

¹ THE RAJASTHAN MOTOR VEHICLES RULES, 1990

G.S.R.3 – whereas the Draft of the Rajasthan Motor Vehicles Rules, 1989 was published as required by Sub-Section (1) of Section 212 of Motor Vehicles Act, 1988 (59 of 1988) in the Rajasthan Gazette, Extraordinary, Part 3(kh) dated the January 6, 1990, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of 30 days from the date on which the copies of the said notification, as published in Rajasthan Gazette, are made available to the public.

AND WHEREAS, copies of the said notification were made available to the public on the 7th March, 1990.

AND WHEREAS the objections and suggestions received on the said draft rules have been considered by Government.

Now, therefore, in exercise of the powers conferred by Sections 8(3), 28, 38, 65, 95, 96, 107,111,138, 146 , 176, 201, 211 and 213 of the said Act, the State Government hereby makes the following rules, namely-

CHAPTER I

PRELIMINARY

1.1 Short title and application.- (1) These rules may be called the Rajasthan Motor Vehicles Rules, 1990.

(2) They shall come into force from the date² separately notified in the Official Gazette and shall extend to the whole of the State of the Rajasthan.

1. Notification No. F.7(2)/Rules/HQ.89-90dated 21.04.1990, published in Raj. Gazette E.O. part 4 (Ga) (I) dated 10.05.1990 and corrected by corrigendum No. F.7(2) Rules(HQ)/89-90 dated 20.07.1990, published in Raj. Gazette Part 4 (Ga)(I) dated 26.07.1990.

2. W.E.F. 16.7. 1990, Notification No. F .36(3) Parivahan/90 dated 16-07-1990, published in Raj. Gazette E.O. part 4 (Ga)(II) dated 16.07.1990.

1.2 Definitions.- (1) In these rules unless there is anything repugnant, in the subject or context,-

(a) “Act” means the Motor Vehicles Act, 1988 (59 of 1988) of the Central Legislature;

(b) “**Additional Secretary of the ³[State Transport Authority/Regional Transport Authority]**” means an officer, not below the rank of a District Transport Officer, appointed by the State Government. He shall perform all or any of the functions of the Secretary of the ³[State Transport Authority/Regional Transport Authority] and shall also perform such other functions in connection with the work of the ³[State Transport Authority/Regional Transport Authority] as may be entrusted to him by the ¹[State Transport Authority/Regional Transport Authority;]

(c) “District Collector and District Magistrate” includes an Additional District Collector and District Magistrate;

(d) “Divisional Commissioner” includes an Additional Division Commissioner;

(e) “District Transport Officer” means any officer appointed by the Government to perform the functions and exercise the powers of a District Transport Officer under these rules;

(f) “Fleet Owner” means any person or any undertaking having fleet of at least ¹[500 buses,] either in his own name or in his possession or control and includes the undertaking of other States operating their motor vehicles in this State under any agreement with any State;

(g) “Forms” means the forms prescribed under these Rules;

1. Subs. by G.S.R. 39, dated 26.07.1995, published in Raj. Gazette E.O. part 4 (Ga)

(I) dated 26-07-1995.

2 Subs. by G.S.R. 45, dated 2.12.2003, published in Raj. Gazette E.O. part 4 (Ga)

(I) dated 02-12-2003(w.ef. 2.12.2003).

(h) “Motor Vehicle Inspector” means any officer appointed by the State Government to perform the functions of a motor vehicle inspector under the Act, these rules and rules framed by the Central Government;

(i) “Motor Vehicle Sub- Inspector” means any officer appointed as such by the State Government;

(j) “Passenger” means any person travelling in a public service vehicle other than the driver, or conductor and a person engaged for loading and unloading of the luggage of the passengers;

(k) “Regional Transport Authority” means a Regional Transport Authority constituted under sub-section (1) of Section 68 of the Act;

(l) “Regional Transport Officer” means any officer appointed by the Government to perform the functions and duties of a Regional Transport Officer under these rules ²[and includes Additional Regional Transport Officer];

(m) “**Secretary of the State Transport Authority**” means any Additional Transport Commissioner, posted at head office of Transport Department, appointed by the Government to perform the functions and duties of the Secretary of the State Transport Authority;

(n) “Secretary to the Regional Transport Authority” means the Regional Transport Officer of the concerned region and where there is no Regional Transport Officer, any other officer appointed by the Government to perform the functions of Regional Transport Officer;

(o) “State” means the State of Rajasthan;

(p) “State Transport Authority” means the State Transport Authority, constituted for the State of Rajasthan under sub-section (1) of Section 68 of the Act;

(q) “Taxi Meter” means any Mechanical or Electronic device approved by the

State Transport Authority to be attached to motor cab for the calculation and

legible exhibition of fare and other charges due from passenger therein;

1. Added by G.S.R. 39, dated 26.7.1995, published in Raj. Gazette E.O.part 4(Ga) (I) dated 26.07.1995.

2. Noti No. F7(3)Pari/Rules/H.Q./2005/IV/16885, dt. 31-08-2015 , G.S.R 82(pub.in Raj.Gaz Ex-ord, Pt. 4 (c)(II),dt. 1-09-2015)

(r)“Transport Commissioner” means an officer appointed by the State Government to perform the duties and functions of the Transport Commissioner under these rules and includes an Additional Transport Commissioner.

¹[(s) “Assistant Transport Commissioner means an officer appointed by State Government to perform the duties and functions as assigned to them,]

³[(t) “Rural route” means a route whose one terminus is a revenue village and other terminus is a place of religious importance/Tehsil Headquarter/ Panchayat Samiti Headquarter/Municipal town/Krishi Mandi or Sub- Divisional Headquarter except situated within the municipal/U.I.T. area of the district Headquarter:

Provided that such routes shall not include the following:-

- (i) Municipal/U.I.T area of the district Headquarter.
- (ii) Tehsil Headquarter/Panchayat Samiti Headquarter/Municipal town/Sub-Divisional Headquarter.
- (iii) More than one Krishi Mandi.]

²[(u) “Sub-Urban Route” means any route which starts from a city or, town and declared as declared Sub-Urban route by the State Government in the public interest],

“(v)”Urban Area” means the territorial area of a Municipality or an Urban Improvement Trust or an Authority constituted for development of an urban area; and

(w) “Urban Route” means any route which is lying within the urban area.”

(2) Words and expressions used in the Act and rules made by the Central Government and not defined in these rules shall have the meaning assigned to them under the Act and rules made by the Central Government under the Act and as amended from time to time by the Central Government.

1. Added by G.S.R. 39, dated 26.7.1995, published in Raj. Gazette E.O.part 4(Ga) (I) dated 26.07.1995.

2. Subs. by G.S.R. 29 dated 14-09-2004, published in Raj. Gazette E.O. part (4) (Ga)(I) dated 14.09.2004 (w.e.f. 14.09.2004)

3. Not No. F.7(3)pari/rules/H.Q./2005/IV/16885, dt. 31-08-2015 , G.S.R. 82(Pub. in Raj Gaz, Ex-ord, Pt. 4(c)(II) dt. 01-09-2015)

4. Added by G.S.R 50, dated 31-07-1997 (Pub. in Raj. Gaz, Ex-ord, Pt-4(Ga)(I), dated 31-07-1997)

5. Added by GSR 82 dated 29.11.2002(Pub. in Raj. Gaz. , Ex-ord, Pt. 4(Ga), dated 29.11.2002.

CHAPTER II

LICENSING OF DRIVERS OF MOTOR VEHICLES

2.1. Licensing Authority- The Licensing Authority shall be a District Transport officer so appointed for the district or the Motor Vehicles Inspector ⁵[or Motor Vehicles Sub-Inspector]⁴[or any person], specially authorised by the State Government to perform the duties of the Licensing Authority. Licensing Authority for the purpose of

¹[International Driving Permit and for the purpose of] rules 24 to 28 of Central Motor Vehicles Rules, 1989 shall be the Regional Transport Officer so appointed for the Region.

2.2. Authorisation to drive Transport Vehicle.- (1) Holder of a licence may, at any time, apply to the Licensing Authority in Form R.S.2.1, for the grant of authorization along with the certificate of minimum qualification prescribed by the Central Government and driving certificate issued by an approved school of Motoring under section 12. Such application shall be accompanied by the licence and prescribed fee. The Licensing Authority to which an application is made is satisfied with the applicant who fulfill all the requirements prescribed by the Motor Vehicles Act and the rules made there under by the Central Government and may make enquiry into his character and antecedents and by a notice in writing summon him to appear before it at such time and place as it may appoint, the Licensing Authority shall authorize him to drive a Transport Vehicle, and return the driving license was issued by a different Licensing Authority send intimation in Form R.S2.2.

(2) if the Licensing Authority rejects an application for licence or for authorization to drive a Transport Vehicle, it shall inform the applicant in writing giving its reasons within one month and shall return the licence to him.

2.3. Testing Officer- The test of competence to drive as prescribed by the Central Government shall be conducted by the licensing Authority or a person authorised by such authority, not below the rank of Motor Vehicles Sub-Inspector.

2.4. Driving Test- (1) Subject to Sub-section (6) of Section9 of the Act, the applicant shall furnish a serviceable vehicle of the class to which the application refers and present himself for test at such time and place as may be specified by the Licensing Authority.

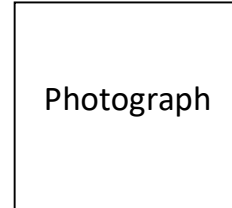
(2) Where an applicant has passed the test of competence to drive the Motor Vehicle, he shall, on the same day or within a week thereof, pay to the Licensing Authority a fee as specified in the rules made by the Central Government. Provided that, the applicant, unless he

¹ Subs. by G.S.R 46 dated 4.12.2003, published in RAj.Gazette E.o.Part 4 (Ga)(i) dated 4.12.2003) (w.e.f.4.12.2003).

shows sufficient reasons of not paying the said sum within a week shall be liable to pass a fresh test of competence.

**“FORM R.S. 2.1A
[See rule 2.26 (1)]
Driver’s Badge**

Badge No.
Date of Issue.....



Name:
.....
(first name) (middle name) (last name)
name)

Son/Daughter/Wife of:
.....
(first name) (middle name)
(last name)

Mobile No.....
Driving License No..... Date of Issue.....

Specimen Signature of the Badge Holder.....
Signature of the Issuing Authority.....”

2.5. Appellate Authority- (1) The authority to hear appeals under Sub-section(8) of Section 9, Sub-section (2) of Section 17 and Sub-section(3) of Section 19 of the Act, shall be the Regional Transport Officer.

²[Provided that in case of International Driving permit issued under rule 2(t) of the Central Motor Vehicles Rules, 1989 the Appellate Authority shall be the Transport Commissioner.]

(2) An appeal under rule 2.5 shall be preferred, within thirty days of the days of the date of receipt of such order to the authority mentioned in rule (1) above

² Added by *Ibid* (w.ef. 4-12-2003)

2.6. Procedure for Appeal- (1) An appeal under rule 2.5 shall be preferred in duplicate in the form of memorandum, setting forth the grounds of objection to the order of Licensing Authority and shall be accompanied by the original or certified copy of the order against which appeal is preferred and appropriate fee as specified in the rule 2.29.

(2) The Appellate Authority after giving an opportunity to the parties to be heard and after such further enquiry, if any, as it may deem necessary, pass appropriate orders, and an order passed by Appellate Authority shall be final.

2.7. Medical Certificate- The medical certificate as required under Sub-section(3) of Section 8 of the Act shall be signed by such Registered Medical Practitioner as the Transport Commissioner may notify for a specified area in the official Gazette, on payment of prescribed fee.

2.7A. Evidence as to correctness of address.- Bhamashah card issued by the State Government shall also be an evidence as to correctness of address in addition to documents specified in rule 4 of Central Motor Vehicles Rules, 1989.”

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

2.9. Duplicate licence with new photograph- (1) Upon receipt of the copies of the photograph as provided in rule 2.8 the Licensing Authority shall remove old photograph from the licence and affix and seal thereto one copy of the new photograph and return the licence to the applicant and shall, if he is not the Licensing Authority by whom the Licence was issued, forward the one copy of the photograph to that authority:

Provided that if the holder of the licence so desires, the Licensing Authority shall issue a duplicate licence with the new photograph affixed thereto and shall destroy the original licence. In such case if the Licensing Authority is not the Authority by whom the licence was issued, he shall inform the original Licensing Authority.

(2) When a new photograph is affixed to a licence a note shall be made upon the photograph of the date of affixture.

2.10. Licence lost or destroyed-information- (1) if at any time a licence is lost or destroyed the holder of such licence shall forthwith intimate the facts in writing to the licensing Authority, having jurisdiction over the area in which he has his place of residence at the time in Form R.S. 2.3 or in letter setting out the particulars required by that form, and pay the prescribed fee for duplicate licence, as in rule 2.29.

(2) Upon the receipt of the information specified in rule 2.10 the licensing Authority shall, if he is not the authority by whom the driving licence was issued, write to that authority for particulars of the driving licence and if any endorsements thereon, if satisfied after making such enquiries as it thinks fit, that a duplicate licence may properly be issued, issue of a duplicate driving licence, it is found that there has been an endorsement by a court since the date of the grant or last renewal of the

licence, it shall be lawful for the Licensing Authority to call for the duplicate driving licence and make the necessary endorsement thereon.

2.11. Photograph for duplicate- Where a photograph is required to be affixed to a duplicate licence issued under the provisions of these rules, the holder of the licence shall furnish the Licensing Authority with two clear copies of a recent photograph of himself, one of which shall be affixed to the duplicate licence and the other shall be transmitted by the authority issuing the duplicate licence to the authority by which the licence was issued.

2.12. Licence-lost-delivery- when a duplicate licence has been issued upon representation that a licence has been lost and the original licence is afterwards found by the holder it shall be delivered to the Licensing Authority Any other person finding a driving licence shall deliver it to the holder of the licence or to the nearest Police Station or nearest Licensing Authority. The Officer-in-charge of the Police Station on receipt of licence shall immediately forward it to the nearest Licensing Authority.

2.13. Licence-defaced or torn or Impounding of – If at any time it appears to the Licensing Authority that a licence held by any person is so torn or defaced in any way as to cease to be reasonably legible, the Licensing Authority may impound the licence and issue a duplicate. if a licence impounded as aforesaid is required to have a photograph of the holder affixed thereto, then:-

(i) if the photograph on the impounded licence is in the opinion of the Licensing Authority satisfactory and conveniently transferable to the duplicate licence the Licensing Authority may so transfer, affix and seal the photograph to the duplicate licence, or

(ii) if the photograph affixed to the impounded licence is not in the opinion of the Licensing Authority such as can be transferred to the duplicate licence, the holder of the licence shall, on demand by the Licensing Authority, furnish two clear copies of a recent photograph of himself, one of which shall be affixed to the duplicate licence and the other shall be recorded duplicate licence and sealed by the Licensing Authority by whom the licence was issued.

2.14 Duplicate to be stamped- When a duplicate 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.

2.15. Disqualification-Procedure on-A Licensing Authority taking possession of a license under Clause (a) of sub-section (2) of section 19 of the Act, shall, if the Licence was issued by another licensing authority, intimate the facts that authority.

2.16.- Endorsement of Disqualification-When a Licensing Authority s declares a person disqualified under sub-section (1) of section 19 of the Act, it shall, if the person holds a licence, endorse the licence accordingly and shall send intimation of such declaration to the authority by which the licence was issued.

2.17. Endorsement of licence by Court- The court making or causing to be made an endorsement on a licence under Section 24 of the Act shall send intimation in Form R.S. 2.4, to the Licensing Authority by which the licence was issued and the licensing Authority by which it was last renewed.

2.18 Intimation of renewal to original Licensing Authority- The Licensing Authority renewing a licence under the provisions of sub-section(6) of Section 15 of the Act shall intimate the facts to the Licensing Authority by which the licence was issued in Form R.S. 2.5.

2.18A Necessity of Refresher Training Course.-Before renewal of driving licence for transport vehicle applicant shall have to undergo two

days refresher training course in a driving training institute established by the State Government or any driving training institute authorised by the Transport Commissioner for the purpose and the licensing authority shall renew the licence only on presenting a certificate of the aforesaid refresher training course along with other formalities.

2.19. Intimation of addition to licence- A licensing Authority adding, under sub-section(3) of Section 6 of the Act, to the classes of motor vehicles which a licence authorises, the holder to drive shall, if it is not the authority by which the licence was issued intimate the addition to that authority in Form R.S. 2.6.

2.20. Certificate of automobile association- For the purpose of the second proviso to Sub-section(3) of Section 9 of the Act, the following Automobile Associations are recognized associations:-

- (1) The Automobile Association of Bengal.
- (2) The Automobile Association of Southern India.
- (3) The Automobile Association of Upper India.
- (4) The Uttar Pradesh Automobile Association.
- (5) The Western India Automobile Association:

Provided that this power shall be exercised by the aforesaid association in respect of their members only, and the fees of test of competence collected by the association, shall be remitted by the association concerned, with the certificate and the certificate shall not be considered to be valid unless the fee is so remitted. the aforesaid association shall also maintain regular and proper accounts of such collections and shall allow the officers of the Accountant General, Rajasthan, or officers authorised by the Transport Commissioner, Rajasthan to inspect such accounts.

2.21 Report of change of address- The holder of a licence entitling him to declare as to drive a public service vehicle shall, except in the case of a temporary absence not involving a change of residence for a period exceeding three months, report in Form R.S.2.8 any change of his temporary or permanent address as notified on the licence to the Licensing Authority by whom the licence was issued and to the Licensing Authority by whom it was last renewed.

2.22 Exemption of certain persons from licence and test of competence fees- (1) No fee shall be charged under this chapter-

- (i) from the members of Police Force or Fire Brigade when licences to drive Police of Fire Brigade Motor Vehicles are issued to them,

(ii) from the members of the Technical Co-operation Mission of U.S.A. stationed at Udaipur.

¹ (iii) From the disabled persons when licences to drive invalid carriages are issued to them.]

(2) No fee for the test of competence shall be payable by the applicant if he is ex-service-man and produces a certificate of proficiency in driving a motor vehicle from an officer in the Armed Forces of the Union.

(3) In Case of woman applicant, fifty percent amount of fee prescribed for issuance of learner's licence and driving licence shall be exempted."

2.23. Conduct and duties of Drivers of Stage Carriages and Contract Carriages other than Motor Cabs- (1) The driver of a stage carriage or a contract carriage, other than a motor cabs-

- i. 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 as provided under Chapter VII of these Rules or Act or otherwise, in such a way as to impede him in having a clear vision of the road or proper control of the vehicle,
- ii. shall not shout in order to attract a passenger;
- iii. shall, subject to any rules or regulations in force prohibiting the taking up or setting down of passengers at, or except at certain specified places, being the vehicle to rest for a 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;
- iv. shall, not when bringing his vehicle to rest for the purpose of picking up or setting down any passenger at or near the place where another stage carriage or contract carriage 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 there from and shall bring his vehicle to rest in or behind the other vehicle and on the left hand side of the road or place;
- v. shall at all times exercise all reasonable care and diligence to maintain his vehicle in a fit and proper condition and shall not knowingly drive the vehicle when it or any brake, tyre or lamp thereof is in a defective condition, likely to endanger any passenger or other person or when there is not

sufficient fuel in the tank of the vehicle to enable him to reach the next fuel filling station on the route

- a. shall not cause or allow any such vehicle to stand, or loiter in any public place for the purpose of collecting passengers or goods save in such place and in such manner as may be approved by competent authority, and
 - b. shall not wrongfully obstruct or attempt to obstruct the driver, conductor or other person-in charge of any other public service vehicle in the transaction of his business;
- vi. shall not smoke while on duty;
 - vii. shall behave in a civil and orderly manner towards passengers and intending passengers;
 - viii. shall be cleanly dressed in the following uniform:-
 - (1) Khaki Bush-shirt or coat with four pockets with flaps,
 - (2) Khaki full pant,
 - (3) Khaki cap or turban:
 - ix. shall maintain the vehicle in a clean and sanitary condition;
 - x. shall not interfere with person mounting or preparing to mount upon any other vehicles;
 - xi. shall not solicit custom save in a civil and quiet manner;
 - xii. shall not loiter or unduly delay upon any journey but shall proceed to his destination as near as may be in accordance with the time table pertaining to the vehicle or, where there is no such time table, with all reasonable dispatch;
 - xiii. shall not save for good and sufficient reason refuse to carry any person tending legal fare;

Explanation- where the legal fare is less than one rupee, a demand by such person for change in excess of that sum shall be a good and sufficient reason for refusing to carry such person for the purposes of this sub-rule.

- xiv. shall, in the event of the vehicle being unable to proceed to its destination on account of mechanical breakdown or other cause, beyond his control arrange to convey the passengers to their destination in some other similar vehicle or if unable so to arrange within a period of an hour after the failure of the vehicle, shall on demand refund to each

passenger a proper proportion of the fare relating to the non-completion of the journey for which the passenger had paid the fare;

- xv. shall not hold more than one badge issued by an authority;
- xvi. shall, if at any time the authorization on his licence entitling him to drive a stage carriage or contract carriage is suspended or revoked by any authority or by any Court or ceases to be valid by efflux of time, within seven days surrender the badge to the authority by which it was issued;
- xvii. shall, on demand by any Police Officer in uniform not below the rank of Sub-Inspector or any officer of the Motor Vehicle Department not below the rank of Motor Vehicle Sub –Inspector, produce his driving licence for inspection:
Provided that, if at the time his driving licence is demanded and instead of the licence, the badge provided in Rule 2.26 is displayed it shall be deemed to be sufficient compliance with this sub-rule, but he shall produce the driving licence within 48 hours at any Police Station in the State which he specified to the said Police Officer or Transport Officer making such demand;
- xviii. shall see that no passenger is seated in the vehicle when the same is being filled with fuel;
- xix. 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;
- xx. shall not ply a stage carriage or a contract carriage for more than six passengers unless there is a duly licensed conductor on duty in the vehicle;
- xxi. shall not, while on duty, be in a state of intoxication or in a stage in which, by reason of his having taken or used any sedative, narcotic or stimulant drug or preparation, his capacity to drive the vehicle is impaired;
- xxii. shall not allow any person to be carried in any public service vehicle in excess of the capacity specified in the certificate of registration of the vehicle;
- xxiii. shall ensure that, when a vehicle is required to cross an unmanned railway level crossing, the conductor alights from the vehicle to guide its safe crossing;
- xxiv. shall not, while plying a contract carriage other than a motor cab, permit or connive at picking up or setting down of passengers enroute and shall ensure that the contract carriage is hired by a single party from the starting point to the destination;
- xxv. shall while on duty display on his right breast a Black plate made of plastic of size 8 cms X 1.5 cms inscribed thereon

- his name in bold white letters of the size of 0.05 cms. in Hindi. The cost of the name plate shall be borne by him.
2. No driver of a stage carriage or contract carriage shall cause or allow to enter into or to be placed or carried in the vehicle, any person whom he knows or has reason to believe to be suffering from any infectious and contagious disease or the corpse of any person whom he knows or has reason to believe to have been suffering from any such disease.
 3. Notwithstanding the provisions of sub-rule(2), the driver, may upon application in writing by a registered medical practitioner, allow a person suffering from an infectious or contagious disease to be carried in a stage carriage or contract carriage provided that no other person save a person or persons in attendance on the person so suffering shall be carried in the vehicle at the same time.
 4. Where a person suffering from an infectious or contagious disease, or the corpse of any such person has been carried in a contract carriage or a stage carriage, the driver of the vehicle shall be responsible to report the fact of such carriage to the medical officer incharge of the nearest municipal Local Board or Government dispensary, and to the owner of the vehicle, and neither the owner nor the driver shall cause or allow any person to use the vehicle until the driver and the vehicle have been disinfected in such manner as the said medical officer may specify and a certificate to this effect has been obtained from the said medical officer.
 5. No, driver, or person incharge of a transport vehicle shall permit any corpse to be placed or carried on such vehicle when such vehicle is plying for the conveyance of any passenger other than the person or persons by whom the vehicle has been expressly hired for the purpose of conveying such corpse.

2.24 Rules for conduct and duties of the Drivers of Motor Cabs and Motor Cabs fitted with Taxi Meters – (1) The drivers of the first two Motor cabs on any stand shall always stay near their motor cabs which shall be ready for immediate hiring by any person.

(2) All drivers shall move their motor cabs up as vacancies occur on the stand.

1. *Ins. by G.S.R. 46 dated 4.12.2003(pub. in Raj. Gaz.Ex. ordPt. 4(Ga)(I), dated 4-12-2003)(w.e.f. 4.12.2003)*

- (3) Every motor cabs shall be kept with from wheels straight at a distance of not less than 30 cms. from the motor cab immediately in front of it and where stand is by the side of a kerb, parallel to and not more than 30 cms. from the kerb.
- (4) No driver shall allow his motor cab to remain on the stand if it is disabled unless the disablement is of a temporary nature which can be immediately remedied and is so remedied.
- (5) No driver shall allow his motor cab when it is not engaged to remain at any place other than a stand appointed for the purpose nor shall he loiter in any public place for the purpose of its being hired.
- (6) No driver shall prevent or attempt to prevent the first cab on the stand from being hired.
- (7) No driver whose motor cab has been engaged for some future time shall keep his motor cab on a stand unless he is willing to accept any intermediate engagement that may be offered.
- (8) A driver of a motor cab shall in the absence of reasonable cause to the contrary proceed to the destination named by the hirer by the shortest and quickest route.
- (9) No driver of a motor cab shall make use of his motor cab in connection with or for the furtherance of prostitution or shall act as a procurer of prostitutes.
- (10) No driver of a motor cab shall carry a cleaner or other attendant in the motor cab.
- (11) No driver of a motor cab shall terminate the hiring thereof before he has been discharged by the hirer.
- (12) No driver of a motor cab shall demand or accept any fare in excess of that to which he is legally entitled.
- (13) No driver of a motor cab shall shout in order to attract a passenger.
- (14) A driver of a motor cab shall at all times exercise all reasonable care 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.

(15) A driver of a motor cab shall behave in a civil and quiet manner and shall not in any way interfere with any person boarding or preparing to board another vehicle.

(16) A driver of a motor cab shall not smoke while on duty.

(17) A driver of a motor cab shall behave in a civil and orderly manner to passengers and intending passengers.

(18) A driver of a motor cab shall be cleanly dressed in the following uniform:-

(1) Khaki bushshirt or coat with for pocket with flaps,

(2) Khaki full pant,

(3) Khaki Peak-cap with black Peak or Khaki turban:

Provided that when drivers of such vehicles are or are likely to be called upon to perform duties in an emergency or to receive training, the Government may, by general or special order exempt such drivers from the operation of this sub-rule for such period as may be specified in the order.

(19) A driver of a motor cab shall maintain the vehicle in a clean and sanitary condition.

(20) No driver of a motor cab shall allow any person to be carried in any motor cab in excess of the seating capacity specified in the certificate of registration of the vehicle.

(21) A driver of a motor cab shall not hold more than one badge issued by an authority in the State.

(22) If at any time the authorization of a driver's driving licence entitling him to drive a motor cab is suspended or revoked by any authority or by any court or ceases to be valid by the efflux of time, the driver shall within seven days surrender the badge to the authority by which it was issued.

(23) No driver of a motor cab shall cause or allow to enter into or to be placed or carried in the vehicle, any person whom he knows or has reason to believe to be suffering from any infectious or contagious disease or the corpse of any person whom he knows or has reason to believe to have been suffering from any such disease.

- (24) Notwithstanding the provisions of sub-rule (22), the driver may upon application in writing by a registered medical practitioner allow a person suffering from an infectious or contagious disease to be carried in a motor cab provided that no other person save a person or persons in attendance on the person so suffering shall be carried in the vehicle at the same time.
- (25) Where a person suffering from an infectious or contagious disease or the corpse of any such person has been carried in a motor cab the driver of the vehicle shall report the fact of such carriage to the medical officer incharge of the nearest municipal local board or Government dispensary and to the owner of the vehicle and neither the owner nor the driver shall cause or allow any person, to use the vehicle until the driver and the vehicle have been disinfected in such manner as the said medical officer may specify and a certificate to this effect has been obtained from the said medical officer.
- (26) A driver of a motor cab shall, on demand by any Police officer in uniform, not below the rank of Sub-Inspector or any officer of the Motor Vehicle Department not below the rank of Motor Vehicles Sub-inspector produce his driving license for inspection.
- (27) The driver of a motor cab shall at the conclusion of any journey make reasonable search in the vehicle for anything left by any passenger and shall take into his custody anything so found by him or by another person in such vehicle, and as soon as may be, make over the same to a responsible employee of the holder of the permit for the vehicle or to the officer –in-charge of the nearest Police Station.
- (28) The driver of motor cab shall not, without the approval of its owner, permit any other person to drive the vehicle.
- (29) The driver of every motor cab fitted with a taxi meter shall not set it in motion before it is hired and shall stop it immediately the motor cab arrives at the destination.

Note -A motor cab shall be considered to be hired from the time it has been engaged or if called from a distance from the time of such call.

(30) If the driver of any motor cab fitted with a taxi-meter which is hired by any person is unable to proceed owing to any defect in the mechanism of the motor cab, he shall at once lower the flag to 'stopped' position and shall not restart his meter until such time as the defect is remedied.

(31) No driver shall cover or obscure the fact of a taxi meter under any circumstances or at any time.

(32) No driver shall without reasonable excuse refuse to let the motor cab for hire when the flag is in a vertical position.

2.25. Conduct and duties of Drivers of Goods vehicle- The driver of a Goods vehicle-

- (1) 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 as provided under Chapter VII of these Rules or Act or otherwise in such a way as to impede him in having a clear vision of the road or proper control of the vehicle;
- (2) Shall at all times exercise all reasonable care and diligence to maintain his vehicle in 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 occupant 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;
- (3) Shall not demand or exact any freight in excess of that to which he is legally entitled;
- (4) shall, as far as may be reasonable possible, having regard to his duties, be responsible for the due observance of the provisions of the Act and these rules;
- (5) shall behave in a civil and orderly manner to hirers or their nominees and intending hirers or their nominees;
- (6) shall not loiter or unduly delay upon any journey but shall proceed to his destination with all reasonable despatch;

(7) shall take all reasonable precautions to prevent the goods being spoiled or lost on the way;

(8) shall be cleanly dressed in the following uniform:-

- (1) Khaki Bush-shirt or coat with four pockets with flaps,
- (2) Khaki full pant,
- (3) Khaki cap or turban.

2.26 Drivers Badge of Transport Vehicles- (1) A rectangular plastic Badge shall be issued, in Form R.S. 2.1 A , after police verification by the licensing authority to every person who has been granted an authorization to drive a transport vehicle under these rules. The size of the badge shall be 10 centimeters X 6 centimeter.”

(2) The driver of a transport vehicle shall, while on duty, display a badge on the left side of his chest. No driver shall hold more than one such badge.

(3) (a) The fee for the issue of badge and for issue of duplicate badge, if the badge is lost, destroyed or damaged shall be as prescribed.

(b) If the badge is lost, destroyed a duplicate badge shall be issued by the authority by which it was issued on an application made in form R.S 2.7.

(4) A driver of Transport Vehicle shall not hold more than one such badge.

(5) No driver shall lend or transfer the badge to any person. any person finding the badge shall unless he returns the same to a person, who may not to be the holder, forthwith surrender to the authority by whom it was issued or to a Police Officer.

(6) When authorization on the driver's driving licence entitling him to drive a public service vehicle, is suspended or revoked by any authority or by the Court or ceases to be valid by efflux of time, the driver shall, within seven days of such suspension or revocation or surrender the badge held by him to the authority by which it was issued.

2.27. Exemption of Driver of Road Roller- Sub-section (1) of Section 3 of the Act shall not apply to the driver of a road roller.

2.28. Maintenance of Driving Licence Register- (1) Every Licensing Authority shall maintain a separate register, one for learner's licence and other for Driving licence (Separate for persons who are above sixteen years and below eighteen years authorised to drive a vehicle without gear) containing the following particulars :-

1. Date
2. SI.No.
3. Name of the person and name of father/husband
4. Address
5. Date of birth
6. Educational Qualification
7. Class of vehicle for which the Learning/Driving licence is issued.
8. Any class Added.....
9. Valid upto
- 10.Fee deposited vide cash Receipt No. date;
- 11.Name of the doctor by whom the medical certificate issued
- 12.Blood group with RH Factor
- 13.Name of Testing Officer
- 14.Vehicle number of which trial has been take
- 15.Type of vehicle
- 16.Signature of the official who prepared the licence
- 17.Allowed to drive transport vehicle of following categories:-
 - L.T.V.
 - M.P.T.V.
 - M.G.T.V.
 - H.P.T.V.
 - H.G.T.V.
 - Any other
- 18.Signature of the Licensing Authority
- 19.Driving Licence renewed upto
- 20.Endorsement made, if any.

(2) The Learning Licence or the Driving licence, shall be conferred in the following particulars

Year	RJ	District Code	Learning Licence/ Driving Licence Number

Year in which the learner's licence/driving licence is issued followed State Code(RJ) and followed by District Code allotted by the Transport Commissioner and followed by Learning Licence/Driving Licence thereafter serial number will be given.

(3) Every Licensing Authority shall send information of driving licence granted/renewed during the month. This information should reach the office of the Transport Commissioner by 7th of succeeding months positively, in the following proforma:-

1. (a) Driving licence number and date of initial issue.
(b) Name and designation of the officer who has taken driving test and date of passing the test by holder of the licence.
2. Name, address and other particulars of the holder of the driving licence.
 - (a) Name of the holder in case of minor, name of guardian's
 - (b) Date of birth
 - (c) Educational qualification
 - (d) Permanent address
 - (e) Temporary address
 - (f) Official address (if any)
 - (g) Subsequent changes of address
 - (h) Class and types of vehicles for which licence is given
 - (i) Addition of vehicle (if any)
 - (j) Date of expiry of the licence and further renewal (with details of Licensing Authority which last renewed the licence)
3. Licensing Authority which issued the licence.
4. Licensing Authority which renewed the licence.
5. Details of disqualifications, fine cancellation etc. in relation to the holder of the driving licence.

(4) The Statistical Section of the office of the Transport Commissioner shall maintain the State register of Driving licence on the basis of the information received from the each Licensing Authority and shall send in time a printed copy of the said register to the Central Government, Ministry of Surface Transport within the stipulated time.

Note - (i) The State Register Shall be either a bound book or on and computer disc.

(ii) The register shall be maintained in alphabetical order beginning with surname.

[2.29. Fees - The fees which shall be charged under the provisions of this chapter shall be as specified in the Table below :-

S.No.	Purpose	Amount (in Rs.)	Rule
1.	2	3	4
1	In respect of appeal under rule 2.5	500.00	2.6
2	In respect of medical certificate to be charged by the doctor	15.00	2.7
3	In respect of duplicate licence in Form 7	200.00	2.9,2.10,2.13, 13.1
4	In respect of Driver's Badge or for duplicate badge	300.00	2.26, 13.1]

1. Subs. by G.S.R. 108, dated 11.01.2000(Pub. in Raj. Gaz. , Ex. -ord. Pt-4(Ga)(I), dated 11.01.2000)

CHAPTER III

LICENSING OF THE CONDUCTOR OF STAGE

CARRIAGES

3.1. Licensing Authority.- The licensing Authority for issue of the conductor's licence shall be the District Transport Officer so appointed for the district or the Motor Vehicle Inspector specially authorized by the State Government to perform the duties of the licensing Authority.

3.2. Conductor—Provision in Stage Carriages of.- (1) Every Stage Carriage shall, in addition to the driver, carry a conductor, whose duties addition to those specially mentioned shall be to attend on the passengers and would be responsible for the observance of the provisions of these rules. Provided that where in emergency it becomes difficult for the permit holder to provided for a conductor of stage carriage, or where a conductor on duty, for reasons beyond his control, cannot perform his duties, the driver of the stage carriage may for a period not exceeding one month act as a conductor of stage carriage without holding the conductor's licence under section 30.

(2) Any person other than the driver of the stage carriage may act as a conductor without holding the conductor's licence for a period not exceeding one month provided that:-

- (a) he intimate to do so to the Licensing Authority within whose jurisdiction he intends to act as a conductor in Form R.S.3.6;
- (b) he is not disqualified for holding conductor's licence; and
- (c) he has not on previous occasion acted as a conductor acted as a conductor without a licence for a total period exceeding one month.

3.3 Application for grant of conductor's licence.- The application for conductor's licence required under sub-section (1) of section 30 of the Act shall be made in Form R.S. 3.1 and shall be accompanied by-

- (a) a medical certificate in Form 3.2;
- (b) valid Adult First Aid certificate issued by the St. Johns Ambulance Association of India in Form R.S.3.9;
- (c) Two copies of the recent photograph;
- (d) proof of residence of the district in the manner required by rule 4 of the Central rules and prescribed fees.

(2) Upon the receipt of an application for conductor's licence the licensing Authority on making such enquiries as may reasonably be necessary to establish the identity of the applicant and on ascertaining that the applicant is not disqualified under section 31 of the Act for holding of obtaining conductor's licence, may issue such licence in Form R.S. 3.3.

3.4 Qualification for grant of Conductor's licence.- No person shall be granted a conductor's licence unless he satisfies the Licensing Authority that:-

- (i) he has adequate knowledge of the provisions of the Act and the rules made thereunder relating to the duties and functions of a conductor.
- (ii) he possesses a good moral character.
- (iii) he possesses a valid First aid certificate issued by the St. Johns Ambulance Association of India.
- (iv) He has passed tenth standard or equivalent or higher examination and possesses working knowledge of the language or languages of the area in which he intends to work as a conductor. Provided the provisions of sub-clause(iv) shall not apply to the persons who was granted conductors licence prior to coming in to force of these rules.

3.5 Change of Residence.- The holder of a conductor's licence shall, except in case of temporary absence, not involving the change of his residence for a period exceeding three months, report any change of his temporary or permanent address as mentioned on the licence in Form R.S. 3.10 to the Licensing Authority by whom the licence was granted.

