

THE TAMIL NADU MOTOR VEHICLES RULES, 1989

No. SRO A-78 (b-1)/S9

In exercise of the powers conferred by sections 28, 38, 65, 95, 107, 311 and 138 read with section 211 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Governor of Tamil Nadu hereby makes the following rules, the draft of the same having been previously published as required by subsection(1) of section 212 of the said Act.

CHAPTER I PRELIMINARY

1. Short title and application.— (a) These rules may be called the Tamil Nadu Motor Vehicles Rules, 1989.

(b) They extend to the whole of the State of Tamil Nadu.

2. [...]

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

fa) "Act" means the Motor Vehicles Act, 1988 (Central Act 59 of 1988);

(b) "Agent or Canvasser" means any person other than a conductor who engages directly or indirectly —

(i) in the sale of tickets for travel by any public service vehicle; or in persuading any person, soliciting or attempting to persuade any person to travel in a public service vehicle; and

(ii) includes an agent who engages directly or indirectly in the business of all or any of the following namely, collecting, forwarding and distributing goods carried by goods carriages;

c. "agent's licence" means a licence granted under rule 234 or 235;

d. "autorickshaw" means a motor vehicle constructed, adapted or used to carry not more than three passengers excluding the driver for hire or reward and having less than four wheels;

(da) "Share autorickshaw" means a motor vehicle constructed, adapted or used to carry five passengers excluding the driver for hire or reward and having less than four wheels.

(e) "City and Town Service" means a service plying in a city or a Municipal Town or any built up place notified in the Tamil Nadu Government Gazette as "City" or "Town" for this purpose by the Transport Authority concerned with the prior concurrence of the State Transport Authority. No route shall lie entirely outside, but atleast one -terminus of it shall be within the limits of municipal town or a city or any built up place notified for the purpose. The aggregate distance of a "town" or "City Service" route lying partly within and partly outside the limits of a municipal town or city or any built up place, notified for the purpose shall not exceed 35 kilometres in all districts except Chennai.

Provided that nothing contained in the definition shall by itself affect a service which has been termed "City" or "Town" service and already in existence on the 15th August 1989:

Provided further that the aggregate distance of 35 kilometres shall be extended to "40 kilometres in respect of extension of city and town service routes to villages not served with stage carriage and having a population of not less than one thousand as per 2001 census;

f. "Complementary authority" means the Regional Transport Authority of the region in which or through which a portion of the route or area with reference to which the primary authority is determined lies or passes;

g. "Complementary region" means the territorial jurisdiction of a complementary authority;

(h) "double trip" or "round trip" or "return trip" means one to and fro journey from terminus to terminus of a route;

(i) "Express Service" means a service plying on route covering a distance of not less than 120 kilometres, the permit for which prescribes that on an average the stage carriage shall stop to pick up or set down passengers only once for every 25 kilometres of the total distance covered by its route, the starting and terminal places being excluded for this purpose:

Provided that nothing contained in the definition shall by itself affect a service which has been termed "Express" and already in existence on the 1st April 1965:

Provided further that metropolitan service may also be plied as "Express Service" within the Madras Metropolitan area if so authorised by the transport authority in the permit, subject to such conditions as it may specify:

Provided also that a stage carriage can also be plied as Express Service in City or Town Service, as the case may be, if the permit for which prescribes that the stage carriage shall stop to pick up and set down passengers only on such stop during such hours as may be specified in the conditions of Permit;

(j) "form" means a Form appended to these rules;

(k) "Government" means the Government of Tamil Nadu;

(l) "Inspecting Officer of the Transport Department" means any Officer of the Transport Department not below the rank of Motor Vehicles Inspector Grade II;

(m) "Magistrate" means a salaried Magistrate in the State of Tamil Nadu;

(n) "Metropolitan Service" means a service plying exclusively in the Madras Metropolitan area defined and notified under clause (4) of section 2 of the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974);

(o) "Mini-bus" means a stage carriage constructed on a wheel base of not exceeding 390 cms. and carrying or adapted to carry more than six passengers but not more than twenty-five passengers excluding the driver and the conductor;

(p) "Ordinary Service" means a service plying in an area other than the Madras Metropolitan area and routes other than City and Town service routes and excludes an Express Service;

(q) "Passenger-Cum-goods carriage" means a stage carriage carrying or adapted to carry not more than 30 passengers excluding the driver and conductor with provision for racks to carry goods within the motor vehicle;

(r) "Passenger" for the purpose of these rules, means any person travelling in a public service vehicle other than the driver or the conductor or any employee of the permit holder while on duty;

Explanation.— An employee of the permit holder other than the driver or conductor, while travelling in a stage carriage on duty, shall carry with him an identity card or authorisation issued to him by the permit holder permitting him to travel in the stage carriage on duty and shall produce it for inspection whenever required;

(s) "primary authority" means the Regional Transport Authority competent to entertain and dispose of application in respect of any specific route or specific area within the meaning of section 69; , (t) "primary region" means the territorial jurisdiction of the primary authority;

(u) "Public stand" means any stand maintained by the Government, local authority or any State Transport Undertaking or other body and notified under rule 245 by the Regional Transport Authority as a public stand for the use of stage carriages, contract carriages or goods carriages, as the case may be; '

(v) "road length" means the actual distance of any road as a physical track;

(w) "rules" means the Tamil Nadu Motor Vehicles Rules, 1989;

- (x) "Section" means the section of the Motor Vehicles Act, 1988;
- (y) "shuttle trip" or "cut trip" means a single journey on a portion of a route;
- (z) "Shuttle double trip" or "shuttle round trip" or "shuttle return trip" means one to and fro journey on a part of a route;
- (aa) "State" means the State of Tamil Nadu
- (bb) "State Transport Appellate Tribunal" or "Tribunal" means the person appointed by the State Government to hear appeals under section 89 or a revision under section 90;
- (cc) "taxi-meter" means any approved mechanical or electronic device attached to a motor cab or the calculation and legible exhibition of fares and other charges due from passengers therein;
- (cc) "Transport Commissioner" means any officer appointed by the State Government to perform the functions of the Transport Commissioner, Tamil Nadu State, under these rules and the rules made by the Central Government under the Act and includes a Joint Transport Commissioner or, as the case may be, a Deputy Transport Commissioner.
- (dd) "Transport Department" means the Motor Vehicles Department established under section 213;
- (ee) "trip" or "single trip" means a single journey from one terminus to the other of a route;
- (ff) "trip distance" means — (i) in relation to the service performed by a vehicle on a route, the total distance in all its trips, including shuttle trips, if any, performed by the vehicle in a day;
- (ii) in relation to several vehicles on a route, the total distance performed in a day by all the vehicles in all the trips if any, on a route;
- (in) in relation to vehicles on different routes, the total distance performed, in a day by all the vehicles on all the routes in all the trips including shuttle trips if any;
- (gg) "trunk road" means any highway declared by or under the National Highways Act, 1956 (Central Act 48 of 1956) to be a National Highways or any road notified as a State Highways in the Tamil Nadu Government Gazette by the State Government.

Amendments

Clause (da) inserted by SRO A-48/2007 dated 28-11-2007. In clause (e), the second proviso inserted by SRO A-117/93 dated 5-8-1993; in clause (e), the expression "35 kilometres in all districts except Chennai" substituted by SRO A-2/2007 dated 4-1-2007; in clause (e), in the second proviso, the expression "distance of 35 kilometres ... 40 kilometres" and "2001 census" substituted by SRO A-2/2007 dated 4-1-2007; clause (i) substituted by SRO A-154/89 dated 26-9-1989; in clause (z), sub-clause (cc) inserted by SRO A-1 10/90 dated 5-7-1990.

3-A. The General Clauses Act, 1897, shall apply to the interpretation of these rules as it applies to the interpretation of the Act.

3-B. Unless there is anything repugnant in the subject or context, the definitions in rule 3 shall apply to the interpretation of the notifications issued under the Act.

CHAPTER II

LICENSING OF DRIVERS OF MOTOR VEHICLES

Licensing authorities.— The Regional Transport Officer or the Additional Regional Transport Officer, as the case may be within his jurisdiction, shall be the Licensing Authority for the issue of Driving Licences.

Assistant licensing authorities.— The Motor Vehicles Inspectors, Grade I and Grade II shall

be the Assistant Licensing Authorities in respect of such areas as may be specified by the Licensing Authorities. The Personal Assistants to Regional Transport Officers and the Superintendents shall be the Assistant Licensing Authorities in respect of such cases, where no testing of candidate is involved: Provided that the Assistant Licensing Authorities shall exercise their powers subject to such conditions or restrictions as may be specified by the licensing authority from time to time.

Section 3(1) not to apply to driver of road-roller.— Sub-section (1) of Section 3 shall not apply to the driver of a road-roller.

Application for authorisation.— The holder of a driving licence may, at any time, apply to the licensing authority in Form LTVA for the grant of an authorisation to drive a transport vehicle []. Such application shall be accompanied by the driving licence and appropriate fee as specified in the Table under rule 49.

Licensing authority may make enquiries.— Upon the receipt of an application for an authorisation to drive a transport 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 driving licence.

Summoning of applicant.— The authority to which application is made under rule 7 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 to examine the applicant's knowledge of the provisions of the Act and the rules regarding the duties and functions of a driver of a transport vehicle.

Issue of authorisation.— The Licensing Authority granting an authorisation to drive a transport vehicle shall allot a Badge number sign the driving licence accordingly and return the same to the holder thereof and shall if it is not the authority which issued the licence at the same time, send intimation in form LTV'to the authority by which the driving licence was issued.

Reasons for rejection to be given.— If the Licensing Authority rejects an application for an authorisation, it shall inform the applicant in writing giving its reasons and shall return the driving licence to him.

Authorisation by owner.— Every driver of a transport vehicle shall, in addition to the driving licence, carry an authorisation issued by the owner of the vehicle in the prescribed form AVT.

Testing officer.— The test of competence to drive as set forth in the rules prescribed by the Central Government under sub-section (3) of section 9 shall be conducted by the licensing authority or by a person authorised by such authority.

Driving test.— Subject to sub-section (6) of section 9, the applicant shall produce 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.

Appellate authority.— The Deputy Transport Commissioner concerned shall be the appellate authority to hear appeals under sub-section (8) of section 9, sub-section (2) of section 17 and subsection (3) of section 19.

Limitation Act — not to apply.— The provisions of the Limitation Act 1963 (Central Act 36 of 1963) will not be applicable to appeals preferred under rule 15.

Form of appeal.— An appeal under sub-section (8) of section 9, sub-section (2) of section 17 or sub-section (3) of section 19 shall be in the form of a memorandum setting forth concisely the grounds of objection to the order which is the subject of appeal and shall be accompanied by the original

or a certified copy of that order. A fee as specified in the Table under rule 49 shall be paid in respect of each appeal,

Re-presentation of appeal.— Where an appeal referred to in rule 15 is presented within thirty days of the date of receipt by the person aggrieved of the order appealed against, but returned by the appellate authority for re-presentation in the prescribed manner and if such appeal is re-presented in the prescribed manner and within the date if any specified by the appellate authority for the re-presentation of the appeal, it shall be deemed to have been presented within the prescribed time,

Certified copy.— The Licensing Authority or the appellate authority, as the case may be, may in his discretion give any person interested in an appeal referred to in rule 15 a certified copy of the order appealed against or of the copy of the appeal petition or of any other relevant documents on payment of a fee as specified in the Table under rule 49 for each such copy of an order, petition or document.

Fee for medical certificate.— The fee payable for the issue of a medical certificate under subsection (3) of section 8 shall be Rupees ten,

Name plate.— The driver of a transport vehicle shall while on duty, display on his left chest pocket a white plastic plate of size 8 cms. 2cms. inscribed with his name in bold black letters of size 0.5 cms. both in English and in Tamil with badge number and the name of the District as set forth below:-

8 cm

2 cm

The cost of the name Plate shall be borne by the driver himself.

Sealing of photograph.— The photograph of the holder when affixed to a driving licence shall bear the signature and seal of the licensing authority in such a manner that part of the signature and impression of the seal is upon the photograph and part on the licence.

Demand for recent photograph.— If at any time it appears to a licensing authority that the photograph affixed to the driving licence has ceased to be a clear likeness of the holder, the licensing authority may require the holder to surrender the driving licence forthwith and to furnish two clear copies of a recent photograph of himself and the holder shall within such period as the licensing authority may specify, appear in person before the licensing authority and present the photographs accordingly. If the holder fails to comply with a requisition by the licensing authority under this rule the driving licence shall cease to be valid from the expiry of the said period.

Duplicate licence with new photograph.— Upon receipt of the copies of photographs as provided in rule 23 the licensing authority shall issue a duplicate driving licence with the new photographs affixed thereto and shall destroy the original driving licence. The fee for a duplicate driving licence issued under this rule shall be as specified in the Table under rule 49.

Licences lost or destroyed — intimation.— If at any time a driving licence is lost or destroyed the holder of the driving licence shall forthwith intimate the fact in writing in Form LLD in duplicate to the Licensing Authority having jurisdiction over the area in which he has his place of residence at the time.

26. Duplicate licence.— Upon the receipt of the intimation specified in rule 25 the licensing authority shall, if satisfied after making such enquiries as it thinks fit that a duplicate driving licence may properly be issued, issue a duplicate driving licence. The fee for a duplicate driving licence issued under this rule shall be as specified in the Table under rule 49:

Provided that where the driving licence concerned was issued by some other licensing authority, the particulars of the driving licence and of any endorsement thereon shall be obtained from that authority before issuing the duplicate driving licence.

Licence lost — delivery.— When a duplicate driving licence has been issued upon representation that a driving licence has been lost and the licence is afterwards found by the holder, it shall be delivered to the licensing authority. Any other person finding a driving licence shall deliver to the holder of the licence or to the nearest police station.

Driving licence defaced or torn — impounding.— If at any time it appears to a licensing authority that a licence held by a person is so torn or defaced in any way as to cease to be reasonably legible, or if the driving licence is completely written up arid there is no space for making fresh endorsements, the licensing authority may impound the driving licence and issue a duplicate.

Driving licence — furnishing of copies of photographs.— The holder of the driving licence shall furnish to the licensing authority with two clear copies of recent photographs of himself, one of which shall be affixed to the duplicate driving licence and sealed and the other shall be recorded by the authority by which the driving licence is issued. The fee for a duplicate driving licence issued under this rule shall be as specified in the Table under rule 49.

Duplicate to be stamped.— When a duplicate driving licence is issued 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.

Intimation to issuing authority.— If the licensing authority which issues a duplicate driving licence is not the authority by which the driving licence was issued it shall intimate the fact to that authority.

Disqualification procedure.— A licensing authority taking possession of a driving licence under clause (a) of sub-section (2) of section 19 shall, if the licence was issued by another licensing authority, intimate the fact to that authority.

Endorsement of disqualification.— A licensing authority shall communicate particulars of drivers permanently or temporarily disqualified for holding a driving licence and particulars of persons convicted under section 182 of the Act, to all other licensing authorities in the State.

Endorsement of licence by court.— The court making or causing to be made an endorsement on a driving licence under section 24 shall send intimation in Form LE to the licensing authority by which the driving licence was issued and to the licensing authority by which it was last renewed.

Intimation to original authority.— A licensing authority renewing a driving licence under the provisions of sub-section (6) of section 15, shall intimate the fact to the licensing authority by which the driving licence was issued, in Form LR.

Intimation of addition to driving licence.— A licensing authority adding under Section 11 to the classes of motor vehicle which a driving licence authorises the holder to drive shall, if it is not the authority by which the driving licence was issued, intimate the addition to that authority in Form LAD.

37. Driver of a transport vehicle — conduct while on duty.— A driver of transport vehicle while on duty—

(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;

(iii) shall behave in a civil and orderly manner to passengers, intending passengers, consignors and consignee of the goods;

(iv) shall be in a clean uniform of khaki slack and khaki pant;

(v) shall maintain the vehicle in a clean and sanitary condition;

(vi) shall not solicity custom;

(vii) shall not interfere with any person mounting or preparing to mount upon any other vehicle;

(viit) shall not cause or allow any person, animal or thing to be placed or to be in the space reserved for the driver's seat in accordance with rule 315 or otherwise in such a way as to impede him from having a clear vision of the road or proper control of the vehicle;

(ix) shall not shout in order to attract a passenger;

(x) shall, subject to any rules or regulations in force prohibiting the taking in or setting down of passengers at, or except at, certain specified places, bring the vehicle to rest for sufficient period of time in a safe and convenient position upon the demand or signal of the conductor or 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;

(xi) 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 transport vehicle is at rest for the same purpose, drive the vehicle so as to endanger, inconvenience or interfere with the driver or the conductor of the other vehicle or any person mounting or preparing to mount thereon or alighting therefrom, and shall bring his vehicle to rest behind the other vehicle and on the left hand side of the road or place;

(xii) 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 fuel in the tank of the vehicle to enable him to reach the next fuel filling station on the route;

(xiii) 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 timetable, with all reasonable despatch;

(xiv) shall not carry any person in contravention of rules 236, 238, 240 and 243 shall maintain the register prescribed for the vehicle:

Provided that a driver of a State Transport Undertaking who has had his second review under the longevity pay scheme after the completion of service for a period of not less than fourteen years, while on duty, shall be in a clean uniform of light blue slack and dark blue pant.

Amendments

After clause (xiv), the proviso inserted by SRO A-21/94 dated 4-2-1994.

■ **38. Responsibility of driver of stage carriage on which there is no conductor.**— The driver of a public service vehicle on which there is no conductor shall, as far as may be, perform the duties and functions of the conductor prescribed under Chapter III of the Rules.

39. Driver of contract carriage — duty of.— The driver of contract carriage shall, in the absence of a reasonable cause, proceed to the destination named by the hirer by the shortest and quickest route.

40. Duty of driver in the motor cab stand.— The drivers of motor cab in the motor cab stands shall observe the following provisions:—

The drivers of the first two motor cabs on the stand shall stay behind their cabs and be ready to be hired at once by any person provided that a hirer wishing to hire any particular cab on the stand may do so.

All motor cabs in the stand shall move up as a vacancies occur.

No motor cab engaged for some further time shall remain on the stand unless the driver is willing to accept any intermediate hiring that may be offered.

No disabled motor cab shall remain on the stand unless such disablement is temporary and can be and is remedied at once.

Every motor cab other than a motor cab referred to in clause (d) which is on the stand shall be ready to be hired, and when its turn comes the driver shall accept the first offer of hire which may be made to him irrespective of the length of the journey for which such offer is made.

41. Duty of motor cab drivers.— No driver of a motor cab shall —

(i) demand or extract any fare in excess of that to which he is legally entitled;

(ii) allow any person to be carried in any motor cab in excess of the seating capacity specified in the permit of the vehicle;

(iii) cover or obscure the face of a taxi meter under any circumstances or at any time except while exhibiting the boards like "inspection", "repairs", or "on test" over the meter;

(iv) keep the flag fitted to the taxi meter down or set it in motion or switch off the indicator light in contravention of the provisions of rule 357 before the motor cab is hired in its turn.

Parking of motor cab in the stand.— Every driver shall keep his motor cab with front wheels straight at a distance of not less than one foot from the motor cab immediately by the side of it and where the stand by the side of a kerb, parallel to and not more than one foot from the kerb.

Driver, conductor or owner not to participate in strike, etc.— No driver or conductor of a public service vehicle or a motor vehicle used for the carriage of goods for hire or reward shall, while on duty or the owner of such vehicle shall participate in a strike or withdraw the vehicle from road without adequate reasons with a view to causing inconvenience to the public.

Report of change of address.—The holder of a driving licence shall report whenever there is change of his address to the concerned licensing authority, producing his driving licence, along with evidence in support of the new address as specified in rule 4 of Central Motor Vehicles Rules, 1989 in order to make necessary entries therein:

Provided that temporary absence not involving change of address for a a period not exceeding six months shall, not be treated as change of address and shall not be reported.

Effecting change of address.— The licensing authority to whom the licence is produced under rule 44 shall enter the hew address and if it is not the authority which issued that licence or last renewed it, communicate the new address to the licensing authority by which the driving licence was issued and / or the licensing authority by which it was renewed. The fee for effecting change of address in a driving licence shall be as specified in Table under rule 49.

Exemption from payment of driving licence fee— The following persons shall be exempted from payment of fee for the issue and renewal of the driving licence, under this Chapter—

(1) The Consul-General, the Consul and the Vice-Consul for the United States of America resident in the State;

Career Consular Offices which will include Consul-General, Consuls, Vice-Consuls, Consul level Deputy and Assistant High Commissioners, First, Second and Third Secretaries of Deputy or Assistant High Commissioner and their wives;

Trade Commissioner including Trade Representatives, Assistant Trade Commissioners including Assistant Trade Representative and their wives;

The members of the personnel of the United State Agency for International Development Mission and their wives;

Ex-servicemen;

The Assistant Commissioner of Malaysia at Madras; and

The Assistant High Commissioner for Sri Lanka at Madras.

Exemption from driving licence fee for repatriate.— Repatriates from Burma and Sri Lanka shall be exempted from payment of fee for the issue of driving licence under this Chapter.

The Government may, by order, exempt to such extent as may be specified in the order, any person or class of persons from any of the provisions of the rules under this Chapter.

Fees.— The fee which shall be charged under the provisions of this Chapter shall be as specified in the Table below;

Such fees shall be paid through the Indian Overseas Bank; or by cash in the Regional Transport Office or through Chalan in Government sub-Treasury or Treasury.

THE TABLE					
<i>Serial number</i>	<i>Purpose.</i>	<i>Amount.</i>	<i>Rule.</i>	<i>Section.</i>	
(1)	(2)				
				(3) Rs.	
				(4)	
				(5)	
1.	For grant of authorisation to drive a transport vehicle	15	7
2.	For appeal against the order of a licensing authority			40	17 9(8),17(2) 19(3)
	For issue of certified copy		10-	(9	
	For duplicate driving licence		15	26 & 29	
	For effecting change of address in driving licence			15	45

CHAPTER III LICENSING OF CONDUCTORS OF MOT. OR VEHICLES

Licensing authorities.— The Regional Transport Officer or the Additional Regional Transport Officer, as the case may be, within his jurisdiction shall be the Licensing authority for issue of conductor licence.

Assistant licensing authority.— The Motor Vehicles Inspectors, Grade I and Grade II, Personal Assistant to Regional Transport Officer and Superintendent shall be the Assistant Licensing authorities in respect of such areas as may be specified by the licensing authorities:

Provided that the Assistant Licensing Authority shall exercise their powers subject to such conditions or restrictions as may be specified by the Licensing Authority from time to time.

Forms.— Application for a conductor's licence shall be made to the Licensing Authority in Form CLA. The medical certificate specified in sub-section (3) of section 30 shall be in Form MCC.

The provisions of rule 7 of the Central Motor Vehicles Rules, 3989 shall, as far as may be, apply to conductor's licence as they supply to driving licence.

Refusal to grant or renew licence.— The Licensing Authority may decline to issue a conductor's licence, if it is satisfied—

(i) that the applicant's knowledge of the provisions of the Act and of these rules and of the duties and powers of a conductor thereunder is inadequate to enable him to perform the duties of a conductor; or

(ii) that the applicant was at any time the holder of a conductor's licence or a driving licence which has been cancelled for misconduct; or

(iii) that the character or physique of the applicant is such as to render him an unsuitable person to hold a conductor's licence issued is already in excess of the requirements of the district.

55. Educational qualification.— No person shall be granted a conductor's licence, unless he has passed ^SXjC. Public Examination or equivalent thereof and is able to read and write freely and easily in Tamil. The licensing authority may require the production of such evidence as it considers necessary in regard to the applicant's educational qualification and age:

Provided that this rule shall not apply to the renewal of a conductor's licence or the grant of a fresh conductor's licence to any person who was in possession of conductor's licence issued by a competent authority prior to the coming into force of these rules.

Amendments

The opening sentence substituted by SRO A-23/94 dated 17-2-1994.

Address — proof of.— The Licensing authority shall require the production of such evidence as specified in rule 4 of the Central Motor Vehicles Rules, 1989 in regard to the applicant's address.

Authority to conduct enquiry and test.— Upon the receipt of an application for a conductor's [licence, the licensing authority may make such inquiries as may be reasonably necessary to establish the identity of the applicant and may, by notice in writing, summon the applicant to appear before it at such time and place as the authority may appoint to examine the applicant's knowledge of the provisions of the Act, the rules, and of the duties and functions of a Conductor.

Conductor's licence.— No person shall work as conductor of a stage carriage and no employer shall so employ any person unless such person holds a conductor's licence in Form CL granted by the licensing authority.

Licence renewal application.— An application for renewal of a conductor's licence shall be made in Form RCLA.

(JO. Appellate authority.— The Deputy Transport Commissioner concerned shall be the authority competent to hear appeals under sub-section (2) of section 33 and sub-section (4) of section 34.

Form of appeal.— An appeal under sub-section (2) of section 33 and sub-section (4) of section 34 shall be in the form of memorandum setting forth concisely the grounds of objection to the order which is the subject of appeal and shall be accompanied by the original or a certified copy of that order. The fee payable for each appeal shall be as specified in the Table under rule 86.

Name plate.— The Conductor of a stage carriage shall while on duty display on his left chest pocket a white plastic plate of size 8 cms. x 2 cms., inscribed with his name in bold black letters of

size 0.5 cms., both in English and Tamil with badge number and the name of the district as set forth below.
8 cm

2 cm

The cost of name plate shall be borne by the Conductor himself.

63. Conductor's licence — validity.— A conductor's licence granted or renewed by any competent authority in any other State shall not be valid in this State unless countersigned by or on behalf of the local licensing authority and any such countersignature shall be valid only upto the date of its currency, unless, renewed further by a competent authority:

Provided that a conductor's licence granted or renewed by any competent authority in any other State shall be valid in this State if the holder of the licence acts as a conductor of a stage carriage of that State plying on inter-State route part of which lies in this State.

Demand for recent photograph.— If at any time, it appears to a licensing authority, that the photograph affixed to the conductor licence has ceased to be a clear likeness of the holder, the licensing authority may require the holder to surrender the conductor's licence forthwith and to furnish two clear copies of a recent photograph of himself and the holder shall, within such period as the licensing authority may specify, appear in person before the licensing authority and present the photographs accordingly. If the holder fails to comply with a requisition by the licensing authority under this rule his licence shall cease to be valid from the expiry of the said period.

Duplicate conductor's licence with new photograph.— Upon receipt of the copies of the photograph as provided in rule 64, the licensing authority shall issue a duplicate conductor's licence with the new photograph affixed thereto and shall destroy the original conductor's licence. The fee for a duplicate conductor's licence issued under this rule shall be as specified in the Table under rule 86.

Conductor's licence lost or destroyed — intimation.— If at any time a conductor's licence is lost or destroyed, the holder of such conductor's licence shall forthwith intimate the fact in writing to the licensing authority having jurisdiction over the area in which he has his place of residence at the time, in Form CLD or in a Setter setting out the particulars required by that Form.

Duplicate licence.— Upon the receipt of an application specified in rule 66, the licensing authority shall, if satisfied after making such enquiries as it thinks fit that a duplicate conductor's licence may properly be issued, issue a duplicate Conductor's licence:

Provided that where the conductor's licence concerned was issued by some other licensing authority, the particulars of the conductor's licence and of any endorsements thereon shall be obtained from that authority before issuing the duplicate conductor's licence.

Photograph for duplicate.— The holder of the conductor's licence shall furnish the licensing authority with two clear copies of a recent photograph of himself one of which shall be affixed to the duplicate conductor's licence and sealed and the other shall be recorded by the authority by which the duplicate conductor's licence is issued. The fee for a duplicate conductor's licence issued under this rules shall be as specified in the Table under rule 86.

Conductor's licence lost — delivery.— When a duplicate conductor's licence has been issued

upon representation that a conductor's licence has been lost and the original conductor's licence is afterwards found by the holder, it shall be delivered to the licensing authority. Any other person finding a conductor's licence shall deliver it to the holder of the licence or to the nearest police station.

Conductor's licence defaced or torn — impounding.— If at any time, it appears to a licensing authority that a conductor's licence held by any person, is so torn or defaced in any way as to cease to be reasonably legible, or if the conductor's licence is completely written up and there is no space for making fresh endorsements, the Licensing authority may impound the conductor's licence and issue a duplicate. The provision of rules 65 and 67 shall apply for the issue of duplicate licence under this rule. The fee for a duplicate conductor's licence issued under this rule shall be as specified in the Table under rule 86.

Duplicate to be stamped.— When a duplicate conductor's licence is issued 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.

Intimation to issuing authority.— If the licensing authority which issues a duplicate conductor's licence is not the authority by which the conductor's licence was issued, it shall intimate the fact to that authority.

Temporary authorisation in lieu of a licence.— Where a conductor's licence has been submitted to a licensing authority for renewal or surrendered to or seized by any police officer or any other competent authority or submitted to or filed in any court, in connection with any official purposes the concerned authority or officer or the court as the case may be, shall, if the conductor has not been disqualified from holding or obtaining a conductor's licence, furnish to the conductor, a temporary authorisation in Form CCT valid for not more than 30 days in the first instance. The period of validity may be extended from time to time till the need ceases. The temporary authorisation so issued shall be surrendered to the officer or authority or court which issued the authorisation on the receipt by the conductor of the conductor's licence or on receipt of any order disqualifying him for holding or obtaining a conductor's licence. No fee shall be payable in respect of such temporary authorisation.

Production of licence on demand.— Conductor of a stage carriage shall, on demand by [...] any Inspecting Officers of the Transport Department produce his conductor's licence for inspection. It shall be sufficient for the purpose of this rule, if he complies with the requirements under rule 139 of Central Motor Vehicles Rules, 1989.

Endorsement by court.— Any court by which a conductor is convicted of any offence under the Act or any court disqualifying a conductor under section 35 of the Act shall communicate in Form CLE particulars of the conviction or disqualification to the authority which granted the conductor's licence.

76* Change of address report.— The holder of a conductor's licence shall except in the case of a temporary absence not involving a change of residence for a period exceeding six months, report any change of his temporary or permanent address as notified on the certificate to the licensing authority by which the certificate was issued and to the licensing authority by which it was last renewed. The fee for effecting change of address shall be as specified in the Table under rule 86.

Only one licence to be effective.— No person shall hold more than one conductor's licence.

Conductor — duties of.— The conductor of a stage carriage while on duty—

(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 the rules;

- (ii) shall Hot smoke;
- (iii) shall behave in a civil and orderly manner to passengers and intending passengers;
- (iv) shall be in a clean uniform of khaki slack and khaki pant;
- (v) shall maintain the vehicle in a clean and sanitary condition;
- (vi) shall not solicit custom; and
- (vii) shall not interfere with persons mounting or preparing to mount upon any other vehicle:

Provided that a conductor of a State Transsport Undertaking who has had his second revview under the longevity pay scheme after the completion of service for a period of not less than fourteen years, while on duty, shall be in a clear uniform of light blue slack and dark blue pant.

Amendments

After clause (vii), the proviso inserted by SRO A-21/94 dated 4-2-1994.

79. Conductor's duties towards passengers.— The conductor of a stage carriage—

- (i) shall not allow any person to be carried in any stage carriage in excess of the seating capacity specified in the permit of the vehicle;
- (ii) shall not, save for good and sufficient reasons, refuse to carry any person tendering the legal fare;
- (iii) 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;
- (iv) shall not, save for good and sufficient reasons require any person who has paid the legal fare to alight from the vehicle before the conclusion of the journey;
- (v) shall not cause the driver to loiter or unduly delay on any journey;
- (vi) shall, in the event of a stage carriage being unable to proceed to its destination on account of mechanical break-down or other cause beyond the control of the driver or the condcutor, arrange to convey passengers to their destination, in some other similar vehicle or, in unable so to arrange within a reasonable period after the failure of the vehicle, shall on demand refund to each passenger a proper proportion of the fare relating to the completion of the journey for which the passengers had paid the fare;
- (vii) shall not, in the case of a stage carriage cause or allow anything to be placed in the vehicle in such a manner as to obstruct the entry or exit of passengers;
- (viii) shall take all reasonable precautions to prevent luggage being miscarried or lost in the way;
- (ix) shall not, while on duty, be under the influence of drink or of a drug rendering him incapable of discharging his duties properly;
- (x) shall ensure that the time-table, fare-table are dearly and correctly exhibited in the vehicle and that the First Aid Box contains all the articles prescribed; and
- (xi) shall, on demand by any passenger who intends to make a complaint against him, give his name, address and the authority which issued him the licence.

80. Issue of tickets — production of counterfoils.— The Conductor shall—

- (i) issue to every passenger travelling or intending to travel in a stage carriage including every child over three years of age, and to every consignor of goods other than personal luggage, a printed ticket of the requisite denomination or with the particulars prescribed in sub-rule (2) of rule 176 on receipt of the fare charge for carrying in the vehicle the passenger and his personal luggage, or the goods other than personal luggage consigned, as the case may be;
- (ii) carry at all times when the stage carriage is in use the counterfoils of the tickets so issued; and

(iii) produce the counterfoils on demand by any police officer in uniform not below the rank of Sub-Inspector of Police or by any authority empowered to inspect the vehicle:

Provided that clauses (i) and (iii) shall not apply to cases where tickets are issued by means of a bell punch machine or other device approved by the Transport Authority and the conductor keeps a record of the numbers and values of the tickets issued. Such record shall be produced on demand by any police officer in uniform not below the rank of Sub-Inspector or by any authority empowered to inspect the vehicle:

Provided further that notwithstanding the provisions of clause (i), the printed tickets issued in an "Express Service" as defined in rule 3(5)(3)(ii) operated by holder of permits thereof other than the Thiruyalluvar Transport Corporation Limited, shall be in the prescribed Form ET.

Conductor's responsibility.— The conductor shall be responsible for exhibiting the proper boards and for their illumination.

Refusal to issue ticket left.— No conductor or other person authorised to accept fares, not being a person who travels in the vehicle, when a stage carriage is waiting or plying for hire shall—

(i) without reasonable excuse, refuse to accept a fare from any person tendering it, provided that the conductor or such other person shall stop the issue of tickets when the maximum number of passengers or maximum load of luggage or goods, as the case may be, which the vehicle is permitted to carry has been reached; or

(ii) demand more than the proper fare.

83. Disposal of property left in stage carriage.— (a) Every conductor of a stage carriage or if there be no conductor, the driver thereof shall, immediately after completion of any trip of journey, as the case may be carefully search for any property left in the vehicle and shall, as soon as may be and in any case within twenty four-hours, delivery such property to the nearest police station if not sooner claimed by the owner.

(b) In the case of stage carriages owned by State Transport Undertakings such property shall be delivered in the offices of the Managing Director of State Transport Undertaking concerned instead of the nearest police station as required in sub-rule (a).

Separate tickets for adult, child and luggage.— A separate ticket shall be issued to every adult passenger, child over three years and below twelve years of age and to every consignor of goods other than personal luggage and the words "adult", "child" or "luggage" as the case may be, shall be printed on such tickets.

Exemption by Government.— The Government may, by order, exempt to such extent as may be specified in the order, any person or class of persons from all or any of the provisions of the rules framed under this Chapter.

Fees.— The fee which shall be charged under the provisions of this Chapter shall be as specified in the Table below. **Such** fees shall be paid through the Indian Overseas Bank or by cash in the Regional Transport Office or through chalan in the Government Sub-Treasury or Treasury.

THE TABLE				
<i>Serial number</i>	<i>Purpose.</i>	<i>Amount.</i>	<i>Rule.</i>	<i>Section.</i>
CD	(2)	(3) Rs.	(4)	(5)
1.	For appeal against the refusal to issue or renew or revocation or disqualification of conductor licence by licensing authority	15	61	33 and 34
2.	For duplicate conductor's licence	15	65, 68 and 70	
3.	For change of address in conductor's licence	15	76	

CHAPTER IV

REGISTRATION OF MOTOR VEHICLES

Registering authority.— The Regional Transport Officer or the Additional Regional Transport Officer having jurisdiction over the area in which the owner has his residence or place of business where the vehicle is normally kept, shall be the Registering Authority.

Assistant registering authority.— The Motor Vehicles Inspector Grade I and Grade II. Personal Assistant to Regional Transport Officer and Superintendents shall be the Assistant Registering Authorities in respect of such areas as may be specified by the Registering Authorities:

Provided that the Assistant Registering Authorities shall exercise their powers subject to such conditions or restrictions as may be specified by the Registering Authority from time to time.

Temporary registration — power.— Subject to the provisions of section 43 and rules 95 to 97 temporary certificate of Registration may be issued by the Registering Authority or the Assistant Registering Authority.

Registration mark.— The Registration Mark to be assigned shall be as per the notification by Central Government under sub-section (6) of section 41.

Allotment of registration mark.— (1) On receipt of application, the Registering Authority shall, while assigning a registration mark as laid down in the notification by the Central Government assign the registration number which strictly falls in serial after the last registration mark assigned:

Provided that number 8 and numbers totalling 8 shall be allotted on request only and the vehicle owner shall have the option to get the next number if he desires so.

The Government may reserve any registration number as they consider necessary to be assigned to the vehicles of the Government or of any person. The person allotted an advance number shall pay a fee as specified in the Table under rule 132.

The Registering Authority may, on an application in writing made to it by any person, reserve a number within thousand from the last number assigned in serial order on the date of application on payment of a fee as specified' in the Table under rule 132:

Provided that Members of the Tamil Nadu Legislative Assembly shall be exempted from payment of fee prescribed for allotment of advance numbers by the Government or the Registering Authority for registration of vehicles in their names for one time only during the period of their tenure as Member of the Legislative Assembly.

(4) If there is more than one application for a number, the reservation shall be made through a lot.

¹ (5) The number reserved under sub-rule (2) or sub-rule (3) shall be allotted on production of the vehicle. The reservation shall be cancelled if the vehicle is not produced within thirty days from the date of receipt of notice for cancellation issued after the number previous to the one reserved has been allotted.

(6) The reservation fee paid shall on no account be refunded.

Amendments

Proviso to sub-rule (3) substituted by SRO A-43(a)/2007 dated 19-9-2007.

92. Particulars of weights, etc. of transport vehicle to be exhibited on the vehicle.— Save in the case 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 unladen weight denoted by UW...kgs.

(ii) the gross vehicle weight denoted by GVWkgs.

(iii) in the case of stage carriage, contract carriage, private service vehicle and educational institution bus the number of passengers (excluding the driver and conductor) specified in the permit of the vehicle denoted by Pass.

(iv) In the case of goods carriages the laden weight specified in the permit denoted by PLW kgs.

(v) The registered front axle weight denoted by FAW Kgs.

(vi) the registered rear axle weight denoted by RAW kgs.

(vii) the registered axle weight each intermediate axle, if any, denoted by MAW kgs.

(viii) the number and size of tyres—

Front axle denoted by Nos. X

Rear axle denoted by Nos. X

Intermediate axle denoted by Nos. X

Size of letters and numerals.— The weights shall be stated in kilograms and the particulars shall be set forth in English letters and numerals each not less than two centimetres high and two centimetres wide legibly painted on a plain surface or a plate or plates affixed to the vehicle.

Vehicles registered under section 60, need not exhibit the particulars specified in rule 92.

Temporary registration — forms.— An application for temporary registration or extension of validity of temporary registration shall be in Form 20 of the Central Motor Vehicles Rules, 1989 and clearly marked "Temporary". A temporary certificate of registration shall be in form CR Tern.

Intimation to registering authority concerned.— The authority granting a temporary certificate of registration shall forward a copy of Form CR Tern, to the Registering Authority in whose area the vehicle is to be ordinarily kept.

Temporary registration mark.— 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 by a notification by the Government. The fee for temporary registration or extension of validity of temporary registration shall be as specified in the Table under rule 132..

Delay in applying for registration or for renewal of registration — compounding fee.—

Where there is delay on the part of the owner in making application for registration or for the renewal of a certificate of registration of a motor vehicle other than a transport vehicle under sub-section (1) or as the case may be under sub-section (8) of section 41, the registering authority may, having regard

to the circumstances of the case, require the owner to pay, in lieu of any action that may be taken against him under section 177, an amount specified in the Table below:—

THE TABLE

<i>Period of delay</i> (1)	<i>Amount</i>	<i>(2)</i> Rs.
for a period not exceeding 30 days		40
for a period exceeding 30 days but not exceeding 60 days		75
3. for a period exceeding 60 days		100

99. Registration fee — exemption.— The following persons shall be exempted from the payment of the fee payable for the registration of Motor Vehicle to the extent specified against them:—

all owners of motor road-rollers, motor road-water sprinklers, tractor-graders, trailer attached to road rollers or tractor graders and other motor vehicles designed and used solely for the construction, repair and cleaning of roads in respect of such motor vehicles;

the Collectors of the districts concerned in respect of the motor vehicle placed under their control which are maintained exclusively for the use of officers visiting the district headquarters on official business;

The United Nations International Children Emergency Fund in respect of one motor car, the property of the Fund;

The Government Tuberculosis Institute, Madras in respect on one Ford Station Wagon No. MSZ 1955 belonging to the Institute;

The Madras State Handloom Weaver's Co-operative Society in respect of its six mobile vans;

The Public Health Nurse (Technical) Co-operation Mission, Madras in respect of a Chevrolet Sedan Car bearing serial No. A 57 T 143065;

The Regional Industrial Advisor (Technical) Co-operation Mission Madras, in respect of a station wagon No. IT 239420;

(h) The Coated Abrasives Export (Technical) Co-operation Mission in respect of a Chevrolet Car bearing serial No, B 57 T 239420;

(i) Career Consul officers which will include Consul-General, Consuls and Vice Consuls, Deputy and Assistant High Commissioners and First and Second Secretaries of Deputy and Assistant High Commissioners and third Secretaries and attaches of Consulates, Deputy/Assistant High Commissioners;

(j) The Trade Commissioners and Assistant Trade Commissioners;

190. Exemption.— The Government may by notification in the Tamil Nadu Government Gazette, exempt any person or class of persons from the payment of fee payable for the registration of any motor vehicles or class of motor vehicles.

Alteration — notice form.— The Notice to the Registering Authority under clause (a) of subsection (1) of section 52 shall be in Form NAMV and it shall be sent in duplicate by registered post. The registering Authority shall return a copy of the notice signifying its approval or disapproval in Part II thereof.

Alteration — restriction to.— The replacement of chassis of a vehicle shall not be regarded as an alteration under section 52 and no such replacement shall be made or permitted:

Provided that the Registering Authority may permit the replacement of the chassis of a vehicle if a new chassis of the same type is supplied by the manufacturer.

103. The Registering Authority may permit the conversion of chassis meant for one type of vehicles to another type after satisfying itself as to the safety aspect of the vehicle with the following modification:—

Overhang and wheel base shall be reduced in case of conversion of chassis from bus to truck and the overhang and wheel base shall be increased if conversion is from truck to bus;

Shock absorber at the rears shall either be removed or retained according to the choice of users in the case of a truck;

Suspension shall be modified. The springs in a bus may be replaced with a main ancillary springs with suitable supporting attachments;

Tail lamp, U bolts and Clamps shall be repositioned. fuel injection system shall be recalibrated to give maximum fuel efficiency.

Amendments

In clause (a), the words "Overhang and wheel base shall be reduced" substituted by SRO A-43/ 93 dated 5-2-1993.

Change of classification.— No alteration involving or likely to involve a change in the type or classification of vehicle shall be regarded as an alteration for the purpose of the proviso to sub-section (2) of section 52 and prior approval of the Registering Authority shall be obtained for any such alteration.

Vehicle to be produced.— The Registering Authority may, before entering in the Registering Certificate particulars of any alteration or change made in the vehicle, require the owner to produce the vehicle before itself or any other person authorised by it for the purpose of inspection of the alteration or the change made.

105-A. Delay in intimation of transfer — compounding fee.— Where there is failure to report to the registering authority, the fact of transfer within the period specified in clause (a) or clause (b) of sub-section (1) of section 50, the registering authority may, having regard to the circumstances of the case, require the transferor or the transferee, as the case may be, to pay in lieu of any action that may be taken under section 177, an amount specified in the Table below:—

THE TABLE		Amount
<i>Period of delay</i> (1)		<i>(2)</i> Rs.
For a period of not exceeding 30 days	40	
For a period exceeding 30 days but not exceeding 60 days		75
3. For a period exceeding 60 days		100

Communication to original authority.— Communication of transfer to the original Registering authority under sub-section (7) of section 50 shall be in Form **CRTI**.

Assignment of new registration mark — vehicle to be produced.— The Registering Authority may for the purpose of sub-section (2) of section 47 require the owner to produce the vehicle for the purpose of satisfying itself of the correctness of the particulars contained in the Certificate of Registration.

Intimation to the original registering authority.— The Registering Authority assigning a new registration mark to a motor vehicle shall intimate the fact to the original Registering Authority in Form **RMI**.

Failure to apply for assignment of new registration mark — compounding fee.— Where there is delay on the part of the owner of a motor vehicle in making an application under sub-section

(1) of section 47 of the Act the registering authority may, having regard to the circumstances of the case, require the owner to pay, in lieu of any action that may be taken against him under section 177, an amount specified in the Table below:—

THE TABLE		Amount
<i>Period of delay</i>		<i>(2)</i>
<i>(1)</i>		<i>Rs.</i>
For a period not exceeding 30 days	40	
For a period exceeding 30 days but not exceeding 60 days		75
3. For a period exceeding 60 days		100

110. Registered in other States and kept in this State — intimation.— When any motor vehicle which is not registered in this State has been kept within the State for a continuous period of thirty 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 make and description of the vehicle; and
- (iv) in the case of a transport vehicle the name of the authority within the State by whom the permit has been issued or countersigned.

Rule 110 not to apply to the vehicles with trade certificate.— Nothing in rule 110 shall apply to a motor vehicle which is used under the authority of a trade certificate, granted under rule 35 of the Central Motor Vehicles Rules, 1989.

Registration certificate.— The Registering Authority or any Officer authorised by the Registering Authority may suspend the certificate of registration of a motor vehicle under Section 53.

Change of residence etc.— Delay in intimation — compounding fee.— Where there is the delay on the owner in intimating the new address to the registering authority concerned under subsection (1) of section 49 the registering authority may having regard to the circumstances of the case, require the owner to pay in lieu of any action that may be taken against him under section 177, an amount specified in the Table below:—

THE TABLE		Amount
<i>Period of delay</i>		<i>(2)</i>
<i>(1)</i>		<i>Rs.</i>
For a period not exceeding 30 days	40	
For a period exceeding 30 days but not exceeding 60 days		75
3. For a period exceeding 60 days		150

113-A. If any person satisfies the Registering Authority that he has come into possession of a vehicle through purchase in public auction held by or on behalf of the Central Government or the State Government for realisation of any amount due to them, but the certificate of registration of the vehicle has not been delivered to him the Registering Authority shall, after collecting the fees prescribed in the Table under rule 132, issue a duplicate certificate of registration after recording the transfer of ownership in the name of the said person.

114. Transfer of possession — intimation.— 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.

Explanation.— For the purpose of this rule, possession shall not be deemed to have been transferred—

(i) unless the agreement is in writing and the terms thereof include transfer to the hirer of the right of sole use of the 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 to be driven by the owner or his servants and is or is to be normally kept when not in use upon the premises of the owner.

115. Certificate of Fitness — issuing authority.— (1) A Certificate of fitness under section 56 shall be granted or renewed by the Registering Authority or by the Motor Vehicles Inspector Grade I or Grade II or by an authorised testing station specified by the Government under sub-section (2) of section 56.

The certificate of fitness shall not be granted or renewed, unless a copy of the certificate issued under rule 116-A is enclosed along with the application for the grant or renewal of the certificate of fitness.

Sub-rule (2) shall come into force on such date as the Government may, by notification in the official Gazette, appoint and different dates may be appointed for different districts and for different classes of vehicles.

Amendments

Rule 115 renumbered as sub-rule (1) thereof by SRO A-13(a)/92 dated 10-2-1992. Sub-rule (2) inserted by SRO A-13(a)/92 dated 10-2-1992. Sub-rule (3) inserted by No. SRO A-13(a)/92 dated 10-2-1992.

116. Application for grant of certificate of fitness.— Application for the grant or renewal of a Certificate of fitness shall be made to the Registering Authority or to Motor Vehicles Inspector Grade I or Grade II, or to an authorised testing station specified by the Government under sub-section (2) of section 56 in whose functional area the vehicle is normally kept:

Provided that where the application is in respect of a transport vehicle covered by a permit or for which a permit is to be acquired, it shall be made to the corresponding authority or officer or testing station as the case may be, of the area lying within the jurisdiction of the Regional Transport Authority which has issued or has to issue the permit:

Provided further that the State Transport Authority, may if satisfied on an application made to it in writing that there is sufficient ground, permit an application for the grant or renewal of a Certificate of Fitness to be made to the corresponding authority or the officer as the case may be, of a region other than the region in which the permit for the vehicle concerned has been or is to be issued along with a fee as specified in the Table under rule 132. Application for grant of a certificate shall be in Form CFA and for the renewal of a certificate shall be in Form CFRA.

116-A. Test for smoke emission level and carbon-monoxide level from motor vehicles.— (1) The Tamil Nadu Pollution Control Board is authorised to conduct test for issue of "Pollution Under Control" certificate, referred to in sub-rule (7) of Rule 115 of the Central Motor Vehicles Rules, 1989, and the conduct test specified in sub-rule (1) of Rule 116 of the said Rules, in respect of goods carriages in Chennai City and the testing stations authorised by the Transport Commissioner in this behalf from time to time are authorised to conduct test for issue of the "Pollution Under Control" certificate referred

to in sub-rule (7) of Rule 115 of the said Rules and to conduct test specified in sub-rule (1) of Rule 116 of the said Rule, in respect of all classes of vehicles in the State including Chennai City.

The fee, as specified in rule 132, shall be paid to the authority authorised under sub-rule (1) for each test.

(a) If any motor vehicle submitted for a test as required under sub-rule (1) of rule 116 of the Central Motor Vehicles Rules, 1989, before the Tamil Nadu Pollution Control Board in respect of goods carriages in Chennai City and the testing station authorised by the Transport Commissioner in respect of all classes of vehicles in the State including Chennai City does not comply with the standards prescribed in rule 115 of the said rules a report shall be made to the driver or the person in charge of the vehicles, specifying the standard of smoke or the levels of other pollutants or both.

(b) If the emission of smoke and the levels of other pollutants comply with the standards prescribed in the said rule 115, a certificate shall be issued by [the Tamil Nadu Pollution Control Board and the testing station] authorised under sub-rule (1) to that effect and such certificate shall be valid for a period of six months from the date of issue, subject to the condition that if, during the period of validity of certificate, the vehicle exceeds the standard of smoke or the level of other pollutants or both, the certificate issued under this clause shall cease to be valid,

Amendments

Rule 116-A inserted by SRO A-13(a)/92 dated 10-2-1992.

Sub-rule (1) substituted by SRO A-73(a)/96 dated 2-8-1996 and SRO A-1/2009 dated 6-5-2009.

In sub-rule (3) in clause (a), the words "before the Tamil Nadu Pollution Control Board State Transport Undertakings in Madras City" substituted by SRO A-73(a)/96 dated 2-8-1996; the expression "in respect of goods carriages in Chennai City" and "in respect of all classes of vehicles in the State including Chennai City" substituted by SRO A-1/2009 dated 6-5-2009; in clause (b), the words "the Tamil Nadu/Pollution Control Board and the testing station" and "six months" substituted by SRO A-73(a)/96 dated 2-8-1996.

116-B, Authorised Testing Station and Test Certificate.— (1) No person in charge of a testing Station shall engage in testing motor vehicles for smoke emission level and carbon monoxide level for the purpose of issuing a test certificate as specified in sub-rule (1) of rule 116 of the Central Motor Vehicles Rules, 1989, or otherwise publicly undertake to issue such a Certificate unless such testing station is duly authorised by the Transport Commissioner under sub-rule (1) of rule 116-A.

Any person desiring to seek authorisation to his testing station under sub-rule (1) of rule 116-A shall make an application in Form EUCCA (Emission under Control Authorisation Application) to the Transport Commissioner along with the fee specified in the Table under rule 132, and a certificate issued by the authority authorised by the Tamil Nadu Pollution Control Board to the effect that the applicant possesses equipment in good working condition for the purpose, of conducting the test for smoke emission level and carbon monoxide level for Motor Vehicles and certificate for having attended the training programme conducted by the Tamil Nadu Pollution Control Board.

On receipt of the application under sub-rule (2) Transport Commissioner shall refer it to the Committee represented by the officials of the Transport Department and the Tamil Nadu Pollution Control Board. The Committee shall check up as to the compliance of the requirements in sub-rule (7) and make a report in form pollution emission Certificate to the Transport Commissioner.

The Transport Commissioner may, after obtaining the report from the Committee under sub-rule (3), grant an authorisation in Form Emission under Control Authorisation Application either for petrol driven vehicles or for diesel driven vehicles or for both as the case may be, to the applicant for conducting the test for smoke emission level and carbon monoxide level in his testing station and for

issuing the test certificate in respect of all the vehicles including the vehicles of State Transport undertaking other than the goods Vehicles in Chennai City, subject to compliance of such conditions, as may be specified in the authorisation or to refuse to grant the authorisation. Where an authorisation is refused the Transport Commissioner shall in his order furnish to the applicant the reasons for such refusal. The authorisation granted shall be valid for a period of one year and may be renewed from time to time for the like period.

(5) An application for the renewal of the authorisation shall be made in Form Emission under Control Authorisation Application with the fee specified in the Table under rule 132 not less than fifteen days before the date of its expiry:

Provided that the Transport Commissioner, may entertain an application for the renewal of the authorisation beyond the prescribed period if he is satisfied that the applicant was prevented by good and sufficient cause from making an application within the time specified.

(6) (a) Any person aggrieved by an order of the Transport Commissioner under sub-rule (4) may file an appeal to the Government within thirty days from the date of receipt of the order.

(b) The Government shall give notice of the appeal to the Transport Commissioner and after giving an opportunity to the Transport Commissioner and the applicant to be heard in the appeal, pass such orders, as they think fit.

(7) A testing station to be authorised to conduct the test either for petrol or diesel driven vehicles shall have the following facilities namely:—

must have adequate minimum open space or shed measuring a minimum 3 metre x 8 metre exclusively for carrying out the test. The premises of the emission test station shall be either owned or hired by the applicant in his name;

must possess atleast one gas analyser and one smoke meter for testing either petrol or diesel driven vehicles, the equipment for that type of vehicles as specified in rule 116(3) of the Central Motor Vehicles Rules, 1989 shall be possessed. The equipment should have the approval of the NEERI (National Environmental Educational Research Institution) and other approved bodies, such as vehicles research development Establishment, Dharbad, Automotive Research Association of India, Pune and Indian Institute of Petroleum, Dehradun. The equipment should also have the technical approval of the Tamil Nadu Pollution Control Board;

(bb) must have the emission testing equipment connected to a computer with facilities of a web-camera and a printer to capture and print the Registration number of the motor vehicles and the result of the emission test':

Provided that this clause shall come into force with effect on and from the 15th January, 2004-in respect of the existing centres.

must have been equipped with minimum tools for tuning the engine; and

must have persons possessing a Motor Mechanic certificate issued by Industrial Training Institute (recognised by Government) diploma or a degree holder in Mechanical/Automobile Engineering.

(8) The Transport Commissioner shall, for the purpose of granting or renewing the authorisation under sub-rule (4) maintain a register containing the following particulars, namely:—

(i) that the applicant is engaged in the business of maintenance or servicing of vehicles;

(ii) that the applicant and or his staff is holding the qualification as prescribed in sub-rule 7(d);

(iii) that the applicant has the infrastructure in his testing stations required in sub-rule (7) for carrying out the jobs connected with emission control repairs;

(iv) that the premises where the testing station has been set up is either owned or hired by the applicant in his name and has a minimum open space or shed of 3 metres x 8 metres exclusively for carrying out jobs connected with repairs of vehicles in addition to the infrastructure for keeping the equipments and office building; and

(v) that in the case of an application for renewal, the past performance and conduct of the testing station is satisfactory.

(9) (a) The authorised testing stations shall be subject to periodical inspection by the Officers of the Transport Department not below the rank of Motor Vehicles Inspector, Grade II and authorised officers of the Tamil Nadu Pollution Control Board on the maintenance, calibration and efficiency of the equipments used by such station.

(b) During the inspection, if any authorised testing station is found to have issued test certificate to any motor vehicle either without actually testing the vehicle or issued a false certificate any officer of the Transport Department/Tamil Nadu Pollution Control Board specified in term (a) shall recommend, in writing to the Transport Commissioner for suspension or cancellation of the authorisation.

