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HOME DEPARTMENT

Notification

The 8th February, 1990

No. 4/1/33/90-HII(2)/2430. – With reference to Chandigarh Administration's Home Department Notification Bearing No. 4/1/33/89/HII (2)/12081, dated the 8th June, 1989 and in exercise of the powers conferred by Sections 28, 38, 65, 96, 107, 111, 138 and 176 of the Motor Vehicles Act, 1988 (Act No. 59 of 1988) and all other powers enabling him in this behalf, the Administrator, Union Territory, Chandigarh is pleased to make the following rules, namely :-

Rules

Chapter I-Preliminary :

1. Short title and commencement.- (1) These rules may be called the Chandigarh Motor Vehicles Rules, 1990.
2. Definitions.- In these rules, unless there is anything repugnant to the subject or context :-
 - (a) "Act " means the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988;
 - (b) "Board of Inspection " means a Board of Inspection appointed under rule 38 ;
 - (c) "Central Rules" means the Central Motor Vehicles Rules, 1989 ;
 - (d) "Chapter " means the Chapter of these rules ;
 - (e) "State" means the Union Territory of Chandigarh ;
 - (f) "Passenger" for the purpose of Chapter V, means any person traveling in a public service vehicle other than the driver or the conductor of such vehicle or any other employee of the permit holder while on duty ;
 - (g) "Section " means a Section of the Act ;
 - (h) "Administrator" means the Administrator of Union Territory Chandigarh appointed by the President of India under article 239 of the Constitution ‘
 - (i) "Stand" means a place duly appointed as a stand under Chapter X of these rules ;
 - (j) "Deputy Commissioner" means the Deputy Commissioner of Union Territory of Chandigarh ;
 - (k) "Transport Co-operative Society" means a transport co-operative society registered as such under the provisions of the Punjab Co-operative Societies Act, 1961;
 - (l) "Transport Company" means a transport company 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) “Registering Authority” means any officer or officers as may be appointed by the Administrator, Union Territory, Chandigarh to register or register the vehicles of all types ;
- (o) “Licensing Authority” means any officer or officers as may be appointed by the Administrator, Union Territory, Chandigarh to issue Learner’s licence/Driving licence.

Chapter II- Licensing of Drivers of Motor Vehicles :
Licensing Authority :

Section 28(a) 3. (1) The area of jurisdiction of Licensing Authority shall be the area of the Union Territory, Chandigarh or such other area as may be specified by the Administrator in this behalf.

- (2) The Deputy Commissioner may authorize any subordinate Officer/Officers to authenticate and sign the Learner’s licence/ Driving licence on behalf of the Licensing Authority.
- (3) The Licensing Authority shall act under the control and supervision of Deputy Commissioner.

Section 28. 4. **Procedure for processing application for driving licence.** – On receipt of an application for grant of a learner’s licence or a driving licence, as the case may be, in terms of the provisions of section 8 or section9, the licensing authority shall process the application for the grant of a licence under the provisions of the Act.

Section 28 5. Licensing Authority to conduct the test. –(1) If the application for grant of a licence is found in order under rule 4, the test for learner’s licence specified in rule 11 and for a driving licence specified in rule 15 of the Central Rules shall be conducted by an officer or authority appointed by the Deputy Commissioner, Union Territory, Chandigarh by an order made under this rule.

(2) For the purpose of teste in term 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 purpose.

Section 28. 6. Photograph to be signed by the licensing authority. –(1) The photograph of the holder of the licence when affixed to the licence shall be sealed with the seal of the licensing authority in such a manner that a part of the impression of 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 licence has ceased to be a clear likeness of the holder, the licensing authority may require the holder to surrender the licence forthwith and to furnish two clear copies of a recent photograph of himself and the 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 sub-rule(2), the licensing authority shall remove the old photograph from the licence and affix the seal thereto on one copy of the new photograph and return the licence to the holder of the licence and shall, if he is not the licensing authority by whome the licence was issued forward the second copy of the photograph to that authority : Provided

that if the holder of the licence so desires, the licensing authority shall issue a duplicate licence with new photograph affixed thereto and shall destroy the original licence.

- (4) When a new photograph is affixed to a licence, a note shall be made upon the photograph of the date of affixture.
 - (5) The fee for a duplicate licence issued under the proviso to sub-rule(3) shall be rupees fifteen.
7. Appellate Authority :- The appellate authority for the purposes of sub-section (2) of Section 17 and sub-section (3) of Section 19 shall be the Chairman, State Transport Authority, Union Territory, Chandigarh.
8. Conduct and hearing of appeals :- (1) An appeal under sub-section (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 or a treasury challan or rupees ten, setting forth concisely the ground 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 it 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 any appeal under sub-rule (1) shall be entitled to inspect the file of the Appellate Authority by making an application bearing cash receipt of a treasury challan of :-
 - (a) in respect of urgent inspection-rupees ten ; and
 - (b) in respect of ordinary inspection-rupees five ;
 - (c) 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.
9. Authority for making appointment of registered medical practitioner :- (1) The Administrator, Union Territory, Chandigarh shall be competent to appoint the registered medical practitioners for the purposes of sub-section (3) of Section 8.
- (2) The fee payable/chargeable for the issue of medical certificate under sub-section (3) of Section 8 shall be rupees fifteen.
10. Licences lost or destroyed :- (1) If at any time the licence is lost by the holder or is destroyed, the holder thereof shall forthwith intimate the facts in Form LLD or in a letter setting out the particulars required by the Form LLD to the licensing authority in whose area he has his place or 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 licence was issued, apply to that licensing authority for particulars of the licence and after making such enquiries as it thinks fit, shall if it is satisfied that a duplicate may properly be issued, issue a duplicate licence.
 - (3) Where a photograph has become obsolete, the holder of the licence shall furnish the licensing authority with two clear copies of a recent

photograph of himself one of which shall be affixed to the duplicate licence and the second one be kept in record.

- (4) The fee for a duplicate licence to be issued under this rule shall be rupees fifteen :

Provided that if the licence is lost while in the custody of a court or an 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 licence has been issued upon a representation that a licence has been lost and the original licence is afterwards found by the holder, he shall deliver the original licence forthwith to the licensing authority but the fee so paid for the issue of duplicate licence shall not be refundable.
- (6) Any person finding a driving licence shall, deliver it to the holder of the licence or to the nearest police station.

Section 28(2)(c) 11. Mutilated licence :- (1) If at any time it appears to a licensing authority that a licence 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 licence has been detached or is missing or that any unauthorized alterations have been made, the licensing authority may impound the licence and issue a duplicate licence.

- (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 licence was issued apply to that authority for particulars of the licence and after making such enquiries as he thinks fit shall, if it is satisfied that a duplicate may properly be issued, issue a duplicate licence.
- (3) If a licence impounded under this rule is required to have a photograph of the holder affixed thereto, then
- (a) if the photograph on the impounded licence is in the opinion of the licensing authority satisfactory and conveniently transferable to the duplicate licence, the licensing authority may so transfer affix and seal the photograph to the duplicate licence ; and
- (b) if the photograph affixed to the licence impounded is not in the opinion of the licensing authority such as can be transferred to the duplicate licence, the holder of the licence, shall, on the demand of the licensing authority furnish two clear copies of recent photograph of himself, one which shall be affixed to the duplicate licence and sealed.
- (4) The fee for a duplicate licence issued under this rule shall be rupees fifteen.

Section 28(2)(c) 12. Issue of duplicate licence- When a duplicate licence 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.

Section 28(2)(c) 13. Temporary authorization in lieu of licence.- (1) When the holder of a licence has surrendered it to a licensing authority for renewal or for 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 licence so surrendered has not been suspended or cancelled, the licensing authority or other authority to whom the licence has been surrendered shall furnish him with a receipt for the licence in Form "LTem" or in Form L Tem (MVD) and during the period specified in the receipt

so furnished it may be produced in place of the licence 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.

Section 28(2)(G) 14. Communication of particulars of licence :- (1) A licensing authority taking possession of a licence under section 19 shall, if the licence was issued under the Act and was granted by another licensing authority intimate that fact to the authority, by whom the licence was issued.

(2) The particulars of the person disqualified for holding or obtaining a driving licence and the particulars of person convicted under section 182 shall be published in the official Gazette and entry to that effect shall be made in the State Register for Driving Licences maintained under section 26.

15. Intimation to original licensing authority of endorsements and renewals.-(1) The Court or authority making to causing to be made an endorsements on a licence regarding disqualification under section 24 shall send intimation thereof in Form 'LE' to the licensing authority by whom the licence was issued.

(2) A licensing authority renewing a licence under the provisions of sub-section(6) of Section 15 shall intimate in Form L.R. the fact of renewal to the licensing authority by whom the licence so renewed was issued.

(3) A licensing authority adding to the classes of vehicle under which a licence authorizes the holder to drive vehicles under sub-section(3) of section 6 shall, if it is not the authority by whom the licence was issued, intimate the addition so made to that authority in Form 'LAD'.

