or on a vehicle during a journey or when it has passengers on board;
- (iii) behave in a civil and orderly manner to passengers on board;
- (iv) be cleanly dressed in such a manner as the State Transport Authority may specify;
- (v) maintain the vehicle in, clean and sanitary condition;
- (vi) not interfere with persons mounting or preparing to mount upon any other vehicle;
- (vii) not allow any person to be carried in any public service vehicle in excess of 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 standing in the vehicle;
- (viii) not willfully deceive or refuse to inform any passenger of intending passenger as to the destination or route of the vehicle;
- (ix) not save for good and sufficient reasons, refused to carry any person tendering the legal fare;
- (x) take all reasonable precautions to ensure that passengers are not endangered or unduly inconvenienced by the presence of the goods where goods are carried on the vehicle in addition to passengers;
- (xi) not save for good and sufficient reasons require any person who has paid legal fare to alight from the vehicle before the conclusion of the journey;
- (xii) 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 dispatch;
- (xiii) arrange to convey the passengers to their destination on some other similar vehicle in the event of a stage carriage being unable

to proceed to its destination on account of mechanical breakdown or other cause beyond his control;

(xiv) not in the case of a stage carriage cause or allow anything to be placed in the vehicle in such a manner as to obstruct the entry or exit of passengers;

(xv) take due care for the safe carriage of luggage belonging to the passengers;

(xvi) take all reasonable precautions to ensure that safety of passengers in or on entering or alighting from the vehicle;

(xvii) not, when the vehicle is in motion, distract his attention without reasonable cause or speak to any person unless it is absolutely necessary so to do;

(xviii) take all reasonable precaution to ensure that all means provided for indicating the route fares and destination of the vehicle are clearly and correctly displayed in or on the vehicle;

(xix) follow the signaling devices provided for starting and stopping the vehicle;

(xx) not come on duty under the influence of any intoxicant;

(xxi) not allow any passenger or some other person such as vendor; hawker or seller, to beg, sell or offer any article for sale in or on the vehicle; and

(xxii) embark/disembark passengers at every prescribed stage in accordance with time table of the route mentioned in the permit;

(xxiii) not halt the vehicle at any point other than the approved stage;

(xxiv) take the vehicle to the Bus Stand;

(xxv) shall carry spare wheel and necessary tools.

20. Driver not to allow to travel certain persons [Section 28(2)(a)] :-

(1) No driver shall cause or allow to enter into or to be placed or carried in the vehicle any person who he knows or has reason to believe to have been suffering from any infectious or contagious disease or the corpse of any person whom he knows or has reason to believe to have been suffering from any such disease.

(2) Notwithstanding the provisions of sub-rule (1), the drivers may upon a request in writing, by Government Medical Officer allow a person suffering from an infectious or contagious disease to be carried in a transport vehicle;

Provided that no other person save a person or persons, in attendance on the sick person shall be carried in the transport

vehicle at the same time.

(3) When a person suffering from any infectious or contagious disease or the corpse of any such person has been carried in a transport vehicle, the driver of the vehicle shall be responsible to report that fact to a Government Medical Officer of the area concerned and to the owner of the vehicle, and neither the owner nor the driver shall cause or allow any person to use the vehicle until the driver and the vehicle have been disinfected in such manner as the Government Medical Officer may specify and a certificate to that effect has been obtained from the Government Medical Officer.

21. State register of driving licenses [Section 28(2)(j)] :-

(1) The State Register of driving licenses shall be maintained in duplicate in the office of the Transport Commissioner in Form 10 appended to the Central Rules.

(2) The State Register of driving licenses shall also be maintained in triplicate in the office of each of the licensing authorities in the referred to in sub-rule (1) and copy of each page of it in duplicate, shall be forwarded to the Transport Commissioner every month. Each entry on the said Register shall be attested by the licensing authority or by a person so authorized to sign by the Transport Commissioner.

CHAPTER 3 LICENSING OF CONDUCTORS OF STATE CARRIAGE

22. Application for grant of conductors license [Sections 30 and 38(2)(a)] :-

(1) An application for the grant or counter signature of a conductors license shall be made in Form H.R.No.7 to the licensing authority of the area of jurisdiction where the applicant resides or carries on business and shall be accompanied by :-

- (i) two clear copies of recent photographs of the applicant;
- (ii) a cash receipt or a treasury challan in token of payment of fee; and
- (iii) a medical certificate of fitness from a Government Medical Officer authorized by the Transport Commissioner on the recommendations of the Chief Medical Officer of the area of jurisdiction concerned for this purpose along with a certificate issued by the Saint Johns Ambulance or any of its units in the State in Form H.R.No.8.

(2) In the case of an application for grant of a conductors license of the licensing authority has reason to believe that the applicant is physically unfit to perform the duties of a conductor, it may call upon him to furnish a third copy of his clear and recent photograph in addition to the photographs already furnished under sub-rule (1) and to produce another medical certificate of fitness in Form H.R.No. 9 from a Medical Board appointed by the Transport Commissioner, Haryana on the recommendations of the Chief Medical Officer of the area of jurisdiction concerned for this purpose and the photographs so furnished should be firmly affixed with the application duly signed and sealed by the Government Medical Officer.

(3) No person shall be eligible to make application under sub-rule (1) for the grant of conductors license, unless, he

(i) is a Matriculate with Hindi as one of the subject;

(ii) possesses knowledge of the provisions of the Act and the rules made thereunder;

(iii) is conversant with the duties and functions of a conductor;

(iv) is of a sound physique; and

(v) gives satisfactory proof of his good character;

(4) if the application for the grant of a conductors license is found to be in order by the licensing authority and the requirements of the provisions of Chapter III of the Act are met with, it may grant a conductors license in Form HR No.10 which shall be valid for a period of five years from the date of issue and shall be effective throughout the State.

23. Countersignatures of conductors license. [Section 38(2)(i)] :-

A conductors license issued by a licensing authority having jurisdiction outside the State shall not be effective in the state, unless it is countersigned under the authority of a licensing authority having jurisdiction in the State in the manner as is applicable for renewal of a conductors license.

24. Renewal of Conductors license. [Section 30 & 38(2)(e)] :-

(1) An application for renewal of a conductors license shall be made to the licensing authority in Form H.R.No.11 thirty days before the expiry of the license and shall be accompanied by a cash receipt or treasury challan in token of payment of fee for renewal of the

license.

(2) If the licensing authority finds the application for renewal of a conductors license in order, it may renew the same by making an entry to that effect in the license and renewal shall be valid for a period of five years from the date of the expiry of the license;

Provided that if the authority renewing the license is not the authority, which issued the license, the authority renewing the license shall intimate the fact of renewal to the authority which issued the license.

25. Liability for producing medical certificate. [Section 31(2)(b)] :-

A person who has been authorized to act as a conductor of the stage carriage before the commencement of these rules shall within a period of twelve months from the date of such commencement, produce a medical certificate from the authority specified under rule 21 failing which he shall be disqualified under Section 31 to act as a conductor.

26. Grant of duplicate conductors license. [Section 38(2)(f)] :-

If at any time conductor license is lost or destroyed or mutilated or the photograph affixed thereto cases, in the opinion of the licensing authority, to be of reasonable likeness of the holder, the licensing authority shall proceed in such case in accordance with the provisions contained in rule 10 or as the case may be.

27. Appellate Authority. [Sections 33, 34 and 38] :-

The appellate authority for the purpose of sub-section (2) of Section 33 and sub-section (4) of Section 34 shall be Transport Commissioner, Additional Transport Commissioner, Additional State Transport Controller/Joint State Transport Controller.

28. Conduct and hearing of appeals. [Section 38(2)(g)] :-

(1) An appeal under subsection (2) of Section 33 or sub-section (4) of Section 34 shall be preferred in duplicate in the form of a memorandum one copy of which shall bear a cash receipt/challan of rupees twenty setting forth concisely the grounds of objections to the order of licensing authority and shall be accompanied by a certified copy of the order appealed against.

- (2) When an appeal is preferred, the appellate authority shall issue a notice to the licensing authority against whose order the appeal is preferred and cause it to send the relevant record.
- (3) The appellate authority may, after giving an opportunity to the parties to be heard and after such further enquiry, if any, as it may deem necessary, confirm, vary or set aside the order against which the appeal is preferred and shall make an order accordingly.
- (4) Any person preferring an appeal under sub-rule (1) shall be entitled to obtain a copy of any document filed with licensing authority in connection with the order appealed against on payment of fee at the rate of rupees two per page.
- (5) Any person preferring an appeal shall be entitled to inspect the file of the appellate authority by making an application bearing a cash receipt or a treasury challan of :-
- (a) in respect of an urgent inspection rupees ten; and
- (b) in respect of an ordinary inspection rupees five.
- (6) A copy of the order made by the appellate authority in appeal may be obtained on payment of a fee at the rate of rupees two per page.

29. Conductors Badge. [Section 38(2)(h)] :-

- (1) The conductor, of a state carriage shall display on his left breast a metal badge in the form specified in the first Schedule to these rules issued by the licensing authority inscribed with the name of the licensing authority by whom the conductors license is granted and the word "Conductor" together with the identification number.
- (2) A conductor shall not hold more than one badge issued by a licensing authority in the State.
- (3) The fee for the issue of a Conductors badge shall be rupees five and if the badge shall be issued by the licensing authority which issued it on payment of rupees ten.
- (4) If at any time a conductor is disqualified for holding conductors license or his license is revoked by the licensing authority or by any court or it ceases to be valid by the efflux of time, the conductor shall within seven days from such disqualification, revocation or efflux, as the case may be, surrender the badge to the authority by which it was issued.

30. Badge not to be transferred. [Section 38(2)(h)] :-

- (1) No conductor shall lend or transfer his badge to any other person and no conductor shall wear a badge other than one issued

to him by the licensing authority.

(2) Any person finding a conductors badge shall, unless returns the same to the holder forthwith surrender it to the licensing authority by which it was issued or to a police officer.

31. Driver performing the duties of conductor. [Section 38(2)(b)] :-

Any driver of stage carriage may perform the duty of a conductor of a stage carriage temporarily for a period not exceeding ten days without getting a conductors license when he is so authorized with the prior approval of the Regional Transport Authority concerned, by any officer not below the rank of a Traffic Manager in the case of a State Transport Undertaking;

Provided that such driver should be able to perform the first aid duties and should possess educational qualifications as specified in sub-rule (3) of rule 22 for obtaining conductors license.

32. Duties, functions and conduct of a conductor. [Section 38(2)(c) and (n)] :-

The conductor of a stage carriage shall :-

(i) charge fares specified for the journeys or stages of the journeys and shall issue tickets to all the passengers and shall ensure that no one travels without a valid ticket indicating starting and terminating point;

(ii) not smoke in a or on a vehicle during a journey or when it has passenger on board;

(iii) behave in a civil and orderly manner to passenger and intending passengers;

(iv) be cleanly dressed in such manner as the State Transport Authority may specify;

(v) maintain the vehicle in a clean and sanitary condition;

(vi) not interfere with persons mounting or preparing to mount upon any other vehicle;

(vii) not allow any person to be carried in public service vehicle in excess of 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 standing in the vehicle;

(viii) not willfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare for any journey;

(ix) not, save for good and sufficient reason, refuse to carry any

person tendering the legal fare;

(x) take all reasonable precautions to ensure that passengers are not endangered or unduly inconvenienced by the presence of the goods, where goods are carried on the vehicle in addition to the passenger;

(xi) not save for good and sufficient reasons, require any person who has paid the legal fare to alight from the vehicle before the conclusion of the journey;

(xii) 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 dispatch;

(xiii) in the event of a stage carriage being unable to proceed to its destination on account of mechanical breakdown or other cause beyond his control or the driver, arrange to convey the passengers to their destination in some other similar vehicle, or if unable to arrange within a period of one hour after the failure of the vehicle, shall on demand refund to each passenger a proper proportion of the fare relating to the completion of the journey for which the passenger had paid the fare;

(xiv) not in the case of a stage carriage cause or allow anything to be placed in the vehicle in such a manner as to obstruct the entry or exit of passenger;

(xv) pay the fee fixed under sub-rule (3) of rule, 195, when using a stand and comply with any relevant condition subject to which the place is authorized as a stand;

(xvi) take due care for the safe carriage of luggage belonging to the passenger;

(xvii) take all reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the vehicle;

(xviii) not when the vehicle is in motion, distract his attention, without reasonable cause or speak to any person unless it is absolutely necessary so to do;

(xix) take all reasonable precautions to ensure that all means provided for indicating the route fares and destination of the vehicle are clearly and correctly displayed in or on the vehicle;

(xx) follow the signaling device provided for starting and stopping the vehicle and in no circumstances must the vehicle be started by shouting to the driver stamping the feet, tapping on the partition or by other unauthorized methods of signaling;

(xxi) not argue with passengers and must give his name and badge number when asked to do so;

- (xxii) not come on duty under the influence of any intoxicant;
- (xxiii) assist the passengers in loading and unloading their luggage on way side halts;
- (xxiv) not allow any passenger or some other person such as vendor, hawker or seller to beg, or offer any article for sale in or on vehicle; and
- (xxv) get down from the vehicle on approaching a level crossing and proceed ahead after ensuring that no train is approaching.

CHAPTER 4 REGISTRATION OF MOTOR VEHICLES

33. Registering Authority. [Section 65(2)(b)] :-

(1) Each of the Sub Divisional Officer (C) in the State shall be the registering authority for the purpose of registration of the non-transport vehicle within his jurisdiction.

Provided that for the purpose of registration of transport vehicles the registering authority shall be the Secretary, Regional Transport Authority for his territorial jurisdiction.

33A. Allotment of registration mark to non-transport and transport vehicles [Section 65(2)(b) & (p)] :-

(1) The Government shall reserve such preferential registration numbers as shown in the table to be assigned to the vehicles of the Government or of any person and the same shall be allotted to a person after payment of additional fee as specified in the Table.

(2) On receipt of an application, the registering authority shall, while assigning the registration mark as laid down in the notification issued by the Central Government, assign the registration number which strictly falls in serial after the last registration mark assigned to non-transport vehicles and transport vehicles.

(3) The registering authority shall allot to the owner of motor vehicle (nontransport vehicle and transport vehicle) a registration mark of his choice from amongst the registration mark specified by the Government on payment of additional fee indicate below :

Sr.No.	Registration Number	Special Registration Fee
1	2	3
(A)	FOR NON-TRANSPORT VEHICLES	
1.	0001	Rs.25,000
2.	(a) 0002 to 0011	

	(b) 0022,0033,0044,0055,0066,0077,0088, 0099,0100,0101		Rs.15,000 for each number
3.	(a) 0012 to 0021 (b) 0023 to 0032 (c) 0034 to 0043 (d) 0045 to 0054 (e) 0056 to 0065 (f) 0067 to 0076 (g) 0078 to 0087 (h) 0089 to 0098 (i) 0111,0222,0333,0444,0555,0666,0777, 0888,0999 (j) 1111,2222,3333,4444,5555,6666,7777 8888,9999 (k) 0200,0300,0400,0500,0600,0700,0800, 0900 (l) 1000,2000,3000,4000,5000,6000,7000, 8000,9000		Rs.10,000 for each number
4.	(a) 0110,0121,0123,0151 (b) 0202,0212,0234 (c) 0303,0313,0323,0330,0345 (d) 0404,0414,0440,0456 (e) 0505,0515,0525,0550,0567,0575 (f) 0606,0616,0660,0678 (g) 0707,0717,0770,0786,0789 (h) 0808,0818,0880 (i) 0909,0919,0990 (j) 1010,1011,1112,1212,1234,1313, 1414,1515,1616,1717,1818,1919 (k) 2020,2021,2121,2323,2345, 2424,2525,2626,2727,2828,2929 (l) 3030,3031,3131,3232,3434,3456, 3535,3636,3737,3838,3939 (m) 4040,4042,4141,4242,4343, 4545,4567,4646,4747,4848,4949 (n) 5050,5051,5151,5252,5353, 5454,5656,5678,5757,5858,5959 (o) 6060,6061,6161,6262,6363, 6464,6565,6767,6789,6868,6969 (p) 7070,7071,7171,7272,7373, 7474,7575,7676,7878,7890,7979 (q) 8080,8081,8181,8282,8383, 8484,8585,8686,8787,8989 (r) 9090,9091,9191,9292,9393, 9494,9595,9696,9797,9898 (s) any other special or out of turn number		Rs.5,000 for each number
(B)	FOR TRANSPORT VEHICLE		

1.	0001	Rs.10,000
2.	(a) 0002 to 0011 (b) 0012 to 0021 (c) 0022,0033,0044,0055,0066,0077,0088, 0099,0100 d) 0111,0222,0234,0333,0345,0444,0456, 0555,0567,0666,0678,0777,0786,0789, 0888,0999 (e) 1111,2222,3333,4444,5555,6666,7777, 8888,9999 (f) Any other special or out of turn Rs.2,000 for each number	Rs.5,000 for each number

(4) As regards Government vehicles, the unutilized special registration marks shall be issued without charging any additional fee.

(5) If there is more than one application for a number received on the same date, the allotment shall be made through auction by the registering authority concerned.

(6) If a person holding any of the numbers from any previous series wants to retain that number for his new vehicle, he shall be charged half the rate of the group to which the old number falls.

(7) The fee in respect of preferential number paid once shall on no account be refunded.

34. Appellate authority. [Section 57 and 65(2)(b) and (p)]

:-

The Transport Commissioner or Additional Transport Commissioner/Additional State Transport Controller/Joint State Transport Controller as the case may be shall be appellate authority for the purpose of Section 57.

35. Conduct and hearing of appeals. [Section 65(2)(a)] :-

(1) An appeal under Section 57 shall be preferred in duplicate in the form of a memorandum, one copy of which shall bear cash receipt or treasury challan of rupees twenty setting for concisely the grounds of objection to the order to the registering authority or the Board of Inspection, as the case may be, and shall be accompanied by certified copy of the order appealed against.

(2) When an appeal is preferred, a notice shall be issued to the registering authority and in the case of an appeal against the order of the Board of Inspection to the Motor Vehicle Inspector, in such form as the appellate authority may direct and cause the relevant records to be sent.

(3) The appellate authority may, after giving an opportunity to the party to be heard and such further enquiry, if any, as it may deem necessary confirm, vary or set aside the order of registering authority or the Board of Inspection, as the case may be and shall make an order accordingly.

(4) Any person preferring an appeal under sub-rule (1) shall be entitled to obtain a copy of any document filed with the registering authority or the Board of Inspection in connection with the order appealed against and a copy of the order of the registering authority or the Board of Inspection on payment of a fee at the rate of rupees two per page.

(5) Any person preferring an appeal under sub-rule (1) shall be entitled to inspect the file of the appellate authority by making an application bearing a cash receipt or a treasury challan of --

(a) in respect of an urgent inspection: rupees ten;

(b) in respect of an ordinary inspection : rupees five.

(6) A copy of the order made by the appellate authority in appeal may be obtained on payment of a fee at the rate of rupees two per page.

36. Reference to expert. [Section 65(2)(a)] :-

(1) In the course of an appeal against a refusal to issue a certificate of fitness under Section 56, the applicant may demand at his own cost that the opinion of an expert accepted by himself and approved by the appellate authority may be taken.

(2) If the appellate authority accepts the demand for reference to an expert, it shall frame issue and refer the same to him for his opinion.

(3) Where reference under sub-rule (2) is made to an expert, his opinion shall be accepted as final.

37. Manner for exhibiting the particulars of transport vehicles. [Section 58(2), 65(2)(g)] :-

(1) Save in the case of a motor car, the particulars set forth in form HR No.12 shall be exhibited in a fixed frame inside the transport vehicles in the driver cabin in English letter and numerals.

(2) The full name of the transport company, transport society, transport firm owning the vehicle and registration mark as set forth in its registration certificate shall be exhibited on both sides of every transport vehicle in Hindi language or English block letter measuring 100 millimetres in height and 20 millimetres in

thickness; Provided that with the approval of the Regional Transport Authority concerned abbreviation of names may be used.

38. Board of Inspection for issue or renewal of certificates of fitness. [Section 56 and 65(2)(a)] :-

(1) The functions to grant or renew a certificate of fitness of a transport vehicle and all other functions which are to be discharged by a prescribed authority under Section 56 shall be performed by a Board of Inspection within their jurisdiction which may be laid down by the Transport Commissioner.

(2) A Board of Inspection shall consist of--

(a) any officer authorized by the Transport Commissioner; and (b) A Motor Vehicle Inspector.

(3) In the event of a difference of opinion between the members of a Board of Inspection regarding the fitness of a vehicle, the decision of the Board of Inspection shall be deemed to be that the vehicle is not fit and an order shall be made in the name of the Board of Inspection refusing to grant or renew the certificate of fitness or canceling the certificate of the fitness.