(10) Every authorised testing station shall—

(a) maintain a record of the vehicles tested for pollution levels indicating the following particulars namely:—

- (i) the registration number of the vehicles;
- (ii) the make, model and year of first registration of the vehicle;
- (iii) carbon monoxide or smoke levels (as the case may be) before minor adjustment and tuning;
- (iv) carbon monoxide or smoke levels (as the case may be) after minor adjustments and tuning;

and

(v) whether the vehicle requires major repairs, if so, the repairs which have been recommended to the owner of the vehicle;

submit to the Transport Commissioner such other information and returns as may be called for by him;

issue to every driver or owner of the motor vehicle whose vehicle needs the emission standard laid down under rule 115(2) of the Central Motor Vehicles Rules, 1989 in addition to the test certificate Form [Computerised Pollution under Control Certificate (Petrol) or computerised Pollution under Control Certificate (Diesel)], as the case may be, as required under sub-rule (1) of rule 116 of the Central Motor Vehicles Rules, 1989, a sticker in form P.U.C.S, as prescribed by the Transport Commissioner from time to time which shall be affixed prominently on the wind screen or body of the vehicle to show that the vehicle has been issued a test certificate;

Provided that if a vehicle fails to comply with the emission standard, a "rejection slip" shall be issued to the driver or owner of the vehicle for rectifying the defect and to present the vehicle for a fresh test within seven days from the date of such rejection. Otherwise, the owner of the vehicle shall be liable for penalty prescribed under sub-section (2) of Section 190 of the Act.

not alter its place of the authorised testing station, as mentioned in the authorisation, without prior approval of the Transport Commissioner;

keep the premises of the authorised testing station at all reasonable times for inspection by any Officer specified in sub-rule (9) (a);

The Transport Commissioner shall, by notification from time to time with the prior approval of the Government fix the service charges to be collected by every authorised testing station from the Drivers or Owners as the case may be, of the vehicles including the vehicles of State Transport Undertaking other than goods vehicles in Chennai City sent for test. The service charges shall be exclusive of any minor adjustments or tuning that may be required for the vehicles.

No person incharge of the authorised testing station shall do anything in respect of a vehicle including the vehicles of State Transport Undertakings other than goods vehicles in Chennai City sent for test, which shall amount to—

giving the certificate without testing the Pollution levels or after a perfunctory test; or
 keeping the measuring instruments needed for measurement of pollutants in an improperly calibrated state; or

misguiding the driver or owner of the vehicle regarding the repairs that are necessary to be carried out to enable the vehicle to meet emission standards.

(13) (a) The Transport Commissioner, may, by an order in writing, suspend or cancel an authorisation granted by him under sub-rule (4) if an authorised testing station contravenes any of the provisions of this rule or any of the conditions specified in the authorisation: Provided that no such order shall be made unless—

(i) the holder of the authorisation has been given an opportunity of showing cause as to why an order of suspension or cancellation, as the case may be, should not be passed in respect of his testing station; (ii) the reasons for suspension or cancellation of an authorisation are specified in the order. (b) Where an authorisation is cancelled or suspended, the holder thereof shall surrender it to the Transport Commissioner.

(14)(a) Any person aggrieved by an order passed by the Transport Commissioner under sub-rule (13) may, within thirty days from the date of receipt of such order appeal to the Government.

(b) The Government shall give notice of the appeal to the Transport Commissioner and after giving an opportunity to the Transport Commissioner and the applicant to be heard in the appeal, pass such orders as they think fit.

Amendments

Rule 116-B inserted by SRO A-73(a)/96 dated 2-8-1996.

In sub-rule (7), clause (bb) inserted by SRO A-1(a)/2004 dated 7-1-2004

In sub-rule (10), in clause (c), the words "Form {Computerised as the case may be]" inserted by SRO A-1(a)/2004 dated 7-1-2004; proviso was added by SRO A-1(a)/2004 dated 7-1-2004.

Use of vehicle upon expiry of certificate.— If owing to mechanical breakdown or other cause, a motor vehicle is after the expiry of the certificate of fitness outside the functional area of the authority by whom the certificate is to be renewed, any registering authority or Motor Vehicles Inspector may without prejudice to any penalty to which the owner or driver may have become liable, if the vehicle is in his opinion fit for use, by endorsement, in Form CFSub and subject to such conditions as he may specify, authorise its continued use for such time as may reasonably be necessary for the vehicle to return to the area of the authority by whom the certificate should be renewed, and the vehicle may be driven to such area in accordance with such endorsement but shall not be used after return to that area until the certificate has been renewed.

Transport vehicle — inspecting officer.— All transport vehicles shall at all reasonable time be open for inspection by,—

- (i) any magistrate;
- (ii) any Police Officer not below the rank of Inspector of Police; and
- (iii) any inspecting officer of the Transport Department.

119. Unsafe vehicles — restriction on use.— If the authority making the inspection considers that the vehicle is unsafe for ordinary use on the road, he shall record his reasons in Form CFX and communicate them in writing to the owner if he is in the vehicle and if not, to the driver. Subject to the provisions of rule 120, the vehicle shall not be used thereafter in a public place save for the purpose of being driven for inspection after repair, until the defects have been repaired to the satisfaction of

the authority competent to issue or renew a certificate of fitness and an order obtained in Form CFXR provided that the inspecting officer may, subject to such conditions as he thinks necessary authorise the vehicle to be driven to a place of repair. A copy of the notice in Form CFX shall be sent to the Registering Authority of every district through which the vehicle runs. Fee for revocation of CFX notice in the case of a transport vehicle shall be as specified in rule 132.

Fresh certificate to be obtained.— If the vehicle is in a public place, when it is found to be unsafe, the inspecting officer may permit it to be driven at a speed not exceeding fifteen kilometres an hour to its immediate destination or to a specified place for repair and thereafter it shall not be driven in any public place without the special permission of the Registering Authority or the Motor Vehicles Inspector, Grade I or Grade II of the place to which it has been driven. The Registering Authority or the Motor Vehicles Inspector, Grade I and Grade II may grant permission subject to such conditions as he thinks fit and may direct that a fresh certificate of fitness shall be obtained before the vehicle can be used in a public place.

Certificate of fitness — cancellation or suspension.— Any Registering Authority with or without technical qualifications or Motor Vehicles Inspector, Grade I or Grade II may cancel the certificate of fitness of a transport vehicle under sub-section (4) of section 56 or may suspend the certificate for a period not exceeding two months if in his opinion the vehicle no longer complies with all the requirements of the Act and the rules.

Provided that any Registering Authority without technical qualification shall make such cancellation only on the basis of the report of an officer having such qualification.

Explanation.— For the purpose of this rule, "technical qualification" shall mean the following qualification, namely:—

- (i) A Diploma in Automobile Engineering; or
- (ii) A diploma in Mechanical Engineering awarded by the State Board of Technical Education and Training, Tamil Nadu, and
- (iii) working experience for a period of not less than one year in a reputed Automobile workshop which undertake repairs of both light motor vehicles, heavy good vehicles and heavy passenger motor vehicles fitted with petrol or diesel engine; and
- (iv) must hold a driving licence authorising him to drive heavy goods vehicle and heavy passenger motor vehicle.

Reasons for suspension or cancellation to be given.— The authority cancelling or suspending a certificate of fitness under rule 121 shall without delay give the owner or other person in charge of the motor vehicle, a receipt thereto 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 authority by which it was last issued or renewed.

Refusal to grant or renewal — reasons to be given.— If the grant or renewal of a certificate of fitness is refused, the reason for the refusal shall be communicated to the owner in Form CFRR allowing him time of seven days to produce the vehicles after rectifying the defects mentioned in it. No fee shall be payable for such re-inspection, if the owner produces the vehicles within the time prescribed above with all the defects duly rectified. If the owner fails to carry out the repairs within that time and fresh CFRR is issued, the fee prescribed in rule 81 of the Central Motor Vehicles Rules, 1989, for grant or renewal of certificate of fitness shall be payable for each subsequent reinspection.

Duplicate certificate of fitness.— (i) Where a certificate of fitness is lost or destroyed or not in the possession of the owner for reasons beyond his control owing to the loss or destruction of or

not being in possession of the combined Form of Certificate of Registration and Certificate of Fitness;
or

(ii) Where the Form 38 of the Central Motor Vehicles Rules, 1989 in the combined Form of Certificate of Registration and Certificate of Fitness is completely written up, becomes spoiled, torn or otherwise defaced so as to be illegible; or

(iii) If a duplicate certificate of registration has been applied for and obtained; or

(iv) If any Registering Authority or any inspecting officer of the Transport Department or any Police Officer in uniform not below the rank of a Sub-Inspector or any licensing officer appointed under the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974) considers and serves a notice that the certificate of fitness is completely written up or has become spoiled, torn or otherwise defaced so as to be illegible, the registered owner of the vehicle shall forthwith apply with a fee as specified in the Table under rule 132 to the authority by whom the certificate of fitness was issued or last renewed for the issue of a duplicate certificate of fitness.

125. Duplicate — issue of.— Upon receipt of an application and the fee referred to in rule 124 the authority shall furnish the owner with a duplicate copy of the certificate duly stamped "Duplicate" in red ink.

Non-production when lost — no offence.— No person shall be liable to be convicted of an offence under section 130 for not producing the certificate of fitness, if, at the time when the certificate is demanded, he has already reported the loss or destruction thereof in accordance with the rule 124 and a duplicate certificate has not been delivered to him.

Appellate authority.— The Deputy Transport Commissioner concerned shall be the appellate authority to hear appeals against orders of the Registering Authority or any of the authorities prescribed under rule 130.

Appeal in respect of certificate of fitness.— Any person aggrieved by any order made by a Motor Vehicle Inspector, Grade I or Grade II or by an authorised testing station specified by the Government under sub-section (2) of section 56 in respect of a certificate of fitness may appeal against the order to the Registering Authority.

Form of application.— (1) An appeal under rule 127 or rule 128 shall be in the form of a memorandum setting forth concisely the grounds of objection to the order which is the subject of appeal and shall be accompanied by the original or a certified copy of such order. The fee shall be as specified in the Table under rule 132.

(2) The Registering Authority or the appellate authority as the case may be, may in his discretion give any person interested referred to in sub-rule (1), a certified copy of the order appealed against or of the copy of the appeal petition or of any other relevant document on payment of a fee as specified in the Table under rule 132 for each such copy of the order petition or document.

130. The powers exercisable by a registering authority under sub-section (1) of section 53 shall also be exercisable by the officers specified in the Table below:—

THE TABLE

<i>Powers</i>	<i>Officers</i>
1. Power under clauses (a) and (b) of section 53(1)	1. Any inspecting Officer of the Transport Department not below the rank of Regional Transport Officer or Additional Regional Transport Officer.

2. Powers under clause (b) of section 53(1)

2. Any officer of the Police Department not below the rank of Deputy Superintendent of Police.

Exemption by State Government.— The Government may, by order exempt to such extent as may be specified in the order, any motor vehicle or class of motor vehicles from all or any of the provisions of the rules framed under the Chapter provided such exemption is in the public interest or if the application of any of the said rules under this Chapter in an individual case would cause undue hardship.

The fee which shall be charged under the provisions of this Chapter shall be as specified in the Table below. Such fees shall be paid through the Indian Overseas Bank or by cash in the Regional Transport Office or through chalan in the Government Sub-Treasury or Treasury:

Provided that the fee for the test specified in rule 116-A shall be paid by cash to the authority authorised thereunder.

THE TABLE

Serial number (1)	Purpose (2)	Amount (3)	Rule (4)	Section (5)
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Rs. 1. (a)

For advance registration number allotted by Government:-(i) for the first four series, that is, current

20,000	91 (2)			
30,000	91 (2)			
50,000	91 (2)			
1,00,000	91 (2)			
	91 (3)			

registration numbers by the registering

Authority

(i) (ii)
1000
(iv)

for motor cycles not exceeding 50 ex. for

50	
00	97
30	
00	1
40	
	1
75	
	6
75	
	11

motor cycles exceeding 50 c.c. and three wheelers and auto-rickshaw for cars imported and also made in India whose cost value (invoice rate) exceeds 4 lakhs for other vehicles

For temporary registration or extension of validity of temporary registration.

For grant of permission for certificate of fitness in other region.

For revocation of CFX Notice.

For issue of Duplicate Certificate of Fitness.

For appeal against the order of Registering Authority or Motor Vehicle Inspector.

For issue of certified copy of documents.

For issue of certificate of test to measure the standard of smoke or the levels of other pollutants or both.

- (i) for Motor Cycle or Light Motor Vehicles (three wheeler). (ii) for Light Motor Vehicles (four wheeler)

(iii) for medium goods vehicle, medium passenger motor vehicle, heavy goods vehicle or heavy passenger motor vehicle.	50	
For the grant of authorisation	1000	116-B
For the renewal of authorisation'	500	116-B
For the late application for renewal for 100	116-B	; a calendar month
For appeal against the orders of the 100	116-B	Transport Commissioner

Amendments

The proviso inserted by SRO A-13(a)/92 dated 10-2-1992; in the Table, entries in sub-item (a) against SI. No. 1 substituted by SRO A-24(b)/2007 dated 2-7-2007; SI. No. 8 inserted by SRO A-13(a)/ 92 dated 10-2-1992; SI. Nos. 9 to 12 inserted by SRO A-73(a)/96 dated 2-8-1996.

CHAPTER V
CONTROL OF TRANSPORT VEHICLES

Divisional Engineer (H & RW) to be adviser.— The Divisional Engineer (Highways and Rural Works) if so required by the Regional Transport Authority shall attend the hearings of the Regional Transport Authority in an advisory capacity,

In districts having more than one Divisional Engineer (Highways and Rural Works), the Divisional Engineer (Highways and Rural Works) at the district headquarters and whenever subjects requiring views of the other Divisional Engineer (Highways and Rural Works) arise, the concerned Divisional Engineer (Highways and Rural Works) also if so required by the Regional Transport Authority shall attend the hearing of the Regional Transport Authority in an advisory capacity.

Secretaries and Executive Officers of the Regional Transport Authority.— The Regional Transport Officers and Additional Regional Transport Officers shall be the Secretaries and Executive Officers of the Regional Transport Authority of the District concerned.

Public hearing.— The Regional Transport Authority shall give a public hearing at least once a month for the prompt despatch of business. The public hearing shall ordinarily be given at the office of the Regional Transport Authority; adequate notice of such hearing and the business to be transacted shall be given for the information of such persons who being interested in the particular business to be transacted may, in the opinion of the Regional Transport Authority or of its Secretary, reasonably claim to be permitted to attend for the purpose of making representations,

Service of communications.—> (1) Any communication issued by the Transport Authorities or the Executive Officers of such authorities or by the Government or by the Tribunal in respect of matters falling under this chapter may be served by the Executive Officers of the Transport Authorities or any other officer authorised by them in this behalf, by any one of the following methods, namely—

by delivery or tender of a copy of the communication to the addressee or his agent or the other person duly authorised to receive such communication on his behalf;

by registered post:

Provided that if upon an attempt having been made to serve the communication by any of the above mentioned methods, the serving officer is satisfied that the addressee is avoiding service or that for any other reason, the communication cannot be served by any of the above mentioned methods the Executive Officer of the Transport Authority concerned shall order the service of the communication by affixing a copy thereof on some conspicuous part of addressee's last place of business or garage as notified

by him or where the addressee habitually resides and such service shall be as valid as if the addressee has acknowledged in writing.

(2) When the serving officer delivers or tenders a copy of the communication to the addressee personally or to his agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered to arid acknowledgement of a service endorsed on the original communication and such person shall comply with such requirement.

Correspondence to be addressed to RTA or Secretary.— Ail correspondence intended for the consideration of the Regional Transport Authority shall be addressed to the Regional Transport Authority or to the Secretary of the Regional Transport Authority. No action shall be taken on any correspondence which is not so addressed.

Agenda.— The Secretary shall, under the general or special instructions of the Transport Authority place before it all matters which it is to decide. Copies of the agenda of the subjects to be considered at a public hearing shall cause to be published on the notice boards of the Offices of the Regional Transport Authority and the Secretary, Regional Transport Authority concerned at least seven days in advance of the date fixed for the public hearing.

140. Orders without public hearing.— (a) Orders may be passed by the Regional Transport Authority without a public hearing unless any person has a right to be heard in accordance with the provisions of the Act and of these rules.

Nothing contained in sub-rule (a) shall prevent the Regional Transport Authority from deciding without a public hearing, any matter which has been considered at a hearing or has been the subject of a hearing and upon which a decision has been reserved.

All decisions taken by the Regional Transport Authority and by Secretary, Regional Transport Authority under delegated powers shall be published on the notice board at the office of the Secretary of the Regional Transport Authority.

Hearing of representative.— In any case in which a person has a right to be heard according to the provisions of the Act or by these rules, he may appear in person or by accredited agent. In any other case it shall be optional for the Regional Transport Authority to hear representations made to it either in person or by accredited agent.

Decision to be carried into effect.— All decisions of the Regional Transport Authority shall be carried into effect by the Secretary.

Power of Transport Authority — delegations.— The Regional Transport Authority may for prompt and convenient despatch of business, by general or special resolution, delegate to the Secretaries the following powers and functions namely:—

(i) Power under sub-section (1) of section 72 to grant or refuse a stage carriage permit in cases where no representation is received and power to attach to a stage carriage permit any one or more of the conditions specified in sub-section (2) of section 72.

(ii) Power under sub-section (1) of section 74 to grant or refuse a contract carriage permit and power to attach to the permit any one or more of the conditions specified in sub-section (2) of section 74.

(iii) Power under sub-section (1) of section 76 to grant or refuse a private service vehicle permit and power to attach to such a permit any one or more of the conditions specified in sub-section (3) of section 76.

(iv) Power under sub-section (1) of section 79 to grant or refuse a goods carriage permit and power to attach to such permits any one or more of the conditions specified in sub-section (2) of section 79.

(v) Power to grant or refuse variation of the conditions specified under sub-section (3) of section 80 including the replacement of an existing vehicle covered by the permit by any other vehicles of the same nature but of different capacity in cases where no representation is received.

(vi) Power under section 81 to grant or refuse renewal of any permit.

(vii) Power under section 82 to transfer and refuse to transfer a permit.

(viii) Power under section 83 to permit or refuse to permit the replacement of one vehicle by another.

(ix) Power under section 86 to suspend a permit, power under sub-section (4) of section 88 read with section 86 to suspend a countersignature of permit and power under sub-section (5) of section 86 to recover from the holder of the permit a sum of money agreed upon to compound the penalty of suspension of permit or the countersignature of permit;

Provided that the powers so delegated, shall be in respect of the permits of the following classes of transport vehicles only, namely:—

Goods carriage;

Contract carriages; and

Private service vehicles.

(x) Power under section 87 to grant or refuse a temporary permit.

(xi) Power under section 88 to countersign or refuse to countersign a permit.

(xii) Power to refuse to entertain applications for grant or renewal of permits and countersignature of permits, where such applications are out of time or not in accordance with the provisions of the Act and of the rules made thereunder.

(xiii) Power to fix time-table or approve time-table with or without modification or refuse to approve time-table in respect of a particular stage carriage or of a service of stage carriages.

(xiv) Power to approve fare-table with or without modification in respect of a particular stage carriage or a service of stage carriages.

(xv) Power under rule 248 to regulate timings of stage carriages whether they belong to a single owner or more owners.

(xvi) Power under sub-section (8) of section 88 to grant or refuse a special permit or its extension of validity as the case may be.

(xvii) Power under section 103 to grant permits to State Transport Undertakings.

(xviii) Power to grant or refuse a permit in respect of an educational institutions bus not covered by exemption, under sub-section (3) of section 66.

Orders of delegation to be published in the notice board.— All orders of delegations made by the Regional Transport Authority under rules 143, 146 and 147 shall be pasted on a notice board at the office of the Regional Transport Authority.

Instructions for exercising delegated function.— The Regional Transport Authority may give general instructions as to the manner in which the Secretary shall exercise the power delegated to him under rule 143.

Delegation of power to personal assistant to Regional Transport Officer.— (1) The Regional Transport Authority may delegate to the Personal Assistant to Regional Transport Officer, the power under section 87 to grant a temporary permit for a transport vehicle for a specified journey in an emergency:

Provided that the Personal Assistant to Regional Transport Officer shall exercise the power delegated only during the absence of the Regional Transport Authority and Secretary or Secretaries to Regional Transport Authority from headquarters.

The Personal Assistant to Regional Transport Officer shall make a report of the action taken by him in exercise of the powers delegated under sub-rule (1) to the Secretary of the Regional Transport Authority who shall place such reports before the Regional Transport Authority.

A temporary permit granted for a specified journey in pursuance of a delegation under sub-rule (1) shall be valid without counter-signature in any other region or regions in which the route may lie but the Personal Assistant to Regional Transport Officer who grants such temporary permits shall make a report thereof to the Transport Authority or Authorities of the other region or regions concerned.

147. Delegation of powers to Inspecting Officers and Motor Vehicle Transport (Non-Technical).— (1) The Regional Transport Authority may, subject to such restrictions, and limitation by general or special resolution, delegate to the Inspecting Officers of the Transport department the power under clause (a) of sub-section (1) of section 87 to authorise the use of any stage carriage temporarily for the conveyance of passengers on special occasions such as to and from fairs and festivals and religious gatherings:

Provided that the officer who issues authorisation in exercise of this power so delegated shall make a detailed report of the action taken by him to the Secretary of the Regional Transport Authority, who shall place such report before the Regional Transport Authority.

(2) The Regional Transport Authority may delegate to the Motor Vehicle Inspectors (Non-technical) in the check-posts—

the power under clause (c) of sub-section (1) of section 87 to grant permits to authorise the goods carriages and contract carriages other than the omni bus of other States to ply in Tamil Nadu temporarily for a period not exceeding seven days for transport of goods or passengers; and

the power under sub-section (8) of section 88 to issue special permits to authorise Tourist Motor Cab and maxi cab of this State to ply in other States for a period not exceeding seven days.

An authorisation granted in pursuance of the delegation under sub-rule (1) shall be valid in any of the region or regions to which the route covered by the authorisation may relate, without counter-signature in such other region or regions and the officer who issued the authorisation shall send intimation thereof to the Transport Authority or Authorities of the other region or regions concerned.

The officer who issued the authorisation shall exercise the power delegated to him under sub-rule (1) only during the absence of the Regional Transport Authority and Secretary, Regional Transport Authority on the spot.

147-A. Document — authentication.— The Secretary may, with the approval of the Regional Transport Authority appoint any Officer to authenticate documents and perform other duties on his behalf.

Secretaries and staff of State Transport Authority.— The State Transport Authority who is also the Transport Commissioner shall have the Secretaries and Assistant Secretaries as follows:— Joint Transport Commissioner shall be the Secretary to Transport Commissioner and Chief Executive Officer of the State Transport Authority in the office of the Transport Commissioner. The Deputy Transport Commissioners in the Office of the Transport Commissioner, the Deputy Transport Commissioners in Madras City and in the districts shall be the Secretaries and Executive Officers of the State Transport Authority. The Regional Transport Officers and Additional Regional Transport Officers in Madras City and in the districts shall also be Assistant Secretaries to the State Transport Authority. The Government may appoint such other officers and staff for the State Transport Authority as they deem desirable.

Powers of State Transport Authority — delegation of.— The State Transport Authority may for the prompt and convenient despatch of its business by a general or special resolution "delegate to

the Secretary to Transport Commissioner, Secretaries to State Transport Authority and Assistant Secretaries all or any of the powers vested in it under the Act and under these rules:

Provided that no delegation shall be made in respect of the following:—

(i) Powers under section 68(3) to co-ordinate and regulate the activities of the Regional Transport Authority.

(ii) Power under section 68(3) to settle all disputes or differences of opinion between the Regional Transport Authorities:

Provided further than in delegating its powers and functions, the State Transport Authority may impose any restrictions, limitations and conditions as it deems fit.

All decisions to be published.— The office of the Transport Commissioner and the State Transport Authority shall be the office of the Transport Department. All decisions of the State Transport Authority and of its delegates shall be published on a notice board at the office of the State Transport Authority and concerned delegatee.

Orders of delegation to be published.— AH orders of delegation made by the State Transport Authority under rule 149 shall be pasted on a notice board at the office of the State Transport Authority and concerned delegatee.

Instructions for exercising delegated functions.— The State Transport Authority may give general instructions as to the manner in which the delegatee shall exercise the powers delegated to them.

State Transport Authority for through traffic.— The State Transport Authority shall be the sole Transport Authority in regard to through traffic along trunk roads and along such other routes or area as may be notified for this purpose in the *Tamil Nadu Government Gazette* by the Government and shall in respect of such traffic exercise the powers and functions conferred upon a Regional Transport Authority under this Chapter. For the purpose of this rule, through traffic shall be deemed to be traffic for a distance of more than one hundred and sixty kilometres.

Endorsement of permit.— No Regional Transport Authority shall under section 88 endorse a permit for a vehicle to use any of the roads referred to in rule 153 within its district without the concurrence of the State Transport Authority. For this purpose, the State Transport Authority may give its concurrence in general terms with such qualifications as it may deem fit to specify.

Through traffic permit and extension of validity of permit.— (a) The State Transport Authority may on payment of a fee specified in the Table under rule 279 grant, in consultation with the Regional Transport Authority or authorities concerned, a permit for a vehicle to ply on a route lying partly on a road specified in rule 153 for a distance of more than one hundred and sixty kilometres and partly on any road or roads.

The State Transport Authority may on payment of a fee specified in the Table under rule 279 extend the validity of a permit granted by any Transport Authority to such extended area or roads as it may deem desirable,

The provisions of the Act and these rules relating to applications or permits and the grant, refusal, suspension or cancellation of permits, and all matters connected therewith, including appeals, shall apply to extension of the validity of such permits.

Rule 136, etc. to apply to State Transport Authority.— Rules 136, 138, 139, 141 and 147A shall apply to the conduct of business by the State Transport Authority.

Appeal.— (1) An appeal under sub-section (1) of section 89 shall lie to the State Transport Appellate Tribunal within thirty days of the date of receipt of the order appealed against:

Provided that, if any doubt arises as to the date of receipt of the order by the person aggrieved, the decision of the Tribunal shall be final:

Provided further that where an appeal is presented within thirty days of the date of receipt by the person aggrieved of the order appealed against, but is returned by the Tribunal for re-presentation in the prescribed manner, and if such appeal is re-presented in the manner prescribed and within the date, if any, specified by the Tribunal for the re-presentation of the appeal, it shall be deemed to have been presented within the prescribed time for the purpose of this rule:

Provided also that no one memorandum of appeal shall relate to more than one order and be signed by more than one person.

(2) Under clause (g) of sub-section (1) of section 89 the following orders of a Regional Transport Authority or its Secretary and the State Transport Authority or its Secretaries and Assistant Secretaries shall also be appealable subject to the restrictions laid down in sub-rule (1), namely:—

an order granting or refusing to grant an extension or variation or curtailment of an existing route or area covered by a permit;

an order fixing or refusing to fix a schedule of timings for a stage carriage or a service of stage carriages;

an order revising or refusing to revise a schedule of timings for stage carriage or a service of stage carriages;

an order granting or refusing to grant additional trips of service of stage carriages;

an order granting permission under sub-section (1) of section 82 or section 83.

an order granting or refusing to grant replacement of a vehicle covered by a permit by another vehicle of a different capacity;

(g) an order granting renewal of a permit;

(h) an order refusing counter-signature of a permit;

(i) an order varying the conditions attached to a permit or attaching to a permit further conditions; (j) an order as provided under sub-section (3) of section 88 imposing conditions or varying any condition attached to a permit while countersigning the permit; and

(k) an order fixing postal subsidy in respect of stage carriages.

(3) The provisions of Limitation Act, 1963 (Central Act 36 of 1963) will not be applicable to appeals filed under this rule.

158. Form of appeal and revision.— An appeal under section 89 or an application under section 90 shall be in the form of a memorandum in duplicate setting forth concisely the grounds of objection to the order which is the subject-matter of the appeal or the application and shall be accompanied by the original or a certified copy of the order and a treasury receipt for the fee prescribed in the Table under rule 279 for the appeal or application as the case may be:

Provided that no appeal or application as aforesaid shall be deemed to have been made properly unless the respondents concerned are cited and unless a copy of the appeal or application is furnished simultaneously to the respondents so cited:

Provided further than no appeal or application signed and presented by or on behalf of more than one aggrieved person shall be entertained.

Explanation.— It shall be sufficient compliance with the first proviso above, if the appellant or applicant had sent the copies to the address of the respondents by registered post with acknowledgement due.

159. Revision petition.— An application to the State Transport Appellate Tribunal under section 90 shall be in the form of memorandum setting forth concisely the purport of the petition and shall be

presented to the Tribunal within thirty days of the date of receipt by the person aggrieved of the order or proceeding against which the application is preferred. The application shall be accompanied by five additional copies of the same and the original or a certified copy of the order of proceedings against which the application is preferred:

Provided that an application signed or presented by or on behalf of more than one aggrieved party shall not be entertained:

Provided further that where an application is presented within thirty days of the date of receipt by the person aggrieved of the order or proceedings sought to be revised, but is returned, by the Tribunal for re-presentation in the prescribed manner and if such application is represented in the manner prescribed and within the date, if any, specified by the Tribunal, it shall be deemed to have been presented within the prescribed time for the purpose of this rule.

The provisions of Limitation Act, 1963 (Central Act 36 of 1963) will not be applicable to petitions filed under rule 159.

Certified copy.— The State Transport Appellate Tribunal or any officer authorised by the State Transport Appellate Tribunal for this purpose, the Secretary, State Transport Authority or the Secretary, Regional Transport Authority may, in its or his discretion, give any person interested in an appeal or revision petition or any other petition before the State Transport Appellate Tribunal or in any court, certified copy of the order appealed against or of the copy of the appeal petition or revision petition as the case may be, or of any other relevant document on payment of a fee as specified in the Table under rule 279 for each such copy of the order petition or document.

Decision of the Tribunal is final.— If any doubt arises as to the date of receipt of the order with reference to an application under section 90, the decision of State Transport Appellate Tribunal shall be final.

Bye-laws for conduct of business.— Subject to the provisions of the Act and these rules and to the control of the higher authority each Regional Transport Authority and the State Transport Authority may make such bye-laws as it deems fit for the conduct of its business.

¹ **163-A. Regulations for the procedure and disposal of business.**— Subject to the provisions of the Act and these rules the State Transport Appellate Tribunal may, with the previous sanction of the Government make, by notification, regulations regarding the procedure and disposal of its business.

Extension and endorsements.— In these rules a counter-signature of a permit by a Regional Transport Authority is referred to as an endorsement and a counter-signature by the State Transport Authority as an extension of the validity of a permit.

Limit upon number of permits.— When a transport authority has in exercise of its 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, the Transport Authority or the Secretary of the Transport Authority, if authorised in this behalf by the Transport Authority, may decline to receive further application for such permits in respect of any such route or areas.

Not be rejected — grounds.— (1) The Transport Authority shall not reject an application for the grant or renewal of any permit or for the grant of or renewal of counter-signature of any permit on any or all of the following grounds namely:—

- (i) When an application is presented to a Transport Authority not having jurisdiction; (ii) When the form of application has not been correctly filled in;

(iii) Where the prescribed fee has been omitted to be paid; and

(iv) Where the application is not made in the prescribed form. (2) In every such case, the Transport Authority shall return the application for presentation to the Transport Authority concerned or for rectification of other defects informing the applicant of the correct procedure in the matter and giving him not more than seven days from the date of receipt of the communication to comply with such direction, failing which the application will stand rejected.

167. Stage carriage — grounds on which application can be rejected.— The Regional Transport Authority or the State Transport Authority, as the case may be, may reject an application for the grant of a stage carriage permit on one or more of the following grounds, namely:—

(i) Financial instability as evidenced by insolvency or decree remaining unsatisfied as on thirty days prior to the date of consideration of the application or failure to produce:

(a) in the case of a new entrant, a solvency certificate from an officer of the Revenue Department not below the rank of a Tahsildar for a sum of Rs.30,000 (Rupees thirty thousand only):

Provided that purchase of a motor vehicle from money borrowed or under hire purchase agreement shall not be a disqualification by itself;

(b) in the case of others, a current clearance certificate in respect of income-tax and Motor Vehicles Tax;

Provided that this clause shall not apply in cases where the applicant is a State Transport Undertaking.

(ii) Unsatisfactory performance as a stage carriage service operator by the applicant as evidenced by his having been punished for two times or more for any one or more of the offences specified below within thirty-six months reckoned from fifteen days prior to the date of consideration of application.—

Overloading;

Plying without permit;

Plying without payment of tax or plying without payment of tax before the due date;

Plying on an unauthorised route or making an unauthorised trip;

Plying without certificate of fitness;

Non-adherence to the schedule of timings;

Collection of excess fare; and

(h) Conveyance of goods or luggage prohibited by or under any law: Provided that orders of punishment which are stayed by the appellate authority shall not be taken

into account for the above purpose:

Provided further that this clause shall not apply in cases where the applicant is a State Transport Undertaking.

(iii) Trafficking in permits.

168. Reservation of stage carriage permits for Scheduled Caste and Schedule Tribes during a calendar year.— The Regional Transport Authority or the State Transport Authority while considering the grant of permit to the persons belonging to the scheduled caste and scheduled tribes, under sub section (3) of section 71 shall have regard to the following principle in addition to the principles laid down in rule 167.

(a) For the purpose of giving effect to the reservation, the Regional Transport Authority or the Transport Authority shall maintain a roster appended to this rule. In respect of the Stage carriage permits to be granted the reservation under this sub-rule shall be strictly followed. Where there are two or more applications from the persons belonging to the Scheduled Castes and Scheduled Tribes, the selection shall be on the same basis as under rule 167 in respect of grant stage carriage permits and the choice shall be between the applicants belonging to the Scheduled castes and Scheduled Tribes.

If no application is received from persons belonging to Scheduled Castes and Scheduled Tribes for a particular route, the Regional Transport Authority or the State Transport Authority as the case may be, shall keep it open for others and call for applications in respect of another route from the persons belonging to the Scheduled Castes and Scheduled Tribes, provided that the number of permits to the Scheduled Castes and Scheduled Tribes shall not exceed eighteen per cent of the total number of permits in a calendar year.

If the number of permits granted to persons belonging to the Scheduled Castes and Scheduled Tribes in a Calendar year falls short of eighteen per cent, the Regional Transport Authority, or the State Transport Authority as the case may be, shall carry forward the unfilled percentage to the next calendar year and invite application from the persons belonging to Scheduled Castes and Scheduled Tribes first during the next calendar year so as to maintain the percentage reserved for them:

Provided that such reservation by the carry forward principle shall not in a particular year exceed 50 per cent of the permits to be granted in that year.

In the case of inter-State route, the provisions of sub-section (3) of section 71 shall apply. The reservation of eighteen per cent shall be made only among the applicants other than State Transport Undertakings.

No distinction shall be made between short routes, town routes or medium routes for the above purpose.

ROSTER

Open Competition
Scheduled Castes and Scheduled Tribes

Open Competition

Open Competition

Open Competition

Open Competition

Open Competition

Scheduled Castes / Scheduled Tribes

Open Competition

x^

Open Competition

Open Competition

Open Competition

Open Competition

Scheduled Castes / Scheduled Tribes

Open Competition

Open Competition

Open Competition

Open Competition

Open Competition

Scheduled Castes / Scheduled Tribes

Open Competition

Open Competition

Open Competition

Open Competition

Open Competition

Open Competition

27.Scheduled Castes / Scheduled Tribes

Open Competition

Open Competition

Open Competition

Open Competition

Open Competition

Scheduled Castes / Scheduled Tribes

Open Competition

Open Competition

Open Competition

Open Competition

Open Competition

Schedule Castes / Scheduled Tribes

Open Competition

Open Competition

Open Competition

Open Competition

Open Competition

Scheduled Castes / Schedule Tribes

Open Competition

Open Competition

Open Competition

Scheduled Castes / Scheduled Tribes

Open Competition

169. Guidelines for grant of private service vehicle permits.— An application for a permit in respect of private service vehicles shall be in the form prescribed in rule 170 and shall be accompanied by a fee prescribed in the Table under rule 279. The Regional Transport Authority in considering an application for grant of a permit to a private service vehicle with regard to the necessity for the use of the vehicle for carrying person for trade or business of the applicant, may impose conditions to be specified in the permit regarding the maximum number of persons who may be carried, the manner in which they may be carried and the area or the route for which the permit shall be valid. The Regional Transport Authority may, in its discretion, refuse an application for grant of permit to a private service vehicle, if it is satisfied that the applicant is the holder of a private service vehicle permit, which has been suspended or cancelled.

169-A. Guiding principles for the grant of tourist Maxi Cab and motor cab Permits.— (1)

"Tourist Motor Cab" means any motor cab adapted to be used for tourist purposes in the State. "Tourist Maxi Cab" means any maxi cab adapted to be used for tourist purposes in the State.

The Regional Transport Authority or its Secretary, if authorised in this behalf, shall in accordance with and subject to the provisions of these rules, grant permits for tourist maxi cabs and tourist motor cabs for Statewide operation.

Application for the grant of permit to a tourist Maxi cab or a tourist motor cab shall be made in the form for contract carriage prescribed in Rule 170 accompanied with the fee prescribed in the Table under rule 279.

Every application for the grant of permit shall be considered by the Regional Transport Authority or by its Secretary in accordance with the procedure laid down in Section 74. The Regional Transport

Authority or its Secretary may also take into consideration the suitability of the vehicle for tourist purposes in the interest of public.

[.....]

On receipt of the orders sanctioning the permit the grantee shall, within the prescribed period, produce to Regional Transport Authority or its Secretary, the current records of the vehicle including the Registration Certificate, Fitness Certificate, Insurance Certificate and evidence of payment of tax due under the provisions of the Tamil Nadu Motor Vehicle Taxation Act, 1974 (Tamil Nadu Act 13 of 1974) for issue of a permit.

The Regional Transport Authority or its Secretary, if it decides to grant the permit for a tourist maxi cab or tourist motor cab shall attach to the permit the following conditions and also such other conditions as may be applicable to contract carriages as it deems fit—

(0 []

(ii) that the vehicle shall be used only for the conveyance of bonafide tourists;

(iii) that the vehicle shall not carry more than the number of persons, specified in the permit.

(iv) that the driver shall not indulge in touting on behalf of or accept any commission or favour from shops, hotels, restaurants, etc., and shall not act as a tourist guide;

(v) that a serially page numbered complaint book which is certified by the Regional Transport Authority, or its Secretary, shall be kept in the vehicle and made available by the driver to the passengers on demand.

(vi) that the vehicle shall normally be kept in the place specified in the permit.

(vii) that the fare charged shall not exceed the rate fixed by the Regional Transport Authority from time to time.

(viii) that the tourist maxi cab and tourist motor cab shall exhibit the number plate as for a tourist vehicle.

(ix) that the vehicle shall not ply in competition with regular taxis.

(x) that the vehicle shall be driven only by the driver who obtains authorisation to drive a transport vehicle from the licensing authority in the State.

(xi) that the driver shall wear white trouser, white tunic, Peak Cap, (white) and Black shoes.

(xii) that a pocket size printed card in attractive design containing particulars of places of importance with rate of fares for the journey to and from those places and such other particulars obtained by the permit holders from Director of Government of India, Department of Tourism and State Tourism Department shall be made available in the vehicle for free distribution to the tourist.

[]

The fares of tourist maxi cab and tourist motor cab except those operated on battery, compressed natural gas or solar energy shall be fixed by the Regional Transport Authority from time to time, as per directions of the Government under section 67. \$

Nothing in rules 353, 357, 360, 362 shall apply to tourist maxi cab and tourist motor cab.¹

A driver shall keep himself clean and tidy and shall pay special attention to personal cleanliness. He shall be liable for disqualification if any complaints of rudeness, misbehaviour or cheating are proved to be genuine.

Amendments

Sub-rule (5) omitted by SRO A-23(a)/2008 dated 25-7-2008.

In sub-rule (7), clause (i) omitted by SRO A-23(a)/2008 dated 25-7-2008; clause (x) substituted by SRO A-49/96 dated 21-3-1996.

Sub-rule (8) omitted by SRO A-23(a)/2008 dated 25-7-2008.

170. Permit application form.— Every application for a permit in respect of a Transport vehicle shall be one of the following forms that is to say.—

- (i) In respect of a stage carriage in Form SCPA.
- (ii) in respect of contract carriage in Form CCPA.
- (iii) in respect of goods carriage in Form GCPA.
- (iv) in respect of a private service vehicle in Form PSVA.
- (v) in respect of a temporary permit in Form PTA.
- (vi) in respect of a special permit in Form PSPLA.
- (vii) in respect of an endorsement or extension of validity of permit in Form PEA.
- (viii) in respect of an Educational Institution bus in Form PEVA.

170-A. Acknowledgment for application.— Every application for the grant or renewal of a permit or for an endorsement or renewal of an endorsement of a permit or for an extension or renewal of an extension of validity of a permit shall be made to the Transport Authority concerned and an acknowledgment for receipt shall be issued if the applicant so desires.

171. Every permit shall be in one of the following forms, that is to say—

- (i) in respect of a stage carriage in Form PSC.
- (ii) in respect of a Contract Carriage in Form PC.
- (iii) in respect of a goods carriage in Form GCP.
- (iv) in respect of a private service vehicle permit in Form PSVP
- (v) in respect of national permit in Form NP.
- (vi) in respect of a temporary permit in Form PT.
- (vii) in respect of a Special permit in Form PSPLP.
- (viii) in respect of a Tourist vehicle permit in Form TVP.
- (ix) in respect of an Educational Institution bus permit in Form PEV.

172. Transport vehicles — permit condition.— (1) It shall be a condition of every permit that the vehicle or vehicles specified in it shall not be Used on any public road after the expiry of the period prescribed in rule 7 of the Tamil Nadu Motor Vehicles Taxation Rules, 1974, until such time the tax in respect of such vehicle or vehicles has been paid in accordance with the provisions of the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974) and the rules and notifications issued thereunder.

It shall be a condition of every permit that the vehicle or vehicles specified in it shall not ply without a certificate of fitness.

It shall be a condition of every permit to use a transport vehicle that there shall not be present in the vehicle even when it is stationary any class or description of goods, the conveyance of which contravenes any law or any rule, by-law or order made thereunder prohibiting or regulating the import, export or transport of such goods, or mica for which royalty has not been paid.

(a) It shall be a condition of every permit of a transport vehicle other than a motor cab that the dates of expiry of the permit and of the certificate of Fitness and the particulars of the insurance Policy number, date of expiry and full address of the insurance company shall be exhibited exteriorly on the left side of the body of the cabin in the case of goods carriage, and exteriorly on the left side of the body above the position of the rear left wheel and as near the rear entrance as possible in the case of stage carriages in the manner prescribed for weights of the vehicle in rule 93.

(b) In the case of a motor cab permitted to ply in the Madras City, it shall be a condition of every permit that the dates of expiry of the permit and the certificates of fitness and the particulars of the insurance Policy number, date of expiry and full address of the insurance company shall be exhibited

on the exterior of the left half of the rear glass bottom most portion above and parallel to the rubber beeding or on the dash board.

(5) It shall be a condition of every permit of a transport vehicle that the vehicle shall carry a first-aid box containing the following articles:—

- (i) a copy of the first-aid leaflet;
- (ii) twenty four sterilized finger dressings;
- (iii) Twelve sterilized hand or foot dressings;
- (iv) Twelve sterilized large body dressings;
- (v) One extra large, two large and three small sterilized burn dressings;
- (vi) two fifteen grams packets of sterilized cotton wool;
- (vii) A bottle of 2 percent tincture of iodine;
- (viii) A bottle of sal volatile;
- (ix) An empty bottle fitted with cork and camel hair brush for eye drop; and
- (x) Fifty milli litres medicine glass.

(6) It shall be a condition of the permit of every transport vehicle that the vehicle will be so maintained as to be available for the service for which the permit was granted for the entire period of currency of the permit and that the permit is liable to be suspended or cancelled, after due notice to permit holder if the vehicle has not been used for the purpose for which the permit was granted for a continuous period of more than ten days during the period for which the permit authorise the use of the vehicle on the road, unless the holder of the permit had obtained in writing the prior permission of the Transport Authority to suspend the service of the vehicle for a specific period exceeding ten days:

Provided that no holder of a permit shall ordinarily be granted permission to suspend the service of the vehicle for a continuous period exceeding twenty days at a time:

Provided further that the period may be extended by such further period or periods, as the Transport Authority thinks fit:

Provided also that the holder of a permit shall pay the fee prescribed in the Table under rule 279.

It shall be a condition of every permit of a transport vehicle that the vehicle shall be allowed or caused to be driven only by a duly qualified person holding a valid driving licence.

It shall be a condition of every permit of a transport vehicle that the vehicle shall not be allowed or caused to be allowed to carry any stolen property with the knowledge that the same was stolen.

It shall be a condition of the permit, that where a temporary permit under section 87 or a special permit under sub-section (8) of section 88 is issued to a vehicle covered by the permit, the breach of any of the conditions of the temporary permit or as the case may be, the special permit shall be deemed to be the breach of the conditions of the permit itself and the said permit shall be liable for suspension or cancellation.

(10) It shall be a condition of permit of every transport vehicle that it shall always carry four wooden chokes capable of preventing the motion of the vehicle when kept stationary on public road. The wooden chokes shall be used when the vehicle is kept stationary and shall be taken back when the vehicle resumes its journey.

Amendments

In sub-rule (2), the words, "not ply without a certificate of fitness" substituted by SRO A-10/97 dated 5-12-1996.

173. Public service vehicle — condition of permit.— (1) It shall be a condition of every permit to use a public service vehicle in the Cities of Chennai, Madurai and Coimbatore and or any municipality or Municipalities constituted under the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920) or plying

in built up areas declared as towns or in Madras Metropolitan area that if tax under the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974) shall be paid in respect of the roads solely within the limits of the City and/or any such municipality or municipalities, as the case may be, and at no additional rate, the vehicle shall not be used outside such limits.

It shall be a condition of permit of every public service vehicle that the holder thereof shall not employ or permit any person to act as an agent or canvasser unless such person has obtained a licence under rule 234.

It shall be a condition of every permit of a public service vehicle or goods carriage that the vehicle shall not be allowed or cause to be allowed to participate in a strike or to be withdrawn from road, without adequate reasons, with a view to causing inconvenience to the public.

174. Goods carriage permit — condition.— (1) It shall be a condition of every permit to use a goods carriage that the vehicle shall not be used for the conveyance of any class or description of goods in contravention of any law or any rules, by law or order made thereunder prohibiting or regulating the import, export or transport of such goods or for the conveyance of mica in respect of which royalty has not been paid.

It shall be a condition of every permit to use a goods carriage, that the vehicle shall be stopped at a check post or chowki post whenever any clerks, Traffic Guard, chowkidar or attender employed in such post calls upon the driver of the vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable him to make a reasonable examination of the contents of the vehicle.

It shall be a condition of every permit of a goods carriage that unless otherwise permitted in writing by the competent authority prescribed in the rules, the vehicle shall not be 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 load body of the vehicle;

(iii) to the rear exceeding one meter beyond the rear-most part of the vehicle; and

(iv) in height by a distance which exceeds 380 centimetres from the surface upon which the vehicle rests.

It shall be a condition of permit of every goods carriage that it shall always carry two black and white painted cones with a height of 75 centimetres bottom width of 40 centimetres and clipped with a distance of 45 centimetres between the bottom of the cones with a red reflector at the top of the cone having reflection to be readily available for being placed on the road at the front and at the rear extremities in the off-side of the goods carriage whenever such vehicle has to be stalled on highways, in case of any mechanical failure or breakdowns and accident on the roads where such stalling becomes necessary as a measure of safety warning to other road users. The two painted cones shall be placed on the ground whenever the vehicle is at rest on the road under the above circumstances and shall be taken back when the vehicle resumes its journey.

It shall be a condition of the permit of every goods carriage transporting any dangerous or hazardous goods that the goods shall be packed and transported in accordance with the rules 129 to 137 of the Central Motor Vehicles Rules, 1989.

Amendments

In sub-rule (4), the words, "with a height of 75 centimetres cone having reflection" substituted by SRO A-21/98 dated 10-3-1998.

175, National Permit — Conditions.— The following shall be the conditions of every National Permit:

The vehicles shall not be used to pick up or set down goods between any two points within a State other than the State in which a National permit is issued.

The vehicle shall have two drivers and shall be provided with a seat across the full width of the vehicle behind the driver's seat providing facility for the spare driver to stretch himself and sleep.

The vehicle shall conform to and comply with all the provisions of the Act and Rules made thereunder and all the laws in force from time to time in the State in which a national permit is issued governing Motor Vehicles.

The vehicles shall be subject to the weight and speed restriction prescribed by the competent authority of the State or Union Territory in the area of which the vehicle may be plying for the time being.

The vehicle shall, at all time carry a valid fitness certificate, certificate of registration, the national permit and the authorisation under the national permit,

All the taxes due in respect of the vehicle shall be paid within the specified time.

The vehicles operating under National permits shall operate on all categories of roads except in North-Eastern Region where their operation shall be only on National Highways or State Highways.

(h) The vehicle shall be subject to all the local rules and orders of Government where for the time being it may be in operation other than those from which it has been expressly excepted.

(i) The National permits goods carriage shall always carry two black and white printed triangular cones with a height of 75 centimetres bottom width of 40 centimetres and clipped with distance of 45 centimetres between the bottom of cones with a red reflector at the top of the cone with good reflection to be readily available for being placed on the road at the front and at the rear extremities on the off side of the goods carriage whenever such vehicle has to be stalled on highways in case of any mechanical failure or breakdown or accidents. When such stalling becomes necessary, as a measure of safety warning to other road users two painted cones shall be placed on the road in the aforesaid manner and shall be taken back when the vehicle resumes its journey.

Amendments

Clause (i) added by SRO A-21/98 dated 10-3-1998.

176. Permit conditions.— (1) It shall be a condition of every stage carriage permit that the holder of the permit shall, if so required by the Transport Authority which granted the permit, carry mails.

(2) It shall be a condition of every stage carriage permit that the tickets furnishing the following particulars shall be issued to each and every passenger travelling in the vehicle from whom the fare has been collected:—

Serial Number of ticket

Date of issue

Registration number of the stage carriage.

Name of the permit holder

From to

6. Amount of fare collected—

for the passengers

for luggage

7. Initials of the Conductor; Provided that it shall be a sufficient compliance of this rule in the case of Express Service if tickets are issued in the manner prescribed in rule 80.

Provided further that in the case of passenger travelling free of charge or on a bus warrant issued by the competent authority, the fact should be furnished in item 6 of the ticket to be issued to him:

Provided also that bus warrants issued under rule 178 shall be accepted in lieu of fares and charges.

It shall be a condition of every stage carriage permit that a blue print of the route (indicating all the intermediate places also) for which the permit is issued, copy of fare table and time-table approved by the Transport Authority shall be exhibited in a conspicuous place inside the vehicle covered by the permit and adhered to and the fare table so exhibited shall indicate the stages on the routes fixed by the Transport Authority and also the appropriate fare table according the stages.

It shall be a condition of the permit of every stage carriage that the vehicles may, if on application by the permit holder, so authorised by the transport authority which granted the permit, carry standing passengers upto maximum of fifteen during any fair and festival:

Provided that additional motor vehicles tax for the relevant period shall be paid in respect of the standing passengers so allowed at the rate prescribed in the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974) and the rules and notification issued thereunder.

It shall be a condition of permit of every stage carriage, other than the one specially authorised to perform night service, that the vehicle shall not be allowed or caused to be allowed to ply with passengers at night between such hours as may be specified by the Transport Authority.

[3

It shall be a condition of permit of every stage carriage that the number of vehicles to be kept as reserve by the holder of the permit to maintain the operation and to provide for special occasions shall be as follows:

<i>Number of route buses held by the operator:</i>	<i>Number of reserve stage Carriage</i>	
	<i>Minimum</i>	<i>Maximum</i>
(1)	(2)	(3)
1 to 5	Nil	One
State Transport Undertaking	One	Twenty percent of fleet of buses

Amendments .

In sub-rule (7), against the words "State Transport Undertaking" in column (1), the words "one" and "Twenty percent of fleet of buses" substituted in columns (2) and (3) thereof respectively by SRO A-86/97 dated 10-7-1997.

177. Contract carriage permit — condition,— (1) It shall be a condition of every contract carriage permit that the contract carriage shall carry as many persons as can be accommodated at one time without exceeding the permitted capacity of the contract carriage if so required by the hirer of any of the hirer's party.

(2) It shall be a condition of permit of every Contract carriage other than taxis and autorickshaws that there shall be maintained a list of passengers travelling in the vehicle in the following form in respect of each trip and such list shall be produced before the Checking Officer on demand;—

FORM
LIST OF PASSENGERS TRAVELLING IN THE
CONTRACT CARRIAGE NUMBER

Date	Serial number	Name of the passenger	Father's/ Husband's name	Age	Address	Place where
the vehicle	from the vehicle				Boarded	Aliighted
(1)	(2)	(3)	(4)	(5)	(6)	(7)

It shall be a condition of permit of every contract carriage (Motor Cabs and Autorickshaws) except those operated on battery, compressed natural gas or solar energy that a copy of the fare-table shall be exhibited in a conspicuous place inside the vehicle for counter checking the fare and distance according to the fare meter.

It shall be a condition of permit of every Tourist Vehicle except those operated on battery, compressed natural gas or solar energy that a copy of the fare table showing the current rates of fare shall be exhibited in a conspicuous place inside the vehicle.

It shall be a condition of every permit of a taxi or and autorickshaw that a taxi meter shall be fixed to the vehicle [...], duly tested and sealed by the registered motor mechanic and maintained in proper working order.

Provided that the Government may specifically exempt a taxi or an autorickshaw from fixing a taximeter subject to the following conditions, namely:—

- (i) the use of the vehicle without a taximeter shall be for a specific purpose; (ii) the period of such use shall be for a period not exceeding one year; and (iii) during the said period, such vehicle shall not be allowed or caused to be allowed for use

by general public.

It shall be a condition of permit that in the case of tax or an autorickshaw permitted to ply solely within the Madras City, a distinguishing mark "N" for North, "S" for South, "C" for Central "E" for East and "W" for West denoting the jurisdiction of the Regional Transport Offices concerned in Madras City, shall be painted on the number plate below the numerals. The letter shall be in red, within a circle having a diameter of 5 centimetres drawn in red.

It shall be a condition of permit of every omni bus that the bound book of trip sheets with not more than 31 serially numbered pages in duplicate maintained as prescribed under rule 258 is always within the vehicle during that calendar month with at least duplicate copies of all the pages intact and the said bound book of trip sheets shall be made available to the inspecting Officer of the Transport Department at the time of checking.

Amendments

In sub-rule (5), certain words omitted by SRO A-30/95 dated 7-3-1995; the proviso inserted by SRO A-30/95 dated 7-3-1995.

178. Bus warrant.— (1) Officers of the Police and Prohibition departments not below the rank of sub-inspector, Officers incharge of Police and Prohibition stations, camp clerks to gazetted Police and Prohibition Officers and Officers not below the rank of Jamadars in the Armed Reserve, Special Armed Police and Malabar Special Police may issue bus warrants permitting officers and men of the said departments to travel on duty or to convey their personal effects and/or prisoners by any stage carriage.

- (2) Any person issuing a bus warrant as aforesaid shall specify the name of the District Police

Officer or the District Prohibition Officer or Commandant's office in the case of the Malabar Special Police and Special Armed Police Personnel to which the bus warrant should be sent for encashment. The owner of the stage carriage shall forward all the bus warrants issued during a month payable at a particular office with a bill before the tenth of the succeeding month. The District Police Officer or the District Prohibition Officer or the Commandant's Office, as the case may be, shall promptly arrange for the payment of the cost of bus warrants at the sub-treasury nearest to the owner of the stage carriage.

Temporary permit and permit to be carried in the vehicle.— The holder of a permit shall cause the permit or the temporary permit, as the case may be, to be carried on the vehicle. It shall be produced by the driver for inspection on demand made at any reasonable time by any authorised person.

Without registration mark — no Permit.— No permit shall be issued until the registration mark of the vehicle to which it relates has been entered therein.

Permit — entry of registration mark.— (a) When the applicant is unable to produce the certificate of registration on the date of his application for the permit, for the reason that he is not on that date in possession of a vehicle duly registered or for some other reasons, the Transport Authority or the Tribunal, as the case may be, shall grant him three months time to be reckoned from the date of receipt of the orders passed by them to produce the certificate of registration of the vehicle before the Transport Authority which has to issue the permit in order that particulars of registration mark may be entered in the permit. In cases where the State Transport Authority's order is stayed by the Tribunal and is subsequently vacated, the time for production of the registration certificate should be calculated from the date of receipt of the order of the Tribunal confirming the Transport Authority's order, if, however, the applicant acquired the vehicle and is able to produce the certificate of registration thereof within the time allowed, under this rule, the Transport Authority concerned shall issue the permit in respect of that vehicle:

Provided that in cases where the orders of the Transport Authority or Tribunal for issue of permit are stayed by the High Court and the order of stay is vacated subsequently, the time for production of the records shall be calculated from the date of pronouncement of the order of the High Court vacating the stay.

The acquisition of a vehicle in pursuance of an order sanctioning the permit shall be at the sole risk of the applicant as the order sanctioning the permit may be reversed on appeal or revision under the Motor Vehicles Act and Rules and such acquisition shall not be deemed to be a point in favour of the applicant while disposing of the appeal or revision. If any applicant fails to produce the Certificate of registration, together with current fitness certificate, current insurance certificate and current tax licence issued under [Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974)] within three months time, the Transport Authority, or the Tribunal, as the case may be shall revoke its sanction.

The Transport Authority sanctioning an application for endorsement or extension (countersignature of permits shall call upon the permit holder to produce the permit and endorse in the permit) and return it to the holder furnishing simultaneously extracts of the Counter-Signature so endorsed together with the relevant particulars to the Transport Authority by whom the permit has been issued. The Transport Authority may revoke the sanction of the application for endorsement if the permit holder fails to produce the documents aforesaid within four months from the date of receipt of the order requiring the production of the permits.

The Transport Authority may delegate the power conferred on it by sub-rule (a) or (c) to its Secretary or Assistant Secretary if any in case where the Secretary or Assistant Secretary if any has sanctioned the application for the permit or for endorsement or extension of the permit, as the case may be.

