

THE
ANDAMAN AND NICOBAR ISLANDS
MOTOR VEHICLES RULES, 1939
(UNDER THE MOTOR VEHICLES ACT, 1939)



Issued by Authority
of
The Chief Commissioner,
Andaman and Nicobar Islands.

REPRINTED

With amendments upto July

1948

Price Rs. 2-8-0

The Andaman and Nicobar Islands.
Motor Vehicles Rules, 1939.

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The Andaman and Nicobar Islands,
Motor Vehicles Rules, 1939.

CHAPTER I.—PRELIMINARY.

1. **Short title and application.**—(a) These Rules may be called the Andaman and Nicobar Islands Motor Vehicles Rules, 1939.

(b) They shall, save as expressly provided otherwise, apply to, and in relation to all Motor Vehicles in the Andaman and Nicobar Islands.

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context,

(a) "the Act" means the Motor Vehicles Act, 1939 (Act IV of 1939)

(b) "articulated vehicle" means a tractor to which a trailer is attached in such a manner that part of the trailer is super-imposed on, and part of the weight of the trailer is borne by the tractor.

(c) "Form" means a Form set forth in the First Schedule to the Act or appended to these rules;

(d) "passenger" for the purposes of the rules in Chapter IV means any person travelling in a public service vehicle other than the driver or the conductor or an employee of the permit holder while on duty;

(e) "pounds" means pounds avoirdupois.

3. }
4. } Blank.

CHAPTER II.—LICENSING OF DRIVERS OF
MOTOR VEHICLES.

5. **Licensing authority.**—The licensing authority shall be the District Superintendent of Police.

6. **Public service vehicle—authorisation to drive.**—(a) The authorisation to drive a public service vehicle in Form D shall be granted by the District Superintendent of Police and shall, save as provided in sub-Rule (c), be effective throughout the Andaman and Nicobar Islands.

(b) No person shall drive a public service vehicle unless authorisation as aforesaid has been granted by the District Superintendent of Police within the Andaman and Nicobar Islands.

(c) Any holder of a licence may at any time apply to the appropriate authority for the grant of authorisation as aforesaid in Form L. P. S. A. and shall in making application forward this licence.

(d) The authority to which application is made as aforesaid may if it thinks fit by notice in writing summon the applicant to appear before it at such time and place as the authority may appoint and may in the case of the holder of a licence issued outside the Province, require the applicant to pass the test as set forth in the Third Schedule to the Act notwithstanding that the applicant shall previously have passed the test.

(e) The appropriate authority granting an application under this rule shall sign the licence accordingly and return the same to the holder thereof and shall at the same time send intimation to the authority by whom the licence was issued in Form L. P. S.

(f) If the appropriate authority rejects an application under this rule it shall inform the applicant in writing, giving its reasons, and shall return the licence to him and refund the fee.

7. Licensing authority—enquiries to be made by the.—Upon the receipt of an application for a licence or for an authorisation to drive a public service vehicle, the licensing authority may make such enquiries as may be reasonably necessary to establish the identity of the applicant and to ascertain that the applicant is not disqualified or liable to be disqualified for holding a licence.

8. Testing Officers.—(a) The test of competence to drive as set forth in the Third Schedule to the Act shall be conducted by the District Superintendent of Police or a person appointed by him.

(b) Subject to sub-Section (7) of Section 7 of the Act, the applicant shall furnish a serviceable vehicle of the class to which the application refers and present himself for the test at such time and place as may be specified by the licensing authority or the testing officer.

(c) The fee payable by the applicant for the test of competence to drive shall be two rupees for each test and shall be paid before the test is commenced. It shall not be refunded in any circumstances.

(d) The fees shall be deposited with the Registering Authority and credited into the Treasury, according to the provisions of the Sixth Schedule.

9. Appellate authority.—(a) The Authority empowered under sub-Section (2) of Section 13 and sub-Section (3) of Section 15 of the Act to hear appeals against the decision of a licensing authority shall be the Deputy Commissioner.

(b) Any person aggrieved by the refusal of appropriate authority to grant an authorisation to drive a public service vehicle may within thirty days of the communication to him of the order of refusal appeal to the Deputy Commissioner.

10. Appeals—conduct and hearing of.—(a) An appeal under Section 13 or Section 15 of the Act shall be preferred in duplicate in the form of a memorandum, one copy of which shall bear the court fee of two rupees, setting forth concisely the grounds of objection to the order of the licensing authority or the regional transport authority as the case may be and shall be accompanied by a certified copy of that order.

(b) When an appeal is lodged a notice shall issue to the authority against whose order the appeal is preferred in such form as the appellate authority may direct.

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

(e) When a duplicate licence has been issued upon representation that a licence has been lost and the original licence is afterwards found by the holder it shall be delivered to the licensing authority.

(f) Any other person finding a driving licence shall deliver it to the holder of the licence or to the nearest police station.

(g) The fees shall be deposited with the Registering Authority and credited into the Treasury, according to the provisions of the Sixth Schedule.

14. Licences-defaced or Torn.—(a) If at any time it appears to a licensing authority that a licence held by any person is so torn or defaced in any way as to cease to be reasonably legible, the licensing authority may impound the licence and issue a duplicate.

(b) If a licence impounded as aforesaid is required to have a photograph of the holder affixed thereto, then—

(i) 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; or

(ii) If the photograph affixed to licence impounded under the provisions of sub-rule (a) 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 demand by the licensing authority, furnish two clear copies of a recent photograph of himself one of which shall be affixed to the duplicate licence and sealed and the other shall be recorded by the licensing authority by whom the licence was issued.

(c) The fee for a duplicate licence issued under this rule shall be three rupees if the licence is more than five years old and in other cases five rupees.

(d) The fees shall be deposited with the Registering Authority and credited into the Treasury, according to the provisions of the Sixth Schedule.

15. Licences—issue of duplicate.—(a) When a duplicate licence is issued under Rule 12, 13 or 14 it shall be clearly stamped "Duplicate" in red and shall be marked with the date of issue of the duplicate and the seal of the licensing authority.

(b) If the licensing authority who issues a duplicate licence is not the authority by whom the licence was issued, he shall intimate the fact to that authority.

(c) If the licensing authority who affixes a new photograph to a duplicate licence is not the authority by whom the licence was issued, he shall forward the second copy to that authority for record.

16. Temporary authorisation in lieu of a licence.—(a) When the holder of a licence has submitted the licence to a licensing or other authority for renewal or for obtaining an authorisation to drive a public service vehicle and has deposited the prescribed fee, or when a police officer or any Court or other competent authority has taken temporary possession of a licence for any purpose and the licence has not been suspended or cancelled the licensing or other authority or the police officer or the Court or other competent authority, as the case may be, shall, on demand by the holder, furnish him with a receipt for the licence and temporary authorisation to drive under sub-Section (3) of Section 129 of the Act, in Form L Tem. During such period as may be specified in Form L Tem. the production thereof on demand shall be deemed to be production of the licence.

(b) Until the licence has been returned to the holder he shall not be entitled to drive a motor vehicle (without being in possession of his licence) beyond the period specified in the temporary authorisation as aforesaid.

Provided that the authority, Court or police officer by which the temporary authorisation aforesaid was granted may, in its or his discretion by order in writing endorsed thereon, extend the period for which the temporary authorisation is valid.

(c) No fee shall be payable in respect of such temporary authorisation.

17. Licence—learner's.—(a) Sub-section (1) of Section 3 of the Act shall not apply to any person driving a motor vehicle in public place during the course of receiving instructions or of gaining experience in driving with the object of presenting himself for the test required by Clause (a) of Sub-section (b) of Section 7 of the Act, so long as—

- (i) the driver is the holder of a learner's licence in Form LLr. entitling him to drive the vehicles ;
- (ii) There is beside the driver in the vehicle as instructor a person duly licenced to drive the vehicle and sitting in such a position as to be able readily to stop the vehicle ;
- (iii) There is affixed both to the front and rear of the vehicle a plate as set forth below :—

Plate seven inches square to be white with letter "L" in Red, 4 inches high, 3½ inches wide.



Provided that Clause (ii) shall not apply to a person driving a two wheeled motor-cycle with or without a side-car attached.

(b) An application for a learner's licence shall be made to the licensing authority having jurisdiction in the area in which the applicant ordinarily resides in Form LLr. A and shall be accompanied by a fee of two rupees.

(c) A learner's licence shall be valid for period of three months and may be renewed for further periods of three months on payment of a fee of two rupees for each such renewal.

(d) The Deputy Commissioner may by notification in the official gazette prohibit, absolutely or for any specified time, the driving of a motor vehicle by the holder of a learner's licence in any place specified in the notification.

(e) The fees shall be deposited with the Registering Authority and credited into the Treasury, according to the provisions of the Sixth Schedule.

18. Disqualification under Sections 15 and 16 of the Act—procedure on.—A licensing Authority taking possession of a licence under Clause (a) of Sub-section (2) of Section 15 of the Act shall, if the licence was issued by another licensing authority, intimate the fact to that authority.

19. Licences—intimation to original authority of endorsements and renewals.—(a) The Court making or causing to be made an endorsement on a licence under Section 19 of the Act, shall send intimation in Form LE to the licensing authority by whom the licence was issued and to the licensing authority by whom it was last renewed.

(b) A licensing authority renewing a licence under the provisions of Sub-section (b) of Section 11 of the Act, shall intimate the fact to the licensing authority by whom the licence was issued, in Form LR.

(c) A licensing authority adding, under Sub-section (3) of Section 6 of the Act, to the classes of motor vehicle which a licence authorises the holder to drive shall, if it is not the authority by whom the licence was issued, intimate the addition to that authority in Form AD.

20. Licences—refusal of renewal.—The licensing authority may refuse to renew a licence if a period exceeding three years has elapsed since the date of last renewal.

21. Driving test—certificates by Automobile Association in lieu of.—For the purposes of the second proviso to Sub-section (6) of Section 7 of the Act the following Automobile Associations are recognised associations:—

- (a) The Automobile Association of Bengal.
- (b) The Automobile Association of Northern India.
- (c) The Automobile Association of Southern India.
- (d) The United Provinces Automobile Association.
- (e) The Western India Automobile Association.

22. Blank.

23. **Change of address of licence holder—report of.**—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 notified on the licence to the licensing authority by whom the licence was issued and to the licensing authority by whom it was last renewed.

24. **Exemptions.**—Drivers of road rollers shall be exempt from the provisions of Chapter II of the Motor Vehicles Act and of rules made thereunder.

25. }
26. }
27. } Blank.
28. }
29. }

Chapter.—Registration of Motor Vehicles.

30. **Laden weight—entry in certificate of registration—old vehicles.**—(a) After the first day of June 1940, no owner shall permit any goods vehicle to be driven in any public place, being a goods vehicle deemed to be registered under the Act, by virtue of the provisions of Sub-section (2) of Section 23 of the Act, unless the registered laden weight is stated in the certificate of registration and exhibited on the vehicle in the manner specified in Rule 37.

(b) The owner of a goods vehicle the registered laden weight of which is not entered in the certificate of registration shall before the first day of May 1940 apply in form RLW to the registering authority of the area in which the goods vehicle is normally kept, for the assignment of a registered laden weight to the vehicle.

(c) Upon receipt of an application under Sub-rule (b), the registering authority may call upon the applicant to produce the vehicle at such time and place and before such person as the registering authority may appoint.

(d) After causing the vehicle to be inspected or making such enquiries as he may deem to be necessary, the registering authority shall assign a registered laden weight to the vehicle and call upon the registered owner to produce the certificate of registration and enter the same thereon.

(e) If the registering authority assigning the registered laden weight in accordance with this rule is not the authority by whom the records of the registration are kept, he shall inform that authority.

31. **Registering authority.**—The registering authority shall be the District Superintendent of Police.

32. **Appellate authority.**—(a) The authority to hear appeals against the orders of the registering authority shall be the Deputy Commissioner.

(b) Any person aggrieved by any order made by an inspector of motor vehicles in respect of a certificate may, within one month of the date of such order, appeal to the District Superintendent of Police.

33. **Appeals—conduct and hearing of.**—(a) An appeal under Rule 24 shall be preferred in duplicate in the form or a memorandum, one copy of which shall bear the court fee of two rupees, setting forth concisely the grounds of objection to the order of the registering authority and shall be accompanied by a certified copy of that order.

(b) When an appeal is lodged a notice shall issue to the registering authority or inspector of motor vehicles, as the case may be, in such Form as the appellate authority may direct.

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

(d) Any person preferring an appeal under the provisions of the Act and of this rule shall be entitled to obtain a copy of any document filed with the registering authority in connection with any order against which he is preferring an appeal on the payment of a fee of rupee one in respect of each such document.

34. Blank.

35. **Registration mark—assignment and exhibition of.**—(a) The registration mark to be assigned under Sub-section (3) of Section 24 of the Act in accordance with the Sixth Schedule to the Act by the registering authority specified in the first column of the First Schedule to these rules shall be as set forth in the corresponding entry in the second column thereof.

(b) The registration mark shall be clearly and legibly exhibited on a plane/surface of a plate or part of the vehicle both at front and rear facing direct to the front or rear, as the case may be, in the manner herein—after specified.

