
Motor Vehicles (Rajasthan Amendment) Act, 1973

8 of 1973

CONTENTS

1. Short title, extent and commencement
2. Amendment of section 47, Central Act IV of 1939
3. Amendment of section 58, Central Act IV of 1939
4. Amendment of section 68 F, Central Act IV of 1939
5. Act to apply to pending applications etc
6. Repeal of Rajasthan Ordinance No. 4 of 1973

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[Received the assent of the President on the 26th day of March, 1973.] AN ACT further to amend the Motor Vehicles Act, 1939 in its application to the State of Rajasthan. -' Be it enacted by the Rajasthan State Legislature in the Twenty-fourth year of the Republic of India, as follows: --

1. Short title, extent and commencement :-

(1) This Act may be called the Motor Vehicles (Rajasthan Amendment) Act, 1973. (2) It extends to the whole of the State of Rajasthan. (3) It shall be deemed to have come into force on the 5th day of Feb.

2. Amendment of section 47, Central Act IV of 1939 :-

In section (1) of section 47 of the Motor Vehicles Act, 1939 (Central Act IV of 1939), hereinafter referred to as the principal Act,-- (1) after clause (c), the following clause (cc) shall be inserted, namely: "(cc) the publication of a scheme under section 68-C in respect of stage carriage," and (2) after the proviso, the following new proviso shall be inserted, namely:-- "Provided further that an application for a stage carriage permit by a State transport undertaking, as defined in section 68-A, shall be given preference over applications from individual owners and co-operative Societies".

3. Amendment of section 58, Central Act IV of 1939 :-

In section 58 of the principal Act,-- (1) in sub-section (2), after the

second proviso, the following new proviso shall be inserted, namely: -- "Provided further that on application for a stage carriage permit by a State transport undertaking, as defined in section 68-A, whether an application for renewal or new application, shall be given preference over all other applications for renewal," and (2) after sub-section (2), the following new sub-section shall be inserted namely: -- "(2 A) Notwithstanding anything to the contrary contained in this Chapter, the Regional Transport Authority shall, in considering an application for renewal of a stage carriage permit, have regard also to the publication of a Scheme under section 68 C in respect of service of stage carriages".

4. Amendment of section 68 F, Central Act IV of 1939 :-

In section 68-E of the principal Act,-- (1) in sub-section (i-A), the following words shall be omitted, namely: "If it is satisfied that it is necessary to increase, in the public interest, the number of vehicles operating in such area or route or portion thereof;" Published in Raj. Gaz., Part IV-Kha, Extraordinary dated 27-3-73. page 169. (2) in the existing proviso to sub-section (I-D), after the words "such publication",;md before the words, "such permit", the following words shall be inserted, namely: - "And where the State Transport Undertaking has not obtained a temporary permit under sub-section (1-A);1 and (3) in sub-section (3), after the words "no appeal", the words "or provision" and after the words "sub section (1)", the words "sub-section (1-A)" shall be inserted.

5. Act to apply to pending applications etc :-

All applications for, and proceedings relating to, the grant of a stage carriage permit or the renewal of a stage carriage permit, pending before any court, tribunal, authority or officer, shall be disposed of under the principal Act, as amended by this Act.

6. Repeal of Rajasthan Ordinance No. 4 of 1973 :-

The Motor Vehicles (Rajasthan Amendment) Ordinance, 1973 (Rajasthan Ordinance 4 of 1973) is hereby repealed.