182. Permit within the State — endorsement not necessary.— The Regional Transport Authority of any one region may, subject to the provisions of section 69, grant a Stage Carriage permit to be valid in any other region within the State without the countersignature of the Regional Transport Authority of the other region or of each of the other regions concerned and it shall as soon as possible send copies of proceedings relating to the issue of such permit to the Regional Transport Authority concerned:

Provided that no Regional Transport Authority shall grant a permit on routes for which the State Transport Authority is the sole Transport Authority under rule 153 unless such power is delegated by the State Transport Authority under rule 149.

Applicability of rule in the case of variation of routes etc.— The provisions of rule 182 shall, so far as may be apply to variation, extension and curtailment of routes and to grant and renewal of endorsement as they apply to grant of a permit.

Permits — temporary use of unregistered vehicle not authorised.— 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 contravene any of the provisions of the Act or the rules thereunder.

Stage carriage and contract carriage of goods — restrictions.— No goods liable to fuel the interior or the vehicle or to render it insanitary, shall be carried at any time in any stage carriage or contract carriage.

Goods restriction by Transport Authority.— The Transport Authority may specify in any permit the goods which shall not be carried in a Stage carriage or a contract carriage.

Dead bodies in motor cab.— Dead bodies may be carried in a motor cab if specifically authorised to carry and subject to such conditions as may be specified by the Transport Authority.

Maximum weight of goods and luggage.— The Transport Authority may specify in any stage carriage or contract carriage permit the maximum weight of passengers' luggage and goods which may be carried in addition to passengers.

Passengers not to be inconvenienced.— If a permit holder uses a stage carriage for the carriage of goods to the detriment of the public convenience by failing thereby to meet the demand for passengers transport, the Transport Authority may, after giving the holder an opportunity of being heard, declare that a breach of the condition of the permit has occurred and may thereafter proceed under the provisions of section 86.

Contract carriage — general merchandise not to be carried.— A contract carriage permit may authorise the use of a vehicle for the carriage of personal or house-hold effects of a hire but not the carriage of general merchandise.

Stage carriage ■— goods to be packed and secured.— 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 danger, inconvenience or discomfort is caused to any passengers. 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 VII of these rules unobstructed.

192. Stage or contract carriages — carriage of persona! luggage.— The Transport Authority 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.

193. Permits renewal application form.— Application for the renewal of permit shall be made in the Form PRA to the Transport Authority by which the permit was issued. The application shall be accompanied by the fees prescribed in the Table under rule 279. If the registered owner of the vehicle has entered into an agreement of hire purchases, hypothecation or lease, the application for renewal of permit should be accompanied by the documents specified under sub-section (8) of section 51.

193-A. Belated renewal of permit.— Every application for renewal of permit made after the last date specified in sub-section (2) of section 81 of the Act, shall be accompanied by the additional fees prescribed in the Table under rule 279.

Amendments

Rule 193-A inserted by SRO A-30/94 dated 10-3-1994.

194. Production of permit etc.— (1) The Transport Authority sanctioning an application for renewal of a permit shall call upon the permit holder to produce the registration certificate of the vehicle or vehicles together with valid certificates of fitness and evidence for the payment of motor vehicles tax for the current quarter and the permits, and endorse the renewal in the permits and return the records to the holder. The Transport Authority shall revoke its sanction of the application for renewal, if the permit holder fails to produce the documents aforesaid within four months from the date of receipt by him of the order requiring the production of the records.

The Transport Authority may delegate the powers conferred on it by sub-rule (1) to its Secretary in cases where the Secretary sanctioned the renewal of the permit.

The powers referred to in sub-rule (1) shall be exercised also by the appellate or revisional authority, as the case may be, if the renewal is sanctioned by it.

195. Permit—renewal of endorsement or extension.— Application for the renewal of an endorsement or extension of validity of a permit shall be made in Form PRA with necessary alterations together with Form PEA, to the Transport Authority concerned within the period specified in sub-section (2) of section 81 in regard to the renewal of the permit and shall be accompanied by the fee prescribed in rule 279 and permit.

196. Endorsements in permits.— (1) The Transport Authority sanctioning an application for renewal of endorsement or extension of validity of a permit as the case may be shall call upon permit holder to produce the permit, together with evidence for payment of Motor Vehicles Tax under Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974) if due, in respect of the vehicles concerned and endorse the renewal in the permit and return the records to the holder. The Transport Authority shall revoke its sanction of the renewal if the permit holder fails to produce the documents aforesaid within four months from the date of receipt by him of the order requiring the production of the records.

The Transport Authority may delegate the power relating to revocation of sanction conferred on it by sub-rule (1) to its Secretary in cases where the Secretary has sanctioned the renewal of the endorsement for extension of validity of the permit.

The powers relating to revocation of sanction referred to in sub-rule (1) shall also be exercisable by the appellate or revisional authority if the renewal of the endorsement or extension of validity of the permit is sanctioned by it.

197. Validity of permit.— (1) A primary authority may with general or specific concurrence of a complementary authority and subject to such conditions, restrictions or term as may be required by that authority and agreed upon by the primary authority, issue permit to be valid without countersignature in the complementary region.

(2) A complementary authority may revoke its concurrence, if the conditions, restrictions or terms required by it have not been imposed or implemented by the primary authority:

Provided that an opportunity for representation shall be given to the primary authority by the complementary authority before such revocation.

Upon revocation of a concurrence under sub-rule (2) any permit issued by the primary authority shall, subject to such conditions as may be specified by the complementary authority which revoked the concurrence, remain effective in the complementary region so long as the permit is valid, as if the permit had been countersigned in that region.

A concurrence entered into between a primary authority and a complementary authority may be dissolved by mutual agreement, if conditions have since changed.

Any permit issued by a primary authority during the subsistence of a concurrence shall notwithstanding the dissolution thereof under sub-rule (4) remain effective in the complementary region so long as the permit is valid, as if it had been countersigned in that region.

Nothing contained in sub-rules (1) to (5) shall be deemed to preclude a complementary authority from countersigning any permit under section 88 upon an application made to it.

A primary authority granting a permit having validity outside its region may impose any one or both of the following conditions, namely:—

that the vehicle to which the permit relates shall normally be kept within the region of the primary authority; and

that the vehicle shall not be offered for hire in the region of a complementary authority except in the course of its return journey to the primary region.

197-A. Validity of permit — when bifurcation etc., of a district. — (1) Any permit granted or issued or any counter-signature of permit granted or made by the Regional Transport Authority of any undivided district shall, on and from the date of publication of bifurcation or trifurcation, be deemed to be a permit granted, issued or counter-signature of permit granted or made by the Regional Transport Authority of the newly formed Region to whose jurisdiction such permit or counter signature stands transferred as a result of such bifurcation or trifurcation, provided that the permit or the counter-signature is valid or a valid application for renewal is pending on such date.

(2) The permit, shall, as soon as possible, be replaced as hereinafter specified—

Permit of routes or areas which are intra-district issued in the undivided district, on and from the date of publication of bifurcation or trifurcation, becomes inter-district covering the newly formed Region and it shall be replaced in conformity with the provisions of section 69 of the Act by the Regional Transport Authority of the Region of the newly formed district, by invoking the provisions of subsection (4) read with sub-section (5) of section 80 of the Act and the replacing permit shall be valid in the other Region, as if it were countersigned by the Regional Transport Authority of that other Region.

Permit of routes or areas which are already inter-district issued in the undivided district, but the jurisdiction of which will, on bifurcation or trifurcation, shift to the other Region by virtue of the provisions of section 69 of the Act, shall be replaced by the Regional Transport Authority of the Region of the newly formed district by invoking the provisions of sub-section (4) read with sub-section (5) of section 80 of the Act and the replacing permit shall be valid in the newly formed region, as if, it were counter-signed by the Regional Transport Authority of that Region.

Amendments

Rule 197-A inserted by SRO A-31/94 dated 23-3-1994.

198. Grant of Statewide contract-carriage permit.— The Government may, for the purpose of

contract carriage permits (motor cabs only) by notification in the *Tamil Nadu Government Gazette* direct that the contract carriage permits for motor cabs other than autorickshaw shall, subject to such conditions, restrictions and limitations issued from time to time, be valid throughout the State and upon such notification, Contract Carriage permits for motor cabs other than autorickshaw granted by the Regional Transport Authority of any region in the State shall, subject to the proviso" under sub-section (1) of section 74 be valid without countersignature in the other regions in the State.

Goods carriage Nomination, fee.— The fee payable for an application for nomination in respect of each goods vehicle covered by a permit in the State for counter signature of permit to ply in any other State on single point, tax shall be as specified in the Table under rule 279.

Validity of other State permit in Tamil Nadu.— A Contract Carriage permit of Tourist Taxis issued by other States under reciprocal agreement, shall be valid in Tamil Nadu without counter signature, subject to the following conditions and limitations:—

Such permit is issued pursuant to an agreement arrived at between Tamil Nadu and such other States as provided for in sub-section (4) of section 88, wherein specific provision has been made to dispense with counter signature;

the number of such permits in respect of any category of motor vehicles is limited to the maximum number if any, specified in the reciprocal agreement;

the liability to pay tax due to Tamil Nadu shall be subject to the provisions of the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974) and the notifications made thereunder;

the vehicle shall conform and comply with the provisions of the Act and the Rules;

the vehicle shall be operated in this State subject to such restrictions and conditions as may be specified in the reciprocal agreement;

the holder of the permit shall maintain in respect of the vehicle such other documents and file such other returns as may be specified in the reciprocal agreement;

the authority in the other State issuing the permit shall make necessary endorsement in the permit to the effect that the permit does not require counter-signature in this State and shall simultaneously furnish particulars of the permit so endorsed to the State Transport Authority, of the State; and

(h) there is in force in that other State a rule conforming to or contains substantially the same provisions as in this rule.

201. Permit — replacement of vehicle application.— (1) If the holder of a permit desires at any time to replace a vehicle covered by the permit with another vehicle he shall forward the permit and apply in writing to the Transport Authority by which the permit was issued 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.

(2) The fee payable in respect of an application for replacement of a vehicle by another vehicle, other than involving variation of permit and in respect of vehicles involving variation of permit shall be such fee as prescribed in rule 279

202. Rejection of application.— Upon receipt of an application under rule 201 the Transport Authority may in its discretion reject the application—

(i) if it has previous to the date of the receipt, of the application, given reasonable notice of its 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 provision thereof or has been deprived of possession of the old vehicle under the provisions of any agreement of hire purchase.

Procedure on granting replacement.— If the Transport Authority grants an application for the replacement of a vehicle under rule 201 it shall call upon the holder of the permit to produce the permit relating to the old vehicle and the certificate of registration of the vehicle if not previously delivered to it and shall correct the permit accordingly under its seal and signature and return them to the holder.

Permit — surrender and cancellation.— (1) (a) If the holder of a permit proposes to surrender the permit for cancellation he shall make an application in form "ACC" to the Secretary of the Transport Authority concerned for the acceptance of surrender of the permit and issue of a Clearance Certificate.

Such application shall be accompanied by the permit and a fee as specified in the Table under rule 279.

No application for the surrender of permit in respect of contract carriage (maxi cab and motor cab allotted under Taxi Trade Quota) shall be considered if such application is made within a period of three years from the date of first registration as maxi cab and motor cab:

Provided that such an application may be considered if the permit holder pays the difference of excise duty as applicable to private cars and produce the evidence for such payment obtained from the competent Central Excise Authorities along with the application.

(2) (a) On receipt of an application in form "ACC" the Secretary of the Transport Authority shall forthwith issue the Clearance Certificate in form "CC".

(b) A Clearance Certificate issued under clause (a) shall be valid for a period not exceeding 30 days from the date of its issue as mentioned therein.

(3) (a) In case where the holder of the permit has no liabilities outstanding or where there is sufficient documentary evidence to prove that the liabilities have been cleared by the permit holder concerned the secretary of the Transport Authority shall direct the permit holder to produce the certificate of registration of the vehicle.

(b) On receipt of the records referred to in clause (a) the Transport Authority, or the Secretary of the Transport Authority if authorised in this behalf by the Transport Authority shall forthwith cancel the permit so surrendered, cancel the endorsement for payment of tax in the certificate of registration and send them together with an order mentioned in Part II of form "ACC" with copies of the said order marked to the registering authority and countersigning authority/authorities if any.

(4) In case the holder of permit has liabilities outstanding and there are disciplinary proceedings pending against him or there are orders in force suspending or cancelling the permit, the Secretary of the Transport Authority concerned shall issue a notice simultaneously along with the certificate in Form "CC" to the holder of the permit that his application for surrender of permit shall be summarily rejected if further proof or intimation clearing the liabilities or of having undergone the disciplinary proceedings or if the permit has been ordered to be suspended and the suspension having been undergone or is otherwise modified on appeal or if the holder of the permit has agreed to or has been permitted to pay a certain sum of money in lieu of cancellation or suspension of the permit, and that the same has been fully paid, is not received from him within thirty days from the date of issue of notice. If even after the expiry of the aforesaid period of thirty days the aforesaid defects are not cleared, the Transport Authority, or the Secretary of the Transport Authority may refuse to accept the surrender of the permit. The order refusing the acceptance of surrender shall be in part II of Form "ACC".

205. Permit — suspension or cancellation.— A Transport Authority may suspend or cancel a

permit in respect of all or any of the vehicle specified in the permit. When a Transport Authority suspends or cancels permit—

(i) the holder shall surrender the permit that relate to the vehicle or vehicles covered by the order of suspension or cancellation or reduction within seven days of receipt of a demand in writing by the Transport Authority, failing which the permits are liable to be seized by any Police Officer not below the rank of sub-Inspector of Police or any inspecting officers of the Transport department without prejudice to the penalty for which the permit holder may liable;

(ii) the Transport Authority shall record in the permit or in the temporary permit, as the case may be, the order of suspension or cancellation; and

(iii) it shall send intimation to any authority by which the permit has been endorsed or extended if such endorsement or extension is in force at the time of suspension, cancellation or reduction.

206. Compounding of offences.— The Transport Authority shall in determining the sum of money to be recovered in lieu of cancellation or suspension of different classes of permits, have regard to the following namely:—

nature, gravity and frequency of the offence committed;

the quantum of punishment that would otherwise have been imposed; and

earning capacity of the vehicles with reference to the nature of the route and passenger capacity in the case of stage carriage and average daily kilometreage of the vehicle and hire charges, if any, in respect of other classes of transport vehicles:

Provided that the amount so recoverable in lieu of suspension shall in no case be less than the minimum or more than the maximum specified in the table below:—

THE TABLE

Class of vehicle		Minimum per day of suspension	Maximum for the whole period of suspension
(1)	(2)	(3)	(3)
	Rs.	Rs.	Rs.
1. Stage carriage—			
(a) For plying without a tax or permit or for overload		300	9,000
(b) For other offences		100	3,000
2. Goods carriage—			
(a) For plying without a tax or permit or for overload		100	5,000
(b) For other offences		50	1,500
3. Contract carriage—			
Maxi cab	100	1,000	
Taxis (big, medium and baby)	100	500	
Autorickshaws	100	500	
4. Omni buses including luxury tourist coaches and omni buses covered by private service permit—			
(i) for plying without payment of tax or permit or for overload		500	10,000
(ii) for other offences	200	5,000	

Provided further that the Transport Authority while determining the amount so recoverable in lieu of suspension shall specify in its order, making the permit holder to pay the compounding fee within 15 days from the date of determination failing which the cancellation or the suspension of permit shall be given effect to. The Transport Authority or the Secretary of the Transport Authority, if so authorised

by the Transport Authority, may if satisfied on an application made to it in writing by the permit holder within the period of 15 days aforesaid, that there is sufficient ground, grant an extension of time not exceeding 45 days in aggregate to pay the compounding fee:

Provided also that where orders of suspension could not be given effect to for the reason that the vehicle concerned is not covered by valid certificate of fitness or for any other reasons, the compounding fee shall be recovered notwithstanding the time limit prescribed above:

Provided also that where the major punishment of cancellation of permit has been imposed, the minor punishment of suspension of the permit for some other offence, shall not be insisted to be implemented before actual cancellation of the permit and the permit holder shall not be required to compound the fee in lieu of suspension.

Amendments

In the Table, SI. Nos. 3 and 4 substituted by SRO A-137/93 dated 7-9-1993.

Permit — delivery on expiry.— Within fourteen days of the expiry of any permit by the efflux of time, the holder shall deliver the permit to the Transport authority by which it was issued and Transport Authority receiving any such permit shall intimate the facts to the authority or authorities by which it was endorsed or extended if such endorsements or extension was in force on the date of the expiry of the permit.

Permit — transfer of.— When the holder of a permit desires to transfer the permit to some other person under sub-section (1) of section 82, he shall together with the person to whom he desires to make the transfer make joint application in writing to the Transport Authority by which the permit was issued, setting forth the reasons for the proposed transfer. Fee for transfer of permit shall be as prescribed in the Table under rule 279.

Particulars of premium etc.— On receipt of an application under rule 208 the Transport Authority may require the holder and the other party to state in writing whether any premium, or payment of other consideration arising out of the transfer, is to pass, or has passed between them and the nature and amount of any such premium, payment or other consideration.

Transfer to be void for false information.— Without prejudice to any other penalty to which the parties may be liable, any transfer of a permit ordered upon an application which the Transport Authority is subsequently satisfied was false in respect of the matter specified in rule 209 or in respect of any other material particular shall be void.

Summoning of parties.— The Transport Authority may summon both the parties to the application for the transfer of a permit to appear before it. If the application raises doubts or suspicion of trafficking in permits or involves transfer to a person who in the opinion of the Transport Authority is not qualified and eligible for the grant of a new permit, the application shall be rejected.

Withdrawal of consent for transfer.— When the consent of either or both the parties to the transfer of a permit is withdrawn before transfer is sanctioned, the Transport Authority shall drop further proceedings in regard to the transfer of that permit:

Provided that, when either of the parties withdraws such consent, the Transport Authority shall, before dropping such proceedings inform the other party of the withdrawal of consent.

213. Transfer of permit — endorsement of transfer.— (1) If the Transport Authority is satisfied that the transfer of permits may properly be made, it shall call upon in writing the holder of the permit and the other party to forward within four months from the date of receipt of the order sanctioning the transfer, the permit and; the certificate of registration of the vehicle with the particulars of the transfer

of ownership of the vehicle stated thereon together with valid certificate of fitness and proof for payment of the current tax under the Tamil Nadu Motor Vehicle Taxation Act, 1974 (Tamil Nadu Act 13 of 1974). In the event of the parties concerned failing to produce the relevant records within the period of four months aforesaid, the Transport Authority shall revoke the sanction.

The Transport Authority may delegate the power conferred on it by sub-rule (1) to its Secretary in case where the Secretary has sanctioned the transfer of the permit.

The powers referred to in sub-rule (1) shall also be exercisable by the appellate or revisional authority as the case may be where orders sanctioning the transfer of permit is ordered by such authority.

Upon receipt of the permit the Transport Authority shall cancel! the particulars of the holder thereon and endorse particulars of the transferee and shall return the permit to the transferee.

If a permit has been endorsed or extended under the provisions of these rules, the endorsement or extension shall cease to have effect on the date of transfer unless the Transport Authority or by its secretary if so authorised in this behalf which granted the endorsement or extension directs that it shall be continued. An application for the continuance of endorsement or extension of validity shall be accompanied by a fee as specified in the Table under rule 279.

The Transport Authority shall, where a permit other than a stage carriage permit is transferred in the name of a person residing in another region within the State, intimate to the Transport Authority in whose region the transferee resides and the permit in question shall be replaced with a fresh permit as per sub-section (4) of section 80 and replaced permit shall be renewable by the Regional Transport Authority of the region under whose jurisdiction the transferee resides as per sub-section (2) of section 81, The fee for such replacement of permit shall be fifty per cent of the fee payable for grant of such permit.

An application for continuance of counter-signature of permit in respect of a vehicle of other State shall be accompanied by a fee as specified in the Table under rule 279.

214. Transfer of permit on death of permit holder.— (1) An application for the transfer of permit under sub-section (3) of section 82 shall be accompanied by the fee specified in the Table under rule 279 together with the certificate of death of the permit holder issued by the competent authority a heirshjp certificate Issued by an officer of the revenue department not below the rank of a Tahsildar qrid "No objection Certificate" from all the legal heirs other then the applicant, if there are more than one legal heir to the deceased permit holder. If in such cases, the permit has been endorsed or extended under the provisions of these rules, the endorsement or extension shall cease to have effect on the date of transfer unless the Transport Authority which granted the endorsement or extension directs that it shall be continued,

If the Transport Authority allows the transfer of the permit it shall call upon the applicant to produce, within four months from the date of receipt of the other sanctioning the transfer, the certificate Of registration of the vehicle with the particulars of the transfer of ownership of the vehicle stated thereon together with valid certificate of fitness and proof for the payment of the current tax under the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974) and the permit. In the event of the applicant failing to produce the relevant records within the period of four months aforesaid, the transport authority shall revoke the sanction.

The Transport Authority may delegate the power conferred upon it under sub-rule (2) to its Secretary in cases where the Secretary has sanctioned the transfer of permit.

The powers referred to in sub-rule (2) shall also be exercisable by the appellate or revisional authority, as the case may be, if the transfer of permit is allowed by such authority.

215. Permit lost — issue of duplicate.— (1) When permit has been lost, destroyed or mutilated,

the holder of the permit shall forthwith intimate the fact in writing to the Transport Authority by which the permit was issued and forward his application for the issue of a duplicate permit.

The Transport Authority shall upon receipt of an application in accordance with sub-rule (1), issue a duplicate permit and endorse thereon certified copies of any endorsement or extension of validity by other authorities intimating the fact to that other authorities.

A duplicate permit shall be clearly stamped "Duplicate" in red ink.

If the Transport Authority, any Inspecting Officer of the Transport Department or any Police Officer above the rank of Sub-Inspector of Police, considers that a permit has become dirty, torn or otherwise defaced so as to be illegible, a notice to this effect shall be served on the holder of the permit and within seven days of the service of this notice the holder shall surrender the permit to the Transport Authority and apply for the issue to him of a duplicate permit in accordance with sub-rules (1) to (3).

The fee for the issue of duplicate permits and duplicate endorsement or extension of validity of permit shall be as specified in the Table under rule 279.

Any 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 Transport Authority by which it was issued and, if the holder finds or receives any permits in respect of which a duplicate has been issued, he shall return original to the Transport Authority by which it was issued.

216. Permit — variation.— (1) Every application for variation of conditions of permit under sub-section (3) of section 80 shall be in Form PVA accompanied by the fee as specified in the Table under rule 279.

On receipt of the application referred to in sub-rule (1) the Transport Authority may in its discretion vary the permit or any of the conditions thereof.

The Transport Authority granting the application for variation shall call upon the holder of the permit to produce, within four months from the date of receipt of the order sanctioning the variation, the permit, the registration certificate of the vehicle together with valid certificate of fitness and proof for payment of current tax under the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974) so as to make entries of variation in the permit and then fix a date for convening a timings conference where necessary. If the permit holder fails to produce the aforesaid document within the aforesaid period of four months, the transport authority shall revoke the sanction for the variation.

The Transport Authority may delegate to its secretary the powers conferred on it under sub-rule (3) in cases where the variation is sanctioned by the Secretary.

The powers referred to in sub-rule (3) shall also be exercisable by the appellate or revisional authority, as the case may be, in cases where orders sanctioning variations are passed by such authority.

217. Permit — production on demand.— The owner of a motor vehicle (other than a vehicle registered under section 60 of the Act), or in his absence the driver or other person in charge of the vehicle shall, on demand made at any reasonable time by any inspecting officer of the Transport Department, produce the permit of the vehicles:

Provided that if the permit is not in his possession, he shall, within fifteen days from the date of demand, submit photo copies of the same duly attested in person or send same by registered post to the officer who demanded it.

Permit — inspecting authority.— Inspecting officer of the Transport Department may mount any transport vehicle for the purpose of inspecting the permit.

Hours of work of drivers — provisions — exemptions from.— Subject to the provisions of sub-section (2) of section 91, sub-section (1) of that section shall not apply in the case of —

(i) any transport vehicle used by or on behalf of any military or police authority in connection with military manoeuvre or exercise or in the quelling of riots or civil disturbances;

(ii) any fire brigade vehicle or ambulance when being used as such;

(iii) any vehicle being used for the carriage of passengers or goods in an emergency arising out of fire, earthquake, flood, pestilence or other calamity, riots, civil disturbances or sudden stoppage or closure of any transport service or for the purpose of clearing crowds in exhibition and similar shows and gatherings;

(iv) 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;

(v) 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 132 or section 134 or out of the failure of any of the tyres or of the machinery of the vehicle which failure could not have been prevented by the exercise of reasonable care and diligence.

220. Hours of work — fixing in advance.— A Transport Authority is authorised to require any person employing drivers of transport vehicles within its area to make 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 regulations as aforesaid it shall be the record of the hour of work fixed for the persons concerned for the purpose of sub-section (4) of section 91.

Provided that the hours of work so fixed shall be such as provided in the Motor Transport Workers Act, 1961. (Central Act 27 of 1961)

Not a period of rest.— Any time spent by the driver of a vehicle on work other than driving, in connection with the vehicles 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 be deemed to be an interval of rest for the purposes of clause (a) of sub-section (1) of section 91..

Period of rest.— 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 91.

Driver to maintain record.— Every driver of a goods carriage shall keep and every owner of a goods carriage shall cause to be kept in English or in Tamil, a record in the Form GCR which shall give in respect of each day, the information prescribed in the form. The record in form GCR shall be maintained in a bound volume containing 99 pages (in duplicate) in three parts. Each part shall contain 33 pages numbered serially from 1 to 33 in each with blank sheet in between two parts. The first part shall be used for the first month of the quarter. The second part shall be used for second month of the quarter. The third part shall be used for the third month of the quarter. The entries in form GCR shall be either in ink or in copying pencil, using a ink carbon for a duplicate copy.

Information to be recorded.— Each item of information required by Form GCR shall be entered in the record as soon as the particulars to be recorded are-ascertained.

The record to be carried in the vehicle.— The record in Form GCR in bound book shall be kept and carried by the driver in the goods carriage until all the forms in the book are used and shall be made available for inspection by any person authorised to inspect a goods carriage. The driver shall deliver the completed book to the owner of the goods carriage within seven days of the expiry of the period to which the last form relates.

Record to be preserved for two years.— The owner of the goods carriage shall preserve the record in Form GCR for two years after the expiry of the period to which it relates and shall produce it for inspection, at any time within that period on demand by any inspecting officer of the transport department or by a Police Officer not below the rank of a Sub-Inspector.

Stage carriage to carry conductor.— No stage carriage shall be used in a public place unless it carries in addition to the driver, a conductor.

Conduct of passenger in public service vehicle.— If at any time, a passenger in a public service vehicle

- (i) behaves in a disorderly manner; or
- (ii) uses abusive language; or
- (iii) smokes; or
- (iv) spits in the vehicle or spits outside the vehicle through any of its windows, exit or entrance; or
- (v) obstructs the driver or the conductor of the vehicle in the execution of his duties; or
- (vi) refuses or is unable to pay the fare or travels without a valid ticket or without being in possession of a valid ticket for the journey to be performed in the case of a stage carriage; or
- (vii) interferes without due cause with the conductor¹ or the driver of the vehicle; or
- (viii) refuses to show any ticket on demand by any authorised person in the case of a stage carriage; or
- (ix) is reasonably suspected to be suffering from any contagious or infectious disease; or
- (x) distributes printed or similar matter of any description or distributes any article for the purpose of advertising; or
- (xi) commits or abets any offence under the Act, the driver and conductor if any, may require such passenger to alight from the vehicle forthwith and may stop the vehicle and keep it standing until the passenger has alighted. Such passenger will not be entitled to the refund of any fare paid for his journey and any passenger failing to comply forthwith with such a requirement may be forcibly removed by the conductor or the driver and shall be guilty of an offence.

Amendments

Rule 228 substituted by SRO A-78/92 dated 14-5-1992.

229. Offence — compounding of.— (1) The offence under section 178 may be compounded on payment on the spot, on demand by such authority notified by the Government under section 200.

Where a person referred to in sub-section (1) of section 178 fails to pay the amount under sub-rule (1) he may be removed from the stage carriage by the driver or the conductor or any other person authorised in this behalf by the permit holder or by any police officer on the request of the driver or the conductor and he may be handed over to the nearest police station for taking action against such person under section 178.

A person in or on a vehicle who is reasonably suspected by the driver or conductor or any other person authorised by the permit holder for the purpose of sub-rule (2) as being liable for action under sub-section (1) of section 178 shall on demand, by a Police Officer or the driver or the conductor or the person authorised as the case may be give his name and address.

230. Children carried on public service vehicles.— (1) In relating to the number of persons that may be carried in a public service vehicle and the fare chargeable for carrying them in the vehicle—

- (i) a person above twelve years of age shall be reckoned as one and a **full** fare charged;

(ii) a child above three but not more than twelve years of age shall be reckoned as one half and one half of the full fare charged;

(iii) a child of not more than three years of age, shall not be reckoned and no fare shall be charged:

Provided that a child above three years of age, may be charged full fare in stage carriages operating as city or town or metropolitan services:

Provided further that for the purpose of this sub-rule, the age of a child shall be determined based on the birth certificate is such a certificate if produced at the time of travelling and in the absence of such evidence a child shall not be deemed to have completed 12 years of age, if the height of that child does not exceed 130 centimeters:

Provided also that a marking shall be made in the vehicle plying as a stage carriage other than a city or town or metropolitan service, at the height of 130 centimetres from the first foot board of the entrance, to determine the height of a child, in cases of doubt.

Amendments

The second proviso substituted by SRO A-1 10/97 dated 8-9-1997.

231. Advance booking.— Subject to the provisions of the clauses specified hereunder advance booking and reservations of accommodation in an Express service or ordinary service whose distance of the route exceeds 120 kilometres shall be permitted on application made orally or in writing by or on behalf of the bonafide passengers, and where reservation is made no person or persons other than the person or persons for whom the accommodation is so reserved shall occupy such accommodation except with the permission of the conductor on duty in the Express service or ordinary service whose distance of the route exceeds 120 kilometres:

(i) Advance booking shall mean sale of passenger tickets not less than 2 hours in advance of the schedule time of departure of the stage-carriages.

Advance booking shall be permitted not more than ten days in advance of the date of the intended journey.

Advance booking shall be stopped when the number of tickets for which passengers seats are provided in the stage carriage is sold out.

Advance booking shall be according to priority of application and for this purpose an advance booking register in the prescribed form R.R.S.S. shall be maintained or caused to be maintained by the holder of the permit of the Express service or ordinary service whose distance of the route exceeds 120 kilometres.

However where the advance booking is done by computerised reservation system, it would be enough if necessary reservation application forms are preserved along with a journey bill showing the date, time and service together with the boarding and destination points for each reserved passenger and the seat allotted.

Reserved seats shall be permitted to be occupied only on production of the ticket or tickets booked in advance for the intended journey.

For the purpose of identifying the seats reserved rows of the seats shall be assigned with distinguishing letters in capital in the alphabetical order, and individual seats shall be assigned with distinguishing numbers in the serial order, and the letters and the numbers so assigned shall be displayed conspicuously on the rows of the seats, and the individual seats, respectively.

A plan showing the arrangement of seats shall be made available for the applicants to enable them to have their choice of seats from those seats which have not been reserved already for other passengers.

A reservation fee of not more than rupees five shall be collected for every seat so recovered. The reservation fee once collected shall not be refundable.

A reservation ticket in the prescribed form "RT" shall be issued to every applicant whose application is complied with.

The reservation ticket shall, on demand by the conductor on duty in the stage carriage or any checking inspector on duty at any time before the commencement of the journey and in the course of the journey, be produced for inspection.

(a) No advance booking shall be made from intermediate places on the route.

Where the distance of the route of the express service does not exceed 120 kilometres, advance booking shall be permitted only for journey on the entire route and no such advance booking shall be made for journeys to any intermediate place on the route.

Where the distance of the route of the Express Service or ordinary service whose distance of the route exceeds 120 kilometres exceeds 120 kilometres, advance booking shall be made for journeys to any intermediate place which is situate at a distance of not less than 120 kilometres from the terminus from which the journey is to be commenced.

(12) Seats reserved, but not occupied 5 minutes before the scheduled departure of the stage carriage, may be released by the conductor on duty for occupation by other passengers, if any:

Provided that a passenger shall be deemed to have occupied the seat reserved, for the passenger, if the presence of the passenger on or near the stage carriage is made known to the conductor on duty notwithstanding the fact that the passenger may not be present in the seat so reserved.

(13) An advance booking list containing the names of the passengers for whom tickets have been booked and the particulars of the seats, if any reserved shall conspicuously be displayed on a notice board to be provided for the purpose at or near the booking office or the booking counter at least one hour in advance of the scheduled departure of the stage carriage. A copy of the said list shall be conspicuously exhibited in the vehicle and a other copy of the list shall be given to the conductor on duty in the stage carriage sufficiently in advance of the scheduled time of departure of the stage carriage.

However this will not apply where the reservation is done by computerised reservation system.

(14) Advance booking, already made, may be altered in respect of the date and stage carriages upto 48 hours before the departure of the stage carriage for the journey by which advance booking has been initially made, subject to the following conditions:—

the revised date for journey is within the limit of 10 days prescribed in condition for advance booking, from the date of the request 1\>r alteration;
 accommodation is available on the revised date and in the revised stage carriage;
 a fee of not more than rupees two shall be charged for the alteration; and
 alteration shall be allowed only once on an advance ticket.

(15) Where the passengers, for whom accommodation has been reserved, are unable to undertake the journey, such passengers shall be entitled to cancel the journey and shall on surrender of the journey ticket be entitled to for the refund of fare as provided hereunder:—

(i) For notice of cancellation of journey intended to be made before the schedule departure of the bus, the percentage of forfeiture of the value of the journey ticket will be as indicated hereunder:—

Notice of cancellation

Deduction to be made

(1)

(2)

Forty-eight hours or more before the of the journey Ten percent of the fare of actual commencement of the journey the journey ticket.

Less than 48 hours but more of the journey ticket. Twenty percent of the fare than 24 hours before the actual commencement of the journey

Less than 24 hours but more Twenty-five percent of the than 30 minutes before the actual fare of the journey ticket. commencement of the journey.

Less than 30 minutes before the Fifty percent of the fare of actual commencement and within the journey ticket.

30 minutes after the departure of the bus. (ii) Claim for refund of the balance after deduction from the value of the journey tickets shall be settled subject to the following conditions;—

the passenger shall obtain from the conductor or the booking clerk the date and time of the cancellation; and

no claim for refund of the fare shall be entertained if it is made after 15 days from the date of journey.

(iii) Except in cases of interruption of service, refund of fare in full or part thereof is not admissible. In case of interruption of service enroute, refund of fare shall be admissible.

Amendments

The words "Express service or ordinary service whose distance of the route exceeds 120 kilometres", wherever it occurs, substituted by SRO A-62/96 dated 28-5-1996; in clause (8), the words "rupees five" substituted by SRO A-3/2001 dated 3-12-2001.

Motor-cab hirer to pay legal fare.— In the absence of an enforceable contract to the contrary, no hirer shall refuse or omit to pay the legal fare or the hire of a motor cab, nor shall refuse to supply his correct name and address to the driver in the case of dispute in connection with the fare.

Tout not allowed.— No tout shall be employed or be permitted by the owner, driver or conductor of a public service vehicle to canvas passengers and no person shall act as tout to canvas passengers for any public service vehicle.

Licensing and registration of conduct of agent or canvasser for sale of tickets for travel by public service vehicles.— (1) Every owner of a public service vehicle to be let or plied for hire shall intimate to the Regional Transport Authority concerned or its Secretary if so authorised, the name and address of the person appointed on his behalf as canvasser.

No person shall act as an agent or a canvasser and no owner of a public service vehicle shall employ or permit any person to act as an agent or canvasser unless such person has obtained a licence in Form ACL, from the Regional Transport Authority, or its Secretary, if so authorised in whose jurisdiction he so acts or is so employed or permitted.

An application for a canvasser's licence under sub-rule (2) shall be made in writing to the Regional Transport Authority concerned, or its Secretary, if so authorised in Forms ACLA and shall be accompanied by three clear copies of a recent photograph of the applicant.

An application for the renewal of a licence shall be made before thirty days of the expiry of the licence in Form ACLRA enclosing the canvasser's licence to be renewed to the Regional Transport Authority or its Secretary, if so authorised, by whom the canvasser's licence was granted.

No person shall be granted a licence under this rule to act as agent or canvasser of stage carriage vehicle or motor cab unless he has completed 18 years of age and studied upto and inclusive of VII Standard or of an equivalent examination and deposited a sum of rupees two hundred as security for proper compliance of the conditions of the licence specified in sub-rule (9). No Person shall be granted a licence to act as agent or canvasser of contract carriage other than motor cab unless he has been a travel agent of repute with experience in the field of booking tickets for travel by air, sea and

rail for a period of not less than three years before the date of making application so as to be able to co-ordinate travel by the different modes of transports and has deposited a sum of rupees two thousand as security for proper compliance of the conditions of the licence specified in sub-rule (9).

The licence shall be valid for a period of twelve months from the date of grant or renewal as the case may be and only in the region where it is issued or renewed.

The fee for the grant or renewal of licence under this rule shall be as specified in the Table under rule 279.

The Regional Transport Authority or its Secretary, if so authorised, may, for reasons to be recorded in writing, decline to grant or renew a licence issued to work as an agent or canvasser.

A licence granted under this rule shall be subject to the following conditions, namely:—

The licensee shall not concern himself either directly or indirectly with any vehicle that is not covered by a permit.

The licensee shall not issue tickets to passengers in excess of the permitted capacity of the vehicles when the tickets are issued by him.

The licensee shall, issue the hirers of a contract carriage, a receipt for (he hire charge collected by the licensee.

The licensee shall, on demand by a police officer, in uniform, not below the rank of a Sub-Inspector or by any inspecting officer of the Transport Department, produce his licence for inspection.

The licensee shall not act in a manner prejudicial to the owner of the vehicle by whom he is engaged, The licensee shall behave in a civil and orderly manner with passengers.

(g) The licensee shall not, while on duty be under influence of intoxicating drink or drug.

(h) The licensee shall, while issuing tickets at the bus station, issue tickets to the passengers in the order in which they approach him for a ticket without making any discrimination between them on the basis of length of their journeys to be performed or any other basis.

(i) The licensee shall intimate to the Secretary of the Regional Transport Authority any change in his address within fifteen days of such change.

(j) The licensee of a contract carriage other than motor cab shall possess and maintain fully furnished office with lodging facilities for the travellers and with adequate staff to attend the needs of the travellers and to look after their luggage and in all maintain records containing complete particulars regarding the names and addresses of the travellers for whom tickets are sold and the licensee shall furnish a daily return showing particulars in Form C.P. of fare collected from each of a group of travellers, the particulars of journey and particulars of the contract carriage other than motor cabs contracted for the journey to the Regional Transport Authority who issued the licence.

Without prejudice to any other action that may be taken against a licensee the Secretary, may, after giving the licensee a reasonable opportunity to make representations and after considering such representation by order in writing, suspend or cancel the licence, if in his opinion, any of the conditions attached to the licence, has been contravened and may also order the forfeiture of full or part of the amount deposited by the licensee as a security.

On an agent's/canvasser's licence being suspended or cancelled or not renewed, it shall be surrendered forthwith to Regional Transport Authority or its Secretary as the case may be, which issued the licence. No person shall hold more than one licence effective in the same region.

No agent or canvasser shall lend or transfer the licence to any person.

An application for the grant of duplicate licence if the original is defaced, torn or lost shall be made in writing to the Secretary, Regional Transport Authority accompanied by a fee specified in the Table under rule 279 and three copies of his recent photographs. The defaced or torn licence shall

be surrendered while applying for duplicate copy. If after obtaining a duplicate licence the original is traced, it shall be surrendered to the Secretary, Regional Transport Authority without delay.

(14) (a) Any person aggrieved by an order of the Secretary, Regional Transport Authority, made under this rule may appeal to the Deputy Transport Commissioner concerned within thirty days from the date of receipt of such order.

(b) The appeal shall be in the form of a memorandum filed in duplicate setting forth concisely the ground of objection and shall be accompanied by an original or certified copy of that order together with a fee specified in the Table under rule 279.

Explanation.— (1) Agent or canvasser means any person other than a conductor who engages directly or indirectly—

(i) in the sale of tickets for travel by any public service vehicle; or (ii) in persuading any person, soliciting or attempting to persuade, to travel in a public service vehicle.

(2) "Licence" means a licence granted under sub-rule (2).

234-A. Registration of person entitled to undertake the work of repairs and adjustment of taxi meters.— (a) Persons desirous of undertaking the work of repair or adjustment of taxi meters shall receive the approval of the Regional Transport Authority and be duly registered with that authority.

Each such registered repairer shall be assigned with a distinguishing number and shall be supplied with a seal by the Regional Transport Authority.

It shall be necessary for the person applying for registration to satisfy the Regional Transport Authority—

(i) that the applicant is of good character and of business repute as certified by the Commissioner of Police in the City of Madras and by the Superintendent of Police in the districts;

(ii) that the applicants' financial position is sound;

(iii) that the applicant maintains an efficient staff and suitable equipment at his premises and a sufficient supply of spare parts for the repair of taxi meters;

(iv) that the applicant possesses a certificate of proficiency in repairing the taxi meters issued by the Institute of Road Transport, Madras.

The situation of the premises where the work of repair or adjustment shall be carried out shall be notified to the Regional Transport Authority.

The premises where the work of repair or adjustment is carried out shall be open at all reasonable times for inspection by the Regional Transport Authority.

The registered repairer shall seal the taxi meter with the seal supplied to him repairing or adjusting the taxi meters.

235. Goods booking, forwarding and distributing — agent's licence.— (1) No person shall act as an agent unless he holds a valid licence in Form AL granted by the Secretary, Regional Transport Authority authorizing the carrying on of such business.

(2) (a) Any person desiring to obtain a licence for carrying on any business referred to in clause (ii) of sub-rule (b) of rule 3 or for renewing such licence may make an application in form ALA or ALRA as the case may be, to the Secretary, Regional Transport Authority of the region in which the applicant resides or proposes to have his place of business.

(b) A person having principal place of business or residence in one place and branches in several other places shall make an application to the Secretary, Regional Transport Authority of the region in which he has his principal place of business or residence for the grant of a common licence. The fee for grant or renewal of agents licence shall be as specified in the Table under rule 279.

Explanation.— The administrative office and godowns situated in one place or in different places within a city or a town shall be one unit provided that they are all located within the limits of such city or town.

(3) On receipt of an application the licensing authority shall, have regard, among other things, to the following matters, namely;—

- the number of goods carriages either, owned by the applicant or under his control;
- the suitability of accommodation possessed by the applicant for the storage of goods;
- the facilities, if any, provided by the applicant for parking goods carriages;
- the financial resources of the applicant and his ability and experience to manage the business efficiently; and
- the antecedents of the applicant and his fitness to hold the licence.

Where it appears necessary for ensuring proper compliance with the conditions of licence referred to in sub-rule (7), the licensing authority may, at the time of granting or renewing a licence or at any time during the validity of the licence, order for reasons to be recorded in writing, the licensee to furnish a reasonable security on such scale and subject to such conditions as may be notified by the State Government in the Official Gazette, and where the licensee has furnished earlier any security in pursuance of an order passed under the provisions of this rule, such additional security as may be reasonable.

No agent's licensee shall authorise a person to act as such agent unless he has adequate facilities to load and unload goods at the premises approved by the Secretary, Regional Transport Authority under these rules.

(i) An agent's licence shall be valid for a period of five years from the date of its grant or renewal.

(ii) It may be renewed on an application made to the licensing authority not less than thirty days before the date of its expiry.

(iii) The renewal of licence shall be by endorsement, by the licensing authority on the original licence.

(7) The following shall be the conditions of an agent's licence.— In addition to the conditions laid down in sub-section (3) of section 93.—

The agent shall not in the course of his service or business allow or cause to be allowed any vehicle to load or unload either partly or fully at any places, as to cause obstruction or to be a source of danger or inconvenience to the other traffic or persons;

The agent shall maintain in Form AGR a record of collection, forwarding and distribution of goods of any goods carriage. The record shall be open to inspection by any inspecting officer of the Transport Department. The record shall be preserved for a period of not less than two years.

The agent shall issue or cause to be issued a receipt for the fee charged for the business done or service rendered by him and shall preserve the counterfoil thereof for a period not less than one year. A copy of the receipt should also be sent through the driver when goods are carried.

The agent shall furnish to the Secretary, Regional Transport Authority, an annual report in Form A.A.R.

The agent shall be responsible for loading the vehicles in such a manner as not to infringe any conditions of the permit of the vehicles or the provisions of the Act and the rules made thereunder.

The agent shall, while engaging a vehicle, ensure that the vehicle has a valid permit for the routes on which the vehicle has to ply.

(g) Where the agent is authorised to forward and distribute goods, the licensee—

(i) shall make or cause to be made proper arrangements for storage and safe custody of goods collected for despatch or delivery;

(ii) shall despatch or deliver the goods without any undue delay; (iii) shall be responsible for proper delivery of goods to consignee; (iv) shall maintain or arrange to maintain the register in Form ALR properly; (v) shall not issue a goods transport receipt without having actually received the goods; (vi) shall not deliver the goods to the consignee without actually receiving from the consignee a goods transport receipt, or, if the receipt is lost or misplaced, an indemnity bond covering the value of goods;

(h) the goods stored in the premises authorised under clause (a) of sub-rule (11) shall be insured by the licensee against fire, burglary, riot, flood, strike and malicious damage.

(i) The licensee shall not charge any commission, exceeding the rate prescribed by the Secretary to the Regional Transport Authority under sub-rule (9).

(j) The licensee shall furnish the operators with correct figures of the freight receivable by them from the consignor or the consignee.

(k) The licensee shall maintain proper accounts of commission charged by him and the accounts should be audited by qualified auditors annually if the gross income exceeds Rs.25,000.

(l) The licensee shall maintain in good condition a weighing device capable of weighing at a time not less than 226 kgs.

(m) The licensee shall attend to his customers in the order in which they approach him: Provided that customers in respect of such perishable goods that may be notified by the State Government in the Official Gazette shall be given priority over other customers and shall be attended to in the order in which they approach licensee.

(n) The licensee shall assign the available traffic amongst the operators in the order in which they have approached him and shall maintain a register chronologically recording particulars of the available traffic and the waiting operators.

(o) The licensee shall comply with the provisions of these rules and shall observe such other conditions as the licensing authority may specify in the licence.

(p) The licensing authority may after giving notice of not less than one month in writing either vary the conditions of the licence or attach to the licence further conditions.

(q) The agent shall observe such other conditions as may be specified by the Secretary, Regional Transport Authority from time to time.

(8) All contracts entered into by the licensee for the purpose of collecting, forwarding and distributing goods or collecting goods or forwarding and distributing goods, as the case may be, shall contain the following particulars:—

(i) Names and address of the consignor and the consignee;

(ii) Description and weight of the consignment;

(iii) Destination and its distance in kilometers from the starting station.

(iv) Freight for tonne/kilometre and for the whole consignment;

(v) Delivery instructions (e.g.) the date and place where the goods are to be delivered to the consignee;

(vi) Terms of payment;

(vii) Name of the owner, driver, the registration number of the vehicle and its authorised load and the rate and amount of commission.

(9) The State Government may by notification in the Official Gazette, prescribe the maximum rates under these rules and the Secretary to the Regional Transport Authority may prescribe such rates of commission not exceeding the rates prescribed by the State Government in regard to licensees transacting business in its region.

(10) (a) Without prejudice to any other action which may be taken against licensee the licensing authority may by order in writing, cancel the agent's licence or suspend it for such period as it thinks fit, if in its opinion any of the conditions under which the licence granted has been contravened.

The licensing authority may, by order in writing cancel the agent's licence or suspend it for such period as it thinks fit if in its opinion any of the conditions under which any premises have been authorised under sub-rule (11) has been contravened.

Before making any order of suspension or cancellation under this rule, the licensing authority shall give the licensee an opportunity of being heard and shall record reasons in writing for such cancellation or suspension.

(11) (a) The Secretary, Regional Transport Authority, may, in consultation with the Local Authority or the Police Authority having jurisdiction over the area concerned, authorise any premises owned by or in the possession of an agent to be used for loading, unloading and halting goods carriages and for the storage of goods in the custody of the agent, having regard to the suitability of the site, sanitary conditions and storage facilities provided at the premises.

(b) An authorisation granted under clause (a) shall be subject to the following conditions, namely;—

(i) that the premises covered by the authorisation shall at all times be kept in a clean condition and good state of repairs;

(ii) that the licensee shall take all possible precautions against fire and against the premises being infested with vermin and animal pests likely to cause damage to the goods;

(iii) that the premises shall be administered in a clean and orderly manner;

(iv) that the licensee shall take all possible precautions to ensure that no breach of any of the provisions of the Act or of these rules committed in respect of any vehicles entering or leaving or parking at such premises, and shall report in writing any such breach to the nearest police station; and

(v) any other conditions which may be specified by the Secretary, Regional Transport Authority.

(c) An authorisation issued under clause (a) may be suspended or revoked by an order made in writing by the Secretary, Regional Transport Authority for contravention of any of the conditions under clause (b) or any other conditions which may be imposed by the Secretary, Regional Transport Authority:

Provided that, before an authorisation is so suspended or revoked, the licensee shall be given an opportunity to show cause against the action proposed to be taken.

(d) Where the Secretary to the Regional Transport Authority refuses to approve any premises under sub-rule (a), he shall record in writing his reasons for such refusal.

(12) (a) Any person aggrieved by the refusal to grant an agent's licence under sub-rule (2) or the refusal to renew an agent's licence under sub-rule (6) or by the suspension or cancellation of an agent's licence under sub-rule (10) or by the refusal to grant an authorisation of a premises under clause (a) of sub-rule (11) or by suspension or revocation of such an authorisation under clause (c) of sub-rule (11) may within thirty days of the receipt of the order, appeal to the Regional Transport Authority.

The memorandum of appeal shall be filed in the duplicate setting forth concisely the grounds of objection and shall be accompanied by a certified copy of that order.

A fee as specified in Table under rule 279 shall be paid in respect of each appeal and the appellant shall enclose with his memorandum of appeal a treasury receipt for the amount of the fee due on the appeal:

Provided that a memorandum of appeal shall not relate to more than one order and be signed by more than one party.

The Secretary, Regional Transport Authority, may, in his discretion, give any person interested in an appeal under sub-rule (12) a certified copy of the order appealed against or of the copy of the appeal petition or of any other relevant document on payment of a fee for each such copy of the order, petition or document as specified in the Table under rule 279.

If at any time an agent's licence is lost, destroyed or torn or otherwise defaced so as to be illegible, the agent shall forthwith apply to the Secretary, Regional Transport Authority, by whom the licence was issued, for the issue of a duplicate licence. The fee for the issue of a duplicate agent's licence shall be as specified in the Table under rule 279. Upon receipt of such an application with the prescribed fee, the Secretary, Regional Transport Authority shall issue a duplicate agent's licence clearly stamped "Duplicate". If a duplicate agent's licence is issued on a representation that the licence originally granted has been lost or destroyed and the original licence is subsequently found, the original licence shall be surrendered to the Secretary, Regional Transport Authority, who issued it.

(a) An agent's licence authorising the collecting of goods for any goods carriage shall be carried by the agent while on duty and shall be produced on demand to any Police Officer in uniform not below the rank of a Sub-Inspector or any Inspecting Officer of the Transport Department.

(b) A copy of the licence should be exhibited at a prominent place in the business premises of the agent and shall be available for inspection by any Inspecting Officer of Transport Department or a Police Officer in uniform not below the rank of a Sub-Inspector.

(16) No person shall hold or use any agent's licence not issued to him and no person shall lend or transfer his agent's licence to any other person.

236. Limit of persons in goods carriage.— No person shall be carried in the cabin of a goods carriage beyond the number for which there is a seating accommodation at the rate of thirty eight centimetrs 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 carriage.

237. Animals in goods carriage.— (1) No animal shall be carried in a goods carriage unless,—

(i) in the case of goats, sheep, deer or pig, a minimum floor space-of 60 cm. x 100 cm. per head of such animal, is provided in the vehicle.

(i:) In the case of any other animal— (a) minimum floor space of 210 cms. x 100 cms. per head of animal and half of such floor space for a: young one of such animal which is weaned is provided in the vehicle;

(b) the load body of the vehicle is constructed of a strong wooden planks or of iron sheets with a minimum height of 150 centimetre measured from the floor of the vehicle on all sides and the back; and

(c) the animals are properly secured by ropes tied to the sides of the vehicle.

Explanation.— (i) "Animal" for the purpose of this rule includes goat, sheep, buffalo, bull, ox, cow, deer, horse, pony, mule, ass, and pig or the young one thereof.

(ii) An attendant provided by the owner of the animals shall accompany the animals with necessary cattle food and give food and water to the animals in transit in time.

(2) No animal belonging to or intended for circus'or zoo shall be carried in a goods carriage unless—

(i) in the case of wild or ferocious animal a suitable case, either separate from or integral with the load body of the vehicle used, of sufficient strength to contain the animal securely at all time is provided; and

(ii) reasonable floor space for each such animal is provided in the vehicle.

(3) No goods carriage, when carrying any animal under the above rule shall be driven at a speed in excess of 30 kilometres-per hour.

Prohibition of persons on the top of goods carriage.— No person shall be carried in goods carriage upon the goods or otherwise in such a manner that such person is in danger of falling from the vehicle, and in no case shall any person be carried in a goods carriage in such a manner that any part of his person when he is in a sitting position, is at a height exceeding 300 centimetres from the surface upon which the vehicle rests.

Permission to carry more persons in goods carriage.— Notwithstanding the provisions of rule 236, the Regional Transport Authority or the State Transport Authority may, subject to such conditions as it thinks fit, allow a large number of persons to be carried in a goods carriage.

No person to be carried for hire or reward.— Nothing contained in rules 236, 238 and 239 shall be deemed to authorise the carriage of any person for hire or reward on any goods carriage.

Travel subject to rule 240.— No person shall travel in a goods carriage save in accordance with rule 240.

Rules 236 to 240 not to apply.— The provisions of rules 236 to 240 shall not apply to motor vehicles registered under section 60 or to goods carriages which are being used for the carriages of troops or the police or members of the general public affected by natural calamities like fire, flood and cyclone or by disturbances and agitations to places of safety or, for transporting remand prisoners, under trial prisoners or witnesses by the police.

Restriction of persons and goods near drivers seat.— No person may sit nor may any goods be placed on the right of the driver of a transport vehicle fitted with right hand steering control and on the left of the driver of a transport vehicle fitted with left hand steering control.

Stopping places.— The Transport Authority, may, if no stopping places have been fixed for a stage carriage in accordance with the provisions of any statute, fix such places for such carriages after consultation with such other authority as it may deem desirable. Such stopping places shall be indicated by means of notice boards. The driver of a stage carriage shall stop it at such stopping places when so required by any person wishing to alight or to enter but he need not stop the stage carriage for a person wishing to enter it if it is already full. Halts for the purposes of setting down or taking up passengers shall be limited to the time reasonably necessary for such purpose, on routes along which stopping places have been fixed, no driver of a stage carriage shall stop it at any place other than such stopping place except—

- (i) when failure to stop the vehicle would constitute an offence punishable under these rules or under any law for the time being in force; or
- (ii) in the case of a mechanical breakdown.

245. Provision of public stands for public service vehicles.— (a) The local authority shall apply to the Regional Transport Authority for approval of any 'scheme for construction of a public stand for any class of public service vehicles. The application shall be accompanied by a sketch of the proposed site and the blue print of the structures proposed to be erected with the approval of the Director of Town and Country Planning, Madras and a fee as specified in the Table under rule 279 and shall contain the following particulars, namely:—

- The advantage of having a public stand;
- The class of vehicles for which the stand is proposed;
- The extent of the site proposed and the nature of roads in the locality;
- The number of vehicles likely to use the stand;
- The maximum number of vehicles that can be stationed at any one time;
- The nature of buildings, parking bays, shelters, banking offices and waiting rooms to be

constructed and the equipment, facilities and amenities to be provided therein for the convenience of the users;

The particulars of staff proposed to be employed and the duties of such staff;

The arrangements to be made for maintenance of the stand in a serviceable and clean condition;

The fee that will be charged for the use of the stand;

The total investment proposed and average income expected;

The approximate time required to implement the scheme from the date of receipt of the approval, if granted;

Any other matters relevant to the proposed stand.

Explanation.— For the purpose of this sub-rule public stand shall be classified as in the first schedule.

(b) On receipt of the application referred to in sub-rule (1), the Regional Transport Authority may, in consultation with such other authority as it deems desirable and having regard to the interest of the public generally, approve the scheme with or without modification or refuse to approve the scheme. Every order approving the scheme with or without modification shall remain in force for three years or such shorter period as may be specified in the order and may be renewed from time to time by the Regional Transport Authority by a like order for a further period of not more than three years at a time:

Provided that where the Regional Transport Authority refuses to approve the scheme, it shall after giving an opportunity of making its representation if any, and after recording in writing the reasons for such refusal, communicate a copy of the order to the local authority concerned.

(c) If the local authority fails to implement the scheme within the period mentioned in its applications, the Regional Transport Authority may revoke the order approving the scheme after giving the local authority an opportunity of making its representations, if any, against such revocation;

Provided that the Regional Transport Authority, may, if satisfied on the representation mad by the local authority, grant an extension or extensions of time for implementing the scheme.