16. Change of address.- The holder of a licence 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 licence to the licensing authority by whom the licence was issued and to the licensing authority by whom it was last renewed.

17. Exemptions from the payments of fees .-(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 filed area of the Defence 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 licence within three months of his return from the service abroad or, as the case may be, from the filed area.

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

(3) They shall however be liable to pay cost of preparation of laminated licence.

18. **Driver's Badge:-** (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 a 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 fifteen.
- (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 driver’s badge shall, unless he returns the same to the holder forth with 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 driver’s licence 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 licence, as the case may be.

19. **Duties, functions and conduct of drivers of transport vehicle:-** The 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 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 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 any public service vehicle in excess of the seating capacity specified in the certificate or 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;
- (ix) not, save for good and sufficient reasons, 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 passenger;
- (xi) not, save for good and sufficient reasons, require any person who had 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 vehicles or where there is no such time table with all reasonable dispatch;
- (xiii) arrange to convey the passengers to their destination in 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 exist of passenger;
 - (xv) take due care for the safe carriage of luggage belonging to the passengers;
 - (xvi) take all reasonable precautions to ensure the safety of passengers in or on or 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 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;
 - (xix) follow the signaling devices provided for starting and stopping the vehicle;
 - (xx) not argue with passengers and must give his name and badge number when asked to do so;
 - (xxi) not come on duty under the influence of any intoxicant; and
 - (xxii) 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.

19. **Driver not to allow to travel certain persons-** (1) No driver shall cause or allow to enter into or to be placed or carried the vehicle any person whom 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 driver may upon a request in writing, by a registered medical practitioner allow a person suffering from an infectious or contagious disease to be carried in a transport vehicle.

Provide 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 an 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 medical officer may specify and a certificate to that effect has been obtained from the medical officer.

21. **State Register of Driving licences –** (1) The State Register of Driving licences shall be maintained in duplicate in the office of the Chairman, State Transport Authority in Form 10 appended to the Central Rules.

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

CHAPTER III

Licensing of Conductors of stage carriages.

22. **Application for grant of Conductors licence** – (1) An application for the grant or counter signatures of a conductor's licence shall be made in Form "L Con, A" to the licensing authority of the district 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 of a treasury challan in token of payment of fee of Rs. 30 and
- (iii) a medical certificate of fitness from a registered medical practitioner authorized by the Administrator, Union Territory, Chandigarh along with a certificate issued by the St. John's Ambulance Association or Indian Red Cross or its unit in Chandigarh in 'Form FAB' to show that he is qualified to render First Aid.

(2) In the case of an application for grant of a conductor's licence if 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 "MC Con" from the Principal Medical Officer, General Hospital, Chandigarh and the photograph so furnished should be firmly affixed with the application duly signed and sealed by the registered medical practitioner.

(3) No person shall be eligible to make application under sub-rule (1) for the grant of Conductor's licence, 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 conductor's licence is found to be in order by the licensing authority and the requirement of the provisions of Chapter III of the Act are met with, it may grant a conductor's licence in Form "L Con" which shall be valid for a period of three years from the date of issue and shall be effective throughout the State.

Section 32(2) (i)	23. Countersignatures of Conductor's licence :- A conductor's licence issued by a licensing authority having, jurisdiction outside the State
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	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 conductor's licence.
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Section 30 & 38(2) (e)	24. Renewal of Conductor's Licence : (1) An application for renewal of conductor's licence shall be made to the licensing authority in Form L. Con R.A. thirty days before the expiry of the licence and shall be accompanied by a cash receipt or treasury challan in token of payment of fee of Rs. 15 for renewal of the licence.
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(2) If the licensing authority finds the application for renewal of a conductor's licence in order, it may renew the same by making an entry to that effect in the licence and renewal shall be valid for a period of three years from the date of the expiry of the licence.

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

Section 31(2) (b)	25. Liability for producing Medical Certificate - A person who has been authorized to act as a conductor of the stage carriages before the commencement of the Act, shall within a period of twelve months from the date of such commencement produced a medical certificate from the authority specified under rule 22 failing which he shall be disqualified under section 31 to act as a conductor.
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Section 38(2) (f)	26. Grant of duplicate conductor's licence - If at any time a conductor's licence is lost or destroyed or mutilated or the photograph affixed thereto ceases, 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 11, as the case may be. The fee chargeable shall be Rs.15.
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Section 33, 34 & 38(2)(e)	27. Appellate authority - The appellate authority for the purpose of sub-section (2) of section 33 and sub-section (4) of section 34 shall be the Chairman, State Transport Authority, Union Territory, Chandigarh.
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Section 38(2) (g)	28. Conductor and hearing of appeals – (1) An appeal under sub-section (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 of rupees twenty 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.
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(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 or any document filed with the 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. **Conductor's badge :-** (1) The conductor of a stage 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 and inscribed with the name of the Licensing Authority by whom the conductor's licence 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 conductor's badge shall be rupees five and if the badge is lost or destroyed, a duplicate 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 conductor's licence or his licence is revoked by the licensing authority or by any court or if 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 :-** (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 conductor's badge shall, unless he returns the same to the holder, forth with surrender it to the licensing authority by which it was issued or to a police officer.

31. **Driver performing the duties of conductor :-** Any driver of a stage carriage may perform the duty of a conductor of a stage carriage temporarily, for a period not exceeding ten days without getting a conductor's licence when he is so authorized with the prior approval of the Deputy Commissioner, Union Territory, Chandigarh or Secretary State Transport Authority by any officer not below the rank of a Traffic Manager in the case of a Chandigarh Transport Undertaking and by a Director or Managing Partner in the case of a transport company or a transport firm or a transport co-operative society:

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 conductor's licence.

32. **Duties, functions and conduct of a Conductor :-** 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;
- (ii) not 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 and intending passenger ;
- (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 up on 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 or 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 passengers as to the destination or route of the vehicle or as to the fare for any journey;
- (ix) not save the good and sufficient reason; refuse to carry any person tendering the legal fare;
- (x) take all reasonable precaution to ensure that passenger are not endangered or unduly inconvenienced by the presence or the goods when goods carried on the vehicles in addition to the passengers;
- (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 failure of the vehicle shall on demand refund the 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 fees fixed under sub-rule (1)(d) of rule 200, 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 devices 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 loading and unloading their luggage on way side halts; and
- (xxiv) not allow any passenger or some other person such as vendor, hawker or seller to beg, sell or offer any article for the sale in or on the vehicle;

CHAPTER IV

REGISTRATION OF MOTOR VEHICLE

33. **Registering Authority :-** (1) The area of jurisdiction of Registering authority shall be the area of the Union Territory, Chandigarh or such other area as may be specified by the Administrator in this behalf.

(2) The Deputy Commissioner may authorize any subordinate officer/offices to authenticate and sign the Registration Certificate on behalf of the Registering Authority.

(3) The Registering Authority shall act under the control and supervision of the Deputy Commissioner.

(4) For Registration of a tourist vehicle the registering authority shall be the Secretary, State Transport Authority, Union Territory, Chandigarh.

(5) The Deputy Commissioner may in special circumstance allow a person to retain old registration mark for his new vehicle or any other vehicle.

34. **Appellate Authority –** (1) The Chairman, State Transport Authority, Union Territory Chandigarh shall be the appellate authority for the purpose of section 57.

35 **Conduct and hearing of appeals –** (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 or rupees twenty setting forth concisely the grounds of objection to the order of the registering authority or the Board of Inspection, as the case may be and shall be accompanied by a 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 or the Board of Inspection to the Motor Vehicles 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 after such further enquiry, if any, as it may deem necessary, confirm, vary, or set aside the order or registering authority or the Board of Inspection as the case may be, and shall make and 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 (i) 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 - (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 issues 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 vehicle – (1) Save in the case of a motor car, the particulars set forth in Form CPTV shall be exhibited in a fixed frame inside the transport vehicle in the Driver's cabin, in English letters and numerals.

(2) The full name of the Transport company, transport society, Transport Fir, owning the vehicle and registration mark as set for the in its registration certificate shall be exhibited on both sides of every transport vehicle in Hindi Language or English block letters measuring 100 mili meters in height and 20 mili meters in thickness;

Provided that with the approval of the State Transport Authority concerned abbreviation of name may be used.

(3) On the number plates, no other mark, motor or any other word shall be allowed be painted except the Registration Mark.

38. Board of Inspection for issue or renewal of certificate of fitness:- (1)The functions to grant or renew a certificate of fitness of a transport vehicle other than tourist vehicle and all other function which are to be discharged by a prescribed authority under section 56 shall be performed by Board of Inspection within their jurisdiction which may be laid down by the Chairman, State Transport Authority, in the Union Territory, Chandigarh.

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

- (a) The Secretary, State Transport Authority or any other officer appointed by the Deputy Commissioner, Union Territory, Chandigarh

- (b) A Motor Vehicles Inspector or any other officer appointed by the Deputy Commissioner, Union Territory, Chandigarh

(3) In the event of a difference of opinion between the members of a Board of Inspection regarding the fitness of a vehicles the decision of the Board of Inspection shall be deemed to be that the vehicle is not fit and on 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 fitness.