(c) The registration mark shall be in English letters and numerals and

(i) Save in the case of a motor cycle or an invalid carriage the letters shall be not less than $2\frac{1}{2}$ inches high and $\frac{5}{8}$ th inch thick at any part, the numerals shall not be less than $3\frac{1}{2}$ inches high and $\frac{3}{4}$ inch thick at any part and there shall be space between any letter and any numeral and between any letter or any numeral and the edge of the plane surface of not less than $\frac{1}{2}$ inch and a space between any two letters and between any two numerals of not less than $\frac{3}{8}$ th inch,

(ii) In the case of a motor cycle or an invalid carriage, of dimensions not less than $\frac{2}{3}$ rd of those specified in Clause (i).

(d) The plane surface aforesaid shall not be inclined from the vertical by more than 30 degrees. The letters and numerals shall be exhibited as follows, that is to say—

(i) in the case of a transport vehicle other than a motor cab both registration marks shall exhibit the letters and numerals in two separate horizontal lines, the letters above and the numerals below,

(ii) in all other cases, the registration marks may exhibit the letters and numerals either in two horizontal lines, as aforesaid or in one horizontal line,

(iii) in the case of all public service and public carriers vehicles including motor cabs the registration marks shall be exhibited in black letters and numerals on a white ground, whilst in the case of all other vehicles they shall be exhibited in white letters and numerals on a black ground.

(e) Notwithstanding anything contained in Sub-rule (b), the registration mark exhibited at the front of a motor cycle or of an invalid carriage may be displayed on a plate in a line with the axis of the vehicle and shall in such case be displayed on both sides of the plate.

(f) The registration mark exhibited at the rear of a transport vehicle shall be affixed to the vehicle at as great a distance (but not exceeding ten feet) from the ground as may be reasonably possible having regard to the type of body of the vehicle.

(g) If the letters and numerals are exhibited in any polished metallic surface they shall have plane and not rounded surfaces.

36. **Registration mark of Tractor—Exhibition of.**—(a) The registration mark of a tractor shall be exhibited on a plane plate or surface on the left hand side of the tractor. The letters, figures, space and margin shall be not less than two-thirds of the dimensions prescribed in Clause (i) of Sub-rule (c) of Rule 35.

(b) The registration mark of the drawing motor vehicle required by the Act to be affixed to the rear of a tractor shall be in conformity with all the provisions of these rules in relation to the registration mark affixed to the rear of a motor vehicle.

37. Transport vehicles—particulars to be painted on.—(a) Save in the cases of motor cabs the following particulars in respect of every transport vehicle shall be exhibited on the left hand side of the vehicle in the manner described that is to say—

- (i) the name of the owner as set forth in the certificate of registration and his address in brief.
- (ii) the unladen weight denoted by U. W.....lbs.
- (iii) the registered laden weight denoted by R. L. W.....lbs.
- (iv) the number of passengers for whom accommodation is provided denoted by pass.....
- (v) the registered front axle weight denoted by F. A. W.....lbs.
- (vi) the registered rear axle weight denoted by R. A. W.....lbs.
- (vii) the registered axle weight, each intermediate axle, if any, denoted by M. A. W.....lbs.
- (viii) the number and size of tyres—
 - (1) front axle denoted by.....Nos.....x.....
 - (2) rear axle denoted by.....Nos.....x.....
 - (3) intermediate axle denoted by.....Nos.....x.....

(b) the weights shall be stated in pounds and the particulars shall be set forth in English letters and numerals each not less than one inch high and one inch wide legibly painted on a plane surface or a plate or plates affixed to the vehicle.

38. Certificate of fitness—Issue and renewal of.—(a) A certificate of fitness shall be granted in Form C. F. I. R. and renewed by the registering authority in Form C. F. I. R. on the report of an Inspector of Motor Vehicles appointed by him.

(b) Application for the grant or renewal of a certificate of fitness, as the case may be, shall be made in Form C. F. A. to the registering authority.

(c) The Inspector of Motor Vehicles by whom a certificate of fitness, was issued or, if it has been renewed, the Inspector by whom it was last renewed, may endorse thereon the date, time and place appointed for the next inspection of the vehicle and the owner shall cause the vehicle to be produced accordingly.

(d) If the certificate has not been endorsed as provided in Sub-rule (c) the owner shall, not less than one month before the date of expiry of the certificate, make application for its renewal in Form C. F. R. A. and shall cause the vehicle to be produced for inspection on such date and at such time and place as the Inspector of Motor Vehicles may thereafter upon reasonable notice appoint.

(e) There shall not be more than one certificate of fitness in respect of any vehicle.

(f) If a vehicle is damaged at any time so as to be unfit for ordinary use and may in the opinion of any Inspector of Motor Vehicles safely be driven at a reduced speed to a place of repair, and if the Inspector is satisfied that it is necessary that the vehicle should be so driven, any Inspector of Motor Vehicles may by endorsement in Form C. F. X. specify the time within which, and the conditions subject to which, the vehicle may be driven to a specified destination for the purposes of repair and the limit of speed beyond which it shall not be driven.

(g) The fee for a certificate of fitness shall be ten rupees and for the renewal of a certificate of fitness five rupees and shall, in both cases, include the fee for inspection.

(h) Any Inspector of Motor Vehicles may cancel the certificate of fitness of a transport vehicle under Sub-section (3) of Section 38 of the Act or may suspend the certificate for a period not exceeding two months if in his opinion the vehicle does not comply with the provisions of Chapter V of the Act or the rules thereunder.

(i) The authority cancelling or suspending a certificate of fitness under Sub-rule (i) shall give the owner or other person in charge of the motor vehicle a receipt therefor and a statement in writing of the reasons for such cancellation or suspension, and unless the period of suspension is less than fourteen days shall make a report of his action and forward the certificate to the registering authority.

39. Registration-Temporary.—(a) Subject to the provisions of Section 25 of the Act and of this rule, the associations, firms and persons specified in the Second Schedule to these rules are hereby authorised to issue temporary certificates of registration under that Section.

(b) An application for temporary registration shall be in Form E and clearly marked "Temporary". It shall not be necessary to fill in Items 24 to 20 of that Form notwithstanding that the vehicle may be a transport vehicle.

(c) A temporary certificate of registration shall be in Form C. R. Tem.

(d) The authority granting a temporary certificate of registration shall in all cases forward a copy of Form C. R. Tem. to the registering authority in whose area the vehicle is to be ordinarily kept, and in the case of a temporary certificate issued by an authority authorised under Sub-rule (a), to the registering authority of the area in which the temporary certificate was issued.

(e) The authority granting a temporary certificate of registration shall assign a temporary registration mark to the vehicle and the owner shall cause the said mark to be affixed to the front and rear of the motor vehicle in the manner prescribed for registration marks in these rules.

40. Certificate of fitness—loss or destruction of.—(a) If a certificate of fitness is lost or destroyed the owner of the vehicle shall forthwith report the matter to the Inspector of Motor Vehicles by whom the certificate was issued or last renewed and shall apply, with a fee of two rupees, for the issue of a duplicate certificate.

(b) Upon receipt of intimation of the loss or destruction of a certificate of fitness, the Inspector of Motor Vehicles shall furnish the owner with a duplicate copy of the certificate duly stamped "Duplicate" in red ink.

(c) No person shall be liable to be convicted of an offence under Section 86 of the Act, if, at the time when the certificate is demanded, he has already reported the loss or destruction thereof in accordance with this rule and a duplicate certificate has not been delivered to him.

41. Registration fees.—(a) The fee for the registration of a motor vehicle shall be five rupees, and in respect of a duplicate certificate of registration two rupees.

Provided that no fee shall be payable for the registration of a motor vehicle owned by Government.

(b) The fees for the registration of transfer of ownership under Section 31 of the Act shall be two rupees.

(c) There shall be no fee for the assignment of a new registration mark under Section 29 of the Act, for recording the change of address of the owner under Section 30 of the Act, or for recording an alteration to the motor vehicle under Section 32 of the Act.

(d) The fees shall be deposited with Registering Authority and credited into the Treasury, according to the provisions of the Sixth Schedule.

42. Certificate of registration—loss or destruction of.—(a) If at any time a certificate of registration is lost or destroyed, the owner shall forthwith intimate the facts in writing to the registering authority by whom the certificate was issued or by whom the registration mark of the vehicle was assigned under Section 29 of the Act, and shall apply in Form C. R. L. D. to the said authority for the issue of a duplicate certificate.

(b) Upon receipt of an application in Form C. R. L. D. together with the prescribed fee, the registering authority shall issue a duplicate certificate of registration in Form G. clearly-stamped "Duplicate" in red ink.

43. Certificate of registration—authority to suspend.—Any magistrate of the first or second class, any police officer not below the rank of Deputy Superintendent and any Inspector of Motor Vehicles may suspend the certificate of registration of a motor vehicle under Section 33 of the Act.

44. Hire-purchase agreement—procedure regarding vehicles under.—(a) When in an application for the registration of a motor vehicle the parties to an agreement of hire-purchase declare, in the form of the note endorsed in Form E, that the vehicle is the subject of such an agreement, the registering authority shall complete and affix his signature to the note appended to Form G but shall not be required to satisfy himself as to the title of the two parties in the vehicle nor shall the note endorsed on Form 'G' in any way effect the title of any party.

(b) If, upon termination of an agreement of hire purchase or otherwise, the registered owner and the other party desire that the note on the said Form G relating to such an agreement shall be cancelled, they shall apply in Form H. P. Ter. to the registering authority by whom the vehicle was registered or by whom a new registration mark has been assigned to the vehicle under Section 29 of the Act and the registering authority shall thereupon cancel the note endorsed on Form G.

(c) Nothing contained in this rule shall prevent a registering authority from recording a change of the address of the registered owner on the certificate of registration as provided in Section 30 of the Act nor shall the registering authority be required to inform the other party to an agreement of hire purchase of any intimation of change of address, but the registering authority shall not record any transfer of ownership of a motor vehicle under Section 31 of the Act so long as the certificate of registration contains the note of an agreement of hire purchase unless the other party to that agreement signifies his consent to such transfer by endorsement upon Form T. O.

(d) If the party, other than the owner, to an agreement of hire purchase satisfies the registering authority that he has taken possession of the vehicle owing to the default of the owner under the provisions of the agreement and that the owner has absconded or refuses to deliver the certificate of registration, the registering authority may, after giving the owner an opportunity of being heard and notwithstanding that the certificate of registration is not produced before it, cancel the certificate of registration and issue a duplicate certificate of registration and deliver the same to the other party. If notice is served on the owner by registered letter to the address stated in the certificate of registration the owner shall be deemed to have been given an opportunity of being heard within the meaning of this rule.

(e) If a note in respect of an agreement of hire purchase is to be endorsed on a certificate of registration there shall be payable in addition to the registration fee a further fee of ten rupees. No fee shall be payable in respect of the note under Sub-rule (b). There shall be payable in addition to the ordinary fee for recording transfer of ownership a further fee of five rupees when the transfer is of a vehicle which is the subject of a hire purchase agreement.

45. Transfer of ownership—Intimation of.—(a) Intimation of transfer of ownership of a motor vehicle under Sub-section (i) of Section 31 of the Act shall be made in Form T. O.

(b) Communication of transfer to the original registering authority under Sub-section (2) of Section 31 of the Act shall be in Form C. R. T. I.

46. Registration mark—Assignment of new.—(a) Application for a new registration mark under Section 29 of the Act shall be made in Form R. M. I.

(b) The registering authority assigning a new registration mark to a motor vehicle shall intimate the fact to the owner and the other party, if any, to an agreement of hire purchase specified in the note on the certificate of registration and shall apply to the original registering authority for transfer of the records of the vehicle in Form R. M. I.

47. Intimation in respect of vehicle not registered within the province.—(a) Further to the provisions of Sub-section (3) of Section 29 of the Act, when any motor vehicle which is not registered in the Andaman and Nicobar Islands has been kept within the Andaman and Nicobar Islands for a period exceeding fourteen days, the owner or other person in charge of the vehicle shall send intimation to the registering authority of the area in which the motor vehicle is at the time of making the report and shall intimate—

- (i) His name and permanent address, and his address for the time being,
- (ii) the registration mark of the vehicle,
- (iii) the mark and description of the vehicle, and
- (iv) in the case of a transport vehicle, the name of the authority within the province by whom the permit has been issued or countersigned.

(b) Nothing in this rule shall apply to a motor vehicle which is exempted from registration under the provisions of Rule 49.

48. Hiring agreement—intimation in respect of vehicles transferred under.—(a) When possession of a motor vehicle is transferred by the registered owner to another person under a hiring agreement the registered owner shall forthwith intimate the fact and the full name and address of the transferee to the registering authority of the area in which the said owner has his residence or place of business.

(b) Possession shall not in such circumstances be deemed to have been temporarily transferred for the purposes of Clause (3) of Section 2 of the Act and of this rule—

- (i) Unless the agreement is in writing and the terms thereof include transfer to the hirer of the right of sole use of vehicle to the exclusion of the owner and all other persons throughout a period of not less than seven days; and
- (ii) in any case if the vehicle is or is to be driven by the owner or his servant and is or is to be normally kept when not in use upon the premises of the owner.

49. Exemption of vehicles in the possession of Manufacturers or dealers.—(a) Section 22 of the Act shall not apply to a motor vehicle in the possession of a manufacturer of, or dealer in, motor vehicles in the course of the business of the manufacturer or dealer so long as it is used under the authorisation of a trade certificate granted by the registering authority within whose area the manufacturer or dealer has his place of business.