The local authority shall report to the Regional Transport Authority when the scheme has been implemented. On receipt of such a report, the Regional Transport Authority, may after such enquiry or inspection as it thinks fit, notify the stand as a public stand for the particular class of public service vehiecss for which the scheme was approved. A copy of such notification shall be put on the notice board at the Office of the Regional Transport Authority.

Where a local authority has already provided and maintains a public stand for any class of public service vehicles with such amenities, as are mentioned under any of the classifications in the first schedule, it shall apply to the Regional Transport Authority for approval of the use of that stand for the purpose of picking up or setting down passengers of public service vehicles, if its approval has not already been obtained. The Regional Transport Authority may approve the use of that stand subject to such directions as may be necessary to bring the stand in accordance with standards prescribed in the First Schedule within a reasonable time. The order approving the use of the public stand with or without modification shall remain in force for three years or such shorter period as may be specified in the order and may be renewed from time to time by the Regional Transport Authority by a like order for a further period of not more than three years at a time.

The Regional Transport Authority may give an opportunity to the permit holders of the existing stage carriage services in the area while approving a public stand or at the time of its renewal.

The notification of any public stand may be revoked by the Regional Transport Authority, if the stand is not maintained in accordance with the directions issued by the Regional Transport Authority from time to time, regarding the maintenance of the stand, generally or facilities and amenities to be provided at the public stand in accordance with the standards prescribed in the first schedule:

Provided that the Regional Transport Authority shall not revoke the notification without giving an opportunity to the local authority to make its representation if any, against such revocation.

(h) The Regional Transport Authority may notify separate stands for stage carriages and contract carriages.

(i) When a public stand within the limits of a local authority has been notified by the Regional Transport Authority, any public service vehicle of that class for which the stand is intended shall make use of that stand for purposes of stationing the vehicle for picking up or setting down passengers:

Provided that where there are two or more public stands notified by the Regional Transport Authority for any particular class of vehicles within the limits of the same local authority, it shall be sufficient that in the case of stage carriages, the stand specified by the Regional Transport Authority, from time to time, and in any other case any one of the stand is made use of by such vehicle.

(j) The person employed at the stand maintained by the local authority:— (i) shall be responsible for maintaining the stand in a serviceable, clean and sanitary condition; (ii) shall maintain such records and submit such returns as may be specified by the Secretary, Regional Transport Authority;

(iii) shall comply with any direction issued by the Regional Transport Authority, or its Secretary for purposes of carrying into effect the provisions of this rule;

(iv) shall furnish any information required by any inspecting officer of the Transport Department or any Police Officer or other Inspecting Officer.

(v) shall behave in a civil and orderly manner towards passengers.

(k) The inspecting officers of the Transport Department, Police Officers not below the rank of Sub-Inspector of Police, Officers of the Public Health Department and of local authorities may inspect the public stands within their jurisdiction and bring to the notice of the Regional Transport Authority defective arrangements, if any, noticed.

(l) It is also open to the Government to assume management of any public stand for a specified period, which the Government may deem fit in the circumstances of each cases.

246. Fixing or altering stages for the stage carriages.— In the case of stage carriages, the Transport Authority shall after consultation with such other authority as it may deem desirable and after hearing the representation of the operators concerned fix or alter stage of all bus routes. The distance of each stage shall not ordinarily—

exceed 5 kilometres in the case of metropolitan, city and town services.

exceed 8 kilometres or be less than 4 kilometres in the case of ordinary services; and

be less than 25 kilometres in the case of express service.

Explanation.— When a passenger gets into or gets down from a stage carriage at a place lying in between the stages, fare may be collected from him from the stage preceding the place where he gets into the bus to the stage succeeding the place where he gets down.

Amendments

In clause (a), the word and figure "5 kilometres" substituted by SRO A-154(a)/89 dated 26-9-1989; in clause (b), the words and figures "8 kilometres" and "4 kilometres" substituted by SRO A-154(a)/ 89 dated 26-9-1989; in clause (c), the word and figures "25 kilometres" substituted by SRO A-154(a)/ 89, dated 26-9-1989.

247. Fixing parking places for motor cabs.— The Commissioner of Police in the City of Madras and the Superintendent of Police in the district may, after consultation with such other authority as they may deem desirable, fix such places at which motor cabs may be parked either indefinitely or for a

specific period of time and may fix such places at which motor cabs may stop for a longer time than is necessary for the taking up or setting down of passengers.

248. Stage carriage — fixing Schedule of timing.— (1) The Transport Authority may, if no schedule of timings is already fixed or approved for a stage carriage or a service of a stage carriages on any route, either on its own motion or on an application made to it in writing, by a general or special order, fix and approve' a schedule of timings for the particular stage carriage or the service of stage carriages in consultation with the applicant and the persons providing transport facilities on the route or sectors thereof and while approving a schedule of timings, on an application made to it in writing, it may approve the scheme with such modification as it deem necessary. It shall not be necessary for the Transport Authority to send individual notice of the timings conference to the operators concerned and it shall be sufficient compliance of this provision, if the notice giving the existing and proposed schedule of timings and the time, date and place at which the subject will be discussed, is affixed on the notice board of the office of the Transport Authority and copies of the notice sent to the applicant and the concerned S.T.U. and bus owners Association of the district through which the route passes:

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

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

Every application made to the Transport authority for fixation or revision of schedule of timing shall be accompanied by a fee as specified in the Table under rule 279:

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

(4) Nothing contained in sub-rules (1) to (3) shall apply to a passenger-cum-goods carriage.

Amendments

Sub-rule (4) inserted by SRO A-I 10/92 dated 20-7-1992.

249. Vehicle to run according to Schedule.— Where a schedule of timings has been prescribed under rule 248, every stage carriage on such a route shall run in accordance with it, except—

- (i) when prevented by accident or other unavoidable cause: or
- (ii) when otherwise authorised in writing by the authority granting the permit.

250. Schedule of timings — temporary deviation— Where a permit holder has more than one vehicle plying exclusively on the same route, he may, notwithstanding that a schedule of timings has been fixed for each such vehicle, use temporarily and in any case for not more than ten days at any one time, any one of the vehicles to maintain all or any of the timing fixed for a particular vehicle to the route:

Provided that—

intimation thereof sent to the authority which granted the permit and to the authority if any, which has endorsed or extended the permit, within seven days\of such use;

the maintenance of the timings granted to the other vehicles of the permit holder or the route are not affected;

(c) the fact that the vehicle is taking the trip or timing of another vehicle shall be entered in the trip sheet in form TSS.

251. Failure to perform service — report to be made.— If at any time, a stage carriage is prevented from running in accordance with the schedule prescribed or, when no schedule is prescribed is prevented from performing the service for which a permit has been granted, the holder therefor shall report to the Station House Officer or to the officers specified in the permit by the authority which granted the permit or by the authority, if any, which has endorsed or extended the permit. Similar reports shall forthwith be sent to the Transport Authority which granted the permit and to the Transport Authority, if any, which has endorsed or extended the permit:

Provided that no report need be sent when the difference between the time of actual arrival of a stage carriage plying on mofussal routes and the scheduled time of its arrival is not more than five minutes in the case of route less than sixteen kilometres in length and ten minutes in other cases.

Responsibilities of the permit holder.— The holder of the permit shall be responsible and punishable for a breach of rule 249 in addition to any other person who may be responsible and punishable for such breach.

Furnishing of particulars and returns by permit holder.— The holder of a permit shall furnish to the Transport Authority such particulars and or such returns relating to the goods and or the passengers transport service or services operated by him as may be required by that authority and in such manner at such times and within such periods as may be specified by that authority.

Withdrawal of transport vehicle from service — report.— If the holder of a Stage Carriage or a contract carriage or goods carriage permit for whatever reasons withdraws the vehicle from the service authorised by permit and does not restore the vehicle to the service within a period of ten days, he shall forthwith report the fact, the reason therefor and the expected period of withdrawal to the Regional Transport Authority concerned and shall also submit a report to that authority immediately on restoration of the vehicle to the service.

Form of report.— The submission of reports under rule 254 should be in the Form SPR-Part A for transport vehicles and SPR Part-B for non-transport vehicles, report submitted not to prejudice the proposed action under law.

Submission of report is not a bar for any action under law.—■ The submission of a report under rule 252 or 254 shall not prejudice the action, if any, that might be taken under law in respect of the permit for non-performance or irregular performance of the service authorised by the permit.

Check Station on route register.— The Transport Authority may by general order direct that every stage carriage shall stop at such station on its route as the Transport Authority may prescribe and thereupon the conductor of every stage carriages shall correctly enter in the register in Form TGR kept at each such station the particulars specified therein.

Trip sheet.— The conductor, or where there is no conductor the driver of every public service vehicle shall maintain trip sheets in duplicate in Form TSS or TSC in English or in Tamil. The form TSS or TSC shall be maintained in a bound book containing not more than 31 serially numbered pages in duplicate so that each book may last for one full calendar month. The bound book shall also be serially numbered and shall be used by a conductor or the driver, as the case may be, only in the numerical serial order:

Provided that the Regional Transport Authority may exempt a driver or conductor of a metropolitan city or town bus service from maintaining trip sheets in the form TSS subject to the conditions that

a trip sheet containing the following particulars is maintained in a form approved by the State Transport Authority:—

- (i) The arrival and departure timings;
- (ii) The hours of duty of conductor and driver;
- (iii) The number of passengers carried on each trip; and
- (iv) The name of the conductor and his conductor certificate number.

259. Custody of trip sheet.— (a) Trip sheets shall—

(i) be carried by the conductor or in case there is no conductor, by the driver, whenever the vehicle is in use.

(ii) be duly filled up, from time to time, as occasion arises by the conductor or in case there is no conductor by the driver, and

(iii) be open to inspection by any police officer not below the rank of head constable, or by any Magistrate or by any Inspecting Officer of the Transport Department.

(b) The conductor or the driver, or in the absence of both the conductor and the driver, any person for the time being in charge of public service vehicle in any public place shall on demand by any of the Inspecting Officers referred to in rule 275(a) affix his signature on any inspection report made out by the Inspecting Officer as a token of acceptance of the inspection.

Trip register.— Every holder of a permit shall, in respect of every transport vehicle specified in the permit maintain in English or in Tamil a trip register in form TR in a bound book pages of which are serially numbered. The trip register shall be posted daily from the trip sheets maintained under rule 258 and be at all times, open to inspection by any police officer not below the rank of Sub-Inspector of Police or by any Magistrate or by any Inspecting Officer of the Transport Department. The trip register and trip sheet shall be preserved by the holder of a permit in respect of every transport vehicle for a period of three years after the expiry of the period to which it relates.

Destination Board.— Both termini of the route on which the stage carriage is plying shall be clearly specified in Tamil and also in English, if necessary, on Boards placed at the top of the front and rear of the vehicle.

Painting and illumination of destination board.— The Board shall be painted in letters not less than 7.5 centimetres high on a clear background. It shall be clearly visible and unobstructed by any equipment of the vehicle or otherwise. The front and rear destination boards shall be illuminated by a white light from half an hour after sunset to half an hour before sunrise.

Conductor's responsibility.— The conductor shall be responsible for exhibiting the proper boards and for their illumination.

Permit holder — change of address intimation.— 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 the permit to the Transport Authority by which the permit was issued, intimating the new address together with the fee specified in the Table under rule 279.

Entry of new address.— Upon receipt of intimation under rule 264 the Regional Transport Authority or the State Transport Authority or its Secretary if authorised in this behalf, as the case may be, shall, after making such enquiries as the authority deems fit, enter in the permit the new address and shall intimate the particulars to the Authority of any region in which the permit is valid by virtue of endorsement or extension.

Change of address in another region.— (1) The Transport Authority shall, whenever there

is a change of address of the permit holder in the case of permits other than stage carriage permits from one region to another region within the State, intimate to the Transport Authority in whose region the changed address of the permit holder lies:

Provided that the permit in question shall be replaced with a fresh permit as per subsection (4) of section 80 and the replacing permit shall be renewable by the Regional Transport Authority of the region under whose jurisdiction the changed address of the permit holder lies as per sub-section (2) of section 81.

(2) The fee for such replacement shall be fifty per cent of the fee prescribed for grant of such permit.

267. Alteration of motor vehicle report.— Further to the provision of section 52, 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 transport authority by which the permit relating to the vehicle was granted, or in the case of a permit relating to a service of stage carriages, to the transport authority by which the permit was granted under which the vehicle is being used:

Provided that a fee as specified in the Table under 279 shall be paid along with the report.

268. Varying permit, providing substitute vehicle or cancellation of permit.— Upon receipt of a report under rule 267, the Transport Authority by which the permit was issued 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 authority may specify and if the holder fails to comply with such requirement, cancel or suspend the permit.

Intimation to transport authority.—■ A transport authority varying, suspending or cancelling a permit, shall intimate particulars to the transport authority of any other region in which the permit is valid by virtue of endorsement or extension or otherwise.

Replacement of vehicle — counter-signature of permit.— (1) The primary authority granting the replacement of a vehicle covered by a permit shall, unless the authority on behalf of which the permit was countersigned has by general or special resolution otherwise directed, endorse on the correction made to the permit, the words "valid also for " inserting the name of the authority concerned and shall intimate the fact and the particulars of replacement to such authority.

(2) Unless the permit has been endorsed as provided in sub-rule (1) or unless the alteration has been approved by endorsement by the authority concerned, the countersignature in a permit shall not be valid in respect of any new vehicle:

Provided that an endorsement of replacement of vehicles in the counter signature of permit shall not be necessary in respect of Transport Vehicles covered by reciprocal agreement entered under subsection (6) of section 88 and no fee shall be levied in such cases.

(3) In the case of inter-State permit not covered by the reciprocal agreement entered under sub section (6) of section 88, the Transport Authority, which has countersigned the permit shall, on receipt of application with a fee specified in the Table under rule 279 from the holder of the permit, wherever necessary make appropriate entries in its own records and in the countersignature portion of the permit without repeating the procedural formalities already followed by the Transport Authority which issued the permit. In the case of inter-regional, permit, the fee for making endorsement of replacement of vehicle in the countersignature portion of the permit shall be as specified in the Table under rule 279 for each vehicle.

271. No person shall be carried in trailer.— No person other than the attendant or attendants required by rule 412 shall be carried on a trailer:

Provided that nothing contained in this rule shall apply in the case of a trailer which is being used for the carriage of troops or police.

272. Rules relating to goods carriage apply to any trailer or semi-trailer.— Subject to the provisions of rule 273, all the provisions of these rules relating to a goods carriage permit shall apply to any trailer or semi-trailer used for the purpose of a goods carriage.

273. Trailers to goods carriage.— No trailer other than the trailing half of an articulated vehicle shall be attached to a goods carriage unless the permit of the goods carriage specifically permits the use of such trailers:

Provided that in cases where a person holds two or more permits in respect of truck-trailer, a tractor-trailer combinations, the Transport Authority may in its discretion and subject to the provisions of rule 350 (a) and subject to such conditions as it thinks fit permit the use of any of the trailers with any one of the trucks or tractors of the same person if taxes due in respect of all the vehicles have been paid:

Provided further that the Transport Authority may permit the use of any trailer with any tractors although they are owned by different persons subject to the further condition that the tractors and trailers covered by valid permits are used solely for agricultural operations:

Provided also that the Transport Authority may permit the holder of a goods carriage permit to use the vehicle for the drawing of any trailer or semi-trailer not owned by him subject to the following conditions:—

There shall be a valid permit in respect of the drawing vehicle authorising to draw the trailer or semi-trailer.

The tax due under the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974) has been paid.

The combination of vehicles shall at all time comply with the provisions of Motor Vehicles Act and Rules made thereunder.

All conditions of the goods carriage permit as applicable to the vehicle owned by the permit holder shall apply equally to the trailer or semi-trailer or as if such trailer is owned by the holder of the permit.

274. Inspection of goods carriage.— (a) Any of the following persons may, at any time when a goods carriage is in a public place, call upon the driver of the vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable him to make reasonable examination of the contents of the vehicle.—

- (i) Any Police Officer in uniform not below the rank of a Sub-Inspector of Police;
- (ii) Any Gazetted Officer of the Highways Department;
- (iii) Any Mica Inspector or Assistant Mica Inspector;
- (iv) Any Minister of the Government;
- (v) Any officer of the Central Excise Department in uniform, not below the rank of Inspector;
- (vi) Any Inspecting Officer of the Transport Department.

Any clerk, traffic guard, chowkidar or attender employed in a checkpost or chowki post may at any time when a goods carriage is near or at the checkpost or chowki post call upon the driver of the vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable him to make reasonable examination of the contents of the vehicle.

Notwithstanding the provisions of sub-rule (a) and (b), no person shall be entitled to examine the contents of any goods carriage 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) he has reason to suspect that the vehicle is being used in contravention of the provisions of the Act or these rules.

275. Inspection of transport vehicle.— (a) Any of the following persons may, at any time when a transport vehicle is in a public place, call upon the driver of the vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable him to make 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 :—

(i) Any Police Officer in uniform not below the rank of a Sub-Inspector of Police;

(ii) Any Minister of the Government;

(iii) Any Inspecting Officer of the Transport Department. (b) Any Officer of the Central Excise Department in uniform not below the rank of Inspector may, at any time when a transport vehicle is in a public place, call upon the driver of the vehicle to stop the vehicle and to keep it in rest for such time as it may be necessary to enable the officer to make a reasonable examination of the contents of the vehicle to satisfy himself that excisable goods and contraband articles are not being carried in the vehicle.

Conviction of permit holder — intimation by court.— A court convicting the holder of a permit of an offence punishable under the Act or these rules shall communicate particulars of such conviction in Form PI to the authority which granted or, as the case may be, last renewed the permit and to the authority, if any, which has endorsed or extended the validity of the permit.

Vehicles used for public purpose exempted from taking out permit.— The following Motor Vehicles shall be deemed to be used for a public purpose within the meaning of the clause (f) of sub-section (3) of section 66 of the Act, namely:—

(i) A vehicle which is used for publicity work for leprosy by the Hindu Kusht Nivarn Sangh (Tamil Nadu State Branch).

(ii) A motor vehicle used solely for propaganda work for the removal of untouchability by Harijan Sevak Sangh.

(iii) The motor vehicles belonging to the Oil and Natural Gas Commission used for oil exploration work.

(iv) The motor vehicle bearing MPG No.2577 belonging to the Shri Anandapur Trust P.O., Anandapur, district Guna, used in this State in connection with the activities of the said Trust.

(v) The motor vehicles belonging to the Fisheries Department of the Government of Tamil Nadu used under a welfare scheme called "Quick Transport of Fish" for the benefit of fishermen.

(vi) The stage carriages and goods carriage belonging to the Neyveli Lignite Corporation Limited, Neyveli ordinarily intended for plying within its own premises but occasionally moving along the public road for purposes of securing fitness certificate or crossing the Cuddalore—Vridhachalam road when passes through the premises of the Corporation.

(vii) The mobile publicity van bearing registration number UPR 9829 belonging to the Khadi and Village industries Commission and used in the State in connection with the development programmes.

(viii) All motor vehicles, belonging to the Agriculture Department of the Government, designed and used solely for agricultural operations on farms and farm lands.

(ix) The tippers and vehicles belonging to the Tamil Nadu Cements, Alangulam, a fully owned

undertaking of the Government of Tamil Nadu, which cross the public road, namely, Sivakasi-Rajapalayam road near the main entrance to the factory for transporting limestone for manufacture of cements.

(x) The heavy goods carriages belonging to the Madras Metropolitan Water-Supply and Sewerage Board, a body corporate, engaged in maintenance of water-supply and sewerage system of the Madras City.

(xi) The transport vehicle bearing registration number TNF 7766 belonging to Thiruvallur Christian Ashramam, Kilkavarpet engaged in rural medical services.

(xii) The jeep bearing registration number TNM 206 and trailer bearing registration number TNM 1576 belonging to Schieffelin Leprosy Research and Training Centre, Karigari, Schieffelin Leprosy Research and Training, Sanatorium Post Office, North Arcot district, an organisation engaged in treatment of leprosy patients, used for transportation purposes of the organisation.

(xiii) The jeep trailer bearing registration number TNR 3230 attached to jeep bearing registration number TNR 3209 belonging to the Aruppukottai Municipality, Aruppukottai, used solely for carrying materials for leak testing work in the water mains.

(xiv) The tractor trailer belonging to local bodies which are used for purposes other than road cleansing, road watering or conservancy purposes.

(xv) The Hot line Tools Trailer TDG 4636 belonging to Trichy Electricity System (South), Tiruchirappalli used for emergency used in public interest.

(xvi) The motor vehicles bearing registration number TCV 2523 belonging to the Tamil Nadu Pollution Control Board, Madras used solely for research activities, collection and analysis of trade effluents and sampling and analysis air pollution.

(xvii) The transport vehicles belonging to such institution as may be notified in the *Tamil Nadu Government Gazette* from time to time as charitable and non-profit making institutions:

Provided that—

the vehicles shall be used solely for the transport of the members and employees of the institutions and goods belonging to the institution in connection with humanitarian work of charitable and non-profit making nature; and

the institutions shall be under the statutory control of a department of the Government or a body set up by the Government or of any of its undertakings set up for the furtherance of any specific public purposes.

Exemption.— The Government may, by order, exempt to such extent as may be specified in the order any route or any motor vehicle or class or classes of motor vehicles from all or any of the provisions of the rules in this Chapter on payment of fee as specified in the Table under rule 279.

Fees.— The fee which shall be charged under the provisions of this Chapter shall be as specified in the Table below. Such fees shall be paid in cash in the Regional Transport Office or in the office of the State Transport Authority or through chalan in the Government Sub-Treasury or Treasury or through Indian Bank, Indian Overseas Bank or State Bank of India.

THE TABLE

<i>Serial No.</i>	<i>Purpose</i>	<i>Amount</i>	<i>Rule</i>	<i>Section</i>
(1)	(2)	(3)	(4)	(5)
		Rs.		
For appeal before the State Transport	750	15S	89(1) Appellate Tribunal	
For Revision Petition before the	750	158	90 State Transport Appellate Tribunal.	

For supply of certified copy of document by transport authorities.¹
 For granting permission for stoppage of vehicle (for all class of vehicle)
For grant of permit—

For grant of State-wide Permit for contracts carriage (additional fee)

Stage Carriage
 Goods Carriage
 Contract Carriage Autorickshaw
 Contract Carriage Motor Cab
 Contract Carriage Maxi Cab
 Contract Carriage Omni Bus
 Private Service Vehicle
 (h) National Permit (Goods Carriage) (i)
 Tourist Motor Cab (All India and South Zone Permit), (j)
 Tourist Maxi Cab (AH India and South Zone Permit. (k)
 Tourist Omni Bus (All India and South Zone Permit). (l)
 Educational Institution Bus

6. *For Renewal of permit—*
 Stage Carriage
 Goods Carriage
 Contract Carriage Autorickshaw
 Contract Carriage - Motor Cab
 Contract Carriage - Maxi-Cab
 Contract Carriage Omni Bus
 Private Service Vehicle
 (h) National Permit (Goods Carriage) (i)
 Tourist Motor Cab (All India and South Zone Permit). (j) Tourist Maxi Cab (All India and South Zone Permit) (k) Tourist Omni Bus (AH India and South Zone Permit) (l) Educational Institution Bus 7 For belated application for renewal of permit (additional fee) for
 All classes of vehicles excSpt contract carriage, Auto-rickshaw, Motor Cab and Education Instituion Bus
 Contract carriage and Motor Cab
 (c) Autorickshaw and Educational Institution Bus
- 8.. For grant of State-wide Permit for goods carriage (additional fee)
 For renewal of State-wide Permit for goods carriage (additional fee)

30	161 & 235	
40	172(6)	
150	193-A	81)
100	193-A	81
150		77 7
75		81 } }
300		74 }
1,500		73
750	169	76
1,500	171	76
750		88(9)
1,125		88(9)
1,500		88(9)
300	171	
750	193	81
600	193	81
150	193	81
265	193	81
375	193	81
750	193	81
375	193	81
750	193	81
375	193	81
565	193	81
750	193	81
150	193	81

(3)	(4)	(5)
240	214	82 (2)
600	213	
180	213	
1, 20 0	213	
420	213	
240	213	
30	215	
30-	215	
15	215	
450	216	
45	234	
25	234	
15	234 & 235	
450	235	

(1)**(2)****(b) Other Transport Vehicles**

29. For continuance of endorsement or extension of validity of permit—
State Carriage and Contract Carriage Omni Bus
Other transport vehicles.
30. For continuance of counter signature of permit in respect of other State vehicle—
Stage Carriage and Contract Carriage Omni Bus
Other transport vehicle

For continuance of counter signature of permit in respect of other State vehicle on the death of the permit holder.

For issue of duplicate permit

For issue of duplicate extension of validity of permit

For issue of duplicate endorsement

For variation of permit or variation of endorsement or extension of validity of permit otherwise than by change of timings.

For grant of agent or canvasser licence in respect of public service vehicle.

For renewal of an agent or canvasser licence in respect of public service vehicle.

For issue of duplicate agent or canvasser licence

For grant of agent or canvasser licence (goods booking, forwarding and distributing agent) for principal place or each branch

office.

For renewal of agent or canvasser licence (goods booking, distributing agent) for principal place or each branch office.	300	235	forwarding and
(a) For appeal against refusal of agent or canvasser licence for (goods booking, forwarding and distributing agent).	75		235
(b) For appeal against the refusal of agent or canvasser licence for sale of tickets.	15	234	
For grant of permission for each goods carriage persons	75	239	to carry large number of
For grant of approval of scheme for construction of public stand or for renewal thereof:			
150	245		
75	245		
40	245		
25	245		
75	264		
For e: 40	267		ress in the permit
For reporting auction	300	270	40
52			267
Variation of permit on replacement of vehicle in respect of counter signature on inter State permits — for making entries in counter signature of permit			
Variation of permit on replacement of vehicles in permit for making entries in the counter signature portion of the permit	40	270	respect of inter regional

(0)	(2)	(3)	(4)	(5)
For fixation or revision of schedule of timings		600	248	
For grant of exemption from any of the provision of the Chapter for each vehicle by Government.	150	278	rules under this	

Provided that in the case of an applicant belonging to Scheduled Caste or Scheduled Tribes, the fee for grant or renewals of permit other than temporary permit shall be 25 (twenty-five) percent of the fee prescribed in the table above.

Amendments

In the Table, SI. No. 6-A inserted by SRO A-30/94 dated 10-3-1994; SI. No. 26 substituted by SRO A-86/95 dated 13-10-1995; SI. No. 27 omitted by SRO A-86/95 dated 13-10-1995; SI. Nos. 28 to 31 substituted by SRO A-86/95 dated 13-10-1995.

CHAPTER VI STATE TRANSPORT UNDERTAKINGS

280. (1) Every proposal for a scheme of road transport service shall be formulated by the State Government and published in the *Tamil Nadu Government Gazette*. The proposal shall be published in Form I or Form II according to the class of service proposed to be-run.

(2) Any proposal -for modification of an approved scheme for road transport service as modified shall be published in the *Tamil Nadu Government Gazette* in Form III or IV according to the class of service.

Apart from the publication in the *Tamil Nadu Government Gazette* the proposal shall be published in one Tamil daily newspaper circulating in the area within fifteen days from the date of publication in the Gazette.

(1) Any person aggrieved by the Proposed Scheme, may, within thirty days from the date of publication of the proposal in the *Tamil Nadu Government Gazette* file his objection thereto before the Government. The petition shall contain the name and address of the objector and it shall be in the form of a memorandum setting forth the grounds of objection in a concise manner. It shall be signed by the objector or his authorised agent and it shall be accompanied by six additional copies. The petition may either be sent by registered post or presented in person before an Officer not below the rank of Under Secretary to the Government of Tamil Nadu in the Administrative Department of the Secretariat. As soon as the objection is received, an acknowledgment shall be sent to the objector.

Explanation,— The Authorised Agent referred to in the sub-rule shall mean a person who holds a valid power of attorney from his principal.

(2) A copy of each memorandum of objections shall be sent to the State Transport Undertaking concerned by the Government. The State Transport Undertaking may file a counter statement within thirty days from the date of receipt of the objection and serve a copy of the counter statement on the objector.

283. (1) The representative of the State Transport Undertaking and the objectors or their authorised agent shall be heard, if they so desire by the authority empowered by the Government by their rules of business. The hearing shall be on such date and such time and place as may be fixed by the authority and communicated to the parties not less than fourteen days in advance.

(2) A record of proceedings of the hearing shall be compiled after the hearing is over.

As soon as the record of proceedings is compiled the scheme as approved or modified shall be published in the *Tamil Nadu Government Gazette* in Form V or VI according to the class of service.

All orders and notices made under Chapter VI of the Act or the rules under this Chapter shall be served in the manner indicated in rule 137.

In the case of a person whose stage carriage permit or permits on a route or in an area notified under sub-section (3) of section 100 is/are cancelled under clause (b) of sub-section (2) of section 103 and to whom it is proposed to grant a stage carriage permit or permits on an alternative route or in an alternative area in lieu of the existing permit or permits on the notified route or notified area, the Regional Transport Authority concerned shall grant the permit or permits on the alternative route or in the alternative area to that person.

287. (1) In this rule-

fa) "Schedule route" means the route for which the stage carriage permit is expressed to be valid;

"Scheduled Stage Carriage" means the stage carriage permitted to ply on a schedule route;

"Subsidiary route" means the schedule route of one stage carriage having common terminus or termini with the scheduled route of another stage carriage or the scheduled routes of other stage carriages.

(2) The State Transport Undertaking may, in its discretion allow a scheduled stage carriage to be used on a subsidiary route temporarily to maintain all or any of the timings of the subsidiary route, provided that

intimation thereof is sent to the Transport Authority which granted the permit, and the Transport Authority, if any, which has countersigned the permits of the scheduled and the subsidiary route within seven days -of such temporary use;

unless otherwise authorised in writing by the State Transport Authority or its Secretary if authorised in this behalf such temporary use shall not exceed a period of ten days at any one time;

proper and adequate arrangement is made to maintain the service on the schedule route;

the terminal facilities are not altered in any manner by such temporary use;

the permits of both scheduled route and subsidiary route are valid for the duration of such temporary use.

On the publication of a scheme under sub-section (3) of section 300 or its modification under sub-section (1) of section 102, a State Transport Undertaking shall apply in Form SCPA (STU) or CCPA (STU) as the case may be, for the grant of a stage carriage permit or contract carriage permit respectively.

The permit for a stage carriage or contract carriage shall be in forms PSC (STU) and PC (STU) respectively.

The fee for grant of a stage carriage permit or contract carriage permit shall be as in rule specified in the Table under rule 294.

(1) The permit granted under section 103 shall be effective without renewal so long as the approved or modified scheme in pursuance of which the permit granted remains in force.

(2) The permit shall be surrendered on the cancellation of the scheme under section 102.

292. The State Transport Authority or Regional Transport Authority concerned shall cause a copy of every order passed under section 103 (2) to be exhibited on the Notice Boards of their offices and such order shall take effect from such date as may be specified in that order. A copy of such order / shall be caused to be served upon the State Transport Undertaking to whom the order relates and to such other person or persons who were parties to the said proceedings.

293. (1) Every conductor of a stage carriage belonging to any State Transport Undertaking, shall immediately after the completion of any trip or journey, carefully search for any property left over in the vehicle by the passengers and shall, deliver such articles, if any, as soon as may be and in any case, within twenty four hours, to the nearest Depot Superintendent. The owners shall claim for return of the articles within a day in the case of perishable articles and within one month in the case of non-perishable articles. The unclaimed articles shall be kept in safe custody by the Depot Superintendent concerned for a day in the case of perishable articles and for the month in the case of non-perishable articles within which period he shall return them to the owners, if claimed by them, after checking the bonafides of the claimants. If the articles left over are not claimed within a day in the case of perishable articles and within one month in the case of non-perishable articles, the State Transport Undertaking concerned

may sell the non-perishable articles at a public auction at periodical intervals after giving wide publicity for holding such an auction in the leading dailies through the Director of Information and Public Relations and by putting up the information regarding the auction sale on, the notice board of the office concerned:

Provided that in the case of perishable articles and also when the value of non-perishable articles is below rupees fifty, such publicity shall not be given but the information regarding the auction sale of such articles shall be put on the notice board of the office concerned.

(2) The sale "proceeds" after deducting the incidental expenses incurred for the auction sale may be paid to the owner of the article on demand within one month from the date of auction sale. If no claim is made by the owner within the said period the sale proceeds shall be paid to the staff welfare fund of the State Transport Undertakings concerned after deducting the incidental expenses borne by such State Transport Undertakings and the Government. The incidental expenses incurred by the Government shall be repaid by such State Transport Undertaking into Government Treasury to the credit of Government under the appropriate head of accounts.

294. The fee which shall be charged under the provisions of this Chapter shall be as specified in the Table below. Such fees shall be paid by cash in the Regional Transport Office or in State Transport Authority through chalan at the Government Sub-Treasury or Treasury.

THE TABLE

Serial No.	Purpose	Amount	Rule	Section
(1)	(2)	(3)	(4)	(5)
		Rs.		
	For grant of a Stage Carriage Permit...	1500	290	103(1)
	For grant of a Contract Carriage Permit...	1050	290	103(1)

CHAPTER VII

CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF MOTOR VEHICLES

295. 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 any order thereunder made by competent authority.

(b) Nothing in this rule shall apply to motor vehicle which has been damaged in an accident or to a vehicle stopped or impeded owing to shortage of fuel or other temporary defect while at the place at which the accident or defect occurred, or to a vehicle so damaged or defective while being removed to the nearest reasonable place of repair or disposal.

296. Mirror.— Every non-transport vehicle and every motor cab shall be fitted with a mirror and every transport vehicle other than a motor cab shall be fitted with a convex mirror, which is so-placed that the driver can have a clear view of the traffic approaching from the rear.

Mascot.— No mascot or other similar fitting or device shall be carried by any motor vehicle registered in India on or 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 to any person by reason of any projection thereon.

Springing.— Every motor vehicle and every trailer drawn thereby shall be equipped with suitable and sufficient means of springing adequately maintained in good and sound condition between the rear 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 spring with which it is fitted are adequately maintained in good and sound condition;
- (ii) any tractor not exceeding four thousand five hundred kilograms in weight unladen, if all the unsprung wheels of the tractor are fitted with pneumatic tyres;
- (iii) any land locomotive, land tractor, land implement, agricultural trailer, or any trailer used solely for the haulage of felled trees;
- (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 three kilometres; and
- (vi) any military motor vehicle registered under section 60.

299. Wings.— (a) Every motor vehicle except a locomotive a tractor or a trailer shall unless adequate protection is afforded in the body of the motor vehicle, be provided with suitable wings;

(b) the rear wheels of every trailer except a trailer drawn by a locomotive shall be provided with suitable wings:

Provided that this rule shall not apply to any motor chassis upon which a body is not yet built.

Side car wheel.— The side car of every motor cycle shall be attached to the left hand side of the motor cycle. The wheel of the side car shall not be wholly outside lines drawn at right angles to the motor cycle from the extreme front and rear points of the motor cycle.

Communications 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, shall be furnished with efficient means to enable the passengers and the conductor, if any, to signal to the driver to stop the vehicle.

Special Rules applicable to all Public Service Vehicle

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

Stability — double decked vehicle.— A double-decked public service vehicle shall not be liable to be overturned when loaded with weights of fifty four kilograms per person placed in the correct relative positions to represent the driver and conductor (if carried) and a full complement of passengers on the upper deck-only, if the surface on which the vehicle stands are tilted to either side to an angle of 28 degrees from the horizontal.

Single decked.— A single decked public service vehicle other than a motor cab shall not be liable to be overturned under any conditions of load, at an allowance of 54 kilograms per passengers,

Hphis the maximum weight of luggage and goods which the vehicle is permitted to carry, if the surface on which the vehicle stands were tilted to either side to an angle of 35 degrees from the horizontal.

Tests of Stability.— For the purpose of conducting testing of stability of a public service vehicle the height of any step used to prevent a wheel of the vehicle from slipping side ways 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 rules 303 and 304.

Seating **Room.**— (1) In every public service vehicle other than a maxi-cab, a motor cab and an autorickshaw, there shall be provided for each passenger a reasonable comfortable seating space of not less than thirty eight centimetres square measured on straight lines along and at right angles to the front of each seat and the seating space in the case of the following types of stage carriages are as follows :

(i) Town and City route :

38 centimetres x 38 centimetres. ■ (ii) Muffussil buses plying

upto a distance of 250 kilometres

40 centimetres x 38 centimetres. (hi) Muffussil

buses plying above 250 kilometres

40 centimetres x 40 centimetres. (iv) Express stage carriages and Express stage

carriages with pushback seats:

45 centimetres x 45 centimetres.

(2) When the seats are placed across the vehicle and are facing the same direction, there shall be everywhere a clear space as indicated below :

(i) in the case of City and Town buses, not less than 68 centimetres and not more than 70 centimetres;

(ii) in the case of Muffussil buses not less than 70 centimetres and not more than 75 centimetres;

(iii) in the case of Express service, not less than 75 centimetres and not more than 80 centimetres;

(iv) in the case of Express service with push back seats, not less than 80 centimetres and not more than 90 centimetres.

(3) Where the seats are placed lengthwise and facing each other, the surface of any portion of the seat against which back of the passenger is to rest shall be atleast one hundred and thirty-five centimetres from the surface of the corresponding portion of the seat facing it:

Provided that all seats in stage carriages operating on routes lying either wholly or partly on ghat road, shall face forward:

Provided further that the restriction under the foregoing proviso shall not apply to the stage carriages that are already plying on such ghat roads on the date of coming into force of these rules :

Provided also that the restriction under the foregoing proviso shall not apply to the stage carriages that are already plying on such ghat roads on the date of coming into force of these rules :

Provided also that the restriction under the foregoing proviso shall not apply to a stage carriage plying on a route lying partly on a ghat road, if the distance covered on ghat road does not exceed sixteen kilometres:

Provided also that all seats for passengers in every public service vehicle shall be provided with back rests, the upper portion of which shall be covered with cushions for not less than twenty centimetres from the top downwards:

Provided also that this rule shall apply only to the stage carriages registered on and from the 1st March 2004.

Explanation : For the purpose of this rule, a ghat road shall mean a road notified as such under Rule 2 of the Tamil Nadu Traffic Rules, 1938.

Amendments

Rule 306 amended by SRO A-10/94 dated 27-12-1993, substituted by SRO A-4/2004 dated 10-3-2004

307. Alignment of seating arrangements.— Subject to the provisions of rules 306, 310, 311, 313, 314 and 315 the alignment of seating arrangements in all stage carriages of the following categories to be registered shall be as follows:—

(i) *Express Stage Carriages and ordinary Muffussil stage carriages plying beyond 250 kilometres route length.*— Three seats on one side and two on the other side or two seats on each side placed across the vehicle facing forward in the same direction.

(ii) *Ordinary Muffussil Stage Carriages plying upto 250 kilometres route length.*— Three seats on one side and two on the other side placed across the vehicle facing forward in the same direction.

(iii) *Stage Carriages plying on Town, City. [■...]*— Three seats on one side and two on the other side or two seats on each side placed across the vehicle and facing forward in the same direction.

(iv) *Stage Carriages plying on Metropolitan routes.*— Three seats on one side and two on the other side, two seats on each side, two seats on one side and one on the other side or one seat on each side, placed across the vehicle and facing forward in the same direction:

Provided that in the vehicles specified in clause (ii) above there may be on one side one row of seats placed lengthwise and on the other side parallel rows of seats in the same direction subject to the condition that the maximum number of seats to be provided lengthwise on one side shall not exceed 40 per cent of the total number of seats provided in the vehicle:

Provided further that in the vehicles specified in clause (iii) and (iv) above, lengthwise seats not exceeding ten per cent and twenty per cent, respectively, of the total seats provided shall be permitted near the entry and exit points to facilitate a wide gangway for easy getting in and getting out of passengers and the number of seats facing forward in the same direction and placed across the vehicle shall not be less than 70 per cent of the total seats provided.

Provided also that a composite seat to accommodate not more than six persons placed across at the rear and of the vehicle facing forward shall be permitted in all the stage carriages specified in clauses (i) to (iv).

Provided also that the seating arrangement in all the stage carriages specified in clauses (i) to (iv), shall be constructed that no person can sit or any luggage can be carried beyond the straight line joining the centre point of the steering wheel and extreme point of the body of the vehicle on the left hand side of the driver:

Provided also that this sub-rule shall apply only to the stage carriages registered on and from the 1st March 2004.

(2) When once a stage carriage is registered with seating arrangements made in accordance with the provisions of this rule, no alteration, modification or re-arrangements of seats shall be permitted:

Provided that, if there is sufficient cause alteration in the seating capacity may be allowed in the following circumstances:—

(i) Where the class of vehicle is changed (example from Stage Carriage to goods carriage, Ambulance, Passenger-cwm- Goods carriage, Mini bus or vice versa).

(ii) Where the type of vehicle is changed (example : Muffussil to town service or Express Service or vice-versa).

(iii) When structural modifications involving changes in width, overhang, wheel-base and the position of an entrance and/or exit are made.

Amendments

In clause (i), the words "Express stage route length" substituted by SRO A-4/2004 dated 10-3-2004; in clause (ii), the words "Ordinary route length" substituted by SRO A-4/2004 dated 10-3-2004; in clause (iii), in the marginal heading, certain words omitted by SRO A-149/93 dated 14-10-1993; clause (iv) inserted by SRO A-149/93 dated 14-10-1993; in the second proviso, the words "Provided further that and twenty percent, respectively" substituted by SRO A-149/93 dated 14-10-1993; in the third proviso, the words "clauses (i) to (iv)" substituted by SRO A-149/93 dated 14-10-1993; in the fourth proviso, the words "clauses (i) to (iv)" substituted by SRO A-149/93 dated 14-10-1993; proviso added after the last proviso by SRO A-4/2004 dated 10-3-2004.

Classification of taxi.— A motor cab permitted to carry five persons excluding the driver, shall be classified as a big taxi, a motor cab permitted to carry four persons, excluding the driver shall be classified as a medium taxi and a motor cab permitted to carry three persons, excluding the driver, shall be classified as a baby taxi.

Seating room of autorickshaw.— In every autorickshaw with seating capacity for three passengers there shall be provided a seat of not more than one hundred and twenty centimetres and not less than one hundred and fifteen centimetres. The depth of the seat shall not be less than forty one centimetres. The back of the seats shall be slanting and closed to a height of atleast forty-six centimetres above the level of the seat in both cases. The seats shall be provided with fixed or movable cushions. The cushion shall be covered with leather cloth of good quality or other material of such kind that they are capable of being kept in a clean and sanitary condition.

The height of the seats from the floor of the vehicle shall be not less than twenty-eight centimetres (including cushions) and not more than forty-one centimetres:

Provided that these measurements for seating room of an autorickshaw shall not apply to the vehicles which were already registered prior to the date of coming into force of this rule.

310. Body saloon type.— (1) Every stage carriage shall have a body of saloon type. Every autorickshaw shall have a body either of a station wagon or a box type or hackney carriage type as approved by the State Transport Authority, soundly constructed to the satisfaction of the registering authority and shall be securely fastened to the frame of the vehicle. The body shall be metal type construction. The sections used should be of suitable gauge to withstand all strains and stresses and shall be of light weight. There shall be adequate arrangements for protection of passengers from sun, wind and rain. The materials used in the construction shall be strong and of good quality.

(2) The roof shall be constructed so as to provide protection for passenger from sun and rain and it shall be either of metal sheeting or of canvas or some other suitable material. If metal is used for roof construction, due care shall be taken to insulate the roof against heat.

311. Gangway.— (a) In every compartment of every public service vehicle an 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 sixty centimetres measured between the fronts of the seats;

(ii) Where seats are placed across the vehicle there shall be as gangway a clear space of not less than thirty-five centimetres between any part of adjoining seats of their supports; and

(iii) Where seats are placed some along the sides of the vehicle and some across the vehicle there shall be such gangway or gangways as the State Transport Authority may determine in each particular case.

(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.

Gangway of an autorickshaw.— In every autorickshaw with seating capacity for four passengers the entrance to which is from the front or rear and the seats are placed across the vehicle, there shall be a gangway of not less than thirty centimetres.

Limit of seating capacity and condition regarding standing passenger in Metropolitan city and Town Services.— (1) Subject to the provisions of rule 306, regarding seating accommodation, the number of passengers excluding the driver, conductor and one checking inspector that a public service vehicle may be permitted to carry, shall not exceed the number determined by dividing by fifty-nine the difference in kilograms between the registered laden weight less one hundred and nine kilograms and the unladen weight of the vehicle.

(2) In the case of stage carriages plying in metropolitan city and town services, the stage carriages may also be permitted to carry standing passengers in addition to the seated passengers. The number of standing passengers in respect of the stage carriages specified in column (1) of the Table below shall be fixed as specified in column (2) thereof:—

Provided that no stage carriage plying as Express Service or plying on ghat roads shall be permitted to carry standing passengers:

Provided that no passenger-cum-goods carriage shall be permitted to carry sanding passengers.

THE TABLE

(1)	(2)
Stage Carriages with seats in two and three rows	Twenty-five passengers.
Stage Carriages with seats in two and two rows	Forty passengers.
Stage Carriages with seats in one and two rows	Fifty passengers.
Stage Carriages with seats in one and one row.	Seventy passengers. If there is any partition rod sixty passengers.

Amendments

In sub-rule (2), the first proviso inserted by SRO 79/92 dated 25-5-1992; the second proviso inserted by SRO A-UO/92 dated 20-7-1992.

314. Driver's seat to be on right hand side.— (1) No public service vehicle shall be driven other than from the right hand side of the vehicle.

The State Transport Authority may by order in writing, direct that nothing in sub-rules (1) and rule 315 to 318 in regard to and consequent upon the provisions 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.

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 (2) has been made, he shall note in the certificate of registration the fact that nothing in sub-rule (1) and the rules 315 to 318 in regard to and consequent upon the provision requiring the vehicles shall be driven from the right hand side shall apply to the vehicle.

315. Seats for conductor and driver.— (a) On every stage carriage there shall be provided for the conductor a reasonably comfortable seating space of not less than thirty-eight centimetres square so located as to allow him at all times complete view of the inside of the vehicle.

(b) On every public service vehicle other than an autorickshaw space shall be reserved for the control of the vehicle and in particular—

(i) the part of the seat against which the driver's back shall not be less than twenty-eight centimetres from the nearest point on the steering wheel;

(ii) in the case of public service vehicle other than an autorickshaw a space not less than sixty eight centimetres shall extend to the left of the centre of steering column and in no case less than twenty-five centimetres 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 5 centimetres 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) shall at the left hand end be enclosed with a suitable partition to a height not less than thirty centimetres above the seat.

Driver seat of autorickshaw.— The back of the driver's seat of an autorickshaw shall have at least ten centimetres of clearance, from the front panel of the body. A wind screen with wind screen wiper, shall be provided for the driver.

No seat or luggage to be on right.— 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 drivers.

Driver to have clear vision.— 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 the body shall be so constructed as to obstruct the vision of the drivers to the least possible extent.

Provision of entrance and exit.— In every public service vehicle other than motor cab, there shall be, on the left side of the vehicle, an entrance-cum-exit in the rear or an entrance in the rear and an exit in the front each having a width of not less than 53 centimetres and of sufficient height. The entrance-cum-exit or the entrance in the rear shall commence at a point not less than eighty centimetres from the rear most point of the body of the vehicle:

Provided that in case of City and Town buses and Muffussil buses plying upto 250 kilometres route length, there shall be an entrance in the rear and an exit in the front. In case of moffussil buses plying beyond route length of 250 kilometres, there shall be an entrance-cum-exit on the left side of the vehicle either in front or in the rear and an emergency exit provided at the rear right side of rear window or back window screen of the vehicle:

Provided further that in the case of express service stage carriages and contract carriages (omni buses) there shall be provided an entrance-cum-exit on the left-side of the vehicle either in the front or in the rear and an emergency exit on the off side of the vehicle at the rear window screen of the vehicles :

Provided also that in the case of stage carriages plying on ghat roads there shall be provided one entrance-cum-exit in the left side rear and an emergency exit at the right side rear of the vehicle.

Provided also that this rule shall apply only to the stage carriages registered on and from the 1st March 2004.

Amendments

. The words "not less than eighty centimetres" substituted by SRO A-4/2004 dated 10-3-2004; first proviso substituted by SRO A-4/2004 dated 10-3-2004; in the second proviso, the words "and an emergency exit of the vehicles" inserted by SRO A-4/2004 dated 10-3-2004; proviso added after the last proviso by SRO A-4/2004 dated 10-3-2004.

320. Grab rail.— A grab rail shall be fitted to every entrance or exit other than an emergency exit, of a public service vehicle other than a motor cab.

321. (1) 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 45 centimetres, or less than 25 centimetres above the ground when the vehicle is empty. All steps shall be fitted with non-slip treads. Fixed steps shall not be less than 23 centimetres wide and shall in no case project laterally beyond the body of the vehicle unless they are so protected that they are not liable to injure pedestrians. There shall be not less than three steps — in entrance and exit. The height of each step shall not be more than 20 centimetres.

(2) In every autorickshaw—

(i) the right side should either be blocked by a fixed door upto the waist level of the passenger in seated position or provided with two chromium plated rods one below the other leaving in between a gap of 25 centimetres and the lower one being at the level of the hip of the passenger and that both rods are welded to the frame at both ends.

(ii) a guard rail shall be fitted on the left side with suitable padding so that the passengers can lift and get in or get down from the autorickshaw.

322. Step in double decked vehicle.— In the case of a double decked vehicle—

(i) the risers of all steps leading from the lower to the upper deck shall be closed, and no unguarded aperture shall be left at the top landing board.

(ii) all steps leading from the lower to the upper deck shall be fitted with non-slip tread;

(iii) the horizontal distance from the nearest point of the riser of the top step to the vertical line passing through the nearest point of the seat opposite to the top tread of the staircases, excluding any grab rail which does not project more than 8 centimetres from the back of the seat, shall not be less than 65 centimetres.

(iv) the outer stringer of an outside stair case shall be so constructed, or band shall be so placed, as to act as a screen to persons ascending or descending and the height of the outer guard rail shall not be less than 100 centimetres above the front of the tread of each step.

Cushions.— Where the seats of a public service vehicle are provided with cushions, the cushions shall be covered with suitable material capable of being kept in a clean and sanitary condition.

Headroom.— (a) The integral height of head room of every single decked public service vehicle with permanent top other than motor cab, and maxi cab, shall be measured along the centre of the Vehicle from the top of the floor boards or battens to the underside of the roof supports and shall not be less than one hundred and eighty five centimetres and not more than 200 centimetres;

Provided that the State Transport Authority may specify the measurement, within the above limits, to which public service vehicles or particular type of public service vehicles shall conform either generally or in specific areas.

(b) This rule shall not apply to any public service vehicle already registered prior to the coming into force of this rules.

325. Body dimensions and guard rail.'— Every public service vehicle other than a motor cab shall be so constructed that in the case of a single decked vehicle with an enclosed body—

the height of the sides of the body from the floor or the height to the sills of the windows, as the case may be shall not be less than 70 centimetres.

if the bottom of any open window or other opening is less than sixty five centimetres above the seat provision shall be made by means of guard rails or otherwise to prevent passengers putting their arms out.

the side panels of the body shall be extended downwards from the floor of the vehicle on

other side, so that the bottom of the vehicle is in line with the centre of both the front and rear wheels in vehicles plying on metropolitan, city and town service routes.

Seat back — and part of seat.— For the purpose of rule 325, the seat back shall not be deemed to be a part of the seat.

Protection of passenger from weather.— Every public service vehicle other than a motor cab shall be constructed with a fixed and water-tight roof and every motor cab 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.

Windows.— Every public service vehicle shall have suitable windows, Venetians or screen 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, they should be capable of being fastened securely to the vehicle.

Protection of luggage on stage carriage.— The luggage carried on the outside of the stage carriage shall be protected from rain by a suitable waterproof screening which shall always be carried in the vehicle. The screening shall be securely fastened as to prevent flapping.

Internal lighting.— Every public service vehicle other than a motor cab, shall be furnished with one or more electric lights adequate to give reasonable illumination throughout the passengers compartment or compartment but of such power or so screened as not to impair the forward vision of the driver.

Body construction.— The body of every public service vehicle shall be soundly constructed to the satisfaction of the Registering Authority and shall be securely fastened to the frame of the vehicle.

Fuel Tank.— No fuel tank shall be placed in any public service vehicle under any part of any gangway which is within 60 centimetres of any entrance or exit of a single decked vehicle or the lower deck of a double decked vehicle.

Fuel Tank over flow.— The fuel tank of every public service vehicle shall be so placed that no over flow therefrom shall fall upon any wood work or accumulate on any part of the vehicle.

Carburettor.— In every public service vehicle any carburettor and apparatus associated therewith shall be so placed and shielded that no fuel leaking therefrom shall fall upon any part of fitting that is capable of igniting it or into receptacle where it might accumulate.

Electrical wire.— All electric wires or leads shall be adequately insulated.

Fire extinguishers — condition by State Transport Authority.— With the previous sanction of the Government, the State Transport Authority may as a condition precedent to the grant of permits require all public service vehicles in any specified area to be equipped with a fire extinguishing apparatus of a type specified by it and may require that fire extinguishing apparatus shall be inspected at such periods and by such persons as it may specify.

Fire extinguishers — condition by Regional Transport Authority.— With the previous sanction of the State Transport Authority, the Regional Transport Authority may as a condition precedent to the grant of a permit require any public service vehicle or any class of public service vehicle to be equipped with a fire extinguishing apparatus of a type specified by it and may require that such fire extinguishing apparatus shall be inspected at such period and by such persons as it may specify.

Locking on nut.— All moving parts of every public service vehicle and all parts subject¹ to

severe vibration connected by bolts or studs and nuts shall be fastened by some efficient device so as to prevent them working or coming loose.

339. Floor boards.— (a) The floor boards of every public service vehicle other than an autorickshaw shall be so fitted as to exclude, as far as possible, draughts and dust.

The floor boards shall not be pierced save for the purpose of drainage.

The floor board of an autorickshaw shall not be more than fifty-six centimetres above the surface on which the vehicle stands.

340. Spare wheel.— (a) Save as otherwise specified by the Regional Transport Authority in respect of metropolitan municipal or cantonment areas every public service vehicle shall at all times be equipped with at least one spare wheel or rim fitted with a pneumatic tyre readily inflated and mounted in such a way that it can be readily dismantled.

(b) Sub-rule (a) shall not apply to a public service vehicle during the completion of any journey during which it has been necessary to bring the spare wheel or rim and tyre into use.

Jack and tools.— Every public service vehicle shall at all times be furnished with an efficient jack and other tools necessary to change a wheel or rim and tyre.

Prohibition of painting or marking in certain manner.— No advertising device, figure or writing shall be exhibited on any public service vehicle save as may be specified by the Regional Transport Authority by general or specific order.

Advertisement.— (a) No illuminated or other advertisement shall be carried or displayed on any motor vehicle except with the permission in writing of, and subject to such conditions and restrictions as may be imposed by, the Transport Authority which has issued the permit in the case of a transport vehicle having valid permit or the Registering Authority in whose jurisdiction the vehicle is normally kept in the case of other motor vehicle:

Provided that any permission granted under this rule shall be without prejudice to rule 106 of the Central Motor Vehicles Rules, 1989:

Provided further that no such-permission is necessary if the vehicle does not carry or display the advertisement for hire or reward and the advertisement is not illuminated:

Provided also that in the case of stage carriage, no advertisement shall be carried, except inside the vehicle and rear portion of exterior body.

Notwithstanding anything contained in sub-rule (a), the Government may authorise the use of motor vehicle for carrying or displaying illuminated or non-illuminated advertisement for hire or reward on a specified route or routes or in a specified area within the State generally, or for any specified purpose and specified period.

The fee for granting permission under sub-rule (a) shall be as prescribed in the Table under rule 368 for each advertisement for period not exceeding one year.

Amendments

In sub-rule (b), the words "generally, or" inserted by SRO A-12/2005 dated 16-3-2005.

344. Mail.— (a) A public service vehicle when regularly used for carrying Government mail by or under a contract with the Indian Posts and Telegraphs Department may exhibit in a conspicuous place upon a plate or a plain surface of the motor vehicle, the words "Mail" in red colour on a white ground, each letter being not less than 15 centimetres in height and of a uniform thickness of two centimetres;

(b) Save as provided in sub-rule (a), no motor vehicle shall display any sign or inscription which includes the word "Mail".

Red colour not to be painted.— No public service vehicle shall be painted with red colour which is the same as the colour with which vehicles regularly used for carrying Government mail by, or under the contract with, the Indian Posts and Telegraphs Department are painted.

Body and loading platform.— *Special rules applicable to goods carriages.*— Every goods carriage including a trailer 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.

Driver's seat.'— (1) Rules 314 to 318 relating to the driver's seat shall apply to every goods carriage other than a delivery van.

The State Transport Authority may, by order in writing direct that nothing in sub-rule (1) of rule 314 and rules 315 to 318 in regard to and consequent upon the provision that the vehicles shall be driven from the right hand side shall apply to a goods carriage or a specified class of goods carriage fitted with left hand steering control if such vehicles have been fitted with signalling devices as contemplated in rules 302 and 103 of the Central Motor Vehicles Rules, 1989.