3.6 Renewal of conductors licence:- (1) The application for renewal of a conductor's licence shall be made in Form R.S. 3.4 and shall be accompanied by the conductor's licence, a medical certificate in Form R.S. 3.2 and the prescribed fee.

(2) Upon receipt of an application for the renewal of conductor's licence, the licensing Authority may after making such enquiries as he may deem necessary renew the licence.

(3) The licensing Authority renewing the conductor's licence under section 26 read with the provisions of sub-section (6) of Section 15 shall intimate the facts of the renewal in Form R.S.3.5 to the licensing Authority by which the licence was issued.

3.7. Appellate Authority.- The Authority empowered under Section 33 and under sub-section (4) of section 34 to hear the appeal against the order of licensing Authority shall be the Regional Transport Officer.

3.8 Conduct and hearing of appeals.- (1) An appeal under rule 3.7 shall be preferred in duplicate in the form of a memorandum setting forth concisely the grounds of objection to the order, and shall be accompanied by the prescribed fee in rule 3.17 and a certified copy of the order.

(2) When an appeal is filed, a notice shall be issued to the authority against whose order the appeal is preferred in such form as the appellate Authority may direct.

(3) The Appellate Authority after giving an opportunity to the parties to be heard and after such further enquiry, if any, as it may deem, necessary may confirm vary and set aside the order for which the appeal is preferred and make an order accordingly.

3.9 Duties and conduct of conductor of stage carriages.- A

Conductor of the stage carriage:-

(i) shall, as far as, may be reasonably possible, having regard to his duties be responsible for due observance of the provisions of the Act and these rules;

(ii) shall not smoke while on duty;

(iii) shall behave in a civil and orderly manner to the passengers and intending passengers;

(iv) shall be cleanly dressed in the following uniform:-

(a) Khaki bush-shirt or Coat with four pockets with flaps

(b) Khaki full pant

(c) Khaki Cap or turban

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

(vi) Shall not solicit custom save, in civil and quiet manner;

(vii) Shall not interfere with persons boarding or preparing to board in other vehicles;

(viii) Shall not allow any person to be carried in the stage carriage in excess of the seating capacity specified in the certificate of registration of the vehicle, and any additional number of passengers permitted under the terms of the permit to be carried standing in the vehicle;

(ix) Shall not, save for good and sufficient reason, refuse to carry any passenger tendering the legal fare;

Explanation.- Where legal fare is less than rupee 1/- the demand by such person for change in excess of the

sum shall be the good and sufficient reason for refusing to carry such person for the purpose of this sub-rule;

- (x) Shall not demand or accept from any passenger or hires any fare or hire for the carriage of goods other than the fare or hire prescribed by competent authority;
- (xi) Shall not allow any passenger to be carried in any stage carriage without payment of the legal fare;
- (xii) Shall, where the goods are carried on a vehicle in addition to passengers, take all reasonable precaution to ensure that the passengers are not endangered or unduly inconvenienced by the presence of goods;
- (xiii) Shall not save for good and sufficient reasons require any person who has paid legal fare to alight from the vehicle before the conclusion of the journey;
- (xiv) Shall not loiter or unduly delay upon any journey but shall proceed to the destination as near as may be in accordance with the time table pertaining to the vehicle or where there is no such time table with all reasonable dispatch.
- (xv) Shall in the event of the vehicle being unable to proceed to its destination on account of mechanical breakdown or other cause beyond the control of the driver or the conductor arrange to convey the passengers to their destination in some other similar vehicle, or if unable to arrange within a period of an hour the failure of the vehicle shall on demand refund

to each passenger the proper proportion of the fare relating to the non –completion of the journey for which the passenger had paid the fare;

(xvi) Shall not cause or allow anything to be placed in the vehicle in such a manner as to obstruct the entry of exist of passenger;

(xvii) Shall issue a ticket immediately on payment of legal fare or freight showing the place from where he is boarding the vehicle and his destination and the fare charged by the passenger except where arrangement outside the vehicle for the issue of ticket in advance to the intending passengers on payment of the legal fare has been made;

(xviii) Shall at the conclusion of any journey, make reasonable search in the vehicle for anything left by any passenger and shall take into his custody anything so found by him or by any other person in such vehicle and as soon as may be make over the same to a responsible employee of the holder of the permit for the vehicle or to the officer-in-charge of the nearest police station;

(xix) Shall not cause or allow to enter into or to be placed or carried in a vehicle any person whom he knows or has reasons to believe to be suffering from any infectious or contagious disease or the corpse of any person whom he knows or reasons to believe to be

suffering from any infectious or contagious disease or the corpse of any person whom he knows or reasons to believe to have been suffering from any such disease;

- (xx) Shall notwithstanding anything contained in clause (xix) on application in writing by a registered medical practitioner allow a person suffering from an infectious or contagious disease to be carried in such stage carriage provided that no person save a person or persons in attendance on the sick person shall be carried in the vehicle at the same time;
- (xxi) Shall be responsible, when a person suffering from infectious or contagious disease, or corpse of any such person has been carried in a stage carriage for reporting the fact to a medical officer incharge of the nearest Municipality, Local Body or Government dispensary and to the owner of the vehicle and neither the owner nor the driver nor the conductor shall clause or allow any person to use the vehicle until the driver and the conductor and the vehicle have been disinfected in such manner as the said medical officer may specify and a certificate to this effect has been obtained from such medical officer;

- (xxii) Shall be on the lookout for other motor vehicle approaching from behind and effectively sign their approach to the drivers;
- (xxiii) Shall assist the passengers in the loading and unloading of luggage and shall take all reasonable precautions to prevent luggage being miscarried or lost on the way;
- (xxiv) Shall while on duty display on the right chest a black plate made of plastic of size 8 cms. x 1½ cms. inscribed on their name in bold white letters of the size 0.05 cms, in Hindi. The cost of the name plate shall be borne by them;
- (xxv) Shall not while on duty be under the influence of intoxicating drink or drug;
- (xxvi) Shall on demand by any passenger produce the complaint book for recording such remarks as the passenger may desire to make thereon in which the passenger will be entitled to record any legitimate complaint in connection with a stage carriage service. Such complaints will be written clearly and signed by the passenger giving his address and shall be considered by the owner of the stage carriage;
- (xxvii) Shall not while he is in on duty, permit the vehicle to be used for illegal or immoral purpose;
- (xxviii) Shall not permit any petrol to be poured in to the fuel tank while engine is in motion;

- (xxix) In case of an accident to the bus, shall make all reasonable efforts to help the injured person and to inform the nearest Police Station immediately;
- (xxx) Shall help the infant, disabled, pregnant ladies, old aged passenger and ladies with child in arm, to board and alight the bus;
- (xxxi) When the driver is taking the bus in reverse, shall get down from the bus and be on the lookout for other motor vehicle or any other obstacle in the back of the vehicle and efficiently give signal to the driver.
- (xxxii) Shall not allow any explosive or dangerous or flammable substance to be carried in the bus either personally luggage or the cargo;
- (xxxiii) Shall ensure that when a vehicle is required to cross an unmanned railway crossing the conductor shall ask the driver to stop the vehicle before the crossing and the conductor shall ask the driver to stop the vehicle before the crossing and the conductor shall get down and see the railway track on both sides and shall make sure that the way is clear. Thereafter the conductor shall give signal to the driver to cross the railway track;
- (xxxiv) Shall on demand by any officer of the Motor Vehicle Department, not below the rank of a Motor Vehicles Sub-Inspector, produce all such vouchers,

ticket books and any other document which such officer demands for his inspection.

3.10 Prohibition against holding more than once conductor's Licence.-

- (1) No person shall hold more than one conductor's licence.
- (2) A conductor of a stage carriage shall on demand by any police officer in uniform, not below the rank of Sub-Inspector, or any officer of the Motor Vehicle Department, not below the rank of Motor Vehicles Sub-Inspector produce his licence for inspection:

Provided that if at any time his licence is demanded and instead of the conductors licence, the badge provided in Rule 3.15 is displayed, it shall be deemed to be sufficient compliance with his sub-rule, but he shall produce the conductors licence within 48 hours at any police station which he specified to the said Police Officer or Transport Officer making such demand.

3.11 Requirement of as to photograph.-(1) The copies of the photograph required by sub-section(3) of section 30 the Act shall be of a passport size. The photograph shall be a front view and shall be in black and white colour on glazed paper.

- (2) The photograph of the holder when affixed to a conductor's licence shall be sealed with the seal of Licensing Authority in such a manner that part of the impression of the seal is upon the photograph and part on the margin.

(3) If at any time it appears to a Licensing Authority that the photograph affixed to the conductor's licence has ceased to be 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 time as the Licensing Authority may specify, appear in person before the licensing Authority and present the photograph accordingly.

(4) If the holder fails to comply with a requisition by the licensing Authority under sub-rule (3) the conductor's licence shall cease to be valid from the date of expiry of the said period.

(5) Upon the receipt of the copies of photograph as provided in sub-rule(3), the Licensing Authority shall remove the old photograph from the conductor's licence and affix and seal thereto one copy of the new photograph and return the conductor's licence to the applicant and shall, if he is not the Licensing Authority by which the conductor's licence was issued, forward the one copy of photograph to the authority which issued the licence; Provided that if the holder of the conductor's licence so desires, the Licensing Authority shall issue a duplicate conductor's licence with a new photograph affixed thereto and shall destroy the original conductor's licence. In such a case if the Licensing Authority is not the authority by which the conductor's licence was issued, it shall inform the original Licensing Authority.

(6) Where a new photograph is affixed to a conductor's licence, a note shall be made upon the photograph of the date of affixture.

(7) The fee for duplicate conductor's licence issued under the proviso to sub-rule (5) shall be as prescribed in rule 3.17.

3.12 Conductor's licence lost or destroyed.-(1) If at any time a conductor's licence is lost by the holder or is destroyed, the holder shall forthwith intimate the facts in writing in Form R.S. 3.7 to the Licensing Authority in whose area he has his place of the residence at the time.

(2) Upon the receipt of intimation as aforesaid the Licensing Authority shall if it is not authority by whom the conductor's licence was issued, apply to that authority for particular of the conductor's licence and of any endorsement thereon and shall after making such enquiries as it thinks fit, if satisfied that a duplicate may properly be issue a duplicate conductor's licence and send intimation to the authority by which the conductor's licence was issued:

Provided that where a subsequent to the issue of a duplicate licence it is found that there has been an endorsement by a court since the date of the grant or last renewal of the licence, it shall be lawful for the Licensing Authority to call for the duplicate conductor's licence and make the necessary endorsement thereon.

(3) Where a photograph is required to be affixed to a duplicate conductor's licence issued under the provisions of these rules,

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 a conductor's licence and the other shall be transmitted by the authority issuing the duplicate conductor's licence to the authority by which the conductor's licence was issued.

(4) The fee for a duplicate conductor's licence issued under this rule shall be prescribed in rule 3.17.

(5) Where 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 or received by the holder, the holder shall immediately return it to the Licensing Authority.

(6) Any other person finding a conductor's licence shall deliver it to the nearest Police Station or the nearest Licensing Authority The Officer-in-charge of the Police Station , on receipt of the conductor's licence, shall immediately forward it to the Licensing Authority. The Licensing Authority shall restore the conductor's licence to the licensee in case duplicate conductor's licence has not been issued and shall substitute it for the duplicate in case such a duplicate has already been issued.

3.13 Defaced or torn conductor's licence.-(1) If at any time it appears to the 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, the Licensing Authority may impound the conductor's licence and issue a duplicate.

(2) If a conductor's licence impounded as aforesaid is required to have a photograph of the holder affixed thereto, then,-

(a) in case the photograph on the impounded conductor's licence is, in the opinion of the Licensing Authority, satisfactorily and conveniently transferable to the duplicate conductor's licence the Licensing Authority may so transfer, affix and seal the photograph to the duplicate conductor's licence, or

(b) In case the photograph affixed to a conductor's licence impounded under the provisions of sub-rule (1) is not in the opinion of the Licensing Authority such as can be transferred to the duplicate conductor's licence, the holder of the conductor's licence, shall, on demand by the Licensing Authority, furnish two clear copies of a recent photograph of himself, one of which shall be affixed to the duplicate conductor's licence and sealed and the other shall be recorded by the Licensing Authority by which the conductor's licence was issued.

(3) The fee for a duplicate conductor's licence issued under this rule (in rule 3.17) shall be as prescribed.

3.14. Issue of duplicate conductor's licence.-(1) When a duplicate conductor's licence is issued under rule (3.12) & (3.13) 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.

(2) 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 the authority.

(3) If the Licensing Authority which affixed a new photograph to a duplicate conductor's licence is not the authority by which the conductor's licence was issued it shall forward the one copy of the photograph to that authority for record.

3.15 Conductor's badge.- (1) A rectangular plastic badge shall be issued, in Form R.S. 3.3A, after police verification by the licensing authority to every person who has been granted a conductor a license under these rules. The size of the badge shall be 10 centimetersX 6 centimeter.”

(2) A conductor shall not hold more than one such badge issued by any Licensing Authority.

(3) The fee for issue of a conductor's badge as aforesaid shall be as prescribed in rule 3.17, if the badge is lost or destroyed, duplicate badge shall be issued by the authority which issued it on payment of prescribed fee in rule 3.17 by the authority which issued on an application made to it in Form R.S. 3.8. In case the original badge is later found' it shall be returned to the Licensing Authority.

(4) If at any time the conductor's licence is suspended or revoked by any authority or by any court or ceases to be valid by the efflux of time, the conductor shall, within 7 days, surrender his badge to the authority by which it was issued.

(5) No conductor shall lend or transfer the badge to any person. Any person finding the badge shall, unless he returns the same to the person who he knows to be the holder, forthwith surrender it to the authority by which it was issued or to the nearest Police Station.

3.16 Effectiveness of conductor's licence issued by any other State.- (1) A conductor's licence issued by any other competent authority outside Rajasthan shall not be effective in Rajasthan unless countersigned by a Licensing Authority of Rajasthan or recognized under the reciprocal agreement.

(2) The holder of conductor's licence issued by competent authority of another State, at any time apply to the licensing authority in Form R.S. 3.10 for counter signature alongwith prescribed fee under rule 3.17.

(3) The applicant possesses a good moral character (Character Certificate)

(4) The Licensing authority after satisfaction shall countersign the licence and return the same to the holder.

3.17 Fees.- The fees which shall be charged under the provisions of this Chapter shall be as specified in the Table below:-

TABLE

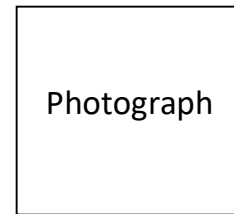
S.N.	Purpose	Amount (in Rs.)	Rule
1	2	3	4
1.	In respect of appeal under rule 3.8	Rs. 500/-	3.8

2.	In respect of duplicate conductor's licence	Rs. 300/-	3.11, 13.2,3.13,13.2
3.	In respect of conductor's badge & duplicate badge	Rs. 300/-	3.15, 13.2
2[4.	In respect of countersignature of conductor's licence	Rs. 200/-	3.16]]

1. Noti No. F7(4)pari/rules/hq/11/92/12004 dt. 30-06-2015, S.O. 77(Pub. in Raj. Gaz. Ex-ord. , Pt. 4 (c) (II), dt. 01-07-2015
2. Subs. by G.S.R. 25, dated 24-06-2000(Pub. in Raj.Gaz. Ex.Ord. –Pt-4(Ga)(I), dated 24-06-2000)

FORM R.S. 3.3A
[See rule 3.15 (1)]
Conductor's Badge

Badge No.
Date of Issue.....



Name:
.....
(first name) (middle name) (last name)

Son/Daughter/Wife of:
.....
(last name) (first name) (middle name)

Mobile No.....
Conductor License No..... Date of issue.....

Specimen Signature of the Badge Holder.....
Signature of the Issuing Authority.....”

REGISTRATION OF MOTOR VEHICLES

²[4.1. **Registering Authority.**- (1) The Registering Authority shall be the District Transport Officer so appointed for the District or the Transport Inspector specially authorised by the Transport Commissioner to perform the duties of the Registering Authority.

¹ [(2) For the purpose of registration of non-transport vehicles on first sale under sub-section (3), (5) and (6) of sections 41 of the Act from a dealer holding valid trade certificate, the commissioner may empower as Registering Authority subject to the terms and conditions and qualifications as may be specified from time to time, any dealer as aforesaid or any person who has sufficient administrative experience and is in the regular employment of such dealer.

(3) Registering Authority for the purpose of rule 62 to 72 of Central motor vehicles Rules, 1989 shall be the Regional Transport Officer so appointed to the region.]

1- Substituted by G.S.R. 92 dated 06.2.2003, (pub. in Raj. Gazette E.O. Part 4(Ga)(I) dated
06.2.2003

2- Ins. by G.S.R. 105 ,dated 13-03-2003 (pub. in Raj. Gazette Ex.Or. Part 4 (Ga)(I) dated
13.03.2003

4.2. Temporary Registration.- (1) Application for temporary registration for any one of the following purposes shall be in Form 4.1 :-

(a) when any motor vehicle is sold or distributed by the manufacturer to his dealer or sub-dealer or to its branch for resale within or outside the State.

Explanation.- Temporary registration issued to any such vehicle shall cease to be in force as soon as it reaches to the premises of the dealer or sub-dealer or its branch;

(b) when a motor vehicle is sold or distributed by the dealer of the motor vehicle are to be taken away for registration from the jurisdiction of one Registering Authority to the jurisdiction of another Registering Authority within the State or outside the State; and

(c) when a motor vehicle is sold or distributed as a chassis and is taken for the body building in the premises of a body builder within the State or outside the State.

(2) The temporary certificate of registration shall be issued on payment of prescribed fee and in Form R.S. 4.2 and shall ordinarily be valid for a period not exceeding one month.

(3) The authority granting a temporary certificate of registration shall, in case when registration under section 40 of the Act is proposed to be affected by another authority, forward to the latter a copy of Form R.S. 4.2.

(4) 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 vehicle in manner provided for registration mark in the Central Rules.

(5) The temporary registration marks to be assigned by the authority prescribed under sub-rule (4) shall be RJ followed by the district code and below the line Temp followed by registration number by not more than four figures. For this a separate register shall be maintained.

¹[4.2 A Re-registration of Transport Vehicles.- Transport Vehicles which complete 15 years from the date of their first registration shall be re-registered. A transport vehicle shall not be deemed to be validly registered for the purpose of section 39 after the expiry of 15 years from the date of its first registration until the vehicle is re-registered. The re-registration shall be made in the following manner:-

- (1) An application for re-registration shall be made to the Registering Authority in whose jurisdiction the owner has the residence or place of business where the vehicle is normally kept.
- (2) (i) Where the vehicle is registered in the state, an application for re-registration of the vehicle shall be made within a period of not more than ninety days before the completion of 15 years from the date of its first registration :

Provided that in case of vehicles which have completed 15 years or more on the commencement of the Rajasthan Motor Vehicle (IIInd Amendment) Rules, 2003 and for those vehicles which shall be completing 15 years within a period of 90 days from the date of commencement of the Rajasthan Motor Vehicles (IIInd Amendment) Rules, 2003 the period allowed shall be 90 days:

Provided further that the vehicle shall be deemed to be validity registered during period allowed for re-registration.

- (ii) Where the vehicle is registered outside the State and is brought in the state for assignment of new registration mark, transfer of ownership, or for change of residence or place of business in this State, the said period shall be within one year from the date of arrival of the vehicle in the state or from the date of assignment whichever is earlier.
- (3) An application for re-registration shall be made in form R.S. 4.1 A and shall be accompanied by.-
- (a) Registration certificate of the vehicle;
 - (b) Valid insurance certificate alongwith its attested photo-copy;
 - (c) Proof of address by way of any one of the documents referred to in rule 4 of the Central Motor Vehicles Rules, 1989;
 - (d) Valid fitness certificate alongwith its attested photo-copy or application for fitness certificate;
 - (e) 3 Passport size photographs of the owner;
 - (f) Tax clearance certificate/M.T.C.IV(alongwith attested photo-copy) as prescribed in the Rajasthan Motor Vehicles Taxation Rules, 1951, as the case may be;
 - (g) Inter-district no objection certificate, if applicable;
 - (h) Consent of the financier for re-registration;
- (i) Fees equal to the amount as prescribed for the registration of similar type of vehicles in the Central Motor Vehicles Rules, 1989.

¹ Inserted by G.S.R. 105 dated 13.3.2003, Pub. in Raj. Gazette E.O. Part 4 (C)(I) dated 13.3.2003

Note: Attested copies of documents mentioned in above sub-clauses (b), (d) & (f) shall be verified from original certificates and original certificates shall be returned.

- (4) If the owner fails to make an application within the period prescribed under clause (2), the Registering Authority shall require the owner to pay in lieu of any action taken against him under section 177, an amount as follows:-

- (i) Rs 50, if the delay does not exceed thirty days, and

- (ii) Rs 100, if the delay exceeds thirty days.
- (5) On receipt of an application, the Registering Authority shall, before re-registering and assigning a new registration mark, require the owner to produce the motor vehicle before him or before the Motor vehicles Inspector or Motor Vehicle sub-Inspector, so that the Registering Authority may satisfy himself about the particulars of the Motor Vehicle.
- (6) On being satisfied, the Registering Authority shall issue to the owner of the Motor Vehicle, a certificate of registration in Form 23 of the Central Motor Vehicles Rules, 1989 while doing so he shall cancel the original certificate of registration and such cancelled certificate of registration shall be kept in the office of the Registering Authority.
- (7) The Registering Authority re-registering the vehicle shall intimate to the original Registering Authority about the new registration mark of the vehicle in Form R.S. 4.5A
- (8) The validity of certificate of registration of re-registered vehicle under this rule shall be 15 years from the date of its re-registration subject to the age limit, if any, prescribed under section 59 of the Motor Vehicles Act, 1988.]

¹[4.3 Allotment of Registration Number within the series.- On receipt of an application the Registering Authority, while assigning registration mark to a new vehicle or already registered vehicle in another State, shall assign the registration mark which strictly falls in serial after the last registration mark assigned :

Provided that the State Government may allow to allot registration mark in advance ²or a person on his new vehicle can retain old number already allotted to his previous] vehicle in a manner specified by Transport Commissioner on payment of fee specified by the State Government.]

1. Substituted by G.S.R. 92 dated 5.11.1999, pub. in Raj. Gazette E.O. Part 4 (C)(I) dated 5.11.1999.

2. Deleted by No. F(229)/pari/Rules/H.Q.2003/541 dated 23-08-2010 and Ins. by No. F7(198)/Pari/Rules/HQ/2003/II date 11-02-2011.)

4.4. Registration of vehicles disposed off by the Defence Forces.- Motor vehicle disposed off by the Defence Forces shall not be registered/assigned unless its military colour are decoloured.

4.5 Transport Vehicle-particulars to be printed on.- (1) Save in the case of motor cabs or trailers of nature specified in Clause (i) of sub-section (3) of section 66 of the Act, the following particulars in respect

of every transport vehicle shall be exhibited on the left hand side of the vehicle in the manner described i.e.-

- (i) the name of the owner as set forth in the registration certificate and his address.
- (ii) unladen weight denoted by W.W.-----Kgs.
- (iii) gross vehicle weight denoted by G.L.W.....Kgs.
- (iv) in case of Passenger Transport vehicle, the number of passengers excluding the driver and conductor specified in the permit of the vehicle denoted by PASS.....
- (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 M.A.W.....Kgs.
- (viii) the number and size of the tyres :-
 - (1) Front axle denoted by NOS.....
 - (2) Rear axle denoted by NOS.....
 - (3) Intermediate axle denoted by NOS.....

(2) The name of the district and the region in which vehicle is registered shall be painted on the right hand side of every vehicle and the registration mark shall also be painted on right and left side as well as in the front and rear side of every transport vehicle. All these shall be in English letters and numerals and shall certify in respect of dimensions, spacings and other respect, the condition as prescribed by the Central Government in their rules or in notification. Painting of the name and registration mark shall be in addition of the exhibition of registration mark in front and the rear as required by the rules of the Central Government.

(3) The weight shall be stated in kilograms and the particular shall be set forth in English or Hindi letters and numerals each not less than the size prescribed by the Central Government.

(4) Vehicle registered under section 60 of the Act need not to exhibit the particulars specified in Clauses (i), (iv) and (viii) of sub-rule (1).

4.6. Registration Fee-Exemption.- (1) The Government may by notification in the Rajasthan Gazette make exemption in regard to the registration fee payable in respect of any motor vehicle or class of motor vehicles.

(2) Motor ambulance used solely for the convenience of sick or injured as may be notified by the Government from time to time, shall be registered free of charge:

Provided that the fee as prescribed by the Central Government shall be charged for issue of duplicate copy of registration certificate.

4.7. Intimation in respect of vehicle not registered within the State.- When any motor vehicle which is not registered in the State, has been kept in the State for a continuous period of more than 30 days, the owner or other person incharge of the vehicle shall send intimation to the registering authority in Form 4.12 within 2 weeks after expiry of 30 days from the vehicle brought into the State in whose jurisdiction vehicle is used.

4.8 Notice of alteration of Motor vehicle under sub-section (1) of section 52 of the Act.- (1) The notice by the owner of a motor vehicle to the Registering Authority in accordance with sub-section (1) of section 52 shall be in Form R.S. 4.13.

(2) The Registering Authority on receipt of such notice if the approval has been accorded may require the owner of a motor vehicle to produce the certificate of registration in respect of vehicle before him or his nominee within seven days from the date on which such requisition was made for the purpose of the revision of the entries therein.

4.9. Registration Certificate-Lost or destruction of- intimation.- If at any time, the registration certificate is lost or destroyed, the owner shall forthwith intimate the fact in writing to the Registering Authority by whom the registration certificate was issued or by whom registration mark of the vehicle was assigned under section 47 of the Act and shall apply in Form prescribed by Central Government to the said authority for the issue of duplicate registration certificate.

4.10. Intimation to original Registering Authority.- The Registering Authority who makes the endorsement of transfer shall intimate to the original Registering Authority in Form R.S. 4.4. and in

case of assignment of fresh registration mark shall intimate to the original Registering Authority in Form R.S. 4.5.

4.11. Registration Certificate Authority to suspend.- Any Police Officer not below the rank of Dy. S.P. and any Transport Officer, not below the rank of a ¹[Motor Vehicle Sub-Inspector], may suspend the registration certificate of a motor vehicle under section 53 of the Act.

4.12. Information regarding stolen vehicle.- (1) The Director General of Police shall direct the concerned officer to supply information regarding stolen and stolen vehicle

1. Substituted by G.S.R. 46 dated 4.12.2003, published in Raj. Gazette E.O. Part 4 (Ga)(I) dated
4.12.2003.(w.e.f. 4.12.2003).

which have been recovered in Form R.S. 4.3 to the Transport Commissioner, Rajasthan by the 7th day of the month next following month and send a copy thereof to the Registering Authority where the vehicle is registered.

(2) On receipt of such intimation, the Transport Commissioner shall inform all the registering authorities to details of the stolen vehicle.

4.13. Production of Registration Certificate before the Registering Authority.- If at any time the Registering Authority requires to enter or revise the entries of particulars relating to Gross Vehicle Weight he shall call the owner or the person incharge of the vehicle to produce the registration certificate for the correction of G.V.W. and the registering authority shall correct the G.V.W. and return the registration certificate to the owner or person to produce the same.

4.14. Production of Motor vehicle before Registering Authority.- The Registering Authority shall, before registering or assigning a new registration mark under sub-section (1) of Section 47 of the Act, or before entering the particulars of transfer of ownership of a motor vehicles in the Certificate of Registration, require the owner or as the case may be, the transferor to produce the motor vehicles before him or before the Motor Vehicles Inspector or Motor Vehicles Sub-Inspector may as directed, so that the Registering Authority may satisfy himself about the particulars of the Motor Vehicles mentioned in the form of application for registration or recorded in the certificate of registration with a view to ensure that the vehicle complies with the provisions of Chapter VII of the Act and the rules made thereunder.

4.15. Appellate Authority.- (1) The authority to hear the appeals against any appealable order passed by the Registering Authority under this Chapter of the Act shall be the Regional Transport Officer.

(2) The authority to hear appeal against the order passed by any Police Officer or Motor Vehicle Inspector u/s 53 read with rule 4.11 shall be the Regional Transport Officer.

(3) The authority to hear the appeal against the order passed in respect of certificate of fitness u/s 56 shall be the Regional Transport Officer having jurisdiction in the area in which the order was passed.

4.16. Procedure of Hearing of Appeals.- (1) The appeal referred in Sections 45, 50, 54, 55 and 57 of the Act shall be preferred in duplicate in Form of memorandum set forth concisely the grounds of objections to the order of the registering authority or Inspector of motor vehicles or the Police Officer and shall be accompanied by the prescribed fee in cash or stamps and a certified copy of the order. If the appeal succeeds the appellate authority or the registering authority concerned, as the case may be, refund the fee in whole or in part as he may deem fit.

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

(3) Any person preferring an appeal under the provisions of Chapter IV of the Act and the rule shall be entitled to obtain a copy of any document filed with the registering authority in connection with any order against which he is preferring the appeal in the prescribed manner.

(4) Subject to the provision of sub-rule (3) the Regional Transport Authority or the registering authority may give any person interested in appeal preferred under Chapter IV of the Act, copies of any document connected with the appeal in the prescribed manner.

4.17. Amount payable in lieu of action u/s 177 of the Act.- ¹[On a failure of the owner in making application for certificate of registration under sub-section (1) of Section 41 of the Act or application for renewal of Certificate of Registration under sub-section (8) of Section 41 of the Act in the prescribed time, or]

(2) On a failure of the owner in making application for assignment of new registration mark on removing of vehicle to another State under sub-section (1) of Section 47 of the Act within the prescribed time, or,

(3) On a failure of a owner in intimating the change of residence or place of business under Sub-section (1) of Section 49 of the Act in the prescribed time.

(4) On a failure to give timely intimation under Sub-section (3) of Section 50 and Sub-section (5) of Section 50 of the Act by transferor or transferee.

The owner or transferee or transferor as the case may be, shall be liable to pay sum of Rs. 25/- per calendar month or part thereof by the application or intimation as the case may be is delayed:

Provided that the amount so payable shall not exceed Rs. 100/- in each case separately.

4.18. Grant and Renewal of Certificate of Fitness.- (1) A certificate of fitness under section 56 of the Act, shall be granted or renewed by the ²[District Transport Officer or any Motor Vehicle Inspector/sub-Inspector specially authorised by the Transport Commissioner or person] authorised by the Transport Commissioner or the approved testing station of the district in which the vehicle is paying tax.

1. Substituted by G.S.R. 21 dated 26.7.1993, published in Rajasthan Gazette, Part 4 (Ga)(I) dated

27.7.1993,(w.e.f. 27.7.1993).

2. Substituted by G.S.R. 46 dated 4.12.2003, published in Raj. Gazette E.O. Part 4 (Ga)(I) dated

4.12.2003.(w.e.f.4.12.2003).

¹[(IA) Notwithstanding anything contained in sub-rule(1) , the Transport Commissioner may direct to any vehicle or class of vehicles to obtain the certificate under section 56 from any authority, person or approved testing station.]

(2) The application for issue or renewal of fitness certificate shall be in prescribed Form R.S. 4.6 in case of grant and in Form R.S. 4.7 in case of renewal and it shall be presented before the authority in sub-rule (1).

(3) Such authority shall endorse thereon the date, time and place appointed for the next inspection of the vehicle and the owner shall cause the vehicle to be produced accordingly.

(4) If the owner finds that the vehicle cannot be produced for the next inspection on the date endorsed on the fitness certificate, he shall, not less than 15 days before the aforesaid date, apply to such authority to endorse the date of next inspection so changed after stating the reasons for such change.

(5) If date of the next inspection is not endorsed on the fitness certificate as provided in sub-rule (3) an application for the renewal shall be made, not less than one month before the date of expiry of the certificate, and the owner of the vehicle in respect of which such application is made shall cause the vehicle to be produced for inspection on such date at such time and place as such authority may appoint.

(6) If the owner fails to make an application on or before the date as aforesaid or fails to produce the vehicle on the date, time and place fixed before the authority, a penalty at the rate of Rs. 15/-, Rs. 20/- and Rs. 25/- for light, medium and heavy vehicles respectively will be charged for every calendar month or part thereof from the date of expiry of the fitness, but the amount of penalty shall not exceed the amount of fee prescribed for grant and renewal of fitness certificate u/s 64 (o) of the Act, without prejudice to any action which might have been or may be taken for plying the vehicle without mechanical fitness:

Provided that when a vehicle as produced for inspection after the expiry of previous fitness, no fitness shall be granted or renewed unless a receipt of payment of tax due and penalty under sub-rule (6) or any other penalty, is produced to such authority.

(7) If the owner of the vehicle fails to obtain the fitness certificate without informing the reasons thereof to such authorities he shall not be allowed any benefit of non-use on the ground of not having fitness.

(8) If owing to mechanical breakdown or other cause the motor vehicle is, after the expiry of the fitness certificate remains outside the functional area of the authority by whom the certificate is to be renewed, the District Transport Officer, without prejudice to any penalty to which the owner or the driver may have become liable if the vehicle is in his opinion fit for use, by endorsement in Form R.S. 4.9 and subject to such conditions as he may satisfy authorise its continuous use for such time as may reasonably be necessary for the vehicle to return to the area of the authority by whom the certificate shall 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 unless the certificate has been renewed.

¹[(9) The owner of re-registered vehicle shall produce fitness certificate before District Transport Officer so that the new registration mark can be entered in place of earlier registration mark entered on its within a period of 30 days from the date of re-registration.]

4.19. Production of vehicle and Inspection thereof.- The vehicle will be produced for inspection at the office of the District Transport Officer concerned or at the approved testing station in the district concerned provided that the Transport Commissioner may in his discretion, in public interest fix any number of other inspection place in the district, as he deem proper. The District Transport Officer will obtain the inspection report in Form R.S. 4.8 from the motor vehicle Inspector/Sub-Inspector or otherwise satisfies himself regarding fulfilment of the requirements of the provisions of Chapter VII of the Act and the rules made thereunder and in case the approved testing station the incharge of the approved testing station will obtain the inspection report in Form R.S. 4.8 from his technical man.

4.20. One certificate for one vehicle.- There shall not be more than one certificate of fitness in respect of any vehicle.

4.21. Un-safe Vehicles-restriction on use.- If a vehicle is damaged at any time so as to be unfit for ordinary use and may in the opinion of any District Transport Officer safely be driven at a reduced speed to a place of repair and if the District Transport Officer is satisfied that it is necessary that the vehicle should be so driven, any District Transport Officer may by endorsement in Form R.S. 4.10 specify the time within which and the condition subject to which, the vehicle may be driven to a specific destination for the purpose of repair and the limit of speed it shall not be driven.

4.22. Exemption of fee.- No fee for grant and renewal of fitness certificate shall be charged from the owner of Tractor with Trolley using the same for agricultural purposes.

4.23. Fitness Certificate-Cancellation or suspension thereof.- If any ²[District Transport Officer/Motor Vehicle Inspector/ Sub-Inspector] on his own inspection is satisfied that the vehicle no more complies with the provisions of Chapter VII of the Act and the rules made thereunder, he may cancel or suspend the certificate of fitness of that vehicle:

Provided that the authority cancelling or suspending the fitness certificate shall without delay give the owner or the incharge of the motor vehicle a memo in writing stating therein the reasons for doing so:

Provided further that when the authority cancelling or suspending the certificate of fitness is other than the original authority, which granted or renewed the concerned certificate of fitness, it shall endorse a copy of the memo to that authority.

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1. Inserted by G.S.R. 105 dated 13.3.2003, pub. in Raj. Gazette E.O. Part 4 (C)(I) dated 13.3.2003.
2. Substituted by G.S.R. 46 dated 4.12.2003, published in Raj. Gazette E.O. Part 4 (Ga)(I) dated 4.12.2003.(w.e.f.4.12.2003).

¹[Provided also that no such cancellation shall be made by the cancelling authority unless such authority holds such technical qualification as prescribed under the Central Motor Vehicle Rules, 1989 or where the cancelling authority does not hold such technical qualification on the basis of the report of an officer having such qualification.]

4.24. Refusal to Grant or Renew-reasons to be given.- (1) If the grant or renewal of certificate of fitness is refused the reasons for the refusal shall be communicated simultaneously to the owner/incharge of the vehicle in Form R.S. 4.11.

(2) The Vehicle owner in such case may produce his vehicle for re-inspection after removing the defect and or carrying out the instructions;

The prescribed fee only shall be charged for the second and the subsequent inspection.

4.25. Certificate of Fitness-lost or destruction.- (1) If a certificate of fitness is lost or destroyed the owner of the vehicle shall forthwith report the matter to the authority by whom the certificate was issued or last renewed and shall apply for a duplicate copy alongwith prescribed fee.

(2) Upon receipt of an application and the fee referred to in Sub-Rule (1), the authority shall furnish the owner with a duplicate copy of the certificate duly stamped "DUPLICATE" in 'Red' ink.

(3) No person shall be liable to be convicted for offence u/s 130 of the Act for not producing the fitness certificate at the time when the certificate is demanded, he has already reported the lost or destruction

thereof in accordance with Sub-Rule (1) and duplicate copy has not been delivered to him.

4.26.². [.....]

4.27. Maintenance of a register for registration.- (1) Every Registering authority shall maintain a register of registration of vehicles in the manner prescribed by the Central Government.

(2) Every Registering Authority shall send information of registered/assigned vehicles during the month by the 7th of each succeeding month to the Transport Commissioner in the following proforma :-

1. Registration number;
2. Previous Registration number, if any;
3. Whether the motor vehicle is :-
 - (a) new vehicle;

1. Added by G.S.R. 46, dated 04.12.2003 (pub. in Raj. Gaz., Ex-ord Pt. 4(Ga)(I) dated 4.12.2003) (w.e.f 04-12-2003)

2. Deleted by Noti No. F7(271)pari/Rules/HQ/2007, dated 04-10-2007 and after deleted the Rule 4.26 was as follows:-

4.26 Exemption of Road Plant.- Nothing contained in Chapter IV of the Act shall apply to Road Rollers, Graders and other vehicles designed and used solely for the construction and repairs of roads.