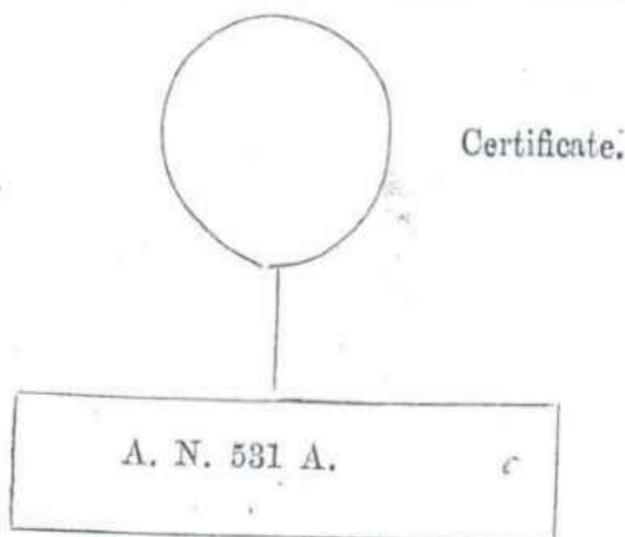
(b) Application for trade certificates shall be made in Form T. C. A. and shall be accompanied by the prescribed fee.

(c) The fee payable annually in advance shall be ten rupees in respect of each trade certificate required.

(d) If the registering authority declines to issue the trade certificate or issues a less number of certificates than the number specified in the application the fee or a proportion of the fee determined in accordance with Sub-rule (c), as the case may be, shall be refunded to the applicant.

(e) Upon receipt of application for trade certificates as aforesaid the registering authority shall, if satisfied that the number of certificates applied for is reasonable in relation to the business of the applicant, issue the certificate in Form T. C. accordingly and assign to the applicant a series of trade registration marks consisting of the letters of the registration mark specified in the First Schedule to these rules followed by not more than three figures and followed by one letter of the alphabet in respect of each certificate.

(f) The trade certificate shall be attached to the registration mark in a weather proof holder, and in the manner hereunder set out :—



(g) Not more than one vehicle shall be used in a public place at any one time under any one trade certificate.

(h) No person to whom a trade certificate is granted shall cause or allow to be used upon any motor vehicle unless, save in the case of a motor cycle, the holder of the certificate or a *bonafide* employee of the holder is present in the vehicle and save for one of the following purposes :—

- (i) for test during the course of, or after completion of, construction or repairs,
- (ii) for proceeding to or returning from a weigh bridge for or after weighment, or to and from any place for its registration,
- (iii) for reasonable trial by or for the benefit of a prospective purchaser and for proceeding to or returning from the place where such person intends to keep it,
- (iv) for proceeding for the purpose of delivery to or from the premises of the dealer and from such premises to the premises of a purchaser or of another dealer,
- (v) for proceeding to or returning from a workshop with the object of fitting a body to the vehicle or of painting or for repairs,
- (vi) for proceeding to or from a railway station or wharf for or after being transported,
- (vii) for proceeding to or returning from an exhibition of motor vehicles or any place at which the vehicle is to be or has been offered for sale,

(i) No vehicle carrying a trade registration mark and certificate shall be used as a transport vehicle under the authorisation of any permit or otherwise.

(j) (i) Every holder of a trade certificate shall keep a register in Form T. C. R. and enter, or cause to be entered, in such register full and true particulars of the purposes for which the vehicle leaves his premises, of the driver incharge of any motor vehicle leaving his premises, under a trade certificate and of the period during it was in charge of the driver.

(ii) The register shall be in a bound book, the pages of which shall be numbered serially. The necessary particulars except in regard to the time of return shall be entered in it before the commencement of each trip by the holder of the certificate or his agent. The register shall be open to inspection on demand by any police officer not below the rank of Sub-Inspector.

(iii) A duplicate copy of the entry made in the register prior to the commencement of the trip shall be carried by the driver of the vehicle and shall at the end of the trip be retained for a period of thirty days for inspection by such police officer as may inspect the register.

(k) If at any time the registering authority is satisfied that the holder of a trade certificate has contravened any of the provisions of this rule he may, after giving the holder an opportunity of making any representation which may wish he to make, suspend or cancel any or all of the trade certificates held by him.

50. Exemption of road plant.—Nothing contained in Chapter III of the Act shall apply to road rollers, graders and other road making and cleansing plant save that every tractor capable of other use shall be registered and shall have a certificate of fitness.

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CHAPTER IV—CONTROL OF TRANSPORT VEHICLES.

62. Transport authority—conduct of business of.—(a) Subject to the provisions of the Act and these rules and to the approval of the provincial Government the Deputy Commissioner shall have power to make By-laws to regulate the conduct of the business of the Provincial Transport Authority and likewise have power to amend such By-laws.

(b) The Deputy Commissioner may summon any applicant for a permit to appear before him and may decline to grant the permit until the applicant has so appeared either in person or by an agent authorised by him in writing and until the applicant has furnished such information as may reasonably be required by the Deputy Commissioner in connection with the application.

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64. Refusal to accept application for permits—power of.—When the Deputy Commissioner has in the exercise of his powers under the Act imposed a limit upon the number of permits of any class which may be granted for a specified route or a specified area and has already granted such number of permits of that class he may decline to receive further applications for such permits in respect of any such route or area.

65. Applications—publication of.—(a) Further to the provisions of Sub-section (3) of Section 57 of the Act, upon receipt of application for a stage carriage permit or a public carrier's permit the Deputy Commissioner shall cause a copy of the application, together with the notice of the date before which representations may be submitted and of the date appointed for consideration to be posted on a suitable notice board situated in the office of the Deputy Commissioner.

(b) It shall be a sufficient compliance with the provisions of Sub-section (3) of Section 57 of the Act if the particulars specified in that Sub-section are posted on the official notice boards of the office of the Deputy Commissioner not less than seven days before the date appointed for the receipt of representations.

(c) If upon publication of particulars of an application in respect of a stage carriage permit or of a public carrier's permit as aforesaid no representation is received in connection therewith within the specified period the application shall be decided by the Deputy Commissioner.

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66. Hearing of applications or objections.—(a) When an application for any permit is considered by the Deputy Commissioner and the applicant desires to be heard in support of his application or has been summoned to appear under the provisions of Sub-rule (b) of Rule 62, the applicant may either appear and conduct his case in person or may be represented by any person authorised by him in writing in this behalf.

(b) Any person who has made a representation in connection with an application for a stage carriage permit or a public carrier's permit within the period specified in, and in accordance with, the provisions of Section 57 of the Act of these Rules, may appear before the Deputy Commissioner upon the date appointed for consideration of the application either in person or represented by any person authorised by him in writing in this behalf.

(c) Any person or authority who has made a representation under the provisions of Section 50 of the Act may appear before the Deputy Commissioner upon the date appointed for hearing the representation either in person or by a representative authorised by him or by it, as the case may be, in writing in this behalf: provided that nothing in this sub-Rule shall be deemed to require the Deputy Commissioner to give a hearing to any representation made under the provisions of Section 50 read with sub-Section (6) of Section 57 of the Act if the Deputy Commissioner is satisfied that the representation is frivolous or vexatious or relates to a matter upon which he has already recorded a decision after giving the parties concerned an opportunity of being heard.

67. Application for permits-Forms of.—(a) Every application for a permit in respect of a transport vehicle shall be in one of the following Forms, that is to say—

- (i) in respect of a particular stage carriage in Form P. St. P. A.
- (ii) in respect of a service of stage carriages in Form P. St. S. A.
- (iii) in respect of a particular contract carriages in Form P. Co. P. A.
- (iv) in respect of casual contract carriages in Form P. Co. S. A.
- (v) in respect of a private carrier's permit in Form P. Pr. C. A.
- (vi) in respect of a public carrier's permit in Form P. Pu. C. A.
- (vii) in respect of a temporary permit in Form P. Tem. A. and shall be addressed to the Deputy Commissioner.

(b) In granting any permit the Deputy Commissioner shall have power to modify the terms of the application in a reasonable degree, and in such a case the application shall be deemed to be an application for the permit in the Form granted.

68. Permits-Forms of.—(a) Every permit shall be in one of the following Forms that is to say—

- (i) in respect of a particular stage carriage in Form P. St. P.
- (ii) in respect of a service of stage carriages in Form P. St. S.
- (iii) in respect of a particular contract carriage in Form P. Co. P.
- (iv) in respect of casual contract carriages in Form P. Co. S.
- (v) a private carrier's permit in Form P. Pr. C.
- (vi) a public carrier's permit in Form P. Pu. C.
- (vii) a temporary permit in Form P. Tem.

(b) Save in the case of a temporary permit every permit shall be in two parts, A and B. One copy of Part A only shall be issued. One copy of Part B shall be issued in respect of every vehicle authorised by the permit and where the permit relates to more than one vehicle each such copy shall carry in addition to the number of the permit a separate serial number contained in brackets after the number of a permit. Each such copy shall be sealed and signed by the authority by which the permit is issued and by the authority by which the permit is countersigned.

(c) 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 glazed frame or other suitable container affixed to the interior of the vehicle in such a way as to maintain it in a clean and legible condition readily available for inspection at any time by any authorised person.

69. Permit-entry of registration mark on.—(a) Save in the case of temporary permit, where the registration mark of the vehicle is to be entered on the permit and the applicant is not at the date of application in possession of the vehicle duly registered, then the applicant shall within one month of the sanction of the application by the Deputy Commissioner or such longer period as the Deputy Commissioner may specify, produce the certificate of registration of the vehicle before him in order that particulars of the registration mark may be entered in the permit.

(b) No permit shall be issued until the registration mark of the vehicle to which it relates, has, if the form of permit so requires, been entered therein and in the event of any applicant failing to produce the certificate of registration within prescribed period the Deputy Commissioner may revoke his sanction of the application.

70. Permit-Temporary.—(a) A temporary permit may, if the Deputy Commissioner thinks fit, be granted to any person whether he is the registered owner of the vehicle or vehicle to be used thereunder or not.

(b) When, at the time of application for a temporary permit, the applicant is not in possession of the vehicle or vehicles or has not entered into a contract to hire the vehicle or vehicles or otherwise satisfies the Deputy Commissioner that he is for good and sufficient reason unable to specify the registration mark or marks of the vehicle or vehicles to be used under the permit applied for, the Deputy Commissioner, may, if he is satisfied that undue inconvenience would otherwise be caused, issue a temporary permit in which the registration mark of the vehicle is not set out, and may if he thinks fit require as a condition of the permit that the applicant shall within twenty-four hours, or such longer period as the Deputy Commissioner may specify, of the commencement of the first journey under the authorisation of the temporary permit, furnish to the Deputy Commissioner particulars of the registration mark.

(c) Nothing contained in a temporary permit shall be deemed to authorise the use of any vehicle which is not duly registered or in respect of which there is not in existence a valid certificate of fitness or which otherwise contravenes any of the provisions of the Act or the Rules thereunder.

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72. Permit Fees.—(a) The fees in respect of the grant and renewal of permit, other than a temporary permit, shall be:

- | | | |
|--|-----|----------|
| (i) For the grant of permit for first year of validity | ... | Rs. 10/- |
| (ii) For the renewal of a permit for every subsequent year | ... | 5/- |

(b) The fee for a temporary permit shall be two rupees for the first two days and one rupee for every seven days or part thereof thereafter.

(c) There shall be no fee for the replacement of a vehicle covered by a permit by another vehicle.

(d) The fees shall be deposited with the Deputy Commissioner and paid into the Treasury.

73. Stage carriages-limitation of capacity of.—No stage carriage shall be used, and no permit shall authorise the use of any stage carriage, which does not provide seating accommodation for more than 25 passengers.

74. Stage and contract carriages-carriage of goods in.—(a) No permit shall be issued which is liable to foul the interior of the vehicle or to render it insanitary, shall be used at any time in any stage carriage or contract carriage.

(b) The Deputy Commissioner may specify in any permit the goods which shall not be carried in a stage carriage or a contract carriage or the conditions subject to which certain classes of goods may be so carried.

(c) Subject to the provisions of the preceding sub-Rules, goods may be carried in a stage 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 discharged.

(d) If the holder of a carriage permit uses a vehicle authorised by the permit for the carriage of goods to the detriment of the public convenience by failing thereby to meet the demand for passenger transport, the Deputy Commissioner may, after giving the holder of an opportunity of being heard, declare that a breach of the conditions of the permit has occurred and may thereafter proceed under the provisions of Section 60 of the Act.

(e) The Deputy Commissioner shall not authorise the use of a contract carriage for the carriage of goods save for special reasons on particular occasions and subject to conditions and restrictions to be specified on the permit.

Explanation.—A contract carriage permit may authorise the use of the vehicle for the carriage of the personal or household effects of a hirer but not the carriage of general merchandise.

(f) When goods are carried in a stage carriage in addition to passengers the goods shall be of such a nature and shall be so packed and secured on the vehicle that no danger, inconvenience or discomfort is caused to any passenger. Such number of seats as may be specified in the permit shall be kept free and unimpeded for the use of passengers and the access to the entrance to and exits from the vehicle required under Chapter V of these Rules shall be unobstructed.

(g) The weight in pounds of goods carried on a stage carriage shall not exceed $(N - X) \times 100$ where—

N is the registered passengers seating capacity of the vehicle and

X is the number of passengers carried on the vehicle, or the number of passengers for whom seats are kept free and unimpeded by goods, whichever is greater.

75. Stage or contract carriages—carriage of personal luggage in.—(a) Not more than twenty pounds of luggage and personal effects per passenger shall be carried as such in any stage carriage.