39. **Application for certificate of fitness :-** (1) For the grant of renewal of a certificate of fitness a transport vehicle shall be presented to the Board of Inspection or to an authorized testing station in whose functional area the vehicle is kept or whose functional area includes the major portion of the route or area to which the permit of the vehicle extend.

Provided that the Board of Inspection or an authorized testing station shall keep in view, in addition to other matters, the design of vehicle to be of the type approved by the State Transport Authority for grant of certificate of fitness.

(2) If owing to mechanical break-down or other cause a transport vehicle is, at the time when, the certificate expire, outside the functional area of the Board of Inspection or an authorized testing station by which the certificate is to be renewed, any other Board of Inspection or an authorized testing station 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 or authorized testing station fit for use by endorsement in Form "C.F.Sub" and subject to such condition as the Board of Inspection or an authorized testing station may specify may authorize its continued use for such a time as may reasonably be necessary for the vehicle to return to the area of the Board of Inspection or an authorized testing station by which the certificate shall be renewed. The vehicle may thereupon the drive 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 or an authorized testing station –** (1)A Board of Inspection or an authorized testing station before which a vehicle is produced for the issued or 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 rectification of certain defects ; or
- (c) refuse to issue a certificate or renew the certificate

Where the course specified in clause (b) is followed a Board of Inspection or an authorized testing station shall supply the owner of the vehicle or his agent with a list of the defects requiring correction in Form C.F.X., 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 C.F.X." the Board of Inspection or an authorized testing station 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 on connection with the repairing of the vehicle.

(2) If a Board of Inspection or an authorized testing station defers its decision under clause (b) of sub-rule (1) in case of a renewal of a certificate of fitness and supplies the owner of

the vehicle or his agent with a list of defects in "Form C.F.X." 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 or an authorized testing station, in Form C.F.X., the certificate of fitness shall be deemed to be cancelled with effect from the date on which its duration expires.

(3) In issuing or renewing a certificate of fitness, a Board or Inspection or an authorized testing station 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:-

(1) A Board of Inspection shall intimate to the State Transport Authority by whom the permit of the vehicle was issued at the first instance and also to the registering authority by whom 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 or an authorized testing station shall impound the certificate of fitness and forward it to the Registering Authority concerned.

42. Temporary registration of motor vehicles:- (1) When for any reason it is impracticable for the purchase 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 Union Territory Chandigarh or to take it immediately to the place 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 Deputy Commissioner, Chandigarh in this behalf subject to the provision of sub-rule(2) and the temporary certificate and registration mark shall for the time being serve all the purposes of a regular certificate of registration and registration mark;

Provided that the names of persons or the firm as aforesaid who shall be competent to sign the temporary certificate of registration shall be specified by the Deputy Commissioner, Chandigarh.

(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 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 which 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 CR Tem. Foil A".

(5) If the place in which it is intended permanently to register the vehicle is in India "foil B" of "Form CR Tem" shall be dispatched immediately to the registering authority of the place in which it is to be registered and in 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 in record by the firm issuing the permit and shall be made available for the inspection of the registering

authority of the place at the place 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 it 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 letter and figures composing the marks 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 shall earmark a block of registration mark, 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 workshop beyond the period of the 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 the 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 :- (1) If at any time the certificate of registration of 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 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 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. Procedure when a lost certificate is subsequently found :- (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 of the nearest Police Station.

46. Temporary receipt of certificate of registration or certificate of fitness taken into possession by a competent authority:- (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 or for any purpose under the Act of these rules and neither the certificate or registration nor the certificate of fitness has been suspended or cancelled, the authorities or the person as aforesaid shall furnish him with a receipt for the certificate or registration in 'Form R Temp,' and during such time as 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 endorsed thereon.

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

47. Fee for late registration assignment of registration mark and transfer of owner :- (1) The owner of a motor vehicle shall, if he fails to make an application under sub-section (13) of section 41, sub –section (1) of section 47 or sub-section (5) of section 50 within the period specified in rule 54 of the Central Rules, be liable to pay the following amount in addition to the fee specified for registration assignment of registration mark or transfer of ownership of vehicle under rule 81 of the Central Rules if the same has not already been paid, namely -

		For vehicles other than transport vehicle	For transport vehicle
		(In Rupees)	(In Rupees)
(i)	For delay not exceeding three month	Ten	Twenty
(ii)	For delay exceeding three months but not exceeding six month	Twenty	Forth
(iii)	For delay exceeding six months but not exceeding twelve month	Thirty	Sixty-five
(iv)	For delay exceeding one year but not exceeding two years	Forth	Eighty
(v)	For delay exceeding two years	Fifty	One hundred

48. Intimation of transfer of ownership – (1) An intimation of transfer of ownership of a motor vehicle shall be made in Form 'T.O.'.

(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 CRTI".

49. Reassignment of registration marks:- 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 higher-purchase specified in the note on the certificate of registration and shall apply in Form "R.M.I" to the Registering Authority with whom the vehicle stands registered for transfer of the records of the vehicle.

50. Vehicle entering the State from outside :- When any motor vehicle which is not registered in the Union Territory of Chandigarh 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 registering authority 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 make and description of the motor vehicle ; and
- (d) in the case of a transport vehicle the name of the authority within the State by whom the permit has been issued or countersigned;

Provided that in case of a 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 :-** 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 Ten
(b)	For delay exceeding three months but not exceeding six months	Rupees Twenty
©	For delay exceeding six months but not exceeding nine months	Rupees forty
(d)	For delay exceeding nine months but not exceeding twelve months	Rupees sixty
(e)	For delay exceeding one year but not exceeding twelve month	Rupees eighty
(f)	For delay exceeding two years	Rupees one hundred

52. **Exemption of road rollers and the like :-** 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 Union Territory, Chandigarh.

53. **Intimation of Financers:-** An 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 financer in Form 'H.P' Entry by the registering authority immediately on the date of such entry being made.

54. **Information of stolen and recovered vehicles:-** The returns regarding vehicles which have been stolen vehicles which have been recovered of which the police are aware under section 62 shall be sent every month to the Chairman, State Transport Authority, Chandigarh in Form 'S.R.V'.

55. **State Register of Motor Vehicles:-** (1) In pursuance of section 63, the State Register of Motor Vehicles shall be maintained in the office of the State Transport Authority in Form '39' of the Central Rules.

(2) The State Register of Motor Vehicles shall also be maintained in triplicate in the offices of each of the registering authorities in the Form referred to in sub rule (1) and a copy of each page of it in duplicate shall be forwarded to the State Transport Authority every month. Each entry on the said register shall be attested by the registering authority or by a person so authorized to sign by the State Transport Authority or Deputy Commissioner, Chandigarh.

CHAPTER V

Control of transport Vehicles

Section 96 (2)
(i)

56. Term of appointment of members of the State Transport Authority.---(1) Any official member of the State Transport Authority shall continue as such time as the Administration may otherwise and a non-official member of the State Transport Authority shall hold office for a period of two years from the date of his appointment and thereafter not more than two months unless' he is reappointed by the Administration:

Provided that the Administration may at any time remove any non-official member:

Provided further that when. any non-official. member. dies or is removed or vacates office, his successor shall hold the appointment for the remainder of the period of office of the member whose place he takes and thereafter until a successor is appointed.

2) Non-official member of the State Transport Authority, shall not be entitled for travelling allowance/daily allowance for the purpose of attending the meeting.

57. Conduct of business by the State Transport Authority .—(1) The State Transport Authority shall meet at such times and at such places as "its Chairman may appoint:

Provided that the State Transport Authority shall meet not less than once' in each of the calendar quarters January to March, April to June, July to September and October to December:

Provided further that a clear ten days notice of each meeting shall be given.

(2) Three members shall constitute a quorum, at a meeting:

Provided that if a quorum is not present within half-an-hour after the time fixed for the meeting, the meeting shall be adjourned to such day not earlier than ten days and at such time and place, as the Chairman or in his absence a member acting as Chairman may appoint, and even if at such meeting a quorum is not present, within half-an-hour from the time appointed for the meeting, the members present shall form a quorum.

(3) The Chairman, if unable to attend a meeting shall nominate a member to act as Chairman at the meeting and if he fails to' nominate a member to act as Chairman, then the members present shall elect a member to act as Chairman at the meeting.

(4) The Chairman or the member acting as Chairman shall have a second or casting vote.

58. Provisions of rule 57 not to apply in certain cases.—The provisions contained in rule 57 shall not apply in case the State Transport Authority is constituted consisting of only one member.

59. Procedure for conduct of business.—(1) Subject to the provisions of the Act and rules, the State Transport Authority shall have power to make bye-laws to regulate the conduct of its business and shall likewise have powers to amend such by-laws and the business of such authorities shall be conducted accordingly under the directions of the Chairman of the respective authority.