(b) imported vehicle;

(c) ex-army vehicle;

4. Make's name
5. Year of manufacture
6. Engine number
7. Chassis number
8. Number of cylinders
9. Cubic capacity/ Horse power
10. Type of fuel used
11. Class of motor vehicle
12. Name and full address of the registered owner
13. Seating Capacity
14. Gross vehicle weight
15. Unladen weight

(3) The Statistical section of the office of the Transport Commissioner shall maintain a State Register of motor vehicles on the basis of the information received from each Registering Authority and shall send in time a printed copy of the said register to the Central Govt.,

Ministry of Surface Transport within the stipulated time as required by them under their rules.

(4) The State Register may be either in bounded book form or on computer disc or tape.

(5) The State Register for motor vehicle, shall be maintained accordingly to be class of vehicle that is to say transport or non-transport and also if the registration of all type of vehicle is in large number according to the detail classification of the vehicles as decided by Transport Commissioner (moped, two wheeler other than moped, other non-Transport vehicle, public service vehicle, goods carriers taxi cabs (Car and Jeep), etc

¹[**4.28. Fees.-** The fees which shall be charged under the provisions of this chapter shall be as specified in the table below:-

Table

S.n	Purpose	Amount (in Rs.)	Rule
1	For temporary registration for each month (a) For Transport Vehicle (b) or Non Transport Vehicle	500/- 200/-	4.2
2	For subsequent inspection in case of refusal of grant or refusal of fitness certificate for all types of vehicles	100/-	4.24
3	For duplicate certificate of fitness	100/-	4.25]

1.Noti. No. F7(4)/pari/Rules/H.Q/11/92/12004. dt. 30-06-2015, S.O. 77(Pub. in Raj. Gaz. Ex-ord ,pt 4(C)(II) dt. 01-07-2015)

CHAPTER V CONTROL OF TRANSPORT VEHICLES

5.1. State Transport Authority.- (1) The State Transport Authority shall meet at such times and at such places as its Chairman may appoint :

Provided that it shall meet atleast once in a year.

- (2) The number of members whose presence shall constitute the quorum shall be two or 50% of the total membership including the Chairman, whichever is higher.
- (3) The Chairman, if unable to attend the meeting, shall nominate a member to act as the chairman at the meeting, the Chairman or the acting Chairman nominated under this sub-rule shall have the second casting vote.
- (4) Not less than 7 days notice shall be given of any meeting of the State Transport Authority. In case of emergency the Chairman can call meeting on 24 hour's notice.
- (5) A nominated non-official member of the State Transport Authority shall hold the office for a period of three years and thereafter until a successor is nominated:

Provided that (i) The Government may, at any time, reduce the period of the office of any such member to the period during which he has till than actually held the office of such member; and

(ii) When such member dies or otherwise vacates the office or when his period of the office is so reduced, his successor shall hold the office for the remainder of the period for which a member whose place such successor takes would have hold such office.

(iii) The nominated non-official member of the State Transport Authority shall be entitled to receive for his attending the meeting of the Authority travelling and halting allowance at the scale and on the conditions admissible to **1st** class officers and any such member performing any journey, other than to attend a meeting of the authority, in connection with the business of the authority shall with the sanction of the Chairman be entitled to receive travelling and halting allowances likewise.

5.2. Regions and Regional Transport Authorities.- (1) Regions for the purpose of section 68 of the Act shall be in such number and shall comprise the areas, as notified by the State Government from time to time.

(2) The Regional Transport Authority shall be the sole Transport Authority under Chapter V and VIth of the Act for the vehicle used

or proposed to be used on routes common to two or more regions lying within the same State or in different States.

¹ [(3) Each Regional Transport Authority shall meet at such times and at such place (within the region) as the Chairman may decide unless the State Transport Authority directs otherwise].

1Subs. by G.S.R. 26, dated 21-06-1996, pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 22.06.1996(w.e.f. 22.06.1996)

5.3. Conduct of business of the Transport Authorities.- (1) A Secretary appointed under this rule or appointed by the State Government shall perform such duties and exercise such powers as may be specified in these rules and in the bye-laws made by the Transport Authority under sub-rule (2)

Provided that the State Government may if it considers necessary in the public interest, appoint more than one Secretary and a Executive Officer for any area of the region for each transport authority as constituted.

- (2) Subject to the provision of ,the Act and these rules and to the approval of the State Government, the said 'Transport Authority or Regional Transport Authority shall have the powers to make bye-laws to regulate the conduct of its business and shall likewise have powers to amend and rescind such bye-laws and the business of such transport authority, shall be conducted according to such bye-laws and under the directions of the Chairman.

In the event of the procedure by circulation being followed, the Secretary shall send to each member of the transport authority such particulars of the matter as may be reasonably necessary in order to enable the member to arrive at a decision and shall specify a date by which the votes of the members are to be received in the office of the Transport Authority. Upon receipt of the votes of the members as aforesaid, the Secretary shall lay the papers before the Chairman who shall record the decision by endorsement on the form of the application or other documents, as the case may be, according to the votes received and the vote or votes cast by the Chairman. The record of the votes cast shall be kept by the Secretary and shall not be available for inspection by any person, save by the member of the Transport Authority at the regularly constituted meeting of the transport authority,

no decision would be made by the procedure of the circulation, if before the date by which the votes of members are required to reach the office of the transport authority, not less than 1/3rd of the members of the transport authority by notice in writing to the Secretary demand that the matter may be referred to a meeting of the transport authority.

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

(5) The State or the Regional Transport Authority, as the case may be, may require the applicant for a permit to appear before it or before the officer authorized by it by a resolution and may withhold the consideration of the application for the permit until the applicant is so appeared in person, if so required or by duly authorized representative, if so permitted, and until the applicant has furnished such information as may be required by the transport authority in connection with the application.

(6) Nothing contained in this rule shall preventive the State or the Regional Transport Authority from deciding by following procedure by circulation any matter which has been considered at the meeting or has been a subject of hearing and upon which a decision has been reserved.

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

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

¹[5.4. Delegation of powers.- (1) The State Transport Authority or the Regional Transport Authority may by general or special resolution delegate all or some of its powers and functions to officers of Transport Department not below the rank of ²[Motor Vehicle Inspector] subject to such condition and restrictions as it may think proper:

Provided that the powers under sub-section (5) of Section 86 of the Act to compound any case of breach or infringement of the provisions of the Act or the rules can be delegated to the officers of the Transport Department not below the rank of Motor Vehicle Sub-Inspector :

Provided further that the powers of counter signing or granting temporary permits for vehicles of other States, coming in to this State or passing through this State under sub-section (8) of section 88 for one return trip only and in case of goods vehicles permit under section 87 for not more than thirty days, can be delegated to the incharge Check Post/Tax Collection Centre.

(2) The State Transport Authority, or Regional Transport Authority may from time to time, issue instructions to the officers to whom powers have been delegated as to the manner in which they shall exercise the powers delegated to them.]

5.5. Application for Grant of Permit.- (1) Every application for a permit in respect of Transport Vehicle shall be in one of the following forms, namely:-

- i. In respect of a particular Stage Carriage in Form R.S. 5.1;
- ii. In respect of service of Stage Carriage in Form R.S. 5.2;
- iii. In respect of a particular Contract Carriage in Form R.S. 5.3;
- iv. In respect of a Casual Contract Carriage in Form R.S. 5.4;

1. Subs. by G.S.R. 109, dated 25.3.1998, published in Raj. Gazette E.O. Part 4 (Ga) (I) dated 25.3.1998.

2. Substituted by G.S.R. 106 dated 22.2.2002, published in Raj. Gazette E.O. Part 4 (Ga) (I) dated 22.2.2002.

- v. In respect of a Contract Carriage to be used for Private hire in Form R.S. 5.5;
- vi. In respect of a Private Service Vehicle in Form R.S. 5.6;
- vii. In respect of Goods Vehicle in Form R.S. 5.7;
- viii. In respect of All India Permit u/s 88(8)-in Form prescribed by the Central Government;
- ix. In respect of National Permit u/s 88(9) in Form prescribed by the Central Government; and
- x. In respect of temporary permit in Form R.S. 5.8.
- xi. ¹[In respect of a particular Educational Institution Bus in Form R.S.5.8 A.]

(2) The application ²[alongwith a passport size photograph of applicant affixed thereon and three additional photographs, which shall be used for affixing on permit register, and on permit part 'A' and 'B'] shall be addressed to the State Transport Authority or the Regional Transport Authority, as the case may be, and submitted in the office of the Secretary/Executive Officer and accompanied by-

- (i) proof of residence in the manners mentioned in rule 4 of the Central Motor Vehicles Rules, 1989;
- (ii) proof regarding belonging to S.C. or S.T. from a competent authority. Where reservation of permit under sub-section (4) of section 71;
- (iii) A self-addressed envelope for intimation;
- (iv) Prescribed fee;

(3) In case of a stage carriage Permit.- The application shall also be accompanied by:-

(a) Blue print of the proposed route showing all vias-villages/towns/cities with population.

³[(b) Length and class of the proposed routes may be notified route or non-notified route and be of the type i.e. sub urban route, rural route, route lying exclusively within the area of Municipality of **U.I.T.** or both or other routes.

Explanation I.- For the purpose of this sub-rule the above classification of route shall have the following meaning:-

(1) Notified route shall means the route notified under section 100 of the Motor Vehicle Act 1988.

(2) Non-Notified route shall mean a route which is not a notified route.

1. Inserted by G.S.R. 46 dated 4.12.2003, published in Raj. Gazette E.O. part 4 (Ga) (I) dated 4.12.2003 (w.e.f. 4.12.2003).
2. Inserted by G.S.R. 82 dated 29.11.2002, published in Raj. Gazette E.O. part 4 (Ga) (I) dated 29.11.2002.
3. Substituted by G.S.R. 29 dated 14.9.2004, published in Raj. Gazette E.O. part 4 (Ga) (I) dated 14.9.2004 (w.e.f. 14.9.2004).

(3) Sub-Urban route and rural route shall means a route as defined in the Rajasthan Motor Vehicle Rules, 1990.

- (4) Other route shall mean;
- (i) a route which is not covered under a sub-urban route, rural route, route lying exclusively within the area of Municipality or U.I.T. or both.
 - (ii) the existing Stage carriage routes lying beyond the area of Municipality or U.I.T. or both at the time of commencement of the Rajasthan Motor Vehicles (IIInd Amendment) Rules, 2004 unless the Category is changed by the State Government.]

Explanation II.- Duly verified by competent authority of P.W.D. or Tehsildar of the concerned district.

In case the applicant does not give the proof regarding length of route than the Regional Transport Officer shall have a survey report regarding length and nature of the route from the District Transport Officer concerned.

(c) Proposed time-table.

(d) Proposed fare to be charged (Fare chart).

- (4) In case the application for a private service vehicle, proof regarding **permit** to be 'used as private service vehicle.
- (5) In case of stage carriage permits, All India Permit and National Permit, affidavit in support of having at the time of application number and the nature of the permit having in the applicants name or in the name of any member of his family and no portion of nationalized route over lapped or the proposed route overlapped by..... k.m.

¹[(6) Fleet owner may apply for stage carriage permit in Form R.S. 5.2.]

²[**5.5A-** Motor Vehicles adapted to carry more than nine persons excluding the driver shall be required to have a permit under section 66 of the Act.

Provided that the vehicle already registered in the State before the commencement of the Rajasthan Motor Vehicles (III Amendment) Rules, 2005 shall be allowed a period of 180 days for obtaining the permit.]

5.6. Disposal of Application of where no limit has been fixed.-

(1) The Secretary State Transport Authority, Regional Transport Authority shall scrutinize each application, if any application is not complete, the applicant shall be required to remove the defect.

(2) All the such applications found complete shall be entered date-wise, in a separate register to be maintained for each type of application of permit in the office.

(3) The Secretary shall dispose of such applications on behalf of the Regional Transport Authority where the powers to deal these which has been delegated to him.

(4) In case where an application is required to ,be considered by the Regional Transport Authority the Secretary shall submit the

application received from 1st to 15th of each month with a factual report regarding (i) correctness of the application, (ii)

1. Substituted by G.S.R. 45 dated 2.12.2003, published in Raj. Gazette E.O. part 4 (Ga) (I) dated 2.12.2003 (w.e.f. 2.12.2003).
2. Added by Notification No.F. 7 (4) Pari/Rules/Hq./92 dated 25.8.2005 (w.e.f. 1.9.2005)

whether the proposed route or area is over lapped or not by nationalized route and (iii) all other matters based on the documents submitted by the applicant, before 22nd of the same month likewise the complete applications received from 16th to the last date of the month shall be submitted before the Regional Transport Authority by, the 7th of the next month.

(5) The applications submitted and found complete by the State Transport Authority/ Regional Transport Authority shall be disposed off within two months from the date of receipt, while granting the permit for the stage carriage the Regional Transport Authority shall also approve the proposed time table and the fare chart submitted by the applicant.

¹[(5A) A vehicle owner can be granted only one reserve stage carriage permit for every ten particular stage carriage permits he possesses.]

(6) Before rejecting the application the State Transport Authority/Regional Transport Authority shall issue a show-cause notice to the applicant to appear before him on the appointed date, place and time, either in person or through authorized representative. After giving him an opportunity of being heard or in case no body appears on the date mentioned in the notice, he shall decide the application on the merit. If the application is rejected, reasons for rejecting the application should be given in writing immediately.

5.7. Disposed of application of stage carriage permit where limit has been fixed.- (1) Where the number of stage carriage are fixed under sub-section (3) (a) of section 71 of the Act the stage carriage permit to the extent of the 16% and 12% shall be reserved for the applicants belonging to the SC/ST respectively.

- (2) In case the applications received from SC and ST are less than the permits to be issued to them under sub-rule (1), the number of permits which could not be issued to the persons belonging to the SC and the ST shall be carried forward but such carried forward quota shall automatically lapse after one year.
- (3) The State Transport Authority or the Regional Transport Authority may group various routes within the State/Region for which limit of the permit has been fixed for the purpose of granting stage carriage permits to the applicants belonging to the SC/ ST as per sub-rule (1).

- (4) The procedure for disposal of application before the Regional Transport Authority will be the same as mentioned in Rule 5.6.

5.8. Power to refusal to accept application for the permit.- Where the number of permit for Stage Carriage and Contract Carriage has been fixed under the Act, and number has been exhausted, the Regional Transport Authority shall notify this fact on the notice board of its office and may decline to receive any further application for permit in respect of a class of vehicle in the area or on the route aforesaid.

5.9. Issue of permit.- (1) The Secretary/Executive Officer of the ²[State Transport Authority/Regional Transport Authority] shall, intimate the applicant with in seven days from the date of order of the ²[State Transport Authority/Regional Transport Authority]

1.Ins. byS.O. 396 dated 28-02-2004(Pub. in Raj. Gaz. Ex- Ord Pt4 (Ga)(I) dated 28-02-2004 (w.e.f. 28-02-2004)

2. Subs. by G.S.R. 39, dated 26-07-1995(Pub. in Raj. Gaz, Ex-ord Pt-4 (Ga)(I) dated 26-07-1995)

regarding grant or rejection of the application and on receipt of the prescribed obtained Form R.S. 5.19 for the permit shall be issued which shall be in one of the following forms:-

(i) In respect of Stage Carriage permit	In Form R.S. 5.9
(ii) In respect of service of Stage Carriage	In Form R.S. 5.10
(iii) In respect of a particular contract carriage	In Form R.S. 5.11
(iv) In respect of casual contract carriage	In Form R.S. 5.12
(v) In respect of contract carriage to be used for private hire.	In Form R.S. 5.13
(vi) in respect of Private Service vehicle	In Form R.S. 5.14
(vii) In respect of Goods Vehicle	In Form R.S. 5.15
(viii) In respect of National Permit	In Form R.S. 5.16
(ix) In respect of All India Tourist Permit	In Form R.S. 5.17
(x) In respect of temporary permit	In Form R.S. 5.18
¹ [(xi) In respect of cash receipt cum temporary permit for contract/goods carriage	In Form R.S. 5.18A
(xii) In respect of a particular Educational Institution Bus	In Form R.S.5.18 B.]

(2) Save in the case of Temporary Permit every permit shall be in two portion 'A' and 'B'. One copy of part A only shall be issued. One copy of part B shall be issued in respect of every vehicle authorised by the permit and where a permit relates to more than one vehicle each such copy shall carry, in addition to the number of

permit a separate serial number contained in Brackets after the number of permit. Each such copy shall be sealed and signed by the authority by which the permit is issued and by the authority by which the permit is countersigned.

(3) The holder of a permit shall cause the relevant copy of part 'B' thereof or the Temporary permit, as the case may be, to be carried in Glassed Frame or other suitable container in or fixed to the interior of the vehicle in such a way as to maintain it in a clean and legible condition, readily available for inspection at any time by the authorised person.

²**5.10. Permit for Transport Vehicle-Condition.-** In pursuance of any general or specific direction issued by the State Transport Authority in this behalf, a condition to the effect that the Motor Vehicle in respect of which such permits is granted or renewed shall not be a model earlier than a specified year and any other condition to any other effect, may be attached at the time of the grant or renewal of a permit for Transport Vehicle.]

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1. Inserted by G.S.R. 46 dated 4.12.2003, published in Raj. Gazette E.O. part4 (Ga) (I) date4.12.2003 (w.e.f. 4.12.2003).
 2. Subs. by G.S.R. 21 dated 26-07-1993(Pub. in Raj.Gaz. ,Ex-ord Pt. 4(ga)(I) dated 27-07-1993(w.e.f 27-07-1993)

5.11. Permit Entry of Registration Mark on.- (1) Save in the case of a temporary permit, if the registration mark of the vehicle is to be entered on the permit and the applicant is not at the date of application in possession of the vehicle duly registered, the applicant shall within one month of the sanction of the application by the Regional Transport Authority or such longer period as the Authority may specify, produce the certificate of registration of the vehicle before that Authority in order that particulars of the registration mark may be entered in the permit.

(2) No permit shall be issued until the registration mark of the vehicle to which it relates has, if the form of permit so requires, been entered therein and in the applicant failing to produce the certificate of registration within the prescribed period, the Regional Transport Authority may revoke its sanction of the application.

¹[(3) The owner of re-registered vehicle shall produce Part A and Part B of the permit before the Secretary/Additional Secretary, R.T.A. so that the new registration mark can be entered in place of the

earlier registration mark entered on it within a period of 30 days from the date of re-registration].

5.12. Permits-Temporary.- (1) A temporary permit may, if the State Transport Authority or a Regional Transport Authority thinks fit, be granted to any person whether he is the registered owner of the vehicle or vehicle to be used thereunder or not.

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

5.13. Permits Extension of Area or validity of.- (1) Subject to the provisions of section 88 of the Act, a Regional Transport Authority which issues a permit (hereinafter referred to as the original Transport Authority) other than permit to any other region within Rajasthan and may attach conditions to the permit with effect to such other

1. Added by G.S.R. 105 dated 13.3.2003, Pub. in Raj. Gazette E.O. Part 4 (C) (I) dated 13.3.2003.

region and may vary the conditions of the permit in different regions provided always that the vehicle to which the permit in different region provided always that the vehicle to which permit refers are normally kept within the region of the Regional Transport Authority and subject to the provisions of the following sub-rules:-

(2) The original Transport Authority may issue a permit having validity in any other region in accordance with any general or special resolution recorded by any other Regional Authority, and any

permit so issued shall be of like effect in ' the region of the other Authority, as if it were issued by that Authority.

(3) Subject to the provisions of sub-rule (2), an original Transport Authority may issue a contract carriage permit with effect in another region or regions, if it attaches a condition to the permit to the effect that the vehicle or vehicles shall only be used beyond the region of the original transport Authority under contract for a return journey commencing and ending within the region of the original Transport Authority and shall not offered for hire outside that region.

(4) The original Transport Authority which issues a permit with effect in any other region shall send a copy of the permit to the Authority of the other region.

(5) Nothing in this rule shall effect the right of the holder of any permit to apply to any Regional Authority for counter signature of a permit.

5.14. Validity of inter regional permits without countersignature.- An inter regional permit granted by a Regional Transport Authority of any one region shall be valid in any other region of the State without being countersigned by the Regional Transport Authority of the other region.

5.15. National Permit & All India Tourist Permit.- (1) A permit granted by State Transport Authority of any State under sub-section (9) or (12) of section 88 of the Motor Vehicles Act and the holder of the permit has opted the State of Rajasthan and paid the tax or fee in lieu of tax if agreed shall be valid without countersignature in the State of Rajasthan :

Provided that the State Transport Authority or the competent authority, as the case may be, of the State granting the permit issued in respect of the vehicle and authorisation under its seal and signature in the form prescribed in sub-rule (2) of rule 83 and sub-rule (2) of rule 87 of the Central Motor Vehicles Rules, 1989:

Provided that such vehicles carries a valid certificate of fitness, registration certificates and in respect of which all due motor vehicles tax has been paid.

(2) If the authorization is not obtained within the prescribed time, the permit holder is liable to pay Rs. 100/- per month or part thereof for which the default continue in addition to fees in lieu of tax payable.

5.16. Stage carriage regular service.- Every stage carriage shall perform regular service in the manner required by the Transport Authority and shall immediately notify that Authority of any failure to do so, with the reasons thereof, failure without good reason to render the regular service on any prescribed route shall render the permit liable to suspension or cancellation by the Transport Authority.

5.17. Stage Carriages to ply on routes other than those specified in the permit under certain circumstances.- Holder of a permit granted in respect of a stage carriage shall, if so directed by the Authority granting permit (such direction being made in the interest of public and public safety or in any emergency) use the stage carriage of such route or in such area in the region other than that specified in such permit and during such period and at such timings as may be specified in the directions.

5.18. Power of Attorney.- (1) Operation of a motor vehicle through an attorney shall not be permissible except in the case of permit holder who is

- (a) a woman.
- (b) a minor whose father has died.
- (c) a person incapable to manage the operation of the motor vehicle by reasons of blindness or other physical or mental infirmity.
- (d) prosecuting studies in recognised institution and his age does not exceed 25 years.
- (e) under detention or imprisonment.

(2) A motor vehicle would not be operated under a power of attorney unless the permit holder has got the name of the person who is resident of Rajasthan and having his place of business for carrying passengers or goods in Rajasthan, in whose favour the power of attorney has been executed registered and filed a copy thereof in the office of the ¹[State Transport Authority Regional Transport Authority.] Failure to comply with these conditions shall constitute a valid ground for cancellation of permit.

²**[5.19. (A) Additional conditions in respect of certain permits.-** (1) The following shall be the additional conditions to every stage carriage permit

- (i) That there shall be exhibited on the vehicle adequate particular indicating the public place to which and the route by which the vehicle is proceeding;

- (ii) that the permit holder, shall not use the stage carriage in public place for the purpose of carrying or intending to carry passenger unless it carries a conductor in addition to the driver;

1. Subs. by G.S.R. 39, dated 26-07-1995 (Pub. in Raj. Gaz. Ex-ord Pt. 4(c) (I) dt. 26-07-1995)

2. Re Numbered by Noti No. F7(3) Pari/Rules/H.Q./2005/iv/16885 dt. 31-08-2015, G.S.R 82 (Pub. in Raj. Gaz. Ex-ord Pt. 4(c) (II) dt. 01-09-2015)

- (iii) that the vehicle shall be regularly operated on the entire specified route in each journey in accordance with the approved time-table except when prevented by accident temporary unmoterability of the route or any unavoidable cause due to natural calamity.
- (iv) if the Regional Transport Authority require the holder of stage carriage permit that the stage carriage or service of carriages in respect of which the permit is granted shall carry mails at such rates as the authority may in consultation with the postal Authorities fixed in that behalf from time to time.
³[
- (v) that the permits shall be subject to the provisions/ conditions/ as laid down in the Act and rules made there under and also subject to the conditions/directions laid down by the State Transport Authority/Regional Transport Authority, Rajasthan from time to time. Further, terms and conditions of specific schemes shall be the additional conditions for the permit granted under the particular scheme;
- (vi) while the vehicles on road shall not have any person of the permit holder other than the Driver and Conductor and no person including the conductor shall be on the stairs of a bus or stretching his hand outside the door of the vehicle;
- (vii) the driver and conductor to be deployed, shall bear high moral character and shall be courteous and polite to the commuters;
- (viii) the driver/conductor to be deployed in a stage carriages may be required to undergo the test and training as specified by the Transport Commissioner;
- (ix) the driver/conductor shall not be appointed or changed without prior intimation to the State Transport Authority/Regional Transport Authority;

- (x) the fare shall be charged from passengers at the rates approved by the State Government and tickets shall be issued to the passengers for the fare paid. The tickets so issued shall bear bus number, route, the fare actually charged from the passengers and place of boarding and place of destination of passengers. However that the tickets shall be issued by way of e-ticketing, if required by the State Transport Authority /Regional Transport Authority by any vehicle, class of vehicle of stage carriages;
- (xi) passengers shall not be carried in excess of the registered seating and standing capacity of the bus;
- (xii) not more than 15 kgs of luggage and personal effects for each passenger shall be carried in any stage in the bus free of cost;
- (xiii) it shall be ensured that goods shall be of such a nature and shall be so packed and secured on the bus as no danger, inconvenience or discomfort is caused to the passengers;

*Added by Noti No. F7(3) Pari/rules/hq/2005/iv/16885, dt. 31-08-2015
G.S.R 82(Pub/ in Raj. Gaz Ex-ord Pt. 4(C) (II)dt 01.09.2015)*

- (xiv) the buses with stage carriage permits shall not be utilized for any other purpose except with the prior approval of the State Transport Authority;
- (xv) all statutory obligations under labour laws and any enactments for benefit or employees of the operator shall be scrupulously observed by the permit holder;
- (xvi) that the crew (driver and conductor) wherever applicable shall assist and extend all possible help to disabled persons trying to board in and out of bus. Further, in case driver or conductor fails to stop the bus to allow a disabled person to board at the designated bus stop or fails/refuses to assist the disabled person(s) to board the bus, they shall liable for action under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and permit may be suspended or cancelled by the State Transport Authority;
- (xvii) Global Positioning System (GPS) of the specifications as specified by the Transport Commissioner shall be installed in such vehicles, on such date and in a manner as directed by Transport Commissioner. It shall be ensured by the owner of

the stage carriage that the GPS thus installed, is kept in working condition at all time;

- (xviii) in case an incident of indecent behavior, molestation or eve teasing etc. against any woman takes place in any bus which tantamount to outraging her modesty, it shall be the duty of the crew of the bus (i.e. driver and conductor) to inform the police immediately and take the bus to the nearest police station/police post/PCR van and hand over the culprit to the police;
- (xix) the vehicle shall not be fitted with curtains or glasses having films further. In case of the tinted glasses of windscreen, rear window and side windows provided by the manufacturer they shall be maintained in such conditions as prescribed under sub-rule (2) of rule 100 of the Central Motor Vehicles Rules, 1989 and judgment of the Hon'ble Supreme Court in Writ Petition (Civil) No. 265 of 2011 dated April 27, 2012;
- (xx) the vehicle shall have sufficient internal white lighting. Activities inside the vehicle should be visible from outside whenever the vehicle is plying on road during the day or night;
- (xxi) details of the driver and conductor (i.e. name, address, license number, badge number) and telephone/mobile number of the owner of the vehicle, transport and police helpline number and registration number of the vehicle shall be displayed at a conspicuous place inside the vehicle in contrast colour, so as to be clearly visible to all passengers in the vehicle;
- (xxii) all off duty vehicles shall be parked with the owners and not with the drivers or other staff members; and
 - (xxiii) the permit holder shall ensure that his/her vehicle has at least twenty five percent seats reserved for women, two seats reserved for senior citizens/disabled persons on the conductor side towards front gate. The seats reserved so shall also be marked accordingly. The conductor of the vehicle shall ensure the occupancy of these seats by the above said reserved passengers.”

(2) A permit in respect of Contract Carriage shall have the following conditions.-

- (i) that no driver authorised to drive the public service vehicle shall drive vehicle without written authorisation by the permit holder, if he is not himself a permit holder. He should also produce such authority, on demand by the concerned officers who empowered to check the permit.
- (ii) that the number of persons to be carried in the vehicle shall not exceed the number which may be specified in the registration certificate or the permit.
- (iii) that in case of a contract carriage, having seating capacity more than 12 in all, the vehicle shall carry a list of passengers travelling therein in the following form in respect of each trip and such list shall on demand be produced before the officer of the Transport Department not below the rank of Motor Vehicle Sub-Inspector.
- ¹[(iv) that the permits shall be subject to the provisions/ conditions/ as laid down in the Act and rules made there under and also subject to the conditions/directions laid down by the State Transport Authority/Regional Transport Authority, Rajasthan from time to time. Further, terms and conditions of specific schemes shall be the additional conditions for the permit granted under the particular scheme;
- (v) that the crew (driver and conductor) wherever applicable shall assist and extend all possible help to disabled persons trying to board in and out of bus. Further, in case driver or conductor fails to stop the bus to allow a disabled person to board at the designated bus stop or fails/refuses to assist the disabled person(s) to board the bus, they shall liable for action under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and permit may be suspended or cancelled by the State Transport Authority;
- (vi) in case an incident of indecent behavior, molestation or eve teasing etc. against any woman takes place in any bus which tantamount to outraging her modesty, it shall

*Added by Noti No. F7(3) Pari/rules/hq/2005/iv/16885, dt. 31-08-2015
G.S.R 82(Pub/ in Raj. Gaz Ex-ord Pt. 4(C) (II)dt 01.09.2015)*

Abe the duty of the crew of the bus (i.e. driver and conductor) to inform the police immediately and take the bus to the nearest police station/police post/PCR van and hand over the culprit to the police;

- (vii) Global Positioning System (GPS) of the specifications as specified by the Transport Commissioner shall be installed in such vehicles, on such date and in a manner as directed by Transport Commissioner. It shall be ensured by the owner of the contract carriage that the GPS thus installed, is kept in working condition at all time;
- (viii) the vehicle shall not be fitted with curtains or glasses having films further. In case of the tinted glasses of windscreen, rear window and side windows provided by the manufacturer they shall be maintained in such conditions as prescribed under sub-rule (2) of rule 100 of the Central Motor Vehicles Rules, 1989 and judgment of the Hon'ble Supreme Court in Writ Petition (Civil) No. 265 of 2011 dated April 27, 2012;
- (ix) the vehicle shall have sufficient internal white lighting. Activities inside the vehicle should be visible from outside whenever the vehicle is plying on road during the day or night;
- (x) details of the driver and conductor (i.e. name, address, license number, badge number) and telephone/mobile number of the owner of the vehicle, transport and police helpline number and registration number of the vehicle shall be displayed at a conspicuous place inside the vehicle in contrast colour, so as to be clearly visible to all passengers in the vehicle; and
- (xi) all off duty vehicles shall be parked with the owners and not with the drivers or other staff members.

LIST OF PASSENGERS

Motor Vehicle No.

Date Time of Departure

From to

S.No.	Name of passenger	Father/Husband's name	Age	Address
1	2	3	4	5

(3) A permit in respect of a Public Service vehicle may be subject to the condition that its holder shall make provisions of such vehicle for the convenience of reasonable quantity of passengers luggage with sufficient means for securing it and protecting it against rains.

(4) A permit in respect of goods vehicle shall have the following conditions.

- (i) That the vehicle shall not be used for the convenience of any class or description of goods in contravention of any law or any rule or any order made thereunder prohibiting or regulating import and export or transport of such goods.
- (ii) that the number of persons to be carried in the vehicle shall not exceed the number which may be specified in the certificate of registration or the permit;
- (iii) it shall not carry weight more than allowed in the registration certificate or the permit;
- (iv) they shall not obstruct (restrict) any permit holder to take goods on any condition and shall not take part in monopolistic trade practice;
- (v) if the holder of the permit is collecting or forwarding or distributing agent, he shall have the licence under Rule' 5.77.

¹[(vi) that the vehicle to which permit relates carries valid certificate of fitness, Registration Certificate, part A and B of permit and a receipt of tax/token as a proof of tax deposition :

Provided that the permit holder may opt to carry a 'Composite Certificate' in prescribed form in lieu of above mentioned documents on payment of such fees and in such manner as notified by the State Government.]

²[(4A) A permit in respect of educational institution vehicle shall have the

following conditions :-

- (i) that the Educational Institution Bus having seating capacity more than 9 excluding driver shall be painted in golden yellow on the exterior.
- (ii) that the name and address of the Educational Institute shall be painted or otherwise firmly affixed to every vehicle to which the permit relates on the exterior of the body of that vehicle on both sides thereof in a colour vividly contrasting to the colour of the vehicle centered as high as practicable below the window line in bold letters.

(iii) that the vehicle shall not be driven in a public place except by a driver holding not less than five year old driving licence with authorisation to drive the public service vehicle and duly authorised by the permit holder in writing. An authorisation (with photo of the driver affixed) under Bal Vahini Scheme shall be issued to the driver and which authorisation shall be carried by the driver when driving and produce on demand by any police officer or the officers of the Transport Department not below the rank of Motor Vehicles Sub-Inspector,

1. Inserted by S.O. 396 dated 28.2.2004, Pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 28.2.2004 (w.e.f. 28.2.2004).

2. Inserted by G.S.R. 46 dated 4.12.2003, Pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 4.12.2003 (mei. 4.12.2003).

(iv) that the number of students to be carried in the vehicle shall not exceed one and half times the number of which are specified in the registration certificate,

(v) that window bars should be fitted in such a manner that the gap at any given point should not exceed 200 mm vertically.

(vi) that water bottle and. Bag racks shall be provided in the vehicle.

(vii) that there shall be an attendant in the bus to assist students in alighting or boarding the bus.

(viii) that the First Aid Box shall be kept in the Educational Institution Bus for students in the case of accident and emergency.

(ix) driver of an Educational Institution Bus shall be clearly dressed in the following uniform :-

(a) Khaki bushirt or coat with four pocket with flaps.

(b) Khaki full pant.

(c) Khaki peak cap with black peak of Khaki turban.]

(x) Such number of CCTV cameras shall be installed in educational institution vehicles in such a manner as specified by the Transport Commissioner for live coverage/recording of all students seating in the vehicle.

¹[(4B) The permit of omnibus other than educational institution bus whether on contract or not with educational institution carrying students on regular basis or intermittently, shall have the same additional conditions as specified under clause (iii) to (ix) of sub-rule(4A)of rule 5.19 for the permit of an educational institution vehicle. Plate written with “School

/College Bus” shall be firmly affixed below window line in front and rear of such omnibus, while carrying students.]

(5) It shall be a condition of a permit that all the taxes shall be paid regularly. Non payment or late payment tax under the Rajasthan Motor Vehicle Taxation Act, 1951, of the vehicle specified in the permit shall be a valid ground for cancellation or suspension of permit or refusal of renewal of permit. In case of suspension, the payment of all the taxes shall also automatically revoke the order of suspension.

5.20. Carriage of Animal in goods Vehicle.- (1) No cattle shall be carried in a goods vehicle in a public place unless (i) in the case of goat, sheep, deer or pig-

- (a) a minimum floor space of ²[0.15 square meter] per head of such cattle is provided in the vehicle;
- (b) proper arrangements for ventilation are made, and
- (c) if carried in a double decked goods vehicle-
 - (1) The upper deck flooring is covered with metal sheets with a minimum height of 7.62 cms. raised on all four sides so as to prevent the animal waste matter such as urine, litter etc. falling on the animals on the lower deck;
 - (2) proper arrangements for drainage are made on each floor; and
 - (3) wooden battens are provided on each floor to prevent shipping of hoofs of the animals.

1- Added by Noti No. F7(139)/Pari/Rules/HQ/2007, dated 29-11-2007

2-Subs. by G.S.R. 45 dated 02-12-2003 (pub. in Raj. Gaz. , Ex-ord.Pt-4(Ga)(I) dated 02-12-2003)(w.e.f 02-12-2003)

(ii)in the case of any other cattle.-

- (a) a minimum floor space of (2m x 1 m) per head of cattle and half of such floor space for a young one of cattle which is weaned is provided in the vehicle;
- (b) the load body of the vehicle is constructed of strong wooden planks or of iron sheets with a minimum height of (1.5 meters) measured from the floor of the vehicle on all sides and the back;
- (c) floor battens are provided to prevent slipping of hoofs;
- (d) every projection likely to cause suffering to an animal is removed, and
 - (e) the cattle are properly secured by ropes tied to the sides of the vehicle.

Explanation.- "Cattle" for the purposes of this sub-rule includes goat, sheep, buffalo, bull, ox, cow, deer, horse, pony, mule, ass, pig or the young ones thereof.

(2) No animal belonging to or intended for a circus, menageric or zoo shall be carried in a goods vehicle in a public place unless:-

- (i) in the case of a wild or ferocious animal, a suitable cage, either separate from or integral with the load body of the vehicle used of sufficient strength to contain the animal securely at all times is provided; and
- (ii) reasonable floor space for each animal is provided in the vehicle.

(3) No goods vehicle when carrying any cattle under sub-rule (1) or any animal under sub-rule (2) shall be driven at a speed in excess of (24 kms. per hour).

5.21. Carry of goods on Stage Carriages.- (1) No goods shall be carried on the top deck of the double decked stage carriage.

(2) Subject to provision of sub-rule (2) of rule 5.24 luggage may be carried on the roof of a stage carriage or in boot, locked or compartment set-aside for the purpose, but where it is so carried on roof adequate-protection in the form of Guard rail shall be provided

(3) No luggage shall be carried on a stage carriage in such a way so as to block any entrance or exit.

(4) Where holder of the stage carriage permit uses the vehicle authorised by the permit for the carriage of goods to the detriment of the public convenience by failing there by to meet the demand for passenger transport, the Regional Transport Authority may after giving the holder an opportunity of being heard, declare that a breach of the conditions of the permit as occurred and may, thereafter, proceed under the provision of Section 86 of the Act.