Where a Registering Authority registers a goods carriage in respect of which, or a goods carriage belonging to a class in respect of which, an order under sub-rule (2) has been made, shall note in the certificate of registration the fact that nothing in sub-rule (1) of rule 314 and rule 315 to 318 in regard to and consequent upon, the provisions requiring that the vehicles shall be driven from the right hand side shall apply to the vehicles.

348. Painting of goods carriages.— [(1)] Every goods carriage shall be painted in highway yellow colour either fully or on its front and rear portions:

Provided further that the rule shall not apply to goods carriages covered by National Permit, goods carriages belonging to Police, Jail, Postal, and Forest Departments and Mortuary vans.

(2) Every goods carriage carrying goods which are dangerous and hazardous in nature shall be painted fully in red colour and a lamp in yellow colour shall also be fitted on the top of the cabin.

Amendments

Rule 348 renumbered as sub-rule (1) thereof by SRO A-76/97 dated 19-6-1997. Sub-rule (2) inserted by No. SRO A-76/97 dated 19-6-1997.

349. Painting tractor with trailer.— (i) Every tractor with trailer covered by goods carriage permit used for agriculture purposes by permit holder other than for hire or reward shall be painted in "bus green" colour either fully or on its front and rear portions.

(ii) Every tractor without trailer covered by goods carriage permit used for agriculture purposes only for hire or reward shall be painted in highway yellow colour either fully or on its front and rear portions and the words "goods carriage agriculture purposes only" shall be painted on the top of the cabin body or on the sides.

349-A. Painting of Educational Institution Vehicles.— (1) (a) Every educational institution bus shall be fully painted in yellow colour.

The inscription "School Bus" (uefrerfl Su(5eb§i) or "College Bus" (ffieiginifuGu^jEg]) shall be painted in the front and rear top of the vehicle, as the case may be, in bold and clearly visible letters.

On both exterior sides of the vehicles in a circle of 60 centimeters diameter and on both the front and rear exterior sides in a circle of 20 centimeters diameter, the following diagrams shall be painted, in dark blue colour with yellow back-ground in the school and college buses respectively:



Provided that all the existing educational institution buses shall be painted as above, when renewal of fitness certificate is sought for from the authorities concerned.

(2) A board displaying "SCHOOL CHILDREN" (UKrerflffi @uiiB6iD^a<r) shall be exhibited in all auto rickshaws, share auto rickshaws and contract carriages other than the educational institution buses described in sub-rule (1) above during the trips carrying school children.

Amendments

Rule 349-A inserted by SRO A-16/95 dated 27-1-1995, omitted by SRO A-II/96 dated 29-11-1995. Rule 349-A inserted by SRO A-35(a)/2008 w.e.f. 9-9-2008

349-B. Fainting of Mini Bus.— Every Mini Bus shall be painted in mint green on the body and canary yellow on the border and the words "Mini Bus" shall be inscribed on both sides of the vehicle in bold letters within a circle of 40 centimetres diameter, in white colour.

Provided that all the existing Mini Buses shall be painted as above, when renewal of Fitness Certificate is sought for from the authorities concerned.

Amendments

Rule 349-B substituted by SRO A-4/2005 dated 26-1-2005,

SPECIAL RULES APPLICABLE TO TRAILERS

350. Overall length — Exemption.— (a) The overall length of a trailer (excluding any draw bar) shall not exceed 700 centimetres.

(b) This rule shall not apply to— (i) a trailer constructed and normally used for the conveyance of indivisible loads of abnormal length.

- (ii) any agricultural or road making implement.
- (iii) trailing part of an articulated vehicle.
- (iv) any incompletely assembled or otherwise disabled motor vehicle,

351. Checking designs of locally manufactured trailers,— (1) An application for the approval of a new design of trailer manufactured in India shall be made in triplicate to the State Transport Authority by the manufacturer or his authorised assembler. Such application shall be accompanied by a treasury receipt for the fee prescribed in the Table under rule 368 and three copies of each of the following documents namely:—

- (i) Full specifications.

(ii) Drawing giving all dimensions and details.

(iii) Set of design calculations of—

Axles;

Springs;

Long bearers;

Cross bearers;

- Platform tank or anything that may be carried on the cross bearers;
- Tow bar and coupling arrangements;
- Turn table or any other scribbling device for the front axle, in the case of two axle trailers; (h)
- Braking arrangements, if any;
- (i) Pay load capacity of the trailers;
- (j) Suspension arrangements of the trailers over the axle;
- (k) Turning circle required for the trailers;
- (l) Sizes and types of tyres recommended for the trailers;
- (m) Class of motor vehicle drawing trailer (light or medium or heavy transport vehicle);
- (n) Any other item such as shock absorbers if included.

The State Transport Authority shall forward the application together with the accompanying documents to the Deputy Transport Commissioner (Enforcement) who shall then go through the design and calculations and if the design is found satisfactory, certify what would be in his opinion, the maximum laden and axle weights of the trailers which are compatible with reasonable safety.

In case the design is not found satisfactory he shall advise the State Transport Authority to that effect and recommend such changes in the design constructions as may be required to make the trailer suitable for the designed load.

The State Transport Authority either on its own motion or on the Recommendations of the Deputy Transport Commissioner (Enforcement) under sub-rule (3), may call upon the applicant to carry out such changes in the design as may be specified and to furnish such further details as may be required by that authority. In such case, the applicant shall furnish such further specifications and drawings incorporating alteration, if any.

When a design is found satisfactory the Deputy Transport Commissioner (Enforcement) shall forward to the State Transport Authority two copies of the approved design, with his specifications and calculations together with his recommendations as to the maximum laden and axle weights compatible with reasonable safety. The State Transport Authority may approve the design.

The applicant shall supply to the State Transport Authority as many extra copies of the approved design specifications and calculations as may be required by that authority for the purpose of distribution to the different registering authorities for their record.

The fee paid for the approval of a new design of a trailer manufactured in India shall not be refundable.

Explanation.— For the purpose of this rule, the term "New Design" shall mean a design which has not had the approval of the State Transport Authority notwithstanding the fact that a trailer or trailers of such design might have already been registered prior to the 30th March 1960;

Provided that nothing contained in this rule shall be deemed to invalidate the registration of a trailer which has already been registered in this State prior to 1st April 1963.

(8) The approval of the design of a trailer manufactured in India by a competent authority in any other State in India shall be deemed to be an approval accorded under these rules:

Provided that there is in force in that other State, a rule or rules conforming to or containing substantially the same provisions in this rule.

(9) This rule shall not apply to ex-army trailers.

352. Rules 296 to 299 not to apply to road rollers.— Nothing in rules 296, 297, 298 and 299 shall apply to road rollers and other machines specially constructed or adopted for the construction or maintenance of roads which are the property of the Central or the State Government or of any local authority.

SPECIAL RULES APPLICABLE TO MOTOR CABS

353. Taxi Meter.— (a) Every motor cab except when exempted in this regard by the Government shall be fitted with a taxi meter which shall be fixed to and operated from a non-driving wheel.

The vehicles shall not ply for hire unless the taxi-meter bears the seal of the Regional Transport Authority to indicate that the taxi-meter has been tested and is in working order. The seal shall be kept intact.

The owner, driver, attendant of the vehicle or other person who breaks or tampers in any way with the seal, or who, with intent to deceive, tampers with the taxi-meter or the driving mechanism thereof, shall be deemed to have committed a breach of this rule.

354. (a) Every motor cab excluding autorickshaw which is exempted under sub-rule (a) of rule 353 shall be fitted with a milo-meter which shall be fixed to and operated from a non-driving wheel.

The vehicle shall not ply for hire unless the milo-meter bears the seal of the Regional Transport Authority to indicate that the milo-meter has been tested and is in working order. The seal shall be kept intact.

The owner, driver, attendant of the vehicle or other person who breaks or tampers, in any way, with the seal, or who, with intent to deceive, tampers with the milo-meter or the driving mechanism thereof, shall be deemed to have committed a breach of this rule.

Nothing contained in this rule shall apply to motor cab used in the Cities of Chennai, Madurai and Coimbatore.

355. Inspection of Taxi Meter.— (a) Taxi meter shall, whether for the first time or after repair or adjustment, be submitted to the Regional Transport Authority or any such officer as that authority may, from time to time depute in this behalf for examination and test. When it is produced for inspection, it shall bear the necessary holes for wires and be provided with the wires for the lead seal to be fixed to it.

(b) The taxi-meter shall be subjected to a practical road test of ten kilometers for each of the distance scales and a time test for detention charges for not less than half an hour. If it passes the test, it shall be sealed in such a manner that it cannot be opened or adjusted without removing the seals.

356. Inspection of Milo-meter.— (a) The Milo-meter shall, whether for the first time or after repair or adjustment, be submitted to the Regional Transport Authority or any such Officer as that authority may from time to time depute in this behalf for examination and test. When it is produced for inspection it shall bear the necessary holes for wires and be provided with the wires for the lead seal to be fixed to it.'

(b) The Milo-meter shall be subjected to a practical road test of ten kilometers. If it passes the test, it shall be sealed in such a manner that it cannot be opened or adjusted without removing the seals.

For Hire indicator.— A taxi-meter shall be fixed either inside the dash board or outside the vehicle. The indicator of such taxi-meter shall exhibit the illuminated words 'For Hire' so fitted to the top of the vehicle at the middle as to be clearly visible from the front and the rear of the vehicle. The panel of the indicator shall be not less than 30 cms. in length and shall be between 7 and 8 centimeters in height and the light thereof shall be white and switched on when the vehicle is not engaged, to indicate that the vehicle is available for hire and no driver shall then, without reasonable excuse, refuse to accept a fare.

Setting of taxi meter in motion.— The driver of every motor cab provided with taxi meter shall, as soon as he is hired and no sooner, set the taxi-meter in motion, and upon the termination of the hiring shall immediately stop the same:

Provided that if a motor cab is called from a garage or stand to take up a passenger at any place less than five hundred meters from the garage or stand, the taxi-meter shall not be set in motion until the motor cab shall arrive at such place and be ready to take up passenger :

Provided further that in the event of a motor cab, whilst hired being unable to proceed on account of any failure of the tyre or the mechanism of the vehicle either temporarily or otherwise, the driver shall at once stop the mechanism of the taxi-meter and shall not restart the same until such time as the defect is remedied.

Means of communication between passengers and drivers.— Every motor cab in which there is a partition between the driver and the passengers shall be provided with a means of communication between the passengers and the driver.

"For Hire" to be painted.— The owner of a motor cab, plying within the State of Tamil Nadu shall cause to be painted in a conspicuous part of the vehicle the words "For Hire" in English and in Tamil.

Lighting of taxi-meter or milo-meter.— Every motor cab fitted with a taxi-meter or milometer shall have a light so fitted as to illuminate the taxi-meter or milo-meter. The taxi-meter or milometer shall be so illuminated when the vehicle is in use in a public place during the period between half an hour after sunset and half an hour before sunrise.

Motor cab to be painted in double colours.— (a) Every motor cab excluding autorickshaw shall be painted in cream yellow colour over the top and in black colour over the rest of the body.

(b) No motor vehicle other than a motor cab shall be painted in the manner prescribed in sub-rule (a).

363. Road clearance.'— **Special rules applicable to autorickshaws.**— The road clearance of every autorickshaw shall be not more than twenty centimetres and not less than ten centimetres.

364. Every autorickshaw and share autorickshaw shall be painted in highways yellow colour:

Provided that every autorickshaw and share autorickshaw covered by contract carriage permit issued by the Regional Transport Authority, Chengai Anna district shall be painted in addition to the highways yellow colour, with a black band of fifteen centimetres in width on the central portion around the body of the vehicle.

Amendments

In the Rule and in the Proviso, the words "and share autorickshaw" inserted by No. SRO A-48/ -2007 dated 28-11-2007.

364-A. Painting of autorickshaws, share autorickshaws and motor cabs not covered by contract carriage permits.— Every autorickshaw, share autorickshaw and motor cab not covered by contract carriage permit shall be painted in "Sky Blue Colour" and also the words "NOT FOR HIRE" in English "and*" in Tamil, shall be painted in a conspicuous part of the vehicle both in front and rear side.

Amendments

Rule 364A inserted by SRO A-48/2007 dated 28-11-2007

365. Repainting of Ex-Military Vehicles.— (i) No Motor vehicle other than that of Indian Army, Air Force, Indian Navy, Assam Rifles and Coast Guard shall be painted in Olive Green Colour or Navy Blue Colour or in any other disruptive and camouflage pattern. Any motor vehicle which is purchased as Military disposal vehicle from the Indian Army, Indian Air Force, Indian Navy, Assam Rifles, or Coast Guard shall, before registration be repainted with the colour other than Olive Green,

Navy Blue and disruptive camouflage pattern, and such repainted colour shall conform to the colour specification laid down in these rules as applicable to a class or classes of motor vehicle. Army Markings like BA numbers, Formation signs and tactical numbers shall be removed before use of such motor vehicle on the road,

(ii) No civilian motor vehicle shall be painted with disruptive and camouflage pattern which implies use of camouflage or colours like Olive Green, White, Brown, White Green, Dark Brown and Navy Blue.

Exemption by State Government.— The Government may, by order, exempt to such extent as may be specified in the order, any motor vehicle or class of motor vehicles from all or any of the provisions of the rules under this Chapter. The fee for such exemption shall be as specified in the Table under rule 368.

[]

Fees.— The fee which shall be charged under the provisions of this Chapter shall be as specified in the Table below; such fee shall be paid through the Indian Overseas Bank or by cash in the Regional Transport Office or in the Office of the State Transport Authority or through chalan at the Government Sub-Treasury or Treasury:

Provided that in granting of exemption by the Government, the fee shall be paid only by means of treasury chalan or an Indian Overseas Bank receipt:—

Amount (3)	Rule (4)	Section (5)	THE TABLE		
Rs. 150	343	—	For grant of permission to carry advertisement in motor vehicle.		
			750	351	— have single axle.
			1,500	351	— have more than one axle.
				300	366 —
			For granting exemption by Government		

CHAPTER Vffii CONTROL OF TRAFFIC

Weighing of vehicles.— Every inspecting officer of the Transport Department is authorised to require the weighing of goods carriages and trailers.

Powers of Transport authority to restrict speed, weights, etc— (1) The State Transport Authority and Regional Transport Authority shall have the power to impose speed limits, to impose limits on the laden weight or axle weight or dimensions of motor vehicles and to prohibit or restrict the use of motor vehicles generally or of a particular class or trailers in a specified area or in respect of any road:

Provided that no limits or prohibition or restrictions shall be imposed by the Regional Transport Authority without the specific concurrence of the State Transport Authority.

(2) The Commissioner of Police in the City of Chennai and the Superintendent of Police in the district shall exercise the powers—

(i) to impose speed limits including the minimum speed; and (ii) to designate any road as a main road: Provided that the power conferred by this sub-rule shall be subject to the control of the State Transport Authority.

371. Authorities empowered to erect traffic signs.— Subject to the provisions of rule 372 and subject to the general instructions of the Regional Transport Authority, the Secretary of the Regional Transport Authority, or the Divisional Engineer (Highways and Rural Works) or the Commissioner of Police in the City of Chennai or the Superintendent of Police in the district, shall be the authority authorised to cause or permit traffic signs to be placed or erected in any public place for the purpose of regulating of motor vehicle traffic:

Provided that no traffic sign relating to stopping places for buses shall be caused or permitted to be placed or erected within a municipal area except in consultation with the Municipal Commissioner concerned:

Provided further that no traffic sign shall be caused or permitted to be placed or erected, on any road within the City of Chennai, other than National Highways and urban link roads except in consultation with the Commissioner, Corporation of Madras and on any other road except in consultation with the Divisional Engineer (Highways) concerned. Such consultation shall not be necessary in the cases of the following traffic signs proposed to be placed or erected on National Highways and Urban link roads within the City of Chennai with which the Highways Department is concerned.

Traffic sign specified in the notification issued under clause (b) of sub-section (i) of section 116 of the Act.

PART A MANDATORY SIGNS Number 9 — No right

turn. Number 9 — No left turn.

Number 10 — Prohibitions of buses stopping to-set down or take passengers.

PART B CAUTIONARY SIGNS Number 14 — Traffic

round about.

PART C INFORMATORY SIGNS Number 5 —

Hospital. Number 6 — Go. Number 7 — Bus Stand. Number 8 —

Stopping place for buses.

Provided also that in the case of traffic sign No. 1 speed limit in Part A — Mandatory signs in the Schedule to the Act, to be placed or erected on National highways and urban link roads within the City of Chennai, the Divisional Engineer (Highways) concerned shall be consulted in cases where it is proposed to increase the speed limit:

Provided also that consultation under the second proviso above shall not be necessary in cases where speed limits are fixed or traffic signs are placed or erected under the orders of Government in exercise of the powers under sub-section (2) of section 112 and sub-section (1) of section 116. ' Traffic signs specified in the Schedule to the Act.

PART A MANDATORY SIGNS Number 3 — Total

prohibition. Number 4 — Direction sign. Number 5 — No parking. Number 6 — Overtaking prohibited. Number 7 — Use of sound signals prohibited. Number 8 — Main road ahead (dead slow).

PART B
CAUTIONARY SIGNS

Number 7 — School.

PART C
INFORMATORY SIGNS

Number 4 — Parking sign.

Authority to erect traffic sign.— Any authority which is empowered under the Tamil Nadu Traffic Rules, 1938 or under the Madras City Municipal Corporation Act, 1919, (Tamil Nadu Act IV of 1919) or the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920), to specify the maximum of safe load for a bridge or culvert or in public road or street may for the purpose of exercising the said power, erect the appropriate traffic signs.

Weighing of vehicles believed to be used in contravention of restriction.— Any officer referred to in rule 369 may, if he has reason to believe that a goods carriage is being used in contravention of any laden weight restriction imposed by competent authority require the driver to convey the vehicle to a weighing device, if any within a distance of 10 kilometres from any point on the forward route or within a distance of 20 kilometres from any point on the forward route or with a distance of 20 kilometres from the destination of the vehicle for weighing, and if, on weighing the vehicle is found to have contravened such restriction, he may, by order in writing direct the driver to convey the vehicle to a suitable place to be specified in the notice, where facilities are available, for the storage of goods and not to remove the vehicle from that place until the laden weight or axle weight has been reduced so that it complies with such restriction.

Officers empowered to demand production of certificate and permit.— Magistrates, any inspecting officer of the Transport Department and Police Officers not below the rank of Head Constable are authorised to demand the production of the certificate of registration and insurance certificate of any vehicle and where the vehicle is a transport vehicle the permit and certificate of fitness.

To maintain record of names and address of driver or conductor.— (1) No owner of a motor vehicle shall cause or allow any person to function as a driver or conductor unless the owner has in his possession a record in writing of the name and address of the driver or conductor as set forth in his licence, the number of the licence, the validity of the licence and also the classes of vehicles authorised to be driven by the driver and the name of the authority by which it was issued.

(2) The inspecting officers at the time of inspection of motor vehicles shall note down the full address and other complete details of drivers and conductors in the check depots.

Officers empowered to demand information.— Police Officers not below the rank of Sub-Inspector and any inspecting officers of the Transport Department are authorised to demand from the owner of a motor vehicle the driver of which is accused of an offence under the Act all information regarding the name and address of and the licence held by the driver which is in his possession or could by reasonable diligence be ascertained by him.

Officers empowered to inspect vehicles involved in accidents.— Magistrates, any inspecting officer of the Transport Department and Police Officers not below the rank of Sub-Inspector are authorised to inspect any motor vehicle involved in an accident and for that purpose to enter at any reasonable time any premises where the vehicle may be kept and to remove the vehicle for examination.

Inspection report form.— The inspection report under rule 377 shall be in Form A.I.R.

Parking places for motor vehicles in specified localities in Chennai City.—■ (1) The

Commissioner of Police, Madras may approve parking places within the Chennai City limits for purposes of parking motor vehicles other than public services vehicles and goods carriages.

(2) The Commissioner, Corporation of Chennai, shall apply to the Commissioner of Police, Chennai, for the approval of the proposed parking place for such vehicle. The application shall be accompanied by a sketch of the proposed parking place together with the following particulars, namely:—

- (i) the advantage of fixing the parking places;
- (ii) the class of motor vehicles for which the parking place is to be fixed; (iii) the extent of the place to be fixed and the nature of the roads in the locality; (iv) the number of vehicles likely to use the parking places; (v) the maximum number of vehicles that can be parked at any one time; (vi) the particulars of the staff to be employed and the duties of such staff; (vii) the arrangements to be made for maintenance of the parking place and to keep the place in clean condition;
- (viii) the fee that will be charged for the use of the parking place; and (ix) any other matter relevant to the proposed parking places.

(3) On receipt of the application referred to in sub-rule (2), the Commissioner of Police, Chennai, may, in consultation with such other authority as he deems necessary and having regard to the safety of the public generally, approve the proposal of the Commissioner, Corporation of Chennai, for a parking place with or without modification or refuse to approve the proposal. Every order approving the proposal with or without modification shall remain in force for a period of three years or such shorter period as may be specified in the order and may be renewed from time to time by the Commissioner of Police, Chennai by a like order for a further period of not more than three years at a time:

Provided that where the Commissioner of Police refuses to approve the proposal, he shall after giving an opportunity to the Commissioner, Corporation of Chennai, to make his representation, if any and after recording in writing the reasons for such refusal communicate a copy of the order to the Commissioner, Corporation of Chennai.

When an approved parking place is ready for use, the Commissioner, Corporation of Chennai shall report the fact to the Commissioner of Police. On receipt of such a report, the Commissioner of Police may, after such enquiry or inspection as he thinks fit, notify the parking place, specifying the class or classes of motor vehicles that can make use of that parking place. A copy of such notification shall be put on the notice board at the offices of the Regional Transport Authority, Chennai City, Regional Transport Offices in Chennai City, the Commissioner of Police, Chennai City and the Corporation of Chennai. i

No vehicle shall be parked in a parking place for a period beyond one hour.

The Inspecting officers of the Police Department as may be authorised by the Commissioner of Police, Chennai, the Inspecting Officer of the Transport Department as may be authorised by the Transport Commissioner, Chennai and the Inspecting Officers of the Corporation of Chennai may inspect the parking place and bring to the notice of the Commissioner of Police, Chennai, defects if any, noticed.

The Commissioner of Police shall point out such defects to the Commissioner, Corporation of Chennai, and if the Commissioner of Corporation of Chennai fails to rectify such defect pointed out by the Commissioner of Police within a period of thirty days from the date of receipt of such communication, the Commissioner of Police, may revoke the approval already granted under sub-rule (3).

- 380. Vehicle abandoned on the road — removal and custody.— If any motor vehicle is allowed to stand in any place other than duly appointed parking place in such a way as to cause obstruction to traffic or danger to any person, a police officer in uniform having jurisdiction may—

(i) forthwith cause the vehicle to be moved under its own power otherwise to the nearest place where the vehicle will not cause undue obstruction or danger;

(h) 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 vehicles; and

(iii) if the vehicle has been stationary in one place for a continuous period of ten hours and adequate steps have not been taken for its repair or removal by the owner or his representative, remove the vehicle and its contents to a place of safe custody.

Vehicles in parking place — removal.— If a motor vehicle has been stationary in a duly appointed parking place or a period exceeding the period 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 or any inspecting officer of the Transport Department may remove the vehicle to a place of safe custody.

Payment for removal.— Notwithstanding any fine or penalty which may be imposed upon any person on conviction for the contravention of the provisions of section 122 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 the expense/incurred by any Police Officer or any inspecting officer of the Transport Department in connection with the moving, lighting, watching or removal of a vehicle or its content in accordance with rules 379 and 381 and any Police Officer or any inspecting officer of the Transport Department or any person into whose custody the vehicle has been entrusted by any Police Officer or any inspecting officer of the Transport Department 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 payment.

Weighing device — use and installation of.— A weighing device for the purpose of section 114 may be

(i) a weigh bridge installed and maintained at any place by or under the orders of the 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:

Provided that the location of the weigh bridge shall be inspected by the Regional Transport Officer concerned, to certify that there is sufficient space measuring not less than 200 feet along the road side and not less than 150 feet across the road and other facilities for the entry and easy maneuverability of loaded goods carriage and trailers.

(iii) a portable wheel weight of any kind approved by the Government.

Weigh bridge — inspection of.— The weigh bridge shall before its installation be inspected by the Regional Transport Officer concerned and a no objection certificate issued by him and thereafter it shall be inspected periodically by the Regional Transport Officer to see that there are no hindrance to the free and easy movement of goods carriages and trailers to and fro from the weigh bridge.

Weighing of vehicles driven to manipulate vehicle.— The driver of any goods carriage shall upon demand by a competent authority so drive and manipulate the vehicles 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.

Action on failure of driver to manipulate.— If the driver of a motor vehicle fails within a reasonable time to comply with a requisition under rule 385, a person authorised under section 114 or under rule 369 may cause any person, being' the holder of a licence authorising him to drive the vehicle so to drive and manipulate the vehicle.

387. Statement of weight.— On weighing a vehicle in accordance with section 114 and these rules the person who has required the weighing 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, of which the weight is separately determined.

388. Ghat road restriction.— On any ghat road and elsewhere on any hill, marked by traffic sign No. 10 of Part B of the 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 vehicle is travelling down and no driver of a stage carriage shall reverse the vehicle at any hair pin bend on any ghat road when it is with passengers and if the vehicle has been reversed at any such bend for taking a turn, he shall do so only after all the passengers are made to get down from the vehicle.

Explanation.— 'Ghat Road' means a road notified in the Tamil Nadu Government Gazette as such by the Government and indicated by a notice board erected at each end of such road.

389. Level crossing precautions.— The motor vehicle driver shall whenever his vehicle approaches a guarded level crossing, slow down his vehicle so as to ensure that the gate leaves are open to road traffic before negotiating the level crossing. In the event of the level crossing gates are open to road traffic, he shall continue to exercise great caution and look on either side of the level crossing to ensure that no train is approaching from either direction:

Provided that in the case of unmanned level crossing, the driver should take the precautions specified in section 131.

Prohibition of mounting or dismounting when vehicle is in motion.— 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, nor shall the driver or person in charge of such vehicle permit any person to do so.

Prohibition of taking hold of vehicle in motion.— 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 upon some other wheeled vehicle or otherwise.

Prohibition of towing motor cycle or cyclist.— No driver of a motor vehicle shall tow a cyclist or motor cyclist and no cyclist or motor cyclist shall allow himself to be towed by such vehicle.

Licensed Driver to be in drawn vehicle.— 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 unless one axle of the motor vehicle being towed is firmly and securely supported clear of the road surface by some crane or other device on the vehicle which is drawing or towing it.

"On Tow" to be displayed.— 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 at no time shall exceed four hundred and sixty centimetres. 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 8 centimetres 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 rule for failure to display the words "On Tow" if the motor vehicle which is towing the other is not a motor vehicle adopted and ordinarily used for the purpose and so long as the vehicle is being towed between the places of break down and the nearest place on the route in which the necessary materials can be obtained.

Speed of towing vehicles.— No motor vehicle when towing another vehicle other than a trailer or side car shall be driven at a speed exceeding twenty five kilo metres per hour.

Load projection.— 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 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 one hundred and fifty centimetres beyond the rear most part of the vehicle excluding any luggage carrier; and
- (iv) in height by a distance which exceeds three hundred and eighty centimetres from the surface upon which the motor vehicle rests.

397. Precaution with goods.— Clause (iii) of rule 396 shall not apply to a goods carriage when loaded with any pole or other projecting thing so long as—

- (i) the projecting load falls within the limits of the body of a trailer being drawn by the goods vehicle; or
- (ii) the distance by which the pole or other thing projects beyond the rear most point of the vehicle does not exceed one hundred centimetres; and
- (iii) there is attached to the rear of such pole or other thing in such a way as to be clearly visible from the rear—

during the period between half an hour before sunrise and half an hour after sunset a red flag of dimensions not less than 60 x 10 centimetres.

at other times, a lamp, in addition to the prescribed lamps on the vehicle, so arranged as to show a red light to the rear.

398. Authority competent to exempt.— The Regional Transport Authority may, by order in writing, exempt any motor vehicle for such a purpose for such a period and subject to such conditions as it may specify, from any or all or any of the provisions of rules, 396, and 397. The fee for granting exemption under this rule shall be as specified in the Table under rule 418;

Provided that the Regional Transport Authority may, for prompt and convenient despatch of business, by general or special order, delegate to its secretary the powers under this rule

Production of driving licences — exemption.— The drivers of vehicles belonging to the Tamil Nadu Fire Services shall be exempt from the provisions of section 130(1) provided they are in uniform at the time of checking.

Carriage of dangerous substances.— Except for the fuel and lubricants necessary for the use of vehicle, no explosive, highly inflammable or otherwise dangerous substances shall be carried on any public service vehicle:

Provided that nothing in this rule shall apply to safely packed cartridges for small arms which a passenger may take with him in any such vehicle.

Authority to remove explosion from vehicle.— If in the opinion of any inspecting officer of the Transport Department or any Police Officer not below the rank of Sub-Inspector any public service vehicle is at any time loaded in contravention of rule 400, he may order the driver or other person in charge of the vehicle to remove the explosive, highly inflammable or otherwise dangerous substance.

Sound signals — restrictions on use of.—■ No driver of 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 to an extent beyond that which is reasonably necessary to ensure safety.

403. Authority to prohibit sound signals.— The Commissioner of Police in the City of Chennai and elsewhere the Superintendent of Police may by notification in the Official Gazettee and by the erection in suitable places of traffic sign No. 7 as set forth in Part A of the Schedule to the Act, prohibit the use of any horn, or other device on a motor vehicle for giving suitable warning within such locality and during such hours as may be specified in the notification:

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

404. Cut out — prohibition 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.

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

The Commissioner of Police in the City of Chennai and elsewhere the Superintendent of Police may by notification in the Official Gazettee and by the erection of suitable notices in English and Tamil prohibit the use, within such areas or in such places as may be specified in the notification of direct head lights.

The head lights of all motor vehicles shall be painted in black on its centre portion so as not to cause inconvenience to the drivers of the vehicles coming on the opposite direction.

Amendments

Clause (c) added by SRO A-42/2006 dated 20-12-2006.

Use of lamps in Municipalities and Chennai City.— In any public place within the limits of the City of Chennai or of a municipality governed by the Tamil Nadu District Municipalities Act 1920, (Tamil Nadu Act V of 1920) where there is a system of lighting by electric/lamps placed not more than 50 metres apart, it shall not be necessary for a motor vehicle standing at the side of such public place within 25 metres of the nearest lighted lamp to exhibit any light within the hours during which lights are otherwise required under these rules.

Visibility of lamps and restriction marks.— No load or other thing shall be placed on any motor vehicle at any time so as to mark 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 marked or otherwise obscured is exhibited in the manner required by or under the Act for the exhibition of the marked or obscured lamp or mark.

Registration and other marks to be kept in clear condition.— 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 reasonably possible in a clear and legible condition.

409. Driving mirror — obscuring of.— No person, driving or in charge of a motor vehicle shall—
(i) permit any person to stand or sit, or
(ii) place or permit anything to be placed in such a manner or position as to obscure the driver's vision either directly or reflected by the mirror referred to in rule 296:

Provided that clause (ii) shall not apply to a vehicle fitted with a blind on the rear window when this blind is used during night-time.

410. Road junction and signal to stop.— (a) When any line is painted on 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 a traffic sign.

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

Traffic **sign 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 subsection (1) of section 116.

Attendants on trailers.— When a more vehicle draws one or more trailer, the following persons, not being less than twenty years of age, and competent to discharge their duties shall be carried, that is to say:—

(a) if the brakes of the trailer or trailers cannot be operated from the motor vehicle—

(i) one person on every trailer competent to apply the brakes; and

(ii) one person placed at or near the rear of the last trailer in such a position as to have a clear view of the road in rear of the trailer, to signal to the drivers of overtaking vehicles and to communicate with the driver of the drawing motor vehicle;

if the brakes of the trailer can be operated by some person other than the driver carried on that vehicle such other person in addition to the driver shall be carried on that vehicle and one person on the last trailer in accordance with the provisions of sub-clause (ii) of clause (a).

if the trailer is or trailers are being drawn by a locomotive, notwithstanding that the brakes of the trailer or trailers can be operated by the driver or some other person on the locomotive, not less than one person on each trailer and not less than two persons on the last trailer in train one of whom shall be the person required by the provisions of sub-clause (ii) of clause (a).

413. When attendants may not be carried on trailers.— Rule 412 shall not apply—

(i) to any trailer having not more than two wheels and not exceeding 800 kilometres in weight laden when used singly and not in a train with other trailers.

(ii) to the training half of an articulated vehicle;

(iii) to any trailer used solely for carrying water for the purposes of the drawing vehicles when used singly and not in a train with other trailers.

(iv) to any agricultural or road making or road repairing or road cleaning implement drawn by a motor vehicle;

(v) to any closed trailer specially constructed for any purpose and specially exempted from any of the provisions of this rule by an order in writing made by the registering authority, to the extent so exempted; or

(vi) to any trailer specially constructed or adopted for any purpose, upon which an attendant cannot safely be carried.

414. Distinguishing mark for trailer.— (a) No person shall drive or cause to be driven in any public place any motor vehicle with trailer or trailers, unless there is exhibited in a plate fixed at the right side of the front bumper of the drawing vehicle, without affecting and obstructing the front right side and head light of the drawing vehicle and on the rear of the trailer or of the last of the trailer of a train of trailers, a distinguishing mark in white on a black background in the manner specified in the Second Schedule to these rules.

(b) The marks shall be unobscured and the mark on the trailer shall be so fixed that— (i) the letter on the mark is vertical and easily distinguishable from the rear of the trailer;

(ii) the mark is either on the centre or to the right side of the back of the trailer; and (iii) no part of it is at a height exceeding one hundred and twenty centimetres from the ground. (c) This rule shall not apply to the cases referred to in clauses (i), (ii), (iii), (iv) and (vi) of rule 413.

Attendant on locomotive.— Every locomotive shall carry atleast one attendant, being a competent person of over twenty years of age, in addition to the driver, to assist the driver in the management of the locomotive.

Influence of alcoholic drinks or drugs in driver.— Any person who drives or attempts to drive a motor vehicle has, in his blood, alcohol exceeding 30 milli litre per 100 milli litre of blood detected in a test by a breath analyser at the time of driving shall be deemed to have been under the influence of alcoholic drink for the purpose of section 195 of the Act.

417. Exemption by State Government.— (a) The Government, may, by order exempt to such extent as may be specified in the order, any motor vehicle or class of motor vehicles from all or part of the provisions of the rules framed under Chapter XIII of the Act.

(b) The powers conferred on the State Government under sub-rule (a) shall also be exercised by the State Transport Authority and the Regional Transport Authorities and their Secretaries if so authorised by those authorities in respect of prohibition or restriction imposed under rule 370 for the use of motor vehicles in a specified area or in respect of any road:

Provided that the powers conferred on the Regional Transport Authorities and their Secretaries by this rule shall be subject to the control of the State Transport Authority and that all cases of grant or refusal of exemption by the Regional Transport Authorities and their Secretaries shall be intimated to the State Transport Authority for review:

Provided further that the State Transport Authority may grant exemption in a case where it has been refused by a Regional Transport Authority/or its Secretary.

(c) The powers conferred on the State Government under sub-rule (a) shall also be exercised by the State Transport Authority in respect of granting exemption from the provisions of rules 396 and 397, for such a period, and subject to such conditions as may be specified in the order. The fee for such exemption shall be as specified in the Table under rule 418.

417-A. Exceptions in wearing protective headgear (Helmet).— The provisions of Section 129 of the Act providing for compulsory wearing of protective headgear (Helmet) shall not apply to the following categories, namely:-

(i) Persons who belong to "Meivazhi Sabha" or "Meivazhi Salai" who wear turban while riding on a motor cycle; and

(ii) "Woman" or "Child" riding in motor cycle as pillion rider.

Explanation : For the purpose of this Rule, "Woman" means a female human being of any age and "Child" means a male human being under twelve years of age.

Amendments

Rule 417-A inserted by SRO A-32-(a)/2007 dated 13-8-2007.

' **418. Fees.**— The fee which shall be charged under the provisions of this Chapter shall be as specified in the Table below. Such fee shall be paid through the Indian Overseas bank or by cash in the Regional Transport Offices or in the Office of the State Transport Authority or through cnalan in the Government Sub-Treasury or Treasury:—

THE TABLE

	Amount (3) Rs.	Rule (4)	Section (5)
and 397	75	398	

Serial No. 0)	Purpose (2)		
	For grant of exemption from Rule 396 and 397 by Regional Transport Authority.		
	For grant of exemption by the Government.	300	417
	For grant of exemption by the State Transport Authority and the Regional Transport Authority.	225	417

CHAPTER IX**INSURANCE OF MOTOR VEHICLES AGAINST THIRD PARTY RISK**

419. The owner of a motor vehicle applying to pay the tax on the vehicle shall forward with the application a certificate of insurance relating to the vehicle and complying with the requirements of Chapter XI of the Act and valid—

if the application is made prior to the commencement of the period for which the tax is tendered, on the first day of that period or.

if the application is made during the period for which the tax is tendered, on the date on which the application is made.

420. The owner of the vehicle exempted under sub-section (3) of section 146 shall forward in place of the certificate of insurance, the certificate described in rule 12 of the Motor Vehicles (Third Party Insurance) Rules, 1946.

CHAPTER X**OFFENCES, PENALTIES AND PROCEDURE**

421. (1) Any motor vehicle detained under section 207 shall be handed-over to the police officer incharge of the nearest police station and such police officer shall keep the vehicle under safe custody until such time such officer receives a release order from the authorised officer mentioned in sub-rule (2).

The Regional Transport Officer in whose area the vehicle is detained shall be the authorised officer for the issue of an order of release under sub-section (2) of Section 207.

The Officers to recover the penalty for causing obstruction to free flow of traffic under section 201 shall be any police officer in uniform not below the rank of Sub-Inspector of Police.

CHAPTER XI**MISCELLANEOUS**

422. Refund of fees.— Subject to the provisions of rules 423 and 424 the Secretary of the State Transport Authority, the Regional Transport Officer or Secretary, State Transport Appellate Tribunal concerned as the case may be, may on application sanction the refund of—

(i) the full fee paid, where the certificate or licence applied for is refused or the application for the certificate or licence is cancelled, or withdrawn by the applicant before the certificate, licence, or badge, as the case may be, is actually issued and the transaction completed;

(ii) the excess, where the amount paid is in excess of the proper fee;

(iii) the full fee paid, where the fee was paid by mistake; . (iv) the full fee paid where the application is returned without passing any order on the application

for which the fee was paid with an advice to apply to the proper authority or to make the application at the time of calling for the application;

(v) the full fee paid, where the fee was paid for the grant of an agents licence under rule 235, if such a licence is refused:

Provided that if the licence granted or renewed is surrendered within one year from the date on which the grant or renewal of licence takes effect then fifty per cent of the fee paid may be refunded, and

(vi) the excess of the compounding fee paid under rule 206 where the fee was reduced by the Appellate Authority, Revisional Authority or by the Court.

No refund after inspection.— No refund of fee for a certificate of fitness shall be made when the inspection of the vehicle in respect of which the certificate was applied for has been carried out.

Time for application for refund.— (1) No refund of fee shall be made if the application for such refund is not made within three months from the date of receipt, by the applicant of the order specified in clauses (i), (v) and (vi) of rule 422:

Provided that where the orders specified in clauses (i), (iv) and (v) are taken on appeal or revision or to the court, the application for refund shall be made within three months from the date of receipt by the applicant of the order of the appellate authority, revisional authority or the Court, as the case may be.

No refund of fee specified in clause (ii) or clause (iii) of rule 422 shall be made if the application for such refund is not made within six months from the date of the credit of the fee to the Government account.

Subject to the provisions of rule 422 and sub-rules (1) and (2) of this rule the Deputy Transport Commissioner in the case of applications rejected by the Regional Transport Officer and the Transport Commissioner in the case of applications rejected by the Secretary to State Transport Authority, shall be the authority competent to entertain an appeal against such orders of rejection:

Provided that such appeal shall be made by the applicant within thirty days from date of receipt of the orders of the authority specified in rule 422.

425. Refund — appeal, revision fees.— (1) The Secretary to the State Transport Appellate Tribunal may on application, sanction the refund of the fee paid under rule 158 or rule 159 in cases where the remittance of the fee is not followed by an appeal or revision petition for which the fee was paid:

Provided that no refund of the fee shall be made, if the application for such refund is not made within three months from the date of the credit of the fee to the Government account.

(2) An appeal against an order under sub-rule (1) shall lie to the Government within thirty days from the date of the receipt of such order.

426. Transport Department Officers.— For the purpose of section 213 the Transport Commissioner shall be the Head of the Transport Department, the Joint Transport Commissioner, the Deputy Transport Commissioners and Secretary and Assistant Secretaries to the State Transport Authority, the Departmental Representative, the Statistical Officer, the Assistant Engineer (Motor Vehicles), the Senior Accounts Officer and Junior Accounts Officers, the Regional Transport Authorities and their Secretaries, the Regional Transport Officers, the Officers functioning as licensing and Registering Authorities, the Motor Vehicles Inspectors, Grade I and Grade II, Motor Vehicles Inspectors (Non-Technical); Personal Assistant to State Transport Authority and Personal Assistant to Regional Transport Officers and Superintendents and all other officers who may, from time to time be appointed for the purpose of the said section shall be officers of the Transport Department and shall exercise the powers and perform the duties assigned

to them from time to time under the Act and the rules made and the notifications issued thereunder. They shall carry out the instruction and orders issued by the Transport Commissioner from time to time.

427. Uniform.— The uniform to be worn by Motor Vehicles Inspector Grade I and Grade II (I and Motor Vehicles Inspector (Non-Technical) shall be as follows:—

(i) *Peak cap.*— Khaki Peak Cap with brown leather strap and two white metal buttons with Tamil Nadu Emblem in the centre and the letters 'TD' on either side. The crown shall be with Tamil Nadu Emblem and inscription 'Transport Department'.

(ii) *Khaki Shirt.*— The shirt shall be of half sleeves provided with two chest pockets of width 13.97 cms., and length 16.51 cms., with closing flaps of 6.35 cms., with shoulder flaps with metal button at one end and nickel plated letters 'TD' at the other end.

(iii) *Stars.*— Four edged white knurled metal to be worn on the shoulder flaps of the shirt. One star for probationary, two stars for Motor Vehicles Inspectors Grade II and three stars for Motor Vehicles Inspectors Grade I and Motor Vehicles Inspector (Non-Technical).

(iv) *Belt.*— It shall be of leather with a width of 6 cms., and of brown colour.

The buckle for the belt shall be chromium plated one of size 6 cm. width and 8 cms., length with monogram at the centre of the buckle as the one fixed in the peak cap.

(v) *Khaki full pant.*— Without fold with two side pockets and one hip pocket.

(vi) *Lanyard.*— Blue whistle card for Motor Vehicles Inspectors Grade I and Motor Vehicle Inspectors Grade II and Red Whistle card for Motor Vehicle Inspectors (Non-Technical) with whistle.

(vii) Khaki socks with brown shoes.

Conferment of powers.— The powers exercisable by a Police Officer under the Act shall also be exercisable by an inspecting officer of the Transport Department.

The powers exercisable by a Motor Vehicles Inspector Grade I under these Rules or the notifications issued under the Act shall also be exercisable by the Motor Vehicles Inspectors Grade II according to the duties assigned to them from time to time.

Mode of despatch of documents.— Driving Licence, Conductor Licence, Registration Certificate, Permit or any other documents shall be handed over to the applicant concerned in person under proper acknowledgment.

The applicant may also authorise any person, who is not a tout, to receive such documents on his behalf, subject to production of an authorisation letter with court fee stamp to the value of Rs. 2 affixed.

Explanation.— For the purpose of this rules, "Tout" means a person who arranges to get the things done in the offices of the Transport Department on behalf of public for monetary consideration.

Any person desirous of getting such documents by Registered Post with acknowledgment due may enclose along with the application a self addressed envelope sufficiently stamped.

431. Levy of Service Charges.— For the services rendered by officers or authorities under the said Act, Service Charges at the rates as specified in the Table below, shall be collected, in respect of all statutory transactions undertaken in the offices of the Transport Department of this State, in addition to the fees payable under the Act. Such charges shall be paid in cash along with payment of fees or tax :-

<i>Serial No.</i>	<i>T Transactions</i>	<i>Amount of Service Charges</i>
(1) LICENCE:		
	Leaners licence	30.00
	Non-transport driving licences (All statutory transactions)	100.00
	Transport driving licence (All statutory transactions)	50.00
	International driving permit	500.00
	Grant/Renewal/Issue of duplicate licence to a school or establishment for imparting instructions in driving (valid* for 5 years)	1,000.00
(2) REGISTRATION AND RE-REGISTRATION OF MOTOR VEHICLES		
	Two and three wheelers	100.00
	rtbove three wheelers	200.00
	Temporary registration	, 1 100.00
	Renewal of registration	50.00
	Transfer of ownership, hire purchase endorsement / termination, alteration, duplicate registration certificate	25.00
	No objection certificate	50.00
	Issue / Renewal of fitness certificate for auto rickshaw	25.00
	Issue / renewal of fitness certificate other than' auto rickshaw (No service charge for temporary fitness certificate)	50.00
2.9	(1) Grant/Renewal of trade certificate in respect of each vehicle-	
	Motor cycle	50.00
	Others 200.00 (2) Duplicate Trade Certificate-	
	Motor cycle	30.00
	Others 100.00	
(3) PERMITS :		
3.1	Issue of auto rickshaw permit including renewal / duplicate / change of address / Surrender / Replacement of vehicle / Replacement of permit / Transfer of-permit	50.00
3.2	Issue of permit other than auto rickshaw permit including renewal / Duplicate / Change of address / Surrender / Replacement of vehicle / Replacement of permit / Transfer of permit / Transfer of permit on death	100.00
3.3	Issue of temporary permit, all types of authorisations and variations	50.00

(4)	Grant of licence for a testing station engaged in testing motor vehicles for smoke emission level and carbon monoxide level (valid for one year)	200.00
	Renewal of licence for Testing station engaged in Testing motor vehicles for smoke emission level and carbon monoxide level (valid for one year)	200.00
(5)	Grant of agent / canvasser licence (for goods booking, forwarding and distributing agent)	200.00
	Renewal of agent / canvasser licence (for goods booking, forwarding and distributing agent)	100.00
	Grant of permission to carry advertisement in motor vehicle	50.00.
	Taxation	
	Collection of tax for Transport Vehicles (No service charge for non-transport vehicles)	10.00
(8)	Others	50.00

Provided that all motor vehicles specifically designed or adopted for the use of handicapped persons are exempted from payment of Service Charges provided that the adopted vehicles are used only by the physically handicapped persons.

Amendments

Rule 431 added by SRO A-33(a)/2008 dated 22-8-2008.

FORM LLD.

Intimation of loss or destruction of driving licence and application for duplicate
(See rule 25.)

To The Licensing Authority

1. of (permanent address) and present address (father's name) hereby
report

that driving licence No. issued by the Licensing Authority on or about the
day of in No. and on for the period up to has been lost/destroyed (i) in the following
circumstances:—

2. I furnish below further details of the licence:—

Class of vehicles for which the licence is valid.

The number and date of the authorisation and the Licensing Authority which issued the authorisation
to drive as a paid employee (if so authorised).

Whether authorised to drive transport vehicles, if so, the date and authority.

Serial number of Badge, if any, issued and by whom issued.

Endorsements of punishments.

I hereby apply for a duplicate licence and tender rupees.

I attach two clean copies of a recent photograph of myself (i)

I hereby declare that the above particulars are to the best of my knowledge correct.

Date : 19 (Signature or thumb-impression of applicant).

Note.— (i) Strike out alternative not required and items not applicable. If the column is not sufficient,
particulars to be furnished on a separate sheet to be appended.

PART I.

(Parts I, II and III will be printed on a separate sheet and will be used if the application is made to an
authority other than the original licensing authority).

Forwarded to the Licensing Authority for verification and completion of Part II.

Date : 19

Note.— If no reply is received within six weeks from the date of receipt of this reference it will be
presumed that this authority has no objection to the grant of duplicate licence.

PART II.

Returned to the Licensing Authority.

The photograph and signature/thumb-impression have been compared with my records.

No such licence was issued by this office (i) I am not satisfied that the applicant was the holder of a
Licence issued by the office as described (i).

I am satisfied that the applicant was the holder of a licence issued by this office as follows (i) :—

Number :

Date of issue :

Last renewed by the Licensing Authority :

Date of expiry ;

Class of vehicles ;

The licence—

entitled the holder to drive as a paid employee (i)

carried authorisation to drive a (public service) transport vehicle granted by

carried the following endorsement of punishment:—

Date : 19

Licensing

Authority

Note.— (1) Strike out alternative not required and items not applicable. If the column is not sufficient,
particulars may be furnished on a sheet to be appended.

PART III.

Returned to the Licensing authority for record. A
duplicate licence has been issued by me on this day.

I have, in my letter No. dated the _____ declined to issue the duplicate licence applied for and I attach a copy of that letter.

Date : 19 _____

Licensing Authority

(i) Strike out alternative not required and items not applicable.)

FORM HE.

*Form of intimation by Court of endorsement of licence,
(See rule 34.)*

COURT OF THE _____ MAGISTRATE

To

The Licensing Authority

Driving Licence No. _____ dated the _____ issued by you in favour of

Name :

Name of the Father :

Permanent address :

Present address :

has been endorsed by this Court as follows :— Date

of endorsement :

Section of the Motor Vehicles Act, 1988 and rule of Tamil Nadu Motor Vehicles Rules, 1989. Punishment ordered by the Court. Date :

Copy forwarded to the Licensing Authority, by whom the Driving Licence was last renewed on Date :

FORM LR.

Form of intimation of renewal of Driving Licence. (See section 15(6) and rule 35.) From

The Licensing Authority, To

The Licensing Authority,

Licence No. _____ dated the _____ issued by you in favour of

Name :

Name of father :

Permanent address :

Present address :

has been renewed by me for a period of _____ years with effect from the day.

Licensing Authority.

FORM LAD.

(Form of intimation when an addition has been made by one Licensing Authority upon a licence issued by another authority in respect of the classes of vehicles which the holder is entitled to drive).

(See section 11 and rule 36.)

From

The Licensing Authority, To

The Licensing Authority No. _____ dated the _____ issued by you in favour of

Name :

Name of father :

Permanent address :

Present address :

has, with effect from the day of been extended by me to entitle the holder to drive the following further class of vehicles:—

Date :

Licensing Authority.

FORM CLA.

Form of application for a conductor's licence. (See rule 52.) To

The Licensing Authority, I apply for a licence to act as a conductor of a stage carriage—

Name :

Name of father or husband

Present address :

Permanent address :

Age :

Educational qualification :

Descriptive marks :

I have not previously held a conductor's certificate previously held a conductor's certificate issued by

I am not disqualified for holding or obtaining a conductor's licence.

I declare that I am not suffering from any disease or disability likely to render me unfit for the work as conductor.

I hereby declare that the above statements are true.

I attach two copies of a recent photograph of myself.

Place :

Signature of applicant.

Date :

(Duplicate signature of applicant.)

FORM MCC.

Form of medical certificate for a conductor.

(See rule 52.)

(To be filled in by a registered medical practitioner.)

Name of person examined :

Father's name :

Apparent age :

Is the person examined, to the best of your judgement fit physically and mentally to the duties of a conductor of a stage carriage:

Does he show any evidence of being addicted to the excessive use of alcohol or drugs.

Marks of identification :

I certify that the person examined has affixed his signature in my presence and that to the best of my knowledge and belief the above statements are true and that the attached photograph is a reasonable correct likeness of the person described.

Space for photograph.

Signature of person examined.

Name :

Signature :

Designation :

FORM CL.

Conductor's Licence. (See rule 58.) No. of 19 Name :

Name of father or husband :

Address (Permanent) :

Address (Temporary) :

is hereby licensed to act as conductor of a stage carriage in Chennai City/District.

Photograph

This licence is valid from _____ to _____ Duplicate signature of applicant
Station

Signature of Licensing Authority. *Renewal*. No. This licence is renewed upto
Signature of Licensing

This licence is renewed upto

Signature of Licensing

This licence is renewed upto

Signature of Licensing

Endorsement.

Date.	Particulars of offence and conviction of disqualification	Signature of Endorsing Authority
(1)	(2)	(3)

FORM RCLA.

Form of application for renewal of conductor's licence. (See rule 59). To

The Licensing Authority. I hereby apply for the renewal of my licence which is attached and the particulars of which are as follows:—

Name :

Father's Name :

Present Address :

Number and date of issue of the licence:

Authority by which licence was issued:

(If the licence was not renewed within thirty days of expiry, reasons for the delay.)

I hereby declare that I am not disqualified for holding or obtaining a conductor's licence and that

I am not subject to any disease or disability likely to render me unfit to perform the duties of a conductor.

Date : _____ Signature of applicant.

FORM CLD.

PART I. *Form of intimation of loss or destruction*

of licence and application for duplicate.

(See rule 66.) To

The Licensing Authority.

I _____ of (permanent address) hereby report that conductor's licence No. _____ issued by the day of
19 _____ has been lost/destroyed in the following circumstances:—

I hereby apply for a duplicate licence and tender a sum of Rs. _____ in cash/treasury receipt.

I attach two clear copies of a recent photograph of myself.

Date : _____ 19.

Signature of applicant.

* Strike out alternate not required, or strike out item, if it is not applicable.

(Parts I, II and III will be printed on a separate sheet and will be used if the application is made to an authority other than the original licensing authority).

Forwarded to the licensing Authority for verification and completion of Part III.

Date : 19

Licensing Authority.

PART II. Returned to the Licensing Authority

The photograph and signature, thumb-impression (*) have been compared with my records.

No such conductor's licence appears to have been issued by this office.

I am satisfied that the applicant was the holder of the conductor's licence issued by this office as follows:

Number :

Date of issue :

Last renewed by the Licensing Authority :

Date of expiry :

The licence carried the following endorsements:—

Date : 19

Licensing Authority.

* Strike out alternative not required, or strike out the item if it is not applicable.

PART III. Returned to the Licensing Authority for record,

* A duplicate conductor's licence has been issued by me on the day of 19 (*).

*I have in my letter No. , dated the declined to issue the duplicate conductor's licence applied for and I attach a copy of that letter.

Date : 19.

Licensing Authority.

*Strike out alternative not required, or strike out the item, if it is not applicable.

FORM CCT.

Temporary Conductor's Licence.

(See rule 73.)

Whereas (full name and address) holder of conductor's licence No. has applied for the renewal of his licence and the said licence has been retained in this office pending disposal of his application, he is hereby temporarily certified to act as a conductor for a period of one month from this date.

Station :

Licensing Authority.

Note.— This temporary licence should be surrendered at the Office of issue on demand by the Licensing Authority or on receipt of the conductor's licence duly renewed or of an order refusing to renew the same.

FORM CLE.

Form of intimation by Court of conviction of conductor.

(See rule 75.)

COURT OF THE MAGISTRATE.

To

Licensing Authority,

Name : .

Holder of conductor's licence No. has been convicted by me of an offence punishable under rule of the Tamil Nadu Motor Vehicles Rules, 1989/Section the Motor Vehicles Act, 1988 and sentenced to in C.C. No.

I have disqualified him for holding a conductor's licence from to

Date : !9

Signature.

TAMIL NADU MOTOR VEHICLES
RULES

3-117

FORM E.T.

(Stage Carriage Ticket).

(See rule 80 Obverse face of the ticket.)

Destination.

UP Rs. P.	B	UP Rs. P.	C	UP Rs. P.	D	UP Rs. P.	E
A (in print) DN		(in print) DN		A (in print) DN		(in print) DN	
UP Rs. P. C		UP Rs. P. D		UP Rs. P. E		Book No.	
(in print) DN		B (in print) DN		B (in print) DN		Ticket No.	
UP Rs. P. D		UP Rs. P. E					
(in print) DN		(in print) DN					
UP Rs. P. E (in print) DN							

Registration Mark:

Date :

Full/Half fare Rs. P.

Luggage Rs. P.

Total Rs. P.

A,B,C,D,E.— Here print the actual names of places or code letters as in the case of railway station for the names of places are too long to be conveniently printed.

FORM CR. TEM.

Temporary Certificate of Registration. (See rule 95 and 96.) Temporary registration mark. Name, name of father and address of owner.

Description of vehicles

Class of vehicles :

Makers name :

Type of body :

Seating capacity :

Colour :

Under the provisions of section 43 of the Motor Vehicles Act, 1988 the vehicle described above has been temporarily registered by me and the registration invalid until the day of 19 .

Under the proviso to sub-section (2) section 43 of the Act, the validity of the temporary registration is extended upto and inclusive of the day of

Date : 19

*Signature of the Registering Authority.

* Signature and designation of Registering Authority or the Assistant Registering Authority under rule 89.

FORM NAMV.

Notice of alteration to a motor vehicle. (See rule 101.) PART I To

The Registering Authority,

I/We, residing at am/* are the owner(s) of the vehicle

I/We propose to make the following alteration(s) to the vehicle(s).

I/We hereby apply for the approval of the alteration proposed.

Date :

Signature of the owner or owners.

*Strike out alternative not applicable.

PART II.

No.

Office of the Registering Authority.

The proposed alteration given notice by the owner in Part I of this form, the details of which are given below*/is not approved.

Place :

Signature of Registering Authority.

Date :

Note.— Application should be made in duplicate.

A copy of the form will be returned to the owners by the Registering Authority with his approval or disapproval of the alteration proposed.

*Where approval of the alteration need not be obtained, under the proviso to sub-section (1) of section 52, the sentence should be scored out.