(2) The Secretary, State Transport Authority referred to in sub-rule (1) shall issue to each member of the State Transport

Authority, a copy of the agenda ten days before the actual date of the meeting at which it is to be considered.

(3) Save in the case of the hearing of an objection to the grant of a stage carriage permit or of a goods carriage permit or a contract carriage permit, the State Transport Authority may decide any matter without holding a meeting by the majority of the votes of members recorded, in writing, and sent to the Secretary, State Transport Authority (hereinafter this method to be referred as "Procedure by circulation").

(4) In the procedure by circulation, the Secretary of the authority concerned shall send to each member such particulars of the matters as may be reasonably necessary in order to enable the member to arrive at a decision and shall specify the date by which the votes of the members are to be received in the office of the concerned authority. Upon receipt of the votes of the members as aforesaid, the Secretary concerned shall lay the papers before the Chairman, who shall record the decision by endorsement on the application for grant of a permit according to the votes received and the vote or votes cast by him. The record of the votes cast shall be kept by the Secretary and shall not be available for inspection by any person save by a member at a regularly constituted meeting of the concerned authority. No decision shall be made upon procedure by circulation, if before the date by which the votes of the members are required to reach the office of the authority not less than one-third of the members" of the authority by notice in writing to the Secretary, demand that the matter be referred to a meeting of the authority.

(5) The number of votes, excluding the Chairman's second or casting vote necessary for a decision to be taken upon procedure circulation shall not be less than the number necessary to constitute a quorum.

(6) Nothing in this rule shall prevent the State Transport Authority to decide upon procedure by circulation any matter which has been considered at a meeting.

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

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

(8) In case the non-official, members. of the State. Transport Authority differ on any matter, en *bloc* from the official members, the matter shall be referred for decision to the Administration.

Section 68 (4)
and 96 (2)
(xxxiii)

60. Conditions for issuing direction by the State Transport Authority.—While issuing directions under sub-section (4) of section 68, the State Transport Authority shall ensure that there is no undesirable and uneconomic competition amongst the holders of the permits and it shall also ensure on the classes of permits for a specified route or area, if imposed.

61. Forms of application.--Applications for grant of a permit of vehicle under Section 70, Section 73, Section 76, Section 77 or Section 87 shall be made in the following Forms mentioned against each, namely:-

Description of Vehicles		Forms
(i)	Stage Carriage	.. CH. ST SA
(ii)	Contract Carriage	.. CH. CO. P.A.
(iii)	Private Service Vehicle	.. CH. PSVA
(iv)	Goods Carriage:	
	(a) For or in connection with trade or business	.. CH. GCT. BA.
	(b) For hire or reward	.. CH. GC. HRA.
(v)	Temporary permit	.. CH. Tem. A.
(vi)	Special permit under section 88(8)	.. S.P.

62. Particulars of application.--An application for grant Section 96 of permit of a vehicle made under Section 70, Section 73, Section 2 76, Section 77, Section 87 shall be 'accompanied by the following documents, namely :-

- (i) Cash receipt or treasury challan regarding (in case the application is made for grant of a permit against reserved percentage).
- (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 vehicle in the fleet and arrangements for their housing and repair, individually or as a member or a Transport Society, a transport company or transport firm.
- (iv) Particulars of partners of members of the transport society, transport company or transport firm alongwith certificate from the Registrar, Cooperative Societies, Union Territory, Chandigarh, the Registrar of Firms or the Registrar of Companies, as the case may be, alongwith percentage, present address and permanent address of 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.

63. Procedure of State Transport Authority in' considering applications for permit.--The State. Transport Authority shall, while considering an application for a stage carriage permit or a contract carriage permit or a goods carriage permit have regard to the following matters in addition to those, specified in section 71, section 74 or section 79, namely: -

(i) Inviting of objections on the application by way of a, notice containing the' contents of the applications alongwith the period by which the objection are to be made which should be published in newspapers of standing having circulation in the State at the expense' of the applicant

(ii) Fixation of the aforesaid notice at the notice' board *outside* the office of the State Transport. Authority concerned; and

(iii) Providing an opportunity of hearing to the person or persons making objections before the disposal of applications.

Section 96 (2)
(iv) and 88

64. Forms of permits.--(1) A permit under section 72, section 74, section 76, section 79, section 80 or section 87 shall be in the following forms, namely:-

	Description of Vehicles	Forms
(i)	Stage Carriage	.. CH. ST S
(ii)	Contract Carriage	.. CH. CO. P.
(iii)	Private Service Vehicle	.. CH. P.S.V.
(iv)	Goods Carriage permit:	
	(a) For or in connection with trade or business	.. CH. GCT. B.
	(b) For hire or reward	.. CH. GC. H.R.
(v)	Temporary permit	.. CH. Tem.
(vi)	Special permits	.. S.P.
(vii)	National permit	.. CH. N.P. G.C.

(2) Save in the case of a temporary permit, every permit shall be in two parts A & B. One copy of Part I A I shall be issued together with a number of copies of part-B equal to the number of vehicle which the holders of the permit is permitted to have in use on the road at anyone 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 permit 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 ferme or other suitable container for gaining access to the vehicle and shall maintain it in a clean and legible condition.

Section 86 (i)
and 96 (2)
(xi)

65. Extension of validity of permits.--(1) An authority outside the State may with the concurrence of the State Transport Authority and Subject to any conditions 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.

(2) A permit granted by the State Transport Authority or 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 countersignatures in the State on - all National and State highways specified in that agreement.

(3) The State Transport Authority which issues a permit under sub-rule (1) or sub-rule (2) as the case may be shall send a copy of the permit to his counter-part of the other State or region in which the permit has to take effect.

66. Application fee for grant or renewal of permit.--(1) Every application for the grant for renewal of a permit under the Act shall be accompanied by a cash receipt or a and treasury challan showing the deposit of following fees namely-

(a) For grant of a stage carriage permit for the route: -

		Rs.
(i)	Which is not more than fifty kilometers	.. 100.00
(ii)	Which is more than fifty kilometers but not more than hundred kilometers	.. 150.00
(iii)	Which is more than one hundred kilometers	.. 200.00
(b)	For grant of a goods carriage permit	.. 200.00
(c)	For grant of a contract carriage permit for .	..
(i)	Tourist buses	.. 150.00
(ii)	Taxis, tempos, autorickshas	.. 20.00

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

(2) Where the permit of a vehicle is countersigned under section 88 for more than one region, fee at the rate shown in rule 68 as payable for counter signatues shall be levied in respect of each additional region.

(3) In case where an authority of another State acting under sub-rule (1) of rule 65 extends the effects of a permit of a route or area in the State a supplementary fee shall be payable at the rate specified in rule 67 as if the permit had been countersigned.

(4) In the case of service of stage carriage the fees payable shall be calculated on the maximum number of vehicles which the permit holder is authorized to have in operation at any one time in the region concerned.

(5) Fees shall be paid in advance to the State Transport Authority for the period for which the permit is issued.

(6) A State Transport Authority receiving a fee for a permit or the countersignature of a permit shall prepare a separate receipt in Form 'RPF' for each part B of the permit which shall be delivered to the person tendering the fee at the rate of rupees ten for each part B of the permit.

(7) The receipt for the last fee paid - shall be attached to and displayed with part B of the permit.

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

Section 96 (2)
(vii)

67. Fees for permits and for countersignatures.--(1) The following fees shall be payable for the issue and renewal of permits and for the countersignatures of permits under the Act namely: -

Description of Motor Vehicles	Fee payable in respect of a vehicle, which is first given a permit and for a countersignature on a permit issued outside the State.
(i) In the case of Heavy Transport Vehicles	
(a) For the first year of validity	One hundred rupees
(b) For each subsequent year	Ninety Rupees
(ii) In the case of Transport Vehicle not being a heavy three wheeler	
(a) for the first year of validity	Ninety Rupees
(b) for each subsequent year	Twenty Rupees
(iii) In case of the three wheelers	
(a) For the first year of validity	Thirty rupees
(b) For each subsequent year	Twenty Rupees
(2) Temporary permits.	
(i) In case of transport vehicle other than three wheeler	
(a) for one month	Rs. 39
(b) for two months	Rs. 63
(c) for three months	Rs. 93
(d) for four months	Rs. 117
(ii) In case of three wheeler	
(a) for one month	Rs. 15
(b) for two months	Rs. 25
(c) for three months	Rs. 35
(d) for four months	Rs. 45

Provided that where a temporary permit is granted pending consideration of an application for a permit under section 70 (Stage Carriage), section 73 (Contract Carriages), section 76 (Pvt. Services Vehicle) or section 77 (Goods Carriage Permit) of the Act, State Transport Authority may in its discretion and subject to such directions, if any, as may be issued by the State Transport Authority at the time of granting a regular permit direct that " a sum equal to a part or the whole of any fee paid, for the temporary permit

shall be deducted from the fee payable for the regular permit. The expression Regular permit, means a permit issued after consideration of an application in accordance with the provisions of the Act.