39. Application for certificate of fitness. [Section 65(2)(b)] :-

(1) For the grant or renewal of a certificate of fitness, a transport vehicle shall be presented to the Board of Inspection in whose functional area the vehicle, is kept;

Provided that the Board of Inspection shall keep in view, in addition to other matter the design of vehicle to be, of the type approved by the State Transport Authority for grant of a certificate of fitness.

(2) If owing to mechanical breakdown or other cause a transport vehicle is, at the time when, the certificate expires, outside the functional area of the Board of Inspection by which the certificate is to be renewed, any other Board of Inspection may, without prejudice to any penalty to which the owner may have become liable, if the vehicle is in the opinion of the Board of Inspection fit for use by endorsement in Form HR No.13 and subject to such conditions as the Board of Inspection may specify and authorize its continued use for such a time as may, reasonably necessary for the vehicle to return to the area of the Board of Inspection by which the certificate should be renewed. The vehicle may thereupon be driven to such area in accordance with such endorsement, but shall not be used after return to that area until the certificate has been

renewed.

40. Procedure of Board of Inspection. [Section 65(2)(b)] :-

(1) A Board of Inspection before which a vehicle is produced for the issue of renewal of a certificate of fitness may,--

(a) issue a certificate of fitness or renew the same in respect of the vehicle;

(b) defer decision regarding the issue or renewal of a certificate of fitness pending the ratification of certain defects;

(c) refuse to issue a certificate or renew the certificate;

Where the course specified in clause (b) is followed a Board of Inspection shall supply the owner of the vehicle or his agent with a list of the defects requiring corrections in Form HR No.14 and pending the carrying out of the repair shall suspend and impound any certificate of fitness previously in force in respect of the vehicle. In completing Form HR No.14, the Board of Inspection shall note the conditions under which it shall be permissible for the vehicle to be used pending the grant or renewal of the certificate. These conditions shall in no case permit the use of the vehicle for the conveyance of passengers for hire or reward or for the carriage of goods other than goods carried in connection with the repairing of the vehicle.

(2) If a Board of Inspection defers its decisions under clause (b) of sub-rule (1) in case of a renewal of certificate of fitness and supplies the owner of the vehicle or his agent with a list of defects in Form HR No.14 and if thereafter the vehicle is not produced for further examination within a period of two months or within such period as may have been specified by the Board of Inspection in Form HR No.14, the certificate of fitness shall be deemed to be cancelled with effect from the date of which its duration expires.

(3) In issuing or renewing a certificate of fitness a Board of Inspection shall endorse thereon the period for which the certificate of fitness shall remain effective in accordance with the provisions contained in rule 62 of the Central rules.

41. Report to be made when a certificate of fitness is cancelled or renewal is refused. [Section 65(2)(b)] :-

(1) A Board of Inspection shall intimate to the Regional Transport Authority by whom the permit of the vehicle was issued at the first instance and also to the registering authority of the District where the vehicle stands registered, the fact of cancellation of a

certificate of fitness or refusal to renew the certificate of fitness, as the case may be and in both the cases referred to above, a Board of Inspection shall impound the certificate of fitness and forward to the registering authority concerned.

42. Penalty for vehicles remained without fitness. [Section 65(2)(d) and Section 177] :-

The following composition fee penalties shall be charged in addition to the fee prescribed for the grant and renewal of certificate of fitness under rule 81 of the Central Rules :-

(i) Light Motor Vehicle Rupees 25 per month or part thereof

(ii) Medium goods vehicle/medium passenger motor vehicle.

Rupees 25 per month or part thereof

(iii) Heavy goods vehicle/heavy passenger motor vehicle.

Rupees 50 per month or part thereof

43. Temporary registration of motor vehicles. [Section 43 and Section 65(2)(b)] :-

(1) When for any reason it is impracticable for the purchaser of a new motor vehicle to obtain a registration certificate in the ordinary course owing to a temporary closure of the office of the registering authority, or for other reasons or where the purchaser of a new motor vehicle intends to export it at once beyond the limits of the State or to take it immediately to the district where he has his permanent residence or place of business, a temporary certificate of registration mark may be issued by the registering authority, firm of vehicles, dealer or manufacturer of vehicles appointed by the Government in this behalf, subject to the provisions of sub-rule (2) and the temporary certificate and registration mark shall for the time being serve all the purpose of a regular certificate of registration and registration mark;

Provided that the names of persons of the firms as aforesaid who shall be competent to sign the temporary certificate of registration shall be specified by the registering authority on the recommendations of the Transport Commissioner.

(2) A temporary certificate of registration or a temporary registration mark shall not be issued except in respect of a vehicle which has not previously been registered under the Act.

(3) Every application for a temporary certificate of registration shall be in writing and shall indicate the district or place where the vehicle is intended to be produced for permanent registration and

shall be supported by a certificate from the person or firm from whom the vehicle has been purchased indicating the date of purchase of the vehicle.

(4) On receipt of application in terms of the provisions of sub-rule (3), the registering authority, firm of vehicles, dealer or manufacturer authorized under sub-rule (1) may issue a temporary certificate of registration in "Form HR No.15 foil A".

(5) If the place in which it is intended permanently to register the vehicle is in India "foil B" of Form HR No.15 shall be dispatched immediately to the registering authority of the district in which it is to be registered and in the other cases the said foil B shall be dealt with according to such directions as may be issued by the Government from time to time. The counterfoil together with the application and its accompanying certificate shall be kept on record by the firm issuing the permit and shall be made available for the inspection of the registering authority for the district at the end of every calendar month or at such other intervals as the registering authority may direct. The counterfoils with the application and certificates, shall unless they are taken by the registering authority into his own charge, be preserved by the said firm for a period of not less than twelve months from the date of issue.

(6) In the case of vehicles intended to be permanently registered in the State, the registering authority receiving foil B under sub-rule (5) shall forthwith send an acknowledgement to the firm which issued kit and that firm shall attach the acknowledgement to the counterfoil.

(7) A firm issuing a temporary certificate of registration shall at the same time assign to the vehicle a mark to be displayed thereon in the manner specified in rule 51 of the Central Rules, the letters and figures composing the mark being in red on a yellow ground.

(8) The fee for temporary registration under this rule shall be half of the registration fee as specified in rule 81 of the Central Rules.

(9) To enable, the firm empowered under sub-rule (1) to fulfill the requirements of sub-rule (7) the registering authority of the district shall earmark a block of registration mark out of those assigned to the district for the purpose.

(10) Where a motor vehicle temporary registered is a chassis to which a body has not been attached and the same is detained in a workshop beyond the period of one month specified in sub-section (2) of Section 43 in such a case the registering authority may allow extension in temporary registration upto a period of twelve months on payment of fee at the rate of half of that specified for temporary

registration under sub-rule (8); Provided that for extension beyond the period of three months fee at the rate of rupees fifty for every month shall be charged.

44. Loss or destruction of certificate of Registration of a vehicle other than transport vehicle. [Section 65(2)(d)] :-

(1) If at any time the certificate of registration of a vehicle other than a transport vehicle is lost or destroyed, the owner shall forthwith intimate the facts, in writing to the registering authority by whom the certificate was issued or by whom the registration marks of the vehicle was assigned under Section 47 and shall apply in form 26 of the Central Rules to the said authority for the issue of a duplicate certificate.

(2) On receipt of an application under sub-rule (1) together with fee as specified in rule 81 of the Central Rules, the registering authority may, after making such enquiries as may appear necessary issue a duplicate certificate of registration in Form 23 of the Central Rules stamped "Duplicate" in red ink.

45. Loss or destruction of certificate of registration and certificate of fitness of a transport vehicle. [Section 65(2)(d)] :-

(1) If at any time the certificate of registration or the certificate of fitness of a transport vehicle is lost or destroyed, the owner shall forthwith intimate the fact, in writing, to the registering authority by whom the certificate of registration was issued or by whom the registration marks of the vehicle was assigned under Section 47 and shall apply in Form 26 of the Central Rules to the said registering authority for the issue of a duplicate certificate of registration and certificate of fitness.

(2) On receipt of an application under sub-rule (1) together with fee as specified in rule 81 of the Central Rules, the registering authority may, after making such enquiries as may appear necessary, issue a duplicate certificate of registration in Form 23 of the Central rules stamped "Duplication" in red ink.

46. Procedure when a lost certificate is subsequently found. [Section 65(2)(d)] :-

(1) When a duplicate certificate of fitness or certificate of registration has been issued upon representation of the holder

thereof that the original has been lost and if the original is afterwards found the original certificate of fitness or certificate of registration shall be delivered forthwith to the registering authority.

(2) Any person other than holder thereof finding a certificate of fitness or certificate of registration shall deliver it to the holder or the nearest police station.

47. Temporary receipt for certificate of registration or certificate of fitness taken into possession by a competent authority. [Section 65(2)(d)] :-

(1) When the holder of certificate of registration and a certificate of fitness of a transport vehicle has submitted them to a registering authority, Board of Inspection, a Court, a police officer or to any other person authorized by the Government under Section 206 for any purpose under the act or these rules and neither the certificate of registration nor the certificate of fitness has been suspended or cancelled, the authorities or the person as aforesaid shall furnish him with receipt for the certificate of registration in Form HR No.16 and during such times as the receipt shall be specified to remain in force it may be produced in place of the certificate of registration or the certificate of fitness under sub-section (1) of Section 130.

(2) Any authority or the person granting a receipt under sub-rule (1) may at his discretion extend the period thereof by order endorsing thereon.

(3) No fee shall be payable in respect of a receipt given under this rule.

48. Intimation of transfer of ownership, [Section 50 and 65(2)(i)] :-

(1) An intimation of transfer of ownership of a motor vehicle shall be made in Form HR No.17.

(2) A registering authority making any entry of transfer of ownership, if it is not the original registering authority shall communicate the transfer of ownership to the original registering authority in Form HR No.18.

49. Reassignment of registration marks. [Sections 47, 51 and 65(2)(b)] :-

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, of an agreement of hire purchase specified in the note on the certificate of registration and shall apply in Form HR No.19 to registering authority with whom the vehicle stands registered for transfer or the records of the vehicles.

50. Vehicle entering the State from outside. [Section 47 and 65(2)(p)] :-

When any motor vehicle which is not registered in the State has been kept therein for a period exceeding fourteen days, the owner or other person in-charge of the vehicle shall send intimation to the concerned registering authority of the district in which the motor vehicle is lying at the time of making the report and shall intimate :-

- (a) his name and permanent address and the address where the motor vehicle is kept for the time being;
 - (b) the registration mark of the motor vehicle;
 - (c) the mark and description of the motor vehicle; and
 - (d) in the case of transport vehicle the name of the authority within the State by whom the permit has been issued or countersigned;
- Provided that in case of transport vehicle covered by a permit having validity in the State, it shall be necessary to make a report under this rule only at the time of first entry in the State.

51. Delay in intimation of change in residence or place of business. [Sections 49(4) and 64(2)(k)] :-

(1) If the owner of a motor vehicle fails to comply with the provisions of sub-section (1) of Section 49, the registering authority may require him to pay the following amount, namely :-

- (a) for delay exceeding thirty days but not exceeding three months
Rupees 10
- (b) for delay exceeding three months but not exceeding six months
Rupees 20
- (c) for delay exceeding six months but not exceeding nine months
Rupees 40
- (d) for delay exceeding nine months but not exceeding twelve months
Rupees 60
- (e) for delay exceeding one year but not exceeding two years
Rupees 80
- (f) for delay exceeding two years
Rupees 100

52. Exemption of road-rollers and the like. [Section 65(2)(c)] :-

The provisions of Chapter IV of the Act and the rules of this Chapter shall not apply to the road-rollers, graders and other vehicles designed and used solely for the construction, repair and cleaning roads, and which are owned by the Government.

53. Intimation to financiers. [Section 5(10)] :-

Intimation regarding any entry in the certificate of registration, as required under sub-section (10) and (11) of Section 51 of the Act shall be made to the financier in Form HR No.20 by the registering authority immediately on the date of such entry being made.

54. Information of stolen and recovered vehicle. [Sections 62 and 65(2)(n)] :-

The returns regarding vehicle which have been stolen and stolen vehicles which have been recovered of which the police are aware under Section 62 shall be sent every month to the Transport Commissioner in Form No.21.

CHAPTER 5 CONTROL OF TRANSPORT VEHICLE

55. Conditions for issuing directions by the State Transport Authority. [Section 68(4) and 96(2)(xxxiii)] :-

While issuing directions under sub-section (4) of Section 68 of the State Transport Authority shall ensure that there is no undesirable and uneconomic competition amongst the holders of the permits but it shall also ensure that in case of stage carriage every village having metalled road is linked to the specified route of permit.

56. Forms of application. [Section 96(2)(iv)] :-

Application for grant of permit of vehicles under Section 70, Section 73, Section 77 or Section 87 shall be made by the owner under his signature in the following forms mentioned against each, namely :-
Description of Vehicle Form

	Description of Vehicle	Form
(i)	Stage Carriage	HR No.22
(ii)	Contract Carriage	HR No.23
(iii)	Private Service Vehicles	HR No.24

(iv)	Goods Carriage Permit- (a) For or in connection with trade or business (b) for hire or reward	HR No.25 HR No.26
(v)	Temporary permit	HR No.27
(vi)	Special permit under Section 88(8)	HR No.28

57. Particulars of Application. [Section 96(2)(iv)] :-

An application for grant of a vehicle made under Section 70, Section 73, Sections 76, 77 and Section 87 shall be accompanied by the following documents, namely :-

- (i) Cash receipt or treasury challan regarding payment of application fee;
- (ii) Certificate of Schedule Caste (in case the application is made for grant of a permit against reserved percentage);
- (iii) Affidavit to the effect that the applicant, held at any time any temporary or regular permit, and if so, the details of permits previously held alongwith number of vehicles in the fleet and arrangement for their housing and repair, individually or as a member of a Transport Society, Transport Company or a Transport firm;
- (iv) Particulars of partners or members of the transport society, transport company or transport firm alongwith certificate from the Registrar, Co-operative Societies, Haryana the Registrar of Firms, Haryana or the Registrar of Companies as the case may be, such partners or members;
- (v) Clearance certificate regarding payment of taxes and no objection certificate from the financier for each vehicle; and
- (vi) discharge certificate in case of being an ex-serviceman.

58. Forms of permits. [Section 96(2)(iv) and 88] :-

(1) A permit under Sections 72, 74, 76, 79, 80 and Section 87 shall be in the following forms, namely :- Description of Vehicle Form

	Description of Vehicle	Form
(i)	Stage Carriage	HR No.30
(ii)	Contract Carriage	HR No.31
(iii)	Private Service Vehicles	HR No.29
(iv)	Goods Carriage Permit- (a) For or in connection with trade or business (b) for hire or reward	HR No.32 HR No.33
(v)	Temporary permit	HR No.35
(vi)	Special permit under	HR No.28
(vii)	National Permit	HR No.34

(2) Save in the case of a temporary permit, every permit shall be in two parts A and B. One copy of part A shall be issued together with a number of copies of Part B equal to the number of vehicles which the holders of the permits is permitted to have in use on the road at any one time. Each such copy shall carry in addition to the number of permit a separate serial number contained in brackets after the number of the permits is issued and shall be sealed and signed by the authority by which the permits is issued and by the authority by which the permit is countersigned.

(3) The holder of a permit shall cause the relevant copy of part B thereof or the temporary permit, as the case may be, to be carried in a frame or other suitable container for gaining access to the vehicle and shall maintain it in a clean and legible condition.

59. Extension of validity of permits. [Section 88(1) and 96(2)(xi)] :-

(1) With the concerns of the other Regional Transport Authority, a Regional Transport Authority which issues a permit to any other region than a permit in Form HR No.16 may extend the effect of the permit to any other region or part of a region within the State and may attach conditions of the permit with respect to such other region and may vary the conditions of the permit in different regions, provided always that in the case of stage carriages the vehicle to which the permit refers are normally kept within the region of the Regional Transport Authority and subject to the other provisions of the rules.

(2) An authority outside the State may with the concurrence of the State Transport Authority and subject to any condition which may be mutually agreed upon by the two State Transport Authorities concerned, extend the effect of any permit to the whole of the State or to any route or area therein.

(3) A permit granted by the State Transport Authority or a Regional Transport Authority of any of the signatory states of the agreement referred to in sub-section (4) of Section 88 in terms of such agreement shall be valid without countersignature, in the State of all National and State Highways specified in that agreement.

(4) That State Transport Authority or a Regional Transport Authority which issues a permit under sub-rule (1) of sub-rule (2) as the case may be, shall send a copy of the permit to his counterpart of the other State of region in which the permit has to take effect.

59A. Delegation of powers. [Section 68(5)] :-

Regional Transport Authority may delegate its powers on functions

under sub-section 5 of Section 68 of the Act to Sub- Divisional Officer (Civil) in case of maxicab and motorcab for the purpose of grant of contract carriage permit under its jurisdiction.

60. Application fee for grant or renewal of permit.[Section 96(2)(vii) and (viii)] :-

(1) Every application for the grant or renewal of a permit under the Act shall be accompanied by the fee as mentioned below in cash :-

		Rs.
(a)	For grant of a goods carriage permit	100.00
(b)	For grant of a contract carriage permit-- (i) Taxies, Tempos, Auto-rickshaw (ii) Private service vehicle	20.00 50.00

Provided that no fee shall be payable for a permit issued to foreign embassies in India in respect of transport vehicles owned by him.

(2) Where the permit of the vehicle is countersigned under Section 88 for more than one region, fee at the rate shown in rule 61 as payable for countersignatures shall be levied in respect of each additional region.

(3) In case where a Regional Transport Authority acting under sub-rule (1) of rule 59 extends the effects of a permit to an area of route in another region, a supplementary fee shall be payable at the rate specified in rule 61 as if the permit had been countersigned for the second region;

Provided that if the additional area to which the permit is so extended is a part and not the whole of a region, the Regional Transport Authority may, at its discretion and subject to such direction, if any, as may be issued by the State Transport Authority, declare that only one countersignature fee shall be payable.

(4) In cases where an authority of another State acting under sub-rule (2) of rule 50 extends the effect of a permit to a route or area in the State a supplementary fee shall be payable at the same rate as for countersignature specified in rule 61.

(5) In the case of service of stage carriage the fee payable shall be calculated on the maximum number of vehicle which the permit holder is authority to have in operation at any time in the region concerned.

(6) Fees shall be paid in advance to the Regional Transport Authority for the period for which the permit is based.

(7) The fee paid for a permit shall stand forfeited if the permit is subsequently cancelled.

61. Fees for permits and for countersignatures. [Section 96(2)(vii)] :-

The following fees shall be payable for the issue and renewal of permits and for the countersignature of permits under the Act, namely :-

Description of Motor	Fee payable in respect of the regional area in which the vehicle is first given a permit and/or a	Fee for a countersignature allowing a vehicle already issued with a permit
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	Vehicles	countersignatures on a permit issued outside the State.	for one region in the State to operate in other regions.
	1	2	3
(i)	In the case of a heavy transport vehicle- (a)for the first year of validity (b)for each subsequent year	200.00 200.00	200.00 200.00
(ii)	In the case of a vehicle not being a heavy transport vehicle- (a)for the first year of validity (b)for each subsequent year	100.00 100.00	100.00 100.00

62. Fees for temporary permits. [Section 96(2)(vii)] :-

(1) For a temporary permit authorizing the use of transport vehicle outside the region or the regions or the route or routes to which it is ordinarily restricted, a fee shall be payable at the following rates :-

(A) If there is in force in respect of the vehicle a regular permit issued by a Regional Transport Authority in the State-

(a)	For a temporary permit, for conveyance of a marriage party valid for :- (i)Not more than two days (ii)More than two days but not more than one week (iii)For every additional week	Rs. 50.00 100.00 75.00
(b)	For a temporary permit, for any other purpose, valid for:- (i)Not more than two days (ii)More than two days but not more than one week (iii)For every additional week	Rs. 50.00 100.00 75.00

(B) If there is not in force in respect of the vehicle a regular permit issued by a Regional Transport Authority in the State :-

(a)	For a temporary permit, for conveyance of a marriage party valid for :- (i)Not more than two days (ii)More than two days for each additional day	Rs. 200.00 100.00
(b)	For a temporary permit, for any other purpose, valid for:- (i)Not more than two days (ii)More than two days but not more than one week (iii)Each week in excess of one week	Rs. 50.00 100.00 75.00

Provided that no temporary permit issued to foreign Embassies in India in respect of Transport Vehicles owned by them :

Provided further that no temporary permit shall be issued to a vehicle which is not covered by any regular permit :

Provided further that a temporary permit shall also not be issued to any permit holder of a stage carriage or stage carriages, who do not maintain reserve fleet required in accordance with the directions of the State Transport Authority or the Regional Transport Authority, as the case may be.