(b) The Deputy Commissioner shall have power to make regulations regulating the weight of luggage and goods which may be carried in any contract carriage generally or in any specified area.

76. Transitional provisions.—(a) The Deputy Commissioner may by notification in the official Gazette.

(i) Declare that any permit, licence or other document issued by competent authority within the region under the provisions of any rules made under the Indian Motor Vehicles Act, 1914, or any class of such permit, licence or document authorising the use of any transport vehicle within the region in force at the commencement of these rules, shall, notwithstanding that any other date of termination is written therein be deemed to be a permit granted by the Deputy Commissioner in accordance with the provisions of Section 42 of the Act and to be and remain effective up to such date, and subject to such conditions, as the Deputy Commissioner may specify in such notification in respect of all such permits, licences, or other documents or any class or classes thereof; and

(ii) call upon the holder of any permit licence or other document referred to in clause (i), who desires to receive a permit for the region or any part thereof under the provisions of the Act and these rules, to make an application for the same (hereinafter referred to as a first application) in the appropriate Form in accordance with Section 45 of the Act before such date as the Deputy Commissioner may specify generally or in respect of any class or classes of vehicle or in respect of any class, or classes of permit, licence or other document as aforesaid.

(b) Upon receipt of a first application for any permit the Deputy Commissioner may decline to issue a permit—

- (i) if the vehicle is in his opinion unfit for use or the certificate of fitness, if any, has been suspended;
- (ii) unless he is satisfied that the terms of the permit applied for reasonably correspond to the actual use of the vehicle prior to the date of the application under terms of a permit, licence or other document under the Motor Vehicles Act, 1914, in force at the commencement of these Rules;
- (iii) if it appears to the Deputy Commissioner that the applicant has contravened the conditions of any permit, licence or other document, issued under the Indian Motor Vehicles Act, 1914, to an extent which would involve suspension or cancellation of a permit issued under the Act;
- (iv) if it appears to the Deputy Commissioner that in conjunction with any other permit applied for, the grant of a permit would afford the applicant an undue preference over other providers of road transport or afford him the right to ply over a route or routes or in any area to an extent in excess of what can be reasonably performed by the vehicle or vehicles in respect of which the application is made.

(c) It shall be a condition of any notification under clause (i) of sub-Rule (a) that and permit, licence or other document in force at the date of such notification shall cease to be of effect from the date of the grant or refusal of a new permit in lieu thereof, or if the holder fails to make application by the date specified and in accordance with clause (ii) of that sub-Rule from that date.

77.

78. Permit—renewal of.—(a) Application for the renewal of a permit shall be made, in writing to the Deputy Commissioner not less than two months, in the case of a stage carriage permit or a public carrier's permit, and not less than one month in other cases, before the expiry of the permit, and shall be accompanied by Part A of the permit. The application shall state the period for which the renewal is desired and shall be accompanied by the fee prescribed in Rule 49.

(b) The Deputy Commissioner renewing a permit shall call upon the holder to produce Part B or Parts B thereof, as the case may be, and shall endorse Parts A and B accordingly and shall return them to the holder.

79. Permit—replacement of a particular vehicle authorised by a.—(a) If the holder of a permit relating to a particular vehicle by specification of the registration mark desires at any time to replace the vehicle with another, he shall forward Part A of the permit and apply in writing to the Deputy Commissioner stating the reasons why the replacement is desired and shall—

- (i) if the new vehicle is in his possession, forward the certificate of registration thereof, or
- (ii) If the new vehicle is not in his possession, state any material particulars in respect of which the new vehicle will differ from the old.

(b) Upon receipt of an application under sub-Rule (a), the Deputy Commissioner may in his discretion reject the application—

- (i) if he has previous to the application given reasonable notice of his intention to reduce the number of transport vehicles of that class generally or in respect of the route or area to which the permit applies; or
- (ii) if the new vehicle proposed differs in material respects from the old; or
- (iii) if the holder of the permit has contravened the provisions thereof or has been deprived of possession of the old vehicle under the provisions of any agreement of hire purchase.

Provided that in considering applications for new permits the Deputy Commissioner 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.

(c) If the Deputy Commissioner grants an application for the replacement of a vehicle under this Rule, he shall call upon the holder of the permit to produce Part B of the permit and the certificate of registration of the new vehicle, if not previously delivered to him and shall correct Part A and B of the permit accordingly under his seal and signature and return them to the holder.

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82. Permit—replacement of a vehicle authorised by a service.—(a) If the holder of a permit relating to a service of stage carriage or of contract carriages desires at any time to replace any vehicle covered by the permit by a vehicle of a different type or of a different capacity, he shall forward Part A of the permit and apply in writing to the Deputy Commissioner stating the reasons why the replacement is desired and shall intimate the relevant particulars of the vehicle to be replaced and of the new vehicle.

(b) Upon receipt of an application under sub-Rule (a) the Deputy Commissioner may in his discretion reject the application—

(i) if he has, previous to the application, given reasonable notice of his intension to reduce the number of transport vehicles of that class generally or in respect of the route or area to which the permit applies; or

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

(iii) if the holder of the permit has contravened any of the provisions thereof.

(c) If the Deputy Commissioner grants an application for the replacement of a vehicle under this Rule, he shall call upon the holder of the permit to produce the appropriate Part B of the permit, and shall correct Part A and B of the permit accordingly under his seal and signature and return them to the holder.

84. Permit—procedure on cancellation suspension or expiry of.—(a) The holder of a permit may at any time surrender the permit to the Deputy Commissioner who shall forthwith cancel any permit so surrendered.

(b) When the Deputy Commissioner suspends or cancels any permit the holder shall surrender Parts A and B of the permit within seven days of receipt of a demand in writing by the Deputy Commissioner.

(c) Within fourteen days of the expiry of any permit by the efflux of time, the holder shall deliver Part A and Part B to the Deputy Commissioner.

85. Permit—Transfer of.—(a) When the holder of a permit desire to transfer the permit to some other person under sub-Section (1) of Section 59 of the Act, he shall, together with the person to whom he desires to make the transfer, make joint application in writing to the Deputy Commissioner setting forth the reasons for the proposed transfer.

(b) On receipt of an application under sub-Rule (a) the Deputy Commissioner may require the holder and the other party to state in writing 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 of other consideration.

(c) without prejudice to any other penalty to which the parties may be liable, any transfer of a permit ordered upon an application which the Deputy Commissioner is subsequently satisfied was false in respect of the matter specified in sub-Rule (b) or in respect of any other material particular shall be void.

(d) The Deputy Commissioner may summon both the parties to the application to appear before him and may, if he deems fit, deal with the application as if it were an application for a permit.

(e) (i) If the Deputy Commissioner is satisfied that the transfer of a permit may properly be made, he shall call upon the holder of the permit in writing to surrender Parts A and B of the permit within seven days of the receipt of the order and shall likewise call upon the person to whom the permit is to be transferred to deposit the sum of ten rupees as transfer fee.

(ii) Upon receipt of Part A and B of the permit and of the prescribed fee, the Deputy Commissioner shall cancel the particulars of the holder thereon and endorse particulars of the transferee and shall return the permit to the transferee.

86. Permit—issue of duplicates in place of those lost or destroyed.—(a) When Part A or Part B of any permit has been lost or destroyed the holder shall forthwith intimate the fact to the Deputy Commissioner and shall deposit the prescribed fee for the issue of a duplicate and, in the case of the loss or destruction of Part B, he shall forward also Part A of the permit.

(b) The Deputy Commissioner, shall, upon receipt of an application in accordance with sub-Rule (1), issue a duplicate permit or part or parts of a permit as the case may be;

(c) A duplicate permit or duplicate part of a permit issued under this Rule shall be clearly stamped "Duplicate" in red ink.

(d) When a permit or a part of permit has become dirty, torn or otherwise defaced so as in the opinion of the Deputy Commissioner to be illegible, the holder thereof shall surrender the permit or part of the permit, as the case may be, to the Deputy Commissioner and apply for the issue to him of a duplicate permit or part of a permit in accordance with this Rule.

(e) The fee for the issue of a duplicate permit or a duplicate part of a permit shall be five rupees for Part A and two rupees for each copy of Part B.

(f) Any permit or any part of permit which is found by any person shall be delivered by that person to the nearest Police Station or to the holder or to the Deputy Commissioner and if the holder finds or receives any permit or any part of permit in respect of which a duplicate has been issued he shall return the original to the Deputy Commissioner.

(g) The fee shall be deposited with the Deputy Commissioner and credited into the Treasury.

87. Permit variation of.—(a) Upon application made in writing by the holder of any permit, the Deputy Commissioner may at any time, in his discretion, vary the permit or any of the conditions thereof subject to the provisions of the following sub-Rules.

(b) Where a representation has been made by any person in connection with the grant of stage carriage permit or a public carrier's permit under sub-Section (1) of Section 47 or Section 55 of the Act, the Deputy Commissioner shall not, subsequent to the issue of the permit, vary the permit or any condition thereof in a manner prejudicial to any person by whom such representation has been made unless the Deputy Commissioner has afforded such person, a reasonable opportunity of making a representation in respect of the proposed variation of the permit or of any condition thereof.

(c) Notwithstanding the provisions in sub-Rule (b), the Deputy Commissioner may vary any stage carriage permit or any public carrier's permit without affording any person an opportunity of making a representation if, in the opinion of the Deputy Commissioner, the representation made by such person in respect of the issue or of the renewal of the permit was frivolous or vexatious or if the variation of the permit or any condition thereof is in accordance with any particular or general direction issued by him under sub-Section (4) of Section 44 of the Act or involves a question of principle which has already been decided by a ruling, which has not been modified upon appeal.

88. Permit—production of.—(a) Part A of a permit shall be produced on demand made at any reasonable time by any magistrate or any police officer not below the rank of Sub-Inspector.

(b) Any police officer in uniform may stop and mount any transport vehicles for the purpose of inspecting Part B of the permit.

89. Appeals against orders of the Deputy Commissioner.—The authority to decide an appeal against the orders of the Deputy Commissioner in respect of matters dealt with in Clauses (a), (b), (c), (d), (e) and (f) of Section 64 of the Act shall be the Provincial Government and any person preferring an appeal against the orders of the Deputy Commissioner in respect of any such matter shall, within thirty days of the receipt of the order do so in writing to the Secretary to the Provincial Government in the form of a memorandum in duplicate, setting forth concisely the grounds of objection to the order of the Deputy Commissioner accompanied by a certified copy of that order.

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93. Hours of work provisions—Exemptions from.—Subject to the provisions of sub-Section (2) of Section 65 of the Act, sub-Section I P of that Section shall not apply in the case of—

(a) any transport vehicle used by or on behalf of any military or police authority in connection with military manœuvres or exercises in the quelling of riots or civil disturbances;

(b) any fire brigade vehicle or ambulances when being used as such;

(c) any vehicle being used for the carriage of passengers or goods in an emergency arising out of fire, earthquake, floods, pestilence or other calamity, riots or civil disturbance;

(d) any vehicle going for, or returning with, medical aid in an emergency or carrying any seriously injured or sick person for medical treatment, when no other means are reasonably available;

(e) any vehicle proceeding to the nearest place of halt, at which the driver and other occupants can reasonably obtain shelter and refreshment, after a delay in the journey arising out of the provisions of Section 87 or Section 89 of the Act or out of the failure of any of the tyres or of the machinery of the vehicle, which failure of, could not have prevented by the exercise of reasonable care and diligence.

94. Hours of work—fixing in advance.—The authority specified in the first column of the third Schedule to these Rules may require any employer of drivers of transport vehicles for the purposes set forth in the corresponding entry in the second column thereof to make to the satisfaction of the said authority such time-table, schedule or regulation, as may be necessary to fix in advance the hours of work of persons employed by him, and upon approval by such authority of any time-table, schedule or regulation as aforesaid it shall be the record of the hours of work fixed for the persons concerned for the purposes of sub-Section (3) and sub-Section (4) of Section 65 of the Act.

95. Period of rest—Definition of.—(a) Any time spent by the driver of a vehicle on work, other than driving in connection with the vehicle or with the load carried or to be carried on the vehicle, including any time spent on the vehicle during a journey save as a passenger in a public service vehicle shall not, and

(b) any time spent by the driver of a vehicle on or near the vehicle, when it is at rest, when he 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 purposes of Clause (a) of sub-Section (1) of Section 65 of the Act.

96. Drivers of public service vehicle—conduct and duties.—The driver of a public service vehicle—

(i) shall not cause or allow any person, animal or thing to be in or on the right of the space reserved for the driver's seat in accordance

with Rule 153 or otherwise in such a way as to impede him in having a clear vision of the road or proper control of the vehicle :

- (ii) shall not shout in order to attract a passenger ;
- (iii) shall, subject to any Rules or regulations in force prohibiting the taking up or setting down of passengers at, or except at certain specified places, bring the vehicle to rest for a sufficient period of time in a safe and convenient position upon the demand or signal of any passenger desiring to alight from the vehicle and, unless there is no room in the vehicle, upon the demand or signal of any person desiring to become a passenger ;
- (iv) shall not, when bringing his vehicle to rest for the purpose of 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 endanger, inconvenience or interfere with the driver of the other vehicle or any person mounting or preparing to mount thereon or alighting 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
- (v) 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 brake, tyre or lamp thereof, is in a defective condition likely to endanger any passenger or other person or when there is not sufficient petrol in the tank of the vehicle to enable him to reach the next petrol-filling station on the route.