(5) Subject to provision of sub-rule (2) of Rule 5.22 goods may be carried in a stage carriage at any time in accordance with the conditions specified in the permit:

(6) Where goods including carriage of general merchandise are carried in a stage carriage in addition to or in lieu of passenger, the goods shall be of such nature and shall be so packed and secured on the vehicle that no danger, inconvenience or discomfort is caused to any passenger. Such number of seats may be specified in the permit which shall be kept free and unimpeded for the use of passenger and the access to the entrance to the exist from, the vehicle required under Chapter VII of these rules shall be under unobstructed.

(7) The weight in kilograms of the goods carried on a stage carriage shall not exceed $(N-X) \times 68$ where in relation to a single deck stage carriage or to the lower deck double decked stage carriage.

N—is the Registered passenger seating capacity of the vehicle, and

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

5.22. Carriage of Goods on contract carriage.- The Regional Transport Authority may authorise the use of contract carriage for the carriage of goods used for,-

(a) special reasons on particular occasions and subject to condition and restrictions to be specified on the permit,

(b) The carriage of the personal, office or household effects of a hirer or carriage of general merchandise in addition to or in lieu of passenger, if so authorized in the permit.”

5.23. Carriage of certain goods in Stage or Contract Carriage-prohibited.- (1) No goods is liable to foul interior of the vehicle or to render it insanitary shall be carried at any time in any stage carriage or contract carriage.

(2) The Regional Transport Authority may, specify, in any permit the goods which shall not be carried in a stage carriage or a contract carriage or the condition subject to which class of goods may be so carried.

5.24. Carriage of luggage.- Every public service vehicle shall be provided with adequate means for the conveyance of reasonable amount of luggage and with a sufficient number of chains, straps or other means of securing such luggage. No luggage shall be carried on the roof of the vehicle unless there has been affixed there to a guard rail of type approved by the Registering Authority and a suitable water proof covering is provided to protect the luggage in wet weather. The covering shall be securely fastened so as to prevent flapping.

5.25. Stage or Contract Carriages-Carriage of personal luggage in.- (i) In every stage carriage not more than fifty kilograms of luggage and personal effects at per passenger shall be carried. Out of this fifty kilograms the twenty five kg. shall be allowed free of charge and the rest may be charged for.

(2) The Regional Transport Authority shall have powers to make regulations regulating the weight of luggage and goods which may be carried in a contract carriage generally or in any specified area.

5.26. Permits-Cancellation of redundant.- When a permit has been granted on first application by one Regional Transport Authority in respect of a particular vehicle or in respect of a service of vehicles and it appears that a permit has also been granted by another Regional Transport Authority:-

- (a) in respect of the same vehicles, or
- (b) in respect of vehicles requiring the use of a greater number of vehicles than the holder of the permits possessed at the time of application, the Regional Transport Authority by which one of the permits was issued may in consultation, with the other Authority forthwith cancel or modify the permit in such a manner, as it may deem fit.

5.27. Permits-renewal of.- (1) An application for the renewal of a permit shall be made in the prescribed Form R.S. 5.20 in the prescribed time to the ¹[State Transport Authority/Regional Transport Authority] by which the permit was issued and shall be accompanied by Part 'A' of the permit alongwith the prescribed fee.

(2) The Secretary/Executive Officer shall mention in his note for the following matter before submitting the application for consideration to the ¹[State Transport Authority/Regional Transport Authority] :-

- (i) financial condition of the applicant as evidenced by insolvency or decree for payment of debts remaining unsatisfied for a period of 30 days prior to the date of consideration of the application.
- (ii) whether the applicant had been punished twice or more not within the 12 months reckoned from 15 days prior to the date of consideration for the following matters:-
 - (a) is he plying any vehicle,-
 - (1) without payment of tax due on such vehicle.
 - (2) without payment of tax during the grace period allowed for the payment of such tax and then stopped plying of such vehicle.
 - (3) On any authorised route.
 - (b) is there any challan pending regarding plying unauthorised trips.

(3) If the ¹[State Transport Authority/Regional Transport Authority] thinks that the application for renewal of the permit is likely to be rejected, before rejecting the application he shall issue a show cause notice and after hearing the applicant if he rejects the application he shall record reasons for rejection.

(4) The ¹[State Transport Authority/Regional Transport Authority] renewing the permit shall call upon the holder of permit to produce Part 'B' or Part 'A' and 'B' both, as the case may be and shall endorse on renewal at part 'A' and 'B' accordingly and shall return them to the holder.

1. Substituted by G.S.R. 39 dated 26.7.1995, published in Raj. Gazette E.O. Part 4 (Ga) (I) dated 26-07-1995

5.28. Permits-Renewal and countersignature of.- (1) Subject to the provisions of Rule 5.29, application for the renewal of countersignature on a permit shall be made in writing to the Regional Transport Authority concerned and within the appropriate periods prescribed in sub-section (2) of section 81 of the Act and shall subject to the provisions of sub-rule (3) be accompanied by Part A of the permit and prescribed fee. The application shall set forth the period for which the renewal of the countersignature is required.

(2) If at the time of application for renewal of a countersignature of permit, Part A of the permit is not available being under renewal by the Authority by which it was issued, the applicant shall state the fact and shall state the number and date of the permit, the name of the Authority by which it was granted, the date of its expiry and the number and date of the countersignature to be renewed.

(3) The Regional Transport Authority granting the renewal of a countersignature shall call upon the holder to produce Part A of the permit, if it has not been produced, and Part B or parts A and B of the permit and shall endorse the Parts A and B accordingly and return them to the holder.

5.29. Permit-Validation of the renewal in respect of countersignature of.- (1) The authority by which a permit is renewed may, unless any Authority by which the permit has been countersigned (with effect not terminating before the date of expiry of the permit) has by general or special order otherwise directed likewise renew any countersignature of the permit (by

endorsement of the permit in the manner set forth in the appropriate form), and shall, in such case, intimate the renewal to such authority.

(2) Unless Parts A and B of a permit have been endorsed as provided in sub-rule (1) or unless the period of validity of the countersignature has been endorsed by the authority making the countersignature he shall be of no effect beyond the date of expiry stated therein.

5.30. Condition of permit.- A Regional Transport Authority when countersigning a public carrier's permit covered by an inter state transport agreement may attach to the permit a condition that the said public carrier shall not be used for picking up and dropping down the same goods at any two points lying within the jurisdiction of the State.

5.31. Permit-Replacement of particular vehicle authorised by.- (1) If the holder of a permit relating to a particular vehicle by specification of the registration mark desires at any time to replace the vehicle with another, he shall forward part A of the permit and apply in writing to the 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 the possession, state any material particular in respect of which the new vehicle will differ from the old.

(2) Upon receipt of an application under sub-rule, the ¹[State Transport Authority/Regional Transport Authority] may in its discretion reject the application-

- (i) if it has previous to the application, given reasonable notice of its intention to reduce the number of transport vehicles of the class generally or in respect of the route or area to which the permit applies, or
- (ii) if the new vehicle proposed differs in material respects from the old, or

- (iii) if the holder of the permit has contravened the provisions there or has been deprived of possession of the old vehicle under the provisions of any agreement of hire-purchase:

Provided that, in considering applications for new permits within its **are** the ¹[State Transport Authority/Regional Transport Authority] shall, other thing being equal, give preference to an applicant who has been deprived of a permit by the operation of clause (i) of this sub-rule.

(3) If the ¹[State Transport Authority/Regional Transport Authority] grant an application for the replacement of a vehicle under this rule, it shall call upon the holder of the permit to produce part B of the permit and the certificate of registration of the new vehicle, if not previously delivered to it and shall correct Parts A and B of the permit accordingly under its seal and signature and return them to the holder.

5.32. Permit-Replacement of a vehicle authorised by a service.-(1) If the holder of permit relating to service of stage carriages or of contract carriages desires at any time to replace any vehicle covered by the permit by a vehicle of a different type or of a different capacity, he shall forward part A of the permit and apply in writing to the ¹[State Transport Authority/Regional Transport Authority] by which the permit was issued. Stating the reasons why the replacement is desired and shall intimate the relevant particulars of the vehicle to be replaced and of the new vehicle.

(2) Upon receipt of an application under sub-rule (1) the ¹[State Transport Authority/Regional Transport Authority] may in its discretion, reject the application

1. Substituted by G.S.R. 39 dated 26.7.1995, published in Raj. Gazette E.O. Part 4 (Ga) (I) dated 26-07-1995

- (i) If it has, previous to the application given reasonable notice of the intention to reduce the number of Transport Vehicle of that class generally or in respect of the route or area to which the permit applies, or

- (ii) If the new vehicle differs in material respect from the old, or
- (iii) If the holder of the permit has contravened any of the provision thereof.

(3) If the ¹[State Transport Authority/Regional Transport Authority] grant an application for the replacement of a vehicle under this rule, it shall call upon the holder of the permit to produce the appropriate part B of the permit and shall correct parts A and B of the permit accordingly under its seal and signature and return them to the holder.

²**5.33. Temporary Replacement of a Stage Carriage.-** In case of sudden failure of a Stage Carriage in which it is expected that the vehicle will not remain off the road for more than 7 days, the permit holder shall apply to the Regional Transport Authority or the Authority to whom such power has been delegated by the Regional Transport Authority through reply paid telegram, or by fax for sanction of replacement by any other his vehicle of same nature and of a model not below the model prescribed by the State Transport Authority for renewal of permit for such class of route and remit the tax, if any, due on it and may at the same time make the replacement. The vehicle so replaced shall carry a certified copy from the post and telegraph office, of reply paid telegram or the receipt of fax. The vehicle used for replacement shall be mechanically fit in all respects to the requirement of Chapter VII of the Act and its certificate of fitness should be current. The sanction or refusal, as the case may be, shall be sent by telegram/fax by the authority. The inspection staff and the police shall also be informed of it by the Secretary of Regional Transport Authority. When the original carriage resumes plying, information of it will be sent by permit holder to the Regional Transport Authority or the authority to whom such power has been delegated.]

5.34. Permit-Validation of replacement order in respect of countersignature on.- (1) The authority granting permission for the replacement of a vehicle under rules 5.31 and 5.32 shall, unless the Authority by which the permit was countersigned has by general or special resolution otherwise directed endorse on the correction made to parts A and B of the permit the word "Valid also for ----- " inserting the

name of the Authority concerned and shall intimate the fact and the particulars of the replacement to such Authority.

1. Subs. by G.S.R. 39 dated 26.7.1995, pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 26.7.199
2. Subs. by G.S.R. 56 dated 15.2.2005, pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 15.2.2 (w.e.f. 15.2.2005).

(2) Unless the permit has been endorsed as provided in sub-rule or unless the alteration has been approved by endorsement by the countersigning Authority, the countersignature on a permit shall not be valid in respect of any new vehicle.

¹[5.35. Permit-procedure on cancellation, suspension or expiry.- (1) When a State Transport Authority/Regional Transport Authority suspends or cancels any permit under section 86 of Motor Vehicles Act, 1988-

- (i) The holder shall surrender Part A, B and authorisation (if applicable)of the permit within seven days of the receipt of order in writing of the concerned authority.
- (ii) The authority suspending or cancelling the permit shall sendintimation to any authority by which the permit has been countersigned and to any authority to whose area the validity has been extended under rule 5.13.

(2) Within fourteen days of the expiry of any permit by afflux of time or becomes invalid by any condition attached to permit ²[or on cancellation of permit by any competent authority/courts] the holder shall deliver part A, part **B** and authorisation (if applicable) to the authority by which permit was granted and the authority receiving any such permit shall intimate the facts to the authority by which such permit was countersigned and to any authority to whose area the validity has been extended under rule 5.13.

(3) Notwithstanding anything contained in sub-rule (1) and (2) the State Transport Authority or Regional Transport Authority if satisfied, may cancel a permit on an application ¹[alongwith prescribed fee] made in writing by a permit holder stating the reasons for doing so along with permit part A, part B and valid authorisation (if applicable) and a upto date tax payment certificate of all due taxes payable under Rajasthan Motor Vehicles Taxation Act, 1951. Before

rejecting such application the State Transport Authority/Regional Transport Authority shall give an opportunity of being heard and shall pass order. If the order in this regard is not passed within ninety days from the date of application it shall be deemed that the cancel of permit applied for has been accepted.]

5.36. Permit-Transfer of.- (1) When the holder of a permit desires to transfer the permit to some other person under sub-section (1) of section 82 of the Act, he shall, together with the person to whom he desires to make the transfer, make joint application in writing to the¹[State Transport Authority/ Regional Transport Authority] by which the permit was issued, setting forth the reasons for the proposed transfer.

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1. Subs. by G.S.R. 39, dated 26.7.1995, published in Raj. Gazette E.O. Part 4(Ga) (I) dated 26.7.1995.
 2. Inserted by G.S.R. 42 dated 12.7.2001, published in Raj. Gazette E.O. Part 4 (Ga) (I) dated 12.7.2001.
 3. Inserted by G.S.R. 76 dated 05.01.2001, published in Raj. Gazette E.O. Part 4 (Ga) (I) dated 05-01-2001

(2) On receipt of an application under sub-rule (1) the ¹[State Transport Authority/Regional Transport Authority] may require the holder and the other party to state in writing whether any premium payment or other consideration arising out of the transfer, is to pass or has passed between them and the nature and amount of any such premium, payment or other consideration.

(3) Without prejudice to any other penalty to which the parties may be liable, any transfer of a permit upon an application which the ¹[State Transport Authority/Regional Transport Authority] is subsequently satisfied was false in respect of the matter specified in sub-rule (2) or in respect of any other material particular, shall be void.

(4) The ¹[State Transport Authority/Regional Transport Authority] may summon both the parties to the application to appear before it and may, if it deems fit, deal with the application as if it were an application for a permit.

(5) (i) If the ¹[State Transport Authority/Regional Transport Authority] is satisfied that the transfer of a permit may properly be made, it shall call upon the holder of the permit in writing to surrender Parts A and B of the permit within seven days of the receipt of the order shall likewise call upon the person to whom the permit is to be transferred to deposit prescribed fee.

(ii) Upon receipt of Parts A and B of the permit and of the prescribed fee the ¹[State Transport Authority/Regional Transport Authority] shall cancel the particulars of the holder thereon and endorse particulars of the transfers and shall return the permit to the transferee.

(iii) The ¹[State Transport Authority/Regional Transport Authority] making a transfer of a permit as aforesaid may, unless any other ¹[State Transport Authority/Regional Transport Authority] by which the permit has been countersigned has by general or special order otherwise required, endorse Parts A and B of the permit with the words “transfer of permit valid for....” inserting the name of the authority by which the permit has been countersigned with effect at the date of transfer.

(iv) Unless Parts A and B of the permit have been endorsed as provided in clause (iii) or unless the transfer of the permit has been approved by endorsement by the Authority which countersigned the permit, the countersignature shall be effect after the date of transfer.

5.37. Transfer of permit in case of death of the permit holder.- (1) In case of death of the permit holder, the person succeeding to the possession of the vehicle covered by the permit may, within 30 days of the death of the permit holder inform the Transport Authority which granted the permit of the death of the holder and of his own intention to use the permit in Form R.S. 5.21.

(2) The person succeeding to the possession of the vehicle covered by the permit may, submit an application in Form R.S. 5.22 to the ¹[State Transport Authority/ Regional Transport Authority] for transfer of the permit in his name.

1-Subs. by G.S.R. 39 dated 26.7.1995, published in Raj. Gazette E.O. Part4 (Ga)(l) dated 26.7.1995.

(3) Alongwith the application the applicant shall attach a copy of the news paper in which the notice published in the local news paper in Form R.S. 5.27 indicating that he is the person succeeding the permit of the permit holder who has expired.

(4) The permit shall not be transferred except in accordance with the order of competent court. If any objection is made before the ¹[State Transport Authority/ Regional Transport Authority.]

(5) In case where the transfer of the permit is allowed by the ¹[State Transport Authority/ Regional Transport Authority] on account of the demise of the permit holder, a photograph duly sealed of transferee shall be affixed on the permit.

¹5.38. Permits-Issue of duplicate in place of those or destroyed.- (1) When part A or B or authorisation, as the case may be, has been lost or destroyed the holder shall forthwith intimate the fact to authority by which the permit was issued and submit an application alongwith upto date tax payment certificate of taxes payable under Rajasthan Motor Vehicles Taxation Act, 1951 of the vehicle and shall deposit the prescribed fee.]

(2) The ¹[State Transport Authority/ Regional Transport Authority] shall upon receipt of an application in accordance with sub-rule (1), issue a duplicate permit or part of or parts of a permit, as the case may be, and to the extent that it is able to verify the facts, may endorse thereon certified copies of any countersignature by any other authority, intimating the fact to that authority.

(3) A duplicate permit or duplicate part of permit issued under this rule shall be clearly stamped "Duplicate" in red link and the certified copy of any countersignature by any other ¹[State Transport Authority/ Regional Transport Authority] on a permit or a part of a permit made under this rule shall be valid in the region of at other Authority as if it were a countersignature.

(4) When a permit or a part of a permit has become dirty, torn, or otherwise defaced so as in the opinion of the ¹[State Transport Authority/ Regional Transport Authority] to be illegible, the holder thereof shall surrender the permit or part of the permit, as the case may be, to the ¹[State Transport Authority/ Regional Transport Authority] and apply for the issue to him of a duplicate permit or part of a permit in accordance with this rule.

(5) The fee for the issue of a duplicate permit or a duplicate part of a permit shall be as prescribed in rule 5.87 for part A and as prescribed in rule 5.87 or each copy of part B.

(6) Any permit or any part of permit which is found by any person shall be delivered by that person to the nearest police station or to the holder or to the ¹[State Transport Authority/ Regional Transport Authority] by which it was issued and if the holder finds or receives any party of permit in respect of which a duplicate has been issued, he shall return the original to the Regional Transport Officer by which it was issued.

5.39. Permit-Variation of.- (1) Subject to the provision of this rule, upon an application made in writing by the holder of the permit, ²[with prescribed fee] the ¹[State Transport Authority/ Regional Transport Authority] may at any time in its discretion vary the permit or any of the conditions thereof.

1. Subs. by G.S.R. 39 dated 26.7.1995, pub. in Raj. Gazette E.O. Part4 (Ga)(l) dated 26.7.1995.

2. Inserted by Notification No.F. 7(4) Pari/Rules/Hq./92 dated 25.8.2005 (w.e.f. 25-08.2005)

(2) If the variation of the permit or any condition thereof is in accordance with any particular upon direction issued by the State Transport Authority under sub-section (4) of section 68 or involves a question of principle which has already been decided by ruling of the Regional Transport Authority or the State Transport Authority and such ruling has not been modified upon appeal.

5.40. Permit-Production of.- (1) Part A of permit shall be produced on demand made at any reasonable time by any Transport Officer not below the rank of an Inspector of Motor Vehicles or by any Police Officer not below the rank of a Sub-Inspector.

(2) Any Police or Transport Officer in uniform may mount any transport vehicle for the purpose of inspecting part B of the permit.

5.41. Exemption.- With reference to clause (f) of sub-section (3) of section 46 of the Act, transport vehicles engaged in propaganda for removal of untouchability on behalf of the Bhartiya Class League shall be exempted from the provisions of sub-section (1) of section 66 of the Act:

Provided the vehicle carries a written certificate from a proper officer of the Central Government to the effect that the vehicle belongs to Bhartiya Depressed Class League and is solely used for the purpose mentioned above.

5.42. Public Purpose.- (1) The use of civilian transport vehicles when employed in defence work even during peace time for carrying goods or personal over doing distances in a particular zone, Region or on Inter-State routes and for securing the defence of India and Civil defence, for the efficient conduct of Military operations or for maintaining supplies and services essential for defence, shall be a public purpose within the meaning of Clause (f) of sub-section (3) of section 66 of the Act, and the provisions of sub-section (1) of Section 66 of the Act, shall not apply to such vehicles.

(2) The driver or other person in charge of the vehicle shall carry with him a certificate signed by a District Magistrate or the Area

Commanding Officer, to the effect that with the vehicle concerned (Registration number, make and model of the vehicle to be specified in the certificate) is being used for public purpose as defined in sub-rule (1) above, for the period and area(s) specified therein.

5.43. Temporary authorisation in lieu of permit.- (1) When the holder of a permit has submitted Part A or Part B or both of the permits to the State Transport Authority or a Regional Transport Authority for renewal or countersignature of the permit user for any other purpose, or when a Police officer or any court or any other competent Authority has taken temporary possession of a permit from the holder thereof for any purpose, the State Transport Authority or Regional Transport Authority or the Police officer or the court or competent Authority, as the case may be, shall furnish to the holder a receipt for the permit and a temporary authorisation in Form R.S. 5.24 to ply the vehicle during such period as may be specified in the said temporary authorisation and during the said period the production of the temporary authorisation on demand shall be deemed to be production of the permit:

Provided that the Authority by which the temporary authorisation was granted shall extend the period for which the temporary authorisation is to remain valid until the permit is returned but such extension shall not be beyond the period of validity of the permit.

(2) Until a permit referred to in sub-rule (1) has been returned to the holder thereof, the vehicles concerned shall not be plied beyond the period as specified in the temporary authorisation referred in sub-rule (1) or, as the case may be extended under the proviso to that sub-rule.

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

5.44. Appeal and Revision application against the order of State or Regional Transport Authority.- (1) The Authority to decide the appeal against the order of the State Transport Authority or the Regional Transport Authority under section 89 of the Act shall be the Appellate Tribunal consisting of one member to be constituted by the State Government.

(2) An appeal to the State Transport Appellate Tribunal under section 89 against the order of the State Transport Authority/ Regional Transport Authority shall be made within 30 days of the date of receipt

of the order by the person preferring an appeal. It shall be in the form of a memorandum submitted in duplicate and accompanied by as many as typed copies thereof as there may be parties to be served. Setting forth the grounds of objection to the order of State/Regional Transport Authority, as the case may be and shall be accompanied by a certificate copy of the order appealed against and prescribed fee in cash. The grounds of objection to the order shall be stated concisely and under distinct heads without any argument or narrative and number consecutively.

(3) An application under section 90 to the State Transport Appellate Tribunal by the person aggrieved by an order of the State or Regional Transport Authority shall be in form of a memorandum submitted in duplicate and accompanied by as many as typed copies setting forth the grounds of objections to the order and under distinct heads without any arguments or narrative and number consecutively. It shall be accompanied by a certificate copy of the order of the Authority sought to be revised and prescribed fee.

5.45. Supply of copies of documents to the persons interested in the appeal or revision.- The Secretary of the State/ Regional Transport Authority shall issue copies of the documents required by any person intending to file an appeal or revision to the State Transport Appellate Tribunal under this Chapter on payment of prescribed fee.

5.46. Procedure of appeal or revision.- (1) After the State Transport Appellate Tribunal had admitted an appeal under sub-section (1) of section 89 or a revision application under section 90, of the Act it shall appoint time and place for the hearing of the appeal or revision application, as the case may be, and give intimation to the Authority against whose order the appeal or revision application is made and also to the appellant or the applicant concerned and any other person likely to be affected by the grant of the relief prayed for. Such applicant, respondent or the person interested shall appear before the tribunal in person or through an authorized representative with original documents or record pertaining to the case on the appointed date and place of hearing, if any.

(2) The Secretary of the State/Regional Transport Authority concerned shall within 14 days of the receipt of such intimation, send all the original documents and record pertaining to any appeal or revision

application with proper index and the paging to the State Transport Appellate Tribunal when the same are called for by it.

(3) The tribunal may adopt following procedure under sub-section (1) of section 89 or as the case may be to section 90 of the Act and after such further enquiry, if any, as it may consider necessary confirm, vary or set-aside the order against which appeal or revision application is made or pass such other order in relation to the effect of the case as it deems fit and shall make the order accordingly.

(4) The Appellate Tribunal hearing the appeal under the provisions of rule 5.46 may, if the applicant succeeds in his appeal or to refund to him whole or part of the fee deposited by him.

5.47. Fixing in advance hours of work. The Regional Transport Authority shall direct the employer of the drivers of the transport vehicles in such as any stage carriage operating solely within the region, or from the Regional to another region, to the satisfaction of the said authority such time table, schedule or regulation, as may be necessary to fix in advance the hours of work of persons employed by him, and upon approval by such authority at time table schedule or regulation as aforesaid in a suitable format, it shall be the records of hours of work fixed for the persons concerned for the purpose of sub-section (3) and sub-section (4) of section 91 of the Act.

5.48. Period of rest-Definition of.- (1) Any time spent by a driver of a vehicle on work other than driving in connection with the vehicle or with the load carried or to be carried on the vehicle including any time spent on the vehicle during a journey save as a passenger in a public vehicle shall not, and

(2) Any time spend 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 of sub-section (1) of section 91 of the Act.

5.49. Lost Property.- (1) Where a permit holder or his employee finds any article in his public service vehicle he shall keep the articles for a period of 7 days and shall if the article is not claimed during the said period, hand over the same to the officer incharge of the nearest police station.

(2) Where during the said period the article is claimed by not more than one person the permit holder may after making such enquiry as he deems fit, and if necessary, after taking an indemnity bond from the claimant, handover the article to the claimant.

¹(3) If the article is claimed by two or more than two persons than the permit holder shall hand over the same to the officer-in-charge of the nearest police station or for disposal accordingly to law.

5.50. Conduct of person using stage carriage.- (1) If at any time a passenger or person using or intending to use a stage carriage,-

(i) obstruct any authorized employee of the permit holder in the execution of his duties; or

(ii) has bulky luggage of a form or description which obstruct, annoys or inconveniences another passenger or is likely to do so; or

(iii) carries any animal, bird, flesh or fish (other than tinned food in its original packing) any instrument, implements, substance or any other article which annoys or inconvenience or is offensive to any other passenger or is likely to do so; or be so; or

(iv) without lawful excuse occupies any seat exclusively reserved for female passengers; or

(v) sings or plays upon any musical instrument (or operates a transistor or radio); or

(vi) rings without lawful excuse or otherwise interferes with, any signal of the stage carriage; or

(vii) is reasonably suspected to be suffering from any contagious or infectious disease; or

(viii) knowingly or intentionally enter a stage carriage which is carrying maximum number of passengers according to the seating capacity specified in the certificate of registration of the vehicle to be carried in excess of the seating capacity of the vehicle; or

(ix) has dress or clothing which is likely to spoil or damage the seat or dress or clothing of another, passenger or which for any other reason is offensive to other passengers; or

(x) commits or abets any breach of the provision of the Act or the rules made thereunder:-

The driver or the conductor may require such person to alight from the vehicle forthwith and may stop the vehicle or keep it stationary until such person is alighted. Such person should not be entitled to a refund of any fare which he may have paid to any person failing to comply whether removed by the conductor or the driver or any police officer on being requested by the driver or conductor or any passenger in that behalf and shall be guilty to an offence.

(2) No passenger or person using or intending to use such stage carriage shall:-

- (i) refuse to show any ticket on demand by any authorized person; or
- (ii) refuse or is unable to pay the legal fare; or
- (iii) refuse to pay fresh fare when he has altered or defaced his ticket so as to render the number or any portion thereof illegible; or
- (iv) behave in a disorderly manner; or
- (v) behave in a manner likely to cause alarm or annoyance to any female passenger; or
- (vi) use abusive language; or
- (vii) molest any other passenger; or
- (viii) spit eject betel nut, juice; or
- (ix) smoke in any vehicle on which a notice prohibiting smoking is exhibited; or
- (x) enter or leave or attempts to enter or leave any stage carriage while it is in motion, except at bus stop;
- (xi) enter or attempts to enter into or alight or attempting to alight from a stage carriage except by the entrance or exit provided for the purpose; or
- (xii) continue to remain in the vehicle when it is being filled with fuel; or
- (xiii) interfere with the driver of the vehicle; or

- (xiv) use or attempts to use a ticket other than the ticket valid for a particular journey or use or attempts to use a ticket which has already been used by another passenger or on another journey; or
- (xv) while fully damaged or spoil or remove any fitting in or on the stage carriage or interfere with any light or any part of the stage carriage or its equipment; or
- (xvi) board a stage carriage unless he is employee of the permit holder or on a bonafide passenger or a intending passenger or hang on to any exterior part of the stage carriage; or
- (xvii) travel beyond destination to which the fare he has paid entitle him to travel without informing and paying to the conductor the legal fare for the additional journey, sufficiently in advance, or when so required refuse to get off the stage carriage in which he is travelling at the terminus of the route for which it is booked; or
- (xviii) on demand being made by the driver or the conductor or a police officer when reasonably suspected or contravening any of the provisions of this rule, refuse to give his correct name and address to such driver or conductor or by police officer; or
- (xix) on request being made by the conductor refuse to declare to him the journey he intends to take or has taken in the stage carriage, or before leaving the stage carriage, omits to pay to the conductor the legal fare for the whole journey as specified in the table of fares exhibited in the stage carriage.

(3) If at any time a passenger or person using the stage carriage is unable or fails to produce or surrender his ticket on demand during the journey or at the end of journey, by any authorised person, he shall be liable to pay legal fare from the place where the stage carriage originally started or such portion thereof is required by the authorised person.

(4) Every passenger shall be entitled to receive a ticket from the conductor corresponding to the fare paid.

Explanation.- In this rule the expression "Ticket" includes the identity card, seasons ticket, pass or any authorisation issued by the permit holder authorising the person to journey in the stage carriage.

5.51. Additional provisions relating to conduct of passengers and other persons in omni buses operating in cities.- (1) In this rule unless there is any thing repugnant in the subject or context:-

(a) "Company" means any person or concern duly authorised to play motor omnibuses in the cities of Rajasthan;

(b) "Omnibus" means a stage carriage for the conveyance passengers within a city;

(c) "Ticket" includes an identity card issue by the company.

(2) No person shall enter, or leave, or attempt to enter or leave any omnibus whilst in motion and except at a bus stop.

(3) No person shall enter into or alight from an omnibus except by the entrance or exit provided for the purpose.

(4) No person shall enter into an omnibus without first permitting all passengers leaving the omnibus to alight.

(5) No person shall knowingly or intentionally enter an omnibus which is carrying the maximum number of passengers according to the limit of the passenger capacity prescribed under these rules.

(6) No passenger or unauthorised person shall mount the driver's platform or talk or interfere with, or otherwise divert the attention of the driver of an omnibus while he is on duty.

(7) No passenger shall obstruct any employee of the company in the execution of his duty on the omnibus.

(8) No passenger shall place his foot upon any seat of an omnibus.

(9) No person (not being an employee of the company) except a bonafied passenger or intending passenger shall board as omnibus and no passenger shall hang on to any exterior part of an omnibus.

(10) Every passenger shall on being so requested by the conductor declare to him the journey he intends to take or has taken in the omnibus and shall before leaving the omnibus pay to the conductor the legal fare for the whole of such journey as specified in the table of fares exhibited

in the omnibus and shall be entitled to receive a ticket corresponding thereto from the conductor.

(11) A ticket shall be valid only for the journey during which and by which (the omnibus in which) it has been issued.

(12) No passenger shall travel in an omnibus beyond the destination to which the fare he has paid entitles him to travel without informing and paying to the conductor the legal fare for the additional journey. Every passenger shall when so required get off the omnibus in which he is travelling at the terminus of the route for which it is booked.

(13) If at any time a passenger in an omnibus-

(a) has dress or clothing which is likely to spoil or damage the dress or clothing of another passenger or which for any other reason is offensive to other passenger; or

(b) occupies more than one seat or reserves or attempts to reserve another seat either for himself or for another passenger; or

(c) carries any bird, or fish other than tinned fish in its original packing,

The driver or the conductor, if any, may require such passenger to alight

from the omnibus forthwith and may stop and keep it standing until the

passenger has alighted. Such passenger shall not be entitled to any refund of

the fare which he may have paid and any person failing to comply forthwith

such a requirement may be forcibly removed by the driver or conductor or

on the request of the driver or conductor or any passenger by any police

officer and shall be guilty of an offence.

(14) A passenger who is reasonably suspected by the driver or conductor of contravening any of the provisions of his rule shall, on

demand being made by the driver or conductor or a police officer give his correct name and address to such driver, conductor or police officer.

(15) Every omnibus shall carry on it a complaint book in which passengers shall be entitled to record any legitimate complaints in connection with the omnibus service. Such complaints shall be considered by the company.

(16) The provisions of this rule shall apply in respect of omnibuses operating in the cities of Rajasthan in additions to those contained in rule 5.50.

(17) A copy of rule 5.50 and this rule in English and in Devnagari shall be carried in a prominent place in every omnibus.

5.52. Conduct of passengers in Motor Cabs.- (1) No passenger in a motor cab shall:-

(i) wilfully or negligently damage the cab or any of its fittings;
or

(ii) On termination of the hiring, refuse or omit to pay the legal fare, for the hire of the motor cab as shown by the taxi meter, if any, for hiring by distance or in other cases by the schedule of fares fixed by a Regional Transport Authority under sub-section (b) of section 94 of the Act nor shall he refuse to supply his correct name and address to the driver in the case of any dispute in connection with the fare.

(2) The driver of a motor cab shall be entitled to charge for detention on after having been hired, and for any package carried in such vehicle in accordance with rates laid down in schedule approved by a Regional Transport Authority.

(3) In the case of a dispute between the driver of a motor cab and the passenger, either party may require the other to proceed to the nearest police station, where the officer in-charge shall, if the dispute is not settled amicably, record the names and addresses alongwith the substance of the respective contention of both the parties.

5.53. Maintenance of complaint book in Stage carriage.- (1) A bounded complaint book in Form R.S. 5.25 duly ruled and pages, signed and stamped with the seal of the manager of the stage carriage service, permit holder, approved and countersigned by the Secretary of the

Regional Transport Authority concerned shall be maintained by such manager or the permit holder, as the case may be, at such bus stands as may be approved by the Regional Transport Authority and also in every stage carriage to enable the passenger to record any legitimate complaint in connection with the stage carriage service:

Provided the driver and conductor of stage carriage shall ensure prior to starting driving that the stage carriage is provided with the prescribed complaint book.

(2) Such complaint shall be written correctly and in legible manner and the complaint shall also correctly and legibly record in the complaint book his name and address and the date on which such complaint is written.

(3) The manager of the stage carriage service or the stage carriage permit holder, as the case may be, shall promptly look into every complaint recorded in the complaint book, remove the cause of complaint or its reoccurrence and submit within a month of the recording of the complaint explanation to the Regional Transport Authority which granted the permit together with a copy of the complaint stating the action taken by him in connection with the complaint, A copy of the report shall be forwarded by the manager of the stage carriage service or the stage carriage permit holder, as the case may be to the complainant.

(4) The complaint book shall be so securely kept in the stage carriage and at the bus stand, as the case may be, as it cannot be removed and shall all time be made available by the driver and the conductor, if any, of the stage carriage to any person desiring to record the complaint or to any officer of the Motor Vehicle Department, not below the rank of Motor Vehicles Sub-Inspector for the purpose of his inspection. If the complaint book is lost, destroyed, the manager of the stage carriage service or the stage carriage permit holder, as the case may be, shall within one week of such lost or destruction, intimate the fact in writing to the Secretary of the Regional Transport Authority and shall obtain at once another complaint book.

5.54 Children and infants carriages in a public service-vehicle of.- In relation to the number of persons that may be carried in a public service vehicle:-

(i) a child of not more than twelve years of age shall be reckoned as one-half, and

(ii) a child of upto three years of age shall not be reckoned being an infant.

5.55. Disinfection of the public service vehicles.- (1) No person shall drive any public service vehicle and no owner of a public service vehicle shall cause or allow such vehicle to be used unless once in every two months it is disinfected with D.D.T. or any other liquid insecticide, approved for the purpose by the Director, Medical and health to the Government of Rajasthan.

(2) The owner of Public Service Vehicle shall maintain and on demand by an Inspector of Motor Vehicles produce for inspection the current register showing the date on which the public service vehicle was disinfected from time to time, to the satisfaction of the Authority.

5.56. Carriage of persons in goods vehicles.- (1) Save in the case of vehicle which is used for the carriage of troops or police or a stage carriage in which goods are being carried in addition to passengers, no person shall be carried in goods vehicle other than bonafied employee of the owner or the hirer of the vehicle except in accordance with this rule.

(2) No person shall be carried in the cab of goods vehicle beyond the number of for which there is a seating accommodation at the rate of 38 cms. measured alongwith the seat, excluding the space reserved for the driver, for each person. The total number of persons so carried-

(i) In the light transport vehicle having G.V.W less than 990 kgs.- not more than one.

(ii) In any other light Transport Vehicle-not more than three

(iii) In any goods vehicle other than light transport vehicle-not more than six.

(3) No person shall be carried upon goods or otherwise in such a manner that such person is in danger or falling from the vehicle, in such a manner that any part of his body when he is in sitting position is at the height exceeding 3 mtrs. from the surface upon which the vehicle rests.

(4) Notwithstanding the provision of sub-rule (2), the Regional Transport Authority may as a condition of the permit grant for any goods vehicle specify the condition subject to which the larger number of persons may be carried in the vehicle, unless an area of not less than 0.40 sq.mtr. of the floor of the vehicle is kept open for each person.

(5) Notwithstanding anything contained in sub-rule (1) & (2), subject to the provision of sub-rule (3) & (4):-

(i) for the purpose of celebration in connection with the Republic Day or Independence Day

(ii) when it is considered expedient in the public interest in respect of the vehicles owned or hired by it and in respect of other vehicles of such incapable ground of urgent nature to be specified in the order the State Government may by general or special order permit goods vehicles to be used for carriage of persons for the purposes aforesaid and subject to such condition as may be specified in the order.

(6) Nothing contained in these rules shall be deemed to authorise the carriage of any person for hire or reward on any vehicle, unless there is enforce, in respect of the vehicle, the permit authorising the use of the vehicle for such purpose, and save in accordance with the provisions of such permit.

5.57. Duty to carry goods by goods carriage.- A public carrier shall not, save for reasonable and lawful excuse, refuse to carry any goods of any person tendering the same for not less than the maximum freight, if any, permit under section 67 of the Act.