(2) In case where the vehicle remained without permit, temporary permit fee alongwith equal amount of composition fee shall be charged.

63. Limitation of capacity of stage carriages and contract carriages. [Section 96(2)(xv)] :-

Save with the special permission of Government no permit or countersignature on the permit shall authorize the conveyance of more than fifty-four passengers, excluding the driver and the conductor in a stage carriage or contract carriage. Seats equal to 20% of the seating capacity shall be reserved for women.

64. Conditions for carriage of goods in stage carriages and contract carriages. [Section 96(2)(xvi)] :-

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

(2) No goods liable to foul the interior of vehicle or which makes it insanitary shall be carried at any time in any stage carriage or a contract carriage.

(3) The dangerous or hazardous goods as specified in rule 137 of the Central Rules or any other goods as may be specified by the Regional Transport Authority shall not be carried in a stage carriage or a contract carriage.

(4) Subject to the provisions of the preceding sub-rule, the goods may be carried in a stage carriage or contract carriage at any time in accordance with the conditions specified in the permit; Provided that the obligation of the holder to carry passenger in accordance with the terms of the permit is discharged.

(5) When goods are carried in a stage carriage in addition to the 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, such number of seats as may be specified in the permit shall be kept free and unimpeded for the use of passengers and the access to the entrance to and exit from the vehicle required under Chapter VIII shall be unobstructed.

(6) The weight in kilograms of goods and personal luggage other than the luggage and effects allowed under sub-rule (1) of rule 65

carried in a stage carriage or contract carriage shall not exceed the maximum number of passengers for which the vehicle stands registered minus the number of passengers carried or numbers of passengers for whom seats are kept free and unimpeded by goods, whichever is greater, multiplied by one hundred and sixty; Provided that in applying the provisions of the sub-rule to a double decked vehicle, account shall be taken on the number of passengers carried in the lower deck and the number of seats in the lower deck only.

65. Carriage of personal luggage in stage or contract carriage. [Section 96(2)(xvi) and (xxxiii) and Section 72(2)(xxiv)] :-

(1) In the case of permit for a stage carriage, it shall be condition that the luggage and personal effects of each passenger shall be carried free of charges subject to the limits given below :-

(a) 30 Kilograms for each passenger occupying a seat in a stage carriage or contract carriage operating on routes other than route operating in urban areas locally;

(b) Five kilograms for each passenger, provided the luggage is carried by the passenger in his lap, occupying a seat in stage carriage contract carriage operating on routes other than specified in class (a) above;

Provided that small articles such as over coats and hand bags and the like shall not be weighed.

(2) Subject to any directions issued by the State Transport Authority or Regional Transport Authority may impose on the use of any contract carriage conditions in regard to the weight of luggage and goods which may be carried therein, generally or in any specified area.

Notes

Personal luggage and personal effects of passenger upto 30 kilograms shall be carried free in the stage carriage and small articles such as over coat and hand bags and like shall not be weighed.

66. Conditions that may be attached to a stage carriage permit or contract carriage permit. [Section 72(2)(xxiv), 74(2)(xxiv) and 96(xxxiii)] :-

A Regional Transport Authority may attach to a stage carriage permit or a contract carriage permit the following conditions in

addition to those specified in sub-section (2) section 72 subsection (2) of section 75, section 84 or sub-section (11) of section 88, as the case may be namely :-

- (i) a conductor shall be carried at the back of the vehicle;
- (ii) the holder of a stage carriage permit shall provide specified uniforms to the driver and the conductor;
- (iii) the holder of a stage carriage permit shall exercise supervision over the work and conduct of the employees as is necessary to ensure that the vehicle is operated in conformity with the provisions of the Act and the rules;
- (iv) in the case of contract carriage permit, no passenger or goods shall be taken up or set down en route; and
- (v) in case of any alteration in the vehicle in pursuance of the provisions of section 52, the holder of a stage carriage permit or a contract carriage permit as the case may be, shall intimate that fact to the Regional Transport Authority by which the permit was given and if the alteration does not conform to the conditions of the permit, the Regional Transport Authority shall be at liberty to :-
 - (i) vary the permit accordingly; and
 - (ii) require the permit holder to provide a substitute vehicle within such period as the authority may specify and if the holder fails to comply with such requirement, it may cancel or suspend the permit and the authority making a variation in the permit or canceling or suspending the permit as aforesaid shall intimate this fact to the authority of any other region in which a permit is valid by virtue of countersignature otherwise.

67. Conditions that may be attached to a goods carriage permit. [Section 79(2)(ix) and 96(2)(xxxiii)] :-

A Regional Transport Authority may attach to any goods carriage permit the following conditions in addition to those specified in sub-section (2) of section 79 and section 84, namely :-

- (a) no passenger or goods shall be taken up or set down en route;
- (b) a condition restricting the type and the ownership of goods which may be carried; and
- (c) no trailer shall be attached to the vehicle.

68. Cancellation or revocation of permit. [Section 96(2)(ix)] :-

When a permit has been granted on an application by a Regional Transport Authority in respect of a particular vehicle or service of

vehicles and it appears that a permit has been granted by another Regional Transport Authority :-

(i) in respect of the same vehicle; or

(ii) in respect of a service or vehicles requiring the use of a greater number of vehicles than the holder of the permit possessed at the time of the application, the former Regional Transport Authority may, in consultation with the later Regional Transport Authority forthwith cancel or modify the permit in such manner as it may deem fit.

69. Temporary authorization in lieu of permit. [Section 95(1)] :-

(1) When the holder of a permit has submitted Part A or Part B or both of the permit, to the State Transport Authority or a Regional Transport Authority for renewal or countersignatures of the permit or for any other purpose, or when a police officer or any court or other person authorized by the Government under section 206 has taken possession of a permit from the holder thereof, the aforesaid authorities or the person shall furnish to the holder a receipt for the permit and a temporary authorization in Form HR No.37 to ply the vehicle, during such permit, as may be specified in the said temporary authorization and during the said period for production of temporary authorization on demand, shall be deemed to be a valid production of the permit;

Provided that the authority by which temporary authorization was granted shall extend the period for which the temporary authorization is to remain valid until the permit is returned but such extension shall not be beyond the period of validity of the permit.

(2) Until a permit referred to in sub-rule (1) has been returned to the holder thereof, the vehicle concerned shall not be plied beyond the period as specified in the temporary authorization referred to in sub-rule (i) or the extended period under the proviso to that sub-rule.

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

70. Permission authorizing the replacement of vehicle. [Section 83] :-

(1) If the holder of a permit relating to a particular vehicle desires at any time to replace the vehicle with another, he shall forward

Part A of the permit and apply in writing to the State or a Regional Transport Authority by which the permit was issued stating the reasons why the replacement is desired and shall :-

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

(ii) state any material particular in respect of which the new vehicle will differ from the old, if the new vehicle is not in his possession.

(2) Upon receipt of an application under sub-rule (1), the State or a Regional Transport Authority may in its discretion rejected the application.

(i) if it has prior to the application given notice of its intention to reduce the number of transport vehicles of that class generally or in respect of the route or area to which the permit applies; or

(ii) if the new vehicle proposed differs in material respect from the old; or

(iii) if the holder of the permit has contravened the provisions of the permit or has been deprived of the possession of the old vehicle under the provisions of a hire purchase agreement.

Provided that in considering an application for new permit within its area, the State or a Regional Transport Authority shall, other things being equal, give preference to an applicant who has been deprived of a permit by the operation of clause (i) of this sub-rule.

(3) If the State or a Regional Transport Authority grants an application for the replacement of a vehicle, it shall call upon the holder of the permit to produce Part B of the permit and the certificate of registration of new vehicle, if not previously delivered to it and shall correct Parts A and B of the permit and return them accordingly under its seal and signatures to the holder.

(4) A fee of rupees twenty-five shall be charged for the replacement of a vehicle under this rule.

71. Permits for the replacement of vehicle forming part of a service. [Section 83] :-

(1) If a permit relates to more than one stage carriage or contract carriage and the owner thereof desires at any time to replace any vehicle covered by the permit by a vehicle of a different model or capacity, he shall forward Part A of the permit with an application, in writing, to the State or a Regional Transport Authority by which the permit was issued stating the reasons for replacement along with the relevant particulars of the vehicles to be replaced and of the new vehicle.

(2) On receipt of an application under sub-rule (1) the State or a Regional Transport Authority, may in its discretion, reject the application :-

(i) if it has prior to the application given notice of its intention to reduce the number of transport vehicles of that class generally or in respect of the route or area to which the permit applies; or

(ii) if the new vehicle differs in material respect from the old; or

(iii) if the holder of the permit has contravened any of the provisions of the permit or has been deprived of possession of the old vehicle under the provisions of a hire purchase agreement.

(3) If the Regional Transport Authority grants an application for the replacement of a vehicle, it shall call upon the holder of the permit to produce Part B of the permit and shall correct Parts A and B of the permit accordingly under its seal and signatures and return them to the holders.

(4) A fee of rupees twenty-five shall be charged for the replacement of a vehicle under this rule.

72. Treatment of countersignatures on permit of replaced vehicle. [Section 83] :-

(1) The authority granting permission for the replacement of a vehicle under rules 70 and 71 shall, unless the authority by which the permit was countersigned has, by general or special order, otherwise directed endorse on the correction made to Parts A and B of the permit under the aforesaid rules the words, -- "Valid also for--" inserting the name of the authority concerned and shall intimate the particulars of the replacement to such authority.

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

73. Surrender of permits. [Section 86 and 95(1)(ix)] :-

(1) The holder of a permit may, at any time, surrender it (Parts A and B of permits) to the State or Regional Transport Authority, by which it was granted and the State or Regional Transport Authority, as the case may be, shall forthwith cancel any permit so surrendered.

(2) When the State Transport Authority or a Regional Transport Authority suspends or cancels any permit :-

(i) the holder shall surrender Parts A and B of the permit within

seven days of receipt of a demand in writing by the authority; and
(ii) the Authority suspending or canceling the permit shall send intimation to any other authority by which the permit has been countersigned and to any authority to whose area the validity has been extended under rule 59.

(3) A holder shall deliver Parts A and B to the State or Regional Transport Authority by which it was issued within fourteen days of the expiry of any permit by efflux of time. The State or a Regional Transport Authority receiving any such permit shall intimate the fact of surrender to the authority or authorities by which it may have been countersigned and to any authority to whose area the validity has been extended under rule 59.

74. Transfer of permits. [Section 82 and 96(2)(vii)] :-

(1) When the holder of a permit desires to transfer the permit to some other person under sub-section (1) of Section 82 he and the person to whom he desires to make the transfer shall make a joint application, in writing accompanied by a cash receipt or treasury challan of fees specified for making application for grant of permit to the State or a Regional Transport Authority by which the permit was issued, setting forth the reasons for the transfer and 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 such premium, payment or consideration.

(2) The State/Regional Transport Authority, as the case may be shall summon both the parties to the application made under sub-rule (1) to appear before it and may deal with the application as if it were an application for a permit.

Provided that a permit granted out of the permits reserved by the Government under clause (b) sub-section (3) of Section 71 shall not be transferable save as provided under sub-section (2) of Section 82 and if any person, who is granted or holds a permit out of the permits reserved as aforesaid does not want to make use of it, he shall surrender it to the authority which granted it.

(3) If the State or a Regional Transport Authority having permitted any transfer of a permit is subsequently satisfied that the contents of the application on which the transfer was allowed were false or incomplete in respect of the matter specified in subrule (1) of any other material particulars, it may after hearing the parties shall thereupon, declare the transfer to be void and the permit shall thereupon without prejudice to any other penalty to which the

parties may be liable, cease to have validity.

(4) (i) If the State or a Regional Transport Authority allows transfer of a permit under sub-rule (2), it shall call upon the holder of the permit, in writing, to surrender Parts A and B of the permit within seven days of the receipt of the order and shall likewise call upon the persons to whom the permit is to be transferred to deposit the fee specified for grant of permit under rule 61.

(ii) Upon receipt of Parts A and B of the permit and of the specified fee and State or a Regional Transport Authority, as the case may be, shall cancel the particulars of the holders thereon, and endorse particulars of the transferee and shall return the permit to the transferee.

(iii) The State or a Regional Transport Authority making a transfer of a permit as aforesaid may, unless any other State or Regional Transport Authority by which the permit has been countersigned by general or special order has otherwise required, endorse Parts A and B of the permit with the words "valid for -----" inserting the name of the extra area or route for which the permit has been countersigned.

(iv) Unless Parts A and B of the permit have been endorsed as provided in clause (iii) or unless the transfer of a permit has been approved by endorsement by the authority which countersigned the permit the countersignatures shall be of no effect after the date of transfer.

75. Regulation of service of contract carriage. [Section 95]
:-

An owner of a stage carriage which is used as a contract carriage or that of a contract carriage shall ensure that it proceeds to the destination made by the hirer through the shortest route and shall not allow it to remain at any public place except when engaged as such and shall,-

(i) nor revoke the hiring contract without being discharged by the hirer; and

(ii) station the vehicle at the stand in the order it arrives there and shall leave the stand on its turn.

76. Issue of duplicate permits. [Section 96(2)(v)] :-

(1) When Part A or B of any permit has been lost, destroyed or defaced the holder shall forthwith intimate the fact to the State or a Regional Transport Authority by which the permit was issued and

apply for the issue of a duplicate permit or part of a permit as the case may be: Provided that in the case of loss or destruction of Part B of the permit, he shall forward Part A of the permit to the State or a Regional Transport Authority, as the case may be.

(2) The State or a Regional Transport Authority shall, upto receipt of application in terms of sub-rule (1), issue a duplicate permit or part or parts of a permit, as the case may be, and to the extent that it is able to verify the facts may endorse thereon certified copies of any countersignatures by other authority, intimating the fact to that authority.

(3) A duplicate permit or duplicate part of a permit issued under sub-rule (2) shall be clearly stamped "Duplicate" in red ink and the certified copy of any countersignatures by any other State or Regional Transport Authority on a permit or a part of a permit made under sub-rule (2) shall be valid in the region of that other authority as if it were countersignatures made by it.

(4) When a permit or a part of a permit has become so dirty, torn or defaced as in the opinion of the State or Regional Transport Authority, as the case may be, to be illegible the holder thereof shall surrender the permit or part of the permit, as the case may be, to the State or a Regional Transport Authority and apply for the issue of a duplicate permit or part of a permit.

(5) The fee for the issue of a duplicate permit or part of permit shall be fifty rupees in case of defaced permit and rupees five hundred in case of lost/destroyed permit: Provided that no fee shall be charged in the case of duplicate permit issued in pursuance of sub-rule (4) if the original permit was issued prior to five years.

(6) Any permit or part of a permit which is found by any person shall be delivered by that person to the nearest police station or the holder or to the State or a Regional Transport Authority by which it was issued and if the holder finds or receives any permit or part of a permit in respect of which a duplicate permit has been issued, he shall return the original to the concerned State or the Regional Transport Authority.

77. Production of permit on demand. [Section 96(2)(xxx)]
:-

Part A of a permit shall be produced on demand made at any reasonable time by any officer under the control of the Transport Commissioner or any police officer not below the rank of a Sub-Inspector, if he is in uniform and such official may also mount any

transport vehicle for the purpose of inspecting Part B of the permit.

78. Appeals against orders of State or Regional Transport Authority. [Section 96(2)(iii) and (xiii)] :-

(1) A person desiring to prefer an appeal, against an order of the state or a Regional Transport Authority referred to in sub-section (1) of Section 89 shall, within thirty days of the receipt of the order, prefer an appeal in the form of a memorandum, in duplicate, one copy of which shall bear a court fee stamp of twenty rupees to the State Transport Appellate Tribunal constituted under sub-section (2) of Section 89 (hereinafter referred to in these rules as the appellate authority) setting forth concisely the grounds of objection to the order of the State or a Regional Transport Authority, as the case may be, together with a certified copy of that order.

(2) Upon receipt of an appeal in accordance with sub-rule (1), the, appellate authority shall appoint a time and place of hearing of the appeal giving the parties not less than thirty days notice.

(3) An appeal shall not operate as a stay of the order appealed against nor shall the appellate authority make an ex-parte order for stay pending the hearing of the appeal. The appellate authority shall not decide any appeal or pass any order thereon unless an opportunity of being heard has been given to the appellants and the respondents and the State or a Regional Transport Authority which passed the order appealed against.

(4) The appellant or the respondent shall be entitled to obtain a copy of any documents filed in connection with the order appealed against on payment of a fee at the rate of rupees two per page and to inspect the file of the appellate authority and the application for inspection shall bear a court fee stamp of.-

(a) in respect of urgent inspection ten rupees; and

(b) in respect of an ordinary inspection five rupees.

(5) A copy of the order made by the appellate authority in appeal may be obtained on payment of a fee at the rate of rupees two per page.

79. Procedure in hearing appeals. [Section 96(2)(iii) and (xiii)] :-

On the appellate authority appointing a time and a place for hearing under rule 78, the appellant shall, within fourteen days of the receipt of intimation that a hearing will take place, forward to the

appellate authority a list of the documents upon which he proposes, to rely together with copies of such documents in duplicate, and may upon the appointed day and at subsequent hearings, appear either in person or through an agent or representative authorized by him in writing, in this behalf.

80. Interval of rest. [Section 91(5)] :-

(1) Any time spent by a driver of a vehicle on work other than driving in connection with the vehicle or with the load carried or to be carried on the vehicle including any time spent on the vehicle during a journey save as a passenger in a public service vehicle shall not be deemed to be an interval of rest for the purpose of Section 91.

(2) Any time spent by a driver of a vehicle on or near the vehicle when the vehicle is at rest and the driver is at rest and the driver 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 Section 91.

81. Record of working hours to be maintained. [Section 91] :-

The employer of any person whose works is subject to the provisions of sub-section (1) of Section 91 shall fix the hours of work of such persons so as to conform with those provisions and shall record the working hours in the table specified below and this record will be open to inspection by any officer under the control of the Transport Commissioner on demand :-

NAME OF THE EMPLOYEE

Date	Working hours in a day	Hours of rest	Total number of working hours in a week
1	2	3	4

82. Lost property. [Section 96(2)(xvii) and 107(2)(f)] :-

(1) In the case of a public service vehicle other than Government owned vehicles, the conductor or if there is no conductor, the driver shall at the conclusion of a journey make search in the vehicle for anything left by any passenger and shall take into his custody anything so found and immediately shall make over the same to a responsible person at any office or station of the permit holder or to

an official of a police station and shall likewise take into custody and dispose of anything so found by any other person. The responsible person at any office or station of the holder of the permit to the vehicle receiving the aforesaid goods shall keep them safe and if the goods are not claimed by the owner or any other person appearing to him to be entitled thereto, shall if such owner of goods is known, cause a notice to be served upon him requiring him to remove the goods. If such owner is not known or a notice cannot be served upon him or he does not comply with the requisition in the notice such property shall be deposited with the nearest police station as unclaimed property after two months of taking over charge thereof :

Provided that if the goods are of perishable nature and are not claimed within forty-eight hours, they shall be disposed of by the responsible person at the station of the holder of the permit by public auction and the receipts thereof shall be handed over to the owner if claimed within a week after which they shall be deposited with the nearest police station against proper receipt and shall be disposed of by the police under the laws affecting the articles.

(2) In the case of a Government owned vehicle the conductor or if there is no conductor, the driver shall deposit the goods in the nearest office of the State Transport Undertaking and if the goods are not claimed by the owner or any other person appearing to the incharge of the office of the State Transport Undertaking to be entitled thereto, he shall, if such owner or person is known, cause a notice to be served upon him, requiring him to remove the goods. If such owner or person is not known or a notice cannot be served upon him or he does not comply with the requisition in the notice, such incharge may, after two months of taking over charge of the goods sell the goods by public auction and proceeds thereof shall be credited into the Government treasury: Provided that if the goods are of perishable nature and are not claimed within forty eight hours they shall be disposed of by the incharge by public auction and the receipt thereof credited into the Government treasury.

(3) If the goods are claimed within the period specified, a charge of rupee one per kilogram or a part thereof for twenty four or fraction thereof subject to a minimum charge of two rupees shall be levied. The unclaimed articles shall also be liable to these charges on account of their custody and disposal.

(4) Where articles such as arms, ammunition, explosives, intoxicating liquors, opium and its preparation and hemp and

drugs, the sale of which is prohibited by law, are left unclaimed they shall be made over to the police or excise authorities for disposal under the laws affecting the articles.

(5) Proper accounts shall be maintained in a separate register which shall be open for inspection to the authorities.