97. Drivers of public service vehicle—Duties of.—The driver of a public service vehicle

- (A) Taxis
- (i) shall, as far as may be reasonably possible having regard to his duties, be responsible for the due observance of the provisions of the Act and of these Rules ;
 - (ii) shall not smoke while on duty ;
 - (iii) shall behave in a civil and orderly manner to passengers and intending passengers ;
 - (iv) shall be cleanly dressed and in the manner in which the Deputy Commissioner may specify ;
 - (v) shall maintain the vehicle in a clean and sanitary condition ;
 - (vi) shall not solicit custom save in a civil and quiet manner ;
 - (vii) shall not interfere with persons mounting or preparing to mount upon any other vehicle ;
 - (viii) shall not allow any person to be carried in any public service vehicle in excess of the seating capacity specified in the certificate of registration of the vehicle and any additional number permitted under the terms of the permit, to be carried standing in the vehicle ;
 - (ix) shall not, save for good and sufficient reason, refuse to carry any person tendering the legal fare ;
 - (x) shall, where goods are carried on the vehicle in addition to passengers, take all reasonable precautions to ensure that passengers are not endangered or unduly inconvenienced by the presence of the goods ;
 - (xi) shall not, save for good and sufficient reason, require any person, who has paid the legal fare to alight from the vehicle before the conclusion of the journey ;
 - (xii) shall 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) shall, in the event of a stage carriage being unable to proceed to its destination on account of mechanical breakdown or other cause beyond the control of the driver, arrange to convey the

97 (A) Taxis meters.

(b) No person shall be carried in the cab of a goods vehicle beyond the number for which there is seating accommodation at the rate of fifteen inches measured along the seat excluding the space reserved for the driver, for each person, and not more than six persons in all in addition to the driver shall be carried in any goods vehicle.

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

(d) Notwithstanding the provisions of sub-Rule (b) the Deputy Commissioner may, as a condition of the permit granted for any goods vehicle, specify the conditions subject to which a larger number of persons may be carried in the vehicle, provided that such number shall not exceed the area in square feet of the floor of the vehicle divided by 7.

(e) Nothing contained in this Rule be deemed to authorise the carriage of any person for hire or reward on any vehicle, unless there is in force in respect of the vehicle a permit authorising the use of vehicle for such purpose, and save in accordance with the provision of such permit.

107. Stands and Halting places.—(a) The Deputy Commissioner by notification in the official Gazette, or by the erection of traffic signs which are permitted for the purpose under sub-Section (i) of Section 75 of the Act, or both may in respect of the taking up or setting down of passengers or both by public service vehicles or by any specified class of public service vehicles—

- (i) conditionally or unconditionally prohibit the use of any specified place or of any place of a specified nature or Class or
- (ii) require that within the limits of any municipality, notified area or cantonment or within such other limits as may be specified in the notification certain specified stands or halting places only shall be so used.

Provided that no place which is privately owned shall be so notified except with the previous consent in writing of the owner thereof.

(b) When a place has been notified or has been demarcated by traffic sign, or both, as being a stand or halting place for the purpose of this rule, then notwithstanding that the land is in possession of any person, the place shall subject to the provisions of these Rules, be deemed to be a public place within the meaning of the Act and the Deputy Commissioner may enter into an agreement with, or grant a licence to any person for the provision or maintenance of such place including the provision or maintenance of the buildings or work necessary thereto, subject to the termination of the agreement or licence forthwith upon the breach of any condition thereof and may otherwise make rules or give directions for the conduct of such place including rules or directions—

- (i) prescribing the fees to be paid by the owners of public service vehicles using the place and providing for the receipt and disposal of such fees,
- (ii) specifying the public service vehicles or the class of public service vehicles which shall use the place or which shall not use the place
- (iii) appointing a person to be the manager of the place and specifying the powers and duties of the manager,
- (iv) requiring the owner of the land, or the local authority, as the case may be, to erect such shelters, lavatories and latrines and to execute such other works as may be specified in the rules or in the direction and to maintain the same in a serviceable, clean and sanitary condition,
- (v) prohibiting the use of such place by specified persons or by other than specified person.

(c) Nothing in sub-Rule (b) shall require any person owning the land, which has been appointed as a stand or halting place, to undertake any work or incur any expenditure in connection therewith without his consent and, in the event of any such person declining to carry out such work or to incur such expenditure or failing to comply with any rule or direction

made or given to him under this rule, the competent authority may prohibit the use of such a place for the purposes of this rule.

108. Records to be maintained.—(a) The Deputy Commissioner may by general or special order require the owner of any transport vehicle to maintain records and submit returns in respect of the vehicle in such form as the Deputy Commissioner 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 other attendant if any;
- (ii) the route upon which or the area within which the vehicle was used;
- (iii) the number of miles travelled;
- (iv) the times of commencement and termination of a journey and of any halts on a journey when the driver obtained rest;
- (v) the weight of goods carried between specified places and the nature of the goods;
- (vi) in the case of goods carried in a stage carriage, the number of trips and the mileage when goods were carried solely and when goods were carried in addition to passengers and, in that case, the number of seats available for passengers.

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

109. Permit holder—change of address of.—(a) 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 Deputy Commissioner intimating the new address.

(b) Upon receipt of intimation under sub-Rule (a) the Deputy Commissioner shall, after making such enquiries as he deems fit, enter in the permit the new address.

110. Public Service vehicle—intimation of damage to or failure of.—(a) The holder of any stage carriage permit or any contract carriage permit in respect of a particular vehicle by reference to the registration mark shall, within seven days of the occurrence report in writing to the Deputy Commissioner any failure of, or damage to, such vehicle or to any part thereof, 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.

(b) The holder of any permit in respect of a service of stage carriages shall, within seven days of the occurrence report in writing to the Deputy Commissioner 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.

(c) Upon receipt of a report under the preceding sub-Rules, the Deputy Commissioner subject to the provisions of Rules 55 and 56.—

- (i) 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 failure of the vehicle, or to provide a substitute vehicle, or
- (ii) if the damage to or failure of, the vehicle is such that in the opinion of the said authority it cannot be made good 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.

111. Alteration to motor vehicle.—(a) Further to the provision of Section 32 of the Act, the owner of a transport vehicle, or if the owner is not the holder of the permit, the holder of the permit shall, at the same time as the report required by that Section is made to the Registering Authority forward a copy thereof to the Deputy Commissioner.

(b) Upon receipt of a report under Sub-Rule (a), the Deputy Commissioner may if the alteration is such as to contravene any of the provisions or conditions of the permit—

- (i) vary the permit accordingly, or
- (ii) require the permit holder to provide a substitute vehicle within such period as the Deputy Commissioner may specify and, if the holder fails to comply with such requirement, cancel or suspend the permit.

112.

113. Inspection of transport vehicles and their contents.—

(a) Any police officer in uniform not below the rank of Sub-Inspector may at any time when the vehicle is in a public place call upon the driver of a goods vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable the police officer to make reasonable examination of the contents of the vehicle.

(b) Notwithstanding the provisions of Sub-Rule (a), the police officer shall not be entitled to examine the contents of any goods vehicle unless—

- (i) the permit in respect of the vehicle contains a provision or condition in respect of the goods which may or which may not be carried on the vehicle;
- (ii) the police officer has reason to suppose that the vehicle is being used in contravention of the provisions of the Act or these Rules.

(c) Any police officer in uniform may at any time when the vehicle is in a public place call upon the driver of a public service vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable the police officer 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 these Rules and the provisions and conditions of the permit in respect of the vehicle are being complied with.

(d) Any Inspector of Motor Vehicles shall be entitled at any reasonable time to inspect any public service vehicle in a public place.

*Amended
July 6/20
to 113*

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CHAPTER V.—CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF MOTOR VEHICLES.

120. General.—(a) No person shall use and no person shall cause or allow to be used or to be in any public place any motor vehicle which does not comply with the Rules contained in this Chapter, or with any order thereunder made by competent authority.

(b) Nothing in this Rule shall apply to a motor vehicle which has been damaged in an accident while at the place of the accident or to a vehicle so damaged or otherwise defective while being removed to the nearest reasonable place of repair or disposal.

(c) No person shall use and no person shall cause or allow to be used or to be in any public place any articulated vehicle or any double decker motor vehicle.

(d) No person shall attach to any motor vehicle any trailer unless it is being used for official Government business, and the towing vehicle is owned or operated by Government.

121. Lamps.—(1) Save as hereinafter provided, every motor vehicle while in a public place during the period between half an hour after sunset and half an hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the road at a distance of five hundred feet ahead, shall carry the following lamps (hereinafter referred to as "obligatory front lamps") :—

(a) save in the cases of a motor cycle and an invalid carriage, two lamps showing to the front a white light visible from a distance of five hundred feet ;

(b) in the case of a motor cycle and invalid carriage, one lamp showing to the front a white light visible from a distance of five hundred feet and, where the registration marks exhibited at the front of the vehicle is exhibited on both sides of a plate in the manner prescribed in Sub-Rule (e) of Rule 26, so fixed as to illuminate both sides of the plate ;

(c) in the case of a side car attached to a motor cycle, a lamp affixed to the extreme left hand side of the side car showing to the front a white light visible from a distance of five hundred feet, in addition to the lamp required by clause (b) above to be carried on the motor cycle ; and shall, in every case, also carry—

(i) one lamp (hereinafter referred to as "the rear lamp") showing to the rear a red light visible from a distance of five hundred feet ; and

(ii) a lamp, which may be the rear lamp or some other device, illuminating with a white light the whole of the registration mark exhibited on the rear of the vehicle, so as to render it legible from a distance of fifty feet to the rear ;

(2) Every lamp required under Sub-Rule (1) to be carried shall, during the aforesaid period, be kept properly lighted and in an efficient condition.

(3) Obligatory front lamps shall be as nearly as possible of the same power and at the same height from the ground.

(4) No lamp showing a light to the front shall be fixed so that the centre of the lamp is more than five feet from the ground, provided that this provision shall not apply to the internal lighting of any motor vehicle or to any light necessary to illuminate the route board of a public service vehicle.

(5) The rear lamp shall be fixed either on the centre line of the vehicle or to the right hand side and, save in the case of a transport vehicle, at a height of not more than three feet and six inches from the ground. In the case of a transport vehicle the rear light may be fixed at such a level as may be necessary to illuminate the registration mark.

(6) No motor vehicle shall show a red light to the front or other than a red light to the rear, provided that this provision shall not apply to the internal lighting of the vehicle or to an amber light if displayed by any direction indicator.

(7) No lamp showing a light to the front shall be used on any vehicle unless such lamp is so constructed, fitted and maintained that the beam of light emitted therefrom—

(a) is permanently deflected downwards to such an extent that it is at all times incapable of dazzling any person standing on the same horizontal plane as the vehicle at a greater distance than 25 feet from the lamp, and whose eye-level is not less than 3 feet 6 inches above that plane ; or

(b) can be deflected downwards or both downwards and to the left by the driver in such manner as to render it incapable of dazzling any such person in the circumstances aforesaid ; or

(c) can be extinguished by the operation of a device which at the same time causes a beam of light to be emitted from the lamp which complies with clause (a) ; or

(d) can be extinguished by the operation of a device which at the same time either deflects the beam of light from another lamp downwards or both downwards and to the left in such manner as to render it incapable of dazzling any such person in the circumstances aforesaid or brings into or leaves in operation a lamp or lamps which complies or comply with clause (a).

(8) Sub-Rule (7) shall not apply to lamp fitted with an electric bulb, if the power of the bulb does not exceed seven watts and the lamp is fitted with frosted glass or other material which has the effect of diffusing the light.

122. Brakes.—(a) Every motor vehicle shall be fitted with brakes of sufficient strength capable of stopping the vehicle within the distance specified in Sub-Rule (f) and of holding it at rest in all condition and all the brakes with which the motor vehicle is fitted shall at all times be properly connected and shall be maintained in good and efficient condition.

(b) Every motor vehicle, other than a invalid carriage, a road roller or a locomotive, shall be equipped with an efficient braking system or systems sufficient to supply two means of operation so designed and constructed that notwithstanding the failure of any part (other than a fixed member or a brake shoe anchor pin) through or by means of which the force necessary to apply the brakes is transmitted, there shall still be available for the driver to apply to not less than half the number of the wheels of the vehicle, brakes sufficient under the most adverse conditions to bring the vehicle to rest within a reasonable distance:

Provided that, save in the cases of a tractor and a heavy motor vehicle, in the event of such failure as aforesaid it shall not be necessary for brakes to be available for application by the driver—

- (i) in the case of a motor vehicle registered in India before the first day of April 1940, to more than two wheels: and
- (ii) in the case of a motor vehicle having less than four wheels to more than one wheel.

(c) The application of one means of operation shall not affect or operate the pedal or hand lever of the other means of operation.

(d) In the case vehicle registered in India on or after the first day of April 1940, no braking system shall be dependent upon the rotation of the engine:—

Provided that this Sub-Rule shall not apply in the case of a vehicle referred to in clause (ii) of Sub-Rule (b) hereof.

(e) The brakes of a motor vehicle which are operated by one of the means of operation shall be capable of being applied by direct mechanical action without the intervention of any hydraulic, electric or pneumatic device.