5.58. Stands and halting places.- (1) A Regional Transport Authority or District Collector & District Magistrate by notification in the Rajasthan Gazette, or by the erection of traffic signs which are permitted for the purpose under sub-section (1) of section 116 of the Act, or both, may, in respect of the taking up or setting down of passengers or both, by public service vehicles or by any specified class of public service vehicles-

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

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

(2) When a place has been notified or has been demarcated by traffic signs or both, as being a stand or halting place for the purpose of this rule, then, notwithstanding that the land is in possession of any person the place shall, subject to the provisions of these rules, be deemed to be a public place within the meaning of the Act, and the Regional Transport Authority or District Collector & District Magistrate may enter into an agreement with or grant a licence to any person for, the provision or maintenance of such place including the provision or maintenance of the buildings or works necessary thereto subject to the termination of the agreement or licence forthwith, upon the breach of any condition thereof and may otherwise make rules or give directions for the conduct of such place including rules or directions:-

- (i) Prescribing the fees to be paid by the owners of public service vehicles using the place and providing for the receipt and disposal of such fees;

(ii) specifying the public service vehicles or class of public service vehicles which shall use the place or which shall not use the place;

(iii) appointing a person to be the manager of the place and specifying the powers and duties of the manager;

(iv) requiring the owner of the land, or the local authority, as the case may be, to erect such shelters, lavatories and latrines and to execute such other works, as may be specified in the rules or directions and to maintain the same in a serviceable, clean and sanitary condition;

(v) prohibiting the use of such place by specified persons or by other than specified persons.

(3) Nothing in sub-rule (2) shall require any person owning the land which has been appointed as a stand or halting place, to undertake any work or incur any expenditure in connection therewith without his consent, and in the event of any such person declining to carry out such work or to incur such expenditure or failing to comply with any rule or direction made or given to him under this rule, the competent Authority may prohibit the use of such a place for the purposes of this rule.

5.59 Returns to be furnished in respect of Transport Vehicles.-

(1) The Regional Transport Authority may by general or special order require the owner of transport vehicle-

To maintain record, and submit returns in respect of the vehicles in such form and by such dates as the Regional Transport Authority may specify and such record and returns may include all or any of the following particulars:-

- (i) the registration number of the vehicle;
- (ii) the name and address of the permit holder;
- (iii) the type of permit held, permanent/temporary;
- (iv) the date of each journey undertaken;
- (v) the name and licence number of the driver and conductor and other attendant, if any;
- (vi) the place of origin and destination of the goods vehicle;
- (vii) the time of commencement and termination of the journey and of every halt thereon;
- (viii) the route upon which or the area within which the vehicle is used;
- (ix) the serial number of the trip;
- (x) the description of the goods carried in each trip (each commodity to be shown separately), and the number of packages of each commodity received from each consignor;
- (xi) the name and address of the consignor and consignee for each commodity;
- (xii) the name and address of the booking, forwarding or collecting agencies for each commodity;
- (xiii) the weight in quintals of each commodity;
- (xiv) the total maximum weight of the goods carried in the vehicle in each trip;
- (xv) the number of kilometers travelled between the places of origin and destination in respect of each commodity;
- (xvi) the quintal and kilometers performed in respect of each commodity (item Xii and XV);
- (xvii) the freight leviable in respect of each consignor or consignee for each commodity;
- (xviii) the freight charge for each commodity;
- (xix) the volume of traffic carried by the vehicle during the year in metric tonnes;
- (xx) in the case of goods carried in a stage carriage the number of trips and kilometers travelled to be given separately when the goods were carried exclusively in the stage carriage, and when the goods were in condition to passengers, and, in the letter case, also the number of seats available for passengers;

(2) To issue to each consignor a receipt in respect of consignment received by or on behalf of the owner of a transport vehicle, showing

details regarding the date of receipt of goods, particulars of such goods commodity wise, place from which and destination to which the goods are to be carried and the freight charged in respect of each commodity.

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

(4) No person shall drive a goods vehicle and no owner or other person shall cause or allow any person to drive such a vehicle unless the driver carries a way bill containing all or any of the particulars which may be specified by the Regional Transport Authority under sub-rule (1).

(5) The records required to be maintained under this rule shall be produced for the inspection on demand by any police officer, not below the rank of Sub-Inspector or an officer of the Motor Vehicles Department.

5.60. Permit holder-change of address of.- (1) If the holder of a permit ceases to reside or to have his place of business, as the case may be, at the address set forth in the permit, he shall within fourteen days, send part A of the permit to the Transport Authority by which the permit was issued, intimating the new address.

(2) Upon receipt of intimation under sub-rule (1), the Regional Transport Authority or the State Transport Authority, 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 countersignature or otherwise.

5.61. Public Service Vehicle intimation of damage to or failure of.- (1) The holder of any stage carriage permit or any contract carriage permit in respect of a particular vehicle by reference to the registration mark shall, within seven days of occurrence, report in writing to Transport Authority by which the permit was issued, any failure of, or damage to, such vehicle or to any part thereof of such a nature as to render the vehicle unfit for use in accordance with the conditions of the permit for a period exceeding three days.

(2) The holder of any permit in respect of a service of stage carriage shall, within seven days of occurrence, report in writing to the Transport Authority by which the permit was issued, any failure of, or damage to, any vehicle used by him under the authority of the permit, of such a nature as to prevent the holder from complying with any of the provisions of conditions of the permit for a period exceeding three days.

(3) Upon receipt of a report under the preceding sub-rules the Transport Authority by which the permit was issued, may subject to the provisions of rules 5.31 and 5.32.

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

(ii) if the damage to or failure of, the vehicle is such that in the opinion of the said Authority, it cannot be made good within a period of two months from the date of occurrence, direct the holder of the permit to provide a substitute vehicle, and, when the holder of the permit fails to comply with any such direction may suspend, cancel or vary the permit accordingly.

(4) The Transport Authority giving a direction of suspending cancelling or varying a permit under sub-rule (3), shall send intimation of the fact to the Transport Authority of any other region in which the permit is valid by virtue of countersignature or otherwise.

5.62. Alteration of Motor Vehicle.- (1) Further to the provisions of section 52 of the Act, the owner of a Transport vehicle, or if the owner is not the holder of the permit, 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.

(2) Upon receipt of a report under sub-rule (1) the Transport Authority by which the permit was granted 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.

(3) A Transport Authority varying, suspending or cancelling a permit or causing another vehicle to be substituted for a vehicle covered by a permit, shall intimate all particulars to the Transport Authority of any other region in which the permit is valid by virtue of countersignature or otherwise.

5.63. Provision as to trailers.- (1) No trailer other than the trailing-half of an articulated vehicle shall be attached to a public service vehicle.

(2) Save in the case of a trailer being used for the carriage of troops or police, no person other than the attendant or attendants required by rule 7.57 shall be carried on a trailer.

(3) Subject to the provisions of sub-rule (2), all the provisions of these rules relating to a goods carriage shall apply to any trailer used for the purpose of a goods carrier.

(4) The State Transport Authority or Regional Transport Authority granting or countersigning a goods carriers permit may require as a condition of the permit or of the countersignature, as the case may be, that no trailer, or that not more than one trailer, or that no trailer of a specified description shall be attached to any transport vehicle covered by the permit.

5.64. Distinguishing boards for goods vehicle.- Every goods transport vehicles shall carry in a prominent place on the front of the vehicle a distinguishing board in regional language or in Hindi with the letters 'Goods Carriers' painted in black and white background. The height and width of each letter shall not be less than 127 milimeter and 64 milimeter, respectively.

5.65. Inspection of transport vehicles and their contents.- (1) Any police officer in uniform not below the rank of a Sub-Inspector or any Head Constable incharge of a police outpost or posted at a police station or any Transport Officer not below the rank of a Sub-Inspector of Motor Vehicles, within his respective jurisdiction may at any time when

the Vehicles is in a public place, call upon the driver of a goods vehicle to stop the vehicle and to keep it at rest for such time, as may be necessary to enable the Police or Transport Officer to make responsible examination of the contents of the vehicle.

(2) Notwithstanding the provisions of sub-rule (1), the Police or Transport Officer, shall not be entitled to examine the contents of any goods vehicle unless.-

(i) the permit in respect of the vehicle contravene a provisions or condition

in respect of the goods which may not be carried on the vehicle, and

(ii) the Police or Transport Officer has reason to suppose that the vehicle is being used in contravention of the provisions of the Act or these Rules.

(3) Any Police Officer in uniform (not below the rank of a Sub-Inspector or any Head Constable Incharge of a Police outpost or posted at a Police station or any Transport Officer not below the rank of Sub-Inspector of Motor Vehicles may at any time when the vehicle is in a public place, call upon the driver of a public service vehicle to stop the vehicle to keep it at rest for such time, age may be necessary, to enable such officer to make reasonable examination of the number of passengers and other contents of the vehicle so as to satisfy himself that the provisions of the Act and these Rules and the provisions and conditions of the permit in respect of the vehicle are being complied with.

(4) In the event of a Motor Vehicle is stopped and examination under this rule, such officer shall give to the driver or any person incharge of the vehicle a certificate stating the date on which the hour at which and the period for which the vehicle was detained.

5.66. Motor cabs may be required to carry Fare Meter.- (1) The Regional Transport Authority, may, by notification in the Official Gazette require that within the limits of any municipality or other area as may be specified in the notification, all motor cabs intended for private hire shall be fitted with fare (taxi) meters.

(2) Where a notification as aforesaid has been issued permit shall not be granted in respect of any Motor cab not fitted with a fare meter, except in the following cases:-

(a) where a permit is granted with the following conditions:-

- (i) that the owner of such cab shall maintain not less than 6 motor cabs.
- (ii) that such owner shall provide such garrage accommodation for the cabs as is approved by the Regional Transport Authority.
- (iii) that the cabs shall not be offered for hire at public stands or at any public place.

(b) where permit is granted to automobile companies or Associations recognised by the Government of Rajasthan in this behalf on the condition that the permit holder shall maintain motor cabs for the bonafide use of tourists and shall supply them only in accordance with the specific request of the Regional Tourist Officer concerned.

(3) No motor cab required to be fitted with fare meter under this rule shall be used as motor cab unless it is so fitted. The fare meter shall be of the type or types approved by the State Transport Authority. Such fare meter shall be fixed to and operated from, a non-driving wheel and shall bear the seal of the registering authority or any other official appointed in this behalf by the State Government to indicate that it has been tested and is in proper working order.

5.67. Method of indicating fare.- (1) Every mechanical or electronic digits meter shall be so constructed as:-

(a) to indicate open the dial in suitable slots on a suitable digital display consisting of light emitting diode system (LEDS) as the case be, the amount of fare calculated by time and/or by distance kilometers, and

(b) to have a flag showing its position or to have a window will illuminated words showing, whether or not the meter is in action (i.e. "Hired" or "For Hire" or "Stopped".)

- (2) The nature of the information given in each slot of a mechanical meter or digital display of an electronic meter shall be indicated by suitable war immediately above or below the slots or digital display, as the case may be. The words or signs denoting rupee or rupees and paise shall be place

immediately above, below or besides the appropriate disc of drum position.

- (3) The letters and figures shown in the slots of a mechanical meter or a digital display of an electronic meter shall be of a size which the Transport Commissioner considers to be reasonable and shall be so placed as easily read by the Hirers.

(4) All letters and figures required to be shown on meter and gear boxes shall be of such size, form and colour as would render them clearly legible.

(5) The flag of a meter shall be of suitable strength and shall bear the words "For Hire" in the white letters of plain block type at least 50 millimeters in height and of proportionate thickness on a red coloured ground so that they may be easily read from a distance. The arm level which carries the flag shall be of such length that when it is kept vertical the lower edge of the flag is above the highest part of the meter. If it is an electronic digital meter, it shall be provided with two switches that is-meter switch and stop switch, for operating the meter and shall also be provided with "Roof Light" synchronized with t operation of the meter.

(6) The mechanism of meters shall be so designed that-

- (i) the words "For Hire" are indicated in the appropriate slot when the flag arm is vertical.
- (ii) the word "Hired" is indicated when the arm has been depressed through 180 degree and the time and distance gears are in engagement.
- (iii) the word "Stopped" is indicated when the arm is arrested in a horizontal position at 270 degree.
- (iv) the flag arm cannot normally remain in any position other than the three positions mentioned in clause (a).
- (v) the fare by time ceases to be recorded when the flag is in the "Stopped" position.
- (vi) the fare by distance is recorded on the meter if the taxi cab is driven with the flat in the "Stopped" position.
- (vii) the fare recorded is not obscured when the flag is in the "Hired" or "Stopped" position.
- (viii) it is not possible (i) to move the flag back from the "Hired" position to "For a Hire", or (ii) to return the flag from "Stopped" position to "Hired" position.
- (ix) when the flag arm is raised to a vertical position (i.e. the "For Hire" position), the previous record of fare is cleared and the various mechanism are brought to their initial positions.

(x) before the flag can again be depressed, the full vertical position shall be reached, and a positive stop made there to ensure that the mechanism comes to rest and that the fare indication is obscured by a shutter.

(xi) the mechanism for recording the time and distance can not be engaged or disengaged except by the normal sequence or operation of the flag arm referred to in clauses (i) to (viii) and

(xii) the operation of the shutter of obscuring the fare synchronizes with the engaging and disengaging of the time and distance mechanism of the meter.

(7) The mechanism of an electronic digital meter shall be so designed that:-

(a) (i) "for hire" window is illuminated with the meter switch is in "off position" and the roof light is in "On position".

(ii) the "Hired" switch is illuminated and the roof light is turned "off" when the "meter switch" is pressed "on" and the time and distance modes are in engagement.

(iii) the "stopped" window is illuminated with the stop switch is pressed "on".

(b) it shall be possible to set in position either within the three positions in clause (a) in the meter.

(c) the fare by the time ceases to be recorded when the flag is not in "Stopped" position.

(d) the fare by distance is recorded on the meter if the taxi cab is driven with the meter in "stopped" position.

(e) the rate recorded is not obscured when the meter is in hired and or in stopped position

(f) when the meter switch is turned off, "for hire" window is illuminated, the roof light is turned "On" and the previous recording of fare is acquired and the various mechanism of the meter are brought back to the initial position.

(g) the mechanism recording time and distance cannot be engaged or disengaged except by the normal sequence of operation of switches referred to in clause (a) to (f).

(8) **Audible warning.**- Every meter shall be so constructed that it gives audible warning by means of a suitable bell or gong whenever the driver moves the lever which operates the recording mechanism.

5.68. Examination and sealing of taxi-meter.- Every taxi meter, after it has been affixed to a taxi-cab, whether for the first time or after repair or adjustment, shall be submitted to the registering authority or any other officer appointed by it in this behalf, for examination, as to the correctness of the fittings and subjection to a practical road test over a measured distance of 1.6 kms. And a time test of not less than a half hour's duration, if found correct, its fittings shall be sealed to the taxi-cab in such a manner that it cannot be removed or tampered without the breaking or removal of the seals. No person shall break, or temper with, or attempt to break or tamper with, such seal, or with the taxi-meter or its fittings.

5.69. Subsequent examination.- Every taxi-meter shall be submitted for examination and test once every six month and at any other time, if required by the Registering Authority or any other official or authority appointed in this behalf by the State Government. The result of each examination and test shall be entered in the permit of the taxi cab.

5.70. Power of Inspector of Motor Vehicles to Inspect Taxi Meters.- Any officer not below the rank of Inspector of Motor Vehicles in uniform or any police officer not below the rank of sub-inspector, may, if he has reason to believe that a motor cab fitted with a taxi meter has been or is being plied with a meter which is defective or has been tempered with, stop such motorcab and, in order to test such taxi meter, direct the driver or the person incharge of such motor cab to cover a distance or connect the taxi meter on the measuring equipment to ascertain the accuracy of the taxi meter or to proceed to institution and take or cause to be taken such other steps as he may consider proper for the purpose.

5.71. Floor mat.- The floor of a motor cab shall be covered with a mat of rubber, coir or other suitable material.

5.72. Conveyance of animal in stage carriages.- Cattle and goats shall not be carried in carriages, but dogs and other pets may be carried on payment, if permitted by the conductor. All goods and other animals conveyed in stage carriages shall be securely fastened and under proper control.

5.73. Licensing of and regulation of the conduct of Agents or canvassers who are engaged in the sale of tickets for travel by

public service vehicle or otherwise solicit customer for such vehicles.- (1) No person shall engage himself as an agent or canvasser in the sale of tickets or otherwise solicit customers for travel by public service vehicle except stage carriage other than belonging to a State Transport Undertaking and three wheelers unless he has obtained a licence in Form R.S. 5.27 from the Regional Transport Officer of the region in which such person resides or carries business.

Explanation.- For the purpose of this rule an agent or canvasser or a person soliciting customs means a person, whether he is the owner of the public service vehicle or not, who is engaged directly or indirectly-

- (i) in the business of booking, selling or canvassing through news papers or other medium of publicity for sale of tickets in respect of a public service vehicle.
 - (ii) in canvassing/conducting or organising tours pilgrimage/yatra and for sight seeing for any purpose.
 - (iii) in arranging or providing in any manner public service vehicle to tourists.
- (2) Every owner of a public service vehicle who is not required to obtain a licence as per sub-rule (1) above and who let to be plied for hire shall intimate to the Regional Transport Officer concerned the name, address and licence number of the person appointed on his behalf as an agent who has been engaged in the sale of tickets to passengers for travel by such vehicle.
- (3) The application for licence of an agent shall be made in writing before one month from the date from which he wants the licence, to the Regional Transport Officer of the region in which the applicant resides or has his place of business, in Form R.S. 5.26 and the application shall be accompanied by a prescribed fees and two clear copies of a recent photograph of the applicant.
- (4) On receipt of an application for an agent's licence alongwith the prescribed fee the Regional Transport Officer shall on being satisfied grant him agent's licence in Form R.S. 5.27. In case of refusal, he shall record the reasons for doing so.
- (5) The agents licence granted in Form R.S.. 5.27 shall be exhibited at the conspicuous space at business premises. If the holder has more than one office in the region, he shall obtain copy of licence for each branch office after paying the prescribed fee.
- (6) **Period of validity.-** The agent's licence shall be in force for a period of 12 months from the date of issue.

(7) The application for renewal of agent's licence shall be made in Form R.S. 5.28 before one month from the date of expiry alongwith the licence and the prescribed fee to the Regional Transport Officer. If the application for renewal is made after the prescribed period, it shall be accompanied by a late fee as prescribed fee for renewal of the licence.

(8) (a) The Regional Transport Officer shall issue identity card in Form R.S. 5.29 to.-

- (i) on individual and his authorised manager.
- (ii) the authorised partners when the business is looked after by him where the agent is a firm;
- (iii) the Managing Director or any other Director nominated by the company where the agent is a company, and
- (iv) the Karta where agent is a HUF.

(9) The identity card shall always be carried on his person by the holder and be shall produced on demand by any officer of Motor Vehicle Department not below the rank • of Motor Vehicles Sub-inspector.

(10) The identity card so issued shall be surrendered by the agent on suspension, cancellation or non-renewal of licence. If a manager ceases to be in employed or is transferred out of the State it shall be the responsibility of the agent to surrender identity card of such manager.

(11) Every agent shall deposit cash security Rs. 5000/- with the Regional Transport Officer.

(12) Every agent shall maintain true and correct account in a register serially numbered in the prescribed Form R.S. 5.31 and authenticated by the Regional Transport Officer for each public service vehicle separately in respect of services provided or tours under taken.

(13) Every agent shall submit quarterly return to the Licensing Authority by 15th day of the close of each quarter of the financial year in Form R.S. 5.30.

(14) The Regional Transport Officer may, for reasons to be recorded in writing, decline to renew the agent's & licence.

(15) The licensee:-

- (a) shall not issue or book tickets for any stage carriage owned by a- State Undertaking operating in the State of Rajasthan,

- (b)** shall not mislead or coax any passenger to board his public service vehicle;
- (c)** shall not offer any illegal inducement.
- (d)** shall behave in a civil and orderly manner with the persons demanding tickets or travelling in the public service vehicle.

- (e) shall issue every passenger or group of passengers a receipt or tickets showing total amount charged for distance covered vehicle number.
 - (f) shall mention in every receipt or tickets his licence number.
 - (g) shall not charge more than prescribed fare, if any.
 - (h) shall not involve in activities which lead to unhealthy competition.
 - (i) shall ensure. that ,the, public service vehicle for which tickets are sold or booked or is provided for travelling has valid permit to ply on the route or area.
 - (j) shall abide by the terms of the contract entered in to orally or in writing with the passenger or group of passengers'.
 - (k) shall make alternative arrangement within a reasonable time in case of break down of the vehicle.
 - (l) shall comply with the provisions of the Act and Rules.
 - (m) shall all time allow officer of Motor Vehicle Department to inspect record and account maintained by him.
- (16) The security furnished may be forfeited in whole or in part by the Licensing Authority if he is satisfied that he is breaching any condition of licence or not maintaining the account properly or not submitting return in time after giving the agent reasonable opportunity of being heard.
- (17) If the licence holder is individual, his age must not be less than 18 years.
- (18) The Regional Transport ¹[Officer] may for reasons to be recorded in writing suspended or cancel the agents licence or breach of all or any one of the conditions of licence or on the ground of misconduct of the 1 [licensee].
- (19) When the licence is suspended or cancelled or not renewed, it shall be surrendered forthwith to the Regional Transport Officer who issued the licence.
- (20) 'The Agent shall on demand by any officer of Motor Vehicles Department, not below the rank of Motor Vehicles Sub-Inspector, produce his licence for inspection.
- (21) No person shall held more than one agent's licence effective in the same region.
- (22) If the agent is company or partnership firm, he shall submit deed of company or partnership and also a copy of agreement entered with the owner of the public service vehicle.

5.74. Appellate Authority-Agent's Licence.- (1) Any person aggrieved' by any such order of licensing Authority under rule may prefer an appeal within 30 days of the date of receipt of such order to the Transport Commissioner alongwith the prescribed fee.

(2) The memorandum of appeal shall be filed in duplicate setting for th concisely the grounds of objection and shall accompanied by a certified copy of the order:

Provided that the memorandum of appeal shall not relate to more than one order to be signed by more than one parties.

Licensing of Agents, engaged in the business of collecting, forwarding and distributing goods carried by Public Carriers.

5.75. "Defination".- In this rule unless the context otherwise requires.

(a) "Agent" means any person who is engaged directly or indirectly in the business of:-

- (i) Collecting, or
- (ii) Forwarding and Distributing,
- (iii) Collecting, Forwarding and Distributing goods carried by any public carrier.

(b) "**Agent's Licence**" means a licence granted to an agent under this rule for the principal establishment and includes the supplementary licence granted to such agent for any additional establishment such as branch office specified in such supplementary licence.

(c) 'Goods' includes live-stock and anything carried by a goods vehicle except living persons and equipments ordinarily used with the vehicle.

(d) 'Licensing Authority' means the Regional Transport Officer of the region in which the applicant intends to carry on the business and in any other case of the region in which the applicant has his principal place of business.

(e) 'Perishable Goods' means any goods which are subject to steadily and great natural decay.

5.76. Prohibition to act an agent except under a licence.- No person shall act as an agent unless he holds a valid licence authorising to carry on of his business of agent at a place or places specified in licence:

Provided that any person already working as an agent on the date of the commencement of these rules shall be allowed to obtain a licence with a period of three months from such date.

5.77. Licensing of Agent. (1) Any person desiring to obtain an agent licence shall make an application to the Regional Transport Officer of the region in which he has his place of business, or as the case may be, his principal place of business. Such application shall be made in Form R.S. 5.32.

(2) The application shall be accompanied by the prescribed fee.

(3) On receipt of an application made, the Licensing Authority shall having regard among other things to the following matter either grant or renew or refuse to grant or renew the licence.-

- (a) The number of goods vehicles, if any, either owned by the applicant or under his control.

- (b) The suitability of the accommodation under the control of the applicant for the storage of goods at every operating place;
- (c) The facilities provided by the applicant for parking the goods vehicle by loading or unloading without hindrance to the general traffic in the area;
- (d) The financial resources of the applicant and his experience in the trade.

(4) The Licensing Authority shall either grant or renew the licence including supplementary licence, for a branch office, if any, in Form R.S. 5.33. Specify the place or places where the business may be carried on or refuse to grant or renew the licence :

Provided that the Licensing Authority shall not refuse to grant or renewal the licence or supplementary licence for a branch office applied for, unless the applicant has given an opportunity of being heard and the reasons for refusal are recorded and communicated to him in writing.

- (5) The Regional Transport Officer shall cause copies of any licence granted to it, under 'this rule to be sent to the concerned District Transport Officer and also intimate them about the refusal and the cancellation.
- (6) The Licensing Authority shall while granting or renewing the licence (including any supplementary licence) or at any time during the validity of the licence by order required the Licence to furnish the security in cash as under:-

S.No.	Name of Agent	Amount of Security
1.	For Collecting Agent	Rs. 1,000/-
2.	For Distributing Agent	Rs. 1,000/-
3.	For Collecting & Distributing Agent	Rs. 2,000/-
4.	For Collecting & Forwarding Agent	Rs. 3,000/-
5.	For Forwarding & Distributing Agent	Rs. 3,000/-
6.	For Collecting, Forwarding & Distributing Agent	Rs. 5,000/- Having upto. 10 Motor Vehicles. Rs. 10,000/- Having More than 10 Motor Vehicle but up to 25 Motor vehicles. Rs. 25000/-above 25 Motor Vehicles.

(7) (i) The licence shall be in two parts, namely the Principal part (hereinafter referred to as the Principal Licence) issued for every separate establishment or branch office for loading, unloading or receipt of delivery of the consignment is carried on shall be mentioned, and the supplementary part (hereinafter referred as the supplementary licence). The details of the establishment or the branch office (such as municipal house number, the nearest road, bye-lane, the postal

delivery district and other land marks in the vicinity to enable identification of the place of the licensee) duly attested by the Licensing authority, shall be attached to the licence.

(ii) The principal licence shall be kept and displayed prominently at the head office and the supplementary licence shall be kept and displayed prominently at each branch office to which it refers, except when the principal licence or the supplementary licence, as the case may be, is forwarded to the Licensing Authority for effecting renewal thereof. Such licence shall be produced before any inspecting officer of the Transport Department or any police officer in uniform, not below the rank of Sub-Inspector.

(8) The agent's licence shall be non-transferable.

(9) (a) The agent's licence shall be valid for a period of one year from the date of its grant or renewal.

(b) The date on which expiry of the supplementary licence shall be coterminous with the date of expiry of the principal licence irrespective of the date on which the supplementary licence is granted.

5.78. Renewal of Agent's Licence.- (i) The agent's licence may be renewed on an application in Form R.S. 5.34 alongwith prescribed fee made to the Licensing Authority not less than 30 days before the date of its expiry and shall be accompanied by the principal and by supplementary licence, if any, and the prescribed fee. If the application for renewal is made after the prescribed period, it shall accompanied by late fee.

(ii) The renewal of licence shall be made by endorsement of renewal thereof by the Licensing Authority on the principal and the supplementary licence, if any.

5.79. Conditions for Agent's Licence.- The agent's licence shall be subject to the following conditions, namely:-

(1) that the licensee shall subject to provisions of this rule provide adequate space for the parking of the vehicles for the purposes of loading and unloading of goods;

(2) that the licensee shall be responsible for proper arrangements for storage of goods collected for despatch or delivery or both;

(3) that where the licensee is authorised to collect, or forward and distribute or collecting, forward and distribute goods, the licensee shall:-

(a) take all necessary steps for proper delivery of goods to the consignee.

(b) be liable to indemnify the owner of goods for any loss or damage to goods while in his possession, by adequate insurance cover where available at the cost of consignor or consignee.

(c) not issue the goods transport receipt without having actually received the goods.

(d) not deliver the goods to consignee without actually receiving from the consignee the goods transport receipt

or if the receipt is lost or misplaced, indemnity bond covering the value of goods.

- (4) that the licensee shall maintain proper record of vehicles under his control and of collection, despatch and delivery of goods which shall be opened to inspection by the Licensing authority or any persons duly authorised in this behalf by any such authority, the licensee shall furnish to the Licensing Authority by the 31st March every year return in respect of the previous calendar year in Form R.S. 5.35.
- (5) that the licensee shall not charge any commission exceeding that may be prescribed under this rule.
- (6) that the licensee shall furnish the operator with correct figures of the freight receivable by them from the consignor or the consignee.
- (7) that the licensee shall maintain proper accounts of the commission charged by him and have the same audited by a qualified auditor annually.
- (8) that the licensee shall ensure that the goods vehicles under his control have valid permit for the route or area on which the vehicles have to ply.
- (9) that the licensee shall maintain in good condition a weighing device capable to weighing at a time not less than 1.000 kilograms.
- (10) that the licensee shall attend to customer in the order in which they approach him, provided that the customer in respect of the perishable goods shall be given priority over other customers and shall be attended to in the order in which they approach to the licensee:

Provided further that the State Government may in its discretion alter the priority.

- (11) that the licensee shall not refuse to accept goods for transport without valid reasons.
- (12) that 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.
- (13) that the licensee shall comply with the provisions of these rules and shall observe the conditions specified in the licence.
- (14) that the Licensing Authority may at his discretion or for forfeiture in whole part of the security or the additional security furnished by the licensee for contravention of any of these rules or for breach of any of the aforesaid conditions by the licensee.
- (15) that the Licensing Authority may after giving a notice of not less than one month in writing either vary the condition of the licence to attach to the licence further conditions.
- (16) that the licensee shall declare its principal place of business where he will keep all the record relating to agency ready for inspection.
- (17) that the licensee shall not collect, forward and distribute any goods prohibited to define Acts and Rules prevailing in the State or under notification issued by the State Government from time to time.

(18) that the licensee shall keep adequate fire fighting equipment in good order at the premises.

5.80. Particulars to be maintained in contract of agency.- All contracts entered into or way bills issued by the licensee for the purpose of collecting forwarding

or distributing goods shall be in writing and shall contain the following particulars, namely:-

- (i) name and address of the consignors or the consignee;
- (ii) description and weight of the consignment;
- (iii) destination and its approximate distance in kilometers from the starting station;
- (iv) freight for tonne, kilometers and for the whole consignment.
- (v) delivery instructions that is approximate date by which and the exact place at which the goods are to be delivered to the consignee.
- (vi) terms of payment.
- (vii) name of the owner, driver, registration number of the vehicle and its authorised loads, and. the rate and the amount of the commission

5.81. Rate of Commission.- The State Government may by notifications in the Official Gazette prescribe the rate at which commission may be charged by the licensee under these rules.

5.82. Places to be used. for loading and unloading of goods.- (1) The Licensing Authority may in consultation with the Local municipal authority of the police authority having jurisdiction over the local area concerned or both approve any premises owned by or in possession of a licensee or the applicant for agent's licence to be used for loading or unloading of the goods or for parking of goods vehicles or for storage of goods in the custody of the agent, having regard to suitability of the site, sanitary conditions and storage facilities provided at such premises.

(2) Any approval under sub-rule (1) shall be subject to the following conditions, namely:-

- (a) that the premises shall at all times be kept in a cleaned conditions and in good state of repair.
- (b) that the premises shall be administered in an orderly manner.
- (c) that the licensee shall not change the premises or make any external alteration to it or in the parking arrangements thereat, as may likely to cause obstruction to the general traffic in the vicinity without price approval of the Licensing Authority.
- (d) that the licensee shall take all suitable precautions to ensure that no breach of any provision of the Act or of the Rules in so far as these provisions relate to the following matter is committed in respect of any vehicle engaged by him and which is entering of leaving or standing at such premises namely:-
 - (A) Requirements with a goods vehicle shall be covered by
 - (I) Valid and effective permit/countersignature for the route area or travel.

- (ii) valid certificate of fitness.
- (iii) valid certificate of insurance.
- (iv) payment of all taxes under the Rajasthan Motor Vehicles Taxation Act, 1951.

(B) Observance of the regulations/conditions as to:-

- (i) construction, equipment and maintenance of motor vehicles to ,the extent the defects easily noticeable from the exterior appearance of a motor vehicle.
- (ii) limits of weight and prohibition or restrictions on use of a motor vehicle.
- (iii) loading of goods, overall height, length, width and projection of load laterally to the front, to the rear and in a height.
- (iv) transport of dangerous or explosive substance contraband articles under any law for time being in force.
- (v) parking or abandonment of motor vehicles on road in such a way as to cause obstruction to traffic or danger to any person or other users of road, leaving vehicles in dangerous position.
- (vi) driving of motor vehicles by persons holding valid and effective driving licence.

(C) That the licensee shall keep adequate fire fighting equipments in good order at the premises.

{3) Where the Licensing Authority refuses to approve any premises under sub-rule (1) he shall communicate in writing his reasons for such refusal.

5.83. Suspension and Cancellation of licence.- (1) Without prejudice to any other action which may be taken against the licence, the Licensing Authority may, by order in writing, cancel the agents licence or suspend it for such a period, as it may think fit in its opinion any of the conditions under which the licence has been granted, has been contravened.

(2) The Licensing Authority may by order in writing cancel the agent's licence or suspend it for such period, as it may think fit, if in his opinion any of the conditions under which any premises has been approved under the above rules, has been contravened.

(3) 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.

5.84. Issue of Duplicate Licence.- If at any time an agent's licence is lost, destroyed, torn or otherwise defaced so as to illegible the agent shall forthwith apply to the licensing authority for grant of duplicate licence. The application for obtaining duplicate licence shall be accompanied by the prescribed fee. Upon receipt of such application that authority shall issue a duplicate agent's licence clearly stamped "Duplicate". If the original licence is subsequently found, the original licence shall be surrendered to the Licensing Authority.

5.85. Appeals.- (a) Any person aggrieved of order made by the Licensing Authority under these rules may appeal to the Transport Commissioner or within 30 days from the date of such order on its communication to him alongwith prescribed fee.

(b) The memorandum of appeal shall be filed in duplicate setting forth concisely the grounds of objection and shall be accompanied by a certified copy of the order

Provided that the memorandum of appeal shall not relate to more than one order or to be signed by more than one parties.

5.86. Use of unmetalled road.- The Transport Authority may prohibit transport vehicles other than Motor Cabs to be used on any unmetalled road in the State.

1[5.87. Fees.- The fees which shall be charged under the provisions of this chapter shall be as specified in the Table below.-

²[परन्तु राष्ट्रीय राजधानी क्षेत्र में प्रचलित और एन.सी.टी दिल्ली और क्षेत्रीय योजना 2021 के पैरा 2.1 में यथा परिभाषित राष्ट्रीय राजधानी क्षेत्र को गठित करने वाले हरियाणा, उत्तरप्रदेश और राजस्थान के उप-क्षेत्रों में रजिस्ट्रीकृत, यूरो मानको के अनुरूप परिष्कृत (सी.एन.जी) का उपयोग करने वाले मोटर कैब/टैक्सी और ऑटो रिक्शा के संविदा गाडी परमिट के प्रतिहस्ताक्षर के लिए कोई फीस प्रभारित नहीं की जायेगी।

1- Subs. by G.S.R. 108(E)dated 11-01-2000 (Pub. in Raj. Gaz , Ex-ord pt-4(Ga)(I),dated 11-01-2000)

2. अधिसूचना संख्या एफ 7 (3)परि/रूल्स/एच.क्यू/1995/17833 दिनांक 04.09.2008 जी. एस आर 79 (राज.राजपत्र विशेषांक भाग-4-6(1.) दिनांक 08.09.2008 पर प्रकाशित) द्वारा जोडा गया।

TABLE

S.No.	Purpose	Amount (in Rs.)	Rule
1	2	3	4
1	For application to grant/renewal/countersignature of permit (other than temporary permit)		5.5, 5.27 and 5.28

	<ul style="list-style-type: none"> (i) Two seater Auto rickshaw (ii) Educational Institution Bus/ Mini bus/ Tempo /Vikram/ Auto tonga (iii) Stage Carriage/Contract Carriage excluding minibus,- <ul style="list-style-type: none"> (a) For interstatal permit (b) Other than interstatal permit (c)) Stage Carriage on Nationalized Routes (iv) Motor cab/ Maxi cab/Public Carrier or Private Carrier 	<ul style="list-style-type: none"> 100/- 250/- 1500/- 750/- 1500/- 300/- 	
2	<p>For grant and renewal of a permit (other than temporary permit)</p> <ul style="list-style-type: none"> (i) Stage Carriage,- <ul style="list-style-type: none"> (a) Public Carrier , private carrier, contract carrier excluding mini bus (b) Stage carriage on Nationalised Routes (ii) Educational Institution Bus/ Minibus/ Motor cab/Maxi cab (iii) Auto Tonga/Auto Rickshaw/ Vikram/ Tempo (iv)Light Transport Vehicles 	<ul style="list-style-type: none"> 1500/- 5000/- 1000/- 300/- 500/- 	5.9, 5.27 and 5.28
3	For grant of Temporary permit or counter-signature for 30 days or part thereof	200/-	5.5
4	<p>For Countersignature of a Non-temporary permit or its renewal</p> <ul style="list-style-type: none"> (i) For heavy Transport Vehicles (ii) Medium Transport Vehicles (iii)Light Transport Vehicles 	<ul style="list-style-type: none"> 1500/- 1000/- 500/- 	5.28
5	<p>Fee for transfer of permit otherwise than by inheritance or succession</p> <ul style="list-style-type: none"> (i)Stage Carriage,- <ul style="list-style-type: none"> (a) Stage carriage on other than Nationalised Routes (b) Stage carriage on Nationalised Routes (ii)Public Carrier and Contract Carriages other than Motor cab, Maxi cab, Tempo, Vikram and Auto rickshaw (iii) Contract Carriage (Mini bus, Tempo, Vikram, Motor Cab, Maxi cab) (iv) Educational Institution Bus/ Autorickshaw/ Auto tonga 	<ul style="list-style-type: none"> 3000/- 10,000/- 1500/- 1000/- 500/- 	5.36
6	<ul style="list-style-type: none"> (i) Fee for appeal in STAT against the order of STA (ii) Fee for appeal against the order of RTA (iii) Fee for revision of order of STA/RTA 	<ul style="list-style-type: none"> 500/- 500/- 500/- 	5.44
7	<p>Fee for duplicate copy of a permit</p> <ul style="list-style-type: none"> (I) Part A each copy,- <ul style="list-style-type: none"> (a) Stage carriage, Contract Carriage- <ul style="list-style-type: none"> (i)For mutilated/defaced (ii)In the case of lost/theft (b) Motor Cab/Maxi Cab/Tempo/ Vikram/ Mini bus/Auto Tonga/Auto Rickshaw/ Public Carrier or Private Carrier 	<ul style="list-style-type: none"> 200/- 1000/- 200/- 	5.38

	(II) Part B each copy,- (a) Stage Carriage, Contract Carriage (i) For mutilated/defaced (ii) In the case of lost/theft (b) Motor Cab/Maxi Cab/ Tempo Vikram/ Mini Bus/ Auto Rickshaw/Auto Tonga/Public Carrier or private Carrier	200/- 1000/- 200/-	
	(III) Temporary permit each copy (IV) Authorization each copy	200/- 200/-	
8	Agents Licence,- (i) Application fee (ii) For grant of Licence For grant of supplementary licence of each additional establishment (iii) For renewal of licence if the application is made in time (a) Principal licence (b) For each supplementary licence (iv) For renewal of licence if the application is made late (a) Principal licence (b) For each supplementary licence	5000/- 1000/- 1000/-each 1000/- 1000/- 1500/- 1500/-	5.73(3) and 5.77 5.78 5.78
	(v) For issue of duplicate copy of- (a) Principal licence (b) For each supplementary licence (vi) For appeal against the order of Licensing Authority	1000/- 1000/- 500/-	5.84 5.85
9	Application fee for the cancellation of permit (i) For Two Seater/Auto Rickshaw (ii) For Mini Bus/Tempo/Vikram/Auto-Tonga. (iii) For Stage Carriage/Contract Carriage (a) For interstatal permit (b) For Other than interstatal permit (iv) For Motor Cab/Maxi Cab/Public Carrier/ Private Carrier	100/- 250/- 1000/- 500/- 300/-	5.35(3)
10	Application fee for each amendment in already issued time table of a Stage Carriage vehicle, if applied by permit holder. (a) Stage Carriage on other than Nationalised Routes (b) Stage carriage on Nationalised Routes	1000/- 2000/-	5.39

Note: A woman applicant on Auto Rickshaw/Taxi cab/Maxi Cab shall be exempted if such vehicle is registered in the name of applicant woman.

