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GOVERNMENT OF PONDICHERRY

CHIEF SECRETARIAT (Transport)

[G. O. Ms. No. 25/93-Wel. (Tr.), dated 27th April 1993]

NOTIFICATION

In exercise of the powers conferred by sections 28, 38, 65, 95, 96, 107, 111, 138 and 176 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Administrator, Pondicherry, hereby makes the following amendment to the Pondicherry Motor Vehicles Rules, 1989, the Draft of the same having been pre-published in the notification issued in G. O. Ms. No. 48/92-Wel. (Tr.), dated 9th November 1992 of the Chief Secretariat (Transport), Pondicherry and published in

the Extraordinary Gazette, Part-II, No. 28, dated 18th November 1992 as required under sub-section (1) of section 212 of the said Act and the objections and suggestions received in response thereto having been considered, namely :—

1. **Short title and commencement.**—(1) These rules may be called the Pondicherry Motor Vehicles (Amendment) Rules, 1993.

(2) They shall come into force on and from the date of their publication in the official gazette.

2. **Amendment to rule 32.**—In rule 32 of the Pondicherry Motor Vehicles Rules, 1989 (hereinafter referred to as the said rules), for sub-rule (1), the following shall be substituted, namely :—

“32. *Temporary Registration.*—(1) An application for grant of temporary registration shall be made to the registering authority in Form C. R. TEM. A—

(i) along with a fee of rupees thirty, where the temporary registration is sought in respect of a motor-cycle; and

(ii) along with a fee of rupees fifty, where the temporary registration is sought in respect of any other motor vehicle other than a motor-cycle.”

3. **Amendment of rule 36.**—In the sub-rule (1) of rule 36 of the said rules, for the words “two rupees”, the words “twenty-five rupees” shall be substituted.

4. **Insertion of a new rule 51A.**—In the said rules, after rule 51, the following rule shall be inserted, namely :—

“51A. *Exemption from payment of fee.*—Notwithstanding anything contained in this chapter, the department of the Central and State Governments and Union Territory Administration are exempted from payment of all fees payable under this chapter in respect of applications, issue of renewal of certificates or amendment of documents or for any purpose or matter involving rendering of any service by officers or authorities under this chapter.”

5. Amendment of rule 63.—(1) In sub-rule (1) of rule 63 of the said rules,—

- (a) in the entries against item (i), *for* the figures '600', the figures "2000" shall be *substituted*;
- (b) in the entries against item (ii), *for* the figures '200', the figures "1000" shall be *substituted*;
- (c) in the entries against item (iii), *for* the figures "350", the figures "1000" shall be *substituted*;
- (d) in the entries against item (iv), *for* the figures "100", the figures "500" shall be *substituted*;
- (e) in the entries against item (v), *for* the figures "100", the figures "500" shall be *substituted*;
- (f) in the entries against item (vi), *for* the figures "100", the figures "500" shall be *substituted*;
- (g) in the entries against item (vii), *for* the figures "100", the figures "500" shall be *substituted*;
- (h) in the entries against item (viii), *for* the figures "100", the figures "500" shall be *substituted*;
- (i) in the entries against item (ix), *for* the figures "100", the figures "300" shall be *substituted*;
- (j) in the entries against item (x), *for* the figures "50", the figures "500" shall be *substituted*;

(2) in sub-rule (2) of rule 63 of the said rules,—

- (a) in the entries against item (i), *for* the figures "50", the figures "300" shall be *substituted*;
- (b) *for* the item (ii), the following shall be *substituted*, namely :—

“(ii) For the grant of Contract Carriage
Permit other than Tourist Taxi/
Autorickshaw .. 500”;

- (c) in the entries against item (iii), *for* the figures "25", the figures "150" shall be *substituted*;

(d) *for the item (iv), the following shall be substituted, namely :—*

“(iv) For the renewal of Contract Carriage Permit other than Tourist Taxi/Autorickshaw ..250”;

(e) *in the entries against item (v), for the figures “100”, the figures “300” shall be substituted ;*

(f) *in the entries against item (vi), for the figures “100”, the figures “300” shall be substituted ;*

(g) *in the entries against item (vii), for the figures “100”, the figures “300” shall be substituted;*

(h) *for the item (viii), the following shall be substituted, namely:—*

“(viii) For issue of special permits for a period not more than 7 days .. 50”;

(i) *for the item (ix), the following shall be substituted, namely:—*

“(ix) For issue of special permits for a period more than 7 days .. 100”;

(3) In sub-rule (3) of rule 63 of the said rules, *for the words “two hundred rupees” and “one hundred rupees”, the words “one thousand rupees” and “five hundred rupees” shall be respectively substituted;*