FORM CRTI.

Communications to original registering authority of transfer of ownership of a motor vehicle. (See rule 106) To

The Registering Authority,

Motor Vehicle No. (1) registered by you in the name of _____ has with effect from the _____ day of 19____. been transferred to the name of (2) son of (3).

_____ . The certificate of fitness has been transferred likewise (4). The other party to the hire purchase agreement has consented to the transfer, and has entered into an agreement of hire purchase in respect of the vehicle with the transferee (4).

Date : 19 ____ .

Registering Authority.

Here enter registration mark.

Here enter full name of transferee.

Here enter address of transferee.

Strike out if inapplicable.

FORM RMI.

Intimation of assignment of new registration mark to original authority.

(See rule 47.)

From

The Registering Authority, To

I hereby assign the registration mark of the motor vehicles previously registered as _____ . The particulars of the vehicle are as follows:—

Name and address ...

Registration number of the vehicle

Original Registering Authority

Class of vehicle

Make and Model

Engine Number

Chassis Number

Date :

Registering Authority.

Copy of Financier (if any)

FORM CFA.

Application for certificate of fitness. (See rule 116.) To The Registering Authority

The Motor Vehicles Inspector.

I hereby apply for the issue of a certificate of fitness as required by section 56 of the Motor Vehicles Act, 1988—

Registration mark of vehicles :
 Name of owner ;
 Address of owner :
 Place where the vehicle is ordinarily kept :
 Name of manufacturer of vehicle :
 Manufacturer's model, or, if not known wheel base :
 Type of vehicle :
 Engine number :
 Chassis number :

Particulars of any previous certificate of fitness granted in respect of the vehicle,

Authority by which granted

Date when certificate was lost or destroyed or ceased to be valid

Reasons of cessation of validity

Date : 19

Signature or thumb-impression of applicant.

FORM CERA.

Application for renewal of certificate of fitness. (See rule 116.) To The Registering Authority

The Motor Vehicles Inspector

I hereby apply for renewal of the certificate of fitness described below:—

Registration Mark of vehicle :

Type of vehicle ;

Name of owner :

Address of owner :

Place where the vehicle is ordinarily kept :

Number of the certificate of fitness and date of issue or last renewed.

Authority by which the certificate of fitness was issued or last renewed.

Date : 19

Signature or thumb impression of applicant.

FORM CF Sub.

Temporary authorisation of use of vehicle when the certificate of fitness expired.

(See rule 117.)

The Certificate of fitness of (1) _____ Registration mark last renewed
 by _____ on _____ has expired.

I hereby authorise the use of the vehicle until the day of 19 provided that it is forthwith removed with all reasonable despatch to the area of the authority by whom the certificate of fitness is due to be renewed:

Provided also that, while being used under this authorisation, the vehicle shall not (2)—

Carry more than _____ persons excluding the driver (2)

carry any goods (2)

be driven at a speed in excess of kilometer per hour (2)

3-120.

TAMIL NADU MOTOR
VEHICLES RULES

Dated at _____ on the _____ day of _____ 19 .

Signature and designation of authority.

Here enter brief description of vehicle.
Strike out if not required.

FORM CFX.

Notice. (See rule 119.) Registration No. Make and model
of vehicle. Name and address of owner.

I find that the vehicle described above is unfit for ordinary use by reasons of the following defects :— The
vehicle shall not be used in a public place save for proceeding to a place of inspection after repair, until the
vehicle has been passed as fit for use by the authority competent to issue or renew the certificate of fitness:

Provided that the vehicle may be driven at a speed not exceeding _____ kilometres per hour to
for the purposes of repair. *The Vehicle may be driven at a speed not exceeding kilometres per
hour to its immediate destination, i.e.

It shall not be used thereafter in a public place without the permission of the Registering Authority or
Motor Vehicles Inspector of the place to which it has been driven.

Signature of Inspecting Officer.

*To be used if the vehicle is found on the road in the course of a journey and is permitted to proceed to
its immediate destination.

FORM CFXR.

Order. {See
rule 119.)

Registration Number

Make and Model of the vehicle

Name and address of owner _____ ! ...

The following defects pointed out in the CFX Notice issued in respect of this vehicle by the

on _____ have been rectified to my satisfaction as detailed below and therefore, the notice is revoked.

Defects.

Remarks on rectification

FORM CFRR.

Refusal to issue or renew a certificate of fitness. (See rule 123.) Registration

Mark of the vehicle : Make and Model : Type of vehicle :

Number and date of certificate of fitness (if the application is for renewal.):

Name and address of owner : Date of inspection :

The vehicle described above fails in my opinion to comply with the provisions of Chapter VII of the
Motor Vehicles Act, 1988, and the Tamil Nadu Motor Vehicles Rules, 1989 because of the following defects:

— I therefore refuse to issue or renew the certificate of fitness. The
vehicle may be produced for re-examination at

Signature of Registering Authority
or Motor Vehicles
Inspector.

FORM SCPA.

Application for a permit in respect of a stage carriage/Service of Stage Carriages.
(See rule 170.) To

The Regional/State Transport Authority,

In accordance with the provisions of the sections of the Motor Vehicles Act, 1988 I/We the undersigned hereby apply for permit under section, 69, 70 and 80 of the Act in respect of a Stage Carriage/Service of Stage Carriages as hereinunder set out:— 1 .(a)' Full name :

Age (in words and figures)

If the applicant is a minor, full name and address of the guardian.

Address :

Where the applicant is an individual

Name of the father or husband as the case may be.

When the applicant is/has been in the employ of any road transport undertaking(s) or operator(s). (Full particulars to be furnished with the names and addresses of all concerned).

4. Where, the applicant is not an individual—

(a) nature of the firm or company, i.e.—

(i) Whether a Partnership registered or unregistered under the Indian Partnership Act; or (ii) Whether a Private or public limited company registered under the Indian Companies Act; or (iii) Whether a co-operative society registered or deemed to have been registered under any enactment in force for the time being.

(b) In the case of a partnership firm, names and addresses of all the partners of the firm.

5. (a) Where the applicant is an individual, nature and extent of financial interest, if any, held by the applicant in existing transport undertaking in India.

(b) Where the applicant is not an individual nature and extent of the financial interest, if any held in existing transport undertaking(s) in India.—

(i) by the partners if the applicant is a partnership firm : or

(ii) by any shareholder or director or member of the managing committee, if the applicant is a private or public limited company registered under the Indian Companies Act or of a co-operative society registered or deemed to have been registered under any enactment in force for the time being.

Note.— Full particulars together with the names and address of all such persons shall be appended in the form of a Statement.

6. (a) The route or area for which the permit is applied for.

Number of vehicles proposed to be put on the route or area.

Particulars of the number of vehicle(s) already kept or intended to be kept in reserve to maintain the service to which this application relates and to provide for a special occasion.

(d) Particulars of the arrangements already made or intended to be made for—

(1) the housing and repair of the vehicles.

the comfort and convenience of the passenger.

the storage and safe custody of the luggages.

7. The vehicle(s) to be used on the service is are:

Registration Mark.	Type.	Seating capacity	Maximum laden weight
(1)	(2)	(3)	(4)

*Where no vehicle is available the proposed type and the seating capacity shall be furnished under columns (2) and (3) above.

8. (a) The minimum and maximum number of daily trip proposed to be provided on the route or in relating to each route lying in the area.

(b) Particulars of the time-table is/are not, appended. *Note.*— No time-table need be appended in any case in which timings have already been fixed by competent authority.

Note.—1. Strike out words not applicable.

2. In the case of applicants who are not individual please state whether—
Partnership firm.
Private or public limited company.
Registered co-operative society.

In the case of clause (a) above, please attach statement showing the names and addresses of Managing Partner and Partners.

In the case of clause (b) above, please attach statement showing the names and addresses of Managing Director or Directors.

In the case of clause (c) above, please attach copy of the certificate of registration.

FORM GCPA.

Application for permit in respect of a Goods Carriage. (See rule 170.) To

The Regional Transport Authority State

In accordance with the provisions of sections 69,76,77 and 80 of the Motor Vehicles Act, 1988, I/ We the undersigned hereby apply for a public/private carrier permit under the provisions of section 66 of Motor Vehicles Act, 1988 as hereunder set out: 1.(a) Name :

Age (in words and figures) :-

If the applicant is a minor, full name and address of the guardian:

Father's name/Husband name (in the case of individual):

Full address:

Area/route for which the permit is required:

Nature of goods to be carried:

Type and capacity of vehicle including trailer and alternative trailers or articulated vehicle proposed to be put on the road—

Type.	Unladen weight.	Registered Laden weight in Kgs.	Registration marks
(1)	(2)	(3)	(4)

7. In the case of private carrier:

Indicate the applicant's own business and the grounds on which it is claimed that it is necessary for the applicant to use the vehicle specified above for the purpose of his business.

Particulars of all Goods carriage permit valid in the State held by the applicant at present.

Particulars of service to be performed by the vehicle and the manner in which it is claimed that a public need will be served by the vehicle.

Particulars of previous permit, certificate or registration cancelled or vehicles seized on account of the offences committed under any law or any rule made thereunder prohibiting or regulating the import or transport of passengers or goods.

I/We enclose cash/chalan/cheque/money order receipt for Rs.

I/We desire [the permit valid for _____ years.

I/We hereby declare that the above statement are true.

Signature of applicant.

- *Note.*— 1. Strike out words not applicable.

2. In the case of applicants who are not individual please state whether—
Partnership firm.
Private or public limited company.
Registered.Co-operative Society.

3. In the case of clause (a) above, please attach a statement showing the names and addresses of Managing Partner and Partners.

In the case of clause (b) above, please attach statement showing the names and addresses of Managing Director and Directors.

In the case of clause (c) above, please attach a copy of certificate of registration.

FORM PSVPA.

Application for a permit in respect of a private service vehicle to be used otherwise than for hire or reward. (See rule 170.) To

The Regional/State Transport Authority.

In accordance with the provisions of section 69,76 and 80 of the Motor Vehicles Act, 1988, I/We undersigned apply for a permit under section 66 of the said Act in respect of a private service vehicle:—

Full Name :

Name of father :

Address :

Route/area for which the permit is desired:

Purpose for which the vehicle will be used:

Description of vehicles—

Registration Mark.	Types.	Seating capacity.	Maximum laden weight.
(1)	(2)	(3)	(4)

I/We desire a permit valid for

The vehicle will not be used for hire or reward.

Date :

Signature of thumb-impression of applicant(s).

Place:

FORM PTA.

Application in respect of a temporary permit. (See rule 170.) To

The Regional/State Transport Authority,

In accordance with the provisions of section 69 and 87 of the Motor Vehicles Act, 1988, I/We the undersigned hereby apply for a temporary permit under section 66 of that Act as hereunder set out—1.(a)

Name :

Age (In words and figures):

If the applicant is a minor full name and address of the guardian:

Name of father (in the case of an individual) :

Address :

Purpose for which permit is required:

Nature of goods, if goods are to be carried:

Route(s)/Area:

Period of duration of permit from to

Type and registered laden weight/seating capacity of the vehicle for which the Temporary permit is required:

9.(1) The registered owner(s) of the vehicle(s) is/are and the registration marks is/are

(2) The vehicle has/vehicles have not yet been hired by me/us and I/We undertake to intimate the registration mark(s) if required within twenty four hours of hiring the vehicle/vehicles.

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

12. I/We hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me/us.

Date :

Signature or- thumb-impression of applicant(s).

Note.— Strike out inapplicable entries or alternatives throughout.

FORM PSPLA.

Application for a Special permit in respect of a Contract Carriage. (See rule 170.) To
The Regional Transport Authority

In accordance with the provisions of sub-section (8) of section 88 of the Motor Vehicles Act, 1988, I the undersigned hereby apply for a special permit in respect of a public service vehicle as hereunder set out:—

I. Full name :

(a) Age :

Name of Father (if, applicable):

Permanent address:

Route or routes or area for which permit is desired with itinerary.

Period for which it is required:

Registration mark of the vehicle—

Engine No.

Chassis No.

Vehicle is taxed up to in the State of:

Particulars of taxes paid to other States:

Seating capacity:

Particulars of the permit, if any, under which the vehicle is already covered and the authority by whom, it is issued.

Total number of persons proposed to be carried.

Place of residence:

Signature or thumb-impression of applicant.

FORM PE A.

Application for Endorsement/Extension of the validity of a permit. (See rule 170 and 195.) I/We the undersigned apply for an Endorsement/Extension of validity of the following permits:—

1. Description of permit:

(Permit in respect of a particular stage carriage, permit in respect of a service of stage carriages, etc., as the case may be).

Registration marks of vehicle(s) covered by the Permit.

Authority by which the permit was issued :

Number of the permit and date of issue :

Date of Expiry :

Route(s)/Area for which the permit is valid:

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

Date :

Signature or thumb-impression of applicant.

Note.— The applicant must furnish in addition to the particulars specified above all the particulars required in the corresponding permit application for this purpose and he may use a copy of the permit application form subject to the alteration where necessary of the word "permit" or "endorsement" or "extension".

FORM PEVA.

[Application for a permit in respect of an Educational Institution (not covered by exemption under clause (b) of sub-section (3) of Section 66.] (See rule 170.) To

The Regional/State Transport Authority.

In accordance with the provisions of section 69 of the Motor Vehicles Act, 1988, I/We the undersigned apply for a permit under section 66 of the said Act in respect of an Educational Institution:

Full name of the College/School or Educational Institution:

Address :

Name and address of the owner or society conducting the Educational Institution:

Route/area for which the permit is desired:

Purpose for which the vehicle will be used:

Description of vehicle-Registration Mark,	Types.	Seating capacity,
Maximum laden weight.		
(1)	(2)	(3)

7. I/We desire a permit valid for

8. I/We declare that the bus will be used solely for the purpose of transporting students or staff of the educational institution in connection with its educational activities only.

Signature of the applicant.

FORM PSC.

Permit in respect of a particular stage carriage.

(See rule 171.)

Transport Authority

P.S.C. Number

I,(a) Name of the holder : (b)Age (in words and figures) : (c)If the applicant is a minor, full name and address of the guardian:

Father's name/Husband's name:

Address :

Registration Mark with Make and Model:

Passenger capacity:

Maximum Laden weight :

7. (a) Route :

Number of singles/shuttle trips with details of route permitted per day.

Number of daily kilometerage permitted.

Class of service—

(i) Metro/City/Town : (ii) Mofussil/Ordinary : (iii)

Express Service/Jeep/Stage Carriage. (iv) Mini Bus

Service: *Note* — Strike out the service inapplicable and attest.

8. Date of expiry of permit

(valid from ...)

Particulars of fare table to be observed:

Particulars of time-table to be observed:

Whether goods may be carried in addition to passengers and their personal luggage and personal effect and conditions subject to which the goods may be carried.

Whether standing passengers in addition to seated passengers are permitted to be carried during normal/fairs and festival days and conditions subject to which they may be carried.

This permit shall be subject to all the rules relating to permits made under the Motor Vehicles Act, 1988 and in force for the time being.

14. Conditions :

Transport Authority :

Pre-printed Number :

Permit issued on :

Transport Authority :

TAMIL NADITMGtoR VEHICLES RULES
3-127

FORM PC.

Permit in respect of a particular contract carriage.
(See rule 171.)

Transport Authority

P.C. Number

Name of the holder :

Father's name/husband's name:

Full address:

Route/Area for which the permit is valid:

5.(a) Registration number of the vehicle :

(b) Make and Model :

(c) Petrol/Diesel :

(d) Fare meter number and make permitted:

Number of passengers permitted:

Date of expiry of permit:

Rate of the fare (in case of motor earonly):

This permit does not entitle the holder to use the vehicle herein described as a Stage Carriage or as a Goods Carriage:

10. Conditions:

Date :

Transport Authority

Renewal

P.C. Number

This permit is hereby renewed upto ... subject to the conditions attached.

... Transport Authority

Pre-printed Number :

Permit issued on

Transport Authority :

FORM GCP.

Goods Carriage
Permit. (See rule 171.)

Transport Authority

T.G.P. Number

1.(a) Name of the holder :

Age (in words and figures) :

If the applicant is a minor, full name and address of the guardian :

Father's name/Husband's name :

Full address :

Route/Area for which the permit is valid:

Nature of goods to be carried :

Type and capacity of vehicle including trailers and alternative trailers or articulated vehicles:/

Type.	Unladen weight in Kgs.	Registered laden weight in Kgs.	Registration mark.
(1)	(2)	(3)	(4) '

Permit Laden weight :

Date of expiry of the permit:

Conditions :

Renewal

G.C.P. Number

This permit is hereby renewed upto subject to the conditions attached.

Pre-printed Number.

TAMIL NADU MOTOR
VEHICLES RULES**FORM PSVP.**

*Permit in respect of Private Service vehicles to be
used otherwise than for hire or reward.*

(See rule 171.)

Transport Authority

Permit No. P.S.V.P.

1.(a) Name of the holder :

Age (in words and figures) :

If the applicant is a minor, full name and address of the guardian :

Father's name :

Full address :

Route/Area for which the permit is valid :

Purpose for which the vehicle may be used:

Description of vehicle —

Registration Mark.

(1)

Seating Capacity.

(2)

Maximum laden weight.

(3)

7. Date of expiry of permit :

(a) This permit shall be subject to all rules relating to permits made under the Motor Vehicles Act, 1988 and in force for the time being:

8. Conditions :

Place :

Secretary

Date :

Transport

Authority.

Renewals.

Subject to further conditions below :

Renewed

upto

Date :

Secretary

Transport Authority.

FORM NP *National Permit for Goods Carriage.* [See rule 171(v)]

Regional Transport Authority No. N.P.Pu.C.

Name of the permit holder :

Father's name :(in case of an individual)

Address :

Names of States/Union Territories for which the permit is valid

Type and capacity of vehicles including trailer and the alternative articulated vehicles. Number of

Vehicles	Type and Model	Loading Laden Capacity	Registration weight	Marks
(1)	(2)	(3)	(4)	(5)

6. Valid from

The records to be maintained and the dates on which returns are to be sent to the Transport Authority.

Nature of goods to be carried in the vehicle.

Conditions attached to the permit:

10., The holder of this permit shall exercise such supervision over the work of his employees as is necessary to ensure that the vehicle is operated in conformity with the Act and the Rule made thereunder and with due regard to the comfort, convenience and safety of the public.

Date :

Secretary

Regional Transport Authority.

subject to

Renewed

Secretary Regional Transport
Authority.

FORM PT.
Temporary Permit
[See rule 171.]

Transport Authority
No. P.T.

Name of-holder :

Father's Name :

Address .:

Type of vehicle :

5. (1) Registration Mark :

Seating Capacity :

Registered Laden Weight ;

Permit Laden Weight :

Route(s)/Area :

Purpose of journey or journeys:

Nature of goods, if to be carried:

(a) This permit shall be subject to all rules relating to permits made under the Motor Vehicles Act, 1988 and in force for the time being.

Valid from _____ to _____

Under the provisions of sub-section (4) of section 89 of Act with the particular/general consent of the Transport Authority concerned, this permit is valid also for the following route(s)/Area:

0)

(2)

(3)

(4)

Date : _____ Secretary,

Transport Authority.
Endorsement or Extension
if necessary.
Transport Authority.

No. P.T.

Endorsed for _____ *

Extended to _____

Subject to the following condition :

Date : _____ 19.

Secretary, Transport Authority. The validity of this permit is extended upto _____ during this period the party may visit the following places also :—

Signature of Competent authority.

Explanation.-^ (1) The period of validity of the permit shall not exceed three months. Extensions may be granted for a maximum period of one month.

(2) The competent authority shall mean the Regional Transport Authority which issued the permit or the Regional transport Authority of the region in which the party happens to be at the time of applying for extension, whichever be nearer, while granting extensions, the competent authority shall satisfy itself that all taxes and fees payable upto the period of extension have been paid by the applicant.

FORM PSPLP.*(Special permit in respect of a contract carriage)*

(See rule 171.)

- Office of the Regional Transport Authority. No. Certified that the vehicle bearing:—

Engine No.

Chassis No.

Registration Mark:

Registered by the Registering authority and owned by

son of

(Permanent address

governed by

Permit No.

dated

issued

by the State/Regional Transport Authority has been engaged by the person whose particulars are given below:

Full name :

Name of father or husband :

Age :

Place of residence with full postal address :

The above person along with his party consisting of persons will be visiting the following places:—

Night Halt :

Date :

Place :

This permit is valid upto :

Certified that in respect of the vehicles mentioned above all taxes and fees payable in this State upto the date of expiry of this permit have been paid.

This permit is valid throughout India without countersignature by any other Regional/State Transport Authority. It shall be produced on demand by any Police Officer in uniform or an officer of the Motor Vehicles Department in uniform.

FORM TVP.*Permit in respect of particular All India Tourist Vehicles.*

(See rule 171.)

Transport Authority

Permit No. PEV

I.(a) Name of holder

Age (in words and figures)

If the applicant is a minor, full name and address of the guardian

Name of Father/Husband (in the case of individual)

Address

Registration particulars of the vehicle (a)

Registration Mark

(b)Make

(c) Year of manufacture

(d)Date of registration as new

Type of body

Maximum passenger capacity

Area for which the permit is valid

Period of validity

Rate of fare per kilometer

8. This permit does not entitle the holder to use the vehicle herein described as a stage carriage or as a public carrier.

Conditions other than those specified in items (1) to (8) above and those under section 84 and sub-section (10) of section 88 of the Motor Vehicles Act, 1988.

List of conditions attached.

Transport Authority

FORM PEV.

Permit in respect of Educational Institution Bus.

(See Rule 171.)

Transport Authority
Permit No. PEV

Name of holder :

Address ;

3.- Route/Area for which the permit is valid:

Purpose for which the vehicle may be used;

Description of the vehicle :

Registration Mark

Seating Capacity.

Maximum Laden weight.

(1)

(2)

(3)

Date of expiry of permit :

This permit shall be subject to all rules relating to permits made under the Motor Vehicles Act, 1988 and in force for the time being

Conditions :

Place :

Date :

Secretary,
Transport Authority.
Renewals.

Subject to further conditions below: Renewed up to

Date :

Secretary,
Transport Authority.

Endorsement

-Extension Endorsed for routes subject to the following variation of conditions :

Extended

Date :

Secretary,
Transport Authority.

Renewal of Endorsement.

Extension.

Endorsement renewed up to

Extension

Subject to the following condition:—

Date :

Secretary,
Transport Authority.

FORM PRA.

Application for renewal of permit..; (See rule 193 and 195.) I/We the undersigned apply for the renewal of the following permit:—

Name of the holder :

Address :

Description of permit :

(Permit in respect of particulars stage carriage, in respect of a service of stage carriage, etc., as the case may be).

Registering marks of the vehicle(s) covered by the permit:

Number of the permit and date of issue:

Date of expiry :

Route(s)/Area for which the permit is valid :

Goods which are permitted to be carried (in the case of a carrier's permit) :

Period for which renewal is desired :

Date :

Signature or thumb-impression of applicant(s)

Note.— The above form should be used subject to the alteration of the word "Permit" of an application for the renewal of an Endorsement or Extension of the validity of a permit.

FORM CC.

Clearance Certificate

(See rule 204.)

Office of the Secretary, Regional Transport Authority/State Transport Authority.

R. No. Dated:

Ref.: Application, dated

Full name and address of the permit holder (in block letters)

Registration mark of the vehicle covered by the permit.

Authority by which the permit was issued:

Number and class of the permit and date of issue.

Route or area for which the permit is valid:

Date of expiry : This is to

certify that—

1. the above mentioned has—

no liabilities outstanding

liabilities outstanding Rs. P. Arrears

of any fee or tax due under—

Motor Vehicles Act, 1988 and the Rules made thereunder.

Tamil Nadu Motor Vehicles Taxation Act, 1974.

II.(a) the applicant is not involved in any pending disciplinary proceedings : (b) the applicant is involved in disciplinary proceedings which are pending : (Give details of check report of irregularities or disciplinary proceedings pending against the motor vehicle covered by the permit specifying the period or the probable date on which the action should be completed.)

III.(a) there is no order in force either suspending or cancelling the permit of the applicant.

the applicant's permit has been cancelled or suspended with effect from

(Where there is suspension) the following amount are payable as compounding fees under rule of the Tamil Nadu Motor Vehicles Rules, 1989.

IV. The Applicant has—

(Give any other liability)

*This certificate is valid from to

Take notice that if the liabilities mentioned above are not cleared within 30 days from the date of this certificate, the application for surrender of permit shall be summarily rejected.

Place :

Secretary, Regional/State

Date :

Transport Authority.

@ Strike out the paragraph which is not applicable.

FORM ACC.

Application for surrender of permit and clearance certificate. (See rule 204.) PART I.

To

The Secretary, Regional/State
Transport Authority.

I/We propose to surrender the State Carriage/Goods carriage/Contract carriage permit in respect of my/ our vehicle and request that a clearance certificate granted to me/us. I/We give below the necessary particulars:—

Full name and address of the permit holder (in block letters):

Registration mark of the vehicle covered by the permit:

Authority by which the permit was issued :

Number of the permit and the date of issue : ' '

Route or area for which the permit is valid:

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

7. (a) Passenger capacity (in the case of a stage carriage):

(b) Big, Medium, baby, tourist or luxury coach (in the case of a contract carriage):

8. Date of expiry of the permit:

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

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

Reasons for surrender of the permit (State briefly):

Whether evidence obtained from a competent Central Excise authority regarding the payment of difference of excise duty as applicable to private cars is enclosed, in case the permit is surrendered within three years from the date of registration (in the case of motor cab or maxi cab allotted under Taxi Trade Quota):

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

We enclose the permit of the vehicle.

I/We will produce the certificate of registration of the vehicle on receipt of further intimation. I/We declare that to the best of my/our knowledge, belief, the information furnished in the application is correct, complete and is truly stated.

Place :

Signature of applicants)

Place :

Note.— (a) Strike out inapplicable entries or alternatives throughout. (b) Where the space provided under or against a column is found inadequate, particulars should be appended quoting number of the column concerned.

PART II.*Order:*

The application for surrender of permit for cancellation in respect of vehicle belongs to (here enter full name and address of the permit holder) is accepted with effect from

The permit of the said vehicle are hereby cancelled.

The application for surrender of permit for cancellation in respect of vehicle (here enter full name and address of the permit holder) is rejected for the following reasons:—

1. Arrears of fee or tax due under the following in respect of the above vehicles have not been paid:—

Motor Vehicle's Act, 1988 and the rules made thereunder.

Tamil Nadu Motor Vehicles Taxation Act, 1974.

2. Disciplinary proceedings are pending against the permit holder in respect of the following cases:-

Current Number

Particulars of Offences

1.2.

TAMIL NADU MOTOR
VEHICLES RULES

3. 3. The permit has been cancelled/suspended with effect
from

The Certificate of registration of the vehicle and (other records, if any) is/are returned herewith.

Place :

Date :

Secretary,

Regional
State Transport
Authority.

Copy communicated to— 1. 2. 3. *Note.*— Strike out inapplicable paragraphs entries or alternatives
throughout

FORM PVA.

Application for variation of permit. (See rule 216(1).) To
The Regional/State Transport Authority. I/We, the undersigned apply for the
variation of the following permit:-

Full name and address of the permit holder :

Description of permit :

Permits in respect of State Carriage(s) or goods carriage(s) or Contract Carriage(s):

Authority by which the permit was issued :

Authority/Authorities, if any, by which the permit has been countersigned :

Number of counter-signature(s) :

Date(s) of counter-signature(s) :

Date of expiry of the permit :

Route(s)/Area for which the permit is valid :

Permitted passengers capacity [in the case of Public Service Vehicle(s)]

Permitted passengers capacity [in the case of Public Service Vehicle(s)].

Unladen weight (SP) of vehicle(s):

Registered laden weight(s) of vehicle(s) :

13.(a) Nature of variation(s) desired and the manner in which public interest will be served thereby. (b) Total
daily mileage permitted with existing and proposed timings in the case of Stage carriage(s) :

Registration mark(s) of vehicle(s) in respect of which the variation(s) is/are desired:

The amount of fee paid and the mode of payments (cash receipt, treasury chalan, money order receipts or
cheque, as the case may be to be enclosed);

Is/Are the permit attached. If not, give full reason in case of a temporary permit, it is enough to attach that
permit:

Is a rough sketch showing the route(s)/area as existing and as varied enclosed in case of each variation(s):

I/We hereby declare that the above statements are true and agree that they shall be the basis of any
variation that may be granted to me/us :

Place :

Signature of thumb-impression of applicant(s).

Date :

!

^

Note.— (a) Strike out inapplicable entries or alterations throughout.

The particulars against columns (10), (11), (12) and (13) shall be furnished in the same order in which
the registration marks against column (3) are furnished.

The sketch required in column (18) should show the route(s) area as existing and as varied in the blue
line and red line respectively and the blue line and the red line should run along side each other wherever they
run common course.

*Form of intimation by court of conviction of permit holder. (See
Rule 276)*

COURT OF THE MAGISTRATE

Name :

Holder of Permit Number ,.. has been convicted by me of an offence punishable under rule
Tamil Nadu Motor Vehicles Rules, 1989 Section Motor Vehicles Act, 1988 and
sentenced to in C.C. No. dated

Route

Express

Date of departure

Time of departure

Priority
number

(1)

Date & Time
of reservation

(2)

Particulars of
seats reservedRow Seat
letter number.Signature of the
person who in-
tended reserving**FORM RRSS.**Registration number of Stage Carriage
(10)Journey
booked**(8)**Full name of the passenger with initials (3) Signature of the clerk or
other authorised person or agent who is in charge of the booking (9)*Abstract* Total seating capacity exclusive of driver and conductor.

Unreserved seats.

Total seating capacity exclusive of driver and conductor. Date
and time of closure of the advanced booking.

Signature of the clerk or other authorised person or agent

who is in charge of the booking.

FORM CP.*(See Rule 234(9)(j))*

Name of the licensee.

Name and permanent address

Age

Particulars of previous journey and mode and date

Particulars of journey and places of visit for which tickets sold by the licensee for travel by contract
carriage.

5. Date or dates
Purpose of the journey
Date of return
Particulars of return journey to the permanent address of the travellers, mode and date Amount of fare collected from each traveller or group of travellers Amount of contract fare paid to the contract carriage permit holder

FORM ACL.
[See Rule 234(2)]

Name :

Address :

Photograph :

Duplicate signature of licensee.

Is licensed to act as any agent or canvasser in respect of public service vehicles within the district of

The Licence is issued on and valid upto This licence is subject to the conditions

specified below:

Signature of the Secretary.

Regional Transport Authority.

I. This licence is hereby renewed upto

This licence is hereby renewed upto

This licence is hereby renewed upto

Secretary Regional
Transport Authority

FORM ACLA.

Form of application for an agent or canvasser licence in respect of Public Service Vehicles [See Rule 234(3)] To

The Secretary,

Regional Transport Authority. I hereby apply for the grant of a licence as an agent or canvasser in respect of Public Service vehicles.

Name in full (Block letters)

Name of father or husband

Address in full

Date of birth (to be supported by satisfactory proof)

Educational qualification (evidence to be enclosed)

6.(a) Particulars of an Agent's/Canvasser's Licence previously held. (b) If you have already been granted a licence state whether it has been suspended or cancelled, and if so, by whom and when the suspension or cancellation has been ordered.

I hereby declare that the above particulars are true to the best of my knowledge. I attach three copies of my recent photograph. I undertake to furnish a security of Rs _____ only on demand and so abide by all the conditions that may be attached to the licence.

Specimen Signatures :

Signature of applicant.

Date :

FORM ACIRA.

Application for the renewal of canvasser's licence (See Rule 234(4)) To

The Secretary,

Regional Transport Authority.

I/We hereby apply for the renewal of my/our licence which is attached and particulars of which are as follows :—

Licence No.

Date of issue

Nature of licence

Name of licensee (in block letters)

Address

If the licence is not attached, reasons why it is not attached.

If the application for renewal was not made thirty days before the date of expiry of the licence reasons for the delay.

The prescribed fee of Rs. _____ is tendered hereby by means of

I/We hereby declare that there is no such change in the circumstances in which the licence was issued to me/us disqualified me/us from continuing to hold this Licence.

Place :

Signature of the applicant.

Date :

TAMIL NADU MOTOR
VEHICLES RULES**FORM ALA.**

Application for Agents Licence (See Rule 235) To
The Secretary, Regional Transport
Authority.

Photograp

I/We apply for an Agent's Licence under rule 235 of the Tamil Nadu Motor Vehicles Rules, 1989. i.

Full name (in block letter)

Name of father or husband (in the case of an individual)

Address

Date of birth (in the case of an individual)

Educational Qualification or Experience in the management of transport business (in the case of partnership firm, private or public limited company, the qualification and experience of the Managing Partner or Managing Director).

Place or places where the applicant is engaged or proposes to engage as agent (here particulars of all branches should be given with full address)

National and extent of financial resources of the applicant.

Period for which the licence is required.

(a) Description of the premises in headquarters and branches (nature of buildings, extent of the site, etc.)

(b) Whether the premises is owned by him or is in his possession or proposed to be rented.

10. I/We am/are fully conversant with conditions of goods carriage permit and the provisions of the Motor Vehicles Act and the rules made thereunder so far as they relate to the restrictions regarding the routes weight loading and unloading of goods and the duties and functions of agents.

31 I/We enclose a treasury receipt for rupees.

12. I/We hereby declare that to the best of my/our knowledge and belief the particulars given above are true.

Station :

Signature of the applicant,

Date :

Duplicate signature of the applicant.

FORM ALRA.

Application for renewal of Agent's Licence. (See rule 235) To
The Secretary,
Regional Transport Authority.

I/We hereby apply for the renewal of my/our licence which is attached, and particulars of which are as follows:—

Licence No.

Date of issue

Name of the licensee (in block letters)

Address

If the licence is not attached, reasons whyit is not available ...

If the applicatons for renewal was not made thirty days before the date of expiry of the licence, reasons for the delay....

The prescribed fee of Rs _____ is tendered hereby by means of _____

I/We hereby declare that there is not such change in the circumstances in which the licence was issued to me/us as disqualifies me/us from continuing to hold this licence.

Place :

Signature of the applicant.

Date :

FORM AL.

Agent's Licence (See rule 235) Licence No. 1.(a) Name :

Name of father or husband (in the case of an individual) :

Address :

Address of the premises of the business :

Conditions—

(1)

(2)

Duplicate signature of the applicant.

The licence is valid from to

Date :

Secretary,

Regional Transport Authority

Authorisation of premises for the business :

So long as this Agent's licence is valid and renewed from time to time the holder is authorised to use the premises, the particulars of which are given below, in connection with the business of the agent, subject to the provisions of sub-rule 11(b) and (c) of rule 235 of the Tamil Nadu Motor Vehicles Rules, 1989.

Date :

Secretary,

Regional Transport Authority

Renewal

No 19

The licence is hereby renewed up to

subject to the following conditions:—

Secretary, Regional

Transport Authority

No 19

The licence is hereby renewed up to

subject to the following conditions:—

Secretary, Regional

Transport Authority

FORM AGR.

Register to be maintained by an Agent

(See rule 235)

A. Name and address of the agent:

B. Licence number :

C. 1. Date :

2. Nature of goods :

3. (a) Weight of goods

(b) Freight charges

Name and address of the consignor :

Name and address of the consignee :

The routes to be taken :

Registration number of the vehicles used for transport.

Name and address of the permit holder of the vehicle :

Name and address of the driver :

The licence number of the driver :

Remarks :

FORM AAR.

Annual return to be submitted by an agent (Name and address of the agent) for the period ending 31st December 19 (See Rule 235) To

The Secretary, Regional
Transport Authority.

Licence No.

Date of its grant or of last renewal :

Total number of goods carriage owned by the agent :

Total number of goods carriage under the control of the agent:

Number of goods carriage out of those mentioned in item Nos. (3) and (4) above, which were actually used during the year—

For more than six months in the year :

For more than nine months in the year .:

For more than ten months in the year :

Tonnage of goods collected and delivered :

Minimum and maximum distances for which the goods were forwarded from the forwarding point to the delivering point—

Distance	Total tonnes
(1)	(2)
Distance not exceeding 80 kilometres :	
Distance exceeding 80 kilometres but not exceeding 160 kilometres :	
Distance exceeding 160 kilometres but not exceeding 240 kilometres :	
Distance exceeding 240 kilometres but not exceeding 320 kilometres :	
Distance exceeding 320 kilometres but not exceeding 400 kilometres :	
Distance exceeding 400 kilometres but not exceeding 480 kilometres :	
Distance exceeding 480 kilometres :	

In respect of the entry made in item No. 7 (g) above, specify the nature of the goods (e.g., fruits, glass, household effects, corn, coal, etc.

Total length of the journeys performed by the goods carriage mentioned in item Nos. (3) and (4) above in kilometres.

Note.— In case the space given above under item No. 6 is not sufficient attach a separate sheet.

10. Maximum time taken in delivering a consignment from the date of its booking—

Time	Tonne of the consignment	Distance from the forwarded point/delivering point
(1)	(2)	(3)

11. Claims received and settled—

Number of claims pending from previous year	Number of claims received during the year	Compensation claimed during the year
(1)	(2)	(3)
Number of claims settled during the year	Compensation paid pending at the end of the year	Number of claims of the year
(4)	(5)	(6)

Total amount of

Total freight

commission

12. Freight and commission—

realised in
respect of the
vehicle
mentioned

I Total freight realised in respect of the vehicle mentioned in item No. (3) above.

Total freight

(1)

(3)

Total amount of the premium paid to insurance companies for insurance of the goods.

Total amount realised from the insurance companies in respect of claims for loss or damage of goods.

Maximum time for which a consignment was held by the agent before delivering it to the consignee.

Maximum time for which a consignment was held by the agent in his godown before despatch.

Maximum time for which a consignment was held by the agent in his godown at the distributing point before delivery to the consignee.

Date 19

Signature of the Agent

FORM SPR.—PART 'A'*(Stoppage report for Transport Vehicles)*

(See rule 255)

Name and address of permit holder :

Class of vehicle— (a)

Stage Carriage :

(b) Goods Carriage :

Contract Carriage :

Delivery Van :

Date from which the vehicle is stopped :
If the vehicle had been stopped in a garage or workshop, the name and address of the garage or workshop:
the probable date of resumption :
The last quarter for which tax has been paid :
The date of expiry of Fitness Certificate :

Signature of permit-holder with date.

FORM APRT.—PART B"
(Stoppage Report for non-Transport Vehicles)
(See rule 255)

Name and address of the owner :

Registration Number :

Type of vehicles :

Since how long the vehicle is stopped :

If it is stopped for carrying out repairs, furnish details—

(i) Name and address of the workshop where the vehicle is left for repairs, and

(ii) Date of entrusting the vehicle in the garage and date when it was taken delivery after repairs.

When it is likely to resume service :

Place where the vehicle is garaged :

Signature of the permit-holder

FORM TGR.*Tuning Register of Stage carriage of Station.*

(See rule 257)

Name of service	Distinguishing number of Stage Carriage	Name of the route	Arrival at the Station	Time of Departure from the Station	Number of driver's badge	Name of driver	Number of conductor's badge	Signature of conductor
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Name of Driver		Driver's licence number			Driver's badge number			
(5)		(6)			(7)			

Note— When a spare bus is used in the place of a route bus, the registration numbers of the route bus and the spare bus shall be mentioned against the entries "Stage Carriage number" and "Spare bus number" respectively.

From

Down

To

Hours of duty	Name of Conductor	Conductor's Certificate number	Conductor's badge number
(1)	(2)	(3)	(4)

Name of Driver	Driver's licence number	Driver's badge number
(5)	(6)	(7)
Serial number of trip	Up or down	Starting time
(1)	(2)	(3)
Time of arrival	Number of passengers carried	Remarks
(4)	(5)	(6)

Signatures of
Conductors:-1.

2.

3. 4.

FORM TSC.*Trip Sheet of Contract Carriage*

(See rule 258)

Registration number Name and address of the driver	Number of persons permitted Licence No. Badge Number	Permitted
--	--	-----------

Time of leaving the Shed.

1 Trip

from

to

Remarks

Last Trip

from

to

Time of arrival at shed

Time of leaving from to

Signature of the Driver

FORM TR.

(Trip register for Public Service Vehicles)

(See rule 260)

Re

Route From To

Driver

Number of trips number

(8)

Permit No. Vehicle No. Dated:

Date . Conductor's name . Conductor's certificate badge Conductor's name number Driver's licence number Driver's name

(1) (2) (3) (4) (5) (6)

FORM I.

Proposal of a scheme in respect of Stage Carriage Service of State Transport Undertakings

(See rule 280)

Whereas the State Government is opinion that for the purpose of providing an efficient, adequate economical and properly co-ordinated road transport service, it is necessary in the public interest that the stage carriage in relation to the area/route specified in Schedule I hereunder should be run and operated by the State Transport undertaining.

And whereas the State Government having prepared the proposals for the scheme for the purpose, as set out in the schedule hereunder, the same is hereby published for the information of the public as required under section 99 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988).

Schedule I Area or

route in relation to which the scheme is proposed.

Schedule II

Route (starting point and terminus with important intermediate stations and route length) or portion

thereof with distance.

Area (specifying the municipal limits or the taluk or district limits of the area in relation to which the scheme is formulated).

Class of service to be introduced by the State Transport Undertaking (Metropolitan, Town, other services, ordinary and Express).

4. (a) Maximum number

Minimum number

Type

Seating capacity

Maximum and minimum number of trips proposed* to be performed in each route by the State Transport Undertaking to the exclusion, complete or partial, or otherwise, of other persons.

Number of vehicles intended to be kept in reserve to maintain the service and to provide for special occasions.

The arrangements proposed for the housing, maintenance and repair of the vehicles.

The arrangements proposed for the comfort and convenience of passengers.

The arrangements proposed for the stands and halts on the route/at which copies of time tables of the services are proposed to be exhibited.

Whether it is proposed to permit the carriage of goods in addition to the passengers. ' .

Any other information.

Station :

Signature :

Date :

Designation :

FORM II

*Proposal of a scheme in respect of Contract Carriage Service of
State Transport Undertakings
(See rule 280)*

Whereas, the State Government is of opinion that for the purpose of providing an efficient adequate, economical and properly co-ordinated road transport service it is necessary in the public interest that contract carriage including tourist vehicles but excluding Motor Cabs, in relation to the area specified in the schedule hereunder, should be run and operated by the State Undertaking;

And whereas the State Government having prepared a scheme for the purpose as set out in the schedule hereunder, the same is hereby published in *the Tamil Nadu Government Gazette* for the information of the public as required under section 99 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988)

THE
SCHEME
The Schedule

Area in relation to which the scheme is proposed.

Whether the operation by the State Transport Undertaking shall be to the exclusion of other persons or otherwise.

The class of service proposed to be run and operated by the State Transport Undertaking—

Number of contract carriages and tourist vehicles now operated by other persons.

Number of contract carriages and tourist vehicles proposed by the State Transport Undertaking— (i)

Maximum Number

(ii) Minimum Number

4. Nature of contract carriages and tourist vehicles proposed to be operated—

(a) Type

Maximum/Minimum

(b) Seating capacity

Number of vehicles intended to be kept in reserve to maintain the service.

Places where the contract carriages will be made available for hire.

The arrangements proposed for housing, maintenance and repairs of vehicles by the State Transport Undertaking.

The arrangements proposed for the comfort and convenience of passengers by the State Transport Undertaking.

The arrangements proposed for the stands and halts on the route.

The weight and nature of passenger luggage per passenger that shall be carried free of charge in relation to each passenger.

Total weight of luggage that is proposed to be carried in relation to each passenger and the arrangement that are proposed to be made to carry the luggage without inconvenience to the passengers by the State Transport Undertaking.

The rate of charge that is proposed to be levied for luggage in excess of the free allowance by the State Transport Undertaking.

The rate of fares proposed to be charged.

Station ;

Signature :

Date :

Designation :

FORM III

*Proposal of modification of a scheme in respect of
Stage Carriage Service of State Transport Undertakings
(See rule 280)*

Whereas, the State Government is of opinion that the scheme of road transport service in relation to (herein specify the area or route) approved by the Government in Notification No. dated published at pages of the *Tamil Nadu Government Gazette* dated requires modification.

And, whereas, the State Government having prepared a scheme in modification of the approved

Scheme referred to above, the modified scheme along with the approved scheme is hereby published, as required under section 99, read with section 102 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988).

The State Transport Undertaking concerned and the persons likely to be affected by the proposed modification may send their representations to the Commissioner and Secretary to Government Department, Chennai-9, within 30 days from the date of publication of the proposal in the *Tamil Nadu Government Gazette*. The proposals and the representations will be taken up for consideration at a hearing to be held on _____ at _____ (time) in _____ (specify the place of hearing).

Approved scheme.

Modified scheme.

Route (starting point and terminus with important intermediate stations and route length) of portion thereof with distance.

Area (specifying the municipal limits of the taluk or district limits of the area in relation to which scheme is formulated).

Whether town service or mufussil service or both.

Maximum and minimum number of vehicles proposed to be operated in each route by the State Transport Undertaking to the exclusion, complete or partial or otherwise of other persons—

- (a) Maximum number
- (b) Minimum number
- (c) Type
- (d) Seating capacity

Maximum and minimum number of trips proposed to be performed in each route by the State Transport Undertaking to the exclusion, complete or partial or otherwise of other persons.

Number of vehicles intended to be kept in reserve to maintain the service and to provide for special occasion.

The arrangements proposed for the housing, maintenance and repair of the vehicles.

The arrangements proposed for the comfort and convenience of passengers.

The arrangements proposed for the stands and haits on the route at which copies of time-tables of the services are proposed to be exhibited.

Whether it is proposed to permit the carriage of goods in addition to the passengers.

Any other information.

Station :

Date :

Signature :

Designation :

FORM IV

*Proposal for modification of a scheme in respect of
Contract Carriage Service of State Transport Undertakings
(See rule 280)*

Whereas, the State Government is of opinion that the scheme of road transport service in relation to (specify the area or route) approved by the Government in Notification No _____ dated _____ published at pages _____ of the *Tamil Nadu Government Gazette*, dated the _____ requires modification.

And, whereas, the State Government having prepared a scheme in modification of the said approved scheme referred to' above, the modified scheme along with approved scheme is hereby published, as required under section 99, read with section 102 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988).

The State Transport Undertaking concerned and the persons likely to be affected by the proposed modification may send their representations to the Commissioner and Secretary to Government Department, Chennai -9, within 30 days from the date of publication of the proposal in the *Tamil Nadu Government Gazette*. The proposals and the representations will be taken up for consideration at a hearing to be held on _____ at _____ (time) in _____ (specify the place of hearing).

THE SCHEME

The Schedule

Approved scheme

Modified Scheme

Area in relation to which the scheme is proposed.

Whether the operation by the State Transport undertaking shall be to the exclusion of other persons or otherwise.

The class of service proposed to be run and operated by the State Transport Undertaking.

4. (a) Number of contract carriages and tourist vehicles now operated by other persons.

(b) Number of contract carriages and tourist vehicles proposed to be operated by the State Transport Undertaking—

(i) Maximum Number (ii)

Minimum Number

5. Nature of contract carriages and tourist vehicles proposed to be operated

(a) Type

Maximum

Minimum

(b) Seating capacity

Number of vehicles intended to be kept in reserve to maintain the services.

Places where the contract carriages will be made available for hire.

The arrangements proposed for housing, maintenance and repair of vehicles by the State Transport Undertakings.

The arrangements proposed for the comfort and convenience of passengers by the State Transport Undertaking.

The arrangements proposed for the stands and halts on the route.

The weight and nature of passenger luggage per passenger that shall be carried free of charge by the State Transport Undertaking.

■ 12. Total weight of luggage that is proposed to be carried in relation to each passenger and the arrangements that are proposed to be made to carry the luggage without inconvenience to the passengers by the State Transport Undertakings.

The rate of charge that is proposed to be levied for luggage in excess of the free allowance by the State Transport Undertaking.

The rate of fares proposed to be charged.

Station :

Signature :

Date :

Designation :

FORM V

*Approval/Modification of Scheme in respect of
Stage Carriage Services of State Transport Undertakings
(See rule 284)*

■ Whereas the Government of Tamil Nadu having considered the scheme, prepared and published by the State Government on pages _____ of the *Tamil Nadu Government Gazette*, dated the _____ and the objections thereto made through petitions and in person have decided to approve/modify the scheme under sub-section (2) of section 100 and 102 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988);

And whereas, the previous approval of the Central Government has been obtained in so far as the scheme relates to Inter-State routes;

Now, therefore, the scheme as so approved/modified is hereby published as required under sub-section (3) of section 100 of the said Act.

(Note :— Strike out what is not required)

THE SCHEME

Route (starting point and terminus with important intermediate stations and route length) or portion thereof with distance.

Area (specifying the Municipal limits or the taluk or district limits of the area in relation to which the scheme is formulated)

Whether town service or mofussil service or both.

Maximum and minimum number of vehicles proposed to be operated in each route by the State Transport Undertakings to the exclusion, complete or partial or otherwise of other persons—

Maximum number
Minimum number
Type (d) Seating
capacity

Maximum and minimum number of trips proposed to be performed in each route by the State Transport Undertaking to the exclusion, complete or partial or otherwise of other persons.

Number of vehicles intended to be kept in reserve to maintain the service and to provide for special occasions.

The arrangements to be made for the housing, maintenance and repairs of the vehicles.

The arrangements to be made for the comfort and convenience of passengers.

The arrangements" to be made for the stands and halts on the route at which copies of time-tables of the service are to be exhibited.

10. Whether it is proposed to permit the carriage of goods in addition to the passengers.

Station :

Signature :

Date :

Designation :

FORM VI

Proposal for Modification of a Scheme in respect of Contract Carriage Service of State Transport Undertakings (See rule 284) Whereas the Government of Tamil Nadu having considered the scheme, prepared and published by

the State Government on pages _____ of part _____ of the *Tamil Nadu Government Gazette*, dated the _____ and the objections thereto made through petitions and in person, have decided to approve/modify the scheme under sub-section (2) of section 100 and section 102 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988);

Now, therefore, the scheme as approved/modified is hereby published as required under sub-section (3) of section 100 of the said Act.

THE SCHEME

Area in relation to which the scheme is proposed.

Whether the operation by the State Transport Undertaking shall be to the exclusion of other persons or otherwise.

The class of service proposed to be run and operated by the State Transport Undertakings.

4. (a) Number of contract carriages and tourist vehicles now operated by other persons. _____

(b) Number of contract carriages and tourist vehicles proposed to be operated by the State Transport Undertakings—

(i) Maximum Number

(ii) Minimum Number

5. Nature of contract carriages and tourist vehicles intended to be kept in reserve to maintain the services.

(a) Type

Maximum

Minimum

(b) Seating Capacity , 6. Number of vehicles intended to be kept in reserve to maintain the services.

Places where the contract carriages will be made available for hire.

The arrangements proposed for housing, maintenance and repair of vehicles by the State Transport Undertaking.

The arrangements proposed for the comfort and convenience of passengers by the State Transport Undertaking.

The arrangements proposed for the stands s&d halts on the route.

The weight and nature of passenger luggage per passenger that shall be carried free of charge by the State Transport Undertaking.

Total weight of luggage that is proposed to be carried in relation to each passenger and the arrangements that are proposed to be made to carry the luggage without inconvenience to the passengers by the State Transport Undertaking.

The rate of charge that is proposed to be levied for luggage in excess of the free allowance by the State Transport Undertaking.

The rate of fares proposed to be charged.

Station :

Signature :

Date :

Designation :

FORM SCPA. (STU)

Application for a permit in respect of a Stage Carriage/a service of Stage Carriage on notified route) (See Rule 288) To

The Regional State Transport Authority

In accordance with the provisions of sub-section (1) of section 103 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988). I/We hereby apply for a permit—

Name of the Undertaking applying for the permit.

Address :

3.(a) Name of the route/area for which the permit is applied for.

(b) Number of vehicles proposed to be put on the route/area.

Government Order in which the scheme is approved or modified under section 100 of the Act.

Government Order in which the scheme is modified under section 102 of the Act.

Date on which the approved or modified scheme is published in the *Tamil Nadu Government Gazette*.

The minimum and maximum number of daily trip proposed to be provided in the route or in relation to each route lying in the area.

The vehicle(s) to be used on the service is/are—

Registration (1)	Type (2)	Seating capacity (3)	Maximum laden weight (4)
---------------------	-------------	-------------------------	-----------------------------

The standard rate of fare proposed to be charged.

I/We enclose cash/cheque/chalan/money order receipt for Rs

being the prescribed fee.

I/We desire a permit valid for _____ years.

I/We hereby declare that the above statements are true.

Date :

Signature of the Officer authorised by
the State Transport Undertakings.

Note—

Strike out inapplicable entries or alternative throughout.

Where the space provided under or against a column is inadequate, particulars should be appended quoting the number of column concerned.

FORM CCPA. (STU)

*[Application for a permit in respect of a Contract Carriage(s)
to be used on the notified route]*

(See Rule 288)

To

The Regional/State Transport Authority

In accordance with the provisions of sub-section (I) of section 103 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), I/We hereby apply for a permit.

Name of the undertaking applying for the permits.

Address :

3. (a) Name of the route/area for which the permit is applied for.

(b) Number of vehicles proposed to be put on the route/area.

Government Order in which the scheme is approved or modified under section 100 of the Act.

Government Order in which the scheme is modified under section 102 of the Act.

Date on which the approved or modified scheme is published in the *Tamil Nadu Government Gazette*,

The vehicle(s) to be used on the service.

(1)	Registration (2)	Type (3)	Seating capacity (4)
-----	---------------------	-------------	-------------------------

Where no vehicle is available the proposed type and capacity shall be furnished under (2) and (3) of columns,

Particulars of service to be performed by the contract carriages (not necessary in case of Motor cab) and the manner in which it is claimed that public convenience will be served.

I/We enclose Cash/Chalan/Cheque/Money Order Receipt for Rs _____ being the _____ prescribed fee.

10. (a) I am/We are in possession of the following vehicles the certificate(s) of registration of which is/are enclosed.

(b) I/We have not yet obtained possession of the vehicle(s) and I/We understand that the permit will not be issued until I/We have done so and have produced the certificate(s) of Registration.

I/We desire a permit valid for _____ years.

I/We hereby declare that the statements are true.

Place ; _____ Signature of the Officer authorised by the State Transport Undertakings.

Note—

Strike out inapplicable entries or alternative throughout.

Where the space provided under or against a column is found inadequate particulars should be appended quoting the number of column concerned.

FORM PSU (STU).

(Permit in respect of a particular Stage Carriage)

(See rule 289)

(Full permit to be kept by the Undertaking).

Transport Authority _____

No. PSC(STU).

Name of undertaking :

Address ;

Registration Mark :

Number of Passenger's Seats ;

Maximum Laden Weight :

Routes for which the permit is valid :

Date of Expiry :

Rate of fare fixed under section 67 of the Act :

Particulars of time table to be observed if any:

Whether goods may be carried in addition to passengers and their personal luggage and personal effects and conditions subject to which the goods may be so carried :

The vehicle above described may be used as a contract carriage within the areas specified below :

Provided that no interruption is caused to the stage carriage service and subject to the following conditions:

13. Whether the fare-table is to be exhibited on the vehicle :

14. Whether the time-table is to be exhibited on the vehicle ;

15. This permit shall be subject to all rules relating to permits made under the Motor Vehicles Act, 1988 (Central Act 59 of 1988 and in force for the time being).

Date :

*Secretary,
Transport Authority.*

FORM PC (STU)

(Permit in respect of a particular Contract Carriage)

(See rule 289)

(Full permit to be kept by the Undertaking.)

Transport Authority

No. PC (STU)

Name of Undertaking:

Address :

Registration Mark:

Number of Passenger's Seats : .

Route/Area for which the permit is valid:

Date of Expiry :

Rate of fare per kilometre (in case of motor cab only):

This permit shall be subject to all rules relating to permits made under the Motor Vehicles Act, 1988 and in force for the time being:

Any other conditions:

10. This permit does not entitle the holder to use the vehicle herein described as a Stage Carriage or as a public carrier;

Date :

*Secretary,
Transport Authority.*

FORM AIR

(Inspection report of Motor Vehicles involved in accident)

(See rule 378)

Designation and address of the officer from whom their requisition is received:

Date and time of receipt of the requisition by the Motor Vehicles Inspector :

Date, time and place of accident :

Date, time and place of inspection :

Particulars of vehicles involved in accident-(a)

Registration number of vehicle or vehicles:

(b)Make :

Model :

Type :

Class :

The length of vehicle :

The width of vehicle : (h) The

height of vehicle:

(i) Height of the bottom of the engine from the ground level (j) Name

and address of the owner or owners:

Name and address of driver:

Particulars of driving licence, if available:

Date of issue and expiry of fitness certificate:

Period of validity of permit: .

Date of expiry of Insurance Certificate and name and address of the Company which issued policy in respect of the vehicle:

Was the vehicle on trade place, if so, for what purpose the trade place was used (for delivery, the vehicle demonstration, after repairs) or for inspection.