1- Subs. by G.S.R. 42 dated 12-07-2001 (Pub. in Raj. Gaz. Ex.ord Pt-4 (Ga)(I) dated 12-07-2001)

2- Subs. by Noti F7(4)pari/rules/Hq/92/12166 dated 22-06-2016 (w.e.f 22-06-2016)

CHAPTER VI

SPECIAL PROVISIONS RELATING TO STATE

TRANSPORT UNDERTAKINGS

6.1. Definition- For the purpose of this Chapter unless there is anything repugnant in the subject or context:

- (a) **Managing Director.-** Means Managing Director of Rajasthan State Road Transport Corporation and includes any other officer who may be authorised by the State Government or the corporation to perform the functions of the Managing Director.
- (b) **'Scheme'-** Means a scheme framed in pursuance of Section 99 of the Act.
- (c) **State Transport Undertaking.-** Means the Rajasthan State Road Transport Corporation established under section 3 of the Road Transport Corporation Act of 1950.

6.2. Preparation of scheme.- While preparing scheme under this chapter the State Government may call any information from Rajasthan State Transport undertaking with a view to formulate a proposal regarding scheme under section 99 of the Act. The scheme shall be published in Form R.S. 6.1 in Official Gazette and not less than one newspaper in Hindi language circulating in the area or route proposed to be covered by such scheme, by the Government.

6.3. Manner of filing objections.- (1) Any person affected by the scheme and wishing to file objections under section 100 of the Act shall do so in the form of a memorandum in duplicate, setting forth concisely the grounds of objections to the scheme within 30 days of the publication of the scheme in the Official Gazette.

(2) The memorandum of objection shall be addressed to the Secretary to the Government of Rajasthan in the Transport Department.

- (3) A copy of the memorandum shall be sent by the objector to the Managing Director of [Concern State Transport Enterprises (miØe)].
- (4) The memorandum of objections shall also contain the following information:-
 - (i) full name and permanent address of the objector;
 - (ii) whether or not such person is holder of permit issued under the provisions of Act;
 - (iii) the particulars of the route or routes as specified in such permit or permits;
 - (iv) the Manner in which Objector is affected by the Scheme.

6.4. Consideration and Disposal of Objections.- (1) The objections received shall be considered by such officer as is authorized to do so by order under the rules made by the Governor in pursuance of clause (3) of Article 166 of the Constitution of India.

(2) The said Officer shall fix the date, time and place of hearing of the objections and issue general notice in the Official Gazette asking the objector and the Managing Director to appear before him in person or through a duly authorised agent and the publication of the notice in Official Gazette shall be deemed to be personal service on the parties.

(3) The notice under sub-rule (2) shall be published at least 30 days before the date of hearing fixed.

(4) No objector shall be entitled to be heard by the State Government unless the objections are made in accordance with the provisions of these rules.

(5) After hearing objections the parties as may appear, the officer shall have a decision whether the scheme should be approved or modified, as he may deem proper.

6.5.Publication of Approved Scheme.- Subject to proviso to sub-section (3) of Section 100 of Act, a scheme so approved or modified shall be published in the Official Gazette and at

least one Hindi news paper circulating in the area or route covered by such scheme in Form R.S. 6.2.

6.6. Consequences of publication of the scheme.- Upon the publication of the scheme under sub-section (3) of section 100 of the Act, the consequences as hereinafter stated, shall have effect in respect of the notified route or area or portion thereof:-

(1) No person other than the State Transport Undertaking either singly or in conjunction with other State Transport Undertaking shall be entitled to a permit under Chapter V of the Act.

(2) The Managing Director shall communicate the scheme published under rule (5) to the Regional Transport Authority or to each Regional Transport Authority and each such Regional Transport Authority, as the case may be, shall give effect to the approved scheme forthwith.

6.7. Application for permit under Section 103.- (1) Every application under sub-section (1) of Section 103 for a Stage Carriage permit shall be made in the Form R.S. 5.2 and for a Contract Carriage permit in Form R.S. 5.3.

(2) The State Transport Authority or the Regional Transport Authority, as the case may be, shall on receiving applications referred to sub-rule (1) satisfy itself that the application relates to notified area or the route specified in approved scheme and shall issue stage carriage permit in the Form R.S. 5.10 and Contract Carriage permit in Form R.S. 5.11 to State Transport Undertaking.

6.8. Contravention of the approved scheme prohibited.-

(1) No person shall use or cause to be used a transport vehicle on the notified route or area or portion thereof in contravention of the provisions of the approved scheme.

(2) Nothing in this rule shall apply to use on transport vehicle in emergency for the convenience of a person suffering from sickness or injury or for the transport of dead body or for the

transport of medical aid or medical medicines supplied to relief distressed:

Provided that the person operating a vehicle shall report, within seven days, such use to the Registering Authority of the region in which he does so.

6.9. Giving effect to the approved scheme.- (1) For the purpose of giving effect to the approved schemes, the Regional Transport Authority concerned shall forthwith cancel or modify or refuse to renew or make ineffective the existing permit in respect of notified route or portion thereof and serve upon the holder of such permits notices to that effect.

(2) Nothing contained in Chapter (V) of the Act or in the Rules made thereunder, shall apply to the proceedings taken under these rules.

6.10. Disposal of articles found in the vehicle.- (1) The maximum period for claiming by owner of any article left by him in any transport vehicle operated by the State Transport Undertaking shall be 15 days.

(2) Where any article found in any such vehicle is not claimed by its owner within the period mentioned in sub-rule (1), the State Transport Undertaking may sell the article by public auction. A notice of such auction shall be displayed, 15 days in advance of the date of auction on the notice board at the place where the auction is to be held and also publish in the local news papers:

Provided that nothing in this rule shall apply to any article which is of perishable nature or has any danger or loading the greater part of its value and it shall be lawful for the State Transport Undertaking to dispose off any such article at any time as the circumstances may require.

6.11. Manner of service of an order under Chapter (VI).- Every order under Chapter (VI) of the Act shall be served:-

- (a) by tendering or delivering a copy thereof to the person one whom it is to be served or his agent, if any, or
- (b) by sending it by registered post at the last known address of the person on whom it is to be served, or
- (c) by fixing a date of some conspicuous place of his last known residence or place of business in case the above two methods are considered impracticable.

**CHAPTER VII
CONSTRUCTION , EQUIPMENT AND MAINTENANCE
OF MOTOR VEHICLES**

7.1 General rules regulation of construction etc. of Motor Vehicle-

(1) 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 Chapter V of the Act, and rules made under this Chapter by Centrl /State Government or with any order thereunder made by competent Authority to pass such order. by Competent Authority to pass such order.

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

(3) Provided that where a motor vehicle can no longer remain under the effective control of the person driving the same it shall not be moved except by towing.

7.2 Use of Red Lights- The State Government may allow the use of red light to the front of the motor vehicle carrying high dignitaries or a vehicle escorting such vehicle as may be notified from time to time.

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

Provided that the State Government may, by general or special order, exempt any transport vehicle or class of transport vehicles from the provision of this rule on such conditions as may be specified in the order, if it is satisfied that having regard to the construction of such vehicles or class of vehicles fitting of a mirror does not serve any useful purpose.

7.4 Restriction regarding televisions set or video in the Motor Vehicles- No television set or video shall be fitted or kept on or

near the dash board of the motor vehicle or shall be kept within the view of the driver.

7.5 Dangerous projection- (1) No mascot or other similar fitting or devices shall be fitted on any motor vehicle registered in India, 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 of any projection thereon.

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

7.6 Springs- 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 road wheels and the frame of the vehicle:

Provided that this rule shall not apply to-

- (i) any motor vehicle registered in India before the first day of April, 1951 if any means of springing with which it is fitted are adequately maintained in good and sound condition.
- (ii) any tractor not exceeding (four thousand five hundred and thirty six kilograms) in weight unladen if all the unsprung wheels of the tractor are fitted with pneumatic tyres;
- (iii) any land tractor, land implement, agricultural trailer, trailer equipped with pneumatic tyre having axle weight not exceeding (3050) kilograms avoirdupois, or any trailer used solely for the haulage of felled tyres or such other heavy loads as cannot be carried on spring.
- (iv) Vehicles designed for use in works or in private premises and used on a road only in passing from one part of the works of premises to another, or to works or premises within a distance of 3.2 kilometers;
- (v) Such motor vehicle or class of motor vehicles not fitted with the means of springing by the manufacturers which the Government, may, by general or special order, declare to be otherwise suitable for use on public roads on the conditions specified in the orders.

7.7 Mudguard- Every motor vehicle except a tractor or a trailer, shall unless adequate protection is afforded by the body of the motor vehicle, be provided with mudguards or other similar fitting to catch, so far as practicable mud or water thrown up by the rotation of the wheels.

7.8 Attachment to motor vehicle- (1) Every side-car attached to a motor cycle shall be so attached, at left hand side of the motor cycle, that the wheel thereof is not outside perpendicular planes at right angles to the longitudinal axis of the motor cycle passing

through the extreme projecting points in front and in the rear of the motor cycle.

(2) Every pillion seat attached to a motor cycle shall have;

(i) two foot-rests one on either side of and directly below the seat fitted in such a manner that a person sitting on the pillion seat can rest his feet on such foot-rests;

(ii) a suitably sprung cushion seat; and

(iii) a hand grip fitted to the front of the seat.

(3) No pillion seat shall be attached to a motor cycle with less than 45 cc. ENGINE.

(4) The rear wheel of every motor cycle on which a pillion seat is fixed, shall be covered by a protective device, covering two-thirds of the areas of the rear wheel so as to prevent the clothes of the pillion rider from getting entangled in the spokes thereof.

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

7.10 Use of military colours and registration marks prohibited-

(1) No motor vehicle other than a military motor vehicle shall be used, in any public place, unless it is painted in colours scheme different from that usually employed for military motor vehicles.

(2) No such motor vehicle shall exhibit or carry any military registration mark.

SPECIAL RULES APPLICABLE TO ALL PUBLIC AND PRIVATE SERVICE VEHICLES

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

7.12 First-Aid-Box- Every public service and private service vehicle shall carry a First-Aid equipment in the aerosol bottles approved by Bureau of Indian Standard containing medicine for burns, wound, painkillers and dressing material as prescribed by the State Transport Authority and dust proof first-Aid-Box containing the following articles namely:-

- i. a leaflet containing first-aid instructions approved by the State Government from time to time;
- ii. twenty-four sterilised finger dressings;
- iii. twelve sterilised hand and foot dressings;
- iv. twelve sterilised large or body dressings;
- v. one extra large, two large and ten small sterilised burn dressings;
- vi. two and half ounce packets of sterilised cotton wool;

- vii. a bottle of 2 percent tincture of loadine or a tube of antiseptic cream containing 0.5 percent of centrimide B.P. in 9 non greasy base;
- viii. A bottle of Sal Volatile;
- ix. An empty bottle fitted with cork and Camel hair brush for eye drops; and
- x. Two medicine glass:

Provided that, the State Government may, by a general or special order, exempt from the provisions of this rule, any public service or private service vehicles plying in such area or areas or on such particular route or routes, and on such conditions, if any, as may be specified in the order; if it is satisfied that medical aid is readily available in such area or areas or routes.

7.13 Stability- (1) The stability of a double decked public service and private service vehicle shall be such that when loaded with weights of 59 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 were tilted to either side to an angle of 28 degrees from the horizontal, the point at which over turning occurs would not be reached.

(2) The stability of a single-decked public service vehicle other than a motor cab or a single-decked trolley bus and private service vehicle shall be such that under any conditions of load, at an allowance of 68 kilograms per passenger and his personal luggage, for which the vehicle is registered, if the surface on which the vehicle stands were tilted to either side of an angle of 35 degrees from the horizontal the point at which over-turning occurs would not be reached.

(3) The stability of a single-decked trolley bus shall be such that under any conditions of load, at an allowance of 68 kilograms per passenger and his personal luggage for which the vehicle is registered if the surface on which the vehicle stands are tilted either side to an angle of 32 from the horizontal, the point at which over turning occurs would not be reached.

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

7.14 Seating Room- ¹[(1)] Every public service vehicle other than a motor cab ²[/maxi cab] shall conform to the norms of seating space, back rest, size and type of seat provided in the table given below:-

1. insterted by G.S.R. 46 dated 4.12.2003, Pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 4.12.2003 (w.e.f. 4.12.2003).
2. Inserted by G.S.R. 56 dated 15.2.2005, Pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 15.2.2005 (w.e.f. 15.2.2005).

Description	Ordinary	Express	SeMI dEluxe	Deluxe
1(a) distance of seats back to back when seats are placed across the vehicle and facing in the same direction	Min ¹ [...] 68cms.	Min ¹ [...] 68cms.	Min ¹ [...] 75cms.	Min ¹ [...] 78cms.
(b) Seats are placed across the vehicle but facing each other	127cms	Not permissible	Not permissible	Not permissible
(c) Seats are placed along the length of the vehicles and facing each other	137cms	Not permissible	Not permissible	Not permissible
II Size of seats	38sq.Cms.	38sq.Cms	42 Sq.Cms.	45 sq. Cms.
III Height of the back of seat above seat level	40 Cms.	40 Cms.	62Cms.	66 Cms.
iv Type of seat and back of cushion	cushion shall be covered with suitable material capable of being kept in clean and sanitary condition	Phoyure thance foam or rubber foam cushion of minimum 3 Cm. thickness with upholstery high quality	modulded rubber foam cushion of minimum 5cms, thickness with upholstery high quality PVC leather	modulded rubber foam cushion of minimum 5 Cms, thickness with upholstery high quality PVC leather cloth the

		leather cloth	cloth	seats shall be luxury type with head rest at the extreme ends and foldable hand rest in between two seats.
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1.Deleted by G.S.R. 46 dated 4.12.2003, Pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 4.12.2003 (w.e.f. 4.12.2003).

¹[(2)] Notwithstanding anything contained in sub-rule (1), stage carriage vehicles having seating capacity upto 20 excluding driver and conductor, plying exclusively within the municipality/U.I.T. area, the seating arrangement shall be such that some seats shall be placed along the vehicle and some across the vehicle in such a way that seats shall be placed along the vehicle and some across the vehicle in such a way that seats placed along the inner body of vehicle in two rows facing each other and the seats placed across the vehicle shall be at the extreme end of the vehicle and the space left thereafter may be utilized for the standing passengers, and for stage carriage vehicles plying exclusively within the municipally/U.I.T. area, having seating capacity more than 20 excluding driver and conductor, the seating arrangement shall be such that the seats shall be placed across the vehicle facing in the same direction having a seating arrangement of 2x2 pattern but in such vehicles the seats in front of the rear gate and at the extreme shall not be placed, so the such vacant space may be utilised for standing passenger.

(3) The seats and back of the seats of vehicles mentioned in sub-rule (2) shall be provided with fixed cushions. The cushions shall be covered with leather cloth of good quality or other material of such kind that they are capable of being kept in a clear and sanitary cover. The size of the seat provided for the passengers shall not be less than 38cm x 38cm.

(4) Subject to provisions contained in rule 7.17, the stage carriage vehicles mentioned in sub-rule (2) may carry standing passenger upto 50% of its seating capacity.]

Explanation- 1. All the vehicle having the specification prescribed for vehicle of All India Permits shall be treated as Deluxe Buses.

1. If in the semi deluxe or deluxe buses they are air-conditioned or provided with facility of viewing Video films shall be treated as luxury buses.
2. If ordinary bus or bus having specification of

1. Subs.by G.S.R. 56 dated 15.2.2005, Pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 15.2.2005 (w.e.f. 15.2.2005).

express bus and plying as a stage carriage and does not stop any place before running at least 40 kms. except of stops specially permitted by Regional Transport Authority or State Transport Authority as the case may be.

3. If ordinary or express buses providing night service, seats of side minimum 40 cms. Sq. and back to back distance 40 Cms. with Sq. back above seal level 60 Cms. shall be provided.

²[7.14A. Sleeper coach.- ³(1) Sleeper coach shall mean a Motor Vehicle designed or constructed to provide facility to either sleep or sleep and sit having two tier , arrangement with berth necessarily on the upper tier shall have 1x1 or 2x1 berth arrangement. The lower tier may have either of the following arrangements :

- (i) Having berth arrangement of 1x1 or 2x1 berth along the chassis.
- (ii) Having seating arrangement of 2x1 or 1x1 seats across the chassis
- (iii) Any other arrangement subject to approval by State Transport Authority.

(2) Every sleeper coach shall conform to the following specification namely :-

- i. The length of each berth shall not be less than 182 cm.
- ii. The width of each berth shall not be less than 60.96 cm
- iii. The vehicle shall have a front entrance-cum –exit door on left side operated by driver/attendant equipped with assist rails in front of the front axle.
- iv. The over all height of the vehicle shall have a maximum of 3.8 meters including A.C. hood.
- v. The interior height of the vehicle shall have maximum of 2.15 meters (headroom).
- vi. Roof ceiling shall be provided with soft material of equivalent material like ABS plastic to prevent impact.
- vii. The width of gangway shall not be less than 60.96 cm.
- viii. The thickness of upper berth shall not be less than 65 mm and should be also covered with neat fabric.
- ix. The clear headroom for seating passengers shall not be less than 850 mm.
- x. The clear headroom for the upper berth shall not be less than 650 mm.
- xi. Optical chain in the middle or longitudinal guard between the two chains shall be provided for upper berth.
- xii. Ladder steps for upper berth shall be provided and it shall be fixed at a minimum height of 250 mm and the distance between each step shall be 300 mm.

2. In . by Ibid

3. Noti no. F 7(30) Pari/Rules/ H.Q. 2005/ IV/16885, dt. 31-08-2015, G.S,R82(pub. in Raj. Gaz. Ex. ord. Pt. 4(C)III) dt. 01-09.2015).

- xiii. An assist handle shall be provided for comfortable occupation of the upper berth at a convenient height.
- xiv. No seat shall be permitted to be fitted in the gangway.
- xv. There shall also be sufficient space underneath the lower berth for keeping the luggage. Wire ropes are to be provided for fastening the luggage.
- xvi. Hatracks inside the saloon shall not be permitted.
- xvii. The vehicle shall have weveller suspension or air suspension or combination of both.
- xviii. Emergency exit shall be provided at the rear.
- xix. Reflective tape of canary yellow colour of 50 mm. width shall be provided at rear and front side at skirt level on bumper.
- xx. Each berth shall be provided with neat fabric covering which shall be capable of being kept in a clean and sanitary condition.
- xxi. Fire extinguisher shall be provided.
- xxii. First Aid Box with necessary medicines shall be provided and it shall be checked every fortnight for its contents and the validity of medicines.
- xxiii. Guard to be provided for lower berths in line with upper berths with chain.
- xxiv. Safety guards covered with soft material on either side of the upper berths shall be provided.
- xxv. Magazine pouches shall be provided at convenient location. Water bottle holders shall also be provided.
- xxvi. Drinking water shall be provided with ice box.
- xxvii. Night lamps preferable in blue colour shall be provided in the gangway.
- xxviii. Individual reading light at convenient location for each shall be provided.
- xxix. The material used in the construction shall be provided for each passenger reasonably of comfortable quality.

(3) Nothing contained in sub-rule (1) & (2) shall apply upto two year to a vehicle already registered as a sleeper coach on or before from the date of coming into force of Rajasthan Motor Vehicles (Amendment) Rules 2005.]

7.14 B. (Deleted by Noti No. F7(3) Pari/rules/hq/ 2005/IV/16885 date 31-08-2015 , G.S.R. 82(Pub. in Raj. Gaz.Ex-ord pt. 4(c) (II) , dt. 01-09-2015)] Before deletion of Rule was as under.-

“7.14B Limit of Seating Capacity of Stage Carriage Vehicles.-

(1) The minimum seating capacity of a stage carriage vehicle other than a motor cab, an auto rickshaw, an express stage carriage or the stage carriage vehicle plying within Municipal/U.I.T. limits shall be directly proportionate to the wheel base of the vehicle and the minimum number of seats to be provided shall be as specified in column (3) of the following Table. However the operator may increase the seating capacity consistent with other rule relating to

the seating capacity having due regard to the type of chassis on which the body is built:

Table

S.No.	Wheel base	Minimum seating capacity including driver and/or conductor
1	2	3
1	254 Cms to 293 Cms	16
2	294 Cms to 305 Cms	20
3	306 Cms to 343 Cms	25
4	344 Cms to 407 Cms	30
5	408 Cms to 432 Cms	35
6	433 Cms to 496 Cms	45
7	497 Cms to 534 Cms	50
8	535 Cms to 541 Cms	55
9	542 Cms to 561 Cms	60
10	562 Cms and above	65

Provided that the minimum seating capacity specified above may be reduced by two seats in case of vehicle having separate entrance and exit.

Provided further that no reduction of seating capacity as mentioned in the certificate of registration shall be allowed after original registration of the vehicle unless such reduction is necessitated on account of wrong calculation of the measurements or when the body is reconstructed.

(2) The Provisions of sub- rule(1) shall not apply to a vehicle already registered on the date of coming into force of the Rajasthan Motor Vehicles (Amendment) Rules, 2020, but when the body of vehicle is reconstructed at any time the provisions of sub-rule(1) shall be applicable.”

7.15 Projection of seats beyond floor space- Every stage carriage shall have a body of the saloon type:

Provided that this rule shall not apply to any stage carriage registered on or before April, 1951.

7.16 Gangway- (1) In every compartment of every public service vehicle the entrance to which compartment is from the front or rear, there shall be 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 610 mm. and not more than 630 mm. 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 305 mm. and not more than 315 mm. between any part of adjoining seats or their supports; and

(iii) where seats are placed, some along the sides of the vehicles and some across the vehicle, there shall be such gangway or gangways as the State Transport Authority may determined in each particular case:

¹[Provided that in case of stage carriages plying within the municipal or city limits other than those vehicles having seating capacity upto 20 excluding driver & Conductor, the seats shall be placed across the chassis facing in the front direction and there shall be as gangway a clear space of not less than 685 mm and not more than 715 mm.]

(2) 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.

7.17 Limit of carrying capacity- Notwithstanding anything contained in these rules, no public service vehicle other than a motor cab shall be licensed to carry a number of passengers, including those standing in excess of that number obtained by subtracting ninety kilograms from the difference between the registered laden and unladen weight of the vehicle and dividing the resulting figures by sixty-five in the case of a double decked vehicle and double decked vehicle and single decked vehicle operated exclusively within the municipal and cantonment areas and by seventy five in the case of other single decked vehicles.

²[In case of four wheeled motor cabs the seating capacity shall be same as of a private vehicle of same type ³[x x]]

7.18 Driver's seat – (1) No public service vehicle shall be driven other than from the right hand side of the vehicle.

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

- i. the part of the seat against which the driver's back rests, shall not be less than (280 millimeters) from the nearest point of the steering wheel.
- ii. the width across the vehicle shall be not less than 690 millimeters and shall extend to the left of the centre of the steering column in no case less than 254 millimeters 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 line not less than 50 millimeters inside the width reserved for the driver's seat.

(3) Arm-rests for the driver not more than (100 millimeters) wide may be provided within the space specified in clause (ii) of sub-rule (2).

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

1. Added by G.S.R. 39 dated 26.7.1995, Pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 26.7.1995.
2. Subs. by G.S.R. 25 dated 21.6.1996, Pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 22.6.1996.

(5) Every public service vehicle other than a motor cab shall be so constructed that there shall be separate compartment containing proper seating accommodation for the driver. This compartment may be separated by suitable rigid pacification of metal bar or adequately spaced metal bat, both on the side rigid pacification of metal bar or adequately spaced metal bar, both on the side and on the rear, so as to isolate the driver without obstructing his vision:

Provided that, in the case of a motor cab licensed to carry five passengers, two passengers may be permitted to be carried by the side of the driver's seat.

(6) Every public service vehicle shall be so constructed that, save from the front pillar of the body, if any the driver shall have to 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 th vision of the driver to least possible extent.

(7) The sub- rule (1) shall not apply to four wheel drive, jeep, motor cabs.

(8)Notwithstanding anything contained in this rule where the Government having regard to the availability and utility of any vehicles fitted with left hand steering control of the expediency of their use in public interest, is satisfied that it is necessary so to do the Government may be general or special order, exempt any public service vehicles or class of such vehicles with such control from any of the provisions of this rule, on such terms and conditions, if any, as may be specified in the order.

7.19. Width of Doors.- (1) Every entrance and exit of a public service vehicle other than a motor can shall be at least 540 millimeters in width and of sufficient height:

¹[Provided that the Stage Carriages plying within the municipal or city limits other than vehicles having seating capacity upto 20 excluding driver and Conductor shall have two separate gates for entry and exit on the left hand sides of the body.]

(2) Every entrance and exit of a stage carriage, not being a stage carriage operating within the limits of a municipal or city duly constituted or declared under any law for the time being in force, shall be fitted with doors so as to prevent the passengers from falling out.

7.20. Grab Rail.- A grab rail shall be fitted to every entrance or exists other than an emergency exit, of a public service vehicle other than a motor cab, to assist passengers in boarding or a lighting from the vehicle.

7.21. Steps.- (a) In every public service vehicle other than a motor cab, the top of the tread of the lowest step for any entrance or exit, other than an emergency exit, shall not ne more than ²[400 millimeters] or less than 250 millimeters above the ground when

the vehicle is empty. All steps shall be fitted with non-slip treads. Fixed steps shall not be less than 230 millimeters wide and shall in no cases project laterally beyond the body of the vehicle unless they are so projected that they are not liable to injure pedestrians.

(b) Steps in double-decked vehicles. In the case of a double decked vehicles:

- 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 treads; 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 stair case, excluding any grab rail which does not project more than 7.5 centimeters from the back of the seat, shall not be less than 660 millimeters; and
- iv the outer-stringer of an outside stair case shall be so constructed or a band shall be so placed, as to act as a screen to person ascending or descending and the height of the outer guard rail shall not be less than 990 millimeter above the front of the tread of each step.

Exemption: Sub-rules (a) and (b) shall not apply to a vehicle registered before April, 1951.

7.22 Cushion- The seats of public service vehicle shall be provided with fixed or movable foam or soft cushions, and the cushions shall be covered with leather cloth of good quality or other suitable material so that they are capable of being kept in a clean and sanitary condition.

7.23 (A) Head room- (1) Every public service vehicle other than a motor cab shall have the internal height or head room of every single-decked public service vehicle with a permanent top, other than a motor 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 be not less than 138 centimeters, and not more than 185 centimeters:

Provided that the State Transport Authority may specify the measurements, within the above limits, to which public service vehicles or particular types of public service vehicles, shall conform, either generally or in specific areas.

(2) This rule shall not apply to a vehicle registered before the April, 1951.

(B) Body dimensions guard rails- Every public service vehicle other than a motor cab shall be so constructed that:-

1. Added by G.S.R. 21 dated 26.7.1993, Pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 27.7.1993 ,(w.e.f. 27.7.1993)

(i) in the case of a single-decked vehicle with an enclosed body-

(1) the height of the body sides from the floor or the height to the sills of

the windows, as the case may be, shall not be less than 7.15 millimeters, and;

(2) if the bottom of any window or other opening is less than 45 centimeters above the seats, provisions shall be made by means of guard rails or otherwise to prevent passengers putting their arms out;

(ii) in the case of a single-decked vehicle with open sides, guard rails shall be provided along the right hand side of the vehicle to prevent any person other than the driver from mounting or alighting from the vehicle on that side; and

(iii) in the case of a double-decked vehicle with an uncovered top-deck the top-deck shall be provided with side and end rails, the top of which shall be at least 915 millimeters above the deck boards or battens at the side and 460 millimeters above the highest part of any seat and the top of the front and back rails shall be at least 990 millimeters above the deck boards and battens and shall follow the contour of the deck.

(C) Sub-rule (b) shall not apply to a vehicle registered before the 1st day of April, 1951.

(D) For the purpose of sub-rule (b), the seat back shall not be deemed to be a part of the seat.

7.24 Protection of passengers from weather- (a) Every public service vehicle other than a motor cab shall be constructed with a fixed and watertight roof and every motor cab shall be either constructed with a fixed and watertight roof or equipped with a water-tight hood that may be raised.

(b) Every public service vehicle shall have suitable windows, ventilations or screens capable at all times of protecting the passenger 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.

(c) Luggage carried on the outside of a stage carriage shall be protected in wet weather by a suitable water-proof covering. The covering shall be securely fastened so as to prevent flapping.

7.25 Internal Light- 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 passenger's compartment or compartments but of such power or so screened, as not to impair the forward vision of the driver.

1[7.26 Body construction- The body of every Public Service Vehicle shall be soundly constructed to the satisfaction of the

Regional Transport Authority and shall be painted as per the direction if any of the Regional Transport Authority. The body shall be securely fastened to the frame of the vehicle.]

7.27 Fuel tanks- (1) No fuel tank shall be placed in any public service vehicle within sixty centimeters of any entrance or exist of a single decked vehicle or lower deck of a double-decked vehicle.

(2) The fuel tank of every public service vehicle shall be so placed that no overflow therefrom shall fall upon any woodwork or accumulate where it can be readily ignited. The "off" position of the means of operation shall be clearly marked on the outside of the vehicle. The filling points of all fuel tanks shall be outside the body of the vehicle and the filler caps shall be so designed and constructed that they can be securely fixed in position.

7.28 Carburetors- In every public service vehicle any carburetor and appears associate there with shall be so placed and shielded that no fuel leaking therefrom shall fall upon any part or fitting that is capable of igniting it of in any receptacle where it might accumulate.

1. Subs. by G.S.R. 21 dated 26.7.1993, Pub. in Raj. Gazette E.O. Part 4 (Ga) (I) dated 27.7.1993, (w.e.f. 27.7.1993).

7.29 Exhaust Pipe- The exhaust pipe of every public service vehicle shall be so fitted or shielded that no inflammable material can be thrown upon it from any other part of the vehicle and that it is not likely to cause a fire through proximity to any inflammable material on the vehicle; the outlet thereon shall be placed for enough to the rear to prevent, so far as practicably fumer from entering the vehicle.

7.30 Electric Wires- All electric wires or leads shall be adequate insulated.

7.31 Fire extinguisher- (1) 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 such fire extinguishing apparatus shall be inspected at such periods and by such persons, as it may specify.

(2) With the previous sanction of the State Transport Authority, a Regional Transport Authority may as a condition precedent to the grant of a permit, required any public service vehicle or any class of public service vehicles 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 any by such persons, as it may specify.

7.32 Locking of nuts- All moving parts of every public service vehicle and all parts subject to severe vibration connected by bolts or studs and nuts shall be fastened by some efficient device so as to prevent them working or becoming loose.

7.33 Floor board- (1) The floor boards of every public service vehicle shall be so fitted as to exclude as far as possible draughts and dust.

(2) The floor boards shall not be pierced save for the purpose of drainage and the hole so made shall be covered by a metallic cover hinged at one end.

7.34 Spare wheel and tools- Save as otherwise specified, by the Regional Transport Authority in respect of municipal or cantonment areas, every public service vehicle shall, at all times be equipped with not less than one spare wheel or rim, fitted with a pneumatic tyre in good and sound condition ready and inflated, and mounted in such a way that it can be readily dismantled and fitted to the vehicle, in the place of any one of the road wheels.

(2) Sub-rule (1) shall not apply to a public service vehicle, during the completion of any journey during which it has been necessary to bring to spare wheel or rim and tyre into use.

(3) 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 and with the equipment necessary to repair a puncture.

(4) Every public service vehicle shall, at all time be furnished with one screwdriver and at least with one spare fuse, one side-light bulb and one head light bulb and when such vehicle is fitted with sealed beam head-light with one spare sealed beam unit and a fan belt, one inspection lamp with 10 meters long wire:

Provided that, the State Government may by general or special order, exempt for such period as may be specified the rein any public service vehicle or class of such vehicles in respect of any area, if it is satisfied that adequate arrangements exists for expeditious and efficient emergency repairs in such area.

7.35 Inspection of Motor Vehicle- (1) Notwithstanding anything contained in rule, if the Registering Authority has reason to believe that owing to the mechanical defects, any vehicle, is in such condition that its use in a public place constitutes a danger to the public, or that it is fails, to comply with the requirements of Chapter-VII of the Act or of the rules made thereunder, he may cause such vehicle to be inspected by an Inspector of Motor Vehicles and after giving the owner an opportunity of making any representation as required under sub- section (1) of section 53, suspend the certificate of registration of the vehicle under the said section till such time as the vehicle is produced for inspection duly repaired.

(2) (a) On inspection if the Inspector of Motor Vehicles is satisfied that such vehicle is in a mechanically defective condition he shall issue to the owner a memorandum in Form R.S. 4.8 using such items thereof as are applicable to non-transport vehicles, and submit a copy thereof to the Registering Authority.

(b) If on receipt of a copy of such memorandum, the Registering Authority has reason to believe that owing to the mechanical defects, the vehicle is in such condition that is use in a public place

constitutes a danger to the public or that it fails to comply with the requirements of Chapter- VII of the Act of the rules made thereunder, he may, after giving the owner an opportunity of making any representation as required under sub-section(1) of section 53 of the Act, suspend the certificate of registration of the vehicle under the said section till such time as the vehicle is produced for re-inspection duly repaired.

(3) The registering authority shall record below the certificate of registration of the vehicle, the date of every inspection and whether it was found mechanically fit or defective condition.

(4) A fee for every such inspection shall be fifty rupees and it shall accompany the application referred to in sub-rule.

7.36. Clearance.- All the under parts of the vehicle inside the pivots the front axle and steering arms which must be placed as near as possible to road wheel as far back as least as the rear axle, shall be, above the ground by not less than 254 mm, when the vehicle is fully loaded.

(A) Sufficient allowance shall, in addition be made, to provide for the wear of the tyres, settling down of the springs, or other causes likely to reduce height so that the minimum clearance of 254 millimeters is at all times maintained.

7.37. Springs.- (1) Chassis springs shall be properly hung and must be of sufficient strength and flexibility to meet all likely contingencies.

(2) The rear springs shall be attached to or bear upon the back axle casing as near to the road wheels as possible and the distance between the springs (the distance between the springs from inside to outside) shall not be less than 50 percent of the overall width of the vehicle.

(3) The front springs shall be as wide-apart as possible and the difference between them shall not be less than 37 percent of the overall width of the vehicle; provided that if the width of the rear springs is 53 per cent of the overall width of the vehicle, or more, the minimum distance between the front springs may be by (2.54 centimeters) less than the required by this sub-rule.

(4) There shall be no cross springs.

7.38. Wheel Track.- The wheel tracks of both front and rear wheel shall coincide and the distance between the centre lines of the tracks of the front wheels shall not be less than 69 percent of the overall width of the vehicle.

7.39. ventilation.- Every state carriage shall be provided with adequate means of ventilation so that there shall be proper ventilation even when the windows, if any, are not opened. If the carriage is provided with opening windows, suitable provision shall be made so that opening of the window could be adjusted.

7.40. Prohibition of painting or Marking in certain manner.- (1) 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.

(2) A public service vehicle when regularly used for carrying Government Mail by, or under a contract with, the Indian posts and Telegraphs Department, and exhibit in a conspicuous place upon plate or a plain surface of the Motor Vehicle and word "Mail" in red colour on a white ground, each letter being not less than fifteen centimeter in height and of a uniform thickness of three quarters of 2.54 cms.

(3) save as provided in sub-rule (2) no motor vehicle shall display any sign or inscription which includes the word 'Mail'.