83. Conduct of passengers in stage carriage. [Section 95] :-

If at any time a passenger in a stage carriage :-

- (i) behaves in a disorderly manner;
- (ii) behaves in a manner likely to cause annoyance to any female passenger;
- (iii) uses abusive language;
- (iv) molests any other passenger;
- (v) enters the vehicle under the influence of liquor or drugs;
- (vi) spits;
- (vii) obstructs the conductor or the driver or any authorized employee of the permit holder in the execution of his duties or interferes without due cause with the driving of the vehicle;
- (viii) intentionally avoids payment of the fare;
- (ix) refuses to show ticket on demand by any authorized person;
- (x) uses or attempts to use any ticket which has been altered or defaced or in the case of ticket bearing an indication that it is not transferable issued to another person;
- (xi) is reasonably suspected to be suffering from any contagious infectious disease;
- (xii) commits or abets any offence under the Act or these rules;
- (xiii) uses or attempts to use a ticket other than the ticket valid for a particular journey;
- (xiv) carries with him in the vehicle luggage of a description which is likely to obstruct, annoy or cause inconvenience or be offensive to any other passenger;
- (xv) occupies accommodation for more than one seat or without lawful excuse occupies any seat exclusively reserved for ladies or other categories of passengers;
- (xvi) refuses to pay a fresh fare for the journey performed by him if he has so altered or defaced his ticket as to render its contents illegible;
- (xvii) is found traveling without ticket pertaining to the journey being performed by the vehicle at the time of his being so found;
- (xviii) refuses to leave the vehicle, if so requested by the conductor or driver at the completion of the journey for which he has paid the

fare;

(xix) knowingly enters and insists on traveling in a vehicle which is carrying the maximum number of passengers as specified for that vehicle;

(xx) hangs on to any exterior part of a vehicle;

(xxi) willfully damages, spoils, removes or interfere with any fittings or equipments on or on the vehicle;

(xxii) enters or alights from a vehicle except by the entrance or exit provided for the purpose;

(xxiii) attempts to enter a vehicle without first permitting passengers who have completed their journey to alight;

(xxiv) enters or leaves a vehicle except in queue and in an orderly manner;

(xxv) distributes printed or similar matter of any description or distributes any articles for the purpose of advertisement; or

(xxvi) to the annoyance of other passengers uses or operate any noisy instrument or makes or combines with any person to make any excessive noise by singing or otherwise;

(xxvii) begs, sells or offers for sale any article in or on the vehicle;

(xxviii)Smokes;

The driver or the conductor or any authorized person of the service of any officer under the control of the Transport Commissioner may require such passenger to alight from the vehicle and may stop the vehicle and keep it standing until the passenger has alighted; or on the request of the driver or conductor may be removed from the vehicle by any police officer or any officer of the State Transport Undertakings.

(2) The passengers referred to in sub-rule (1) shall not refuse to give his correct name and address on demand for contravention of these rules and shall not be entitled to the refund of any fare which he may have paid and also be guilty of an offence for which he shall be liable to pay the penalty under section 177.

84. Sale of tickets. [Section 96(2)(xxviii)] :-

No driver or conductor of a public service vehicle or agent for the sale of tickets in a public service vehicle shall sell or attempt to sell ticket or solicit customer in any place which has been notified by the Regional Transport Authority by public proclamation or in such other manner as he may find convenient, as a place in which such sale or soliciting is not permitted.

85. Licensing of ticket agents. [Section 96(2)(xxviii)] :-

(1) No person shall act as an agent for the sale of tickets for travel by a public service vehicle, otherwise than in the vehicle itself or in a fixed office, unless he has obtained from the licensing authority a license permitting him to do so.

(2) For the purpose of sub-rule (1), any person soliciting or attempting to persuade another person to travel in a vehicle shall be deemed to be acting as an agent for the sale of ticket for travel.

(3) The licensing authority for the purpose of this rule and rule 86, 87 and 88 shall be the licensing authority specified under rule 3.

86. Issue of ticket agents license. [Section 96(2)(xxviii)] :-

(1) Licenses under rule 85 shall consist of --

(a) a permit in Form HR No.138; and

(b) a metal badge of the kind illustrated in the First schedule to these rules.

(2) No license shall be issued to any agent except on the application of the person or transport society, transport firm or transport company, being a holder of a permit, for one or more public service vehicles, for whom the agent is to act. The persons or transport society, transport firm or transport company making the application (hereinafter called in these rules, the "Principal") shall be required to complete and authenticate the first part of the permit in Form HR No.38 the other entries being completed by or under the orders of the licensing authority.

(3) The fee for issue of a ticket agents license shall be rupees fifty.

87. Cancellation of ticket agents license. [Section 96(2)(xxviii)] :-

(1) The licensing authority shall forthwith cancel any license issued under rule 85 upon request made to him by the principal on whose application it was granted.

(2) A principal proposing to apply for the cancellation of a license issued to an agent on his application may call upon the agent to surrender the permit and badge and the agent shall be bound to surrender the same to the principal forthwith.

(3) Where a principal requires any agent to surrender his permit under sub-rule (2), he shall forward the same with his application for cancellation of the license to the licensing authority with the least possible delay and in any case within forty eight hours.

88. Term of ticket agents license. [Section 96(2)(xxviii)] :-

Unless a shorter term is appointed, a ticket agents license shall be valid for one year from the date of issue or renewal but may be cancelled at any time by the licensing authority if it appears to it that the conduct of the agent in his relations with the public has been unsatisfactory or that the agent is not a suitable person to continue as such.

89. Ticket agents badge to be exhibited. [Section 96(2)(xxviii)] :-

(1) A ticket agent shall carry his badge and permit on his persons at all times, when he is engaged in his duties, the badge being display prominently on the left chest.

(2) The ticket agent shall be bound to exhibit his permit in Form HR No.38 on demand of any person whose custom he has sought to secure or of any police officer in uniform not below the rank of a sub-inspector or an officer under the control of the Transport Commissioner.

90. Appeal against the orders made under the rules 86, 87 or 88. [Section 96(2)(xxviii)] :-

(1) The authority to whom an appeal may be preferred against the order of the licensing authority refusing to grant ticket agents license under rule 86 cancellation of ticket agents license issued on the request of the principal under rule 87 or cancellation of ticket agents license under rule 88 shall be the Transport Commissioner or the Additional Transport Commissioner, as the case may be, whose decision shall be final in this behalf.

(2) The appeal under sub-rule (1) shall be preferred in the form of a memorandum which shall bear a cash receipt or a treasury challan or twenty rupees, setting forth concisely the grounds of objections to the order of the licensing authority and shall be accompanied by a certified copy of the order appealed against.

(3) When an appeal is preferred, the Transport Commissioner shall issue a notice to the licensing authority against whose order the appeal is preferred.

(4) Any person preferring an appeal shall be entitled to obtain a copy of any document filed in connection with the order appealed against on payment of a fee at the rate of rupees two per page.

(5) Any person preferring an appeal shall be entitled to inspect the

file of the Transport Commissioner and the application therefore shall be accompanied by a cash receipt or treasury challan of --

(a) in respect of urgent inspection Ten Rupees

(b) in respect of ordinary inspection Five Rupees

91. Conduct of ticket agent. [Section 96(2)(xxviii)] :-

The licensed ticket agent shall:-

(i) behave in a civil and ordinary manner with the passengers or intending passengers;

(ii) not behave in manner likely to cause annoyance or embarrassment to any female passenger;

(iii) not use abusive language towards any passenger or molest any passenger;

(iv) not save for good and sufficient reasons refuse to issue a ticket to any intending passenger tendering the legal fare;

(v) not make any discrimination between the passengers;

(vi) not willfully deceive or refuse to inform any passenger or the intending passenger as to the destination or route of the vehicle or as to the fare for any journey;

(vii) properly guide the passengers to enable them to board the vehicle for which tickets have been issued to them;

(viii) not altercate the passengers and shall give them his name and license number if asked to do so;

(ix) not be under the influence of any intoxicant while on duty; and

(x) be dressed in such manner as the State Transport Authority may specify and shall observe cleanliness.

92. Disinfection. [Section 96(2)(xix)] :-

(1) All public service vehicles shall be disinfected with dichlorodiphenyl trichloroethane or any other disinfectant after every two months and the owners shall furnish to the Regional Transport Authority concerned a certificate to the effect duly signed by Chief Medical Officer of Health or any other officer authorized by him in this behalf. The period of two months shall count from the date of last certificate furnished as aforesaid;

Provided that if adequate arrangements for the disinfection of vehicles are made by the any permit holder at his own premises to the satisfaction of the Chief Medical Officer of Health, a certificate of disinfection by such permit holder shall be sufficient.

(2) The owner of a public service vehicle shall maintain and on demand by the Secretary or Assistant Secretary of the Regional

Transport Authority or the Registering Authority, produce for inspect a current register showing the dates on which the public service was disinfected from time to time.

93. Carriage of persons in goods carriage. [Section 96(2) (xxxi)] :-

(1) Save in the case of a vehicle which is being used for the carriage of troops or police or in the case of a stage carriage in which goods are being carried in addition to passengers, no person shall be carried in a goods carriage other than its owner or hirer, a bonafide employee of the owner or of the hirer of the vehicle and the persons allowed under this rule.

(2) No person shall be carried in the drivers cab of goods vehicle beyond the number for which there is seating accommodation at the rate of 330 millimeters measured along the seat excluding the space reserved for the driver for each person and not more than six persons in all connected with the load carried in addition to the driver shall be carried in any goods carriage;

Provided that in the case of goods carriage owned by Government of Haryana carriage of more than six persons may be allowed by the State Transport Authority, subject to the condition that such number shall not exceed the area in square meters of the floor of the vehicle divided by 0.63 meter subject to a maximum of twelve persons.

(3) No person shall be carried upon the goods or otherwise in such manner that such person is in danger of falling from the vehicle and in no case shall any person be carried in a goods vehicle in such a manner that any part of his person. When he is in a sitting position, is at a height exceeding 3.048 meters from the surface upon which the vehicles rests.

(4) Notwithstanding the provisions of sub-rule (2) a Regional Transport Authority may, s a condition of a permit granted for any goods carriage, specify the condition subject to which a large number of person may be carried in the vehicle; provided that such number shall not exceed the area in square meters of the floor of the vehicle divided by 0.63 subject to a maximum of twelve.

(5) Nothing contained in this rule shall be deemed to authorize the carriage of any person for hire or reward in any vehicle unless there is in force in respect of the vehicle a permit authorizing the use of the vehicle for such purpose and same in accordance with the provisions of such permit.

94. Conditions for carriage of animals in goods carriage.
[Section 96(2)(xxxii)] :-

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

(i) the load body of the vehicle is constructed of strong wooden blanks or of iron sheets with a minimum height of 1.05 meters measured from the floor of the vehicle in all sides and the back; and

(ii) the animal is properly secured by ropes tied to the side of the vehicle. (2) While carrying animal in a goods carriage, the owner of the vehicle shall,--

(i) not carry more than forty at a time when the wheel base of such vehicle is below 3.6 meters and not more than fifty when the wheel base of such vehicle is 3.6 meters or above in the case of goats, sheeps, pigs, deer, rams, ewes, kids and the like; and

(ii) not carry more than four with calves or young ones or five without calves or young ones, in the case of animal more than those referred to in clause (i) when the wheel base is below 3.6 meters and not carry more than five with calves or young ones or six without calves or young ones when the wheel base of such vehicle is 3.6 meters or above; and

(iii) carry animals on the basis of floor space in the vehicle in accordance with the scale of floor space given below against each category of animals :-

Category of animals	Floor space required per animal
(1) Mule or horse of gelding	2.20 square meters
(2) Buffalo or buffalo bull	1.67 square meters
(3) Cow or bullock or adult cow bull	1.48 square meters
(4) Pony or ass or colt of filly	1.20 square meters
(5) Calves of two to three years	1.11 square meters
(6) Calves below two years	0.74 square meters
(7) Deer and pig	0.50 square meters
(8) Sheep or ram and goad	0.32 square meters

(3) In the case of goods carriage the record of daily haulage shall be maintained by the permit holder in the following table :-

TABLE

Name and address of the permit holder	Type of permit	Permanent/ Temporary	Registration No. of vehicles	Goods date carriage for hire or trade and business
---------------------------------------	----------------	----------------------	------------------------------	--

Serial No. of trips	Name and Address of sender of booking agents	Name and address of consignee	Name of commodity carried	Weight in quintals/ kilograms	Origin
1	2	3	4	5	6

Destination	Distance between 6 and 7	Quintals per kilograms performed column (5), column (8)	Freight charged in rupees	Remarks
7	8	9	10	11

N.B. (i) If more than one commodity is carried during the same trip of booked between placed en route the debits of each commodity have to be shown separately in separate lines under all columns.

(ii) Generally origin and destination of the vehicle will be origin and destination of cargo. In case they are different origin and destination of cargos may be inserted under column (6) and (7) respectively with a note in the remarks column showing origin and destination of the vehicle.

(4) No animal belonging to or intended for a circus or zoo shall be carried in goods carriage in public place unless in the case of wild ferocious animal, a suitable cage, either separate from or integral the load body of the vehicle, used of sufficient strength to continue the animal securely at all times is provided.

(5) No animal under sub-rule (1) or under sub-rule (4) shall be carried for more than 200 kilometers at a stretch and there shall be a break of four to six hours after eight hours of continuous journey.

(6) No goods carriage while carrying any animal shall be driven at a speed in excess of twenty five kilometers per hour.

(7) No goods carriage shall, while carrying any animal carry any other goods except fodder necessary to feed the animals on the ways.

95. Log-books and complaint books to be maintained by drivers or transport vehicle. [Section 96(2)(vi) and (xxxii)]

:-

(1) The owner of a transport vehicle other than a stage carriage shall ensure that the driver of the vehicle maintains a log-book and enter particulars of every hiring consignment therein.

(2) The particulars to be entered in the log-book in the case of a contract carriage and a private service vehicle shall be as under :-

(a) the name of the hirer, with sufficient particulars to enable him

to be identified;

(b) the approximate number of person included in the party;

(c) the starting point and finishing point of the trip and the route to be followed;

(d) the date and time from which the hiring has effect;

(e) the date and time when the journey is expected to be completed; and

(f) the nature and weight of any goods carried and in the case of a goods carriage,--

(i) Serial No.;

(ii) Name of Driver;

(iii) Hours of duty from _____;

(iv) Description and weight of goods;

(v) Place and time with date of dispatch;

(vi) Destination with probable time of arrival;

(vii) Distance;

(viii) Amount of freight charged;

(ix) Name and address of the consignor;

(x) Name and address of the consignee;

(xi) Signature and designation of inspecting officer;

(xii) Remarks;

Provided that in the case of a vehicle carrying miscellaneous goods belonging to a number of owners, the record of each consignment shall be kept in the standard way bill form as under :-

1. Name of the owner;

2. Drivers name;

3. Vehicle No.;

4. Consignor;

5. Consignee;

6. From;

7. To;

8. Nature of goods and weight;

9. Distance;

10. Freight;

11. Remarks;

(3) The particulars required by sub-rule (2) shall be entered in the log-book before the passengers or goods are taken into the vehicle and before the journey is begun.

(4) The provisions of this rule shall also, apply to a stage carriage authorized for use as a contract carriage for the carriage of goods.

(5) Log-books required to be maintained under the rule shall be signed and stamped by the Secretary of State of a Regional

Transport Authority, as the case may be, and be produced by the driver at any time when the vehicle is on the road or at any time on the demand of any police officer not below the rank of Sub-Inspector or such other officer as may be authorized by the Transport Commissioner.

(6) A complaint book duly authenticated by the Secretary of the State for a Regional Transport Authority shall be kept in every stage carriage and contract carriage and shall be maintained in a clean and tidy condition by the conductor or the driver, as the case may be, and shall be produced by him on demand, of any passenger, who shall be at liberty to make an entry therein.

96. Other records to be maintained. [Section 96(2)(xxxii)] :-

The State or a Regional Transport Authority may by general or special order require the holder of a permit in respect of any transport vehicle to maintain records and submit a return in respect of the vehicle in such form as that authority may specify and such records and returns may include, particulars of the daily use of the vehicle in respect of :-

- (i) the name and license number of the driver and conductor and other attendant, if any;
- (ii) the route upon which or the area within which the vehicle was used;
- (iii) the number of kilometers traveled;
- (iv) the time of commencement and termination of a journey and of any halts on a journey when the driver obtained rests;
- (v) the weight of goods carried between specified places and the nature of the goods; and
- (vi) in the case of goods carried in a stage carriage, the number of trips and the kilometers when goods were carried solely and when goods were carried in addition to the passengers and in the later case the number of the seats available for passengers.

(2) No owner shall cause or allow any driver to drive a transport vehicle unless the owner has in his possession a record in writing of the name and address of the driver as set forth in his driving license, the number of the license and the name of authority by which it was issued.

97. Change of address of permit holder. [Section 96(2)(xxiv)] :-

(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, within fourteen days, send Part A of the permit to the authority by which the permit was issued intimating the new address and shall pay a fee of rupees ten for making entry with regard to change of address.

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

98. Intimation of damages to or failure of a public service vehicle. [Section 96(xxiv)] :-

(1) The holder of a stage carriage or contract carriage permit shall, within seven days of the occurrence, report in writing to the authority by which the permit of that vehicle was issued, any failure of or damage to such vehicle or to any part thereof, if the failure or damage is of such a nature as to tender the vehicle unfit for use in accordance with the conditions of the permit for a period exceeding three years.

(2) The holder of any permit in respect of service of stage carriage shall, within seven days of the occurrence, report in writing to the authority by which the permit was issued, any failure of or damage to any vehicle used by him under authority of permit of such a nature as to prevent the holder from complying with any of the provisions or conditions of the permit for a period exceeding three days.

(3) Upon receipt of a report under the proceeding sub-rules, the authority by which the permit was issued, may, subject to the provisions of rules 70 & 71,-

(i) direct the holder of the permit within such period not exceeding two months from the date of occurrence, as the authority may specify either to make good the damage to or set right the failure of the vehicle or to provide a substitute vehicle, 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 or set right within a period of two months from the date of the occurrence, direct the holder of the permit to provide the substitute vehicle and when the holder of the permit fails to comply with such a direction, may suspend, cancel or vary the permit accordingly.

(4) The authority giving a direction, suspending, canceling or verifying shall a permit under sub-rule (3) send intimation of this fact to the authority of any other region in which the permit is valid by virtue of countersignature or otherwise.

99. Information of failure to ply the vehicle. [Section 96(2)(xxiv)] :-

If the holder of a stage carriage permit is at any time unable to ply his vehicle for any cause whatsoever in accordance with the time table approved by the Regional Transport Authority, he shall forthwith send an intimation about the same to the Regional Transport Authority by which the permit was issued as well as the nearest Deputy Commissioner or Sub-Divisional Officer (Civil).

(2) On receipt of a report under sub-rule (1) the Regional Transport Authority, Deputy Commissioner or Sub-Divisional Officer as the case may be, may make such alternate arrangement as he may thinks it.

100. Inspection of transport vehicles and their contents. [Section 96(2)(xxx)] :-

Any Officer under the control of the Transport Commissioner authorized in this behalf by him may, at any time when the vehicle is in a public place, call upon the driver of goods vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable the said officer to make reasonable examination of contents of the vehicle.

(2) Notwithstanding the provision of sub-rule (1), the officer referred to in subrule (1) shall not be entitled to examine the contents of any goods vehicle unless,--

(i) the permit in respect of the vehicle contains a provisions or condition in respect of the goods which may not be carried on the vehicle.

(ii) the officer has reasons to believe that the vehicle is carrying on the goods in contravention of the provisions of the Act or rules framed thereunder.

(3) Any officer of the department of Excise and Taxation not below the rank of Taxation Inspector or any officer under the control of the Transport Commissioner authorized in this behalf by him, may at any time, when the vehicle is in public place, call upon the driver of a public service vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable him to make

reasonable examination of the number of passengers and other contents of the vehicles so as to satisfy himself that the provisions of the Act and the rules framed thereunder the provisions and conditions of the permit in respect of the vehicle are being complied with.

(4) Any officer appointed to be a member of the Board of Inspection shall be entitled at any reasonable time to inspect any public service vehicle in a public place.

101. Taxi meter. [Section 74(2)(viii) and 96(2)(xx)] :-

(1) Every motor-car except tourist vehicle shall be fitted with a taxi meter of a pattern approved by the State Transport Authority and shall be in conformity with any instructions that may be issued by the State Transport Authority.

(2) A permit-holder required to fit a taxi meter shall at time of production of his vehicle for inspection before the Board of Inspection furnish a certificate issued by the Controller, Weights and Measures, Haryana or any officer authorized by him in this behalf to the effect that the taxi meter has been tested and sealed and shall produce the taxi meter for an examination subsequently wherever the vehicle to which it is attached is inspected or whenever for any reasons it has become necessary to break the seal.