(f) In the case of a motor vehicle with more than three wheels, other than an invalid carriage, a road roller or a locomotive, where any brake shoe is capable of being applied by more than one means of operation, all the wheels shall be fitted with brakes, all of which are operated by one of the means of operation:

Provided that, except in the case of a tractor,—

- (i) where a motor vehicle has more than six wheels, at least four of which are steering wheels, it shall be a sufficient compliance with this Sub-Rule if brakes are fitted to all the wheels other than two steering wheels which are situated on opposite sides of the vehicle, and all such brakes are operated by one of the means of operation,
- (ii) where a motor vehicle has more than four wheels and the driver is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear or similar mechanism between the axles carrying the driving wheels, it shall be deemed to be a sufficient compliance with this Sub-Rule if one of the means of operation operates the brakes on two driving wheels situated on opposite sides of the vehicle and the other means of operation operates the brakes on all the other wheels required to be fitted with brakes by this Sub-Rule.

Provided further that, where means of operation are provided in addition to those prescribed by this Rule, such additional means of operation may be disregarded for the purposes of this Sub-Rule.

(g) One at least of the means of operation shall be capable of causing brakes to be applied directly and not through the transmission gear to all the wheels of the vehicle.

Provided that, in the case of a motor vehicle registered in India before the first day of April 1940, it shall be deemed to be a sufficient compliance with this Sub-Rule if one of the means of operation applies brakes directly and not through the transmission gear to not less than two of the wheels of the vehicle.

Provided further that where a motor vehicle has more than four wheels and the drive is transmitted to all wheels other than the steering wheels without the interposition of a differential driving gear of similar mechanism between the axles carrying the driving wheels, it shall be deemed to be a sufficient compliance with this Sub-Rule if the brakes applied by one means of operations act directly on two driving wheels on opposite sides of the vehicle and the brakes applied by the other means operation act directly on all other driving wheels.

(h) For the purpose of this rule—

(i) in the case of a motor vehicle other than an invalid carriage, a road roller or a locomotive,

(a) except in the case of a motor vehicle the unladen weight of which does not exceed 2,240 pounds or which is a passenger vehicle constructed or adapted to carry not more than seven passengers exclusive of the driver, not more than one front wheel shall be included in half the number of wheels of the vehicle; and

(b) every moving shaft to which any part of a braking system or any means of operation thereof is connected or by which it is supported shall be deemed to be part of that system;

(ii) in the case of a motor vehicle propelled by steam and not used as public service vehicle, the engine shall be deemed to be an efficient braking system with one means of operation if the engine is capable of being reversed and is incapable of being disconnected from any of the driving wheels of the vehicle except by the sustained action of the driver.

(i) Every locomotive shall have an efficient braking system, the brakes of which act upon all the wheels of the locomotive other than the steering wheels; provided that this provisions shall not apply to a locomotive registered in India before the first day of April 1940, if the locomotive is propelled by steam and the engine thereof is capable of being reversed.

(j) The braking system operated by one of the means of operation shall, according to whether the vehicle is laden or unladen, be capable of bringing it to rest when travelling at the speed specified in the table below within the distance therein specified when, at the time of the application of the brakes, the vehicle is travelling over a hard, dry level road in good condition, with topgear and clutch engaged, or when, in the same conditions the efficiency of the brakes as determined by a brake-testing meter approved by the Provincial Government is not less than 30 per cent when the vehicle is laden and not less than 40 per cent when the vehicle is unladen.

Speed. Miles per hour	Distance in feet to stop from application of brakes:—	
	Vehicles laden	Vehicles unladen.
20	45	33.5
15	25	19

NOTE:—For the purpose of the preceding Sub-Rule, a vehicle shall be held to be laden when it carries not less than 50 per cent of the full load for which it is constructed.

123. Reversing.—Every motor vehicle other than a motor cycle shall be capable of moving under its own power either forwards or backwards.

124. Horns.—(a) Every motor vehicle shall be fitted with a horn or other approved device available for immediately use by the driver of the vehicle and capable of giving audible and sufficient warning of the approach or position of the vehicle.

(b) No motor vehicle shall be fitted with any multitoned horn giving a succession of different notes or with any other sound producing device giving an unduly harsh, shrill, loud or alarming noise.

(c) Nothing contained in Sub-Rule (b) shall prevent the use on vehicles, used as ambulances or for fire fighting or salvage purposes or on vehicles used by police officers in the course of their duties, or on other similar vehicles, of such sound signals as may be approved by the Provincial Government.

(d) Every transport vehicle shall be fitted with a bulb horn.

125. Silencers.—(a) Every motor vehicle shall be fitted with a device (herein referred to as a silencer) which by means of an expansion chamber or otherwise reduces as far as may be reasonable and practicable the noise that would otherwise be made by the escape of exhaust gases from the engine.

(b) Every motor vehicle shall be so constructed or equipped that the exhaust gases from the engine are not discharged downwards so as to impinge on the road surface.

126. Mirror.—Every motor vehicle, other than a transport vehicle or a motor cycle having not more than two wheels and to which a side car is not attached, shall be fitted either internally or externally, and every transport vehicle shall be fitted externally, with a mirror so placed that the driver shall be able to have a clear and distinct vision of vehicles approaching from the rear.

127. Dangerous projections.—(a) No mascot or other similar fitting or device shall be carried by any motor vehicle registered in India after the first day of April 1941 in any position where it is likely to strike any person with whom the vehicle may collide unless the mascot is unlikely to cause injury in any person by reason of any projection thereon.

(b) No motor vehicle shall be permitted to be used which is so constructed that any axle hub or hub cap projects laterally more than four inches beyond the rim of the wheel to which it is attached, unless the hub or hub cap does not project laterally beyond the body or wings of the vehicles and is provided with an adequate guard.

128. Noise.—Every motor vehicle shall be so constructed and maintained as not to cause undue noise when in motion.

129. Safety Glass.—(a) After the first day of April 1940, the glass of wind screens or windows facing to the front on the outside of every motor vehicle shall be safety glass.

(b) For the purpose of this rule—

(i) "Safety glass" means glass so constructed or treated that if fractured it does not fly into fragments capable of causing severe cuts;

(ii) any wind screen or window at the front of the vehicle the inner surface of which is at an angle exceeding thirty degrees to the longitudinal axis of the vehicle shall be deemed to face to the front.

(c) This Rule shall not apply to a motor vehicle registered in India before the first day of April 1940.

130. Glass—arrangement and maintenance of.—The glass of the front wind screen, side and rear windows of every motor vehicle shall be such and shall be maintained in such condition as to be clearly transparent and allow the driver a clear vision to the front and to the sides and, through the prescribed mirror, to the rear of the vehicle.

131. Wind screen wiper.—(a) On and after the first day of April 1940 an efficient automatic wind screen wiper shall be fitted to every motor vehicle which is so constructed that the driver cannot by opening the wind screen, or otherwise, obtain an adequate view to the front of the vehicle without looking through the wind screen.

(b) This rule shall not apply to a motor vehicle registered in India before the first day of April 1940.

132. Tyres.—(a) The pneumatic tyres of every motor vehicle shall be kept properly inflated and in good and sound conditions.

- (b) A tyre shall be deemed to be not in good and sound condition if—
- (i) any of the fabric of the casing is exposed by wear of the tread or by any unvulcanized cut or abrasion of any part; or
 - (ii) the tyre shows signs of incipient failure by local deformation or swelling; or
 - (iii) it has been patched or repaired by an outside gaiter or patch other than a properly vulcanized repair.

Provided that clause (iii) shall not apply to a temporary repair effected to enable the vehicle to be moved to the nearest reasonable place where the tyre can be repaired or replaced.

(c) After the first day of April 1942, no motor vehicle other than a track laying vehicle shall be driven at a speed in excess of six miles per hour unless it is fitted with pneumatic tyres on all wheels.

133. Smoke, Vapour, Grease Emission of.—(a) Every motor vehicle shall be so constructed, shall be maintained in such condition and shall be so driven and used on a road, that there shall not be emitted there from any smoke, visible vapour, grit, sparks, ashes cinders, or oily substance, the emission of which could be prevented or avoided by the taking of any reasonable steps or the exercise of reasonable care, or the emission of which might cause damage to other persons or property or endanger the safety of any other users of the road in consequence of any harmful content therein.

(b) Every motor vehicle using solid fuel shall be fitted with an efficient appliance for the purpose of preventing the emission of sparks or grit and also with a tray or shield to prevent ashes and cinders from falling on to the road.

134. Speedometer.—(a) Every motor vehicle, other than an invalid carriage or a vehicle which may not, under the provisions of the Eighth Schedule to the Act, at any time be driven at a rate of speed in excess of six miles per hour, shall be fitted with an instrument (herein referred to as a "speedometer") so constructed and in such a position as at all times readily to indicate to the driver of the vehicle the speed at which the vehicle is travelling.

(b) A speedometer shall be deemed to satisfy the requirement of this rule if, upon test, it is found to be accurate within ten per cent, above or below the speed specified for the vehicle in the Eighth Schedule to the Act or, if no speed is so specified, then above or below a speed of thirty miles per hour.

135. Springing.—Every motor vehicle shall be equipped with suitable and sufficient means of springing adequately maintained in good and sound condition between the road wheels and the frame of the vehicle;

Provided that this rule shall not apply to—

- (i) any motor vehicle registered in India before the first day of April 1940 if any means of springing with which it is fitted are adequately maintained in good and sound condition;
- (ii) any tractor not exceeding ten thousand pounds in weight unladen if all the unsprung wheels of the tractor are fitted with pneumatic tyres;
- (iii) any land locomotive or land tractor;
- (iv) motor cycles;
- (v) vehicles designed for use in works or in private premises and used on a road only in passing from one part of the works or premises to another or to works or premises within a distance of two miles.

136. Steering.—The steering mechanism of every motor vehicle shall be adequately maintained in good and sound condition, free from backlash exceeding 45 degrees on the steering wheel, all rods and arms shall be adequately protected by bumpers or otherwise from damage, and where the connections are secured with bolts or pins, the bolts or pins shall be effectively locked. All connections made with pins shall be such that when they are in any position other than horizontal the head of the pin shall be uppermost.

137. Overall width.—(a) The overall width of every motor vehicle measured at right angles to the axis of the motor vehicle between perpendicular planes enclosing the extreme points shall not exceed 6 ft. 3 inches.

(b) Notwithstanding anything contained in Sub-Rule (a) the Regional Transport Authority may authorise the use of a transport vehicle obtained through the Disposals Organisation of the Central Government and having an overall width equal to but not exceeding 8'-1" on a specified route or routes, or in a specified area, within the province. Where a Regional Transport Authority takes action under this Sub-Rule it shall enter in the certificate of registration of the vehicle particulars of route or routes on which, or the areas in which, the vehicle may be used.

138. Overall length.—(a) The overall length of every motor vehicle shall not exceed twentyone feet.

(b) In this rule "overall length" means the length of the vehicle measured between parallel planes passing through the extreme projecting points of the vehicle exclusive of—

- (i) any starting handle;
- (ii) any hood when down;
- (iii) any ladder forming part of a turn-table fire escape fixed to a vehicle—
- (iv) any post office letter-box the length of which measured parallel to the axis of the vehicle does not exceed twelve inches.

139. Overall height.—(a) The overall height of a motor vehicle measured from the surface on which the motor vehicle rests shall not exceed nine feet.

(b) This Rule shall not apply to fire escapes and other special purpose vehicles exempted by general or special order of the Deputy Commissioner.

140. Overhang.—(a) The overhang of a motor vehicle other than a tractor or locomotive shall not exceed forty-five per cent, of the distance between the plane perpendicular to the axis of the motor vehicle which passes through the centre or centres of the front wheel or wheels and the foremost vertical plane from which the overhang is to be measured as defined in Sub-Rule (b).

(b) For the purposes of this Rule "overhang" means the distance measured horizontally and parallel to the longitudinal axis of the vehicle between two vertical planes at right angles to such axis passing through the two points specified in paragraphs I and II of this definition respectively—

I—The rearmost point of the vehicle exclusive of—

- (i) any hood when down;
- (ii) any post office letter-box the length of which measured parallel to the longitudinal axis of the vehicle, does not exceed 12 inches;
- (iii) any ladder forming part of a turn-table fire escape fixed to a vehicle;
- (iv) any luggage carrier fitted to a motor vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver.

II—(i) In the case of a motor vehicle having only two axles, one of which is not a steering axle, the centre point of that axle, or

- (ii) in the case of a motor vehicle having only three axles where the front axle is the only steering axle, a point 4 inches in rear of the centre of a straight line joining the centre points of the rear and middle axles, or
- (iii) in any other case a point situated on the longitudinal axis of the vehicle and such that a line drawn from it at right angles to that axis will pass through the centre of the minimum turning

circles of the vehicle.

(d) In the case of any motor vehicle registered in India before the first day of April 1940, it shall suffice if the overhang does not exceed $\frac{7}{24}$ ths of the overall length of the vehicle.

141. Turning circle.—Every motor vehicle shall be so constructed as to be capable of turning in either direction in a circle not exceeding in diameter sixty feet in the case of a vehicle the overall length of which does not exceed twenty-six feet, and sixty-six feet in the case of a vehicle the overall length of which exceeds twenty-six feet. For the purposes of this Rule such diameter shall be determined by reference to the extreme outer edge of the wheel track at ground level.

142. Direction indicators and stop lights.—(a) For the purposes of the proviso to Section 79 of the Act, the signal of an intention to turn to the right or left may be given by a mechanical or electrical direction indicator and, during the period between half an hour after sunset and half an hour before sunrise, the signal of an intention to stop may be given by an electrical stop light as hereinafter specified.