(4) In sub-rule (4) of rule 63 of the said rules, *for the existing entries against items (i), (ii) and (i'i), the following shall be substituted, namely:—*

“(i) for not more than 7 days .. Rs. 25

(ii) for more than 7 days but not more than 1 month .. Rs. 50

(iii) for more than 1 month but not more than 4 months .. Rs. 100”;

(5) For sub-rule (5) of rule 63 of the said rules, the following shall be *substituted*, namely:—

“(5) The fee in respect of an application for replacement of a vehicle covered by a stage carriage permit shall be,—

(i) in case not involving any variation .. Rs. 250

(ii) in case involving variation.. Rs. 500”; and

(6) After the sub-rule (5) of rule 63 of the said rules, the following sub-rule shall be *inserted*, namely:—

“(6) The fees in respect of any other services not covered in the above said provisions shall be rupees one hundred only.”.

6. Insertion of a new rule 65A.—In the said rules, after rule 65, the following rule shall be *inserted*, namely:—

“65A. *Stage carriage fixing schedule of timing.*—(1) . The State Transport Authority may, if no schedule of timings is already fixed or approved for a stage carriage or the services of stage carriages on any route, either on its own motion or on an application made to it in writing, by a general or special order, fix and approve a schedule of timings, for the particular stage carriage or the services of stage carriages in consultation with the applicant and the persons providing transport facilities on the route or sectors thereof and while approving a schedule of timing on an application made to it, in writing, it may approve the scheme with such modifications as it may deem necessary. It shall not be necessary for the State Transport Authority to send individual notice of the timings conference to the operators concerned and it shall be sufficient compliance, if a notice giving the existing and proposed schedule of timings and the time, date and place at which the subject will be discussed, is affixed on the notice-board of the Office of the State Transport Authority and copies of the notice sent to the applicant, the concerned State Transport Undertaking and Bus Owners Association of the District through which the route passes:

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dt 30.5.2012

Provided that in the case of introduction of the stage carriages of State Transport Undertakings or temporary permit, tentative timings may be fixed by the State Transport Authority without following the procedure laid down in the sub-rule.

(2) Notwithstanding anything contained in sub-rule (1), the State Transport Authority may, at any time either on its own motion or on an application made to it in writing, if satisfied of the expediency, revise or modify any schedule of timings already fixed or approved for any particular stage carriage or any service of stage carriage on any route or portion thereof, after following the procedure laid down in sub-rule (1).

(3) Every application made to the State Transport Authority for fixation, modification or revision of schedule of timing shall be accompanied by a fee of rupees one thousand only.

Provided that if the State Transport Authority revises or modifies any schedule of timing already fixed in respect of a stage carriage on its own motion or consequent on fixation or revision of schedule of timings of some other services of stage carriages, the permit holder need not pay any fee for such revision or modification."

7. **Amendment of rule 70.**—In rule 70 of the said rules, *after* the words "No owner of a motor vehicle adapted to carry more than nine passengers", the words "unless otherwise exempted by the Government of Pondicherry" shall be *inserted*.

8. **Insertion of a new rule 77A.**—In the said rules, *after* rule 77, the following rule shall be *inserted*, namely :—

"77A. *Procedure on surrender of permit.*—(1) (a) If the holder of a permit proposes to surrender the primary permit or counter-signature of permit for cancellation, he shall make an application in Form P. S. A. to the State Transport Authority concerned for the acceptance of surrender of the permit.

(b) Such application shall be accompanied by the permit and a fee of rupees fifty.

(2) (a) In case where the holder of the permit has no liabilities outstanding or where there is sufficient documentary evidence to prove that the liabilities have

been cleared by the permit holder concerned, the State Transport Authority shall direct the permit holder to produce the certificate of registration of the vehicle.

(b) On receipt of the records referred to in clause (a), the State Transport Authority, or the Secretary of the State Transport Authority if authorised in this behalf by the State Transport Authority shall forthwith cancel the permit so surrendered or cancel the endorsement for payment of tax in the certificate of registration.

(3) In case the holder of the permit has liabilities outstanding or there are disciplinary proceedings pending against him or there are orders in force suspending or cancelling the permit, the State Transport Authority shall summarily reject the application for surrender of permit unless sufficient evidence is not furnished within 30 days of the date of application regarding clearing the liabilities or having undergone the disciplinary proceedings or the suspension period of modification of the order on appeal or having paid a certain sum of money *in lieu* of cancellation or suspension of the permit."

9. Amendment of rule 78.—In the said rules, in sub-rule (5) of rule 78,—

(1) in clause (i), for the words "one thousand rupees in respect of stage carriages and contract carriages and one hundred rupees in respect of goods carriages", the words "two thousand rupees in respect of stage carriages and contract carriages except autorickshaws. Two hundred and fifty rupees in respect of autorickshaws and five hundred rupees in respect of goods carriages" shall be *substituted*; and

(2) in clause (v), for the words "fifty rupees", the words "five hundred rupees" shall be *substituted*.