102. Procedure for obtaining an agents or convassers license. [Section 93, 96(2)(xxxiii)] :-

(1) Any person to obtain a license under Section 93 to be made operative in one region may make an application to the Regional Transport Authority concerned in Form HR No.39.

Provided that if the license has to be made operative in more than one region, the application shall be made to the State Transport Authority in Form HR No.40.

(2) An application in terms of sub-rule (1) shall be accompanied by cash receipt or a treasury challan showing a deposit of fee of rupees thirty.

(3) In considering an application for license made under sub-rule (1) the State or a Regional Transport Authority, as the case may be shall have due regard among other things to the following matters, namely :-

(a) the number of goods vehicle either owned by the applicant or under his control.

Explanation :- For the purpose of clause (a), a person shall be deemed to have under his control such number of goods vehicles as are covered by declaration in Form HR No.41 obtained by him from the respective owners of goods vehicles;

(b) the suitability of accommodation possessed by the applicant for storage of goods at the operating place;

(c) the facilities, if any provided by the applicant for parking of goods vehicles; and

(d) the financial resources of the applicant and his ability to manage the business of collecting, forwarding or distributing goods carried by goods carriage, efficiently.

(4) The State or Regional Transport Authority shall either grant the license to the applicant (hereinafter referred to as the license in this Chapter) in Form HR No.42 or Form HR No.43, as the case may be, specifying the place or places where the business may be carried on or refuse to grant the license :

Provided that the licensing authority shall not refuse to grant a license unless the applicant is given opportunity of being heard and the reasons for refusal are recorded and communicated to him in writing.

103. Security for compliance with the conditions. [Section 93(2)(e) and 96(2)(xxix)] :-

(1) For ensuring compliance with the provisions of these rules and conditions of the license granted under rule 102 the State or Regional Transport Authority shall, at the time of granting license require the applicant to furnish security of a sum of Rupees fifty thousand.

(2) If a licensee contravenes any of the provisions of these rules or any of the conditions under which the license is granted then without prejudice to any other action that may be taken against him, the State or a Regional Transport Authority, as the case may be, may, by order for reasons to be recorded, in writing forfeit the security in part or in whole :

Provided that no order shall be passed under this sub-rule unless the licensee has been given an opportunity of being heard :

Provided further that the licensee shall, if the amount of security at any time falls short of the amount specified in sub-rule (1) forthwith deposit further security to up the amount of security.

(3) The security deposit, unless forfeited, shall be refunded to the person concerned at the expiry of the period of the license or

earlier in the event of voluntary closing down of the business.

104. Period of validity and renewal. [Section 93(2)(a) and 96(2)(xxix)] :-

(1) A license granted under sub-rule (4) of rule 102 shall be valid for period of three years from the date of its grant and may be renewed for a period of three years at a time.

(2) An application for renewal under sub-rule (1) shall be made to the State or Regional Transport Authority, as the case may be, in Form HR No.44 not less than thirty days before the date of its expiry.

(3) The renewal of license shall be given by an endorsement to that effect by the State or a Regional Transport Authority on the license.

105. Fee for a license. [Section 93(2)(b)] :-

Fee for the grant or renewal of license under rule 102 or rule 104 shall be as follows :-

(a)	for the grant of principal license	Rs. 500.00
(b)	for the grant of supplementary license for each additional establishment or sub-agency	100.00
(c)	for renewal of a license if application is made in time,- (i)Principal license (ii)supplementary license for each additional establishment or sub-agency	Rs.500.00 Rs.100.00
(d)	Penalty for removal of license if application is not made in time but is made before the expiry of license--	
(a)	(i)Principal License :- if application is made late by seven days	Rs.50.00
(b)	if application is made late by more than seven days, but not more than fourteen days	Rs.60.00
(c)	if application is made late by more than fourteen days, but not more than twenty-one days	Rs.80.00
(d)	if application is made late by more than twenty-one days, but not more than thirty days	Rs.200.00
(a)	(ii)Supplementary License If the application is made late by fifteen days	Rs.20.00
(b)	if application is made late by more than fifteen days, but not more than thirty days	Rs.30.00

Note :- In these rules, the expression, "Principal License" means a license for the Headquarters of a person engaged in the business of collecting, forwarding or distributing goods carried by goods carriages and "supplementary licenses" means

a license which is for a branch office.

106. Conditions of a license. [Sections 96(2)(xxix) and 93(2)(f)] :-

(1) A license issued or renewed under rules 102 and 104 shall be subject to the following conditions, namely :-

(i) the license shall, subject to the provisions of rule 108 provide places for loading and unloading of goods.

(ii) the license shall be responsible for a proper arrangement for storage of goods, collected for dispatch and delivery;

(iii) where the licensee is authorized to forward and distribute goods he shall,--

(a) to liable to the consignee for any loss or damage to goods while in his control or possession;

(b) be responsible for proper delivery of goods to the consignee;

(d) not deliver the goods to the consignee without actually receiving from the consignee a Goods Transport receipts and in case of loss misplacement or misplacement accident of the same and indemnity bond covering the value of goods;

(iv) the licensee shall insure the goods against any loss or damage while, in his control or possession;

(v) the licensee shall maintain a proper record of the vehicles under his control and of the collection despatch and delivery of goods which shall be open to inspection by the State Transport Authority, the Regional Transport Authority or by any person duly authorized in this behalf by such authority and shall furnish to the State Transport Authority a return in respect of the previous six months in Form HR No.45 within thirty days after the 30th September;

(vi) the licensee shall furnish the persons operating the vehicle with correct figures of the freight to be received by them from the consignor or the consignees;

(vii) the licensee shall maintain proper accounts of the commission charged by him and the licensee with gross income of Rupees 25,000 or above per annum shall get his account audited by the Chartered Accountant;

(viii) the licensee shall ensure that the goods vehicle under his control have valid permits for routes on which the vehicles have to ply;

(ix) the licensee shall maintain in good condition a weighing device capable of weighing at a time, not less than 200 kilograms; and

(x) the licensee shall attend to his customers in order in which

approach him; Provided that the customers in respect of such perishable goods, as may be notified by the Government in the official Gazette, shall be given priority over the other customer, but such customers shall be attended to in order in which they approach the licensee;

(xi) the licensee shall assign the consignment amongst the person operating the vehicles in the order in which they have approached him and shall maintain a register chronologically recording particulars of the available goods and the persons waiting to operate the vehicles;

(xii) the licensee shall comply with the provisions of these rules and shall observe such conditions as the State or Regional Transport Authority may specify in the license;

(xiii) the licensee shall make all the contracts in writing, containing the following particulars, namely :-

(a) name and address of the consignor and the consignees;

(b) description and weight of the consignment;

(c) destination and its distance in kilometers from the starting station to the destination;

(d) freight per quintal per kilometer and for the whole vehicle per kilometer;

(e) delivery instructions, for examples, the date by which and the exact place where the goods are to be delivered to the consignee;

(f) terms of the agreement for payment; and

(g) name of the owner, driver, the registration number of the vehicles, its authorized load and amount of the commission;

(xiv) the licensee shall administer approved premises in an orderly manner and shall keep it in good and clean conditions; and

(xv) the licensee shall take all precautions to ensure that no breach of any of the provisions of the Act or rules made thereunder or the conditions of the license is committed.

(2) The State or Regional Transport Authority may, after giving notice of not less than one month, in writing to the licensee either vary any conditions of his license or attach to his license any further conditions.

107. Rate of commission. [Section 93 and 96(2)(xxix)] :-

The licensee shall not charge commission from the person operating the vehicles exceeding amount as may be notified by the Government from time to time keeping in view the expenses in maintaining the establishment, overhead charges and other

relevant factors: Provided that the commission will be exclusive of loading and unloading charges.

108. Premises to be used. [Section 93 and 96(2)(xxix)] :-

(1) The Regional Transport Authority may in consultation with the local authority or, the police authority having jurisdiction over the area concerned, approve any premises owned by or in possession of licensee or any applicant for the licensee to be used for loading or unloading of goods or for parking goods vehicles for the storage of goods in the custody of the licensee having regard to the stability of the site, sanitary conditions and storage facilities provided at such premises.

(2) Where the Regional Transport Authority refuse to approve any premises under sub-rule (1), it shall record, in writing, the reasons for such refusal; Provided that before such refusal in opportunity of being heard shall be given to the licensee or the applicant, as the case may be.

109. Suspension or cancellation of license. [Section 93(2) (e) and 96(2)(xxix)] :-

(1) Without prejudice to any other action which may be taken against a licensee, under the Act, the State or Regional Transport Authority, as the case may be, may by order, in writing cancel the license obtained under rule 102 or suspend it for such period as it thinks fit if in its opinion any of the conditions of the license has been contravened: Provided that before making any order of suspension or cancellation under this rule, the State or Regional Transport Authority shall give the licensee an opportunity of being heard and shall record reasons in writing for such cancellation or suspension.

110. Issue of duplicate license. [Section 93 and 96(2) (xxix)] :-

(1) If at any time a license is lost, destroyed or torn or otherwise defaced so as to be illegible, the licensee shall, forthwith apply to the State or a Regional Transport Authority, as the case may be, for the grant of a duplicate license.

(2) The application under sub-rule (1) shall be accompanied by cash receipt or a treasury challan of ten rupees and on receipt of such an application the State or a Regional Transport Authority, as

the case may be, shall issue a duplicate license stamped "Duplicate" in red ink.

(3) If the duplicate license is granted under sub-rule (2) on a representation that the license originally granted has been lost or destroyed and the original license is subsequently found, it shall be surrendered to the authority concerned.

111. Display of license. [Sections 93 and 96(2)(xxix)] :-

(1) A person who has obtained a license under rule 102 for collecting the goods shall carry with him, his license while on duty and shall produce it on demand for inspection by the Secretary, Regional Transport Authority or the Registering Authority.

(2) A person who has obtained a license under rule 102 for forwarding and distributing the goods shall exhibit his license at some conspicuous place in the approved premises and the license shall be made available for inspection by the Secretary, Regional Transport Authority or Registering Authority.

(3) A person who has obtained a license for collecting, forwarding and distributing goods shall carry with him his license while on duty and shall produce it on demand for inspection by the Secretary, Regional Transport Authority or Registering Authority and shall also cause a true copy of his license to be exhibited at a prominent place in the approved premises.

112. Appeal. [Sections 93 and 96(2)(xiii)] :-

(1) Any person aggrieved by an order made under rule 102, 108 and 109 may, within a period of thirty days from the date of the receipt of such order, appeal,-

(a) to the Secretary to Government of Haryana, Transport Department, if the order is made by the State Transport Authority, and

(b) to the State Transport Authority, if the order is made by a Regional Transport Authority.

(2) The memorandum of appeal shall be filed in duplicate setting forth concisely the grounds of objections and shall be accompanied by a certified copy of that order and a cash receipt or a treasury challan of rupees twenty.

113. Levy of fees for supply of copies. [Section 93 and 96(2)(iii) and (xiii)] :-

The authority which passes an order to be appealed against under rule 112 shall, on an application by a person, give a certified copy of the order or any other relevant documents on payment of fee of rupees two per page.

114. Delegation of powers by State Transport Authority and Regional Transport Authority. [Section 68(5) and 96(2) (xxxiii) :-

(1) The State Transport Authority may, by a general or special resolution passed in its meeting delegate all or any of its powers under these rules to its Chairman:

Provided that the aforesaid powers may also be delegated in the aforesaid manner to the Secretary of the State Transport Authority who shall exercise these powers only when the Chairman is away from the headquarter of the authority.

(2) The Regional Transport Authority may delegate all or any of its powers to the Commissioner of the Division, Deputy Commissioner of the District or any other officer of the Motor Vehicle Department by passing a general or special resolution:

Provided that Regional Transport Authority may, by general or special resolution passed in its meeting, delegate its following powers to its Chairman, subject to the conditions mentioned therein, namely :-

(i) the power of permitting the transfer of permit under sub-section (2) of section 82;

Provided that this power is exercised after full enquiry and after full satisfaction about the contents of the application made for transfer of permit.

(ii) the power of granting replacement of vehicle under section 83 ;

(iii) the powers of granting temporary permits under section 87; and

(iv) the powers of granting countersignatures of permit under section 88.

Provided further that the aforesaid powers, may also be delegated to the Secretary of the Regional Transport Authority in the aforesaid manner who shall exercise these powers only in the case when the Chairman is away from headquarters of the authority and a reference to him will involve delay which in the circumstances is unreasonable.

Provided further that the aforesaid power may also be delegated to the Assistant Secretary of the Regional Transport Authority in the

aforesaid manner who will exercise these powers only in the case when both Chairman and Secretary are away from the headquarters of the authority and a reference to either of them will involve an amount of delay.

Provided further that any order passed by the Assistant Secretary in the capacity of delegated authority the orders so passed shall be got confirmed from the Secretary of the Regional Transport Authority concerned.

(3) A Regional Transport Authority may delegate its powers of issuing a duplicate permit or parts of a permit, as the case may be, under these rules to its Secretary or Assistant Secretary in the manner as specified in sub-rule (1).

114A. Mode of payment of fees/taxes :-

Different Transport Authority under the Motor Vehicles Act, 1988 and the rules framed thereunder shall ensure that all fees are deposited in office against the prescribed Government, receipt instead of challan. The fee received during the day, shall be deposited in Government treasury on next working day through the cash book of the office.

CHAPTER 6 SPECIAL PROVISIONS RELATING TO STATE TRANSPORT UNDERTAKINGS

115. Particulars of the scheme. [Section 99 and 107(2)(a) and (2)] :-

The proposal regarding a scheme formulated under section 99 shall be in the form of memorandum and shall contain the following particulars :-

- (i) name of the State Transport Undertaking;
- (ii) area or route proposed to be covered under the scheme alongwith full details of such area or route in the form of an annexure appended thereto;
- (iii) purpose of the scheme;
- (iv) number of service proposed to be operated in such area or on such route;
- (v) whether the scheme is to be exclusion, complete or partial of other persons or otherwise; and
- (vi) in case of partial exclusion of other persons --
 - (a) the extent of the same in favour of the State Transport Undertaking; and

(b) mode of grant of remaining services to be operated by other persons or otherwise.

116. Publication of scheme. [Sections 99 and 107(2)(a)] :-

The proposal regarding a scheme shall be published in the Official Gazette as well as in one newspaper in Hindi Language having circulation in the area of route covered by the scheme and in newspaper in the English language with sufficient circulation in the State of Haryana for the general information of the public and for inviting objections as required under section 100.

117. Manner of filing objections. [Sections 100 and 107(2)(b)] :-

The objections in terms of sub-section (1) of section 100 shall be filed through a communication addressed to the Secretary to Government of Haryana, Transport Department, with a copy to the Chairman, State Transport Authority and the State Transport Undertaking under registered post within a period of thirty days as specified in the said sub-section (1) of section 100.

118. Manner of consideration and disposal of objections. [Section 100 and 107(2)(c)] :-

(1) The State Transport Undertaking concerned shall forward its comments with regard to the objections received under rule 117 to the Chairman, State Transport Authority as well as to the Secretary to the Government of Haryana, Transport Department, within fifteen days after the expiry of the last date fixed for the receipt of such objections.

(2) The Chairman of the State Transport Authority shall consider the comments of the State Transport Undertaking received under sub-rule (1) and shall give his views thereon to the Secretary to the Government of Haryana, Department of Transport Undertaking.

(3) On receipt of the views of the Chairman of the State Transport Authority in term of sub-rule (2), the Government shall consider and dispose of the objections after giving an opportunity of being heard in the matter to the objector or his representative and the representative of the State Transport Undertaking and it may thereafter either approve to modify the scheme.

119. Publication of the scheme. [Sections 100 and 107(2)(d)] :-

The approved or modified scheme as the case may be under sub-rule (3) of rule 118 shall be published in the official Gazette and also in a newspaper in the Hindi language having circulation in the area or route covered by the scheme.

120. Application for grant of permit to State Transport Undertaking. [Section 103(1) and 107(2)(c)] :-

(1) For securing a stage carriage permit or a contract carriage permit in respect of a notified area or notified route in pursuance of an approved scheme, a State Transport Undertaking may make an application to the Regional Transport Authority concerned in the relevant form specified under rule 56:

Provided that in case the notified area or route falls within the jurisdiction of more than one Regional Transport Authority the application shall be made to the Regional Transport Authority in whose jurisdiction major portion of the area or route lies and the Regional Transport Authority shall transmit the same to the State Transport Authority for consideration with its comments thereon.

(2) The fee payable in respect of the application in terms of sub-rule (1) shall be specified in rule 60 in respect of application for grant or renewal of permit.

(3) The fee for grant of permits under this rule shall be specified in rules 61 or 62 as the case may be.

121. Manner of services of orders. [Sections 103(2) and 107(2)(g)] :-

The orders of the State Transport Authority or, as the case may be, Regional Transport Authority concerned under sub-section (2) of section 103 shall be served under registered post or through notice published in a newspaper in Hindi language having circulation in the area covered by the scheme.

CHAPTER 7 CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF MOTOR VEHICLE

122. General. [Section 111] :-

(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 rules made under this chapter and the provisions contained in Chapter V of the Central Rules or with any

order hereunder made by the State Transport Authority.

(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 a vehicle so damaged or otherwise defective while being removed to the nearest reasonable place of repair or disposal. Provided that where a motor vehicle can no longer remain under the effective control of the person driving, the same shall not be used in any public place, except by towing.

123. Rear mirror. [Section 111] :-

Every motor vehicle other than a road roller and other vehicles specially constructed or adopted for the construction or maintenance of roads shall be fitted either internally or externally, with a mirror so placed as to enable the driver to be or become, aware of the presence, in the rear of any other vehicle the driver of which is desirous of passing such motor vehicles.

124. Dangerous projections. [Section 111] :-

(1) No mascot or other similar fitting or device shall be carried on any motor vehicle other than a road roller or other vehicles specially constructed or adopted for the construction or maintenance of roads 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 102 millimeters beyond the rim of the wheel to which it is attached, unless the axle, hub or hub cap does not project laterally beyond the body of wings of the vehicle and is provided with an adequate guard.

125. Wing screen wiper. [Section 111] :-

An efficient automatic wind screen wiper shall be fitted to every motor vehicle which is so constructed that the driver cannot by opening the wind screen or otherwise obtain an adequate view to the front of the vehicle without looking through the wind screen.

126. Springing. [Section 111] :-

Every motor vehicle and every trailer drawn hereby other than a

road roller or other vehicles specially constructed or adopted for the construction or maintenance of roads, shall be equipped with suitable and sufficient means of springing adequately maintained in good and sound condition between the road wheels and the frame of the vehicle.

Provided that this rule shall not apply to :-

- (a) any tractor not exceeding 4.536 kilograms in weight unladen if all the unspiring wheels of the tractor are fitted pneumatic tyres;
- (b) any land locomotive, land tractor, land implement agricultural trailer or any trailer used solely for the haulage of felled trees; and
- (c) vehicles designed for use in works or in private premises and used on a road only in passing from one part of the works or premises to another or to works or premises within a distance of four kilometers.

127. Cars fitted with left hand steering control. [Section 111] :-

A motor car fitted with left hand steering control shall exhibit the words "Left Hand Drive" at a conspicuous place on its rear on a plain or a plain surface of the vehicle in red colour on white background, each letter being not less than thirty-five millimeters in height and of uniform thickness of thirteen millimeters.

128. Wings. [Section 111] :-

(1) Every motor vehicle except a locomotive tractor trailer or a road roller or other specially constructed or adopted for construction or maintenance of roads, shall, unless adequate protection is afforded by the body of the motor vehicles, be provided with wings 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 except a trailer drawn by locomotive shall be provided with wings as foresaid.

129. Side car wheel. [Section 111] :-

Every side car attached to a motor cycle that the wheel thereof is not wholly 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.

130. Communication with driver. [Section 111] :-

(1) Every transport vehicle, whether for the use of passengers or goods in which the drivers seat is separated from the passengers or the goods compartment by a fixed partition, which is not capable of being readily opened shall be furnished with efficient means to enable the passengers, conductor or the cleaner, in such compartment to signal the driver to stop the vehicle; provided that cleaner or a conductor in a goods vehicle shall be seated at the back to give signal to the driver when the former notices a faster vehicle approaching the one in which he is traveling.

(2) Sub-rule (1) shall not apply to :-

(i) petrol tank lorries;

(ii) the vehicle fitted with tanks on the entire chassis.

(iii) the motor vehicles used by the local authorities for the carriage of refuse.

(3) Every goods carriage or tractor trailer combination shall be furnished with efficient means of communication to enable the cleaner or conductor to signal the driver to stop the vehicle or to caution to allow passage for faster moving vehicle. The connection of the communication bell shall be of adopter and socket type so that the communication bell could be connected and disconnected while coupling and discoupling the trailer.