Details regarding the damage sustained by the vehicle or. vehicles due to accident :

(a) Nature of injuries sustained to any person (simple or greivous):

(b) Name and address of the person insured or dead and name and address of the dependents or heirs of the deceased (to be given, if information is available):

14. Conditions of the brakes at the time of inspection.—

Efficiency of foot brake :

Efficiency of hand brake :

Even or not:

15. Causes of failure of foot brake —

(a) If by hydraulic or by air pressure —

(i) Want of fluid:

(ii) Leakage or defect in the system :

(b) If mechanical —

(i) Lack of lubrication : (ii)

Slackness in adjustment : (iii)

Wornout parts :

16. Causes of failure of hand brake —

(i) Lack of lubrication :

(ii) Slackness in adjustment :

(iii) Wornout parts :

Steering (If there is excess backlash, state causes ; if steering links disconnected, state reasons):

Condition of tyres :

Opinion of the inspection officer regarding whether the accident was due to vehicle defect, road defect or both :

Brief description of the scene of accident by a rough sketch (if necessary) denoting the position of vehicle or vehicles length of skid mark or track mark found if any:

Explanation—

Skid mark in the drag mark of tyres left by the locked up wheels of the vehicles on application of brakes.

Track mark or the tyre tread mark left by the rolling of the wheels of the vehicle overlook earth or surface without application of brakes.

Date :

To

The Sub-Inspector of Police,

Copy submitted to the Regional Transport Officer

Signature of the Inspector of Motor Vehicles.

FORM EUCCA

Application for the Issue of an Authorisation.

(See rule 116-B(2))

To be filled in by the applicant for the issue of an Authorisation to conduct Emission Test of Motor Vehicles.

Full Name (in Capital letters) and address.

Certificate in original as required under rule 116-B(2) and (3) are enclosed or not.

Full details of instrument purchased along with a copy of the sale letter.

Names of persons who will be signing the test report along Mth the Specimen Signature. Such a person so authorised by the licensee shall also have the qualification as prescribed in Serial No. 2 as above.

Details of the Centre.

The information given above is true to the best of my knowledge. I understand that if any of the information, given above is found to be incorrect, at any point of time my authorisation for running an

TAMIL NADU MOTOR
VEHICLES RULES

Emission Under Control Centre is liable to be revoked.
116-C of the Tamil Nadu Motor Vehicles Rules, 1989 and 1

I have read rules 116, 116-A, 116-B,
have understood the same.

Date :
Station ;

Signature of applicant.

FORM (Emission Under Control Certificate Application)

Application for the Renewal of an Authorisation
(See rule 116(B)(5))

Full Name (in Capital Letters) and Address.

Authorisation Number and validity.

Certificate in original as required under rule 116-B(2) and (3) are enclosed or not.

Full details of instrument purchased along with a copy of the sale letter.

Names of persons who will be signing the test report along with the Specimen Signature. Such a person so authorised by the licensee shall also have the qualification as prescribed in Serial No. 2 as above.

Details of the Centre.

Whether the place is owned by him or rent (evidence to be produced)

The information given above is true to the best of my knowledge. I understand that if any of the information, given above is found to be incorrect, at any point of time my authorisation for running an Emission Under Control Centre is liable to be revoked. I have read rules 116, 116-A, 116-B, 116-C of the Tamil Nadu Motor Vehicles Rules, 1989 and I have understood the same.

Date :
Station :

Signature of applicant.

FORM (Pollution Emission Certificate)

Report Issued by the Committee
(As required under rule 116-B(3))

Certified that Messrs _____ emission testing facilities for smoke density/00 level in
respect of Petrol/Diesel driven motor vehicles with the following approved equipments :—

1 _____ for the measurement of smoke density.

2 _____ for the measurement of 00 level.

Certified that the above instruments are in working order/not in working order.

Date :

Signature

Station :

Committee

Authorised by the

FORM (Emission Under Control Letter of Authority)

Letter of Authority (Under Rule 116-B(3) of
Tamil Nadu Motor Vehicles Rules, 1989)

No

The letter of Authority is hereby granted to

Messrs

as Emission Under Control Testing Station to issue Emission Under Control Test Certificate for Petrol Driven (NTV) Four Wheelers and Two Wheelers/Diesel in accordance with Rule 115(2) of Central Motor Vehicles Rules, 1989 and 116-A 3 (b) of Tamil Nadu Motor Vehicles Rules, 1989.

Transport

Commissioner. Conditions Attached To the Letter of Authority

The authorised emission testing centre shall display the authorisation certificate issued by the State Transport Authority prominently for public view.

The authorised emission testing centre shall display banners direction indicators and provide related education material to the vehicle owners.

The authorised emission testing centre shall depute the authorised pollution checking personnel to undergo training conducted by the Tamil Nadu Pollution Control Board.

The authorised emission testing centre shall have perform pollution checking of only those type of vehicles as prescribed in the letter of authority.

The authorised emission testing centre shall have a licence from the concerned local authorities to run the service station/workshop garage.

The authorised emission testing centre shall have facilities for engine diagnosis and repairs so that the vehicles which do not conform to prescribed standard can be rectified by the centre accordingly to ensure pollution under control in respect of such vehicles.

The authorised emission testing centre shall have the approved exhaust gas analysers/smoke Meters with printer facilities as per the rule 116(3) of the Central Motor Vehicles Rules, 1989 and the certificate issued by the Tamil Nadu Pollution Control Board shall be produced when demanded.

The emission testing centres shall have properly laid down facilities for checking emission levels so that the vehicles have easy movement without congestion.

The emission testing centre shall issue the prescribed certificate duly signed by the authorised signatory only for those vehicles which conform to the standards prescribed under Rule 115(2) of the Central Motor Vehicles Rules 1989 and shall not issue such certificate to such vehicles which do not conform to the prescribed standards.

10. The authorised Emission Testing Centres shall not issue any other printed format in this respect other than the one prescribed and approved by the Government.

The pre-printed perforated computerised formats shall be in 100 sheets and serially numbered for a calendar year. The sheets shall also be affixed with the seal of the Regional Transport Officer, in whose jurisdiction, the Testing Centre lies.

The authorised emission testing centre shall remain open at all reasonable times for inspection by the authorised officers of State Transport Authority/Tamil Nadu Pollution Control Board so as to ensure proper facilities made to the customers.

The authorised emission testing centre shall make the instrument always available for periodical inspection and calibration to ensure proper functioning of the exhaust gas analyser/smoke meter with the authorised officers of the Transport Department and Tamil Nadu Pollution Control Board.

The Authorised emission testing service centre shall maintain proper records of vehicles checked for emission levels in the centre and submit monthly report to the Transport Commissioner and also to the Tamil Nadu Pollution Control Board as prescribed by the Transport Commissioner.

The testing centre may charge an additional amount not exceeding Rs.5 per vehicle and issue a receipt to that effect in respect of those vehicles who opt for spot adjustment of the vehicles at the centre and issue the prescribed Certificate after conducting a recheck only if such vehicles conform to the prescribed standards made under Rule 115(2) of Central Motor Vehicles Rules, 1989.

The letter of Authority is subject to cancellation if an authorised emission testing station :

fails to maintain the instruments required for pollution testing in a properly calibrated and sound condition .

does not conduct tests properly or does so in a perfunctory manner.

does not advise the vehicle owner properly regarding the repairs that are necessary to be carried out to the vehicle.

The date of the test shall be printed on the photo of the vehicle also.

The photo of the vehicle with Registration Number shall not be stored in a computer after the test certificate is issued.

The measurement of. the emission level shall be recorded and print out taken only after the monitor shows a stabilised reading of the emission level.

Transport Commissioner.

FORM [COMPUTERISED POLLUTION UNDER CONTROL CERTIFICATE (PETROL)]*[See Rule J16-B(10) (c)]**(Authorised by the Transport Department)*

<i>Seial No.</i>			<i>Transport Department Seal</i>
Centre Name			Centre Code
Authorisation Number	validity		
ID Number	Type of vehicle		Fuel : Petrol
Vehicle Number	Type of engine		Date
Year of Registration	Make		Time
Odometer Reading	Model		
Test: Idling	Photo of vehicle		
	Regulation		Actual reading
	(%)		(% volume ppm)
<i>CO</i>			
<i>EC</i>			

Transport Department)

<i>Seial No.</i>			<i>Transport Department Seal</i>
Centre Name			Centre Code
Authorisation Number and validity.			
ID Number	Type of vehicle		Fuel: Petrol
Vehicle Number	Type of engine		Date
Year of Registration	Make		Time
Odometer Reading (Kms.)	Model		
Test: Free Acceleration	Photo of the Vehicle		
Test: Result			
	K (1/M)		K (1/M)
T1		T6	
T2			
T3			
T4			
T5 ■■			

K. Average

Permissible limit of smoke density (Diesel):

Light Absorption Co-efficient

K(l/M)

2.45

Validity : 6 months.

Hartridge

Unit

65

TAMIL NADU MOTOR VEHICLES RULES
3-155

Name of the Driver / Owner
Seal of Testing Station.

Signature of the Driver / Owner
Signature of the Licensee / Testing Person

FORM [REJECTION SLIP (PETROL)]

[See Proviso to Rule 116-B(10)(c)] (Authorised by the Transport
Department) Name of the Testing Centre and address

Centre Code		Serail Number
Authorisation Number	validity	
ID Number	Type of vehicle	Fuel: Petrol
Vehicle Number	Type of engine	Date
Year of Registration	Make	Time
Odometer Reading	Model	
Test: Idling	Regulation (%)	Actual reading (% by volume ppm)
CO	_____	
HC	_____	

Permissible limits of CO (Petrol): 3 % by volume for the new four wheelers and 4.5 % by volume for vehicles of five years old or 80,000 kms run whichever is earlier. Permissible limits of Co for petrol 2 wheelers and 3 wheelers is 4.5% by volume.

This vehicle tested as per the details shown in the Certificate does not meet the Emission Standards prescribed by Rule 115(2) of the Central Motor Vehicles Rules, 1989. This defect should be rectified and Computerised Pollution under Control Certificate should be obtained from an authorised testing station within 7 days.

Otherwise, owner of the vehicle will be liable for penalty under sub-section (2) of Section 190 of the Act.

Name of the Driver / Owner Seal of the Testing Station ■ Testing charges: Rs.

Signature of the Driver / Owner Signature
of the Licensee / Testing Person

FUEL [REJECTION SLIP (DIESEL)]

[See Proviso to Rule 116B(10)(c)] (Authorised by Transport Department)
Name of the Testing Centre and Address Centre Code

Type of

Fuel: Petrol

Date

Authorisation Number and validity.
ID Number Vehicle Number Year of
Registration Odometer Reading

T6
T7
T8
T9

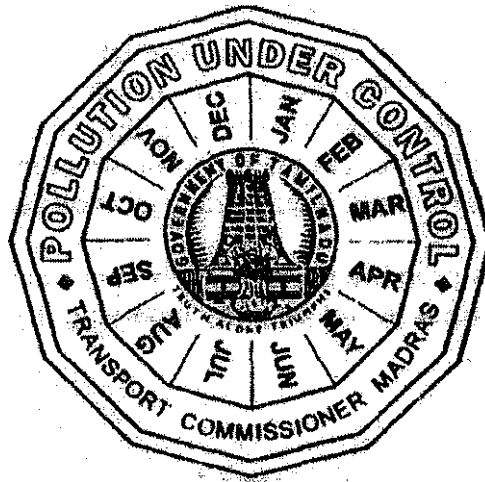
K (1/M)

T1
T2
T3
T4
T5
K. Average

Permissible limits of Smoke Density (Diesel): Hartridge Unit 65, Light Absorption Co-efficient (K) 2.45 (1/m). This vehicle tested as per the details shown in the certificate does not meet the Emission Standards prescribed by Rule 115(2) of the Central Motor Vehicles Rules, 1989. This defect should be rectified and Computerised Pollution under Control Certificate should be obtained from an authorised testing station within 7 days. Otherwise owner of the vehicle will be liable for penalty under sub-section (2) of Section 190 of the Act. Name of the Driver / Owner Testing fee Seal of the Testing Station

Signature of the Driver / Owner
Signature of the Licensee / Testing
Person

FORM P.U.C.S.
SPECIMEN OF STICKER



THE FIRST SCHEDULE.*(See rule 245.)*

The public stands in this State shall be classified into five classes of stands, namely, Class A, Class B, Class C, Class D and Special Class and the amenities that shall be provided and maintained in each class as follows:—

Class A:

- Parking bays to accommodate 50 buses;
- Platforms for boarding and getting down passengers and loading luggages and goods adjoining the parking bays, to be covered with fire proof roofing;
- Booking offices;
- Passenger's waiting room for men and women with seating accommodation;
- Drinking water facilities in the waiting room;
- Catering facilities;
- Electrification of the premises where electricity is available and provision of lights in the waiting rooms;
- (h) Arrangements for queue system at the booking counters;
- (i) Public Telephone facilities for waiting passengers where possible;
- (j) Left-luggage rooms;
- (k) Flush-out latrines; and
- (l) Arrangements to be made to announce the location and departure timings of buses from the bus stand over a microphone or loudspeaker, in addition to the display of a chart showing the departure and arrival timings of buses.

Class B :

- Parking bays to accommodate 25 buses;
- Platforms for boarding and getting down passengers and loading luggages and goods adjoining the parking bays, to be covered with fire proof roofing;
- Booking offices;
- Passenger's waiting room for men and women with seating accommodation;
- Drinking water facilities;
- Catering facilities;
- Electrification of the premises where electricity is available and provision of lights in the waiting rooms;
- (h) Latrines;
- (i) Display of a chart showing the departure and arrival timings of buses;

Class C:

- Parking bays to accommodate 10 buses;
- Platforms for boarding and getting down passengers and loading luggages and goods adjoining the parking bays to be covered with fire proof roofing;
- Passengers waiting shed;
- Drinking water facilities;
- Light arrangements
- Latrines;
- Display of a chart showing the departure and arrival timings of buses;

Class D:

- (a) Passengers waiting shed;

Lighting arrangements;
 Drinking water facilities;
 Latrines;
 Display of a chart showing the departure and arrival timings of buses. Special
 Class :

Parking bays to accommodate 150 buses;
 Platforms for loading and getting down passengers and loading luggages and goods adjoining the
 parking bays covered with fire proof roofing;

RCC Roofing;
 Booking offices;
 Passenger waiting rooms for men and women with seating accommodation;
 Drinking water facilities in the waiting room;
 (g) Catering facilities, one major and two medium restaurants;
 (h) Electricity with generator backup;
 (i) Arrangements for queue system at the booking counters;
 (j) Public telephone facilities for waiting passengers with separate exchange; . (k)

Left-luggage rooms;

(l) Flush-out latrines (for ladies and gents);
 (m) Arrangements to announce the destination and departure timings of buses from the bus stand over a
 microphone or loud speaker, in addition to the display of a chart showing the departure and arrival timings of
 buses with T.V. and Electronic display board;

(n) Security rooms;
 (o) Crew rest rooms;
 (p) Time keeper rooms;
 (q) Office rooms for operational managers;
 (r) Fuelling station;
 (s) Maintenance shed and stores.

Fees to be levied:

The maximum rate of Fees per day leviable by the local authority in respect of each category of the
 Public Service Vehicle which uses the stand shall be as follows:—

Class A — Rupees Four,
 Class B — Rupees Three.
 Class C — Rupees Two.
 Class D — Rupee One and Paise Fifty.
 Special Class — Rupees twenty five.

The fees may be collected on a monthly basis in which cases the spare buses which ply in the place of
 route will be exempted from payment of fees.

THE SECOND SCHEDULE

(See rule 414.)

Distinguishing mark to be exhibited on the front right side bumper of the drawing vehicle and on the rear
 of trailer or of the last trailer of a train or a trailers.

12

Centimetres. 4
 Centimetres.

dimensions shall not be less than those shown above.

TAMIL NADU MOTOR VEHICLES ACCIDENT CLAIMS TRIBUNAL RULES, 1989.

No. **SRO** A-78(b-2) 89.

In exercise of the powers conferred by section 176 read with section 211 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Governor of Tamil Nadu hereby makes the following rules, the draft of the same having been previously published as required by sub-section (1) of section 212 of the said Act.

RULES

1. Short title, extent and commencement.— (1) These rules may be called the Tamil Nadu Motor Vehicles Accidents Claims Tribunal Rules, 1989.

They extend to the whole of the State of Tamil Nadu.

They shall come into force on and from the date of their publication in the *Tamil Nadu Government Gazette*.

2. In these rules, unless the context otherwise requires—

"Act" means the Motor Vehicles Act, 1988 (Central Act 59 of 1988).

"Claims Tribunal" means a Motor Accidents Claims Tribunal constituted under section 165 of the Act.

"Legal representative" shall have the meaning assigned to it under clause (11) of section 21 of the Code of Civil Procedure, 1908. (Central Act V of 1908).

3. (1) Every application for payment of compensation made under section 140 of the Act, shall be made in Form I appended to these rules and shall be accompanied by the fee prescribed in sub-rule (1) of rule 24 in the form of Court fee stamps. !

(2) An appeal under section 173 (1) shall be accompanied by the prescribed fee therefor in sub-rule (1-A) of rule 20.

4-A. (1) Notwithstanding anything contained in rule 3 and 24, any Police Officer not below the rank of a Sub-Inspector of Police, who is entrusted with the investigation of the motor vehicles accident, shall, without waiting for the result of the investigation or prosecution and as expeditiously as possible get an application in Forms I and II appended to these rules from the party injured in the accident or all or any of the legal representatives of the deceased, as the case may be, and forward the same to the Claims Tribunal, who shall treat it an application for the purpose of section 140 and 166 of the Act. The said Police Officer shall also gather full particulars of the Insurance Certificate in respect of the motor vehicle involved in the accident and furnish them to the injured party or to the legal representatives of the deceased. The party concerned shall, before the Tribunal passes the award, pay the fee prescribed in rule 24.

An officer investigating into an accident shall, after a case is registered forward copies of the First Information Report relating to the accident to (i) the Claims Tribunal having jurisdiction; and (ii) the President of the District Committee for Legal Aid and Advice concerned constituted by the Tamil Nadu State Legal Aid and Advice Board;

An officer investigating into an accident shall, immediately after an accident is registered, also furnish the particulars to the nearest Legal-Aid Committee or centre constituted by the Tamil Nadu State Legal Aid and Advice Board in Form III Appendix III to these rules.

Notwithstanding anything contained in sub-rule (3), the officer of the Transport Department inspecting the vehicle involved in an accident shall furnish immediately the following information to the Insurance Company with which the vehicle is insured;—

Name and address of the owner of the vehicle;
Name of the driver and/or conductor;
Registration number of the vehicle;
Particulars of permits if any, in respect of the vehicle, with validity;
Date of expiry of fitness certificate; and
Date of expiry of the insurance.

On receipt of an application under rule 3 the Claims Tribunal may examine the applicant on oath and the substance of such examination, if any, shall be reduced in writing.

(1) After considering the application and the statement if any, of the applicant recorded under rule 5, the Claims Tribunal shall not dismiss the application on the ground of any technical flaws but shall give notice to the applicant and get the defects rectified.

(2) The claim for compensation under section 140 of the Act shall be disposed of expeditiously and in any case not later than four weeks from the date of filing of the application.

7. (1) After satisfying itself that the application is in order or the defects have been duly rectified the Claims Tribunal shall send to the owner of the Motor Vehicle involved in the accident and its insurer, a copy of the application together with a notice of the date on which it will hear the application, and may call upon the parties to produce on that date any evidence which they may wish to tender.

(2) If the insurer is not impleaded as a party to the application as originally filed, or if the name of the insurer is not correctly given therein, it shall be open to the applicant to make an application to the Claims Tribunal for the appropriate amendment to the application for the purpose of bringing the insurer on record.

8. (1) The owner of the motor vehicle and the insurer may, and if so, required by the Claims Tribunal shall, at or before the first hearing or within such further time as the Claims Tribunal may allow, file a written statement, dealing with the claim raised in the application, and any such written statement, shall form part of the record.

(2) If the owner or the insurer contests the claim, the Claims Tribunal may, and if no written statement has been filed, it shall, proceed to examine the owner or the insurer as the case may be upon claim and shall reduce the substance of the examination by writing.

9. If an application is presented by any party to the proceeding for the summoning of witnesses, the Claims Tribunal shall, on payment of the expenses involved, if any, issue summons for the appearance of such witnesses, unless it consider that their appearance is not necessary for just decision of the case:

Provided that if the party is financially poor in the opinion of the Tribunal, it may not insist on the payment of the expenses involved and the same shall be borne by the Government;

Provided further that in cases where the party succeeds in whole or in part the expenses so incurred by the Government shall be directed to be paid to it by the owner or the insurer as the case may be, of the motor vehicle.

The Claims Tribunal, may, in its direction allow any party to appear before it through a legal practitioner.

(1) The Claims Tribunal may at any time during the course of an inquiry before it visit the site at which the accident occurred for the purpose of making a local inspection or examining any person likely to be able to give information relevant to the proceedings.

Any party to a proceeding or the representative of any such party may accompany the Claims Tribunal for a local inspection.

The Claims Tribunal after making a local inspection shall note briefly in a memorandum any facts observed, and such memorandum shall form part of the record of inquiry.

(4) The memorandum referred in sub-rule (3) may be shown to any party to the proceedings who desires to see it and a copy thereof may on application be supplied to any such party.

12. The Claims Tribunal may, if it thinks fit, require, the motor vehicle involved in the accident to be produced by the owner for inspection at a particular time and place to be mentioned by it if necessary in consultation with the owner.

13-A. The Claims Tribunal may, if any journey is undertaken for the purpose specified in rule 11 and 12 at the instance of the party, require the party to deposit before and an amount equivalent to the actual expenses likely to be incurred by it and its staff for the purpose and draw only the amount so deposited by the party to meet all the incidental expenditure in connection with such journeys.

14. (1) The Claims Tribunal, during a local inspection or at any other time save at a formal hearing of a case pending before it, may examine summarily any person likely to be able to give information relating to such case, whether such person has been or is to be called as a witness in the case or not, and whether any or all of the parties are present or not.

(2) No oath shall be administered to a person examined under sub-rule (1).

15. The Claims Tribunal shall, as examination of witnesses proceeds, make a brief memorandum of the substance of the evidence of each witness and such memorandum shall be written and signed by the members of the Claims Tribunal and shall form part of the record:

Provided that the evidence of any medical witness shall be taken down as nearly as may be word for word.

16. (1) The Claims Tribunal may, if it thinks fit, co-opt one or more persons possessing special knowledge with respect to any matter relevant to the inquiry. Such persons should not sit as member (s) of the Claims Tribunal but should render such assistance as it required to hold the inquiry.

(2) The remuneration, if any, to be paid to the persons co-opted shall, in every case, be determined by the Claims Tribunal.

After considering any written statement, the evidence of the witness examined and the result of any local inspection, the Claims Tribunal shall proceed to frame and record the points upon which the right decision of the case appears to it to depend.

The Claims Tribunal shall maintain a brief diary of the proceedings on an application.

The Claims Tribunal may, for reasons to be recorded in writings call upon the respondents to furnish the following information:—

(i) full particulars of all earlier accidents in which the respondent has been involved and in which the claims have been awarded at least in part.

(ii) the amount of compensation paid in such earlier accidents, the name and address of the victim and the name of insurer who paid the damages; and

(iii) his connection, if any, with the claimant.

20. (1) The Claims Tribunal in passing orders, shall record concisely on a judgment the findings on each of the points framed and the reasons for such findings and make an award specifying the amount of compensation to be paid by the insurer or the owner in the case of vehicles which are not insured and also the person or persons to whom compensation shall be paid.

(2) Where compensation is awarded to two or more persons, the Claims Tribunal shall also specify the amount payable to each of them:

Provided that notwithstanding anything contained in sub-rules (1) and (2) the record of judgment shall, in respect of claims exceeding five thousand rupees, contain the evidence which shall either be verbatim or a reasonably complete and full memoranda of testimony explaining the basis of the

compensation, the findings on each such evidence and the reasons for such findings before making an award specifying the amount of compensation.

The Claims Tribunal shall announce the details of the award in the open Court and shall furnish copies of the judgment as required to be recorded under sub-rule (1) to the Regional Transport Authority, the Secretary, Regional Transport Authority, the Registering Authority and the Licensing Authority concerned for taking such action as the authorities consider necessary against the drivers, conductors or owners of the vehicles involved in the accident. It shall also send a copy of the judgment to the State Transport Authority, Chennai.

When the Claims Tribunal pronounced the judgment and makes the award, it shall also read the operative part of the award in the regional language understood by the claimant and it shall also be explained to him that he is entitled to the full amount of the compensation which has been awarded to him and that he is not liable to pay any percentage amount of the compensation to the lawyer who appeared for him, but have only to pay the fee determined by the Claims Tribunal.

The Claims Tribunal shall provide the award reasonable expenses of litigation and fees for the counsel. Such fees shall not be lower than the fees specified in the Schedule of fees prescribed by the Tamil Nadu State Legal Aid and Advice Board from time to time.

The Claims Tribunal shall, within fifteen days from the date of award, issue copy of award and decretal order, if any, for all parties to the claims free of cost.

The Claims Tribunal shall, in the case of minor, order that amount of compensation awarded to such minor be invested in fixed deposits till such minor attains majority. The expenses incurred by the guardian or the next friend may be allowed to be withdrawn by such guardian or the next friend from such deposits before it is deposited.

The Claims Tribunal shall, in the case of illiterate claimants, order that the amount of compensation awarded be invested in fixed deposits for a minimum period of three years but of any amount is required for effecting purchase of any movable or immovable property for improving the income of the claimant, the Claims Tribunal may consider such a request after being satisfied that the amount would be actually spent for the purpose and the demand is not a ruse to withdraw money.

The Claims Tribunal shall, in the case of semi-literate person resort to the procedure for the deposit of award amounts set out in sub-rule (8) unless it is satisfied, for reasons to be recorded in writing that the whole or part of the amount is required for the expansion of any existing business or for the purchase of some property as specified and mentioned in sub-rule (8) in which case the Claims Tribunal shall ensure that the amount is invested for the purpose for which it is prayed for and paid.

The Claims Tribunal may in the case of literate persons also resort to the procedure for deposit of award amounts specified in sub-rule (8) subject to the relaxation specified in sub-rules (8) and (9) if having regard to the age, fiscal background and state of society to which the claimant belongs and such other consideration, the Claims Tribunal in the larger interest of the claimant and with a view to ensuring the safety of the compensation awarded, thinks it necessary to order.

The Claims Tribunal may, in personal injury cases, if further treatment is necessary, on being satisfied which shall be recorded in writing permit the withdrawal of such amount as is necessary for the expenses of such treatment.

The Claims Tribunal shall, in the matter of investment of money, have regard to a maximum return by ways of periodical income to the claimant and make it deposited with public sector undertakings of the State or Central Government which offers higher rate of interests.

The Claims Tribunal shall, in investing money direct that the interest on the deposits be paid directly to the claimants or to the guardian of the minor claimants by the institutions holding the deposits under intimation to the Claims Tribunal.

(14) The Claims Tribunal shall draw up a cheque in favour of the claimant for the award amount to be paid to him and deliver it to the claimant in the presence of the Advocate for the Claimant and a representative of the Tamil Nadu State Legal Aid and Advice Board.

21. The following provisions of the First Schedule to the Code of Civil Procedure, 1908 (Central Act V of 1908) shall so far as may be, apply to proceedings before the Claims Tribunal, namely, Order V, IX, Order XIII, rules 3 to 10; Order XVI, rules 2,21; Order XVII and Order XXIII, rules 1 to 3.

22. Without prejudice to the provisions contained in section 174, the Claims Tribunal shall for the purpose of enforcement of its award, have all the powers of a Civil Court in the execution of a decree under the Code of Civil Procedure, 1908 (Central Act V of 1908) as if the award were a decree for the payment of money passed by such court in civil suit.

23. (1) An appeal against the award of a Claims Tribunal shall be preferred concisely the grounds on which the appeal is preferred.

(2) It shall be accompanied by a copy of the judgment and the award appealed against.

24. Every application under sub-section (1) of section 166 of the Act for payment of compensation shall be accompanied by a fee of Re.1 (Rupee one only) in the form of court fee stamp, if the claim in a case of accident is confined to special damage is and if any further general damage is claimed, an advalorem fee shall be charged on the aggregate of the special and general damage claims on the following scale, namely:—

THE TABLE

<i>Amount of claim</i>	<i>Amount of Court-fee</i>
(1)	(2)
Upto Rs.10,000	Rs.10
Rs.10,001 to Rs.50,000	Rs. 10 plus one-fourth per cent of the amount by which the claim exceeds Rs.10,000.
3. Rs.50,001 to Rs.1,00,000	Rs.122.50 plus half per cent of the amount by which the claim exceeds Rs.50,000.
4. Over Rs.1,00,000	Rs.372.50 plus one per cent of the amount by which the amount of claim exceeds Rs.1,00,000.

(1-A) An appeal under section 173 of the Act shall be accompanied by a fee of Re.1(Rupee one only) in the form of Court-fee stamp, if the claim in a case of accident is confined to special damages and if any further general damage is claimed, an advalorem fee shall be charged on the aggregate of the special and general damages claim on the following scales, namely:—

<i>Amount of claim</i>	<i>Amount of Court-fee</i>
(1)	(2)
Below Rs.2,000	No appeal.
Rs.2,001 to 5,000	Rs.10
Rs.5,001 to 50,000	Rs.10 plus one-fourth per cent of the amount by which the claim exceeds Rs.5000.
4. Rs.50,001 to 1,00,000	Rs.122.50 plus half per cent of the amount by which the claim exceeds Rs.50i000.
5. Over Rs.1,00,000	Rs.372.50 plus one per cent of the amount by which the claim exceeds Rs.1,00,000.

(3) The Claims Tribunal may, in its discretion exempt any party from the payment of fees prescribed under sub-rule (1):

Provided that where a claim of a party has been accepted by the Claims Tribunal the party shall have to pay the prescribed fees, exemption in respect of which has been granted initially before a copy of the judgment is obtained:

Provided further that where the amount of award is less than the amount of claim, the party shall be entitled to refund of the proportionate fee, namely the difference between the fee actually paid and the fee due if the claim had been made for the amount of award.

25. (1) The Claims Tribunal shall follow the procedures of summary trial as contained in the Code of Criminal Procedure 1973 (Central Act 2 of 1974) for the purpose of adjudicating and awarding a claim under Chapter X of the Act.

The Claims Tribunal shall give notice to the owner and the insurer, if any, of the vehicle involved in the accident, directing them to appear on a date not later than 10 days from the date of issue of notice. The date so fixed for such appearances shall also be not later than 15 days from the receipt of the claim application filed by the claimant. The Claims Tribunal shall state in such notice that in case they fail to appear on such appointed date, the Claims Tribunal shall proceed ex parte on the presumption that they have no contention to make against the award of compensation.

The Claims Tribunal shall obtain whatever information necessary from the police, medical or other authorities and proceed to award the claim whether the parties who were given notice appear or not on the appointed date.

(4) The Claims Tribunal shall proceed towards the claims on the basis of—

(i) Registration Certificate of the motor vehicle involved in the accident;

(ii) Insurance Certificate or policy relating to the insurance of the motor vehicle against third party risks;

(iii) Copy of the first information report;

(iv) Post-mortem certificate or certificate of injury as the case may be from the medical officer;

(v) The nature of the treatment given by the medical officer who has examined the victim.

The Claims Tribunal before whom an application for award of compensation on liability arising out of the provisions of Chapter X of the Act has been made shall dispose of such an application within 45 days from the date of receipt of such application.

The procedure of adjudicating the liability and award of compensation may be set apart from the procedure of disbursement of compensation to the legal heirs in case of death. Where the Claims Tribunal feels that the actual payment to the claimant is likely to take time because of the identification and the fixation of the legal heirs of the deceased the Claims Tribunal may call for the amount of compensation awarded to be deposited with the Claims Tribunal and then proceed with the identification of the legal heirs for deciding the payment of compensation to each of the legal heirs. The contingency shall not arise in the case of adjudication and payment of compensation in the case of permanent disablement.

FORM I — UNDER SECTION 140.

[See Rule 4(1).]

To

The Motor Accident Claims Tribunal

I son/daughter/wife/widow of _____ residing at _____ having been injured in motor vehicle accident

hereby apply for the grant of compensation for the injury sustained. Necessary particulars in respect of the injury, vehicles, etc., are given below:—

I son/daughter/wife/widow of _____ residing at _____ hereby apply, as a legal representative/

agent for the grant of compensation on account of death of Thiru/Selvi/Tmt. _____ Son/daughter/wife/

widow of Thiru/Tmt. _____ who died/was injured in a motor vehicle accident.

Necessary particulars in respect of the deceased/injured, the vehicles, etc., are given below:—

Name and father's name of the person injured/dead:

Full address of the person injured/dead:

Age of the person injured/dead:

Occupation of the person injured/dead:

Place, date and time of the accident:

Name and address of police station in whose jurisdiction the accident took place or was registered.

Was the person in respect of whom compensation claimed travelling by the motor vehicle involved in the accident, if so, give the name of place of starting of journey and destination.

Nature of injuries sustained, and continuing effect, if any, of the injury:

Name and address of the Medical Officer/Practitioner, if any, who attended on the injured/dead:

Nature of the injury and whether it caused permanent disablement or not.

Registration Number and the type of the motor vehicle involved in the accident.

Name and address of the owner of the motor vehicle.

Name and address of the insurer of the motor vehicle.

Number and details of certificate of insurance or the policy of insurance.

Has any claim been lodged with the owner/insurer and if so, with what result.

Name and address of the applicant:

Relationship with the deceased:

Whether he has been paid any compensation out of the Solatium Fund:

Any other information that may be necessary or helpful in the disposal of the claim:

I solemnly declare that the particulars given above are true and correct to the best of my knowledge.

Signature or thumb-impression of the applicant.

FORM II.

[See rule 4(1) and (2).] FORM OF APPLICATION FOR COMPENSATION

To

The Tamil Nadu Motor Accidents, Claims Tribunal,

I Son/daughter/wife/widow of residing at having been injured in Motor Vehicle accident hereby apply for the grant of compensation for the injury sustained.

Necessary particulars in respect of the injury, vehicle, etc. are given below;—

I Son/daughter/wife/widow of residing at hereby apply as a legal representative/agent for the grant of compensation on account of death of/injury sustained by Sri/Kumari/Tmt. Son/daughter/wife/widow of Sri/TMrumathi who died/was injured in a motor vehicle accident.

Necessary particulars in respect of the deceased/injured, the vehicle, etc. are given below:—

Name and father's name of the person injured/dead (Husband's name in the case of married woman and widow):

Full address of the person injured/dead:

Age of the person injured/dead:

Occupation of the person injured/dead:

Name and address of the employer of the deceased:

Monthly income of the person injured/dead:

Does the person in respect of whom compensation is claimed pay income tax. If so, state the amount of income tax (to be supported by documentary evidence):

Place, date and time of the accident:

Name and address of police station in whose jurisdiction the accident took place or was registered.

Was the person in respect of whom compensation claimed travelling by the motor vehicle involved in the accident. If so, give the names of place of starting of journey and destination.

Nature of injuries sustained:

(a) Details of the damages caused to the property on account of the accident:

TAMIL NADU MOTOR
VEHICLES RULES

Period of treatment and expenditure, if any incurred thereon (to be supported by documentary evidence):

Registration number and the type of the vehicle involved in accident:

Name and address of the owner of the vehicle:

Name and address of the insurer of the vehicle:

16-A. Name and address of the driver incharge of the vehicle at the time of accident:

Has any claim been lodged with the owner/insurer. If so, with what result:

Name and address of the deceased:

Relationship with the deceased:

Title to the property of the deceased:

21. Amount of compensation claimed:

21.(a) Particulars of loss and expenses :

22. Where the application is not made within sixty days of the occurrence of the accident, the cause thereof:

(i) Whether the injured/deceased has been involved in any other road accident earlier (in case how as, state details):

(ii) Whether the injured/deceased has preferred a claim for damages in any case earlier and if so, with what result?

(iii) Whether the injured/deceased has preferred a claim for the owner of the vehicle and if so, how?

23. Any other information that may be necessary or helpful in the disposal of the claim. Here furnish a brief account of how the accident occurred and state how the applicant is entitled to claim compensation and how the respondent is liable to pay the compensation claimed.

I solemnly declare that the particulars given above are true and correct to the best of my knowledge and that I have not claimed or obtained any compensation under the Workmen's Compensation Act, 1923, so far as this case is concerned.

Signature or the thumb-impression of the Applicant.

PART I

Loss of earnings from _____ to _____

Partial loss of earnings from _____ to _____at the net rate of Rs _____ a day
week

Transport to hospital.

Extra nourishment.

Damage to clothing and articles.

Others.

PART II.

(g) Compensation for pain and suffering.

(h) Compensation for continuing or permanent disability, if any. (i)

Compensation- for the loss of earning power. (j) Total

FORM III.

(See rule 4(3).)

Name and full particulars of the person injured or deceased.

Date of accident.

Place of accident and name of the Police Station in which the accident has been registered and the F.I.R. No.

Registration number and the type of Motor Vehicle involved in the accident.

Name and address of the driver of the Motor Vehicle.

Name and address of the owner of the Motor Vehicle.

Particulars of the driving licence.

Insurance particulars.

Signature of the investigation officer with designation.

TAMIL NADU STATE TRANSPORT APPELLATE TRIBUNAL RULES, 1989.

No. SRO A.-78(b-3)/89

In exercise of the powers conferred by section 96 read with section 211 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Governor of Tamil Nadu hereby makes the following rule, the draft of the same having been previously published as required by sub-section (1) of section 212 of the said Act.

RULES.

1, Short title.— These rules may be called the Tamil Nadu State Transport Appellate Tribunal Rules, 1989,

2. Definition.— in these rules, unless the context otherwise requires—

"Act" means the Motor Vehicles Act, 1988 (Central Act 59 of 1988);

"Appeal" means the memorandum of appeal to the Tribunal filed under sub-section (4) of section 34 and sub-section (1) of section 89 of the Act;

"Departmental Representative" means an officer appointed by the State Government to receive on behalf of the Regional Transport Authorities and State Transport Authority, notices issued by the Tribunal, generally to appear, act and plead on their behalf and includes an officer appointed to act on his behalf in his absence;

"Form" means form appended to these rules;

"Party" means the appellant, petitioner and objector or his authorised representative;

"Pleader" means a pleader as defined in sub-section (15) of section 2 of the Code of Civil Procedure, 1908 (Central Act V of 1908);

"Presiding Officer" means the presiding officer of the Tribunal;

(h) "Registered Cleric" means the clerk of an advocate or pleader whose name has been got entered as such, in the Registers kept in the office of the Tribunal for that purpose;

(i) "Revision Petition" means an application to the State Transport Appellate Tribunal filed under section 90 of the Act:

(j) "Secretary" means the person who is, for the time being, discharging the functions of the Secretary of the Tribunal;

(k) "Tribunal" means the State Transport Appellate Tribunal or the Additional State Transport Appellate Tribunal; and

(1) The expression used but not defined in these rules shall have the meanings assigned to them in the Act and the Tamil Nadu Motor Vehicles Rules, 1989.

3. Headquarters and place of hearing.— The Headquarters of the Tribunal shall be Chennai.

(2) All appeals and revision petitions shall ordinarily be heard in Chennai.

4, Office hours.TM The Office of the Tribunal shall observe the office hours and holidays as notified by the State Government but no papers shall be received after 4 p.m.

5, Language.— The language of the proceedings of the Tribunal shall be in English.

6. Presentation of Appeal or Revision Petitions.— (1) An appeal or revision petition shall be presented in the office of the Tribunal,—

by the party in person or by sending by registered post with acknowledgement due.

by the pleader or advocate or his registered clerk in person.

(2) When an appeal or a revision petition is presented by a pleader or by an advocate or by his

registered clerk, it shall be accompanied by a Vakalatnama in the form in use in the High Court, Madras, for the Appellate side bearing Court-fee stamps to the value of Rs.2 (Rupees two only) with the fees prescribed under the Tamil Nadu Motor Vehicles Rules 1989 payable in respect of each relief sought for by the appellant or revision petitioner with the treasury receipt for the amount.

In every appeal or revision petition in addition, the successful parties before the appropriate authority, namely the Regional Transport Authority or the State Transport Authority or the Secretary of either Authority, as the case may be, shall be made respondent. A copy of the memorandum of appeal or revision petition shall also be furnished to the respondent by registered post and the postal receipt shall be attached to the memorandum of appeal or revision petition.

In every appeal or revision petition the memorandum shall also furnish the name and full address of the appellant or revision petitioner as well as of all the respondents.

An appeal or revision petition, as the case may be, shall be in the form of memorandum setting forth precisely the grounds of objection to the decision or order which is the subject matter of the appeal or revision petition and shall be accompanied by the original or a certified copy of the decision or order. Every appeal or revision petition shall be accompanied by such number of copies of the memorandum equal to the number of respondents in addition to the original.

The fee for an appeal under sub-section (4) of section 34 shall be as prescribed in rules 17 and 61 respectively of the Tamil Nadu Motor Vehicles Rules, 1989. The fee for an appeal made under sub-section (1) of section 89 of the Act or revision petition made under section 90 of the Act shall be as prescribed under rule 158 of the Tamil Nadu Motor Vehicles Rules, 1989.

7. Registration of Appeals and Revision Petitions.— (1) On receipt of an appeal or revision petition, the Secretary shall endorse on it the date of the appeal or revision petition made under sections 89 and 90 of the Act; where it does not conform to the requirements of the Act or Tamil Nadu Motor Vehicles Rules, 1989, he shall cause it to be returned by making an endorsement on the same and calling upon the appellant or the revision petitioner to rectify the defect or defects within seven days.

If the defect is not rectified within the period allowed, the Secretary shall make a report to that effect to the presiding officer who may reject the appeal or the revision petition, as the case may be, or fix a date for hearing after giving due notice of such hearing to the party in form III and to the departmental representative if any.

On the date so fixed, if any, the presiding officer may, after hearing the party and the departmental representative pass orders directing the registration of appeal or revision petition or its rejection. Where the appeal or revision petition is rejected, the Tribunal shall record its reasons for such rejection.

If the Secretary is satisfied that the appeal or revision petition is presented properly, he shall register the appeal or revision petition, as the case may be, and shall cause the particulars of the same to be entered in the prescribed register in Form I or II as the case may be, such entries shall be numbered in every year according to the order in which they are registered:

Provided that where there are more than one appeal or revision petition filed against the same order all shall be clubbed together and disposed of by one common order.

8. Time limit for preferring an appeal.— An appeal under section 89 of the Act shall be preferred within thirty days from the date of receipt of the order which is challenged on appeal:

Provided that if any doubt is raised as to the date of receipt of the order by the party aggrieved the decision of the Tribunal in accordance with the rules thereon shall be final:

Provided further that where an appeal is presented within thirty days of the date of receipt by the party aggrieved of the order appealed against but is returned and if such an appeal is again presented with all the defects rectified within the time allowed, it shall be deemed to have been presented within the time allowed under this rule.

9. Time limit for resubmission of a returned petition.— Where a petition is presented within the time fixed under section 90 of the act but is returned and if such application is again presented with all the defects rectified within the time allowed, it shall be deemed to have been presented in time.

10. Procedure for seeking stay or suspension of order of the Tribunal.— (1) Where a party seeks stay or suspension of the impugned order, he shall file separate application for the same duly affixing a Court-fee stamp of Rs.2 (Rupees two only).

Every such application shall be supported by an affidavit

A copy of the affidavit shall also be served on the respondent with an affidavit indicating acknowledgement in the original affidavit.

11. Stay or suspension of order by the Tribunal.— (1) In any appeal or revision petition, if the Tribunal is satisfied on an affidavit that it is just that the operation of the impugned order be stayed or suspended the Tribunal may, by order, stay or suspend the operation of the impugned order temporarily without notice to the respondent or respondents.

(2) The Tribunal may, after notice to the respondents and after giving an opportunity of being heard to both the parties either confirm or vacate the order suspending or staying the operation of the impugned order.

Procedure after registration of appeal or revision petition.—■ If an appeal or revision petition has been registered, the Tribunal shall fix a date for hearing and notice of the date fixed for hearing shall be issued to the parties concerned by registered post with acknowledgement due in Form III appended to these rules. A copy of the memorandum of appeal or revision petition shall also be furnished to the authority whose order is challenged and the record together with the remarks on the affidavit called for.

Hearing, adjournment and judgment.— On the date fixed for hearing or any other date to which the hearing may be adjourned, the appellant or the revision petitioner as the case may be shall ordinarily be heard first in support of his appeal or revision petition, the respondent or his pleader shall, if necessary, be heard next and in such case the appellant or petitioner shall be entitled to a reply.

Additional documentary evidence.— The parties to the appeal or revision petition shall not be entitled to produce additional documentary evidence before the Tribunal, but—

if the authority from whose order the appeal or revision petition is preferred has refused to admit evidence which ought to have been admitted; or

if the party seeking to adduce additional evidence satisfied the Tribunal that such document notwithstanding the exercise of due diligence was not within his knowledge or could not be produced by him at or before the time when the order under appeal was passed; or

if the Tribunal requires any documents to be produced in the interest of justice; or

(d) for any other sufficient reason, the Tribunal may allow such documents to be produced:

Provided that where such documents are received, the other party shall be entitled to produce rebutting documents, if any.

15. Adjournment.— (1) The Tribunal may, on such terms as it thinks fit, and at any stage, adjourn the hearing of any appeal or revision petition.

An application for adjournment shall be presented with an affidavit of the party or a person acquainted with the facts of the case.

Each application for an adjournment shall be affixed with a court-fee stamp of Rs.2 (Rupees two only) and notice of the application shall also be given to the respondents.

16. Procedure in case of death of an appellant or petitioner.— If any appellant or revision petitioner dies while the appeal or revision petition is pending and it cannot be proceeded with unless

his legal representative is brought on record, the Tribunal shall adjourn further proceeding to enable the legal representative to appear and apply by a petition after affixing a Court-fee Stamp to the value of Re.1 (Rupee one only) for being made a party. If the legal representative fails to do so within sixty days from the date of death of the appellant or revision petitioner, as the case may be, the appeal or revision petition subject to the provisions of rule 19 shall abate as regards the deceased applicant or the revision petitioner as the case may be.

No abatement by reason of death after hearing,-* Notwithstanding anything contained in rule 16 there shall be no abatement of an appeal or revision petition by reason of the death of any party between the conclusion of the hearing and passing of the order, but the order shall have the same force and effect as it had been passed before the death took place.

Determination of legal representative.— If a question arises in any appeal or revision petition as to the genuineness of the legal representatives of a deceased appellant or revision petitioner, such question may be determined by the Tribunal in a summary way, if necessary, after taking evidence.

Condonation of delay.— Where an application has been filed after more than sixty days from the date of death the Tribunal may, condone the delay on a separate application filed for the purpose when the delay is properly explained.

Procedure in case of the death of respondent,— If a respondent dies while an appeal or revision petition is pending and it cannot be proceeded with unless his legal representative is brought on record, the party concerned may apply to the Tribunal by a petition affixing a court-fee stamp of Re.1 (Rupee one only) for making the legal representative of such respondent a party to the appeal or revision petition, such application shall be supported by an affidavit. If the application from the legal representative is not received within sixty days from the date of the death of the respondent, the appeal or revision petition, shall be disposed of on merits.

Order.— (1) Every order of the Tribunal shall be in writing, and shall be pronounced in the open court immediately after hearing or on the date fixed for the purpose.

(2) The Tribunal shall serve a copy of the order to the authority against whose order the appeal or revision petition was preferred.

22. Return of documents.— (a) The parties shall not be entitled to the return of the documents filed by them before the Tribunal within six months from the date of the order of the Tribunal.

(b) The parties may apply after six months from the date of the order with an undertaking to the effect that the documents shall be produced whenever the Tribunal called for the same and in such a case, the documents may be returned to the parties.

23. Supply of copies of documents and orders.— (3) Any party to any proceeding before the Tribunal, may apply to the Secretary for the inspection of any document, or for a certified copy of any document and the orders which are challenged.

Application for certified copies of documents or orders shall be in Form IV and application for inspection of documents or orders shall be in Form V. Any application which is not in the proper form shall be returned for representation in proper form.

A court-fee stamp to the value of Rs.1 (Rupee one only) shall be affixed on every such application for inspection of documents or orders.

A court-fee stamp to the value of Rs.2 (Rupees two only) shall be affixed on every application for a certified copy of document or order;

Certified copies of documents or orders shall be delivered by the Secretary to the party concerned on payment of fees specified V accordance with sub-rule (6) towards the cost of preparing the copies.

A fee of Rs.3 (Rupees three only) shall be collected for every page of a certified copy.

Any party or his pleader desiring to inspect any document in any proceedings in which he is a party, shall obtain permission of the Tribunal or the Secretary, if so authorised.

If the Secretary feels any doubt about the propriety of granting a copy of any document, he shall place the application before the Presiding Officer and act in accordance with his orders.

Notwithstanding anything contained in this rule copies of orders shall be supplied to the Transport Authorities impleaded as respondent and the Secretary, State Transport Authority free of cost.

24. Service of notices.— (1) The notices required to be issued under the Act or these rules, shall be sent to the parties, by registered post with acknowledgement due as per the addresses furnished in the appeal or revision petition. An acknowledgement containing the signature of the addressee, or any member of his family or his pleader or his authorised agent when delivered or an endorsement by the postal authorities to the effect that the notice was refused by the addressee shall, unless the contrary is proved, be deemed to be sufficient to hold that the notice was duly served.

(2) Where the Tribunal is satisfied that the addressee is evading service or that it is not possible to serve the notice in the ordinary way, it shall direct that the notice may be sent to the last known address by registered post and a copy of the notice be affixed on its notice board and shall be deemed that the notice was duly received.

APPENDIX

FORM No.1

(Appeal Register)

(See rule 7(4))

Number :

Number in the distribution register:

Date of receipt by clerk:

Subject :

From whom and outside number and date:

Name of respondents:

References issued—

Date of calling for remarks including Stay Orders, if any.

Reference issued:

Replies :

Date of hearing:

Result with date:

Nature of disposal, namely:— L.Dis.

or D.Dis.

Number and result of Writ or C.R.P.:

Number and result of Writ Appeal:

Number and result of Civil Appeal:

Remarks:

FORM No. II

(Revision Petition Register)

(See rule 7(4).)

Number :

Number in the distribution register:

Date of receipt by clerk:

Subject :

From whom and outside number and date:
 Name of respondents ;
 References issued—
 Date of calling for permits including Stay Orders if any.
 Reference issued— If any:
 Replies:
 Date of hearing:
 Result with date:
 Nature of disposal, namely:— L.Dis
 or D.Dis.
 Number and result of Writ or C.R.P.:
 Number and result of Writ Appeal:
 Number and result of Civil Appeal :
 Remarks :

FORM No. m.
(Appeal or revision petition)
 (See rule 7(2).)

OFFICE OF THE STATE TRANSPORT APPELLATE TRIBUNAL, CHENNAI - 104..

NOTICE

Appeal -No. /RP.No. Hearing on:

Take notice that the subject noted below, will be taken up for consideration by the State Transport Appellate Tribunal, Chennai -104 at 10.30 a.m. on () in his Court Hall at the New City Civil Court Buildings, High Court Compound, Chennai - 104.

2. You are requested to be present either in person or by an accredited agent.

Subject.— Appeal/Revision Petition—Motor Vehicle—Stage Carriage/Goods Vehicles—Regional Transport Authority.

Appellant—

Petitioner—

Respondent—

To

The Party/Parties (as above by RPAD)

Copy to: Regional Transport Officer

(By order) '

FORM No. IV.

(Form of application for copy of document of order under rule 23.) (See rule 23(2).) To

The Secretary,

State Transport Appellate Tribunal, Chennai - 104. (Rs. 2 court-

fee stamp shall be affixed for every document.)

Name and address of the applicant in full:

Description of documents or order, copy of which is required:

Reference number of the file of the State Transport Appellate Tribunal in which the document or order is available :

Purpose for which copy is required:

Place :

Signature of the Appellant.

Date :

TAMIL NADU MOTOR
VEHICLES RULES

3-173

FORM No. V.

(Form of application, for inspection of documents.) (See rule 23(2).) Under
rule 23. To

The Secretary,
State Transport Appellate Tribunal,
Chennai - 104. (Re.1 court-fee stamp shall
be affixed.)

Name and address of the applicant in full :

Description of the documents sought to be inspected :

Reference number of the record in which it is available :

Purpose for which the inspection is required :

Place :

Date :

Signature of the Appellant.

THE TAMIL NADU MOTOR VEHICLES TAXATION ACT, 1974

(Act 13 of 1974)

An Act to consolidate and amend the law relating to the levy of tax on motor vehicles in the State of Tamil Nadu.

Be it enacted by the Legislature of the State of Tamil Nadu in the Twenty-fifth year of the Republic of India as follows:—

1. Short title, extent and commencement.— (1) This Act may be called THE TAMIL NADU MOTOR VEHICLES TAXATION ACT, 1974.

It extends to the whole of the State of Tamil Nadu.

It shall come into force on such date as the Government may, by notification, appoint.

2. Definitions.— In this Act, unless the context otherwise requires,—

(1) "fleet operator" means an operator holding on or after the 1st April 1978, not less than two hundred and fifty stage carriage permits in respect of services other than—

(i) Express service, or,

(ii) Service exclusively within Madras Metropolitan area; (1-A) "floor area" means total floor area inside the body of the vehicle (measuring length into breadth) less ten per cent standard deduction of the total floor area:

Provided that the fraction of a square metre beyond the first decimal point of the net floor area arrived at after standard deduction shall be rounded off to the next higher decimal point; (1-B) "Government" means the State Government;

(2) "laden weight" in relation to a motor vehicle means, in case a permit is issued to the vehicle under the Motor Vehicles Act, the maximum laden weight specified in such permit; if no such permit is issued, the maximum laden weight specified in the registration certificate of the vehicle and if such weight is not specified in such certificate, the maximum laden weight of the vehicle determined in such manner as the licencing officer may deem fit;

"laden weight" in relation to a trailer means, in case a permit is issued to the vehicle to which the trailer is attached under the Motor Vehicles Act, the maximum laden weight specified in such permit in respect of the trailer and, if no such permit is issued, the maximum laden weight specified in respect of the trailer in the registration certificate of the vehicle to which the trailer is attached, and if such weight is not specified in such certificate, the maximum laden weight of the trailer determined in such manner as the licensing officer may deem fit;

(3) "licensing officer" means an officer appointed by the Government to exercise the powers and perform the functions of a licensing officer under this Act;

(3-A) "life time tax" means the tax leviable in one lump sum in advance for the life time of a motor vehicle;

"Madras Metropolitan area" means the City of Madras and such contiguous area of such city as the Government may, from time to time, specify by notification;

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

"public road" means any street, square, court, alley, passage or riding path over which the public have a right of way, whether a thoroughfare or not, and includes the roadway over any public bridge or causeway;

"registered owner" means the person in whose name a motor vehicle is registered or deemed to be registered under the Motor Vehicles Act;

TAMIL NADU MOTOR VEHICLES TAXATION ACT
3-175

"tax" means the tax leviable under this Act;

"year" means the financial year; "half year" means the first six months or the second six months of such year; and "quarter" means the first three months or the second three months of such half-year;

(10) words and expressions used but not defined in this Act shall have the meanings assigned to them in the Motor Vehicles Act.

3. Levy of **tax**.— (1) Subject to the provisions of sub-section (2) tax shall be levied on every motor vehicle used or kept for use in the State of Tamil Nadu at the rate specified for such vehicle in the First Schedule or in the Second Schedule or in the Third Schedule, or in the Fifth Schedule as the case may be.

(2) The Government may, by notification, from time to time, increase the rate of tax specified in the Schedules:

Provided that such increase, by notification, under this sub-section shall not, in the aggregate, exceed fifty per cent of the rate specified in the First Schedule or in the Second Schedule or in the Third Schedule, or in the Fifth Schedule as the case may be.

(3) All references made in this Act to the Schedules shall be considered as relating to the Schedules as for the time being amended in exercise of the powers conferred by this section.

3-A. Levy of green tax.— (1) There shall be levied and collected an additional tax called "green tax", in addition to the tax levied under Section 3, on the motor vehicles suitable for use on road, as specified in the Fourth Schedule for the purpose of implementation of various measures to control air pollution.

The additional tax levied under sub-section (1) shall be paid in such manner as may be prescribed.

Subject to the provisions of sub-section (2), the provisions of the Act and the rules made there under excluding those relating to refund of tax shall, so far as may be, apply in relation to the levy and collection of the additional tax payable under sub-section (1), as the apply in relation to the levy and collection of motor vehicles tax under this Act.

3-B. Levy of Road Safety Tax.— (1) There shall be levied and collected an additional tax called "road safety tax", at the time of registration of motor vehicle, at the rates specified in the Sixth Schedule for the purpose of implementation of various road safety measures.

The tax levied under sub-section (1) shall be paid in such manner as may be prescribed.

Subject to the provisions of sub-section (2) the provisions of the Act and the Rules made thereunder excluding those relating to refund of tax shall, so far as may be, apply in relation to the levy and collection of the tax payable under sub-section (1), as they apply in relation to the levy and collection of motor vehicles tax under this Act.

4. **Payment of tax**.— (1) The tax levied under this Act shall subject to the provisions of sub-section (1-A), be paid in the manner prescribed by the registered owner or by any other person having possession or control of the motor vehicle, at his choice, either quarterly, half-yearly or annually, on a licence to "be taken out by him for that quarter, half-year or year, as the case may be.