10. Amendment of rule 79.—In rule 79 of the said rules, in sub-rule (2) and sub-rule (5), for the words "twenty rupees" wherever they occur, the words "one hundred rupees" shall be *substituted*.

11. Amendment of rule 80.—In the said rules, in sub-rule (5) of rule 80, for the words "seven rupees" and "two rupees" wherever they occur, the words "one hundred rupees" shall be *substituted*.

12. Amendment of rule 81.—In rule 81 of the said rules, for sub-rule (3), the following shall be *substituted*, namely:—

“(3) The fee payable in each case for the variation of permit or any condition thereof regarding revision and consequential change of timings, revision of timings with variation or extension of permit, revision of timings involving curtailment and in any other case shall be rupees one thousand.”

13. Amendment of rule 84.—In rule 84 of the said rules, in sub-rule (1), for the words “one hundred and fifty rupees”, the words “five hundred rupees” shall be *substituted*.

14. Insertion of sub-rule in rule 99.—In the said rules, after sub-rule (2) of rule 99, the following shall be *inserted*, namely:—

“(3) The fee payable for effecting the change of address in the permit shall be one hundred rupees.”

15. Amendment of rule 100.—In the said rules, in sub-rule (1) of rule 100, after the words “report in writing”, the words “together with a fee of twenty-five rupees” shall be *inserted*.

16. Amendment of rule 101.—In the said rules, in sub-rule (1) of rule 101, after the words “as required by the said section”, the words “together with a fee of one hundred rupees” shall be *inserted*.

17. Amendment of rule 122.—In the said rules, after sub-rule (5) of rule 122, the following shall be *inserted* as sub-rules (6) and (7), namely:—

“(6) Stage carriages permitted to be operated in the areas declared as urban areas by the Government from time to time shall have stainless steel colour body with one signal red band of 30 centimetres around the body and with the top portion above the window painted in signal red colour; and

(7) The buses owned by a college, school or other educational institution and used solely for the purpose of transport of students and staff of the educational institution shall be painted in yellow colour.”

18. Amendment to rule 190.—In the said rules, in the Table below rule 190,—

(i) against serial No. 2, for the figures "150", the figures "500" shall be *substituted*; and

(ii) against serial No. 3, for the figures "150", the figures "1000" shall be *substituted*.

19. Insertion of rule 201A.—After rule 201 of the said rules, the following shall be *inserted*, namely :—

"201A. *Prohibition of smoking*—No driver or conductor of a stage carriage or contract carriage shall smoke or allow any passenger to smoke inside the vehicle and the words 'No smoking' shall invariably be written in the vehicles."

20. Insertion of Form P.S.A.—After Form P. Rep. A., the following form shall be *inserted*, namely :—

"FORM P.S.A.
(See rule 77A)

Application for surrender of primary permit/counter-signature of permit

To

The Secretary,
State Transport Authority.

Sir,

I/We propose to surrender the state carriage/goods carriage/contract carriage permit in respect of my/our vehicle and request that a clearance certificate may be granted to me/us.

I/We give below the necessary particulars :—

1. Full name and address of the permit holder (in Block Letters) ..
2. Registration mark of the vehicle covered by the permit ..
3. Authority by which the permit was issued ..
4. Number of the permit and the date of issue ..
5. Route or area for which the permit is valid ..

6. Goods which the vehicle is permitted to carry (in case of goods carriage) ..

7. (a) Passenger capacity [in case of a stage carriage] ..

(b) Big, medium, baby, tourist or luxury coach [in the case of a contract carriage] ..

8. Date of expiry of the permit ..

9. (a) Place[s] at which the business is/was carried on ..

(b) Place where the vehicle may be found for inspection ..

10. Reasons for surrender of the permit (state briefly) ..

I/We enclose cash/chalan/cheque/money order receipt of Rs. being the prescribed fee.

I/We enclose the permit of the vehicle.

I/We will produce the certificate of registration of the vehicle on receipt of further intimation.

I/We declare that to the best of my/our knowledge and belief, the information furnished in the application is correct, complete and is truly stated.

Place:

Date :

Signature of the applicant."

21. Amendment of Form P. Tr. A. —In Form P. Tr. A. appended to the said rules, *for* item 1, the following shall be *substituted*, namely :—

"1. The transferor is an existing stage carriage/contract carriage operator and wants to transfer one of his/her permit bearing No. for (the reason for the such proposed transfer to be stated) The vehicle is plying on the route".

(By order of the Administrator)

S. PALANISAMY,
Under Secretary to Government (Tr.).

Government Press (C)

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