131. Restriction on painting. [Section 111] :-

(1) No motor vehicle shall be painted to olive green colour.

Provided that any military motor vehicle purchased as Military disposal shall be repainted with a colour other than olive green before registration under the act and such repainted colour shall conform to the colour specification, if any, laid down in these rules as applicable to a class or classes of motor vehicles.

(2) The motor vehicles belonging to an Education Institution :

(i) shall be painted in light blue or sky blue colour with a 254 millimeters wide strip of dark blue paint going all around the body 178 millimeters below the windows;

(ii) the creast of the institutions shall be painted below the dark blue strip in white colour on both sides of the vehicle between the rear and the front wheels; and

(iii) the name of the institution shall be written on the front side either above or below the wind screen accordingly to the space available.

(3) No motor cycle shall be painted in yellow colour except those belonging to the police organization of the State.

132. Special marks to be exhibited on a stage carriage when it is used as a contract carriage. [Section 111] :-

(1) No stage carriage or vehicle forming part of a service of stage carriage shall be used as a contract carriage unless a board is affixed on each side of the vehicle showing that it is for the time being in use as such and not as a stage carriage.

(2) The boards required by the proceeding sub-rule shall exhibit the words ON CONTRACT in red letters on a white ground, the letter being of a size not less than specified for numeral of a registration mark and shall be affixed in a prominent and unobscured position at or near roof level;

(3) The board required by sub-rule (1) shall be affixed before the commencement of any trip for which the vehicle is being used as a contract carriage and shall be kept affixed throughout the whole of the trip and the boards or marks indicating the route or routes on which the vehicle is operated at other times shall be removed or covered up throughout the trip.

133. Special requirements for public vehicle. [Section 111] :-

(1) Every public service vehicle, and all parts thereof including paint work or varnish, shall be maintained in a clean and sound condition and the engine, mechanism and all working parts in reliable working order.

(2) Every public vehicle shall carry a first-aid box with glazed - front of dimension suitable to accommodate the following articles, namely :

- (i) leaflet containing first-aid instruction;
- (ii) set of ordinary splints (consisting of six splints with four iron sockets);
- (iii) four triangular bandages;
- (iv) 3 x 2-1/2 packet surgeons lint;
- (v) sterilised cotton wool two in number of twenty five grams packets;
- (vi) sterilised fingers dressing twenty four in number;
- (vii) sterilised hand or foot dressing twelve in number;
- (viii) sterilised body dressing three in number;
- (ix) sterilised burn dressing --
 - (i) two in number of small size;
 - (ii) two in number of large size;

- (x) two eye pads;
- (xi) one card safety pins;
- (xii) one pair scissors;
- (xiii) one spool plater twenty five millimeters;
- (xiv) one medicine tumber;
- (xv) antiseptic cream containing 0.5 percent of centirmide BP in nongready base;
- (xvi) one bottle spirit surgical;
- (xvii) 4 bottle Sal Volatile;
- (xviii) four small tourniquet;
- (xix) empty bottle fitted with cork and camel hair brush for every drop;
- (xx) one pad splinter forcepts; and
- (xxi) medicine glass of 75 cubic centimeters.

134. Measures of stability of vehicles. [Section 111] :-

(1) The stability of double decked public service vehicle shall be such that when loaded with weight of 59 kilograms per person placed in correct relative position to represent the driver and conductor, if carried and full complement of passengers of the upper deck only if the surface of which the vehicle stands were titled to either side to an angle of twenty eight degrees from horizontal the point at which overturning occurs would not be reached.

(2) The stability of single decked public service vehicle other than motor cab shall be such that under any conditions of load at an allowance of 73 kilograms for every passenger for which the vehicle is registered if the surface on which the vehicle stands were titled to either side to an angle of thirty five degrees from the horizontal the point at which overturning occurs would not be reached.

(3) For the purpose of conducting tests stability the height of any stock 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 titled 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.

135. Seating space. [Section 111(2)(a)] :-

(1) In every public service vehicle other than motor cab there shall be provided for each passenger a reasonable comfortable seating

space of not less than 375 millimeters square in the case of deluxe vehicle, the seats measured on straight lines along and at right angles to the front of each seat and :-

(a) when the seats are place along the vehicle, the backs of the seats on the side shall be at least 1.37 meters distant from the back of the seats on the other side;

(b) when the seats are placed across the vehicle and are facing in the same directions there shall be every where a clear space of not less than 68.5 centimeters between the backs of the seats;

(c) when seats are placed across the vehicle and are facing each other there shall be every where a clear space of not less than 1.25 meters, between the back of facing seats;

(d) where seats are placed in such a manner that one row is alongwise the vehicle and the other rows of seats across the vehicle the clear space between the front and of the longisudinal, seats and the nearest part of the transverse seats shall not be less than 450 millimeters; and

(e) minimum leg space shall not be less than 254 millimeters in the case of an ordinary vehicle and 370 millimeters in the case of a deluxe vehicle. Provided that for a deluxe vehicle the following additional specifications shall also apply, namely :-

(i) the seats and back rests will be well sprung; and

(ii) arms and head rests will be provided.

(2) The back of all seats shall be closed to a height of 400 millimeters above seats level.

Provided that in the case of a single decked vehicle the State Transport Authority may specify the measurements within the above limits to which public service or a particular type of public works, vehicle, shall conform in specified areas or on hills road;

Provided further that if the Government is satisfied that particular vehicle or class of vehicles, having the internal height of head room measured along the centres of the vehicle from the top of the floor boards or battens to the underside of the roof, supports in excess of the right specified in this rule, is suitable for carrying out any work in furtherance of a public purpose, the Government may, by notification in the official Gazette, exempt such vehicle or class of vehicles from the provisions of this rule either generally or in such areas or on such routes subject to such conditions, if any, as may be specified notification.

136. Drivers seats. [Section 111] :-

(1) No public service vehicle shall be driven otherwise than from the right hand side of the vehicle.

(2) On every public service vehicle space shall be reserved for the drivers seat such as to allow him to exercise full and unimpended control of the vehicle and in particular,--

(a) the part of the seat against which the drivers back rests shall not be less than 280 millimeters from the nearest point on the steering wheel and that the seat shall be so constructed as to be adjustable in such a way that the distance is increased 350 millimeters, the drivers seat shall be constructed as to permit an up and down adjustment in addition to the fore and after adjustment mentioned herein;

(b) the width across the vehicle shall not be less than 680 millimeters and shall extend to the left of the centre of the steering column in no case less than 250 millimeters, and so that a line drawn parallel to the axis of the vehicle through the centres of any gear lever, brake level or other device to which the driver has to have frequent access lies not less than 50 millimeters inside the width reserved for the drivers seat; and

(c) in the case of public service vehicle other than a motor cab the space reserved in accordance with clause (b) shall be at the left hand and be enclosed with a rigid wooden or other suitable partition to a height not less than 300 millimeters above the seat and continued forward of the seat at an adequate height above the floor of the vehicle.

(3) No public service vehicle shall be so constructed that nay person may sit or any luggage may be carried on the freight hand side of the driver.

(4) Every public service vehicle shall be so constructed that save for the front pillar of the body, the driver shall have a clear vision both to the front and through an angle of ninety degree 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 at possible extent.

(5) The State Transport Authority may, be order in writing, direct that until such time as the vehicles have been taken off the road after having lived their lives nothing in this rule in regard to and consequent upon the provisions requiring that the vehicle shall be driver from the right hand side shall apply to a public service vehicle or a specified class of public service vehicle fitted with left hand steering control and obtained through the disposal organization of the Central Government.

(6) Where a Registering Authority registers a public service vehicle

in respect of which or belonging to a class in respect of which an order under sub-rule (5) has been made, it shall note in the certificate of resignation the fact that nothing in this rule in regard to and consequent upon the provisions requiring that the vehicle shall be driven from the right hand side shall apply to the vehicle.

137. Gangway. [Section 111(2)(a)] :-

(1) In every public service vehicle, the entrance to which from the front or the rear shall be a gangway along the vehicle and,--

(a) Where seats are placed along the sides of the vehicle there shall be a gangway a clear space of not less than 60 centimetres between fronts of the seats; and

(b) Where seats are placed across the vehicle there shall be a gangway a clear space of not less than 300 millimetres up to a height of 760 millimetres and not less than 380 millimetres above 760 millimetres from the floor level and where standing passengers are allowed, there shall be as a gangway, a clear space of not less than 500 millimetres in width up to a height of 760 millimetres from the floor level.

(2) Where the vehicle has seats across the full width of the body with separate doors to each seat, a gangway from front to rear of the vehicle shall not be required.

138. Limit of seating capacity. [Section 111(2)(a)] :-

(1) Notwithstanding anything contained in these rules, no public service vehicle other than a motor club, shall be registered for a number of passengers in excess of the number obtained by subtracting 118 kilograms from the difference in kilograms between the registered laden and unladen weight of the vehicle and dividing the resulting figures by 160 in case of a single decked vehicle and 130 in the case of double decked vehicle or for such number of passenger that when the vehicle is loaded in normal manner the axle weight of any axle will not exceed the registered axle weight for that axle.

(2) In addition to the number of persons permitted to be carried in a public service vehicle,--

(i) a child of not more than twelve years of age shall be reckoned as a half; and

(ii) a child of not more than three years of age shall be reckoned.

139. Head room. [Section 111(2)(a)] :-

Every public service vehicle other than a motor cab shall have the following internal height of head room measured long the centre of the vehicle from top of the floor boards or patterns to the underside of the roof supports,-

(a) in the case of a single decked vehicle with a permanent top not less than 1.4 meters and not more than 1.9 meters.

(b) in the case of a single decked vehicle with movable hood not less than 1.4 meters;

(c) in the case of a double decked vehicle such measurement as the Government may determine in each particular case.

Provided that in the case of a single decked vehicle the State Transport Authority may specify the measurement within the above limits to which public service vehicles shall conform in specific or on hill roads.

140. Width of doors. [Section 111(2)(a)] :-

(1) Every entrance and exit of a public service vehicle other than motor cab shall be at least 530 millimeters in width and of sufficient height.

(2) Every entrance and exist shall be capable of being opened outwards by one operation of the locking mechanism.

(3) Door handles or levers to door catches shall be so designed and fitted that they are not liable to be dislodged or to be operated accidentally.

(4) All doors shall be so designed as to be readily opened in case of need from inside and outside of the public service vehicle.

(5) Every public service vehicle shall have an emergency exit separate from the entrance door.

(6) All emergency exit shall :-

(i) be clearly marked EMERGENCY EXIT in bold letter on the inside;

(ii) be fitted with doors to open outwards;

(iii) be so designed as to be opened from inside and outside of the vehicle;

(iv) be equipped with a fasting device which can be quickly released but so designed as to offer protection against accident release;

(v) be easily accessible to persons of normal height standing on the ground outside the vehicle;

(vi) be easily accessible to the passenger;

(vii) be such that no seat or other object placed in the vehicle will

restrict the passage to the emergency door;

(viii) be located either at the back or on the right hand side of the vehicle; and

(ix) have no step leading to it.

(7) In the public service vehicle plied in the urban area, where the turnover of passenger is large, the number of stops is great and duration of stop is very short, different opening may be provided for entrance and exit in addition to the emergency and drivers exit.

(8) There shall be unobstructed accessibility from every seat to at least one exit. Provided that this rule shall not apply to any seat along with the driver, if there is access to such seat by an entrance other than the drivers entrance.

(9) There shall be direct access to the drivers seat either from the off side of the vehicle or by means of a passage, which shall not be smaller in dimension than the one specified from the gangway.

141. Grab rail. [Section 111(2)(a)] :-

In public service vehicle other than a motor cab, there shall be fitted to every entrance or exit except an emergency exit, a grab rail to assist passengers in boarding or alighting from the vehicle.

142. Steps. [Section 111(2)(a)] :-

(1) In every public service vehicle other than a motor cab, the top of the tread of the lowest step for any entrance or it, other than an emergency exit, shall not be more than 600 millimeters or less than 425 millimeters above the ground when vehicle is empty. Fixed steps shall be less than 225 millimeters wide and shall not be in no case project laterly beyond the body of ht vehicle unless they are so protected by the front wings or otherwise that they are not liable to injurd pedestrians. The shortest distance between any steps well and a vertical plane passing through out the front edge of a seat shall not be less than 225 millimeters.

(2) In the case of a double decked vehicles,-

(a) the risers of all steps leading from the lower to the upper deck shall be closed and no unguarded aperpture shall be left at the top landing board;

(b) all steps leading from the lower to upper deck shall be fitted with non slip treads;

(c) 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 75 millimeters from the back of the seat, shall not be less than 660 millimeters; and
(d) the outer stringer of an outside staircase shall be so constructed or a hand shall be so placed, as to act as a screen to person ascending or descending and the height of the outer guard rail shall not be less than one more meter above the front of the tread of each step.

143. Cushions. [Section 111(2)(a)] :-

Where the seats of public service vehicle are provided with fixed or movable cushions, the cushions shall be covered with leather cloth of good quality or other material of such kind that they are capable of being kept in a clean and sanitary condition.

144. Body dimension and guard rails. [Section 111(2)(a)] :-

(1) Every public service vehicle other than a motor cab, shall be so constructed that,--

(a) in the case of single decked vehicle with an enclosed body;

(i) the height of the body sides from the floor or the height to the sills of the windows as the case may be shall not be less than 710 millimeters; and

(ii) if the height of the sides of the body or the sills of the windows, as the case may be, above the highest part of any seats is less than 450 millimeters provisions be made by means of guard rails or otherwise to prevent the arms of seated passengers being thrust through and being injured by passing vehicles or the extent to which the side windows or venetians can be lowered in such a way that when lowered their top edge is not less than 450 millimeters above the highest part of any seat;

(b) in the case of single decked vehicle, open side guards 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;

(c) in the case of double decked vehicle with an uncovered top deck and the top deck shall be provided with the side and end rails the top of which shall be at least one meter above the highest part of any seat and the top of the front and back rails shall be at least one meter above the deck boards or battens and shall follow the chamber of the deck.

(2) For the purpose of this rule, seat back shall not be deemed to be part of the seat.

145. Protection of passengers from weather. [Section 111(2)(a)] :-

(1) Every public service vehicle other than a double decked vehicle shall be either constructed with a fixed water tight roof or equipped with a water tight hood that may be raised or lowered as is required.

(2) Save in the case of uncovered top deck of 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 screens are made of fabric, the whole of them shall at all times be fastened securely to the vehicle.

(3) Where glass windows or venetians are used, they must be provided with effective means to prevent their rattling.

(4) There shall be adequate ventilation for both passengers and the drivers without the necessity for opening any main windows or wind screen.

146. Prohibition on the fittings of mirrors. [Section 111] :-

No mirror or glass covered pictures shall be fitted inside or the body or any public service vehicle. Provided that nothing herein shall prohibit the fitting of any mirror which may be necessary to enable the driver to obtain a view of the road in the rear of the vehicle or a view of interior of the vehicle.

147. Lighting. [Section 111] :-

Every public service vehicle shall be furnished with electric lights adequate to give reasonable illumination throughout vehicle but of such power or so screened as not impair the forward vision of the driver.

148. Body construction. [Section 111] :-

The body of every public service vehicle shall be so constructed and so fastened to the frame of the vehicle as to comply with such directions as may be issued by the State Transport Authority from time to time.

149. Fuel tanks. [Section 111] :-

(1) No fuel tank shall be placed in any public service vehicle under

any part of any gangway which is within 60 millimeters 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 overflow therefrom shall fall upon any work or accumulate where it can be readily ignited. The filling points of all fuel tank shall be outside the body of the vehicle and the filler caps shall be so designed and constructed that they can be securely fixed in position.

150. Electric wires. [Section 111] :-

All electric wires or leased shall be adequately insulated.

151. Fire extinguishers. [Section 111] :-

Every public service vehicle shall be equipped with a fire extinguisher of a type specified by the State Transport Authority and it may be inspected at such periods and by such persons as the State Transport Authority may specify.

152. Water proof canvas. [Section 111] :-

Every public service vehicle shall be equipped with water-proof canvas for safe guarding luggage belonging to the passengers and carried on the roof of the vehicle.

153. Locking of nuts. [Section 111] :-

All moving parts of every vehicle and all parts subject to service vibration connected by bolts or studs and shall be fastened by lock nuts or by nuts with efficient spring or lock nuts washers or by castellated nuts and split pins or by some other efficient device so as to prevent them working loose.

154. Exhibition of starting and destination station. [Section 111] :-

(1) The owner of a public service vehicle other than motor cab shall exhibit a board in the manner illustrated in the second schedule to these rules above the drivers seat on the front of the vehicle indicated the starting point and the terminus of the route for which he holds permit. The board shall cover the whole width of the vehicle. The letters of the words indicating the starting point and

the terminus shall be in black on a white ground and shall each be not less than 100 millimeters height and twenty millimeters thick at any part. In the case of public service vehicles which ply in the urban areas the words shall be in English and in all other cases in Hindi language.

Provided that all stage carriage vehicle shall display a board near the conductor window, indicating the various stages on it, in regional language.

(2) The owner of the public service vehicle other than a taxi cab shall exhibit on a black slip, divided into two parts, one showing the trip number and other showing the approved departure time written in white chalk in arabic figures below the board specified in sub-rule (1).

155. Floor boards. [Section 111] :-

(1) The floor boards, of every public service vehicle which shall be strong and so closely fitted or so covered with a suitable material as to exclude as far as possible draughts and dust.

(2) The floor boards may be pierced for the purpose of drainage but for no other purpose.

156. Spare wheel and tools. [Section 111] :-

(1) Save as otherwise specified by the Regional Transport Authority in respect of the public service vehicles being exclusively plied in the urban areas, every public service vehicle shall at any times be equipped with not less than one spare wheel or rim fitted with a pneumatic tyre in good and sound condition readily inflated and mounted in such a way that it can be readily dismounted and fitted to the vehicle in the place of any one of the road wheels. Provided that it shall not be necessary to have second spares wheel during the completion of any journey during which the spares wheel has been used.

(2) Every public service 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 change a wheel or rim and tyre and with the equipment necessary to repair a puncture, including the following, namely :-

- (i) Spanners to fit every nut on the vehicle;
- (ii) One screw driver;
- (iii) One hammer;
- (iv) One pair pliers;

- (v) Two tyre levers;
 - (vi) Tyre repair buffit;
 - (vii) Tyre pump;
 - (viii) Wheel jack;
 - (ix) One spare headlight bulb and one pair rear lamp bulb;
 - (x) a supply of spare fuses.
- (3) Every transport vehicle other than a motor cab shall be furnished with a suitably fashioned block attached by chain to the vehicle to be used as a check when the vehicle is halted on a slope.

157. Advertisements and other markings on public service vehicles. [Section 111] :-

- (1) No advertising device, figure or writing shall be exhibited on any public service vehicle save as may be permitted by the State Transport Authority by general or special order.
- (2) A public service vehicle when regularly used for carrying Government mail by or under a contract with the Indian Posts and Telegraphs Department shall exhibit in a conspicuous place upon a plat or a plane, surface of the vehicle the words MAIL in red on the white ground, each letter being not less than 100 millimeters in height and of a uniform thickness of 20 millimeters.
- (3) Save as aforesaid, no motor vehicle shall display any sign or inscription which include the words MAIL.

158. Body and loading platform of goods carriage. [Section 111] :-

- (1) The body of every goods carriage including a trailer shall be fastened to the frame of the vehicle and so constructed as to comply with such directions as may be issued by the State Transport Authority from time to time. The vehicle shall be capable of carrying the load for which it is used without danger or inconvenience to other road users so that the load can be securely packed within the body of platform.
- (2) Every goods carriage with a trailer and tractor trailer combination shall be fitted with an electric device so as to cause an alarm by working of a buzzer in the drivers cabin on account of failure of the towing mechanism and decoupling of the trailer.

159. Drivers seat of goods carriage. [Section 111] :-

The provisions of rule 136 shall apply to every goods carriage in so

far as the seat of driver is concerned.

160. Requirements for auto-rickshaw. [Section 111] :-

Every auto-rickshaw shall,--

- (i) have body either of a station wagon or a box type of hackney carriage type as approved by the State Transport Authority soundly constructed to the satisfaction of the registering authority and shall be securely fastened to the frame of the vehicle and there shall be adequate arrangements for protection of passengers from sun, wind and rain;
- (ii) have the roof so constructed as to provide protection for passengers from sun and rain and shall be either of metal sheeting or canvas or some other suitable material;
- (iii) have road clearance not more than 225 millimeters and not less than 150 millimeters;
- (iv) have floor board not more than 550 millimeters above the surface on which the auto-rickshaw stand;
- (v) have the drivers seat at least 100 millimeters of clearance from the penal of the body and a wind screen shall be provided for the driver;
- (vi) be provided at least 275 millimeters leg space in the case of an autorickshaw having seating capacity for four passengers and at least 375 millimeters leg space in the case of an auto-rickshaw having seating capacity for two passengers;
- (vii) be provided with taxi meter approved by the Bureau of Indian Standards;
- (viii) be fitted with a bulb horn in addition to electric horn; and
- (ix) be fitted with a rear view mirror mounted at a suitable place to give a clear unobstructed view of the rear to the driver.

