

GOVERNMENT OF PUDUCHERRY

Abstract

Transport – The Puducherry Motor Vehicles Rules, 1989 – Amendment of certain provisions – Draft Notification – Issued.

TRANSPORT SECRETARIAT

G.O.Ms. No.40/2014/Sectt.

Puducherry,dt.03.11.2014

READ: 1. I.D. No. 30/TD.TP1/2013, 25.10.2013 of the
Additional Secretary (Transport), Puducherry.
2. Minutes of State Transport Authority,
Puducherry dated 8.10.2013.

ORDER:

The following notification shall be published in the Extraordinary Official Gazette of Government of Puducherry:-

NOTIFICATION

The draft of the following rules further to amend the Puducherry Motor Vehicles Rules, 1989, which the Lieutenant-Governor, Puducherry proposes to make under Section 68(5) and Section 96 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) is hereby published as required under sub-section (1) of section 212 of the said Act, notice is hereby given inviting objections and suggestions within 15 days of publication in the official gazette.

2. Objections or suggestions, if any, within the time limit above will be considered by the Government.

3. Objections or suggestions may be sent to the Secretary to Government, Transport Department, Chief Secretariat Building, Puducherry.

DRAFT RULES

PRELIMINARY

1. Short title and Commencement.- (1) These rules may be called the Puducherry Motor Vehicles (Amendment) Rules, 2014.

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

✓ ..2/-

2. Amendment of Rule 3.- In the Puducherry Motor Vehicle Rules (hereinafter referred to as the said rules), for sub-rule (1) of rule 3, the following shall be substituted, namely:-

“3 Appointment of Licensing Authorities.- (1) For the purpose of Chapter II of the Act, the Regional Transport Officer shall be the licensing authority within his jurisdiction and in regions where there is no Regional Transport Officer, the Regional Administrator of the Region shall be the licensing authority in their respective jurisdictions”.

3. Amendment of rule 15.- In the said rules, for sub-rule (1) of rule 15, the following shall be substituted, namely :-

“15. Appointment of Licensing Authorities.- (1) For the purpose of Chapter III of the Act, the Regional Transport Officer shall be the Licensing Authority within his jurisdiction and in regions where there is no Regional Transport Officer, the Regional Administrator of the Region shall be the licensing authority in their respective jurisdictions”.

4. Amendment of Rule 29.- In the said rules, for rule 29 the following shall be substituted, namely:-

“29. Appeal.- Any person aggrieved by any order of the Licensing Authority under this Chapter may within thirty days of the date of receipt of such order appeal to the Transport Commissioner”.

5. Amendment of Rule 31.- In the said rules, for sub-rule (1), the following shall be substituted namely:-

“31: Appointment of Registering Authorities.- (1) For the purpose of Chapter IV of the Act, the Regional Transport Officer shall be the Registering Authority within his jurisdiction and in regions where there is no Regional Transport Officer, the Regional Administrator of the Region shall be the Registering Authority in their respective jurisdictions”.

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6. Amendment of Rule 50.- In the said rules, for rule 50, the following shall be substituted, namely:-

“50: Appeal.- Any person aggrieved by any order of the Registering authority under this chapter may within thirty days of the date of receipt of such order appeal to the Transport Commissioner”.

7. Amendment of Rule 54.- In the said rule 54, after sub-rule (4), the following sub-rule shall be inserted, namely:-

“(5). Without prejudice to the powers conferred under the statutory prescription, the following powers of STA may be delegated to the officials designated as Special Secretary, Deputy Secretary and Assistant Secretaries in the regions of Puducherry, Karaikal, Mahe and Yanam in respect of the following classes of transport vehicles only, namely:-

(a) Contract Carriages:

Category of Permits: South Zone Taxi, Tourist Taxi and Maxi Cab

Sl. No.	Powers in STA	Designation in STA
1.	Grant/Refuse/Cancel permits	Special Secretary (STA), Karaikal/ Deputy Secretary (STA), Puducherry, Mahe and Yanam
2.	Transfer/Renewal/ Replacement/ Surrender/Alteration of permits of all categories of Contract carriages	Assistant Secretary (STA), Puducherry, Karaikal, Mahe and Yanam

(b) Goods Carriages:

Category of Permits: National Permit (Goods Vehicle)/ Goods Vehicle Permit (State)

Sl.No.	Powers in STA	Designation in STA
1	Grant/Refuse/Cancel/ Transfer/ Suspension	Special Secretary (STA), Karaikal/Deputy Secretary (STA), Puducherry, Mahe and Yanam
2	Renewal/Replacement/ Surrender/ Alteration	Assistant Secretary (STA), Puducherry, Karaikal, Mahe and Yanam