(3) A State Transport Authority receiving a fee for a permit, or the countersignatures of a permit shall prepare a separate receipt in Form 'RPF' for each part B of the permit. One copy shall be delivered to the persons tendering the fee.

(4) The receipt for the last fee' paid shall be attached to and displayed with part of the permit.

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

68. Fee for temporary permits.—For a temporary permit Section 96 authorizing the use of a 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 rate :-

(A) If there is in force in respect of the vehicle a regular permit from a State Transport Authority in the State: -

(a) For a temporary permit for conveyance of a marriage party, valid for:-

- | | | |
|------|------------------------|---|
| (i) | Not more than two days | .. Ten Rupees |
| (ii) | More than two days | .. One rupee for each day in excess of two days |

(b) For a temporary permit, for any other purpose valid for.--

- | | | |
|-------|---|----------------|
| (i) | Not more than two days | .. Four Rupees |
| (ii) | More than two days but not more than a week | .. Ten Rupees |
| (iii) | Each week in excess of one | .. Five rupees |

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

(a) For a temporary permit, for conveyance of a marriage party, valid for :-

- | | | |
|------|------------------------|---|
| (i) | Not more than two days | .. Fifty Rupees |
| (ii) | More than two days | .. One rupees for each day in excess of two days. |

- (b) for a temporary permit, for any other purpose, valid for: -
- | | |
|--|-------------------|
| (i) Not more than two days | .. Six Rupees |
| (ii) More than two days but not more than a week | .. Fifteen Rupees |
| (iii) Each week in excess of one | .. Six rupees |
| (C) For a duplicate copy of temporary permit | .. Four Rupees |

Provided that no fee shall be Playable for, a 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.

Section 96 (2)
(xv)

69. Limitation of capacity of stage - carriages' and contract carriages.--Save with the special permission of the Government not permit or counter signatures on the permit shall authorize the conveyance of more than seventy -two passengers, excluding the driver and the conductor in a stage carriage or contract carriage.

Section 96 (2)
(xvi)

70. Conditions for carriage of goods in stage carriage and contract carriage.--(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, -a vehicle or which makes it insanity 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 State Transport Authority, shall not be' carried in a stage carriage or a contract carriage.

(4 Subject to the provisions of the proceeding sub-rules, the goods may be carried in a stage carriageor contract carriage at any time in accordance with the conditions specified in the permit, provided that the obligation of the holder to carry passengers in accordance with the terms of the permit is discharge.

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 or 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 (I) of rule 72 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,

72. Conditions that may be attached to a stage carriage permit or contract carriage permit.— A stage 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) of section 73, sub-section (2) of section 74, section 84, or sub-section (11) of section 88, as the case may be namely: -

account shall be taken of the number of passengers carried in the lower deck: and the number of seats in the lower deck only.

71. Carriage of personal luggage in stage or contract carriage.—In the case of a permit for a stage carriage, it shall be a condition that the luggage and personal effects of each passenger shall be carried free of charges subjects to the limit given below: -

(A) A stage carriage operating on routes other than route operative in urban areas locally: -

- (a) 30 kilometers for each passenger occupying a seat in a stage carriage registered as deluxe or Air Conditioned.
- (b) 15 kilometers for each passenger occupying a seat in a stage carriage other than referred to in clause (a) above.

(B) Stage carriage operating on routes other than those specified in clause (A), 5 kilometers for each passenger provided the luggage is carried by the passenger in his lap or underneath his seat:

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

- (i) A conductor shall be carried at the back of the vehicle.
- (ii) The holder of a stage carriage permit shall provide specified over 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 a contract carriage permit, no passenger or goods shall be taken up or set down en route; and
- (v) In case of any alternation 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 of a State Transport Authority by which the permit was given and if the permit, the State Transport Authority shall be at liberty to: -

- (I) Vary the permit accordingly; and
- (II) Require the permit holder to provide a substitute may specify and if the holder fails to authority may specify 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.

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

Section 79 (2)
(iv) and 96 (2)

73. Conditions that may be attached to a goods carriage permit. – A state 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.

Section 95 (1)

74. Temporary authorization in lieu of permit.—(1)When the holder of a permit has submitted part A of part B or both of the permit to the State 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 286 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 From ‘Team : A’ to ply the vehicle, during such period as may be specified in the said temporary authorization and during the said period the production of the temporary authorization on demand, shall be deemed to a valid production of the permit :

Provided the 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)Unit 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 (1) of the extended period under the proviso to that sub-rule.

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

Section 83

75. Permission authorizing the replacement of the a vehicle-

(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 Transport Authority by which the permit was issued stating the reason 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 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 vehicle of that class generally of 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 had been deprived of the possession of the old vehicle under the provisions of a hire purchase agreement:

Provide that in considering an application for new permit within its area the state 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 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 part A and B of the permit and return them accordingly under its seal and signature to the holder.
- (4) A fee of rupees twenty-five shall be charged for the replacement of a vehicle under this rule.

76. Permit for the replacement of vehicle forming part of a service.—(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 Transport Authority by which the permit was issued, stating the reason for replacement along with the relevant particulars of the vehicle to be replaced and of the new vehicle.

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

- (i) If its prior to application given notice of its intention to reduce the number of transport vehicles in the area to which the permit applies; or
- (ii) If the new vehicle differs in material respects from the old; or
- (iv) If the holder of the permit has 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 State 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 Part 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.

Section 83

77. Treatment of countersignatures on permit of replaced vehicle. – (1) The Authority granting permission for the replacement of a vehicle under rules 75 and 76 shall unless the authority by which the permit was countersigned has by general or special order otherwise directed endorsed 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 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.

78. Surrender of permits. – (1) The holder of a permit may at any time surrender in (part A and B of permit) to the State Transport Authority by which was granted and the state Transport Authority shall forthwith cancel any permit so surrendered.

- (2) When the State transport Authority suspends or cancels any permit :-

Section 86
and 95 (2)
(ix)

- (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 65.

(3) A holder shall deliver parts A and B or part B to the State Transport Authority by which if was issued within fourteen days of the expiry of any permit by efflux of time. The State Transport Authority receiving any such permit shall intimate the fact of surrender to the authority or authority by which it may have been countersigned and to any authority whose area the validity has been extended under rule under rule 65.

Section 82

79. Transfer of permit. When the holder of a permit desires to transfer the permit to some other person under sub-section under 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 fee specified for making application for grant of permit to the State 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 any such premium payment or consideration.

(2) The State Transport Authority 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 were an application for a permit :

provided that a permit granted out of the permits reserved by the Government under clause (d)of 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 of holds a permit out of the permits reserved as aforesaid does not want to make use of if he shall surrender it to the authority which granted it.

(3) If the State 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 sub-rule (1) or any other material particulars it may be 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.

(5) (i)If the State 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 the permit within seven days of the receipt of the order and shall likewise call upon the person to whom the permit is to be transferred to deposit the fee specified for grant of permit under rule 67.

(ii)Upon receipt of part A and HB of the permit and of the specified fee and State Transport Authority 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 Transport Authority making a transfer of a permit as aforesaid may unless any other State Transport Authority by which the permit has been countersigned by general or special order has otherwise required endorse parts A and B of the permits 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.

80. Regulation of service of contract carriage. An owner of a state carriage which is used as contract carriage or that of a contract carriage shall

(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 countersignature by any other State 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 countersignature made by it.

ensure that if 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) Not 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.

81. Issued of duplicate permits. (1) When part A or part B of any permit has been lost or destroyed the holder shall forthwith intimate the fact to the State 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.

(1) Provided that in the case of part A of the State Transport Authority.

(2) The State Transport Authority shall upon receipt of application in terms 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.

(4) When a permit or a part of a permit has become so dirty, torn or defaced as in the opinion of the State Transport Authority to be ineligible the holder thereof shall surrender the permit or part of the permit as the case may be to the State 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 a permit shall be fifty rupees for part A and twenty rupees for each copy of part B:

Provided that no fee shall be charged in the case of a duplicate permit issued in pursuance of sub-rule (4) if the original permit was issued prior to three 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 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 Transport Authority.

82. Production of permit on demand. Part A of a permit shall be produced on demand at any reasonable time by any officer under the control of the State Transport Authority or any police officer not below the rank of a sub-inspector if he is in uniform and such officer may also mount any transport vehicle for the purpose of inspecting part B of the permit.

83. Appeals against orders of State Transport Authority;

A person desiring to prefer an appeal against an order of the State 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 appellate Authority constituted under sub-section (2) of section 89 setting forth concisely the grounds of objection to the order of the State Transport Authority. The State 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 for 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 appeal 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 Transport Authority which passed the order appealed against.

(4) The appellant or the respondent 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 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.

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

84. Procedure in hearing appeals on the appellate authority appointing a time and place for hearing under rule 83 the appellant shall within fourteen days of the receipt of intimation that a hearing will take place forward to the appellate a list of the document upon which he proposes to rely together with copies of such documents in duplicate and may upon the appointed day and at subsequent hearing appear either in person or through an agent or representative authorized by him in writing in this behalf.