Provided that in case of an auto-rickshaw having seating capacity for four passengers the entrance to which is from the front or rear and the seats are placed across the autorickshaw there shall be gangway of not less than 300 millimeters.

161. Use of flag. [Section 111] :-

No motor vehicle other than vehicle used by dignitaries or officers authorized by the Central Government or Government of Haryana to use distinctive flags shall display such flags or flag rods.

162. Use of red light. [section 111] :-

No motor vehicle other than the motor cars attached with the dignitaries allowed to fly on their motor cars distinctive flags according to the flag code of India and the officers allowed to the distinctive flags by the Government of Haryana, shall show the red light to the front or other than a red light to the rear.

Provided that the provisions of these rules shall not apply to internal lighting of the vehicle or to an amber light displayed by any direction indicator.

Provided further that the motor cars attached with the officer of Transport Department, Excise & Taxation Department and Police Department shall be fitted with flickering Red/Blue lights.

CHAPTER 8 CONTROL OF TRAFFIC

163. Use of weighing device. [Section 138(2)(b)] :-

(1) No weighing device shall be used for purposes of section 114, unless it is tested not less than once in every six calendar months by an officer, appointed by the Chairman of the State Transport Authority, in consultation with the Controller, Weights and Measures, Haryana.

(2) No weighing device shall be installed without the approval of the State Transport Authority.

(3) The State Transport Authority while giving approval for the installation of weighing device in terms of sub-rule (2) shall have regards to the following matters, namely :-

(a) the interests of the public generality and the efficient functioning of the weighing device;

(b) the suitability of site for installation from the point of view of traffic control;

(c) the avoidance of annoyance to persons living or having property in the locality;

(d) the suitability of the site of installation in relation to other existing weighing devices in the same area; and

(e) any other consideration that may appear to be relevant.

164. Restriction on driving with gear disengaged. [Section 138(2)(f)] :-

Within the limits specified in the Third Schedule and elsewhere on any hill marked by traffic sign No.10 in Part A of the Schedule to the Act no person shall drive a motor vehicle with the clutch

pedal/depressed or with any free wheel or other device in operation which frees the engine from the driving wheel and prevents the engine from acting as a brake when the vehicle is traveling down an incline.

165. Prohibition on mounting or taking hold of vehicles in motion. [Section 138(2)(g)] :-

(1) No person shall mount or attempt to mount on 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.

166. Towing. [Section 138(2)(g)] :-

(1) No vehicle other than a mechanically disabled or incompletely assembled motor vehicle or a registered trailer shall be drawn or towed by any motor vehicle.

(2) No motor vehicle other than a registered trailer shall be drawn or towed by any other motor vehicle unless there is in the drivers seat of the motor vehicle being drawn or towed a person holding a license authorizing him to drive that type of vehicle or unless the steering wheels of the motor vehicle being towed are firmly and securely supported clear of the road surface by some crane or other device on the vehicle which is drawing or towing it.

(3) When a motor vehicle is being towed by another motor vehicle, the clear distance between the rear of the front vehicle and the front of the rear vehicle shall at no time exceed 4.6 meter-steps shall be taken to render the tow rope or chain easily distinguishable by other users of the road and there shall be clearly displayed on the rear of the vehicle being towed in black letters not less than 75 millimeters high and on a white ground the words "ON TOW".

Provided that no person shall be liable to be convicted for the contravention of this subrule for failure to display the words "ON TOW" if the motor vehicle which is towing to other is not a motor vehicle adapted and ordinarily used for the purpose and so long as the vehicle is being towed between the place of the break-down and the nearest place on the route at which the necessary materials can be obtained.

(4) No motor vehicle when towing another vehicle other than a trailer or side car shall be driven at a speed exceeding twenty-five

kilometers per hour.

167. Traffic aggregation. [Section 138(2)(h)] :-

Where any road or street is provided with foot paths or tracks reserved for cycles or specified classes of other traffic, no person shall, save with the sanction of a police officer in uniform, drive any motor vehicle or cause or allow any motor vehicle to be driven on any such foot path or track.

168. Projection of loads. [Section 138(2)(i)] :-

(1) Nothing shall be placed or carried upon the outside of 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 or injury to any person or in such a manner that the load or any part thereof or anything extends,--

(a) laterally beyond the side of the body or beyond a vertical plain in prolongation of the side of the body;

(b) to the front beyond the foremost part of the vehicle;

(c) to the rear to a distance exceeding 1.2 meters beyond the rearmost part of the vehicle excluding luggage carrier; and

(d) in height by a distance which exceeds 3.4 meters from the surface upon which the motor vehicle rests.

(3) The provisions of clause (c) of sub-rule (2) shall not apply to goods carriage when loaded with any pole or other projecting things so long as :-

(a) the projecting load falls within the limits of the body of a trailer being drawn by the goods carriage; or

(b) the distance by which the pole or other thing projects beyond the rearmost point of the motor vehicle does not exceed 1.8 meters; and

(c) 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 375 millimeters in diameter and, at night a lamp in addition to the specified lamps on the vehicle so arranged as to show a red light to the rear.

(4) A Regional Transport Authority or its officer if so authorized by it may, by an order in writing, in emergent cases, exempt any motor vehicle for such period and subject to such conditions as may be specified, from any or all the provisions of this rule.

169. Carriage of dangerous substances. [Section 138(2)(I)]

:-

(1) Except for the fuel and lubricant, necessary for the use of the vehicle, the carriage of goods of dangerous and hazardous nature to human life, highly inflammable or otherwise dangerous substance shall not be carried on any vehicle, unless it is so packed or the body has been so fabricated as approved by the Controller of Explosive, Government of India or by an officer authorized by him in this behalf that even in the case of an accident to the vehicle it is unlikely to cause damage or injury to the vehicle or person carried thereon to any public property.

(2) If in the opinion of an officer authorized by the Transport Commissioner, any vehicle is at any time loaded in contravention of sub-rule (1) he may order the driver or other person incharge of the motor vehicle to remove or replace the carriage of goods of dangerous or hazardous nature to human life as may be specified by the Department of Science and Technology, Government of Haryana, otherwise the vehicle or goods shall be liable to be impounded by the Officer so authorized with the help of police authorities of the area.

170. Sound signals. [Section 111(2)(b) and 138(2)(i)] :-

(1) No driver of a 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 other person to do so continuously or to an extent beyond what is necessary to ensure safety.

(2) The Regional Transport Authority may, by notification published in the Official Gazette or in one or more newspaper in circulation in the area and by the erection in suitably placed traffic sign No.7 as set forth in 5th Schedule to the act, prohibit the use by drivers of motor vehicles of any horn, going other device for giving audible warning in any area during such hours as may be specified by him in the notification. Provided that when the Regional Transport Authority prohibits the use of any horning or other device for giving audible warning during certain specified hours as he shall cause a suitable notice, in English and Hindi language to be affixed below traffic sign setting forth the hours within which such use is prohibited.

171. Cuts-outs. [Section 138(2)(i)] :-

No driver of motor vehicle shall in any public place make use of any cut outs or any other device by means of which the exhaust gases of the engine are released save through the silencer.

172. Restriction on traveling backward. [Section 138(2)(i)] :-

No driver of a motor vehicle shall cause the vehicle to travel backward without first satisfying himself that he will not thereby cause danger or undue inconvenience to any person, or in any circumstances save in the case of a road roller, for any greater distance or period of time which may be reasonably necessary in order to turn the vehicle round.

173. Use of lamps when a vehicle is at rest. [Section 138(2)(i)] :-

(1) If within the limit of an urban area a motor vehicle is at rest within the hours during which lights are required at the left hand side of any road or street or elsewhere in any duly appointed parking place it shall not be necessary for motor vehicle to exhibit any light save as may be required generally or specifically by the Regional Transport Authority.

(2) Outside the limits of an urban area, if a motor vehicle is at rest within the hours during which lights are required in such a position as not to cause danger or undue inconvenience to other users of the road, it shall not be necessary for the vehicle motor to display any lights.

174. Dazzling lights. [Section 138(2)(i)] :-

(1) The driver of a motor vehicle shall at all times when the lights of the motor vehicle are in use so manipulate them that danger or undue inconvenience is not caused to any person by dazzle.

(2) The Regional Transport Authority may, by notification in the Official Gazette and by the erection of suitable notices in English and Hindi language within such areas or in such places as may be specified in the notification, prohibit the use of lamps giving a powerful or intense light.

175. Visibility of lamps and registration marks. [Section 138(2)(i)] :-

(1) No load or other thing shall be placed on any motor vehicle so

as at any time to mark otherwise interrupt vision of any lamp registration mark or other mark required to be carried by or exhibit on any motor vehicle by or under the provisions of the Act, unless a duplicate of the lamp or mark so marked or otherwise obscured is exhibited in the manner required by or under that Act for the exhibition of the marked or obscured lamp or mark.

(2) All registration and other marks required to be exhibited on a motor vehicle by or under the provisions of the act shall at all times be maintained as far as may be reasonably possibly in a clear and legible condition.

176. Stop sign on road surface. [Sections 112, 115 and 138(2)(h)(i)] :-

(1) When any line is painted on or inland into the surface of any road at approach to a road junction or to a pedestrian crossing or otherwise, no driver shall drive a motor vehicle so that any part thereof projects beyond that line at any time when signal to stop is being given by a police officer or by means of traffic control lights or by the temporary display of sign No.3 of the schedule to the Act.

(2) A line for the purposes of this rule shall not be less than 50 millimeters in the width at any part and shall be either in white or yellow colour.

177. Special provisions on hill roads. [Sections 112, 115 and 138(2)(i)] :-

On the road enumerated in the Third Schedule to these rules all drivers shall observe the following special rules, namely :-

(a) no motor vehicle shall overtake another, except at a place where the whole road is clearly visible for at least 180 meters ahead;

(b) when two motor vehicles approach each other in opposite direction at a point where they cannot meet without danger or collusion, the vehicle proceeding down hill shall give way to the vehicle proceeding uphill and when such meeting takes place in a dip or on a level stretch of road, the vehicle on the inside of road, that is, the side from which the hill side sloped upwards, shall give way;

(c) the driver while taking turn over every bend and curve shall give horn a provided that it shall not be necessary to give a horn at a bend or curve near a hospital if an indication for not giving a horn has been put at that bend or curve.

178. Trailers prohibited with motor cycles. [Section 138(2)(i)] :-

(1) A motor cycle with not more than two wheels with or without a side car shall not draw a trailer.

(2) No motor vehicle shall draw trailer exceeding 227 kilogram in weight unladen or 1.5 meters in overall width except with permission of the State Transport Authority.

179. Prohibitions of attachment of trailer to certain vehicles. [Section 138(2)(i)] :-

No motor vehicle which exceeds 9.14 meters in length shall draw a trailer. Provided that this rule shall not apply to any motor vehicle being towed in a consequence of disablement.

180. Attendants on trailers. [Section 138(2)(i)] :-

(1) When a trailer is or trailers are being drawn by a motor vehicle these 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 eighteen 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 vehicles 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 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 no 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 driver shall be carried on their vehicle and one person on the last trailer in the train in accordance with the provision of sub-clause (ii) of clause (a);

(c) if the trailer is or trailers are being drawn by a locomotive, notwithstanding that the brakes of the trailer or trailers can be operated by the driver or some other person on the locomotive, not less than one person on each trailer and 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 771 kilograms 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 purposes of the drawing vehicle when used singly and not in a train with other trailer;
- (d) to any agricultural or road making or road repairing or road cleansing implement drawn by a motor vehicle;
- (e) to any trailer specially constructed or adapted for any purposes upon which an attendant cannot safely be carried; or
- (f) to any close trailer specially constructed for any purpose and specifically exempted from any or all of the provisions of this rule by an order, in writing made by the registering authority to the extent so exempted.

181. Distinguishing mark for trailers. [Section 65(2)(g) and 138(2)(i)] :-

(1) No person shall drive or offer or cause to be driven in any public place any motor vehicle to which trailer is or trailers are attached unless there is exhibited on the back of the trailer of the last trailer in train, as the case may be, distinguishing mark in the form set out in the diagram contained in the Fourth Schedule to these rules in white colour on the black ground.

(2) The mark shall be kept clear and unobscured and shall be so fixed to the trailer that,--

- (a) the letter on the mark is vertical and easily distinguishable from the rear of the trailer;
- (b) the mark is either on the centre or to the right hand side of the back of the trailer; and
- (c) no part thereof is at a height exceeding 1.2 meters from the ground.

(3) This rule shall not apply to the cases referred to in clauses (a), (b), (c), (d) and (e) of sub-rule (2) of rule 180.

182. Use of trailers. [Section 138(2)(i)] :-

(1) No trailer other than the trailing half of an articulated vehicle shall be attached to a public service vehicle.

(2) Save in the case of a trailer being used for the carriage of troops of police or in the case of a tractor trailer used for agricultural purposes and carrying not more than six persons

including the attendant, no person other than the attendant or attendants as required by Rule 180 shall be carried on a trailer.

183. Crossing unmanned railway level crossing. [Section 138(2)(i)] :-

On the approach of any railway crossing guarded or unguarded the driver of every motor vehicle shall stop the vehicle and shall not enter the railway crossing until he has himself sure that the railway track on both sides is clear.

184. Traffic signals. [Sections 119 and 138(2)(i)] :-

Every driver of a motor vehicle shall comply with the traffic signals specified in the Fifth Schedule to these rules given to him by any police officer for the time being engaged in the regulation of traffic in any public place.

185. Use of protective head gear. [Sections 129 and 138(2)(i)] :-

Every person driving or riding a motor cycle of any class or description shall wear a protective headgear approved by the Bureau of Indian Standards from time to time. Provided that in addition to the person exempted under the provisions of section 129, persons who are medically advised by a Chief Medical Officer not to wear such headgear or a Sikh or a woman shall not be required to wear headgear.

**CHAPTER 9 HALTING OF MOTOR VEHICLES IN PUBLIC PLACES
CONTROL OF STANDS**

186. Halting of stage carriage. [Section 96(2)(xx)(xxii), 117 and 138(a)(2)(e)] :-

(1) No stage carriage shall be halted in an urban area on a notified bus stop for more than five minutes consecutively for the taking up or setting down of passengers or at any time during the course of a run except at a bus stand.

(2) The Regional Transport Authority may direct that in an urban area, in any street or any road notified by him in this behalf (the notification made through the public proclamation or in such other manner as the Regional Transport Authority may deem fit), no stage carriage shall take up or set down passengers except at a

place appointed by him at a bus stop or at a bus stand.

(3) No stage carriage shall be halted at a bus stop for longer than it is necessary to take up such passengers as are waiting when the vehicle arrives and to set down such passengers as wish to alight.

(4) If the run of any stage carriage starts or finishes in an urban area, it shall, unless the Regional Transport Authority specially exempts the vehicles from the provisions of this rule, be begun from by or ended at a bus stand.

(5) Where a stage carriage is exempted from the provision of the proceeding subrule, it shall be a condition of the exemption that no passenger shall be taken up or set down, as the case may be at any point within a distance of 183 meters or such other distances as may be named in the order of exemption from the place where the stage carriage is garaged or parked at the start or finish of the run.

(6) In exempting a stage carriage from the provisions of sub-rule (4), the Regional Transport Authority may make it a condition that the first passenger shall be taken up, or the last passenger be set down, at a particular bus stop fixed for the purpose in the order of exemption.

(7) An order of exemption made under sub-rule (4) shall remain in force for a period of one year or such lesser period as the Regional Transport Authority may direct and may be cancelled or modified by him at his discretion at any time.

(8) A Regional Transport Authority may attach to a stage carriage permit a condition that when the vehicle is not in use it shall not be halted in any public place except at a bus stand or at a parking place appointed under rule 188.

Provided that the aforesaid provisions shall not apply to a stage carriage when it is being used as a contract carriage or as a vehicle for the carriage of goods without passengers; provided that a board has been affixed to the vehicle bearing the inscription "ON CONTRACT" or "CARRYING GOODS ONLY" as the case may be, provided further that the particulars of the hiring have been entered in the log book of the vehicle.

187. Halting of contract carriage. [Section 96(2)(xxi) and 138(2)(e)] :-

A Regional Transport Authority may impose on the use of any contract carriage or any stage carriage when the same is being used as a contract carriage a condition that the vehicle shall not be

halted for more than ten consecutive minutes in any public in an urban area save at parking place or in the case of a motor cab at a taxi stand duly appointed under rule 188.

188. Parking places. [Section 96(2)(xxi) and 138(2)(e)] :-

Subject to the provisions of rule 193 the Regional Transport Authority concerned in consultation with the District Magistrate, Superintendent of Police and the local authority having jurisdiction in the area concerned, make orders appoint in parking places and stands for motor vehicles under section 117.

Provided that no place which is privately owned shall be appointed as a parking place or a stand except on application by or with the written consent of the owner.

189. Taxi stands. [Section 96(2)(xxii) and 138(2)(e)] :-

(1) At every taxi stand appointed under rule 188,--

(a) the drivers shall station their motor cabs in the stand in the order in which they arrive, the motor cab which has been waiting longest being stationed in the front position and the motor cabs being moved up as vacancies occur;

(b) the drivers of the first two motor cabs shall stay by their vehicles ready to be hired by any person;

(c) no motor cabs engaged for some future time shall be kept, in the taxi stand unless the driver is willing to accept any intermediate hiring that may be offered; and

(d) no disabled motor cab shall be kept in taxi stand unless the disablement can be and is intended to be remedied forthwith.

(2) The Regional Transport Authority may in the case of any taxi stand relax any or all the provisions contained in sub-rule (1).

(3) Nothing in sub-rule (1) shall render it obligatory on a person wishing to hire a motor cab from a taxi stand to take the first cab or restrict his freedom to choose whichever vehicle he prefers.

190. Involuntary halts. [Section 122 and 138(2)(e)] :-

No person shall be liable to be punished for halting a vehicle in contravention of any of the rules contained in this chapter if the stopping of vehicle was occasioned by a mechanical defect or by other cause beyond the control of the driver or person incharge. Provided that the driver or other person incharge shall continue to be liable for contravening section 122, unless all practicable steps

have been taken to dispose of the vehicle in such a way that it shall not cause danger obstruction or inconvenience to other users of road.

191. Prohibition on the use of horn. [Section 138(2)(i)] :-

Except to avoid an imminent accident no person shall sound the horn or other audible warning, device of any motor vehicle within the limits of a bus stand, parking place or taxi stand.

192. Classification of bus stands. [Section 96(2)(xxii) and 138(2)(e)] :-

(1) Bus stands shall be classed as follows :-

(a) Bus stands, being general bus stands administered directly by the State Transport Department.

(b) Bus stands, being general bus stands administered by a Municipal Committee or other local authority either directly or through the agency of a contractor.

(2) Every order made by the Regional Transport Authority under rule 188 shall show clearly the class of stand which is allowed to be established and shall be in the respective form that in Form HR No.46 for stand A or Form HR No.47 for stand B and shall be notified by publication in one or more newspapers in circulation in the district or by such other means as the Regional Transport Authority may consider appropriate. Provided that the validity of order in Form HR No.46 shall be five years unless otherwise revoked. This order shall be renewed for every five years.

(3) The Transport Commissioner, Haryana shall from time to time fix the fees or the maximum fees payable at every stand.

193. Consideration governing the location of stands. [Section 96(2)(xxii) and 138(2)(e)] :-

In deciding whether to grant permission for the use of any place as stand, the Regional Transport Authority shall have regard to the following matters, namely :-

(a) the interests of the public generally and, the efficient organization of transport system;

(b) the suitability or the site from the point of view of traffic control;

(c) the avoidance of annoyance to persons living or having property in the locality;

- (d) the suitability of the site in relation to other stands in the same towns; and
- (e) any other consideration that may appear to be relevant.