(4) The Rajasthan State Roadways Vehicles shall have the following colour scheme:

(a) Larch green from outside.

(b) cream colour strip.

(c) Cream colour front-show.

(d) Cream colour inside roofing upto windows.

(e) Grey colour below windows.

(f) Top of the roof to be of aluminium colour.

1[(4A) Taxi cars plying exclusively within municipal or city limits shall have the following colours:

Lower part of the body below wind screen glass “Black” and upper part of the body including roof- “yellow”.]

(5) Save as provided in sub-rule (4) ²[and sub-rule (4)] no other Motor Vehicle shall have and include the above colour scheme.

SPECIAL RULES FOR GOODS VEHICLES

7.41. Body and loading platform of goods vehicle.-

Every goods vehicles 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 roadusers and such that the load can be securely packed within or fastened to the body or platform.

7.42. Chocks.- (1) In order to prevent a goods vehicle from running backward on slopes, or otherwise to render it immobile, every such vehicle, not being a light motor vehicle, shall be equipped with two wedge-shaped rigid chocks, each measuring 30 centimeters in length 30 centimeters in breadth and 254 centimeters in height, with one of its sides having a slope making an angle of 45 degrees at the end. The plane surface of the sloped side of each chock shall be rendered concave so as to fit the outer circumference of the tyres normally fitted to the rear wheel of vehicles.

(2) Notwithstanding anything contained in sub-rule (1) where such vehicle is fitted with single rear wheel, the breadth of each such chock may be less than (30 centimeters) but not less than 15 centimeters

1. Inserted by G.S.R. 14 dated 17.5.1995, pub.in Raj. Gazette E.O. part 4 (Ga)(I) dated 17.5.1995.

2. Substituted by G.S.R. 14, dated 17.5.1995, published in Raj. Gazette E.O. Part 4 (Ga)(I) dated 17.5.1995.

(3) Each such chock shall have a hook and be kept:

(a) in a bracket fitted on the outer skirt of the trail, board of the vehicle,

Or

(b) where the vehicle have not tailboard, in a metal carrier fitted between the frame side, members, underneath the body nearest to the rear wheel or either side.

The tailboard of the vehicle and where the vehicle has not tailboard, the wooden planks above the fame side members shall also have a hook in the centre.

(4) Each such shock shall be linked with the tailboard or where the vehicle has not tailboard with the wooden planks above the frame side members, by means of metal chain or steel wire rope of sufficient length and strength, fastened to the hook in the chock and also to the hook in the tailboard or the wooden planks, as the case may be.

(5) No person shall use any boulder or any substance of a similar nature in lieu of wooden chocks on slopes or otherwise to prevent the goods vehicle other than light motor vehicle from running backward on slopped or to render it immobile otherwise.

(6) Notwithstanding anything contained in this rule, the State Government may by notification in the official Gazette exempt from the provisions of this rule, any goods vehicle or class of such vehicles which in its opinion are not likely to slip backwards on slopes.

7.43. Driver's seat.- (1) The provisions of rule applicable to public service vehicles shall also apply to goods vehicle other than light motor vehicles provided with bucket type seats:

Provided that, where the State Government, having regard to the price and utility of any goods vehicle of class of goods vehicles, is satisfied that it is necessary so to do, the state Government, may by general or special order, exempt any goods vehicle or class of goods vehicles fitted with left hand steering control from the provisions of sub-rule (1) of rule.

(2) Where a registering authority registers a goods vehicle in respect of which, or belonging to a class in respect of which, an order under sub-rule (1) has been made, he shall note in the certificate of registration, the fact that nothing in rule in regards to and consequent upon the provisions requiring that the vehicle shall be driven from the right hand side shall apply to the vehicle.

7.44. A seat of driver in goods vehicle covered under National Permit Scheme.- In every public Carrier vehicles covered under National Permit Scheme a Seat behind the driver's seat shall be provided for the spare driver to sleep. The seat of the spare driver shall not be less than 6 feet long and 20 inches in width.

7.45. Checking of designs of locally manufactured trailer.- (1) An application for the approval of a new design of trailer manufactured in India and intended to be used as a transport vehicle shall be sent to the Transport Commissioner, in triplicate by the manufacturer or his authorized assembler in form R.S. 7.1. Such application shall be accompanied by three copies of each of the following in addition to other documents mentioned in the form of application;

(i) Full specifications;

(ii) Drawings giving all dimension and detail, and

(iii) Set of design calculation of;

(a) Axles,

(b) Springs,

- (c) Long bearers,
- (d) Cross bearers,
- (e) Platform tank or anything that may be carried on the cross bearers,
- (f) Town bar,
- (g) Turn table of two axle trailers,
- (h) Braking arrangements, and
- (i) Any other item such as shock absorbers, if included.

(2) (a) The Transport Commissioner shall forward the application and the copies of documents to the any institute approved by Government (hereinafter referred to as the institute) having competence and technical capacity to check the design and the trailer, for verification and recommendation of the greatest laden and axle weights in respect of the trailer which are compatible with reasonable safety.

(b) The Institute shall then go through the design and calculations, and if the design is found satisfactory by it, certify that would be in its opinion, the greatest laden and axle weight if the trailer which are compatible with reasonable safety.

(c) In case, the design is not found satisfactory, the Institute shall advise the applicant to that effect, and recommend such changes in the design as may be required, to make the trailers suitable for the desired load.

(d) The institute may call upon the applicant to furnish details, if required. In such case, the applicant shall furnish fresh specification and drawings incorporating alterations, if any.

(e) When a design is found satisfactory, the Institute shall return two copies of the approved design, specifications and calculations which its recommendations as to the maximum laden and axle weights compatible with reasonable safety to the Transport commissioner. The

Transport Commissioner, may, then approve the design and call for as many as extra copies of the approved types of the design, specifications and calculations as may be required by him for sending them to different Registering Authorities for their record.

(3) The maximum fee which may be charged by the Institute for such checking of a design shall be (Rs.500). The fee shall be paid by the applicant to the Principal and Secretary of the Institute direct on demand by him and shall not be refunded.

(4) Notwithstanding anything contained in sub-rule (1), (2) and (3) the approval of the design of a trailer Manufactured in India by a Competent Authority in any other States 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 confirming to or containing substantially the same provisions as in this rule.

SPECIAL RULES APPLICABLE TO TRAILERS

7.46. Provision as to trailers.- No trailer other than the trailing half of an articulated vehicle shall be attached to a public service vehicle.

7.47. Prohibition and restriction on use of trailers with motors cycle and invalid carriages.- (1) A motor cycle with not more than two wheels with a side-car shall not draw a trailer.

(2) A motor cycle with not more than two wheels without a side car shall not draw a trailer unless the combination complies with the following requirements:

- i. The connection of the trailer to the motor cycle behind the apex of the rear tyre, of, or within, the wheel base;
- ii. The trailer-motor cycle connection shall allow the motor cycle complete freedom of movement in the

lateral plane. It shall rotate freely about the vertical axis preferably through 180 degrees;

- iii. The motor cycle remains always in a vertical or in a lined place without the rider having to balance it.

7.48. Prohibition of attachment of Trailer to certain vehicles.- No Motor vehicle which exceeds 8.4 meters in length not being a motor vehicle used for towing a disabled motor vehicle shall draw a trailer.

7.49. Restriction on number of trailers to be drawn.-

(1) No tractor shall draw more than three trailers:

(2) No tractor shall draw on a public road:

- i. A trailer exceeding half metric ton in weight unladen and fitted with solid steel wheels less than 60 centimetres in diameters, and
- ii. a discharrow without trolley wheels used as training implements behind a tractor.

(3) No other goods vehicle shall draw more than one trailer.

7.50. Attendants on Trailer.- (1) Where a trailer is or trailers are being drawn by a motor vehicle, there shall be carried in the trailer or trailers or on the drawing motor vehicle, as the case may be, the following persons, not being less than twenty years of age and competent to discharge their duties, that is to say:

(a) if the brakes of the trailers cannot be operated by the driver of the drawing motor vehicle or by some other person carried on that 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 train in such a position as to be able 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 drawing motor vehicles;

(b) If the brakes of the trailer can be operated by the driver motor vehicle or by some person 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 train in accordance with the provisions of sub-clause (ii) of clause (a).

(c) if the trailer is or trailers are being drawn by tractor the unladen weight of which exceeds 7,250 kilograms, notwithstanding that the brakes of the trailer or trailers can be operated by the driver or some other person on the tractor not less than one person on each trailer & 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).

(2) this rule shall not apply:

(a) to any trailer having not more than two wheels and not exceeding 771 kilograms in weight laden when used single and not in a train with other trailers;

(b) to the trailing half of an articulated vehicle;

(c) to any trailer used solely for carrying water for the purpose of the drawing vehicle when used singly and not in a train with other trailers;

(d) to any agricultural or road-making or road-repairing or road-cleaning implement drawn by a motor vehicle; or

(e) to any closed trailer specially constructed for any purpose and specifically exempted from any or all of the provisions of this rule by an order in writing made by the Registering Authority to the extent so exempted.

7.51. Restriction on length of Train of Vehicle and Trailers.- The sum total of the length of any vehicle and its attached trailer or trailers shall not exceed 23 meters.

7.52. Distinguishing mark for Trailers.- (1) No person shall drive, or suffer or cause to be driven, in any public place any motor vehicle to which a trailer is or trailers are attached unless there is exhibited on the back of the trailer or of the last in the Form R.S. 7.2 set out in the diagram in retro-reflective red colour and white back ground.

(2) The mark shall be kept clean and unobscured and shall be so fixed to the trailer 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 hand side of the back of the trailer; and
- (iii) no part thereof is at a height exceeding one hundred and twenty centimeters from the ground.

(3) this rule shall not apply to the case referred to corresponding in clauses (a), (b), (c) and (d) of sub-rule (2) of rule.

7.53. Special rules for heavy goods and passenger motor vehicles attendant.- The driver of a heavy goods and passenger motor vehicle shall be accompanied by an attendant who shall be in a position to give warning of any traffic approaching from the rear and shall assist the driver by giving signal when the motor vehicle is being taken in reverse.

SPECIAL RULES APPLICABLE TO GAS PRODUCERS INSTALLED IN MOTOR VEHICLE

7.54. 'Producer' defined.- In these rules, otherwise expressly stated 'producer' means the whole of the generator, pipes coolers, filters and accessories necessary for the generation of gas and its supply to the engine.

7.55. Conditions of fitting producers to vehicles.- on and after the coming in to force of these rules, no producers shall be fitted to a motor vehicle unless the producer-

- (a) has been made by a manufacturer approved in this behalf by the Government;
- (b) Is of a type of model approved by, and in accordance with specifications approved by the Government for use on the type of vehicle concerned;
- (c) Has affixed to the generator in such a manner as to be clearly visible, a metal plate having legibly displayed upon it the names of manufacture, the manufacturer's serial number and the description, name mark or number assigned to it by Government under sub-rule (1) of rule 7.64.

7.56. Approval how obtained.- (1) Any person seeking the approval of the Government under rule 7.6 shall make application in writing accompanied by duplicate copies of the specification, of clear drawings or prints of the producer and of the instructions for working it, and shall state the type or model of the motor vehicle, and the size and horse power of the engine, for which, the producer is intended.

(2) if so required by the Government, a person who has made an application under sub-rule (1) shall:

- (a) Submit the producer to such test in such laboratory or work-shop and by such person as the Government may specify, and
- (b) Furnish at his own expense a vehicle fitted with the producer for such test in the road (including a road journey of not less than 80 K.M. continuous) as the Government may specify.

7.57. Procedure after approval.- (1) When the Government approves of any type or model of producer, it shall inform the applicant in writing accordingly and shall intimate the description, name, mark or number under which it may be offered for sale.

(2) No person shall sell or offer for sale any producer which does not conform in every material respect to the specification approved by Government on the generator in accordance with clause (c) of rules 7.62.

(3) A manufacturer who proposes to modify or alter in any way, the design of specification of an approved type or model of producer shall, before offering the modified type or model for sale, make application to the Government with particulars of the modification or change proposed and shall obtain the approval of the Government thereto.

(4) Upon receipt of an application under sub-rule (3) the Government may, if it thinks fit, require the modified type of model to be more subjected to the tests specified in sub-rule (2) of rule 7.63.

7.58. Government to satisfy that design, etc. of producers and according to rules.- (1) Before according approval to any type or model of producers, the government shall satisfy itself that the design and construction thereof as proposed are in accordance with the provisions of these rules and in particular that:

- (a) The design is reasonably simple and suitable to the type of the vehicle for which it is intended and is such that it can be fitted to the vehicle in a way so as:
 - i. Not to impede the driver's vision and control of the vehicle.
 - ii. Not to endanger the convenience and safety of passenger.
 - iii. To enable the reasonable distribution of the weight of the producer over the chassis; and
 - iv. To enable the fitting in readily accessible place of the filter, coolers, pipes and other parts requiring frequent clearing and attention;
- (b) The effective capacity of the generator, hopper and filters is sufficient to provide fuel to propel the vehicle for a distance of not less than 80 miles without recharging its hopper or clearing the filters;

(c) The producer is capable of providing gas to propel the vehicle by the gas along a level road with its full lawful load at a sustained rate of speed of not less than:

- (i) In the case of a goods vehicle not being a heavy transport vehicle, 32 kilo meters per hour.
- (ii) In the case of a goods vehicle, being a heavy transport vehicle, 24 kilo meters per hour.
- (iii) In any other case, 40 k.m. p.h.
- (d) The material and methods of construction specified by the applicant are, save as otherwise declared by the applicant, calculated to withstand fair wear and tear for a period of not less than two year under the normal conditions of working of the type of vehicle for which the producer is intended.

(2) The instructions for the working of the producer shall be subject to the approval of the Government which shall cause to be endorsed thereon a statement of the material and parts declared by the applicant not to be calculated to withstand two years fair wear and tear.

7.59 Copy of instruction to accompany of sale of Producer.- A copy of the instructions for the working of the producer as approved and endorsed under sub-rule (2) of rule 7.65 and bearing upon it the particulars specified in clause (c) of rule 7.62, shall be attached to, or tendered with every producer offered for sale.

7.60. Design of producer.- Every producer shall be designed manufactured, fitted and maintained with all reasonable care necessary to prevent damage to the engine of the vehicle to which is fitted and from fire, gas poisoning, and burns and in particulars:

- (a) all gas filters shall be properly fitted and kept clean and shall not be removed or interfered with in any way likely to cause injury to the engine or the vehicle to which it is fitted.

(b) all pipes, joints, valves, and all covers to the hoppers, generators cooling chambers, filters and other accessories shall be free from gas or air leaks, and

(c) if an escape funnel is fitted to the generator for use during the blowing of air through the generator, the mouth of the funnel shall be placed above the level of the roof of the vehicle.

7.61. Fixing of producer.- (1) No part of any producer shall be placed so as to reduce the field or vision of the driver by means of the mirror prescribed in rule 7.3 or otherwise, or so as to impede the driver in his control of the vehicle.

(2) In a public service vehicle;

(a) no part of the producer shall be placed within the passenger's compartment; and

(b) the generator shall be placed in the rear or at the side shall be recessed into the passenger's compartment and shall be properly isolated and heat insulated and have the clearance prescribed in rule 7.69.

Provided that notwithstanding the provisions of rule the generator and a reserved of fuel not exceeding 75 K.G. in weight, may be carried on a trailer attached to a public service vehicle.

(3) No public service vehicle fitted with a producer shall have any opening or door in the rear end of the vehicle.

(4) In a transport vehicle other than a public vehicle service, the generator shall not be placed forward of the rear of the driver's seat and shall be insulated and have the clearance prescribed in rule 7.69.

7.62. Should it not be seat.- (1) On any motor vehicle if any part of the generator is so placed as to be within a distance of 15 centimeter in a horizontal place from any part of the vehicle, the vehicle shall be insulated

from the generator by a sheet of asbestos one eighth of 26 c.m. thick or by such other insulating material as the Government may be general or special order in writing specify in this behalf, not less in height than to height of the generator (including the hopper) and of such a width as:

- (a) Where the generator is recessed, completely to line the recess, and
- (b) Where the generator is not recessed, the project for a distance of not less than 15 centimeter on either side of the generator.

(2) No parts of a generator shall have a clearance between it and the insulating material prescribed in sub-rule (1) of less than 6 cm.

7.63. Generator.- (1) In the case of a goods vehicle, the generator may be placed at the rear or side of the vehicle, as prescribed for a public service vehicle, or behind the driver's seat.

(2) When the generator is placed behind the driver's cab, it shall be adequately enclosed in a separate compartment and no goods shall be carried in that compartment.

7.64. Position of generator.- No generator and no pipe connecting the generator to the gas filters shall be so placed that the distance between any part of the generator or pipe is less than 121 centimeter from the filling point or office of the petrol tank unless the generator or pipe is efficiently screened by an adequate hear insulated partition.

7.65. position of filters and gas coolers.- On any transport vehicle the filters and gas coolers shall be so placed as to be readily accessible for cleaning at any time.

7.66. Producer to be firmly fixed.- Every part of the producer shall be firmly and securely fixed in place, and all valves, joints and hoppers lids or covers shall at all times be maintained in a gas tight condition.

7.67. Instructions for driver or person incharge.- No driver or other person incharge of a motor vehicle to which a producer is fitted shall:

(a) at any time when there is fire in the generator, cause or allow the vehicle to stop or remain stationary at a distance or not of less than 20 meters from any petrol pump or place where petrol is supplied in tins;

(b) at any time when there is fire in the generator, pour petrol or cause or allow petrol to be poured into the petrol tank;

(c) carry, or cause or allow to be carried, in the vehicle (save in the regular petrol tank thereof) any petrol or other inflammable or explosive substance;

(d) clean or take out the generator at any appointed bus stand or stopping place or within a distance of not less than 20 meters from any other motor vehicle, or cause or allow the same to be done by any person;

(e) Where a park, bus stand, or halting place or a part of a park, bus stand or halting place is set apart for vehicle fitted with producers, allow the vehicle to stop or remain stationary in any other park, bus stand or halting place or other part thereof as the case may be;

(f) Place the vehicle or allow it to be placed, in any garage or shed unless the garage or shed is provided with a permanent opening or opening for sufficient ventilation other than doors and window that may be closed.

7.68. Projection of producer.- (1) The projection of any part of a producer beyond the rear of the vehicle shall be deemed, not to be a part of the vehicle for the purposes of Central Motor Vehicle Rules, 1989 in regards overall length and overhang.

(2) No producer shall be fitted to any motor vehicle in such a way that the vehicle thereby contravenes the

provisions of Central Motor Vehicles Rules, 1989 in regards overall width and overall light.

7.69. Any officer authorized by Government in this behalf may time.- (1) Inspect any motor vehicle fitted with a gas producer for the purpose of seeing that the producer is of an approved type and is fitted in accordance with these rules, and that the gas filter and other parts are properly cleaned and maintained;

(2) Enter into and inspect any premises where producer gas plants are either manufactured and the materials used in the manufacture thereof are of the approved specifications, and/or that the plant is fitted in accordance with these rules.

7.70. All applications in respect of the manufacture and approval of gas producers to be installed in motor vehicle should be made to the secretary to Government in the Transport Department.

7.71. No certificate of fitness shall be issued or renewed or under rule 4.18 in respect of vehicle fitted with a gas plant unless the plant, and the fitting of the plant to the vehicle, have been inspected tested and passed by an officer authorized by Government under rule 7.69 and the certificate has been endorsed by him to this effect.

No fee is payable for this inspection.

**SPECIAL RULES LAYING DOWN
SPECIFICATIONS FOR MOTOR CYCLE,
RICKSHAW AND TEMPO BODIES**

7.72. Type of body and Material.- (1) (a) The body of every auto Rickshaw shall be 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. There shall be adequate arrangements for protection of passengers

from sun, wind and rain. The material used in the construction shall be strong and of good quality.

(b) The body of every tempo shall be constructed to the satisfaction of registering authority and shall be securely fastened to the frame of the vehicle. There should be adequate arrangement for protection of passenger from sun, wind and rain. The material used in the construction shall be strong and of good quality.

(2) The roof shall be so constructed as to provide protection for passengers from sun and rain, and shall be either of metal sheeting or canvass or some other suitable materials.

7.73. overhang.- The overhang of the body shall not exceed forty one percent of the distance between the plane perpendicular to the axis of the auto rickshaw which passes through the centre of the front wheel and the centre of the rear axle.

7.74. Over all width.- 4 passengers auto rickshaw and tempo.- (1) Overall width measured at right angles to the axis of the planes enclosing the extreme points, shall be not more than 176 cm. and not less than 124 cm.

(2) 3 passengers auto rickshaw.- The overall width measured to right angles to the axis of the planes enclose in the extreme point shall not be more than 158 cm. and less than 122 cm.

(3) 2 passengers auto rickshaw.- The overall width measured at right angles to the axis of the planes enclosing the extreme point shall be not more than 142 cm. and less than 106 cm.

7.75. overall height-4 passengers auto rickshaw.- (1) The overall height measured from the surface on which auto rickshaw stands shall not exceed 183 cm. and there shall be least 122 cm. clear head space between floor board and the roof.

(2) 3 passengers and 2 passengers auto rickshaw.- The overall height measured from the surface on which auto rickshaw stands shall not exceed 183 cm. and there shall

be at least 122 cm. clear head space between floor board and the roof.

¹[(3) **Tempo.-** The overall height measured from the surface on which tempo stands shall not exceed 180 cm. excluding the height of the luggage carrier, of provided and there shall be at least 122 cm. clear head space between floor board and the roof.]

7.76. Road Clearance.- The Road clearance of every auto rickshaw shall not be more than 20 cm. and not less than 10 cm.

7.77. Clearance of floor board.- (1) 4 passengers auto rickshaw .- The floor board shall be not less more than 56 cm. above the surface on which the auto rickshaw stands.

(2) Passenger: auto rickshaw.- The floor board shall be not more than 56 cm. above the surface on which the auto rickshaw stands.

7.78 Lights.- Every auto rickshaw and Tempo shall be fitted with the head and tow side white lights on the body in the front.

In addition to the front lights, an auto rickshaw shall be fitted with the rear lamp showing to the rear red light visible from a distance 167 metres and illuminating with white light the registration mark exhibited on the rear of the vehicle, so as to render it legible from a distance of 17 metres and also 2 cat's reflectors on the rear mud-guards, so as to warn vehicular traffic approaching from behind that there is an auto rickshaw ahead. If no mud-guards, are used, cat's eye reflectors in the rear will be optional.

7.79. Driver's seat and Cabin.- (1) The back of the driver's seat should have at least 112 cm. of clearance from the front panel of the body. A wind screen shall be provided for the driver.

(2) In case of a tempo type body there shall be a fixed partition of the front seat between the driver's seat and the passenger's seats. This will be fixed in such a manner so as to leave not more than 38 cm. of space for the single passenger on the front seat. In between the driver's cabin and the main seating room, there shall be provided a fixed partition of horizontal bars in a manner that no passenger can sit on the partition.

7.80. Gangway.- In every 4 passengers auto rickshaw, the entrance to which is from the front of rear and seats are

placed across the vehicle there shall be a gangway of not less than 31 cm.

7.81. Seating room and foot board.- (1) (i) 4 passengers auto rickshaw.-

There shall be provided for each passenger reasonably comfortable seating space of not less than 41 cm. square measured in straight lines along and at right angles to the front of each seat.

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1. Subs. By G.S.R. 21 dated 26.7.1993, published in Raj. Gazette E.O. part 4 (Ga) dated 27.7.1990 (w.e.f. 27.7.1993).

The seats shall be placed across the vehicles and when all seats face in the same direction, there shall be at all place a clear space of not less than 64 cm. between the backs of either of the seats and they shall face to the front or two seats to the front and two to the rear back to back. Seats along side the body shall not be allowed.

(ii) 3 passengers auto rickshaw.- There shall be provided a seat not more than 112 cm. and not less than 91 cm. in length. The depth of seat shall not be less than 41 cm.

(2) The back of all seats shall be slanting and closed to a height of atleast 46 cm. above the level of the seat in both cases.

(3) The seats shall be provided with fixed or movable cushions. The cushions shall be covered with leather cloth of goods quality or other material of such kind that they are capable of being kept in a clear and sanitary condition.

(4) The height of the seats from the floor shall be not less than 36 cm. (including cushions.)

¹[(5) Tempo.- (a) In the case of a Tempo not more than two seats of 115 Cm. X 38 Cm. shall be placed across the chassis, facing each other in the seating room. The seats and the back of the seats shall be provided with good cushion and cover. The seat provided for passenger shall be of not less than 38 cm. X 38 Cm.

(b) The seating room shall be furnished with one or more electric lights to give adequate illumination and shall be so screened as not to impair the forward vision of the driver.

(c) The foot board shall be on the left hand side of the vehicle and shall not exceed 15 Cm. X 15 Cm. and no passenger shall be allowed to travel standing on the foot board. No entrance and exit for the passenger except from the left hand side shall be allowed.]

(6) Leg Space- (i) 4 passengers auto rickshaw.- There shall be provided atleast 28 cm. leg space.

(ii) 3 passengers and 2 passengers auto rickshaw and tempos. There shall be provided at least 38 cm. leg space.

²[(7) Tempo registered prior to these rules shall not be allowed to ply after expiry of two years from the day on which these rules will come into force, unless the body of such tempo is constructed/modified to meet the requirements laid down in these rules.]

7.82. Milometer.- Every auto rickshaw shall be provided with suitable type of milometer to record total kilometer covered on the basis of which fare is paid and also a milimeter of the type in which trip readings can be adjusted to zero or fare meter.

1. Added by G.S.R.21 dated 26.7/1993, published in Raj. Gazette E.O. Part 4(Ga)(I) dated 27.7.1993, (w.e.f. 27.7.1993).

2. Added by Ibid.

7.83. Horn.- Every auto rickshaw and tempo shall be fitted with a bulb horn.

¹[7.84. Overall length.- In case of Tempo the overall length of the Tempo shall not exceed 420.5 Cms.]

7.85. Colour.- The colour of the lower body and front portion excluding the border of wind screen shall be black and the rest portion including the border of wind screen shall be yellow.

7.86. Exemption by State Government.- The State government, may in public interest or for sufficient reasons, by notification in the Rajasthan Gazette,

exempt to such extent as may be specified in the notification, any motor vehicle or class of motor vehicles from all or any of the provisions of the Rules contained in this Chapter for specified purposes or areas, if it is satisfied that such vehicle or vehicles can be used in a public place without any danger to public safety.

7.87. Exemption of road plant.- Nothing in rules 7.3, 7.5 and 7.34 shall be apply to road rollers and other machines of roads.

1.Subs by G.S.R. 21 dated 26.7.1993, published in Raj. Gazette E.O. Part 4(Ga)(I) dated 27.7.1993(w.e.f.27.7.1993).

CHAPTER VIII CONTROL OF TRAFFIC

²[8.1. District Collector and District Magistrate to restrict speeds, weight, etc.- District Collectors and District Magistrate in their respective Jurisdiction shall have the power.-

- (i) to impose speed limits,
- (ii) to impose limits on the laden weight or dimensions of motor vehicles, and to prohibit or restrict the use of motor vehicle generally or of a particular class or of trailers in a specified area or in respect of any road, and
- (iii) to designate any road as a main road or to declare any area as parking area or parking place or to restrict vehicles to park in a specified area.]

8.2. Authorities empowered to erect traffic signals.- (1) The District Collector and District Magistrate shall be the authority authorized to cause of permit traffic signs to be placed or erected in any public place for the purpose of regulating motor vehicle traffic within their respective jurisdictions.

(2) Any authority empowered to specify the maximum safe load for bridge or culvert or to close a public road or street may also for the purpose of exercising the said power erect the appropriate traffic signs.

8.3. Weighing for vehicles.- (1) Any officer referred to in sub-rule (2) may, if he has reason to believe that a goods vehicles 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, of any within distance of ten kilometer from any point on the forward route or within a distance of twenty kilometer from the destination of the vehicle, for weighing, direct the driver to convey the vehicle to a suitable place to be specified in the notice and he may by order in writing, direct the driver to off load the excess weights at his own risk and no to remove the vehicle from that place until the laden weight axle weight has been reduced so that it complies with such restrictions ¹[The weighing charges shall be borne by vehicle owner/ in charge]

²[(2) Transport Officer not below the rank of Motor Vehicle Sub-Inspector is authorized to require the weighing of goods vehicles and trailers.

1.Substituted by G.S.R. 21 dated 26.7.1993, published in Raj. Gazette E.O. Part 4 (Ga) (I) dated 27.7.1993,(w.e.f.27.7.1993).

2.Subs. By G.S.R. 82 dated 29.11.2002, pub. In Raj. Gazette E.O. Part 4 (Ga) (I) dated 29.11.2002.

²[8.4 Officers empowered to demand production of registration Certificate.- Transport Officer not below the rank of a Motor Vehicles Sub-Inspector are authorized to demand the production of the Certificate of Registration of any vehicle, and where the vehicle is a transport vehicle, the certificate of fitness also.]

8.5. Officer empowered to demand information.- Police Officers not below the rank of a Sub-inspector are authorized to demand from the owner of a motor vehicle, the driver of which is accused of any offence under the Act all information regarding the name and address of and the license held by the driver which is in his possession or could by reasonable diligence be ascertained by him.

8.6. Officers empowered to inspect vehicles involved in accident.- Transport Officers not below the rank of an Inspector of Motor Vehicles and Police Officers not below the rank of a Sub-Inspector are authorized 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 to remove the vehicle for examination.

8.7. Vehicles abandoned on the road-removal and custody.- (1) If any motor vehicle is allowed to stand in any place other than a duly appointed parking place in such a way as to cause obstruction to traffic or danger to any person, any Police Officer or any Officer of Motor vehicle department not below the rank of motor vehicle inspector may:

- (i) forthwith cause the vehicle to be moved under its own power or otherwise to the nearest place where the vehicle will not cause any obstruction or danger,

- (ii) unless it is moved to a position where it will not cause obstruction or danger, take all reasonable precautions to indicate the presence of the vehicle; and
- (iii) if the vehicle has been stationary in one place for a continuous period of 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.

1.subs.by ibid

(2) Vehicles abandoned on the road.- If a motor vehicle remains in any public place without a driver or the person incharge and a Police Officer or Transport Officer has reason to believe that the vehicle is danger of being damaged by reason of the absence of the driver or other person incharge such officer may take charge of the vehicle and remove it or cause it to be removed to lany pace or safe custody.

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

(4) Payment of removal.- Notwithstanding any fine or penalty which may be imposed upon any person upon conviction for the contravention of the provisions of section 122 of the Act or of any regulations made by a competent authority in relation to the use of duly appointed parking places, the owner of the motor vehicle or his heirs or assigns shall be liable to make good any expense incurred by any Transport or Police Officer in connection with the moving, lighting, watching or removal of a vehicle or its contents in accordance with sub-rules (1),(2) and (3) and any Transport Officer or Police Officer or any person into whose custody the vehicle has been entrusted by any such officer, shall be entitled to detain the vehicle until he has received payment accordingly and shall, upon receiving such payment give a receipt to the person making the payment.

8.8. Installation and use of Weighing Devices.- (1) 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 order of the Govt. or a local Authority or a railway administration;
- (ii) a weigh-bridge installed and maintained by any person and certified by the Registering Authority to be a weighing device for the purpose of the Act and these rules; or
- (iii) a portable wheel weigher of any kind approved by the (State) Government.

¹[(1-A) For weighment of vehicle at the weighbridge, installed or maintained by or under the order of the State Government, such fee shall be charged as may be specified by the State Government from time to time.]

1. Ins. by noti No. F7(273) Pari/rules/h.q/ 2007, G.s. R 92 dated 01-02-2008 (pub. in Raj. Gaz. Ex-ord, Part-4(Ga)(I) dated 01-02-2008)

(2) The driver of any goods vehicle shall upon demand by a competent authority, not below the rank of Sub-Inspector of Motor Vehicles, driver and manipulate the vehicle so 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 weight bridge or wheel weigher.

(3) If the driver of a motor vehicle fails within a reasonable time to comply with a requisition under sub-rule (2), an officer not below the rank of Inspector of Motor vehicles

may cause any person, being the holder of a licence authorizing him to drive the vehicle, so to drive and manipulate the vehicle.

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

(5) Upon the weighment of a vehicle in accordance with section 114 and this rule, the person who has required the weighment or the person who has required to the weighment or the person in charge of the weighing device shall deliver to the driver or other person in charge of the vehicle a statement in writing of the weight of the vehicle and of any axle, the weight of which is separately determined.

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

- (i) within the one hour of the receipt of the statement referred to in sub-rule (5), to the person by whom the statement was delivered to him; or
- (ii) within fourteen days of the service on him of notice of proceedings against him under section 113, to the court issuing such notice.

(7) Upon receipt of a statement challenging the accuracy of weighing device under sub-rule (6) the person or the court by whom the statement is received shall write to the Registering Authority, for the weighing device to be tested, by an Inspector of weights and Measures and the certificate of such Inspector regarding the accuracy of the weighing device shall be final.

(8) If, upon the testing of a weighing device under sub-rule (7), the weighing device is certified to be accurate or to be inaccurate to an extent less than any weight by which the laden weight or unladen weight of the vehicle is shown in the statement referred to in sub-rule (5) to have exceeded the registered unladen weight, as the case may be, a contravention of sub-section 113 shall be deemed to have been proved.

(9) If, upon the testing of a weighing device as aforesaid greater than any weight by which the laden weight or unladen weight of the vehicle is shown in the statement referred to in sub-rule (5) to have exceeded the registered laden weight or the registered unladen weight, as the case may be, no further proceedings shall be taken in respect of any such laden weight or unladen weight. If the device is certified to be inaccurate to the said extent

in respect of every such laden weight or unladen weight or unladen weight actually weighed, the deposit prescribed in sub-rule (6) shall be refunded.

(10) No person shall, by reason of having challenged the accuracy of any weighing device under sub-rule (6) be entitled to refuse to comply with any order in writing under section 114.

8.9. Ghat Roads-restriction on driving with gear disengaged.- On any ghat road and elsewhere on any hill, marked by traffic sign, No. C-8 and C-9 of schedule to the Act, no person shall drive any motor vehicle with the engine free, that is to say, with the gear level in neutral, the clutch lever depressed or with any free wheel or other device in operation which frees the engine from the driving wheels and prevents the engine from acting as brake when the vehicle is travelling down on an incline.

Explanation.- “Ghat or Hill” means a road notified in the Rajasthan Gazette as such by the Government and indicated by a notice board effected at each end of such road.

8.10. Prohibition of mounting or dismounting when vehicle is in motion.- (1) 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 incharge of such vehicle, permit any person to do so.

(2) **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.

8.11. Towing.- (1) No vehicle other than mechanically disabled or incompletely assembled motor vehicle, a registered trailer or a side car shall be drawn or towed by any motor vehicle.

(2) **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 drivers, seat of the motor vehicle being drawn or towed a person holding a licence authorizing him to drive the vehicle or unless steering wheel 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.

(3) **“On tow” to be displayed-** When a motor vehicles being towed by another motor vehicle, the clear distance between the rear of the front vehicle and the front of the rear vehicle shall at no time exceed 5 meters steps shall be taken to render the two 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 seventy five millimeter high

and on a white back ground the words “On Tow”, provided that no person shall be liable to be convicted for the contravention of the rule for failure to display the words “On Tow” if the motor vehicle which is towing the other is not a motor vehicle adapted and ordinarily used for the purpose and so long as the vehicle is being towed between the place of the breakdown and the nearest place on the route at which the necessary materials can be obtained.

(4) 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 20 km. per hours.

8.12. Driving of tractors on Roads.- (1) No tractor, when fitted for being driven on a public road shall be driven on such road at a speed exceeding ten kilometers per hour and no such tractor shall take sharp turns on such road:

Provided that, if such tractor be a crawler tractor, it shall not be driven on an asphalt road between 9.00 A.M. to 9.00 P.M.

(2) Every such tractor, when driven on a metalled road, shall be driven as far as possible on the side stripes of such road.

8.13. Footpaths, cycle bracks and traffic segregation.- Where any road or street is provided with footpaths or tracks reserved for cycles or specified classes of other traffic, no person shall, save with the sanction of a police Officer in uniform, drive any motor vehicle or cause or allow any motor vehicle to be driven on any such footpath or track.

8.14. Projection of Loads.- (1) Nothing shall be placed or carried upon the outside or the roof of a double decked service vehicles.

(2) No person shall drive, and no person shall cause, or allow to be driven, in any place (public) any motor vehicle which is loaded in manner likely to cause danger to any person or in such a manner that the road 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 beyond the rearmost part of the vehicle excluding any luggage carrier.
- (iv) In height by a distance which exceeds 3.66 meters in case of a goods vehicle and 3.4 meters in case of a goods vehicle and 3.4 meters in case of any other motor vehicle from the surface upon which the motor vehicle rests.

(3) Clause (iii) of sub-rule (2) shall not apply to a goods motor vehicle when

loaded with any pole or other projecting thing so long as,-

- (i) the projecting load falls within the limit of the body of a trailer being drawn by the goods vehicles or;
- (ii) the distance by which the pole or other thing projects beyond the rearmost point of the motor vehicle does not exceed 1.85 meters; 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 at all times a white circular disc of not less than 38 centimeters in diameter; and during the period commencing half an hour after sunset and ending half an hour before sunrise, a lamp in addition to the prescribed lamps on the vehicle so arranged as to show a red light to the rear, and also a circular disc of not less than 38 centimeters in diameter painted in retro reflected red colour so that the same will be illuminated in the light of the vehicle approaching from the rear.

(4) Transport Commissioner may, by order in writing, exempt any motor vehicle for such purpose, for such period and subject to such conditions as may specify, from any or all of the provisions of this rule on applications submitted in Form R.S. 8.1.

(5) The registered owner of the vehicle may apply for exemption to the Transport Commissioner of State by him in whose jurisdiction the motor vehicle will start journey in the State or enter the State and shall obtain the exemption under sub-rule (4) prior to the entry in the State.