85. Restriction of hours of work of drivers. The provisions of sub-section (1) of section 91 of the Act shall not apply in the case of .

(1) Any transport vehicle used by or on behalf of any military or police authority in connection with military maneuvers exercise or in the quelling of any riot or civil or disturbance :

(2) Any fire brigade vehicle ambulance when being used as such :

(3) Any vehicle being used for the carriage of passengers of goods in emergency arising out of fire earthquake flood pestilence or other calamity riot or civil disturbance:

(4) Any vehicle going on returning with medical aid in an emergency or carrying any seriously injured or sick person for medical treatment when no other means are available.

(5) Any vehicle proceeding to the nearest place of halt at which the driver and other occupants can reasonable obtain shelter and refreshment after a delay in the journey arising out of the provisions of section 132 or 134 of the Act or out of the failure of the machinery of the vehicle which failure could not have been prevented by the exercise of reasonable care and diligence.

Section 91 (5) 86. interval of rest (1) Any time spent by a driver of a vehicle on work other than driving a connection with the vehicle or with the load carried on the vehicle including any time spent on the vehicle during a journey save as a passenger in a public service vehicle shall nit be deemed to be an interval of rest for the purpose of section 91.

(2) Any spent by a driver of a vehicle on or near the vehicle when the vehicle 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.

Section 91 87. Record of working hours to be maintain . The employer of any person whose work is subject to the provisions of sub-section (1) of section 91 shall fix the hour of work of such person 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 State Transport Authority on demand: -

Name of the employee

Date	working hours in day	Hours of rest	Total Number	Of working hours in a Week
1	2	3	4	

Section 96 (2) (xvii)
and 107 (2) (f)

88. Lost property ; In the case of a public service vehicle other than Government owned vehicle 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 any thin so found and immediately shall make over the same to a responsible person at any officer 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 of 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 three months of taking over charge thereof;

Provided that if the goods are of perishable nature and 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 receipt thereof shall be handed over to the owner if claimed within a week after 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 of 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 of 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 of 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 three months of taking over charge of the goods by public action 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 credit into the Government treasury.

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

(4) Where articles such as arms ammunition explosives intoxicating liquors opium and its preparation and hemp and drug the sale of which is prohibited by laws are left unclaimed they shall be made over to the police or exercise authorities for disposal under the laws affecting the articles.

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

89. Conduct and duties of Drivers of Public service vehicle. The driver of a public service vehicle:-

- (1) Shall not cause allow any person animal or thing to be placed or to be placed or to be in the space reserved for the driver's seat or otherwise in such a way as to impede his vision of the road or proper control of the vehicle.
- (2) Shall not shout in order to attract passengers:
- (3) Shall subject in taking up or setting down of passengers at or except at certain specified place being the vehicle to rest or a sufficient period of the time in a safe and convenient position upon the demand of signal of the conductor or of any passenger desiring to alight from the vehicle and unless there is no accommodation in the vehicle upon the demand or signal of any person desiring to become a passenger.
- (4) Shall not, when bringing his vehicle to rest for the purpose or picking up or setting down any passenger at or near the place where another public service vehicle is at rest for the same purpose drive the vehicle so as to in endenger inconvenience or interfere with the driver or the conductor of the other vehicle or any person mounting or preparing to mount thereon or allghting therefrom and shall bring his vehicle to rest in front of or behind the other vehicle and on the left hand side of the road or place and.
- (5) Shall at all times exercise all reasonable care and diligence to maintain his vehicle in a fit and proper condition and shall not knowingly drive the vehicle when it or any break tyre or lamp there of is in a defective condition likely to endenger any passenger or other person or when there is no sufficient fuel in the tank of the vehicle to enable him to reach the next filling station.

90. Conduct of drivers of contract carriage (1) The driver of a contractor carriage used as a contract carriage.

1. Shall in the absence of reasonable case to the contrary proceed to the destination made by the hirer by the shortest and quickest route.
2. shall not terminate the hiring thereof before he has been discharged by the hirer.

3. Shall station his contract carriage in the stand in the order in which he arrives the contract carriage which has been waiting longest being stationed in the front position and other vehicle shall move as the vacancy occurs.
4. Shall not allow his contract carriage when it is not engaged to remain at any public place other than the stand approved for the purpose nor shall be loiter for the purpose of its being haired in any public place.

91. Conduct of Passenger in a stage carriage.—If 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) spirits
- (vii) Execution of his duties or interferes without due cause with the driving of the vehicle.
- (viii) Internationally avoids payments of the fare.
- (ix) Refuses to show ticket on demand by any authorized person.
- (x) Interferes without due cause with the conductor or driver or the vehicle
- (xi) Uses or attempts to use any ticket which has been altered or defected or in the case of ticket bearing an indication that it is not transferable issued to another person.
- (xii) Is reasonably suspected to be suffering from any contagious or infectious diseases.
- (xiii) Comments or abets any offence under the Act or these rules.
- (xiv) Uses or attempts to use a ticket other than the ticket valid for a particular journey.
- (xv) Carries with him in the vehicle luggage of a description which is likely to obstruct, annoy or causes inconvenience or be offensive to any other passenger.
- (xvi) Occupies accommodation for more than one seat or without lawful excuse occupies any seat exclusively reserved for ladies or other categories of passengers.
- (xvii) Refuse to pay a fresh fare the journey performed by him if he has so altered or defected his ticket as to render its contents illegible.
- (xviii) Is found traveling without ticket pertaining to the journey being performed by the vehicle at the time of his being so found.
- (xix) Refuse 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.
- (xx) Knowingly enters and insists on traveling in a vehicle which is carrying the maximum number of passenger as specified for that vehicle.
- (xxi) Hangs on to any exterior part of a vehicle.

- (xxii) Willfully damages, spoils, removes or interface with any fittings or equipment on or on the vehicle.
- (xxiii) Enter or alights from a vehicle except by the entrance or exit provided for the purpose.
- (xxiv) Attempts to enter a vehicle without first permitting passengers who have completed their journey to alight.
- (xxv) Enters or leaves a vehicle except in a queen and description or distributes any articles for the purpose of advertisement; or
- (xxvi) To the annoyance of other passengers uses or combines with any noisy person to make any excessive noisy by singing or otherwise.
- (xxvii) Begg, 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 or any officer under the control of the State Transport Authority 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 Undertaking.

(2) The passenger 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.

Section 96
(2) (xxvii)

92. Prohibition of use of force to collect passengers.--No driver or conductor of a public service vehicle or agent for the sale of tickets shall touch, annoy or use force to any person with the object of inducing that person or any other to travel in any public service vehicle or sought loudly or use any horn, bell gong whistle gramophone megaphone, loudspeaker, musical instrument or other device for creating loud noise with the' object of attracting passengers.

Section 96
(2) (xxviii)

93. Sale of tickets-- No driver or conductor of a public service vehicle or ~gent for the sale' of tickets in a public service vehicle shall sell or attempt to sell tickets or solicit customers in any place which has been notified by the District Magistrate 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.

Section 96
(2) (xxviii)

94. Licensing of ticket agents. -- (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 licence 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 rules 95, 96 and 97 shall be the licensing authority specified under these rules.

95. Issue of ticket agent's licence Licences under rule 94 shall consist of :-

- (1)
 - (a) A permit in from TAP; and
 - (b) A metal badge of the kind illustrated in the first
 - (c) Schedule to these rules.

(2) No licence 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 person 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 "TAP" the other" entries being completed by or under the orders of the licensing authority.

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

96. Cancellation of ticket agents licence.--(1) The licensing authority shall forthwith cancel any licence issued under rule 94 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 licence 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 badge and permit under sub-rule (2), he shall forward the same with his application for cancellation. of the licence to the licensing authority with the least possible delay and in any case within forty-eight hours.

97. Terms of ticket agent's licence.-- Unless a shorter term is appointed, a ticket agent licence 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 shall the conduct of the agent in his relation with the public has been unsatisfactory or that the agent is not a suitable person to continue as such.

98. Ticket Agent's badge to be exhibited. – (1) A ticket agent shall carry his badge and permit on his person at all times when he is engaged in his duties, the badge being displayed prominently on the left breast.

(2) The ticket agent shall be bound to exhibit his permit in Form 'TAP' 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 State Transport Authority.

99. Appeal against the orders made under rule 95, 96, or 97 – (1) The authority to whom an appeal may be preferred against the order of the licensing authority refusing to grant ticket agent's licence under rule 95, cancellation of ticket agent's licence issued on the request of the principal. under rule 96 or cancellation of ticket agent's licence under rule 97 shall be the Chairman, State Transport Authority, 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 of a treasury challan of twenty rupees, setting forth concisely the grounds of objections 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 State Transport Authority 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 connection with the order appealed against an payment .of a rupees two per page.

(5) Any person preferring an appeal shall be entitled to inspect the file of. the State Transport Authority 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 an ordinary inspection -----
five rupees.