(c) **Private Service Vehicle (Education and Others)**

Sl.No.	Powers in STA	Designation in STA
1	Grant/Refuse/Cancel/Transfer of PSV	Special Secretary (STA), Karaikal/ Deputy Secretary (STA), Puducherry, Mahe and Yanam
2	Renewal/Replacement/ Surrender/Alteration	Assistant Secretary (STA), Puducherry, Karaikal, Mahe and Yanam

Provided that the **Secretary**, State Transport Authority will retain powers with respect to all services for **HMV(OB)**, **MMV(OB)**, **LMV(OB)** and **Stage Carriage** except Issue/Cancellation of Permit which will be retained by the **State Transport Authority**:

Provided also that in order to keep the State Transport Authority apprised about the details of all permits issued, periodical report of the permits issued by various authorities of the STA viz., Special Secretary (STA), Dy. Secretaries (STA) and Asst. Secretaries (STA) and other related details shall be submitted to the Secretary (STA) for information and necessary ratification as the case may be.

“(6). The Secretary, State Transport authority may by order delegate powers to the designated authority in the check post to issue Special Permits under section 88(8), temporary Permits under section 87 and permit collection of entry tax for other state vehicles as per the rules”.

8. In rule 104 of the said rules, after sub-rule (4), the following sub-rule shall be inserted, namely:-

“(5) Any Staff, Clerk, Traffic guard or attender employed in a check post may at any time when a transport vehicle is near or at the Check- Post, call upon the driver of the vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable him to make a reasonable examination of the vehicle, and verify the Permit, Registration certificate, Insurance certificate and fitness certificate of the vehicle:

...5/-


Provided the inspection shall be conducted under the supervision of the designated authority in terms of the statutory prescriptions."

9. In the said rules, in rule 247, for the words "the Deputy Transport Commissioner shall be the Assistant Secretary to the State Transport Authority" the words "the Deputy Transport Commissioner shall be the Deputy Secretary to the State Transport Authority" shall be substituted.

10. In the said rules, after Rule 247, the following rules shall be inserted, namely:-

"247-A. Designation of Authorities.- : The following officers shall be designated as members of the State Transport Authority with delegated powers to function as Special Secretary / Deputy Secretary and Assistant Secretary in the regions of Puducherry, Karaikal, Mahe and Yanam.

Sl. No.	Regular Designation	Designation in STA
1.	District Collector, Karaikal	Special Secretary (STA), Karaikal
2.	Deputy Transport Commissioner, Puducherry	Deputy Secretary (STA), Puducherry
3.	Regional Administrator, Mahe / Yanam	Deputy Secretary (STA), Mahe / Yanam
4.	Regional Transport Officers / Motor Vehicle Inspectors who are acting as Additional / Assistant Registering Authorities	Assistant Secretary (STA) in their respective jurisdiction

"247- B: Check Post Staff.- The designated staff of the Transport Department, Puducherry shall be deputed and entrusted with the duties relating to Temporary / Special Permits and collection of entry tax as per the rules.

11. In the said rules, after rule 248, the following new rule shall be inserted, namely:-



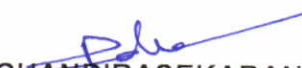
...6/-

"248-A: Uniform for Check Post staff.-

Without prejudice to the statutory prescriptions, the uniform to be worn by Check Post staff shall be as follows:-

- (i) White Shirt – The shirt shall be of half sleeves.
- (ii) Khaki full pant – without fold with two side pockets and one hip pocket.
- (iii) Belt – It shall be of leather with a width of 6 cms and of brown colour. The buckle for the belt shall be chromium plates one of size 6 cms width and 8 cms length with monogram at the centre of the buckle as the one fixed in the peak cap.
- (iv) Khaki socks with Brown shoes.

// BY ORDER OF THE LIEUTENANT GOVERNOR //


(R.CHANDIRASEKARAN)
UNDER SECRETARY (Transport)

To

The Director of Stationery & Printing,
Puducherry.

... With a request to publish the said notification in the next issue of the Official Gazette and to supply 100 copies to this Department for reference and record.

Copy to:-

1. The Collector, Karaikal.
2. The Deputy Transport Commissioner, Puducherry.
3. The Regional Administrator, Mahe /Yanam
4. The Motor Vehicle Inspector, Karaikal/Mahe/Yanam.
5. The G.O. File.
6. Spare Copy.
- ✓ 7. The Programmer, To publish in the official website.