(b) Every electrical direction indicator shall when in operation be in the form of an illuminated sign of amber colour of a minimum illuminated length of six inches and of a maximum illuminated breadth not exceeding one-fourth of the illuminated length, and the illuminated surface shall be visible both from front and rear of the vehicle.

(c) Every mechanical direction indicator shall be in the form of an arrow not less than six inches in length, presenting a white surface visible both from front and rear of the vehicle.

(d) A direction indicator intended to intimate a right-hand turn shall be fitted only on the right side and a direction indicator intended to intimate a left hand turn shall be fitted only on the left side of the vehicle and, except as provided in Sub-Rule (f), every direction indicator shall be so designed and fitted that—

- (i) it is not more than 4 feet behind the base of the windscreen;
- (ii) it is not more than 6 feet and 6 inches above the level of the ground:—
 - (iii) when in operation—
 - (1) it temporarily alters the out line of the vehicle to the extent of at least 6 inches measured horizontally;
 - (2) its outermost point shall be at least 6 inches further from the longitudinal axis of the vehicle than is the outermost point of the driver's cab or of the side of the body immediately behind the driver's seat; and
 - (3) it remains steady;
 - (iv) the driver of the vehicle when in his driving seat may be readily aware that it is operating correctly;

Provided that clause (i) shall not apply in the case of a pillarless saloon motor car if the direction indicator is not situated behind the widest part of the body.

(e) For the purpose of this Rule a "pillarless saloon motor car" means a motor vehicle which is constructed solely for the carriage of passengers and their effects and is adapted to carry not more than seven persons exclusive of the driver and which has—

- (i) an enclosed body with 4 doors; and
- (ii) no vertical dividing pillar between the doors on either side of the vehicle.

(f) Additional direction indicators in the form specified in Sub-Rule (b) may be fitted at the rear of any vehicle provided that—

- (i) they are only used coincidentally with those fitted in accordance with the provisions of Sub-Rule (d); and
- (ii) they are visible at a reasonable distance from any point in the rear of the vehicle.

(g) Every direction indicator shall be so fitted that when not in operation it will not be likely to mislead the driver of any other vehicle or any person controlling traffic.

(h) Every stop light shall be fitted at the rear of the vehicle and not to the left of the centre thereof and when in operation shall show a red or amber light;

Provided that nothing in this Rule shall prevent the fitting of a duplicate stop light on the left side of the vehicle which comes into operation at the same time as the stop light fitted at the centre or on the right side of the vehicle.

(i) Every light shown by a direction indicator or a stop light shall be diffused by means of frosted glass or other adequate means and shall be a steady light.

(j) Every direction indicator and every stop light shall be such as to be readily operated by the driver of the motor vehicle at all times when sitting in a normal driving position.

(k) Nothing in this rule shall be taken to require that a direction indicator or a stop light shall be fitted to any motor vehicle.

143. Wings.—Every motor vehicle, except a locomotive or a tractor shall, unless adequate protection is afforded by the body of the motor vehicle, be provided with wings or other similar fittings to catch so far as practicable, mud or water thrown up by the rotation of the wheels.

144. Side—Car wheel.—Every side-car attached to a motor cycle shall be so attached, at the left hand side of the motor cycle, that the wheel thereof is not wholly outside perpendicular planes at right angles to the longitudinal axis of the motor cycle passing through the extreme projecting points in front and in the rear of the motor cycle.

145. Communication with driver.—Every motor vehicle for the use of passengers in which the driver's seat is separated from any passenger's compartment by a fixed partition which is not capable of being readily opened, shall be furnished with efficient means to enable the passengers in such compartment to signal to the driver to stop the vehicle.

SPECIAL RULES APPLICABLE TO ALL PUBLIC SERVICE VEHICLES.

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

147. Stability.—(a) The stability of a public service vehicle other than a motor cab shall be such that under any conditions of load, at an allowance 150 pounds per passenger and his personal luggage, for which the vehicle is registered if the surface on which the vehicle stands were tilted to either side to an angle of 35 degrees from the horizontal the point at which overturning occurs would not be reached.

(b) For the purpose of conducting tests of stability the height of any stop use to prevent a wheel of the vehicle from slipping sideways shall not be greater than two-thirds of the distance between the surface upon which the vehicle stands before it is tilted, and that part of the rim of that wheel which is then nearest to such surface when the wheel is loaded in accordance with the requirements of this Rule.

148. Side overhang.—In the case of a vehicle used as a stage carriage, no part of the vehicle other than a direction indicator, when in operation, or a driving mirror shall project laterally more than 14 inches beyond the centre line of the rear wheels in the case of single rear wheels or more than 6 inches beyond the extreme outer edge of the outer tyre in the case of dual rear wheels.

149. Seating room.—(a) In every public service vehicle other than a motor cab there shall be provided for each passenger a reasonably comfortable seating space of not less than 18 inches square measured on straight lines along and at right angles to the front of each seat, and

(i) When the seats are placed along the vehicle or across the vehicle and are facing one another, the backs of the seats shall be at least 60 inches distant from the backs of the seats on the other side measured at seat level, and 66 inches measured at a height of 18 inches above the seat level.

(ii) When the seats are placed across the vehicle and are facing in the same direction there shall be everywhere a clear space of not less than 28 inches between the backs of the seats which shall be inclined to the vertical at an angle and not less than that prescribed for backs of seats in Rule 107 clause (a) sub-clause (i) above.

(b) The backs of all seats shall be closed to a height of 18" above seat level and the seats shall be not less than 16" above floor level. The seats and their backs shall be padded or cushioned in a manner calculated to render them reasonably comfortable.

(c) This rule shall not apply to any vehicle registered in India before the first day of April 1940.

150. Gangways.—(a) In every compartment of every public service vehicle the entrance to which compartment is from the front or rear there shall be a gangway along the vehicle, and

(i) where seats are placed along the sides of the vehicle there shall be as gangway a clear space of not less than 24 inches measured between the fronts of the seats; and

(ii) where seats are placed across the vehicle there shall be as gangway a longitudinal clear space of not less than 15 inches between any part of adjoining seats or their supports.

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

151. Limit of seating capacity.—Notwithstanding anything contained in these Rules, no public service vehicle other than a motor cab shall be registered for a number of passengers in excess of that number obtained by subtracting two hundred pounds from the difference in pounds between the registered laden and unladen weight of the vehicle and dividing the resulting figure by 150.

152. Head room.—Every public service vehicle, other than a motor cab, shall have the following internal height or head-room measured along the centre of the vehicle from the top of the floor boards or battens to the underside of the roof supports:

(i) in the case of a vehicle with a permanent top, not less than 5 feet and not more than 6 feet; or

(ii) in the case of a vehicle with a movable hood, not less than 4 feet and six inches.

153. Driver's seat.—(a) No public service vehicle shall be driven other than from the right hand side of the vehicle.

(b) On every public service vehicle space shall be reserved for the driver's seat such as to allow him to have full and unimpeded control of the vehicle and in particular:—

(i) the part of the seat against which the driver's back rests shall not be less than 11 inches from the nearest point on the steering wheel;

(ii) the width across the vehicle shall be not less than 27 inches and shall extend to the left of the centre of the steering column in no case less than 10 inches and so that a line drawn parallel to the axis of the vehicle through the centre of any gear lever, brake lever or other device to which the driver has to have frequent access lies not less than 2 inches inside the width reserved for the driver's seat; and

(iii) in the case of a public service vehicle other than a motor cab, the space reserved in accordance with clause (ii) above shall at the left hand end be enclosed with a rigid wooden or other suitable partition to a height not less than 12 inches above the seat, and, forward of the seat, above the floor of the vehicle.

(c) Arm rests for the driver not more than 4 inches wide may be provided within the space specified in clause (ii) of rule (b).

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

(e) Every public service vehicle shall be so constructed that, save for the front pillar of the body, the driver shall have a clear vision both to the front and through an angle of 90 degrees to his right hand side. The front pillar of body shall be so constructed as to obstruct the vision of the driver to the least possible extent.

(f) The Provincial Transport Authority may, by order in writing, direct that until the first day of January, 1948 nothing in this rule in regard to and consequent upon the provision requiring that the vehicle shall be driven from the right hand side shall apply to a public service vehicle or specified class of public service vehicles fitted with left hand steering control and obtained through the disposals organisation of the Central Government.

(g) Where a registering authority registers a public service vehicle in respect of which, or belonging to a class in respect of which, an order under sub-rule (f) has been made, he shall note in the certificate of registration the fact that nothing in rule 153 in regard to and consequent upon the provision requiring that the vehicle shall be driven from the right-hand side shall apply to the vehicle.

154. Width of doors.—Every entrance and exit of a public service vehicle other than a motor cab shall be at least 24 inches in width and of sufficient height.

155. Grab rail.—(a) After the first day of April 1940, an adequate rail shall be fitted to every entrance or exit, other than an emergency exit, of a public service vehicle other than a motor cab to assist passengers in boarding or alighting from the vehicle.

(b) This Rule shall not apply to a vehicle registered in India before the first day of April 1940.

156. Steps.—(a) In every public service vehicle other than a motor cab, the top of the tread of the lowest step for any entrance or exit, other than an emergency exit, shall not be more than 17 inches or less than 10 inches above the ground when the vehicle is empty. All steps shall be fitted with a non-slip tread. Fixed steps shall not be less than 9 inches wide, nor more than 15 inches apart measured vertically and shall in no case project laterally beyond the body of the vehicle unless they are so protected by the front wings (or otherwise) that they are not liable to injure pedestrians.

(b) This Rule shall not apply to a vehicle registered in India before the first day of April 1940.

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

158. Body dimensions and Guard rails.—(a) Every public service vehicle other than a motor cab shall be so constructed that—

- (i) in the case of a vehicle with an enclosed body—
 - (a) the height of the body sides from the floor or the height to the sills of the windows as the case may be shall not be less than 2 feet and 4 inches;
 - (b) if the height of the sides of the body or the sills of the windows, as the case may be, above the highest part of any seat is less than 18 inches, provision is made by means of guard rails or otherwise to prevent the arms of seated passengers being thrust through and being injured by passing vehicles, or the extent to which the side windows or venetians can be lowered is such that when lowered their top edge is not less than 18 inches above the highest part of any seat.
- (ii) in the case of closed vehicles no doors, other than the driver's door, shall be provided along the right hand side of the vehicle and in the case of a vehicle with open sides, guard rails shall be provided along the right hand side of the vehicle to prevent any person other than the driver from mounting or alighting from the vehicle on that side.

159. Protection of passengers from weather.—(a) Every public service vehicle shall be either constructed with a fixed and water-tight roof or equipped with a water tight hood that may be raised or lowered as required.

(b) Every public service vehicle shall have suitable windows, venetians or screens capable at all times of protecting the passengers from the weather without preventing adequate ventilation of the vehicle. When the screens are made of fabric, the whole of them shall at all times be fastened securely to the vehicle.

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

160. Blank.

(d) The tyres of every public service vehicle shall be clearly and indelibly marked with the number of the vehicle to which they belong.

171. Prohibition of painting or marking in certain manner.—

(a) No advertising device, figure or writing shall be exhibited on any public service vehicle save as may be specified by the Deputy Commissioner by general or specific order.

(b) A public service vehicle when regularly used for carrying Government Mail, by, or under a contract with the India Posts and Telegraphs Department, may exhibit in a conspicuous place upon a plate or a plane surface of the motor vehicle the words "Royal Mail" in red colour on a white ground, each letter being not less than six inches in height and of a uniform thickness of three quarters of an inch.

(c) Save as aforesaid, no motor vehicle shall display any sign or inscription which includes the word "Mail".

SPECIAL RULES APPLICABLE TO GOODS VEHICLES.

172. Body and loading platform.—Every goods vehicle shall be equipped with a strong platform or body so constructed as to be capable of carrying the load for which it is used without danger to other road users and such that the load can be securely packed within or fastened to the body or platform.

173. Drive'r Seat.—(1) Rule 153 relating to the driver's seat shall to every goods vehicle other than a delivery van.

(2) The Provincial Transport Authority may, by order in writing, direct that until the first day of January, 1948 nothing in Rule 153 in regard to and consequent upon the provision that the vehicle shall be driven from the right hand side shall apply to a goods vehicle fitted with left hand steering control and obtained through the Disposals Organisation of the Central Government.

(3) Where a registering authority registers a goods vehicle in respect of which, or belonging to a class in respect of which an order under sub-Rule (2) has been made he shall note in the certificate of registration the fact that nothing in Rule 173 in regard to and consequent upon the provision requiring that the vehicle shall be driven from the right hand side shall apply to the vehicle.

174. }
175. } **Blank.**

RULE APPLICABLE TO ALL TRANSPORT VEHICLES OTHER THAN MOTOR CABS AND DELIVERY VANS.

176. Speed Governor.—(a) With effect from a date to be notified in the official Gazette every transport vehicle other than a motor cab and a delivery van shall be fitted with a speed governor of one of the makes specified in the Fourth Schedule to these Rules in such a manner that the speed governor can be sealed with an official seal in such a way that it cannot be removed or tampered with without the seal being broken.

(b) The speed governor of every transport vehicle as aforesaid shall be so set that the vehicle is incapable of being driven at a speed in excess of the maximum lawful speed of the vehicle except down an incline.