Section 96 (2)
(xxviii)

100. Conduct of ticket agent.—

The licenced ticket agent shall: -

- (i) Behalf in a civil and orderly manner with the passenger or intending passengers.
- (ii) Not behave in a manner likely to cause annoyance or embarrassment to any female passengers.
- (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 device or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare any journey.
- (vii) Properly guide the passenger to enable them to board the vehicle for which tickets have been issued to them.
- (viii) Not altercate with passengers and shall give them his name and licence 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 observed cleanliness.

101. Disinfections.--(1) All public service vehicles shall be disinfected with D..D. T. or Gammoxane formulations or any other disinfectant after every two months and the owners shall furnish to the State Transport Authority a certificate to that effect duly signed by the 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 the last certificate furnished as aforesaid:

Provided that if adequate arrangements for the disinfections of vehicles are made by *any* permit holder at his own premises to the satisfaction of the Medical Officer. of Health a certificate of disinfections 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 State Transport Authority or the Registering Authority produce for inspection a current register showing the dates on which the public service vehicle was disinfected from time to time.

102. Carriage of persons in goods carriage.--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 goods carriage other than its owner or hirer, a bonafide employees 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 driver's cab of a 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 lead carried in addition to the driver shall be carried in any goods carriage:

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

(3) No person shall be carried upon goods or otherwise in such a 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 of his person, when he is in a sitting position, is at a height exceeding 3.48 metres from the surface upon which the vehicle rests.

(4) Notwithstanding the provisions of sub-rule. (2) a Secretary State Transport Authority may, as a condition of a permit granted for any goods carriage, specify the conditions subject to which a large number of persons may be carried in the vehicle, provided that such number shall not exceed the area in square metres 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 inforce in respect of the vehicle a permit authorizing the use of the vehicle for such purpose and save in accordance with the provisions of such permit.

Section 96
(2) (xxvii)

103. Conditions for carriage of animals **in** goods carriage. -- (1) No animal shall be carried in a goods carriage in a public place unless:-

- (i) The load body of the vehicle is constructed of strong wooden planks or of iron sheets with a minimum, height of 1.05 metres 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 and not more than fifty when the wheel base of such vehicle, is 3-6 metres or above in the case of goats, sheep, pigs, deer, rams ewas, kids and the like;

- (ii) Not carry more than four with calves or young ones or five without calves or young ones, in the case of animal other than those referred to in clause (i) when the wheel base is below 3.6 metres and not carry more than five with calves or young ones or six without calves or young ones when the wheel base of such vehicles 3.6 metres or above; and
- (iii) Carry animals on the basis of floor space in the vehicle in accordance with the sale 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 metres
2. Buffalo or buffalo bull	.. 1.67 square metres
3. Cow or bullock or adult heifer or cow bull	.. 1.48 square metres
4. Pony or ass or colt filly	.. 1.20 square metres
5. Calves of two to three years	.. 1.11 square metres
6. Calves below two years	.. 0.74 square metres
7. Deer and pig	.. 0.50 square metres
8. Sheep or ram and goat	.. 0.32 square metres

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

Name and address of the permit holder	Type of permit	Type of _____ Temporary	Registration no. of Vehicle	Goods carriage for hire or reward trade and business	Date

Serial trip	No.	Name and address of sender or booking Agents	Name and address of consignee	Name and commodity carried	of	Weight in quintals /kg	Origin
1	2	3	4	5	6	7	8

Destination	Distance between 6 and 7	Quintals Kms. Performed Col. (5) X Col. (8)	per rupees	Freight Charged in	Remarks
7	8	9	10	11	12

Signature of permit-holder

(Strike out where not applicable Record of Daily Haulage)

N.B.--(i) if more than one commodity is carried during the same trip or booked between places enroute the debits of each commodity have to be shown separately in separate lines under all columns:

(11) 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 Columns

(16) And 17) 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 a goods carriage in public place unless in the case of wild ferocious animal, a suitable cage either separate from or integral with the lead body of the vehicle, used of sufficient strength to contain 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 animals, carry any other goods except fodder necessary to feed the animals on the way.

Section 96
(2) (vi)
(xxxii) and
95 (1)

104. Log-books and complaint books to be maintained by drivers of transport vehicle.--(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 enters 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 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.
- (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 _____ to _____
 - (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 charges
 - (ix) Name and address of the consignee or
 - (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. Driver's 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 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 or use as a contract carriage for the carriage of goods.

5) Log-books required to be maintained under this rule shall be signed and stamped by the Secretary, State Transport Authority 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 a Sub-Inspector or such other officer as may be authorized by the State Transport Authority.

(6) A complaint book duly authenticated by the Secretary, State 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.

105. Other records to be maintained. -- (1) The State Transport Authority may by general or special order, require (2) 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 Licence 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 time of commencement and termination of a journey and of any on a journey when the driver obtained rests.
- (iv) The weight of goods carried between specified places and the nature of the goods; and.
- (v) In the case of goods carried in a stage carriage, the number of tips 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' this driving licence, the number of the licence and the name of authority by which it was issued.

106 Change of address of permit holder. -- (1) If the holder of a permit ceases to reside or to have his place of business as the case may be, at the address set forth in the permit he shall 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 State Transport Authority in which the permit is valid by virtue of countersignatures or otherwise.

Section 96
(2) (xxiv)

107. Intimation of damage to or failure of a public service vehicle.--(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 to any part thereof, if the failure or damage is of such a nature as to render the vehicle unfit for use in accordance with the conditions of the permit for a period exceeding three days.

(2) The holder of any permit in respect of a service of stage carriage shall within seven day, 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 the authority of the 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 proceedings sub-rules, the authority by which the permit was issued, may, subject to the provisions of rules 75 and 76: -

(1) Direct the holder of the permit, within such period not exceeding two months from the date of the occurrence, as the authority may specify either to make good the damage to or set right the failure of the vehicle or to provide a substitute vehicle.

OR

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

(2) On receipt of a report under sub-rule (1) the State Transport Authority, Deputy Commissioner of Sub Divisional Officer, as the case may be, may make such alternate arrangements as he may think fit.

109. Inspection of Transport Vehicles and their contents.-- 5, (1) Any Police Officer in uniform not below the rank of a Sub-Inspector or an officer under the control of the State Transport Authority 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 or such time as may be necessary to enable the said Officer to make reasonable examination of the contents of the vehicle.

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

108. Information of failure to ply the vehicle.--(1) If the Se holder of a stage carriage permit is at any time unable a ply his vehicle for any cause whatsoever in accordance with the time table approved by the State Transport Authority, he shall forthwith send an intimation about the same to the State Transport Authority by which the permit was issued as well as the nearest Deputy Commissioner and the Sub Divisional Officer (Civil).

- (i) the permit in respect of the vehicle contains provisions or conditions in respect of the goods which may or which may not be carried on the vehicle,
- (ii) the officer has reasons to believe that the vehicle is being used in contravention of the provisions of the Act or rules framed thereunder.

(3) Any police officer in uniform not below the rank of a Sub Inspector.- or any officer. of the Department of Excise and Taxation not below the rank of -Taxation Sub-Inspector or any officer-- under the control of the State Transport Authority 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 top 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 vehicle so as to satisfy himself that the provisions of the Act and the rules framed thereunder and 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 he Board of: Inspection shall be entitled at any reasonable time to inspect any public service vehicle in a public place.

110. Taxi Meter.--(1) .Every motor-cab 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.

Section 74
(2) (viii) and
Section 96
(2) (xx)

(2) A permit holder required to fit a taxi meter shall, at the time of production' of his vehicle for inspection before the Board of Inspection furnish a certificate issued by the Controller, Weights and Measures 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 whenever the vehicle to which it is attached is, inspected or whenever for any reasons it has become necessary to break the seal.

CHAPTER VI

Section 93
and 96 (2)
(xxix) and
(xxxiii)

[1]. Procedure for obtaining an Agents .or Convasser licence under Section 93.--(1) Any person desiring to obtain a licence under section 93 to be made Operative in one region may make an application to the State Transport Authority in Form CH GBA-I

(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 licence made under sub-rule (1) the State 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 CH GBA-4 obtained by him from the respective owners of goods vehicles.

(b) the suitability of accommodation possessed by the applicant for the 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 carriages efficiently.

(4) The State Transport Authority shall either grant the licence to the applicant (hereinafter referred to as the licence in this chapter in Form 'CH GBA-5 or CH GBA-6, specifying the place or places where the business may be carried on or refuse to grant the licence:

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

112. Security for compliance with the conditions.--(1) For: ensuring compliance with the provisions of these rules and c conditions. of the' licence granted under rule 111, the State Transport Authority shall, at the time of granting a licence require the applicant to furnish security of a sum of rupees fifty thousand.

(2) If a licensee contravenes any of the provision of s. these rules or any of the conditions under which the licence is granted then without prejudice ~o any other action that may be taken against him, the State 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, security at any time falls short of the amount rule (1) forthwith deposit further security amount of security.

(3) The security deposit, unless forfeited, shall be refunded to the person concerned at the expiry of the period of the licence or earlier in the event of voluntary down of the business.