(1-A) Notwithstanding anything contained in sub-section (1),—

(a) in respect of the motor vehicles specified in [] Part-I of the Second Schedule, and in Part-I of the Third Schedule, at the time of its registration, a life time tax shall be paid at the rates specified in [] Part-I of the Second Schedule or in Part-I of the Third Schedule, as the case may be, on a licence to be taken out for the life time of such vehicles;

(b) in respect of the motor vehicles specified in [] Part-II of the Third Schedule, the tax shall

be paid either annually at the rates specified in the First Schedule or for the life time of such vehicles at the rates specified in [] Part-II of the Third Schedule as the case may be, on a licence to be taken out for such vehicles for that year or for the life time, as the case may be; and.

(bb) in respect of motor vehicles specified in Part-II of the Second Schedule, the tax shall be paid either annually at the rates specified in the First Schedule or for the life time of such vehicles at the rates specified in Part-II of the Second Schedule on a licence to be taken out for such vehicles for that year or for the life time, as the case may be;

(bbb) in respect of goods carriages not exceeding 3000 kgs. in weight laden specified in Part I /of the Fifth Schedule, the tax shall be paid for the life time at the rates specified in the said Part I and in respect of goods carriages not exceeding 3000 kgs. in weight laden specified in Part II of the said Schedule, the tax shall be paid either annually at the rate payable or for the life time at the rate specified in the said Part II, as the case may be;

(c) in respect of motor vehicles specified in clauses 6 and 7 of the First Schedule, the tax shall be paid annually at the rates specified therein on a licence to be taken out for that year.

Explanation.— The tax for a half-yearly licence shall not exceed twice and the tax for an annual licence shall not exceed four times the tax for a quarterly licence. The Government may, by notification, grant, subject to such condition as may be specified, a suitable rebate in case of half-yearly, annual and life-time licences.

(1-B) Notwithstanding anything contained in sub section (1), in the case of motor vehicles specified in class 5-A of the First Schedule, in respect of which permits are granted under the Motor Vehicles Act, 1988 (Central Act 59 of 1988) for a period of five years, the tax shall be paid at the rates specified in the First Schedule, for five years at a time, at the time of issue of such permits:

Provided that in respect of the motor vehicles specified in class 5-A which are already covered by permits, the tax shall be paid annually till the renewal of such permits.

(1-C) Notwithstanding anything contained in sub section (1), in the case of motor vehicles specified in class I of the First Schedule, in respect of which permits are granted under the Motor Vehicles Act, 1988 (Central Act 59 of 3988) for a period of five years, the tax under this Act may be paid by the registered owner or by any person having possession or control of the motor vehicle, at his option, at the rates specified in the First Schedule for five years at a time, at the time of issue of such permit.

No motor vehicle shall be used or kept for use in the State of Tamil Nadu at any time unless a licence has been obtained.

Notwithstanding anything contained in sub-section (1), no person shall be liable to tax during any period on account of any taxable motor vehicle, if the tax due in respect of such vehicle for the same period has already been paid by some other person.

Where a life time tax has been paid in respect of a motor vehicle referred to in the Second Schedule, or in the Third Schedule, or in the Fifth Schedule, the registered owner or any other person having possession or control of such vehicle shall not be required to pay any additional tax other than the tax levied under sub-section (1) of Section 3-A either by way of increase or otherwise.

S. Issue of licence.— (1) When any person pays the amount of tax due in respect of motor vehicles or proves to the satisfaction of the licensing officer that no tax is payable in respect of such vehicle, the licensing officer shall—

grant to such person a licence, in such form as may be prescribed for the period concerned; and

record that the tax has been paid for a specified period or that no tax is payable in respect of the vehicle, as the case may be, in the certificate of registration granted or deemed to be granted in

respect of the vehicle under the Motor Vehicles Act or in the case of vehicle not registered or deemed to be registered under that Act, in a certificate in such form as may be prescribed.

(2) Every licence granted under sub-section (1) shall be valid throughout the State of Tamil Nadu.

6. Issue of temporary licence.— A temporary licence for a period not exceeding seven days or thirty days or ninety days, as the case may be, at a time, may be issued in respect of any class of motor vehicles specified in the First Schedule, on payment of tax—

in respect of a temporary licence exceeding thirty days, at the rate of quarterly tax;

in respect of a temporary licence exceeding seven days but not exceeding thirty days, at the rate of one-third of the quarterly tax;

in respect of a temporary licence not exceeding seven days, at the rate of one-tenth of the quarterly tax.

7. Liability to payment of tax by persons succeeding to the ownership, possession or control of motor vehicles.— If the tax leviable in respect of any motor vehicle remains unpaid by any person liable for the payment thereof and such person, before paying the tax, has transferred the ownership of such vehicle or has ceased to be in possession or control of such vehicle, the person to whom the ownership of the vehicle has been transferred or the person who is in possession or control of such vehicle, shall be liable to pay the said tax:

Provided that nothing contained in this section shall be deemed to affect the liability to pay the said tax of the person who has transferred the ownership or has ceased to be in possession or control of such vehicle.

8. Period within which tax is to be paid.— The tax due under this Act shall be paid within such period, not being less than seven days or more than [forty five days] from the commencement of the quarter, half-year or year, as may be prescribed, and different periods may be prescribed for different classes of motor vehicles:

Provided that in the case of transport vehicles in respect of which temporary permits are granted under the Motor Vehicles Act (other-than stage carriages in respect of which temporary permits are granted, for any period exceeding forty-five days) the tax due under this Act shall be paid on the date of commencement of the validity of the temporary permit.

8-A. Application for fitness certificate not to be entertained.— Notwithstanding anything contained in section 8 or in the Motor Vehicles Act, no application for the grant or renewal of fitness certificate in respect of a transport vehicle under the said Motor Vehicles Act shall be entertained unless the tax due under this Act in respect of such vehicle has been paid.

Provided that nothing contained in this section shall apply to a new transport vehicle produced for registration.

8-B. Application for duplicate certificate of registration not to be entertained.— Notwithstanding anything contained in section 8 or in the Motor Vehicles Act, no application for the issue of a duplicate certificate of registration in respect of a motor vehicle (other than a transport vehicle) under the Motor Vehicles Act shall be entertained unless the tax, as on the date of such application, due under this Act in respect of that vehicle has been paid and the proof for such payment of the tax is produced:

Provided that in cases where an application for the issue of duplicate certificate of registration is made without the proof for having paid the tax due under this Act in respect of the vehicle for the whole period commencing from the date of registration of the vehicle and ending with the date of such application or for any part of the said period, such application may be considered by the registering authority subject to the provisions of section 15-A and on payment of the tax due under this Act in respect of the vehicle

for the period for which the proof for payment of such tax has not been produced together with the penalty referred to in section 15.

9. [Omitted by Tamil Nadu Act XLV of 1974.]

10. Establishment of Rural Road Development Fund.— (1) There shall be constituted for the State of Tamil Nadu a fund called the Tamil Nadu Rural Development Fund to which such percentage of tax not exceeding ten percent, as may from time to time, be fixed by the Government shall be credited.

(2) The fund constituted under sub-section (1) shall not be expended except upon the development and maintenance of public roads in the rural areas.

Explanation,— For the purpose of this sub-section, "rural area" means any area not included in— (i) the City of Madras or of Madurai;

(ii) any municipality governed by the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V of 1920); or

(iii) any township constituted under any law for the time being in force.

10-A. Levy of surcharge on tax on stage carriages.— (1) The Government may, by notification, from time to time, levy whether prospectively or retrospectively on the tax mentioned in section 3 a surcharge on all or any class of stage carriages at such rate as may be specified in such notification and different rates may be specified in respect of different classes of stage carriages:

Provided that the rate of surcharge shall, in no case, exceed twenty five per cent of such tax: Provided further that a notification under this sub-section may be issued so as to have retrospective effect from a date not earlier than the 1st April 1992.

(2) The provisions of this Act and the notifications issued and the rules made thereunder shall, so far as may be, apply in relation to the levy of surcharge under sub-section (1) as they apply in relation to the levy of the tax mentioned in section 3.

10-B. Levy of additional surcharge on tax on stage carriages used or kept for use by fleet operators.— (1) In addition to the surcharge leviable under section 10-A, the Government may, by notification, from time to time, levy an additional surcharge on the tax mentioned in section 3, on all or any class of stage carriages used or kept for use by fleet operators, at such rate as may be specified in such notification and different rates may be specified in respect of stage carriages used or kept for use by fleet operators holding less than seven hundred stage carriage permits and fleet operators holding seven hundred and more stage carriage permits:

Provided that the rate of additional surcharge shall, in no case, exceed 66 percent of such tax.

A notification under sub-section (1) may also specify the period, not being less than seven days or more than thirty days from the date of publication of the said notification, within which the additional surcharge shall be paid.

A notification under sub-section (1) may be issued so as to have retrospective effect from a date not earlier than the 1st April, 1978.

The provisions of this Act and the notifications issued and the rules made thereunder shall, so far as may be, apply in relation to the levy of additional surcharge under sub-section (1) as they apply in relation to the levy of the tax mentioned in section 3 subject to the modification that the additional surcharge levied under sub-section (1) shall be paid in one lump sum.

11. Payment of additional tax.— When any motor vehicle in respect of which tax has been paid is altered or proposed to be used in such manner as to cause the vehicle to become a vehicle in respect of which a higher rate of tax is payable, the registered owner or person who is in possession or control of such vehicle shall pay an additional tax of a sum which is equal to the difference between the tax

already paid and the tax which is payable in respect of such vehicle for the period for which the higher rate of tax is payable in consequence of its being altered or so proposed to be used and the licensing officer shall not grant a fresh licence in respect of such vehicle so altered or proposed to be so used until such amount of tax has been paid.

Rounding off of tax, fee, penalty, fine, etc.— The amount of tax, fee, penalty, fine or any other sum payable and the amount of refund due, under the provisions of this Act shall be rounded off to the nearest rupee and, for this purpose, where such amount contains a part of a rupee consisting of paise, then, if such part is fifty paise or more, it shall be increased to one rupee and if such part is less than fifty paise, it shall be ignored.

Refund of tax.— (1) Where the tax for any motor vehicle has been paid for any quarter, half year, year or the life time and the vehicle has not been used on any public road during the whole of that quarter, half year, year or life time or a continuous part thereof not being less than one month, a refund of the tax at such rates as may, from time to time, be notified by the Government, shall be payable on an application made within such period as may be prescribed and subject to such conditions as may be specified in such notification.

(3-A) Where a life time tax for any motor vehicle has been paid and the registration of the vehicle has been cancelled for any reason whatever or the vehicle has been removed to any place outside the State of Tamil Nadu on account of transfer of ownership or change of address, a refund of the tax at such rate as may, from time to time, be notified by the Government shall be payable on an application made within such period, as may be specified in such notification:

Provided that in the case of removal of a vehicle to any place outside the State of Tamil Nadu on account of transfer of ownership or change of address, the refund of tax shall be considered only after the receipt of proof for having effected such transfer of ownership or change of address.

Where any tax is paid by mistake or in excess, the tax so paid or collected shall, on an application made within such period, be refunded to such person in such manner and subject to such conditions as may be prescribed.

Where any penalty is paid or collected— (a) by mistake, or (b) in excess of, (c) when such penalty is not due, the penalty so paid or collected shall be refunded to such person, in such manner and subject to such conditions as may be prescribed.

The amount so refundable in respect of a motor vehicle under this section may, on an application made in this behalf, be adjusted towards the amount of tax payable for such vehicle, under this Act for any subsequent period.

14. Carriage of licence on vehicle and duty to stop it on demand by officer.— (1) The licence granted in respect of a motor vehicle under sub-section (1) of section 5 or under section 5 shall be carried in a conspicuous place upon the vehicle in such manner as may be notified by the Government and if such a licence is not so carried upon such vehicle, the registered owner or the person having possession or control thereof shall be punishable with fine which may extend to fifty rupees.

Any officer of the Transport Department not below the rank of a Motor Vehicles Inspector Grade II or any police officer in uniform who is not below the rank of a Sub-Inspector, or who, being below such rank is specially authorised in this behalf by the Regional Transport Authority or such other officer as may be prescribed, may require the driver of any motor vehicle on any public road to stop the vehicle and cause it to remain stationary so long as may reasonably be necessary for the purpose of satisfying himself that a licence has been duly obtained in respect of such vehicle.

Any person failing to stop a motor vehicle when required to do so by any of the officers specified in sub-section (2) or resisting such officer shall be punishable with fine which may extend to fifty rupees.

15. Penalty for failure to pay tax.— If the tax due in respect of any motor vehicle has not been paid within the period prescribed under section 8, the registered owner or the person having possession or control thereof shall—

pay, in addition to the tax, a penalty of such sum, not exceeding twice the amount of the quarterly tax or as the case may be, half of the amount of annual tax payable, as may be prescribed, and different sums may be prescribed for different classes of motor vehicles and for different periods; and

also be punishable with fine which may extend to fifty rupees, and the amount of the tax due by him in respect of such vehicle together with penalty referred to in clause (a) shall also be recovered as if such tax and penalty were a fine.

15-A. Recovery of tax which escaped assessment.— Where for any reason, the whole or any portion of the tax which would have been payable in respect of any motor vehicle under this Act for any period has not been paid, the licensing officer may, at any time, within a period of five years from the expiry of the period to which the tax relates and after issuing a notice to the registered owner or the person having the possession or control of the motor vehicle and making such inquiry as he may consider necessary, direct such owner or other person to pay the whole or any portion of such tax, which has not been paid: ;

Provided that in computing the period of five years for the purposes of this section, the period or periods, if any, during which the collection of such tax has been stayed by an order of any court shall be excluded.

16. Recovery of tax or penalty as an arrear of land revenue.— Notwithstanding anything contained in section 18-A, any tax or penalty due under this Act, may be recovered in the same manner as an arrear of land revenue. The motor vehicle in respect of which the tax or penalty is due or its accessories may be distrained and sold in pursuance of this section, whether or not such vehicle or accessories are in the possession or control of the person liable to the tax or such penalty.

16-A. Special powers of Licensing Officer under Revenue Recovery Act.- The Licensing Officer shall have the powers of a Collector under the Tamil Nadu Revenue Recovery Act, 1864 (Tamil Nadu Act II of 1864) for the purpose of recovery of any amount due under this Act.

17. Utilisation of the proceeds of the tax.— After deducting —

(i) the amount credited to the Tamil Nadu Rural Road Development under sub-section (1) of section 10,

(ii) the expenses of collecting the tax under this Act, and

(Hi) the costs incurred by the Government in exercising their administrative functions in regard to the control of motor vehicles in this State

the balance shall be apportioned between the Government and local authorities and such apportionment shall be in accordance with such rules as may be made in this behalf.

18. Permit to be ineffective if tax not paid.— Notwithstanding anything contained in the Motor Vehicles Act, if the tax due in respect of a transport vehicle is not paid within the prescribed period, the validity of the permit shall become ineffective from the date of expiry of the said period until such time, the tax is actually paid.

18-A. Seizure and detention of motor vehicles pending production of proof of payment of tax.— Any officer of the Transport Department not below the rank of a Motor Vehicles Inspector, Grade II, or any police officer in uniform not below the rank of a Sub-Inspector may, if he has reason to believe that any motor vehicle is used or kept for use in the State without paying the tax due in respect

of that vehicle under this Act, seize and detain that vehicle and make arrangements for the temporary safe custody of that vehicle pending production of proof of payment of the tax due in respect of that vehicle under this Act.

Provided that if the proof of payment of the tax due in respect of the motor vehicle seized and detained under this section is not produced within ninety days from the date of seizure and detention of the motor vehicle, any officer of the Transport Department authorised by the Government in this behalf shall sell the motor vehicle in auction in such manner as may be prescribed and apply the sale proceeds towards recovery of the tax, penalty or costs incurred, if any, in the sale of such motor vehicle. The remainder shall be refunded to the registered owner or the person having possession or control of the motor vehicle at the time of seizure :

Provided further that, if at any time before the auction of the motor vehicle, the tax, penalty or costs incurred, if any, in arranging the auction of the motor vehicle, is paid, then, the authorised officer may, after satisfying that all the dues as aforesaid have been fully paid, cancel the action and return the motor vehicle to the registered owner or the person having possession or control of vehicle at the time of seizure.

19. Offences by companies.— (1) Where an offence against any of the provisions of this Act or any rule made thereunder has been committed by a company, every person, who at the time the offence was committed, was in-charge of, and was responsible to, the company, for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence punishable under this Act has been committed by a company, and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section.— \

"company" means any body corporate and includes a firm, society or other association of individuals; and

"director" in relation to—

(i) a firm means a partner in the firm,

(ii) a society or other association of individuals, means the person who is entrusted under the rules of the society or other association with the management of the affairs of the society or other association, as the case may be.

20. Exemptions.— The Government may, by notification and subject to such conditions, if any, as the Government may specify in such notification,—

(1) make an exemption, reduction in rate or other modification in regard to the tax payable—
by any person or class of persons, or
in respect of any motor vehicle or class of motor vehicles or motor vehicles running in any particular area; and

(2) cancel or vary such exemption, reduction or other modification.

A notification with respect to matters specified in clause (1) may be issued so as to have retrospective effect from a date not earlier than the 1st April 1974.

20-A. Remissions.— The Government may, in such circumstances and subject to such conditions as may be prescribed, by notification—

(1) remit, whether prospectively or retrospectively, the whole or any part of the tax or penalty or both, payable under this Act, or the rules made thereunder—

by any person or class of persons, or

in respect of any motor vehicle or class of motor vehicles or motor vehicles running in any particular area; and

(2) cancel or vary such notification.

20-B. Appeal.— Any person who is aggrieved by an order of the licensing officer made under this Act may appeal to such authority within such time and in such manner as may be prescribed.

Provided that, no Appeal against the direction of the Licensing Officer under Section 15-A shall be entertained unless it is accompanied by satisfactory proof of, the payment of fifty per cent of the tax as so directed to be paid by the Licensing Officer.

20-C. Revision. (1) The State Transport Commissioner may either on his own motion, or on an application made by any aggrieved person, call for and examine the record of any authority subordinate to him in respect of any proceeding under this Act not being a proceeding in respect of which an appeal is provided for by this Act, for the purpose of satisfying himself as to the regularity of such proceeding or the correctness, legality or propriety of any decision or order passed therein; and if, in any case it appears to the State Transport Commissioner that any such proceeding, decision or order should be modified, annulled, reversed or remitted for reconsideration, he may pass orders accordingly:

Provided that the State Transport Commissioner shall not pass any order prejudicial to any party unless he has been given a reasonable opportunity of being heard.

(2) An application under sub-section (1) shall be made in such manner as may be prescribed, within thirty days from the date of receipt of the order to which the application relates to.

21. Saving as to vehicles used for agricultural purposes.— Nothing in this Act shall apply to a motor vehicle used solely for the purposes of agriculture.

Explanation I— For the purpose of this section, the expression "purpose of agriculture" includes transportation, for personal use, of the agricultural produce to and from, the farm, the threshing field, the rice mill or the storage house and to the market for selling and the expressions "agriculture" and "agricultural produce" shall have the meanings respectively assigned to them in clauses (2) and (1) of section 2 of the Tamil Nadu Agricultural Produce Marketing (Regulation) Act, 1987 (Tamil Nadu Act 27 of 1989).

Explanation II — A motor vehicle used for transporting agricultural produce of persons other than the owner-cultivator shall not for the purpose of this section, be deemed to be used solely for the purposes of agriculture.

22. Protection of action taken in good faith.— (1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or any rule made thereunder.

(2) No suit or other legal proceeding shall lie against the Government for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any rule made thereunder.

23. Procedure in certain cases.— (1) A Court taking cognisance of an offence punishable—

(i) under sub-section (1) of section 14 or

(ii) under sub-section (3) of that section, in so far as it relates to failure to stop a motor vehicle when required to do so by any officer mentioned therein, or

(iii) under section 15, - may state upon the summons to be served on the accused person that he—

may appear by advocate and not in person, or

may, by specified date prior to the hearing of the charge, plead guilty to the charge by registered letter and remit to the Court such sum not exceeding fifty rupees and in the case of an offence punishable under section 15 also, such sum on account of the tax and penalty due from him, as the Court may specify.

(2) Where an accused person pleads guilty and remits the sum specified by the Court, no further proceedings in respect of the offence shall be taken against him.

24. Power to make rules.— (1) The Government may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for —

the manner in which the tax shall be paid;

the form of licence and certificate to be granted under section 5;

the period within which the tax has to be paid;

(cc) the period within which an application for refund shall be made under sub-section (1) or sub-section (1-A) or sub-section (2) of section 13 and the manner in which and the conditions subject to which such refund shall be made under sub-section (2) of sub-section 13;

the rate of penalty leviable under section 15;

the manner in which and the principles according to which the proceeds of the tax shall be apportioned between the Government and the local authorities.

the authority to which, the time within which and the manner in which an appeal may be made under sub-section 20-B;

the manner in which an application for revision may be made under sub-section (1) of section 20-C.

(3) In making any rule, the Government may provide that a breach thereof shall be punishable with fine which may extend to fifty rupees.

25. Publication of rules and notification and placing them before the Legislature.— (1) (a)

All rules made under this Act shall be published in the Tamil Nadu Government Gazette and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(b) All notifications issued under this Act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published

(2) Every rule made or notification issued under this Act shall, as soon as possible after it is made or issued, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule or notification or both Houses agree that the rule or notification should not be made or issued, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.

26. Repeal.— (1) The Tamil Nadu Motor Vehicles Taxation Act, 1931 (Tamil Nadu Act III of 1931)- and the Tamil Nadu Motor Vehicles (Taxation of Passengers and Goods) Act, 1952 (Tamil Nadu Act XVI of 1952) (hereinafter in this section referred to as the said Acts) are hereby repealed.

(2) The repeal by sub-section (1) of the said Acts shall not affect—

the previous operation of the said Acts or anything duly done or suffered thereunder; or any right, privilege, obligation or liability acquired, accrued or incurred under the said Acts; or any fine, penalty, forfeiture or punishment incurred in respect of any offence committed against the said Acts; or

any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, fine, penalty, forfeiture, or punishment as aforesaid and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such fine, penalty, forfeiture or punishment may be imposed, as if this Act had not been passed.

Subject to the provisions of sub-section (2) anything done or any action taken, including any appointment or delegation made, notification, order, instruction or direction issued or any rule, regulation, form framed, certificate, licence or permit granted or registration effected, under the said Acts shall be deemed to have been done or taken under this Act and shall continue to have effect accordingly, unless and until superseded by anything done or any action taken under this Act.

Notwithstanding anything contained in sub-section (1) any application, appeal or other proceeding made or preferred to any officer or authority under the said Acts and pending at the commencement of this Act, shall after such commencement, be transferred to and disposed of by the officer or authority who would have had jurisdiction to entertain such application, appeal, or other proceeding under this Act as if it had been in force on the date on which such application, appeal or other proceeding was made or preferred.

FIRST SCHEDULE

(See Sections 3 and 6).

Classes of vehicles CD	Quarterly tax (2) Rs.
1. Goods carriages—	
Goods carriages not exceeding 3,000 kgs. in weight laden.	545.00
Goods carriages exceeding 3,000 kgs. but not exceeding 5,500 kgs. in weight laden.	885.00
Goods carriages exceeding 5,500 kgs. but not exceeding 9,000 kgs. in weight laden.	1355.00
Goods carriages exceeding 9,000 kgs. but not exceeding 12,000 kgs. in weight laden.	1775.00
Goods carriages exceeding 12,000 kgs. but not exceeding 13,000 kgs. in weight laden.	1930.00
Goods carriages exceeding 13,000 kgs. but not exceeding 15,000 kgs. in weight laden.	2,300.00
(ff) Goods carriages exceeding 15,000 kgs. in weight laden. (plus Rs.50 per every 250 kgs. and part thereof in excess of 15,000 kgs. in weight laden.)	2300.00
(g) Trailers used for carrying goods other than those falling under clauses 4, 7, 8 and 9—	
(i) For each trailer not exceeding 3,000 kgs. in weight laden	340.00
(ii) For each trailer exceeding 3000 kgs. but not exceeding 5500 kgs. in weight laden,	400.00
(iii) For each trailer exceeding 5500 kgs. but not exceeding 9000 kgs. in weight laden.	700.00
(iv) For each trailer exceeding 9000 kgs. but not exceeding 12,000 kgs. in weight laden	810.00
(v) For each traileF exceeding 12,000 kgs. but not exceeding 13,000 kgs. in weight laden.	1010.00
(vi) For each trailer exceeding 13,000 kgs. but not exceeding 15,000 kgs. in weight laden.	1220.00
(vii) For each trailer exceeding 15,000 kgs. in weight laden.	1220.00
(plus Rs.50 for every 250 kgs. or part thereof in excess of 15,000 kgs. in weight laden): Provided that the private carrier goods vehicles covered by clause (b) of sub-section (2) of section 217 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), shall also be taxed at the rates specified in this Schedule.	
2. Motor vehicles plying for hire and used for the transport of passengers and in respect of which permits liave been issued under the Motor Vehicles Act.	
1. Vehicles permitted to carry in all— Not more than three persons including the driver [Omitted]. [(c) [Omitted!.	40.00

- | | |
|---|--------------|
| (d) More than six persons but not more than thirteen persons including the driver in respect of which tourist motor cab or tourist maxi-car permit has been issued, for every person other than the driver. | 500.00 |
| II. Vehicles permitted to ply solely as contract carriage, whether classified as "Tourist Vehicle" or not, which the vehicle is permitted to carry,- | |
| (a) not more than thirty-five persons (other than driver), for every square meter of floor area of the vehicle; | Rs. 4,900.00 |
| (b) more than thirty-five persons (other than driver), for every person (other than the driver) | Rs. 3,000.00 |
| III. Vehicles permitted to ply as stage carriages and to carry more than six persons (other than the driver and the conductor)— | |
| (a) Plying exclusively within the Madras Metropolitan Area - For every passenger (other than the driver and the conductor) which the vehicle is permitted to carry, | 60.00 |
| (b) Plying exclusively within the limits of the City of Madurai or the City of Coimbatore or within the limits of one or more contiguous municipalities or on other town service routes-For every passenger (other than the driver and the Conductor) which the vehicle is permitted to carry. | 275.00 |
| (c) Plying in routes or areas other than those falling under items (a) and (b) — | |
| (i) For every passenger (other than the driver and the conductor) which the vehicle is permitted to carry if the service is classed as "Express Service" | 360.00 |
| (ii) For every passenger (other than the driver and the conductor) which the vehicle is permitted to carry in the case of services other than the "Express Service" | 360.00 |
| During the period commencing on the 1st day of April 1974 and ending with the 31st day of March 1990, the tax payable in respect of a reserve stage carriage or a spare bus shall be three-fourths of the maximum rate payable per passenger for any regular Stage carriage of the permit holder. | |
| During the period commencing on the 1st day of April 1990 and ending with the 9th day of January 1992, the tax payable in respect of a reserve stage carriage or a spare bus shall be maximum rate payable per passenger for any regular stage carriage of the permit holder. | |
| During the period commencing on the 10th day of January 1992, and ending with the 31st day of March 1994, the tax payable in respect of a reserve stage carriage or a spare bus shall be three-fourths of the maximum rate payable per passenger for any regular stage carriage of the permit holder. | |
| With effect on and from the 1st day of April 1994, the tax payable in respect of a reserve stage carriage or a spare bus shall be the maximum rate payable per passenger for any regular stage carriage of the permit holder. | |
| 3. Motor Vehicles not themselves constructed to carry any load (other than water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipments used for haulage only)— | |

Weighing not more than 2,500 kgs. unladen		110.00
Weighing more than 2,500 kgs. unladen		160.00
4. Fire engines, fire tenders and road water sprinklers.		
Not exceeding 1,000 kgs. in weight laden.		30.00
Exceeding 1,000 kgs. but not exceeding 1,500 kgs.	in weight laden.	40.00
Exceeding 1,500 kgs. but not exceeding 2,000 kgs.	in weight laden.	50.00
Exceeding 2,000 kgs. but not exceeding 3,000 kgs.	in weight laden.	60.00
Exceeding 3,000 kgs. but not exceeding 4,000 kgs.	in weight laden.	70.00
Exceeding 4,000 kgs. but not exceeding 5,500 kgs.	in weight laden.	80.00
(g) Exceeding 5,500 kgs. but not exceeding 7,500 kgs.	in weight laden.	100.00
(h) Exceeding 7,500 kgs. but not exceeding 9,000 kgs.	in weight laden.	120.00
(i) Exceeding 9,000 kgs. in weight laden.		140.00
(j) Additional tax payable in respect of such vehicles used for drawing trailers including fire engines trailer pumps—		
(i) for each trailer not exceeding 1,000 kgs. in weight laden.		20.00
(ii) for each trailer exceeding 1,000 kgs. but not exceeding '2,000 kgs. in weight laden		30.00
(iii) for each trailer exceeding 2,000 kgs. in weight laden		50.00
Provided that two or more vehicles shall not be chargeable under this class in respect of the small trailer.		
	Annual Tax	
	Rs.	
5. Annual tax.— Motor Cycles (including tri-cycles, scooters and cycles, with attachment for propelling the same by mechanical power) not exceeding 600 kgs. in weight unladen.—		
Bicycles exceeding 50 cc but not exceeding 75 cc with without a trailer of side-car		135.00 or
Bicycles exceeding 75 cc but not exceeding 170 cc	200.00 with or without a trailer or side-car	
Bicycles exceeding 170 cc with or without a trailer side-car and tri-cycles		240.00 or
5-A. Motor Vehicles plying for hire and used for the transport of passengers and in respect of which permits have been issued under the Motor Vehicles Act, 1988 (Central Act 59 of 1988), to carry in all —		
More than three persons but not more than persons including the driver.		280.00 four
More than four persons but not more than six persons including the driver—		
(i) in respect of which tourist motor cab permit has been issued.		1,000.00
(ii) in other cases (ordinary motor cab-Metered taxi)		700.00
6. Invalid carriages		32.00
6-A. [Omitted]		
6-B. Vehicles or trailers fitted with equipments like rigs or generators or compressors irrespective of the laden weight.		2500.00
7. Motor vehicles other than those liable to tax under the foregoing provisions of this Schedule—		

Imported Vehicles	Indian-made	
	owned	
	Individual	Others
Rs.	■ Rs.	Rs.
1800	600	1200
2350	800	1600
2700	1000	2000
2900	1100	2200
3,300	1250	2500

Weighing not more than 700 kgs. unladen.

Weighing more than 700 kgs. but not more than 1,500 kgs. unladen

Weighing more than 1,500 kgs. but not more than 2,000 kgs. unladen

Weighing more than 2,000 kgs. but not more than 3,000 kgs. unladen

Weighing more than 3,000 kgs. unladen in respect of which private transport vehicle permit is not required under the Motor Vehicles Act

Explanation.— For the purpose of this class, the word "Individual" means a person known by his proper name.

Quarterly Tax
Rs.

8. Motor vehicles, other than those liable to tax under the foregoing provisions of this Schedule, weighing more than 3000 kgs, unladen and covered by private transport vehicle permit and those in respect of which private service vehicle permit is required under the Motor Vehicles Act, 1988 (Central Act 59 of 1988)—
 - (a) in respect of vehicles owned by educational institutions (educational institution bus),-(i) to transport students and staff of schools-

For every person (other than the driver)
which the vehicle is permitted to carry (ii) to

transport students and staff of colleges-

For every person (other than the driver) which
the vehicle is permitted to carry (b) in
other cases - For every person (other than
the driver) which the vehicle is permitted to carry

9. Additional tax payable in respect of vehicles referred to in

20.00 30.00 or

classes 7 and 8 used for drawing trailers—

(i) For each trailer not exceeding 1 tonne in weight unladen (ii) For each trailer
exceeding 1 tonne in weight laden. Provided that two or more vehicles shall not be
chargeable under class 7, class of the same trailer.

SECOND SCHEDULE

[(See Section 4 (1-A)]

PART - I

New Motor Cycle

Rate of tax

At the time of registration 8 per cent of the

total cost of the vehicle.

PART - II

Old Motor Cycle

At the time of assigning new registration mark under Section 47 of the Motor Vehicles Act, 1988, or old motor cycles plying and registered in this State, and if its age from the month of such registration is,—

Rate of tax

Not more than one year

7.75 per cent of the cost of vehicle

More than one year but not more than two years

7.50 per cent of the cost of vehicle

More than two years but not more than three years

7.25 per cent of the cost of vehicle

More than three years but not more than four years

7.00 per cent of the cost of vehicle

More than four years but not more than five years

6.75 per cent of the cost of vehicle

More than five years but not more than six years

6.50 per cent of the cost of vehicle

More than six years but not more than seven years

6.25 per cent of the cost of vehicle

More than seven years but not more than eight years

6.00 per cent of the cost of vehicle

More than eight years but not more than nine years

5.75 per cent of the cost of vehicle

More than nine years but not more than ten years

5.50 per cent of the cost of vehicle

More than ten years but not more than eleven years

5.25 per cent of the cost of vehicle

More than eleven years

5.00 per cent of the cost of vehicle

Explanation.— For the purpose of this Schedule "cost of vehicle" means the cost of vehicle at the time of purchase, in such manner as may be prescribed.

THIRD SCHEDULE

[(See Section 4 (1-A)]

PART - I

New Motor Vehicles

Rate of tax

At the time of registration 8 per cent of the total cost

of the vehicle.

PART - II

Old Motor Vehicles

At the time of assigning new registration mark under Section 47 of the Motor Vehicles Act, 1988, or old motor vehicles plying and registered in this State, and if its age from the month of such registration is,—

Not more than one year

Rate of tax

7.75 per cent of the cost of vehicle
 7.50 per cent of the cost of vehicle
 7.25 per cent of the cost of vehicle
 7.00 per cent of the cost of vehicle
 6.75 per cent of the cost of vehicle
 6.50 per cent of the cost of vehicle
 6.25 per cent of the cost of vehicle
 6.00 per cent of the cost of vehicle
 5.75 per cent of the cost of vehicle
 5.50 per cent of the cost of vehicle
 5.25 per cent of the cost of vehicle

More than one year but not more than two years More than
 two years but not more than three years More than three
 years but not more than four years More than four years but
 not more than five years More than five years but not more
 than six years More than six years but not more than seven
 years More than seven years but not more than eight years
 More than eight years but not more than nine years

More than nine years but not more than ten years

More than ten years but not more than eleven years

More than eleven years

Explanation.— For the purpose of this Schedule "cost of vehicle" means the cost of vehicle at the time of purchase, in such manner as may be prescribed.

FOURTH SCHEDULE

(See Section 3-A)

Class of Motor Vehicles

(i)

500.00 (for five
 years) 1000.00 (for
 five years)

Motor Vehicles other than a transport vehicle which has
completed 15 years from the date of registration : (i)

Motor Cycle (ii) Other Motor Vehicles

Transport vehicle which has completed 7 years from the date of its
registration

FIFTH SCHEDULE

[See Section 4 (Uh) (bbb)]

Goods carriages not exceeding 3000 Kgs. in weight laden

PART - I

New Motor Vehicles

Tax (Rs.)

At the time of registration 19,200/-

\	10,800/- More than 7 years but not more than 8 years.	
PAR	9,600/-	
T -	More than 8 years but not more than 9 years.	
II	8,400/-	
Old	More than 9 years but not more than 10 years.	
Mot	7,200/-11". More than 10 years	
or	6,000/-	
Vehi		SIXT
cles		H
Tax (Rs.)		SCH
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If		<i>[See</i>
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vehi		<i>on</i>
cle		<i>3-B]</i>
is		Class of Motor Vehicles
alrea		Tax
dy		Rs.
regis		(1)
tered		(2)
and		Motorcycles
its		250/-
age		Light Motor Vehicles
from		1,500/-
the		Other Motor Vehicles
mon		2,000/-
th of		
regis		
trati		
on		
is,-		
Not more than one year.		
18,000/-		
More than one year but not more than 2 years.		
16,800/-		
More than 2 years but not more than 3 years.		
15,600/-		
More than 3 years but not more than 4 years.		
14,400/-		
More than 4 years but not more than 5 years.		
13,200/-		
More than 5 years but not more than 6 years.		
12,000/-		
More than 6 years but not more than 7 years.		

Tamil Nadu Motor Vehicles Taxation Rules, 1974

1. Short title, extent and commencement.— (a) These rules may be called the Tamil Nadu Motor Vehicles Taxation Rules, 1974.

They extend to the whole State of Tamil Nadu.

They shall come into force on the 1st April 1974.

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

"Act" means the Tamil Nadu Motor Vehicles Taxation Act (Tamil Nadu Act 13 of 1974);

"Government" means the Government of Tamil Nadu;

"Motor Vehicles Act" shall have the same meaning as defined under sub-section (5) of Section 2 of the Act;

"Passengers" for the purpose of these rules means "passenger" as defined in Tamil Nadu Motor Vehicles Rules, 1940.

3. Motor Vehicles deemed to be kept for use in the State of Tamil Nadu.— For the purpose of sub-section (1) of section 3 of the Act, a motor vehicle shall be deemed to be kept for use in the State of Tamil Nadu,—

in the case of non-transport vehicle and transport vehicle exempted from permit under subsection (3) of Section 66 of the Motor Vehicles Act so long as the registration of the vehicle remains on the records of any registering authority of this State without having been transferred to the records of the registering authority of any other State under the provisions of sub-section (2) of section 47 or 49 of the said Act;

in the case of non-transport vehicles and transport vehicles exempted from permit under subsection (3) of section 66 of the Motor Vehicles Act, registered in any other State, if it remains in this State for a period exceeding four weeks;

in the case of transport vehicle other than those referred to in clauses (a) and (b) above, so long as the vehicle is covered by permit or counter signature of permit issued by any transport authority in this State or covered by permit granted in any other State and valid in this State by virtue of rules made under clause (x) of sub-section (2) of Section 96 of the Motor Vehicles Act:

Provided that imported vehicles acquired by the State Trading Corporation of India and kept in its godown for resale shall not be deemed to be kept for use in this State:

Provided further that a vehicle which is seized and detained by any Court or Government or authority to seize or detain shall not be deemed to be kept for use in this State and such seizure or detention shall be certified by such Court or Government or Authority;

a vehicle which is seized and detained by any Court or Government Department who are empowered to seize and detain and also any other authority empowered to seize and detain shall not be deemed to be used or kept for use in the State and such seizure, detention, shall be certified by such Court or Government Department or other Authority subject to Physical Verification Report on such vehicles by the Transport Department Officials on the non use of the vehicle in public roads during period of seizure or detention.

a vehicle which is seized and detained by any financial institution owned by the Government shall not be deemed to be used or kept for use in this State and such seizure or detentions shall be certified by that financial institution of the Government specifying the duration of such detention and subject to physical verification of such vehicles by the Transport Department officials on the non use of the vehicle in public road during the period of seizure or detention.

a vehicle met with an accident and issued with C.F.X. Notice by the Transport Department

TAMIL NADU MOTOR VEHICLES TAXATION RULES
3-193

officials subject to the revocation of the same by *the* competent authority of the Transport Department shall not be deemed to be used or kept for use in this State.

(h) a vehicle which is dismantled and sold as scrap, subject to the prior permission obtained from the competent authority before dismantling and selling as scrap and also subject to the certificate of non use of the vehicle on public road issued by the officials of the Transport Department shall not be deemed to be used or kept for use in this State.

(i) a vehicle which is reportedly involved in a theft case, subject to the certificate issued by the Police Department shall not be deemed to be used or kept for use in this State; and

(j) a vehicle for which permission as required under sub-rule (6) of Rule 172 of the Tamil Nadu Motor Vehicles Rules 1989 was obtained from the concerned authority shall not be deemed to be used or kept for use in this State.

3.A. Mode of payment of tax.— (1). The tax levied under Section 4 of the Act shall be paid by cash or crossed bank draft or crossed bankers cheque or through India Post Office.

(2) The tax levied under Section 6 of the Act shall be paid in the following manner, namely.—

At check posts and at the time of checking the vehicles : by cash or crossed bank draft or bankers cheque in the case of transport and non-transport vehicles :

in other cases : by crossed bank draft or bankers cheque in the case of transport and non transport vehicles:

Provided that in the case of departments and undertakings of the State Government or Central Government, the tax levied under Section 4 and 6 of the Act may also be paid by means of cheque, drawn on any branch of the bank which is within the jurisdiction of the Regional Transport Officer concerned and the grant of licence on its basis shall not absolve the departments, undertakings of the liability to pay penalty under rule 8 in case the cheque is returned by the bank without realisation for any reason what so ever,

4. Authority competent to fix tax .— The officers mentioned in column (1) of the table below shall be the authorities competent to fix the tax payable in respect of the motor vehicles specified in

column (2) thereof in their respective jurisdiction.

THE TABLE

(1) Secretary, Assistant
Secretary, personal Assistants to S.T.A. and office
superintendents in S.T.A. Madras.

(2)
Transport Vehicles of Tamilnadu covered
by permits issued by S.T. A. and transport
vehicles of other States covered by
counter signature of permits in the State
of Tamil Nadu.

Regional Transport Officer, Additional Regional Transport Officer, Personal Assistants to R.T.O. and superintendents of Regional Transport Officer.

Motor Vehicles Inspector, Gr. I in the office of the Regional Transport Officer and in the Office of the Motor Vehicles Inspector (Unit Office) and Superintendent in the

Non transport vehicles and transport vehicles other than those covered by permits or counter signature of permits issued by S.T.A.

Non transport vehicles and transport vehicles other than those covered by permits or counter signature of permit issued by S.T.A.

5. Recording of certificate of Registration.— (a) In the case of transport vehicle, the assessing authority under rule 4 shall record in the certificate of Registration, the amount of tax payable and also the place at which the tax so assessed shall be paid.

The owner of a transport vehicle shall, whenever there is variation of the condition of permit covered by such vehicle involving alteration of the seating capacity of such vehicle or change in the classification of service or change in the weight laden in respect of a goods vehicle or wherever there is any general increase of tax, make an application with the certificate of registration to the tax assessing authority concerned for recording the amount of tax payable in respect of that vehicles.

Notwithstanding anything contained in sub-rule (a) and (b) above, the difference of tax payable if any consequent on the recording of the amount of tax payable by the assessing authority shall be paid from the date on which the variation of condition of permit is given effect to or the date of general increase of tax, as the case may be, whether or not the tax so levied is recorded in the certificate of registration.

Form of Licence.— The Licences and the certificates referred to in sub-section (1) of Section 5 and Section 6 of the Act shall be as specified in the schedule to these rules.

Period **within which the tax shall be paid.**— (1) The tax due under the Act in respect of the class of vehicle specified in the column (1) of the table below and used or kept for use in the State of Tamil Nadu shall be paid either before or within such period mentioned in the corresponding entries in column (2) thereof and evidence of such payment produced before the licensing officer not later than two days after the expiry mentioned in column (2):

Provided that the Government may, by an order, extend the period of payment of tax in respect of any class of motor vehicles.

THE TABLE

Period (2) from 10th of April of every year in the case of payment of annual tax and 1st to 30th of April in the case of payment of life time tax.

Class of Vehicles

(1) k Invalid
carriages ii. Motor cycles including
tricycles
and scooters iii. Motor cars
including trailers
attached to motor cars. iv. (a)
Omnibuses not covered by contract
carriage permits
(b) Explanation : In respect of newly
registered Motor cycles, life time tax should be

Ist to 10th of the first month of the
quarter.
II th to 18th of the 1st month of the
quarter.

paid at the time of registration, Omnibuses covered by P.T.V. permits v. Contract carriages including motor cabs,
omnibuses and tourist vehicles. vi.
Stage carriages vii. Goods Vehicles
viii. Articulated vehicles,
Tractors Trailers and other special type of vehicles.

TAMIL NADU MOTOR VEHICLES
TAXATION RULES

3-195

In respect of Motor Vehicles purchased at any time within the quarter, half-year or year shall be paid within three days from the date of receipt of the registration certificate from the registering authority.

In respect of motor vehicles falling under Home Department's notification No. II(2)/HO/4759/ q/ 89 dated the 20th July 1989, the tax shall be paid on or before the day on which the vehicle is to be put on roads.

In respect of goods vehicles of other States covered by either National permit or composite permit issued under the special reciprocal agreement schemes, the tax as fixed by the Government from time to time shall be paid in two equal instalments, the first instalment, before the 15th March of every year for the period of April to September of the succeeding financial year and the second instalment before the 15th September of the year for the period of October to March of that financial year.

8. Penalty for non payment of tax within the time prescribed.— (1) If the tax due under subsection (1) of Section 3 of the Act in respect of a motor vehicle has not been paid within the period specified in sub-section (1) of rule 7 (or by an order issued under the proviso to the said sub-rule (1) the registered owner or the person having possession or control thereof shall pay a penalty under Section 15 of the Act as specified in Table I in relation to the payment of quarterly tax, in Table 2 in relation to the payment of half yearly tax and in Table 3 in relation to the payment of annual tax.

2.

Period Within 15 days after the expiry of the period stipulated as per section 8 of the Act. Beyond 15 days and within 45 days after the expiry of the period stipulated as per section 8 of the Act. Beyond 45 days after the expiry of the period stipulated as per

Period

2.

TABLE-1.

Amount of penalty

One fourth of the quarterly tax or any part of such tax remaining due.

One-half of the quarterly tax or any part of such tax remaining due.

The amount of quarterly tax or any part of such tax remaining due.

2.

(1) Within 15 days after the expiry of the period stipulated as per Section 8 of the Act. Beyond 15 days and within 45 days after the expiry of the period stipulated as per section 8 of the Act. Beyond 45 days after the expiry of the period stipulated as per section 8 of the Act.

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Amount of penalty (2)
One - eighth of the half-yearly tax or any part of such tax remaining due. One fourth of the half-yearly tax or any part of such tax remaining due.

half-yearly tax or any part of such tax remaining due. TABLE - 3

Amount of penalty (2) One - sixteenth of the annual tax or any part of such tax remaining due. One fourth of the annual tax or any part of such tax remaining due.

One half
of the

3. Beyond 45 days after the expiry of the period stipulated as per Section 8 of the Act. One half of the annual tax or any part of such tax remaining due.

(2) If the tax due under sub-section (1) of Section 3 of the Tamil Nadu Motor Vehicles Taxation Act 1974 (Tamil Nadu Act 13 of 1974) in respect of motor vehicles referred to in sub-rule (2) of rule 7 has not been paid within the period prescribed in that sub-rule, the registered owner or the person having possession or control thereof, shall pay the penalty under section 15 of the said Act as specified in the table below.

2. <i>Period</i> CD	within 45 days after the expiry of the period stipulated in sub-rule (2) of rule 7 of the Act.	quarterly or half yearly or annual payment respectively. One half of the tax payable or any part of such tax remaining due, or one fourth of the tax payable or any part of such tax remaining due or one eighth of the tax payable or any part of such tax remaining due in respect of quarterly, half yearly or annual payment respectively.
Within 15 days after the expiry of the period stipulated in sub-rule (2) of rule 7 of the Act.	<i>Amount of penalty</i> (2) One fourth of the tax payable or any part of such tax remaining due or one-sixteenth of the tax payable or any part of such tax remaining due in respect of	
Beyond 15 days and	remaining due in respect of	
3. Beyond 45 days after the expiry of the period stipulated in sub-rule (2) of rule 7 of the Act. or		The amount of tax payable or any part of such tax remaining due, or one half of the tax payable or any part of such tax remaining due,
one fourth of the tax payable or any part of such tax remaining due in respect of quarterly, half yearly, annual payment respectively. (3) If the tax due under sub-section (1) of section 3 of the Tamil Nadu Motor Vehicles Taxation Act 1974 (Tamil Nadu Act 13 of 1974) in respect of motor vehicles, referred to in sub-rule (3) of rule 7 has not been paid within the period prescribed in that sub-rule, the registered owner or the person having possession or control thereof shall pay a penalty under section 15 of the Act as specified in the table below.		

2. <i>Period</i> U)	45 days after the expiry of the period stipulated in sub-rule (3) of rule 7 of the Act; '1	tax remaining due in respect of quarterly, half yearly or annual payment respectively. One half of the tax payable or any part of such tax remaining due, or one fourth of the tax payable or any part of such tax remaining due, or one eighth
Within 15 days after the expiry of the period stipulated in sub-rule (3) of rule 7 of the Act.	<i>Amount of penalty</i> (2) One fourth of the tax payable or any part of such tax remaining due, or one eighth of the tax payable or any part of such tax remaining due, or one sixteenth of the tax payable or any part of such	
Beyond 15 days and within	payable or any part of such	

3/ Beyond 45 days after the expiry of the period stipulated in sub-rule (3) of rule 7 of the Act.

of the tax payable or any part of such tax remaining due in respect of quarterly, half yearly or annual payment respectively.

The amount of tax payable or any part of such tax remaining due, or one half of the tax payable or any part of such tax remaining due or one fourth of the tax payable or any part of such tax remaining due in respect of quarterly, half yearly or annual payment respectively.

(4) If the tax under sub-rule (4) of rule 7 is not paid within the period specified therein, the permit holder of either composite permit or National permit is liable to pay a penalty of Rs. 100 (Rupees one hundred only) per month or part thereof.

9. Impounding of certificate of registration etc. for non payment of tax.— Any inspecting officer having reason to believe that a transport vehicle has been or is being used with a permit rendered ineffective under section 18 of the Act may impound the certificate of registration, the permit and such other documents as he may consider necessary.

10. Additional tax payable in respect of certain vehicles.— (1) If a motor vehicle is so constructed that a trailer may, partial super imposition be attached to the vehicle in such a manner that a part of the weight of the trailer is borne by the vehicle, and if the vehicle cannot be used except in conjunction with the trailer the vehicle and the trailer shall be deemed to be a goods vehicle and be known as an articulated vehicle.

(2) If such a goods vehicle is provided with more than one trailer but is so constructed that only one trailer can be used at a time it shall be deemed to be goods vehicle with alternative bodies, taxation shall be chargeable in respect of the vehicle in combination with that trailer which has the greatest laden weight and no additional tax shall be chargeable in respect of the spare trailer.

10-A. Appeal against the order of the licensing officer.— Where any person is aggrieved by an order of the licensing officer, he may, within thirty days from the date of receipt of such an order, appeal to the Deputy Transport Commissioner of the zone concerned.

11. Refund of Tax.— In the case of a motor vehicle for which tax has been paid for any quarter, half year or year, or life time tax, as the case may be, but the vehicle has not been used on any public road for a continuous period of not less than one month, within the above period, refund of tax paid for such period of non use shall be made at the rates specified below subject to the provisions contained in rules 12, 14 and 15.

Explanation : The period of non use of a motor vehicle on a public road, without carrying any passengers, for the purpose of moving it from one depot to another or from one workshop to another for carrying out repairs, shall not be considered as used on any public road and such period may be taken into account for computing the period for which the vehicle has not been used in public road.

<i>Particulars as to user of</i>	<i>Rates of Refund</i>
(1)	(2)
a. Where the vehicle is not used during the whole of the quarter, half year or year.	The tax paid for the quarter, half year or year as the case may be.
b. Where the vehicle is not used during any continuous part of a quarter, or half year	Number of continuous days of non use X amount of tax paid DIVIDED BY Number of days

or year, as the case may be not being for which tax was paid.
less than one month

- c. Where life time tax is paid and where the vehicle is not used during any continuous period not less than one month
- Number of continuous months of non use
MULTIPLIED BY the amount of life time tax
paid DIVIDED BY 120.

11.A.— In the case of non transport vehicle for which life time tax has been paid, but the vehicle is removed permanently from this State on transfer of ownership or change of address or the registration of the vehicle has been cancelled on account of scrapping during the currency of the lifetime tax so paid the amount of tax to be refunded shall be the difference between the actual amount of life time tax paid and the amount calculated by multiplying the number of years for which the motor vehicle was actually used in the State of Tamil Nadu by the rate of annual tax prevailed on the date on which refund is applied for. For computing the period of usage, any broken period less than one year shall also be treated as one year.

Application for refund of tax.— Every application for refund of tax shall be made to the Regional Transport Officer concerned.

Authority for refund of tax.— The Regional Transport Officer concerned shall be the authority competent to sanction refund of tax.

Conditions for refund of Tax.— No refund of tax shall be allowed unless the applicant satisfies the following conditions namely:

a. Taxation licence shall be surrendered to the Regional Transport Officer concerned within seven days from the date of stoppage of the vehicle or within a reasonable period thereafter.

b. The non use of the vehicle shall be intimated in writing to the Regional Transport Officer concerned by registered post with acknowledgment due, with reasons for such non use and details of the place where the vehicle is garaged within seven days from the stoppage- of the vehicle or within a reasonable period and shall thereafter surrender.

(i) in the case of a transport vehicle, the certificate of registration and permit, and (ii) Where the documents are seized or retained by any authority, a certificate obtained from the authority which effected the seizure or retention of such documents.

Explanation ; If any question arises as to whether or not the taxation licence was surrendered and the non use intimated within a reasonable period after the specified day the decision of the Regional Transport Officer or the Deputy Transport Commissioner or the Transport Commissioner, as the case may be shall be final :

Provided that the conditions laid down in this rule shall not apply to a motor vehicle belonging to a State Transport Undertaking subject to the conditions that it shall produce an undertaking along with the application for refund that it will produce the documents referred to therein before the disposal of the refund application.

Refund of tax for a part of a month.— No refund of tax shall be permissible for the non use of the vehicle for less than a month.

Refund of tax paid by mistake or in excess.— Where the tax is paid by mistake or in excess the tax so paid or collected shall be refunded on application made to the Regional Transport Officer concerned.

17. Appeal for refund of tax.— Where any person is aggrieved by an order of a Regional Transport

Officer refusing to refund the tax may, within thirty days from the date of receipt of such an order, appeal to the Deputy Transport Commissioner of the region concerned :

Provided that, the Transport Commissioner shall have power to transfer any appeal from the file of a Deputy Transport Commissioner of the region to the file of a Deputy Transport Commissioner of the other region if for any reasons it is considered necessary in the interest of administration and natural justice.

18. Revision .— The Transport Commissioner may either on his own motion or on application made to him call for the records of any case in which an order has been made by a Deputy Transport Commissioner under Rule 17 and if it appears to the Transport Commissioner that such order is improper or illegal, he may pass such order in relation to the case as he deems fit :

Provided that the Transport Commissioner shall not pass an order under the rule prejudicial to any person without giving him a reasonable opportunity of being heard.

Application for exemption and remission.— All application for exemption or concessional rate of tax and waiver of tax or penalty shall be sent to the Secretary to Government, Fort St. George, Madras through the Regional Transport Authority and the Transport Commissioner, Madras. Such application shall be forwarded by the said authorities to the Secretary to Government (Home) Department, with their remarks.

Circumstances or conditions for remission.— Remission of tax or penalty or both shall be made under any of the following circumstances or conditions, namely:-

- (i) Where there is an irrecoverable arrear of motor vehicles tax due under the Act; or
- (ii) Where the Government consider to forego any arrear of motor vehicles tax due under the Act on account of retrospective effect of a legislation or order passed or notification issued, or for any other reasons as the Government may deem it necessary:

Provided that in the cases where due to incorrect fixation of tax, the difference of tax with penalty remains due, the amount of penalty alone shall be remitted.

NOTIFICATIONS UNDER TAMIL NADU MOTOR VEHICLES TAXATION ACT

Reduction in rate of green tax payable in respect of certain auto rickshaws: In exercise of the powers conferred by Clause (1) of Section 20 of the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974), the Governor of Tamil Nadu hereby makes reduction in the rate of green tax payable under Class 2 of the Fourth Schedule to the said Act, in respect of the autorickshaws which have completed 7 (seven) years from the date of their registration, having contract carriage permit and carries passengers for hire or reward from Rs. 500 (Rupees five hundred only) (per annum) to Rs. 200 (Rupees two hundred only) (per annum).

This Notification shall come into force on the 10th June, 2005.

No. II(2)/HO/482(d)/2005 dated 10-6-2005.

Reduction in rate of tax in respect of maxi cab vehicles : In exercise of the powers conferred by sub-section (1). of Section 20 of the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974), the Governor of Tamil Nadu hereby reduces the rate of quarterly tax in respect of maxi cab vehicles from Rs. 500 per seat per quarter to Rs. 275 per seat per quarter.

This Notification shall come into force on and from the 1st January 2006.

No. II(2)/HO/938(d)/2005 dated 30-12-2005. **Reduction in rate of life time tax payable in respect of battery operated motor cycles and non-transport battery operated motor vehicles.—** In exercise of the powers conferred by Clause (1) of Section 20 of the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974), the Governor of Tamil Nadu hereby reduces the rate of life time tax payable in respect of battery operated motor cycles and non-transport battery operated motor vehicles to fifty per cent of the normal rate of life time tax specified in Parts-I and II of the Second and Third Schedules to the said Act with effect on and from the 12th September 2008.

No. 11(2) / HO / 445 / 2008 dated 1-10-2008

NOTIFICATIONS UNDER MOTOR VEHICLES ACT

Officers empowered to compound offence punishable under Section 190(2) of Motor Vehicles Act.— In exercise of the powers conferred by sub-section (1) of Section 200 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) and in supersession of the Home Department Notification No. 11/HO/1335/97, dated the 29th May 1997 published at page 407 of Part II - Section 2 of the Tamil Nadu Government Gazette, dated the 18th June 1997, the Governor of Tamil Nadu hereby specifies the officers of the Transport Department not below the rank of Motor Vehicle Inspector, Grade-II and the officers of the Police Department not below the rank of Sub-Inspector of Police in uniform to compound an offence punishable under sub-section (2) of Section 190 of the said Act in respect of the motor vehicles and for the amount specified below ;—

Four Wheelers Rs. 500/- (Rupees five hundred only)

Two Wheelers and Three Wheelers Rs. 250/- (Rupees two hundred and fifty only) No.

11(2) / HO / 583 / 2008 dated 10-12-2008.