194. Conditions applicable to all stands. [Sections 96(2)(xxii) and 138(2)(e)] :-

(1) Every order permitting a place to be used as a stand under rule 188 shall be subject to the following conditions, namely :-

- (a) that the land and building of the stand shall at all times be kept clean and in a good state of repair;
- (b) that the stand shall be administered in a seemly and orderly manner;
- (c) that the person, transport company, transport firm, transport society or authority permitted by the Regional Transport Authority to use the place as a stand shall take all possible precautions to ensure that no breach of the Act, of these rules is committed in respect of any vehicle entering or leaving or halting at the stand;
- (d) that a board shall be set up in a conspicuous position at the stand showing the fees payable and that the full amount of fees due from the owner and the drivers of vehicles shall be charged neither more nor less;
- (e) that weighing machine shall be maintained at the stand for determining the weight of the goods to be carried by passengers in public vehicles or in the goods carriage; and
- (f) that local authority or person authorized to administer the stand shall,--
 - (i) maintains such records as the Regional Transport Authority may from time to time direct;
 - (ii) employ such staff at the stand as may be specified in the order made by the Regional Transport Authority;
 - (iii) provide waiting rooms for the largest number of passengers that may reasonably be expected to use the stand at any one time including separate accommodation for women;
 - (iv) provide suitable lavatories for both sexes;
 - (v) provide rest rooms for the drivers and conductors of the vehicle regularly kept at the stand;
 - (vi) provide an adequate supply of drinking water for the passengers, drivers and all person likely to be employed at the stand;
 - (vii) provide covered accommodation or other form of shelter for all the vehicle regularly kept at the stand or for such percentage or

those vehicles as the Regional Transport Authority, may specify;
(viii) provide for the illumination of the stand at night;
(ix) provide in a separate portion of the stand facilities for washing and cleaning vehicles and for executing ordinary repairs;
(x) provide toilet and refreshment facilities in keeping with appropriate of privacy and hygiene; and
(xi) provide cloak-rooms containing wash basins, water taps for women passengers.

(2) With the approval of the State Transport Authority the Regional Transport Authority may attach to the order any other condition that may seem to him to be necessary to secure the efficient administration of the stand or otherwise to be in the public interest.

195. Stand of class B. [Sections 96(2)(xxii) and 138(2)(e)]

:-

(1) A local authority administering a stand of class B shall maintain separate accounts of the income received and expenditure incurred in respect of it and these accounts together with the accounts of any manager or contractor employed by the local authority in connection with the stand shall be subject to audit under arrangement made by the Government of Haryana and shall be open to inspection at all reasonable times by Regional Transport Authority and any official appointed by it for this purpose.

(2) It shall be a condition of every order permitting a place to be used as a site for a stand of class B that the whole of the profits derived from the administration of the stand after deducting such expenditure for the management, lighting and maintenance of the stand as may be incurred with the approval of the Regional Transport Authority together with the deductions specified in the next following sub-rule shall be devoted by the local authority in defraying the costs of new building and improvements at the stand or providing amenities for the drivers of vehicles of waiting passengers.

(3) In determining the amount to be expended by the local authority under the preceding sub-rule on new building, improvement and amenities a deduction shall be made equal to :-

(a) the interest which the local authority may actually be paying on any sum borrowed by it during the preceding twenty years expended capital of its own in acquiring land or building for the stand or if the local authority has during the preceding twenty years expended capital of its own in acquiring land and buildings a

sum representing interest on that capital at the current bank rate;
(b) any rent which may be due from the local authority to a person on account of the land and building included in the stand; and
(c) such an additional sum not exceeding three per cent of the gross receipts from fees as may be agreed between the Regional Transport Authority and the local authority.

(4) Save with the approval of the Regional Transport Authority, the local authority administering a stand of class B shall not entrust the management of the stand to or permit to the employed in the working of the stand, any person who has a financial interest direct or in direct in any of the vehicles likely to be kept thereat.

196. Disposal of moneys accruing to government. [Sections 96(2)(xxii) and 138(2)(e)] :-

Moneys accruing to the administration of stands shall be devoted subject to the vote of the legislature to;

(a) the carrying out of improvements and the provisions of amenities at stand;

(b) the acquisition of sites for stands; or

(c) any other object which in the opinion of the Government conduces to the Welfare of persons employed in the motor transport industry and the traveling public.

197. Boundaries of stands to be demarcated. [Sections 96(2)(xxii) and 138(2)(e)] :-

The local authority or person entrusted with the administration of a stand shall erect and maintain to the satisfaction of the Regional Transport Authority pillars or other marks of a permanent character clearly indicating the boundaries of the land including in the stand.

198. Cancellation of order for the establishment of stands. [Sections 96(2)(xxii) and 138(2)(e)] :-

(1) A Regional Transport Authority may, at any time, revoke any order made by him or any of his predecessors permitting the establishment of any stand if in his opinion any of the conditions on which the stand was permitted to be established, have been contravened or the stand has not been satisfactory managed or its continuance is no longer in the public interest.

(2) Before revoking any order under the preceding sub-rule the Regional Transport Authority shall give the person authorised to

administer the stand, an opportunity of being heard and shall record his reasons in writing.

(3) An order permitting the establishment of a stand, unless revoked under subrule (1) shall remain in force for a period of three years or such lesser period as may be specified in the order and such order may be renewed from time to time by the Regional Transport Authority for a further period of not more than three years.

199. Control over Regional Transport Authority. [Sections 96(2)(xxii) and 138(2)(e)] :-

(1) Any person aggrieved by an order of the Regional Transport Authority sanctioning the establishment of a stand or revoking an order permitting the establishment of a stand may within thirty days of the receipt of the order, appeal to the State Transport Authority whose order thereon shall be final and conclusive.

(2) Saving always the powers of the State Transport Authority as the authority appointed to hear appeals under sub-rule (1) the Regional Transport Authority shall, in all matters relating to the establishment of stands and the appointing of bus stops, be subjects to the control of the State Transport Authority and shall comply with any particular or general instructions, that may be issued by that authority.

200. Control of officers over the stands. [Sections 96(2)(xxii) and 138(2)(e)] :-

Any officer authorized by the State Transport Authority in this behalf shall ensure that provisions of the rules contained in this Chapter are complied with by the manager maintaining stands.

CHAPTER 10 INSURANCE OF MOTOR/VEHICLE AGAINST THIRD PARTY RISKS

201. Presentation of certificate of insurance while paying tax. [Section 146(2)(3)] :-

An owner of motor vehicle other than of a vehicle to which sub-section (2) or sub-section (3) or section 146 applies shall, while applying for payment of tax under the provisions of the Punjab Motor Vehicles Taxation Act, 1924 present for the perusal of the registering authority a certificate of insurance in the following form showing that there is in force the necessary policy of insurance for

the motor vehicle concern.

Certificate of Insurance

Certificate No. _____ Policy
No. _____

(Optional)

(1) Regional mark and number of description of the vehicle insured _____.

(2) Name and address of insured _____.

(3) Effective date of commencement of insurance for the purpose of Act _____.

(4) Date of expiry of Insurance _____.

(5) Persons or classes of persons entitled to drive _____.

(6) Limitation as to use _____.

I/We hereby certify that the policy to which this certificate relates as well as this certificate of insurance are issued in accordance with the provisions of Chapter XI of the Act.

(Seal) Authorised Insurer.

202. Motor vehicle reserve fund. [Section 146(3)] :-

A motor vehicles reserve fund shall be established and the contribution thereto shall be made at the rate not less than rupees five hundred per annum per vehicle by any of the authorities specified in subsection (3) of section 146.

Provided that the contribution may cease when the maximum limit of rupees two thousand per vehicles is reached but it shall again be continued at the aforesaid rate when the accumulation in the motor vehicles reserve falls below the maximum as a result of withdrawals from the fund.

CHAPTER 11 MOTOR ACCIDENTS CLAIMS TRIBUNAL

203. Application for claims for compensation. [Section 165 and 176] :-

Every application for claims of compensation to be made under section 166 shall be in Form HR No.48.

204. Examination of applicant. [Section 168(1) and 176] :-

On receipt of an application for claims of compensation, the Claims Tribunal may examine the applicant on oath and the substance of

such examination, if any, shall be reduced to writing. When the application is time-barred as per provisions of sub-section (3) of section 166, the Claims Tribunal may ask the applicant to give reason for condonation of delay, in writing and if there is no sufficient cause, it may be dismissed without calling up on the applicant to appear.

205. Summary dismissal of application. [Sections 169 and 176] :-

The Claims Tribunal may, after considering the application and the statement, if any of the applicant recorded under rule 204, dismiss the application summarily if for reasons to be recorded, it is of the opinion that there are no sufficient grounds for proceeding therewith.

206. Notice to parties involved. [Sections 169 and 176(b)] :-

If the application is not dismissed under rule 205, the Claims Tribunal shall send to the owner of the motor vehicle involved in the accident and its insurer a copy of the application together with a notice of the date on which it will hear the application and may call upon the parties to produce on the date any evidence which they may wish to tender.

207. Appearance and examination of the parties. [Sections 169 and 176(b)] :-

(1) The owner of the motor vehicle and the insurer may and if so required by the Claims Tribunal shall, at or before the first bearing or within such further time as the Claims Tribunal may allow, file a written statement dealing with the claim raised in the application and any such written statement shall form part of the record.

(2) If the owner of the insurer contests, Claims Tribunal may, and if no written statement has been filed, shall proceed to examine the owner and the insurer upon the claim and shall reduce the substance of the examination to writing.

208. Summoning of witness. [Sections 169 and 176(b)] :-

If any application is presented by any party to the proceedings for the summoning of witness, the Claims Tribunal shall on payment of the expenses, involved, if any, issue summons for the appearance

of such witness, unless it considers that their appearance not necessary for a just decision of the case.

209. Appearance of legal practitioner. [Sections 169 and 176(b)] :-

The Claim Tribunal may, in its discretion, allow any party to appear before it through a legal practitioner.

210. Local inspection. [Sections 169 and 176(b)] :-

(1) The Claims Tribunal, may, at any time during the course of any proceedings before it, visit the site at which accident occurred for the purpose of making a local inspection or examination of any person likely to be able to give information relevant to the enquiry.

(2) Any party to a proceeding or the representative of any such party may accompany the Claims Tribunal for local inspection.

(3) The Claims Tribunal, after making a local inspection, shall note briefly in a memorandum the facts observed and such memorandum shall form part of the record of the proceedings.

(4) The memorandum referred to in sub-rule (3) may be shown to any party to the proceedings who desires to see it and a copy thereof may on application be supplied to any such party, at the rate of rupees two per page.

211. Inspection of vehicles. [Sections 169 and 176(b)] :-

The Claims Tribunal may, if it thinks fit require the motor vehicle involved in the accident to be produced by the owner for inspection at a particular time and place to be mentioned by it if necessary in consultation with the owner.

212. Powers of summary examination. [Sections 169 and 176(b)] :-

(1) The Claims Tribunal may, during a local inspection or at any other time save at a formal hearing of a case pending before it, examine summarily any person likely to be able to give information relating 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 of the parties are present or not.

(2) No oath shall be administered to person to be examined under sub-rule (1).

213. Method of recording evidence. [Sections 169 and 176(b)] :-

The Claims Tribunal shall on examination of witness proceed to make a brief memorandum of the substance of the evidence of each witness and such memorandum shall be written and signed by the members of the claims Tribunal and shall form part of the record. Provided that the evidence of any medical witness shall be taken down as nearly as may be word for word.

214. Adjournment of hearing. [Sections 169 and 176(b)] :-

If the Claims Tribunal finds that an application cannot be disposed of at one hearing it shall record the reason which necessitate the adjournment and also inform the parties present of the date of adjournment of hearing.

215. Co-opting of persons during inquiry. [Sections 169 and 176(b)] :-

(1) The Claims Tribunal may, if it thinks fit, co-opt, one or more persons possessing special knowledge with respect to any matter relevant to the enquiry.

216. Framing of issues. [Sections 169 and 176(b)] :-

After considering any written statement, the evidence of the witness examined and the result of any local inspection the Claims Tribunal shall proceed to frame and record the issue upon which the right decision

217. Determination of issues. [Sections 169 and 176(b)] :-

After framing the issues the Claims Tribunal shall proceed to record evidence thereon which each party may desire to produce.

218. Diary. [Sections 169 and 176(b)] :-

The Claims Tribunal shall maintain a diary of the proceeding on an application.

219. Judgment and award of compensation. [Sections 169 and 176(b)] :-

(1) The Claims Tribunal in passing order, 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 insurer and also be person to whom compensation shall be paid.

(2) Where compensation is awarded two or more person the Claims Tribunal shall also specify the amount payable to each of them.

220. The Code of Civil Procedure to apply in certain cases. [Sections 169 and 176(b)] :-

The following provisions of the First Schedule to the code of Civil Procedure, 1908, shall so far as may be apply to proceeding before the Claims Tribunal namely, Order, V, Rules 9 to 13 and 15 to 30; Order IX Order XIII, Rules 3 to 10, Order XVI, Rules 2 to 21, Order XVII, Order XXI and Order XXIII, Rules 1 to 3.

221. Form and manner of appeals against the award of Claims Tribunal. [Sections 173 and 176(c)] :-

An appeal against the award of a Claims Tribunal shall be preferred in the form of an memorandum stating consisely the grounds on which the appeal is preferred. It shall be accompanied by a copy of the judgment and the award appealed against.

222. Fees. [Section 176(d)] :-

(1) No court fee stamps shall be leviable on an application under section 166 for payment of compensation.

(2) The amount of the court fee to be charged for inspecting the files shall be two rupees for first hour and one rupee for every subsequent hour for each case.

(3) The carbon copies of the evidence shall be given to the parties concerned, if asked for on payment of court fee stamps of rupees two per page and application for obtaining such copies shall bear court fee stamp of rupees five.

(4) An amount of rupees two per page shall be charged in the form of court fee stamps for obtaining an attested copy of the award on final order or an intermediate order of any documents filed with the Claims Tribunal.

223. Powers of Claims Tribunal. [Section 176(c)] :-

I n endorsing the orders, the Claims Tribunal shall have all the powers in regard to contempts, residence and the like with a Civil

Court may exercise the execution of a decree.

CHAPTER 12 MOTOR VEHICLE DEPARTMENT

224. Constitution and extent of application. [Section 213] :-

The rules in this Chapter shall apply to all the officers appointed under section 213 who shall be under the control of the Transport Commissioner (Hereinafter referred to as the officers of the Motor Vehicle Department).

225. Classification of officers. [Section 213] :-

The officers specified in rule 224 shall be classified as Class I, Class II and Class III officer as enumerated in rule 226.

226. Powers of officers of motor vehicles department for challans in respect of certain offences. [Section 213] :-

The following officers of the Motor Vehicle Department included in each case under rule 225, shall exercise the powers of Challan under section 213 of the Act, for the offences for which penalty fine is provided under section mentioned against each.

Class I		
Transport Commissioner		177, 178, 179, 180, 181, 182, 183(1), 183(2), 184, 186, 189, 191, 192, 194, 196, 198.
Additional Transport Commissioner		177, 178, 179, 180, 181, 182, 183(1), 183(2), 184, 186, 189, 191, 192, 194, 196, 198.
Additional Joint State Transport Controller		177, 178, 179, 180, 181, 182, 183(1), 183(2), 184, 186, 189, 191, 192, 194, 196, 198.
Secretary, Regional Transport Authority		177, 178, 179, 180, 181, 182, 183(1), 183(2), 184, 186, 189, 191, 192, 194, 196,

		198.
Flying Squad Officer		177, 178, 183(1), 183(2), 184, 192, 196.
Deputy Transport Controller (Traffic)		177, 178, 183(1), 183(2), 184, 192, 196.
General Manager, Haryana Roadways		177, 178, 192, 196
Class II		
Traffic Manager		177, 178, 192, 196
Class III		
Station Supervisor, Haryana Roadways/ Chief Inspector, Haryana Roadways		178, 192, 196
Inspector and Sub-Inspector of Haryana Roadways		178
Transport Sub-Inspector		183(1), 183(2), 184, 192, 194, 196

226A. Authorisation of certain persons for impounding documents. [Section 206(1)(2)] :-

The following officer shall exercise the powers for the purposes of subsection (1) and (2) of section 206 of the Act, namely :-

1. Transport Commissioner;
2. Additional Transport Commissioner;
3. Additional/Joint State Transport Controller;
4. Secretary, Regional Transport Authority;
5. Flying Squad Officers;
6. Deputy Transport Controller (Traffic);
7. General Manager, Haryana Roadways;
8. Traffic Manager, Haryana Roadways;
9. Station Supervisor/Chief Inspector, Haryana Roadways;
10. Transport Sub-Inspector;

Provided that the said Officers shall impound the documents under the offences for which they have been powered under rule 226.

226B. Authorisation of certain persons for retention of vehicles. [Section 207(1)] :-

The following Officer shall exercise the powers under sub-section (1) of section 207 of the Act, namely :-

1. Transport Commissioner;
2. Additional Transport Commissioner;
3. Additional/Joint State Transport Controller;
4. Secretary, Regional Transport Authority;
5. Flying Squad Officers;
6. Deputy Transport Controller (Traffic);
7. General Manager, Haryana Roadways, Traffic Manager, Haryana Roadways, Station Supervisor/Chief Inspector, Haryana Roadways;
8. Transport Sub-Inspector;

Provided that the detaining officer, shall direct the incharge of the vehicle to take/cause to take the said vehicle to the nearest Police Station, workshop of Haryana Roadways or any other place which is considered to be safe for the temporary custody of the vehicle.

226C. Authorisation of certain officers for realizing vehicle. [Section 207(2)] :-

The following Officer shall exercise the powers for the purpose of sub-section (2) of section 207 of the Act namely :-

1. Transport Commissioner;
2. Additional Transport Commissioner;
3. Additional/Joint State Transport Controller;
4. Secretary, Regional Transport Authority;
5. Flying Squad Officer;
6. Deputy Transport Controller (Traffic);
7. General Manager, Haryana Roadways.

Note :- In case of General Manager, Haryana Roadways the powers shall be exercisable in respect of all vehicles except stage carriage buses.

227. Duties, powers and functions of the officer of motor vehicle department. [Section 213] :-

(1) All officers of the Motor Vehicle Department shall be responsible to administer and enforce the provisions of the act, rules, regulations or notification made or issued thereunder and carry out such duties as have been assigned to them under these rules or such other duties as may be assigned to them.

(2) The officers of the Motor Vehicle Department shall be responsible for the regulation of the proper control of traffic and transport within their respective charge and inspection of stands, collecting forwarding and/or distributing agents, drivers, training schools, authorized testing/station with a view to ensure provisions of amenities for the public in general.

(3) Traffic control in districts shall continue to be performed by the district police and the checking by the officers of the Motor Vehicle Department shall in no way interfere with the normal working of the police in the matter of the traffic control.

228. Identity card. [Section 213] :-

Every officer of the Motor Vehicles Department shall carry with him an identity card giving brief description of his name, designation, date of birth and special mark of identification with a passport photograph duly attested by the Transport Commissioner or Additional Transport Commissioner, Haryana or Joint Transport Controller.

229. Uniform. [Section 213] :-

(1) The uniform for officers of the Motor Vehicle Department will be so designed that it does not get mistaken or confused with uniform used by the regular police force.

(2) Every officer of Class III of the Motor Vehicles Department, shall while on duty wear the uniform and in sign specified as under :- For Summer :

1. Trousers Khakhi
2. Shirt Khakhi
3. Pea Cap or Turban Khakhi
4. Whistle with Khakhi Cord
5. Shoes Brown
6. Socks Khakhi
7. Belt Brown with Baize

For Winter :

1. Trousers Khakhi serge
2. Shirt Khakhi serge
3. Pea cap or Turban Khakhi
4. Whistle with Khakhi cord
5. Shoes Brown
6. Socks Khakhi
7. Belt Brown with Baize

Insignia for Pea Cap and Belt and Shoulder Stars.

(i) Transport Assistant Sub Inspector : One Star

(ii) Transport Sub Inspector : Two Star

(iii) Transport Inspector : Three Star

For Class IV (Peons while on enforcement duty)

For Summer :

1. Trousers Khakhi

2. Shirt Khakhi

3. Pea Cap or Turban Khakhi Barret Cap Turban Khakhi

4. Whistle with Khakhi Cord

5. Shoes Black

6. Belt Black

For Winter :

1. Trousers Khakhi serge

2. Shirt Khakhi serge

3. Barret Cap/Turban Khakhi

4. Whistle with Khakhi Cord

5. Shoes Black

6. Socks Khakhi

7. Belt Black

(3) The uniform shall not be worn by the officer of the Motor Vehicle Department at fancy dress balls, in dramatic performance or other entertainment and it shall not be lent for use to any other person.

(4) No officer, other than Class I and Class II of the Motor Vehicles Department shall cause a vehicle to stop, keep it stationary enter, travel, inspect, carry out any duty imposed by or under the Act or these rules unless he is wearing the uniform and insignia and is carrying the identity card.

CHAPTER 13 CHAPTER 13

230. Repeal and saving :-

The Punjab Motor Vehicles Rules, 1940 and the Punjab Motor Accident Claims Tribunal Rules, 1964 are hereby repealed.

Provided that any order issued or any action taken under the rules so repealed, shall be deemed to have been issued or taken under the corresponding provisions of these rules.