(2) An application for renewal under sub-rule (I) shall be made to the State Transport Authority in Form CH GBA-3 not less than thirty days before the date of its expiry.

3) The renewal of licence shall be given by an endorsement to that effect by the State Transport Authority on the licence.

113. Period of validity and renewal. -- (I) A licence granted under sub-rule (4) of rule 111 shall be valid for a and period of three years from the date of its grant and may be renewed for a period of three years at a time.

114. Fee for a Licence.--Fee for the grant or renewal of licence under rule 111, or rule 113 shall be follows: -

	Rs.
(a) for the grant of principal licence	500.00
(b) for the grant of supplementary licence for each additional establishment or sub-agency	100.00
(c) for renewal of a licence if application is made in time :-]	
(i) principal licence	500.00
(iii) supplementary licence for each additional establishment or sub-agency	100.00
(d) penalty for renewal of licence of application .is not made in time but is made before the expiry of licence:-	
	Rs.
(i) principal licence:-	
(a) if application is made late by seven days	50.00
(b) if application is made late by more than seven days, but not more than	60.00

fourteen days	
(c) if application is made late by more than fourteen days but not more than twenty one days	80.00
(d) if the application is made late by more than twenty one days but not more than thirty days	200.00
(ii) Supplementary Licence: -	
(a) if the application is made late by fifteen days.	20.00
(b) if the application is made late by more than fifteen but not more than thirty days	30.00

Note.-In this rule, the expression, "Principal Licence" means a licence for the headquarters of a person engaged in the business of collecting, forwarding or distributing goods carried by goods .carriages and "Supplementary Licence" means a licence which is for a branch office.

Section 96
(2) (xxix)

115. Conditions of. a licence. - - (1) A licence issued or renewed under rule 111 and 113 shall be subject to the following conditions namely: -

(1) The licence shall, subject to the provision of rule 117 provide places for loading and unloading of goods;

(ii)The licensee shall be responsible for proper arrangement for storage of goods, collected for dispatch and delivery;

(iii)Where the licence is authorized to forward and distribute goods he shall : -

- (a) Be 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;
- (c) Not issue a goods transport receipt without having actually received the goods ;
- (d) Not deliver the goods to the consignee without actually receiving from the consignee a goods transport receipt and in case of loss or misplacement of the same, an indemnity bend covering the value of goods without

(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, dispatch and deli very of goods which shall be open to inspection by the State Transport Authority or by any person duly authorised 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 CH GBA 7 within thirty days after the 30th September and 31st March every years;

(vi) The licensee shall furnish the person operating the vehicle with correct figures of the

- freight to be received by them from the consigners or the consignees;
- (vii) The licensee shall maintain proper accounts of the commission charged by him and the licensee with gross income of Rs. 25, 000 or above per annum shall get his account audited by the Chartered Accountant;
 - (viii) The licensee shall ensure that the goods vehicles under his control have valid permit for routes on

Provided that the customer 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 licence.

(xii) The licensee shall comply with the provisions of these rules and shall observe such conditions as the State Transport Authority may specify in the licence.

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

- (a) Name and address of the consignor and the consignee.
 - (b) Description and weight of the consignment.
 - (c) Description and its distance in kilometers from the starting station to the destinations.
 - (d) Freight per quintal per kilometer and for the whole vehicle per kilometer.
 - (e) Delivery instructions, for example, the date by which and the exact place where the goods are to be delivered to the consignee.
 - (f) Terms of agreement for payments; and
- (ix) The licensee shall maintain in good condition a weighing device capable of weighing not less than 200 Kilograms;
- (x) The licensee shall attend to his customers in order which they approach him.
Provided that the commission will be exclusive of loading and unloading charges
- (g) Name of the owner, driver the registration number in an vehicle, its authorised load and amount of the commission.
- (xiii) The licence shall administer his approved premises in an orderly manner and shall keep it in good and clean condition; and.
- (xiv) The licence shall take all precaution to ensure that no breach of any of the
- (xi)The licensee shall assign the consignment amongst the persons 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;
provisions of the Act or rules made thereunder of the conditions of the licence is

Section 93
and 96 (2)
Section 93
and 96 (2)
(xxix)

117. Premises to be used.—(1) The State Transport Authority may, in consultation with the local authority of the Police Authority having jurisdiction over the area concerned, approve any premises owned by or in possession of a 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 be stability of the site, sanitary conditions and storage facilities provided at such premises

Provided that before such refusal an opportunity of being heard shall be given to the licensee or the applicant, as the case may be.

Section 93
and 96 (2)
(xxix)

118. Suspension or cancellation of licence. – Without prejudice to any other action which may be taken against a licensee, under the Act the State Transport Authority may by order, in writing, cancel the Licence obtained under rule 111 or suspend it for such period as it thinks fit in the opinion any of the conditions of the licence has been contravened:

Provided that before making any order of suspension or cancellation under this rule, the State Transport Authority shall give the licensee an opportunity of being heard and shall record reasons, in writing, for such cancellations or suspension.

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

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

116. Rate of commission.--The licensee shall not charge commission from the persons operating the vehicle's exceeding amount as may be notified. by the Chandigarh Administration from time to time keeping in view the expenses incurred by the licensee in maintaining the establishment overhead charges and other relevant factors.

(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 Transport Authority, shall issue a duplicate licence stamped "Duplicate" in red ink.

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

120. Display of licence.--(1) A person who has obtained a licence under rule 111 for collecting the goods shall carry with him, his licence while on duty and shall produce it on demand for inspection by the Secretary Transport Authority' or the District Transport Officer.

(2) A person who has obtained a licence under rule 111 for forwarding and distributing the goods shall exhibit his licence at some conspicuous place in the approved premises and the licence shall be made available for inspection by the Secretary Transport Authority or the District Transport Officer".

(3) A persons who has obtained a licence for collecting, forwarding and distributing

(2) Where the State Transport Authority refuses to approve an premises under sub-rule (1) it shall record, in writing, the reasonsfor such refusal.
goods shall carry with him his licence while on duty and shall produce it on demand for inspection by the Secretary, State Transport Authority or the Licensing and Registering Authority and shall also cause a true copy of his licence to be exhibited at a prominent place in the approved premises.

121. Appeal.--(1) Any person aggrieved by an order made under rules 111 and 117 and 118 may, within a period of thirty days from the date of the receipt of such order appeal to the I

Chairman State 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.

122. Levy of fees for supply of copies.--The authority S which passes an order to be appealed against under rule 121 a shall on an application by a person give a certificate copy of the order or any other relevant documents on payment of fee of Rupees two per page.

123.--Delegation of powers by State Transport Authority.-- 5 The State Transport Authority may by a general or special I resolution passed in its meeting delegate all or any of its I powers under these rules to its Chairman:

Provided that the aforesaid power 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 away from the headquarter of the authority.

CHAPTER VII

SPECIAL PROVISIONS RELATING TO STATE TRANSPORT UNDERTAKING

Section 99
and 107 (e)
(a)

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

- (i) Name of the State Transport Undertaking.
- (ii) Area of route proposed to be covered under the scheme along with their 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 the exclusion, complete, or partial of person 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 service to be operated by other person or otherwise.

Section 199
and 107

125. Publication of the Scheme. -; 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 Union Territory, Chandigarh for the general information of the public and for inviting objections as required under section 100.

Section 99
and 107

126. Manner of filling objection. – The objections in terms of the sub-section (1) of section 100 shall be filed through a communication addressed to the secretary, Department of

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and 107

Transport, Chandigarh Administration with a copy to the Secretary, State Transport Authority and the State Transport Undertakings under registered post within a period of thirty days as specified in the said sub-section (1).

127. Manner of Consideration and disposal of objection – (1) The State Transport Undertakings concerned shall forward its comment with regard to the objections received under rule 126. to the Chairman/Secretary/State Transport Authority, as well as to the Secretary, Department of Transport, Chandigarh Administration 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 there on to the Secretary, Department of Transport, Chandigarh Administration within a period of ten days from the receipt of comments of the State Transport Undertaking.

(3) On receipt of the views of the Chairman of the State Transport Authority, in terms of sub-rule (2) the Administration 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 or modify the scheme.

128. Publications of the Scheme.--The approved or modified S scheme as the case, may be under sub-rule (3) of rule 127 shall be published in official Gazette and also in a newspaper in the Hindi language having circulation in the area or route covered by the scheme.

129. Application for grant of permit to State Transport S Undertaking. -- (1) For securing a stage carriage permit or a goods 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 State Transport Authority in the relevant form specified under rule 64.

(2) The fees payable in respect of the application in terms of sub-rule (1) shall be notified in rule 66 in respect of application for grant or renewal of permits.

(3) The fees for grant of permits under this rule shall be as specified in rule 67 and 68, as the case may be.

129-A. Manner of services of orders. --The orders of the State Transport Authority under-section (2) of section 103 shall be served under registered post or through notice published in a newspaper in the English language having circulation in the area covered by the Scheme.