177. **Blank.**

178. Exemption of road plant.—Nothing in Rules 121, 124, 125, 126, 127, 128, 134, 135, 137, 138, 140, 141 and 143 shall apply to road rollers and other machines specially constructed or adapted for the construction or maintenance of roads which are the property of the Central or the Provincial Government.

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CHAPTER VI.—CONTROL OF TRAFFIC.

190. Signalling devices.—(a) Subject to the succeeding sub-Rule, the signalling device required by Section 80 of the Act shall be a direction indicator as prescribed in Rule 142 and shall be fitted to both sides of the vehicle.

(b) Notwithstanding anything contained in sub-Rule (a), until the 1st day of January 1948 a vehicle, other than a transport vehicle obtained through the Disposals Organisation of the Central Government equipped with electric light may be fitted with a mechanical direction indicator complying with the requirements of Rule 142 on the right hand side of the vehicle only.

(c) The Provincial Transport Authority may order in writing direct that the provisions of sub-Rule (b) shall apply to any transport vehicle or class of transport vehicles equipped with electric lighting specified in the order.

(d) Where a registering authority registers a transport vehicle in respect of which or belonging to a class in respect of which an order under sub-Rule (c) has been made he shall note in the certificate of registration the fact that the vehicle may be fitted with a mechanical direction indicator on the right hand side only.

191. Vehicle abandoned on the road.—(a) If any motor vehicle is allowed to stand in any place other than a duly appointed parking place in such a way as to cause obstruction to traffic or danger to any person, any police officer may—

- (i) forthwith cause the vehicle to be moved under its own power or otherwise to the nearest place where the vehicle will not cause undue obstruction or danger;
- (ii) unless it is moved to a position where it will not cause obstruction or danger take all reasonable precautions to indicate the presence of the vehicle; and
- (iii) if the vehicle has been stationary in one place for a continuous period of 24 hours and adequate steps have not been taken for its repair or removed by the owner or his representative, remove the vehicle and its contents to the nearest place of safe custody.

(b) If a motor vehicle has been stationary in a duly appointed parking place for a period exceeding that specified by competent authority in respect of the said place, or, if no such period has been specified, for a period exceeding six hours, any police officer may remove the vehicle to nearest place of safe custody.

(c) Notwithstanding any fine or penalty which may be imposed upon any person upon conviction for the contravention of the provisions of Section 81 of the Act or of any regulations made by a competent authority in relation to the use of duly appointed parking places the owner of the motor vehicle or his heirs or assigns shall be liable to make good any expense incurred by any police officer in connection with the moving, lighting, watching or removal of a vehicle or its contents in accordance with sub-Rule (a) and (b); and any police officer, or any person into whose custody the vehicle has been entrusted by any police officer, shall be entitled to detain the vehicle until he has received payment accordingly and shall, upon receiving such payment, give a receipt to the person making the payment.

192. Weighing devices—Installation and use of.—(a) A weighing device for the purpose of Section 73 of the Act may be—

- (i) a weigh-bridge installed and maintained at any place by or under the orders of the Provincial Government or a local authority;
- (ii) a weigh-bridge installed and maintained by any person and certified by the Registering Authority to be a weighing device for the purpose of the Act and these Rules; or
- (iii) a portable wheel-weigher of any kind approved by the Provincial Government.

(b) The driver of any goods vehicle shall upon demand by a competent authority so drive and manipulate the vehicle as to place it or any wheel or wheels thereof, as the case may be, upon any weigh-bridge or wheel weigher in such a manner that the weight of the vehicle or the weight transmitted by any wheel or wheels may be exhibited by the weigh-bridge or wheel weigher.

(c) If the driver of a motor vehicle fails within a reasonable time to comply with a requisition under sub-Rule (b), a person authorised under Section 73 of the Act may cause any person, being the holder of a licence authorising him to drive the vehicle, so to drive and manipulate the vehicle.

(d) When the weight or axle weight of a motor vehicle is determined by separate and independent determination of the weight transmitted by any wheel or wheels of the vehicle the axle weight and laden weight of the vehicle shall be deemed to be the sum of the weights transmitted by the wheels of any axle or by all the wheels of the vehicle as the case may be.

(e) Upon the weighing of a vehicle in accordance with the said Section and this Rule, the person who has required the weightment or the person in charge of the weighing device shall deliver to the driver or other person in charge of the vehicle a statement in writing of the weight of the vehicle and of any axle, the weight of which is separately determined.

(f) The driver or other person in charge of, or the owner of, a vehicle which has been so weighed may challenge the accuracy of the weighing device by a statement in writing accompanied by a deposit of ten rupees delivered.

(i) within one hour of the receipt of the statement referred to in sub-Rule (e), to the person by whom the statement was delivered to him: or

(ii) within 14 days of the service on him of notice of proceedings against him under Section 72 of the Act, to the court issuing such notice.

(g) Upon receipt of a statement challenging the accuracy of a weighing device under sub-Rule (f) the person or the court by whom the statement is received shall apply to the Registering Authority for the weighing device to be tested by such person as the Registration Authority may appoint and the certificate of such person as may be so appointed regarding the accuracy of the weighing device shall be final.

(h) If, upon the testing of a weighing device under sub-Rule (g), the weighing device is certified to be accurate or to be inaccurate to an extent less than any weight by which the laden weight or unladen weight or any axle weight of the vehicle is shown in the statement referred to in sub-Rule (e) to have exceeded the registered laden weight or the registered unladen weight or the registered axle weight, as the case may be, a contravention of sub-Section (3) of Section 72 of the Act shall be deemed to have been proved.

(i) If, upon the testing of a weighing device as aforesaid, the weighing device is certified to be inaccurate to an extent greater than any weight by which the laden weight or unladen weight or any axle weight of the vehicle is shown in the statement referred to in sub-Rule (e) to have exceeded the registered laden weight or the registered unladen weight or the registered axle weight, as the case may be, no further proceedings shall be taken in respect of any such laden weight or unladen weight or axle weight and if the device is certified to be inaccurate to the said extent in respect of every such laden weight, unladen weight or axle weight actually weighed the deposit prescribed in sub-Rule (f) shall be refunded.

(j) No person shall, by reason of having challenged the accuracy of any weighing device under sub-Rule (f), be entitled to refuse to comply with any order in writing under Section 73 of the Act.

193. Restriction on driving with gear disengaged.—Within the limits specified in the Fifth Schedule to these Rules and elsewhere on any hill marked by traffic sign No. 10 of part B of the Ninth Schedule to the Act, no person shall drive a transport vehicle with the engine free, that is to say with the gear level in neutral, the clutch lever depressed or with any free wheel or other device in operation which frees the engine from the driving wheels and prevents the engine from acting as a brake when the vehicle is travelling down an incline.

194. Prohibition of mounting or taking hold of vehicle in motion.—(a) No person shall mount or attempt to mount on, or dismount from, any motor vehicle, other than a motor cycle, when the motor vehicle is in motion.

(b) No person shall take hold of, and no driver of a motor vehicle shall cause or allow any person to take hold of, any motor vehicle when in motion for the purpose of being towed or drawn up on some other wheeled vehicle or otherwise.

195. Towing.—(a) No vehicle other than a mechanically disabled or incompletely assembled motor vehicle or a side-car, shall be drawn or towed by any motor vehicle.

(b) No motor vehicle shall be drawn or towed by any other motor vehicle unless there is in the driver's seat of the motor vehicle being drawn or towed a person holding a licence authorising him to drive the vehicle or unless the steering wheels of the motor vehicle being towed are firmly and securely supported clear of the road surface by some crane or other device on the vehicle which is drawing or towing it.

(c) When a motor vehicle is being towed by another motor vehicle, the clear distance between the rear of the front vehicle and the front of the rear vehicle shall at no time exceed 15 feet. Steps shall be taken to render the tow rope or chain easily distinguishable by other users of the road, and there shall be clearly displayed on the rear of the vehicle being towed in black letters not less than three inches high and on a white ground the words "ON TOW".

Provided that no person shall be liable to be convicted for the contravention of this sub-Rule for failure to display the words "ON TOW" if the motor vehicle which is towing the other is not a motor vehicle adapted and ordinarily used for the purpose and so long as the vehicle is being towed between the place of the break-down and the nearest place on the route at which the necessary materials can be obtained.

(d) No motor vehicle when towing another vehicle other than a side car shall be driven at a speed exceeding 15 miles per hour.

196. Foot paths, cycle tracks and traffic segregation.— Where any road or street is provided with foot-paths, or tracks reserved for cycles or specified classes of other traffic, no person shall, save with the sanction of a police officer in uniform, drive any motor vehicle or cause or allow any motor vehicle to be driven on any such foot-path or track.

197. Projection of loads.—(a) No person shall drive, and no person shall cause or allow to be driven, in any public place any motor vehicle which is loaded in a manner likely to cause danger to any person or in such a manner that the load or any part thereof or anything extends—

- (i) laterally beyond the side, of the body or beyond a vertical plane in prolongation of the side of the body;
- (ii) to the front beyond the foremost part of the vehicle;
- (iii) to the rear to a distance exceeding 4 feet beyond the rearmost part of the vehicle excluding any luggage carrier;
- and
- (iv) in height by a distance which exceeds 9 feet from the surface upon which the motor vehicle rests.

(b) Clause (iii) of sub-Rule (a) shall not apply to a goods motor vehicle when loaded with any pole or other projecting thing so long as—

- (i) the distance by which the pole or other thing projects beyond the rearmost point of the motor vehicle does not exceed 6 feet; and
- (ii) there is attached to the rear of the such pole or other thing in such a way as to be clearly visible from the rear at all times a white circular disc of not less than 15 inches in diameter; and at night, a lamp in addition to the prescribed lamps on the vehicle so arranged as to show a red light to the rear.

(c) The Registering Authority may by order in writing exempt any motor vehicle, for such a purpose, for such period and subject to such conditions as he may specify, from any or all of the provisions of this rule.

198. Dangerous substances—restrictions as to carriage of.—(a) Except for the fuel and lubricants necessary for the use of the vehicle, no explosive, highly inflammable or otherwise dangerous substance shall be carried on any public service vehicle unless it is so packed that, even in the case of an accident to the vehicle it is unlikely to cause damage or injury to the vehicle or persons carried thereon.

(b) If, in the opinion of a police officer not below the rank of Sub-Inspector any public service vehicle is at any time loaded in contravention of this rule, he may order the driver or other person in charge of the motor vehicle to remove or repack the inflammable or dangerous substance.

✓ **199. Sound Signals—Restrictions on use of—**(a) No driver of a motor vehicle shall sound the horn or other device for giving audible warning with which the motor vehicle is equipped, or shall cause or allow any other person to do so, needlessly or continuously or to an extent beyond that which is reasonably necessary to ensure safety.

(b) The Deputy Commissioner may by notification published in the official Gazette, and by the erection in suitable places of traffic sign No. 7 as set forth in Part A of the Ninth Schedule of the Act, prohibit the use by drivers of motor vehicles of any horn, gong or other device for giving audible warning in any area and during such hours as may be specified in the notification.

Provided that when the Deputy Commissioner, prohibits, the use of any horn, gong or other device for giving audible warning during certain specified hours, he shall cause a suitable notice, setting forth the hours within which such use is so prohibited to be affixed below the traffic sign.

200. Cut-Outs—Prohibition of the use of.—No driver of a motor vehicle shall in any public place make use of any cut-out or other device by means of which the exhaust gases of the engine are released, save through the silencer.

201. Restrictions on travelling backwards.—No driver of a motor vehicle shall cause the vehicle to travel backwards without first satisfying himself that he will not thereby cause danger or undue inconvenience to any person or in any circumstances, save in the case of a road roller, for any greater distance or period of time than may be reasonably necessary in order to turn the vehicle round.

202. Blank

203. Dazzling light-restriction of.—(a) The driver of a motor vehicle shall at all times when the lights of the motor vehicle are in use so manipulate them that danger or undue inconvenience is not caused to any person by dazzle.

(b) The Deputy Commissioner may by notification in the official Gazette and by the erection of suitable notices, prohibit the use within such areas or in such places as may be specified in the notification, of lamps giving a powerful or intense light.

204. Visibility of lamps and registration marks.—(a) No load or other thing shall be placed on any motor vehicle so as at any time to mask or otherwise interrupt vision of any lamp, registration mark or other mark required to be carried by or exhibited on any motor vehicle by or under the provisions of the Act, unless a duplicate of the lamp or mark so masked or otherwise obscured is exhibited in the manner required by or under the Act for the exhibition of the masked or obscured lamp or mark.

(b) All registration and other marks required to be exhibited on a motor vehicle by or under the provisions of the Act shall at all times be maintained as far as may be reasonably possible in a clear and legible condition.

205. Stop sign on Road surface.—When any line is painted on or inlaid into the surface of any road at the approach to a road junction or to a pedestrian crossing or otherwise, no driver shall drive a motor vehicle so that any part thereof projects beyond that line at any time when a signal to stop is being given by a police officer or by means of traffic control lights or by the temporary display of sign No. 3 of Part A of the Ninth Schedule to the Act.

(b) A line for the purposes of this rule shall be not less than two inches in width at any part and shall be either in white, black or yellow.

206. Traffic signs to be observed.—Every driver of a motor vehicle shall drive the vehicle in conformity with any indication given by a traffic sign, the erection of which is permitted under sub-Section (1) of Section 75 of the Act.

204 crash helmets to be worn: No persons, excepting those wearing Turban, shall drive a motor vehicle or a scooter in any public place unless the person driving wears a crash helmet.