(6) While granting exemption under sub-rules (4) & (5), the Transport Commissioner shall consult the authority of the Public Works Department and NHAI the State traffic Police and only if satisfied such exemption will not cause any danger to any bridge or obstruction to traffic or danger to other vehicles or passengers Travelling in other vehicles, shall grant such exemption.

(7) Such exemption under sub-rule (4) or (5) shall be granted in Form R.S. 8.2 and copies thereof would be dispatched to the registering authorities through whose jurisdiction the motor vehicle will travel.

8.15. Dangerous substances-Restrictions as to carriage of.- (1) Except for the fuel and lubricants necessary for the use of the vehicle, no explosive, highly inflammable otherwise dangerous substance, shall be carried on any public service vehicle unless it is so packed that even in the case of an accident to the vehicle it is unlikely to cause damage or injury to the vehicle or person carried thereon.

(2) **Authority to remove explosive from vehicle.-** If in the opinion of any Transport Officer not below the rank of an Inspector, any public service vehicle or any Motor vehicle is at any time loaded in contravention of sub-rule(1) he may order the driver or other person in-charge of the vehicle to remove or repack the explosive or inflammable or otherwise dangerous substance and till such time shall not allow the public service vehicle or the motor vehicle to continue its journey.

8.16. Sound signals-restriction on use of.- (1) No driver of a motor vehicle shall sound the horn or other device for giving audible warning, with which the motor vehicle is equipped, or shall cause or allow any other person to do so, to an extent beyond that which is reasonably necessary to ensure safety.

(2) **Authority to prohibit sound signals.-** The Transport Commissioner or the District Magistrate may by notification in the Rajasthan Gazette and by the erection in suitable place of traffic sign No. M 18 as set forth in Schedule to the Act, prohibit the use of any horn or other device on a motor vehicle for giving audible warning within such locality and during such hours, as may be specified in the notification:

Provided that when the Transport Commissioner or the District Magistrate, 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 setting forth the hours within which such use is so prohibited to be affixed below the traffic signs.

8.17. Cut outs-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.

8.18. Dazzling lights-restriction of.- (1) The driver of a motor vehicle shall at all times when the lights of the motor vehicle are in use so manipulate them that danger or undue inconvenience is not caused to any person by dazzle, shall not use the mercury or any bulb which gives dazzling light.

(2) The Transport Commissioner or the District Magistrate may by notification in the Rajasthan Gazette and by the erection of suitable notice in English and in Hindi prohibit the use, within such areas or in such places, as may be specified in the notification, of direct head lights.

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

8.20. Use of lamps when a vehicle is at rest.- (1) If within the limits of any Municipality, a motor vehicle is at rest within the hours during which lights are required, at the left hand side of any road or street or elsewhere in any duly appointed parking place, it shall not be necessary for the motor vehicle to exhibit any light save as may be required generally or specifically by the District Magistrate.

(2) Outside the limits of any, Municipality if a motor vehicle is at rest within the hours during which lights are required in such a position as not to cause danger or undue inconvenience to other users of the road, it will not be necessary for the motor vehicle to display any lights.

8.21. Visibility of lamps and registration marks.- (1) No load or other thing shall be placed on any motor vehicle so as at any time 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 observed is exhibited in the manner required by or under the Act for the exhibition of the masked or obscured lamp or mark.

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

8.22. Driving mirror obscuring of.- No person driving or incharge a motor vehicle shall –

- (i) permit any person to stand or sit, or
- (ii) place or permit any thing to be placed, in such a manner or position as to obscure the driver's vision either directly or rear-ward by the mirror referred to in rule 7.3.

Provided that clause (ii) shall not apply to a vehicle fitted with blind on the rear window when this blind is used during night time.

8.23. Duty to comply with traffic control signals.- (1) Every driver of a motor vehicle shall, when driving the vehicle in a public place comply with any traffic control signal given to him by any police officer in uniform for the time being engaged in the regulation of traffic in such public place.

(2) In this rule “Traffic Control Signed” means traffic control signals as illustrated in Form R.S. 8.3. to these rules.

8.24. Stop sign on road surface.- (1) When any line is painted or on inlaid into the surface of any road at the approach to a road junction or to a pedestrian crossing or otherwise, no driver shall drive a motor vehicle so that any part thereof projects beyond that line at any time when a signal to stop is being given by a police or Transport Officer or by means of traffic control lights or by a traffic sign.

(2) A line for the purposes of this rule shall not be less than 5 centimeter in width at any part and shall be either in white, black or yellow.

8.25. Traffic signs to be observed.- Every driver of a motor vehicle shall drive the vehicle in conformity with any indication given by a traffic sign, the erection of which is permitted under sub-section (1) of section 116 of the Act.

8.26. Loading of public service vehicle on ferry boats.- (a) The driver, conductor or other person in-charge of a public service vehicle, shall cause all passengers to alight before embarking the said public service vehicle on any ferry boat, and shall not allow them to take their places again in the vehicle until it has been disembarked.

(b) Every passenger in a public service vehicle shall, on the request of the driver, conductor or other person in-charge alight from the vehicle with a view to its being embarked on a ferry boat.

8.27. Special provision for vehicles plying on hill roads.- (1) The State Government may declare hill roads or ghat roads of the State, from time to time, by a notification in Official Gazette.

(2) No person shall drive a motor vehicle on a ghat or hill road at night, unless authorized to do so by the registering authority or local authority:

Provided firstly, that in case it becomes necessary, owing to accident, illness or any similar emergency, to drive a motor vehicle at night on a ghat or hill road for the purpose of obtaining assistance or for any similar purpose, the driver shall, as soon as is reasonably possible, report to the nearest police station his name and the number of the vehicle and the name of the owner, together with such other particulars, as may be required of him by the officer incharge of the police station:

Provided secondly, that if a motor vehicle breaks down on a ghat or hill road and the driver is unable to complete his journey before night fall, he shall draw the motor vehicle to the left side of the road and may there effect the necessary repair, after which he may continue his journey at a speed not exceeding the maximum speed, if any prescribed for such vehicle under section 112 of the Act and in such case he shall further report at the first police station or police outpost at which he may arrive after night fall, his name and the number of his vehicle his reasons for travelling after night fall:

Provided thirdly, that in any such case as is mentioned in the second proviso to this rule, if there is no police station or police outpost between the place at which it terminates its journey after repair the driver, shall on arrived at his destination, report to the nearest police station his name and the number of his vehicle and the reason for travelling after night fall:

Provided fourthly, that the registering authority may delegate to any army officer not below the rank of a Brigadier, the power to issue a special pass to any commissioned military officer, authorizing him when travelling on duty, to drive a light motor vehicle on ghat or hill roads by night in cases or an emergent nature.

(3) Notwithstanding anything contained in rule and Central Motor Vehicles Rules, 1989 no person shall drive any motor vehicle on a ghat or hill road, unless all its wheels are fitted with pneumatic tyres, and, in the case of vehicles of more than six tons weight when laden, with pneumatic tyres on the driving wheels:

Provided that the registering authority may exempt any vehicle belonging to a local authority from the provisions of this rule.

(4) If the registering authority, or any Magistrate or any police officer not below the rank of a Sub-Inspector authorised by the registering authority in this behalf, is of opinion that a motor vehicle which is being driven upon a hill road does not in every respect conform to the provisions of these rules he may stop that vehicle and inspect it, and the

driver or person incharge of the vehicle shall, in such case, comply with any order which the registering authority, the Magistrate, or the police officer so authorised may see fit to give for the purpose of preventing danger or inconvenience to the public whether by removal of any defect in the motor vehicle or otherwise.

(5) (a) No motor vehicle shall pass another vehicle travelling in the same direction, except at a place where the road is clearly visible to the driver of the overtaking vehicle for at least 200 metre ahead.

(b) When two motor vehicles approach each other from opposite directions at a bridge or culvert of a narrow place on a ghat or hill road, the driver of the motor vehicle proceeding in the downward direction shall give way to a vehicle proceeding in the upward direction. When such approach takes place in a dip or level stretch of road the vehicle on the side of the road from which the hill slopes upward shall give way.

(6) Trailers.- No person shall drive a goods vehicle or heavy motor vehicle, with a trailer attached thereto on a ghat or hill road, without the special written permission of the registering authority.

8.28. Wearing of protective Head Gear.- Every person driving or riding on motor cycle including any two wheeled motor vehicle i.e. motor cycle, scooter, moped shall while in public place, wear a protective head gear of the specification prescribed by the Bureau of India Standards:

Provided further, that the State Government may from time to time by notification in official Gazette relax the application of this provision for a class of driver/rider subject to such conditions as it may deem fit:

Provided further that the State Government may, from time to time by notification in the official Gazette exempt from the provision of this Rule any area or areas of the State as it may deem fit:

¹[Provided also that a minimum period of 30 days shall be allowed to obtain the protective head gear from the date of the publication of the notification providing for use of such protective head gear under this rule except for the places where this provisions is already in force prior to coming in force of the rule.]

1.subs. by. NotiNo. F7(66)pari/rules/hq/94/28-01-2011

CHAPTER IX

RAJASTHAN STATE ROAD TRANSPORT CORPORATION MOTOR VEHICLES THIRD PARTY LIABILITY FUND

9.1 Definition.- In this chapter unless there is anything repugnant in the subject or the context-

- (a) "Fund" means the fund established in the manner prescribed in Rule 151 of Central Motor Vehicles Rules, 1989.
- (b) "Undertaking" means the Rajasthan State Road Transport Corporation.
- (c) "Corporation" means Rajasthan State Road Transport Corporation established under section 3 of Rajasthan Road Transport Corporation Act.
- (d) "Year" means the financial year.

9.2 Establishment of Fund.- The Corporation Shall establish a fund in the manner as required by Rule 151 and 152 of the Central Motor Vehicles Rules, 1989 to meet any liability arising out of the use of any vehicle of the undertaking which the undertaking or any person in the employment of the undertaking may incur to Third Parties.

9.3 Withdrawal & Use of Fund.- The fund shall be withdrawn in accordance with the rule 157 of the Central Motor Vehicle Rules 1989 and shall be used generally for the meeting or Third Party Liabilities in respect of:-

- (a) All Claims including the claimant's cost and expenses for which the Corporation shall become legally liable to pay, lodged against the Corporation in respect of:-
 - (i). death or bodily injury to any person or passenger caused by or arising out the use including the loading and/or unloading of the motor vehicles;
 - (ii). damage to property caused by the (including the loading and or unloading) of the Motor Vehicles;
 - (iii). any liability arising under the provisions of the Workman's Compensation Act 1923, in respect of the death of, or bodily injury to, any paid employee engaged in driving or otherwise in attendance or being carried in a Motor Vehicle;
 - (iv). Payment of medical expenses in respect of treatment of bodily injury to any paid employee engaged in driving or otherwise in attendance or being carried in a motor vehicle;
 - (v). Damage to property belonging to or held in trust, or in the custody or control of the corporation or any employee of the corporation or being conveyed by a Motor Vehicle.
- (b) but shall not be used to meet:-
 - (i). liability in respect of death, injury or damage caused or arising out (sic) in connection with the bringing of the load to the Motor Vehicles for loading thereon or the taking away of the load from the motor vehicles after unloading therefrom;

- (ii). liability in respect of death or bodily injury to any person in the employment of the Corporation arising out of and in the course of such employment except so far as is necessary to meet requirements of section 146 of Motor Vehicles Act.
- (iii). the liability in respect of death or bodily injury to any person other than a passenger carried by reason of, or in pursuance of, a contract of employment being carried in or upon or entering or mounting or alighting from the motor vehicles at any time of the occurrence of the event out of which any claim arises except so far as is necessary to meet requirements of section 146 of the Act.
- (iv). the liability in respect of damage to any bridge and/ or way bridge and/or viaduct and/or to any road and/or anything beneath by the vibration or by vibration or by the prescribed weight of the motor vehicle or by the prescribed load carried by the motor vehicle.

9.4 Procedure in case of accidents, etc.-

- (a) As soon as an accident takes place the driver of the vehicle or other official of the Corporation will lodge a report at the nearest Police Station where the details of accident shall be recorded by the Police in the prescribed Road Accident Report Form R.S. 9.1.
- (b) The Local officer of the Corporation will send a report in duplicate, in the Form R.S. 9.2 to the District Magistrate of the District in which the accident has occurred, and retain one copy of the report submitted to the District Magistrate in his own office for record and submit another copy to his Head office.
- (c) The District Magistrate shall depute any executive Magistrate to make an enquiry into the accident and to draw the report recording all the facts connected with the accident. The Magistrate may seek the assistance of a representative of the Rajasthan State Transport Corporation and Police Officer not below the rank of a Sub-Inspector in charge of a Police Station.
- (d) The Magistrate shall give his findings as to whether the Corporation (Rajasthan State Road Transport Corporation) is liable to pay any compensation or not and if he is satisfied that such liability is established then the amount claimed by the party involved in the accident, and compensation for injury, loss or damage to property will be recommended only on production of satisfactory proof of the accident and value of the loss or damage. The Magistrate shall also state as to whether the driver of the vehicle is to be held responsible for the accident and if so, to what extent the driver has been guilty for negligence, rashness, dereliction of duty or drunkenness etc.

- (e) In making the inquiry, the Magistrate deputed by the District Magistrate shall allow the aggrieved party to represent his case at the time of the enquiry.
- (f) It is of essence that all the enquiries in this behalf shall be completed as expeditiously as possible.
- (g) On receipt of the Magistrate's report the District Magistrate will forward it, with his comments, to the General Manager, Rajasthan State Road Transport Corporation, and shall retain one copy of this report in the District Office for record.

9.5 Settlement of Claims.- All claims lodged and/or established against undertaking and to be met out of the Fund, shall be settled as under:-

- (a) The General Manager shall ordinarily accept the finding of the Magistrate on the question of the liability of the Undertaking to pay the compensation. The General Manager need not however accept the figure of amount of compensation fixed by the Magistrate. If a case can be compromised for a sum not exceeding Rs. 500/- he may sanction the amount and compound the case.
- (b) When the sum sought to be paid as compensation exceeds Rs. 500/- or more and where the General Manager thinks in his opinion, the Magistrate's finding on the question of the liability of the Undertaking to pay compensation is not correct, a reference shall be made to the Corporation.
- (c) Where the case involves the payment of a sum exceeding Rs. 500 it shall be considered by the Corporation in consultation with the Legal Remembrancer to the Government of Rajasthan, if necessary. Final sanction of the Government shall be obtained in such cases before making payment.
- (d) Payments of awards under a decree or judgment of a Court in such cases shall be made in accordance with the directions of the Court, but any amount which shall have been paid by the Undertaking previously shall be deducted from such amounts.

9.6 No compensation shall be paid under these rules.-

- (1)- When the party concerned is entitled to indemnity under any other Law.
- (2)- When the liability for death, injury, loss or damage arises out of conditions of War. Civil War, Riot or Civil Commotion or causes like flood, storm etc., beyond the control of the Undertaking.
- (3)- When the accident or loss or damage to property arises out of the violation of any rule or direction of the Undertaking or of the Traffic Regulations by the party concerned.
- (4)- In exceptional cases, however, where the Corporation is satisfied that the question of liability cannot be clearly and distinctly determined and where serious hardship is involved to the victims of the accident, the Corporation may order an exgratia payment by way of compensation.

9.7 Budget provision.- The cost on account of any compensation awarded by the authorities prescribed in these Rules, shall be met out of the Fund for which provision shall be made in the budget of Undertaking.

9.8 Mode of payment.-

(a) The Assistant Regional Manager of the Region concerned or the General Manager shall draw the amount of compensation from the State Bank of Bikaner and Jaipur quoting the number and date of the order of sanction for payment on the Contingent Bill Form attaching there to an attested copy of the sanction.

(b) The payment of the compensation shall be made through the District Magistrate of the District in which the claimant resides and the District Magistrate making such payment shall obtain a receipt in full satisfaction of his claim.

9.9 Debiting of expenditure.-

(a) All reasonable expenditures including legal fees and other allied expenses incurred on any or all of the purposes mentioned in Rule 9.3 about shall be debited to this Fund.

(b) All legal and medical expenses etc. shall be incurred by the various authorities as under:-

- (i). Upto Rs. 50/- by the Assistant Regional Manager,
- (ii). Rs. 51/- to Rs.100/- by the General Manager,
- (iii). Rs. 101/- and above but not exceeding Rs. 500/- by the Chairman of the Corporation,
- (iv). Rs. 500/- and above by the Corporation with the sanction of the Government. Provided, however, that any amount incurred for immediate first-aid and other medical facilities etc. to any person involved in the accident, shall be reimbursed to the Undertaking from out of the compensation sanctioned to the party concerned.

9.10 Investment.- The Funds shall be invested in the manner prescribed in Rule 153 of the Central Motor Vehicles Rules, 1989.

9.11 Security held as a deposit in the fund.- The security as deposit in the fund in the manner prescribed in Rule 154 of Central Motor Vehicles Rules, 1989.

9.12 Deposit procedure.- For this procedure rule 155 of the Central Motor Vehicles Rules, 1989 shall apply.

9.13 Interest Deposit.- Interest realized on each deposit or the security held in the fund shall be paid by the Bank to the authority.

9.14 Operation of the fund.- The fund shall be opened separately and the separate account shall be maintained in the Banks of the Undertaking.

9.15 Audit of the fund.- The audit of the account of the fund shall be made in the same manner as that of the other account of the undertaking except that yearly audited statement showing-

- (a) the position of the fund at the beginning of the year;
- (b) the contributions received by it during the year;
- (c) the claims paid out of it during the year and the position of the fund at the end/and;
- (d) the position of the investment of fund at the end of the year shall be furnished to the Corporation in the Form R.S. 9.3.

9.16 The decision of the Government shall be final in all matters connected with the fund.

9.17 The Government shall be competent to modify to make additions in these Rules and to frame any supplementary rules, fund necessary for working of the Fund from time to time

CHAPTER X CLAIMS TRIBUNAL

10.1. Definitions.- In this chapter unless there is anything repugnant in the subject or the context-

(a) “Claims Tribunal” means a Motor Accident’s Claims Tribunal constituted under Section 165 of the Act,

(b) “Legal Representatives” shall meaning assigned it under clause (11) of Section 6 of the Code of Civil procedure, 1908 (Central Act 5 of 1908).

10.2. Application for Compensation arising out of an accident.- (1) Any application for the compensation arising out of the accident of the nature specified under this Act shall be made to the Claims Tribunal, having jurisdiction over the area in which the accident occurred, which shall be in Form R.S. 10.1 and shall contain the particulars specified in that form.

(2) Every such application shall be sent to the Claims Tribunal or the Chairman, in case the Tribunal consists of more than one member by registered post or may be presented to such Claims Tribunal shall, unless the Claims Tribunal or the Chairman otherwise directs, be made induplicate and shall be signed by the applicant.

(3) There shall be appended to every such application, the following documents, namely:-

(i) Medical Certificate in Form RS 10.2 or in case of death Post Mortem Report or Death Certificate;

(ii) First Information Report in respect of accident; and

(iii) Certificate regarding ownership and insurance particulars of the vehicle involved in accident from the Registering Authority or the Police.

(4) The officer-in-charge of the Police Station shall, on demand by the person, who wishes to make an application for compensation and who is involved in accidents arising out of the use of the motor vehicle or legal successors of the deceased, shall furnish to him such information and particulars mentioned under section 160 of the Act and within such time as may be specified by the Central Government by the Rules made under Chapter XI of the Act.

(5) If any of the documents specified in sub-rule (3) are not appended to the application, the reasons for not appending them shall be stated, and if the Tribunal is satisfied, it may proceed with the application and require production of such documents at a later stage.

10.3. Application for the Compensation under Section 140 of the Act.-

(1) Notwithstanding anything contained in rule 10.2 every application for the claims under Section 140 shall be filed before the Claims Tribunal in triplicate, and shall be signed by the applicant and the following documents shall be appended to every such application, namely:-

(i) Panchnama of the accident;

(ii) First Information Report;

(iii) Medical Certificate in Form R.S. 10.2 or in case of death, Post Mortem Report or Death Certificate;

(iv) A certificate regarding ownership and insurance particulars of vehicle involved in the accident from Registering Authority or the Police, and

(2) If any of the documents specified in sub-rule (1) are not appended to the application, the reasons for not appending them shall be stated, and if the Tribunal is satisfied, it may proceed with the application, and require production thereof at a later stage.

10.4. Production of Passport Size photograph by applicant.- Notwithstanding anything contained in rule 10.2. Or rule 10.3, the claims Tribunal may require the applicant to produce a passport size photograph, which shall be attested by and advocate. The photograph shall either be affixed to the fastened to the original application.

10.5. Fees- (1) Every application made under these rules for payment of compensation shall be accompanied by a fee of Rs. 10/- in the form of Court Fee Stamps.

(2) The Claims Tribunal may in its discretion exempt a party from the payment of fee 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 fee exemption in respect of which has been granted initially before a copy of the judgment is obtained.

10.6. Examinations of applicant.- On receipt of an application under rule 10.2/10.3, the Claims Tribunal may examine the applicant on oath, and the substance of such examination, if any, shall be reduced to writing and shall be signed by the Member constituting the Claims Tribunal or as the case may be, the chairman.

10.7 Summary Disposal of Application.- The Claims Tribunal may, after considering the application and the statement, if any, of the applicant recorded under rule dismiss, the application summarily, if for reasons to be recorded in writing, the Claims Tribunal is of and opinion that there are no sufficient grounds for proceeding therewith:

Provided that the Claims Tribunal shall not reject the application made for compensation under Section 140 of the Act, on the grounds of any technical defeats, but shall give notice to the applicant and get the defects rectified.

10.8. Notice to the Parties involved.- (1) If the application is not dismissed under rule 10.7, the Claims Tribunal shall send to the owner or the driver of the vehicle or both from whom the applicant claims relief and the insurer, a copy of the application, together with the notice of the date on which it will dispose off the application, and may call upon the parties to produce on that date any evidence which they may wish to tender.

(2) Where the applicant makes a claim for compensation under Section 140 of the Act, the Claims Tribunal shall give notice to the owner and insurer, of any, of the vehicle involved in the accident directing them to appear on the

date, not later than fifteen days from the date of issue of such notice. The date so fixed for such appearance shall also be not later than fifteen 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 date³, the Claims Tribunal shall proceed ex parte on the presumption that they have no contention to make against the award of compensation.

10.9. Appearance and Examination of Parties.- (1) The opposite party may, and if so required by then Claims Tribunal shall, at or before the first hearing or within such time as the Claims Tribunal may permit, 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 opposite party contests the claim, the Claims Tribunal, may and if no written statement has been filed, shall proceed to examine the parties upon the claim and shall reduce the result of examination to writing.

10.10. Framing of Issue.- 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 an issue upon which the right decision of the case appears to it to depend.

10.11. Determination of Issues.- After framing the issues, the Claims Tribunal shall proceed to record evidence thereon which each party may desire to produce.

10.12. Diary.- The Claims Tribunal shall maintain brief diary of the proceedings on an application.

10.13. Appearance of legal practitioner.- The Claims Tribunal may in its discretion, allows any party to appear before it through the legal practitioner.

10.14. Local Inspection.-(1) The Claims Tribunal may, at any time during the course of any inquiry before it, visit the site at which the accident occurred for the purpose of making a local inspection or examining any persons likely to be able to give information relevant to the proceeding.

(2) Any party to a proceeding or the representative of any such party may accompany the Claims Tribunal for a local inspection.

(3) 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 enquiry.

(4) The memorandum referred to in sub-rule (3) shall be made available to any party to the proceedings who desires the same and shall supply any party with a copy, if applied as per rule.

10.15. Inspection of the vehicle.- The Claims Tribunal may, if it thinks fit, require the motor vehicles 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.

10.16. Power of summary Examination.- (1) The Claims Tribunal, during a local inspection or at any other time, save at 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 person has been or is to be called as a witness relating to such case, whether 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).

10.17. Summoning of Witnesses.- 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 considers that their appearance is not necessary for a just decision of the case.

10.18. Fees for process.- The fees to be taken for any process issued by the Claims Tribunal, shall be in the scale as may be determined by the Tribunal from time to time, but shall not exceed these taken for a similar process by the Rajasthan District Courts. No fee shall be charged for the process of application for compensation made under section 140.

10.19. Method of Recording Evidence.- The Claims Tribunal shall, as examination of witnesses proceeds, make a brief memorandum of a substance of the evidence of each witness and such memorandum shall be written and signed by the members of Claims Tribunal and shall form part of the record:

Provided that ,if the member or the Chairman of the Claims Tribunal is prevented from making such memorandum to be made , he shall record the reason of his inability to do so and shall cause such memorandum to be made in writing from his dictation and shall sign the same, and such memorandum shall form part of the record.

Provided further that the evidence of any medical witness shall be taken down as nearly as may be word to word.

10.20. Adjournment of Hearing.- If the Claims Tribunal finds that an application cannot be disposed of at one hearing, it shall record the reasons which necessitate the adjournment and also inform the parties present of the date of adjournment of hearing.

10.21. Co-opting of persons during enquiry.- (1) The Claims Tribunal may for the purpose of adjudicating upon any claim for compensation other than claims for compensation under Section 140 of the Act choose not more than two persons having technical or special knowledge with respect of any matter before the Claims Tribunal for the purpose of assisting the Tribunal in the holding of the enquiry.

(2) The expert shall perform such functions as the Tribunal may direct.

(3) The remuneration, of any, to be paid to the expert shall in every case be determined by the Tribunal.

10.22. Judgment and Award of Compensation. (1) The Claims Tribunal in passing orders, shall record concisely in a judgment the finding on each of the issues framed and the reasons for such finding and make and award specifying the amount of compensation to be paid by the insurers 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.

(3) Where any lump sum deposited with Claims Tribunal is payable to a woman or a person under the legal disability, such sum may be invested, applied or otherwise dealt with for the benefit of the woman on her application or such person during his disability in such manner as the Claims Tribunal may direct, and where a quarterly payments is payable to any person under the legal disability, the Tribunal, may of its own motion or on any application, made to it in this behalf, order that the payment be made during the disability of the person concerned or to any dependent of the injured or heir of the deceased or to any other person whom Tribunal thinks best fitted to provide for the welfare of the injured or the heir of the deceased.

(4) Where an application made to the Claims Tribunal in this behalf or otherwise, the Tribunal is satisfied that on account of the negligence of the children on the part of the parents or on account of the variation of the

circumstances of any dependent or for any other sufficient cause, an order of the Tribunal as to the distribution of any sum paid as compensation or as to the distribution of any sum paid as compensation or as to the manner in which any sum payable to any such dependent is to be invested, applied or otherwise dealt with, ought to be varied, the Tribunal, may make such orders for the variation of the former order as it thinks just in the circumstances of the case.

10.23. Obtaining of information and documents necessary for awarding compensation under section 140.- The Claims Tribunal shall obtain whatever supplementary information and documents which may be found necessary from the Police, Medical and other Authorities and proceed to award the claim where the parties who were given notice appear or not on the appointed date.

10.24. Judgment and Award of Compensation under Section 140.- (1) The Claims Tribunal shall proceed to award the claim of compensation under Section 140 on the basis of-

(i) Registration Certificate of the motor vehicle involved in the accident or a certificate regarding ownership of the vehicle involved in the accident from the Registering Authority or the Police;

(ii) Insurance Certificate of Policy relating to the insurance of the vehicle against the Third Party risk or the certificate regarding the insurance particulars of the vehicle from the District Transport Officer or Police;

(iii) panchnama and First Information Report;

(iv) Post mortem report or Death Certificate, or certificate of injury from the Medical Officer in Form 10.2; and

(v) The nature of the treatment given by the Medical Officer, who has examined the victim,

(vi) Any other documents produced by or on behalf of the parties or obtain in the Tribunal under rule 10.21.

(2) The Claims Tribunal in passing orders, shall make an award of compensation of twenty five thousand rupees in respect of the death and of twelve thousand rupees in respect of the permanent disablement to be paid by insurer or owner of the vehicle involved in the accident.

(3) The Claims Tribunal in passing order under sub-rule (2) shall direct the insurer or owner of the vehicle involved in the accident to pay the amount of compensation to the claimant within two weeks from the date of the said order.

(4) The Claims Tribunal shall as far as possible dispose off the application for compensation within 45 days from the date of receipt of such application.

10.25. Procedure of disbursement of compensation under section 140.- to the Legal heirs in case of Death.- Where the Claims Tribunal feels that the actual amount 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 compensation to each of the legal heirs.

10.26. Receipt for Compensation.- Upon payment of compensation, a receipt shall be obtained by the Claims Tribunal and such receipt shall be forwarded to the Insurer concerned or as the case may be, the owner of the vehicles, for purpose of record.

10.27. Power vested in Civil Court which may be exercised by Claims Tribunal.- (1) Without prejudice to the provisions of section 169,-

(a) Every Claims Tribunal, may exercise all or any of the powers vested in a Civil Court under the following provisions of the Code of Civil Procedure, 1908, in so far as they may be applicable, namely:- Sections 30, 32, 34, 35, 35(a) & (c), 76, 77, 94, 95, 132, 133, 144, 145, 147, 148, 149, 151, 152 & 153.

(b) And subject to the provisions of the section 174.

(2) For purpose other than those specified in Sub-rule (1), the Claims Tribunal may exercise all or any of the powers of Civil Court as may be necessary in any case for discharging its functions under the Act and these rules.

10.28. Procedure to be followed by Claims Tribunal in holding enquiries.- (1) The following provisions of the Code of Civil Procedure, 1908 shall, so far as may be, applied to the proceedings before every Claims Tribunal, namely:-

(a) Sections 28, 79 and 82

(b) In the First Schedule, Order V rules 9 to 13 (both inclusive) and 15 to 30 (both inclusive), Order VI rules 4,5,7,10,11,16,17 and 18 and order V, II-rule 10, Order VIII, rules 2 to 5 (both inclusive), 9 & 10, Order IX, Order XI, rules 12 to 15(both inclusive), 17 to 21 (both inclusive) and 23: Order XII, rules 1, 2, 3A, 4, 7 and 9, Order XIII, rules 3 to 10 (both inclusive) Order XIV, rules 2 and 5, Order XVI, Order XVII, Order XVIII, rules 1 to 34(both inclusive), 10 to 20 (both inclusive) an 15 to 18 (both inclusive) Order XXII, rules 1 to 7 (both

inclusive), and 9; Order XXIX rules 1 to 3 (both inclusive); Order XXIV, Order XXVI, rules 1 to 8 (both inclusive) and 15 to 18 (both inclusive), Order XXVI, Order XXVIII, Order XXIX, Order XXX rules 1 to 15 (both inclusive), Order XXXVII rules 1 to 10 (both inclusive), and Order XXXIX, rules 1 and 3 to 5 (both inclusive). In so far as the Act and these rules make no provision or make insufficient provision, the relevant provisions of the Code of Civil Procedure, 1908 shall so far as may be, apply to the proceedings before the Claims Tribunal.

10.29. Savings.- Notwithstanding anything contained in these rules, in the case of minor accidents and in the case of a claim under Section 140, the Claims Tribunal may follow such summary procedure as it thinks fit.

10.30. Registrar.- The State Government may appoint a registrar of the Claims Tribunal, who shall be the Chief Ministerial Officer of the Tribunal and shall exercise such powers and discharge such duties of a ministerial nature as a member of the Tribunal or where the Tribunal consists of more than one member, the Chairman of the Tribunal may, from time to time by order direct.

10.31. Form of Appeal and Contents of Memorandum.- (1) Every Appeal against the award of the Claims Tribunal shall be preferred in the form of a memorandum signed by the appellant or an Advocate or Attorney of the High Court duly authorized in that behalf by the applicant and presented to the High Court or to such officer as it appoints in this behalf. This memorandum shall be accompanied by a copy of the award.

(2) The memorandum shall set forth concisely and under distinct heads the grounds of objection to the award appealed from without any argument or narrative, and such grounds shall be numbered consecutively.

(3) Save as provided in sub-rule (1) and (2) the provisions of Order XXI and Order XLI in the First Schedule to the Code of Civil Procedure, 1908 (V of 1908) shall mutatis mutandis apply to appeals preferred to High Court under Section 173.

10.32 Record.- The record of claims cases disposed off by the Claims Tribunal shall be preserved for a period of five years:

Provided further that, in cases where any award of compensation is made and the claimant does not come forward within a year of passing the award, the records shall be preserved for five years only from the date of the award and the unclaimed amount shall be transferred to the treasury. investment in favor of

woman and legally disabled persons are made, by the Claims Tribunal, the record shall be preserved till the end of the period of five years:

CHAPTER XI OFFENCES, PENALTIES & PROCEDURE

11.1 Officers empowered to recover penalty for causing obstruction to free flow of traffic.- Transport Officers not below the rank of ¹[Sub-Inspector of Motor Vehicles] and Police Officer not below the rank of Inspector are authorized to recover the penalty under section 201 of the Act.

CHAPTER XII MISCELLANEOUS

¹**[12.1. Payment of fee.-** The fee payable under the Act and rules made thereunder shall be payable in cash or through Challan in prescribed Form 12.1]

²**[12.1A. Application fee for obtaining verification of documents:-** A fee of ³[Rs 100/-] shall be charged on every application for obtaining verification of documents relating to registration, license fitness and permit;

Provided that no such fee shall be charged if verification is required by a Government Department, Police or a Court.]

12.2. Refund of Fee.- (1) Subject to the provisions of sub-rules (2), (3) and (4) and to anything contained in the rules made under the Act, the licensing or Registering Authority concerned or as the case may be, Regional Transport Officer or District Transport Officer, or Secretary of the Regional Transport Authority or the State Transport Authority may on an application sanction the refund of:

- (i). Full fee paid where certificate, licende, permit of badge applied for it refused or the application for the certificate, license, permit or badge is cancelled or withdrawn by the applicant before the certificate, license, permit or badge, as the case may be is actualiy issued and the transaction completed, or;
- (ii). The excess, where made is paid in excess of proper fee.

(2) No refund of fee paid:

- (i). For the test of competence to drive or,
- (ii). For certificate of fitness of a transport vehicle, shall be made when the test of the inspection of the vehicle in respect of which the certificate was applied for has been carried out.

(3) No refund shall be allowed in respect of the value of stamps affixed to the application of appeal.

(4) No refund of fee shall be made if the application for such refund is not made within six months from the date of the order of the Regional Transport Authority in respect of permit fee in any other case from the date of credit of the fee to the Government.

¹[Provided that the Transport Commissioner may direct refund of excess amount of fee charged after the period specified above.]

12.3. Jurisdiction of officers of the Transport Department.- The Transport Commissioner, Deputy Transport Commissioner and Assistant Transport Commissioner shall exercise the jurisdiction over the entire State of Rajasthan and the remaining officers shall exercise jurisdiction within the region or district to which they are posted;

Provided that the Motor Vehicles Inspector or the Motor Vehicles Sub-Inspector posted to the office of the Transport Commissioner and any other Motor Vehicles Inspector or Motor Vehicles Sub-Inspector when accompanying the Transport Commissioner, Deputy Transport Commissioner, or the Assistant Transport Commissioner, or when they are specially directed in writing by the Transport Commissioner shall exercise the jurisdiction throughout the State.

12.4. Performance of Functions of Officer under the Act and the rules made thereunder.- Notwithstanding anything contained in these rules:

- (a) the Transport Commissioner, or Deputy Transport Commissioner ²[or Assistant Transport Commissioner] may at any time perform any of the functions of a Regional Transport Officer or District Transport Officer of Motor Vehicles Inspector or, Motor Vehicles Sub-Inspector, under these rules;
- (b) the Regional Transport Officer may at any time perform any of the functions of District Transport Officer Motor Vehicles Inspector or Motor Vehicles Sub-Inspector under these rules;
- (c) The District Transport Officer may at any time perform any of the functions of Motor Vehicles Inspector or Motor Vehicles Sub-Inspector, under these rules;
- (d) A Motor vehicles Inspector may at any time perform any of the functions of Motor Vehicles Sub-Inspector, if so required by a Regional Transport Officer, under these rules,

1. *Ins. by No. F(229)/Pari/Rules/HQ/2003/541 dated 25-08-2010*

2- *Ins. by G.S.R 39, dated 26-07-1995(Pub. in Raj. Gaz. Ex. ord Pt-4 (Ga)(I) dated 26-07-1995)*

3. *Subs. By G.S.R. 56 daed 15-02-2005 (Pu. in Raj.Gaz. Ex.rd. Pt- 4(Ga)(I) dated 15-02-2005)(w.e.f 15-02-2005)*

- (e) A **Motor Vehicles Sub-Inspector** may at any time, if so required by a **Regional Transport Officer**, perform any of the functions of a **Motor Vehicles Inspectors**, under these rules;
- (f) Any other officer of the Motor Vehicles Department not below the rank of Motor Vehicles Sub-Inspector shall exercise the powers under the provisions of sections 114, 130, 132, 133, 134, 158, 200, 203, 204, 206 and 207 of the Act;
- (g) Any officer of the Motor Vehicles Department not below the rank of District Transport Officer shall exercise the powers under Sub-section (5) of section 136 and 205 of the Act;
- (h) Any officer of the Motor Vehicles Department not below the rank of District Transport Officer shall exercise the powers under Sub-section (5) of section 213 of the Act:
- Provided that the powers under clauses (f), (g) and (h) shall not be exercised by a officer of and below the rank of District Transport Officer unless he is in uniform.

12.5. Uniform.- The uniform of the ¹[X X X] Motor Vehicles Inspector or Motor Vehicles Sub-Inspector shall be as follows:

- (a) (i) ¹[X X X]
- (ii) in case of Motor vehicles Inspector and Motor Vehicles Sub- Inspector Silver Colour national emblem with the words 'RT' below the national emblem.
- (b) Khaki shirt and Khaki Bushirt.
- (c) Shirts or Trousers of police pattern of Khaki colour.
- (d) Whistle cord of Khaki Colour;
- (e) Whistle and buttons.
- (f) Cross belt of police pattern of the brown leather with silver fittings.
- (g) Shoes (Brown).
- (h) Khaki socks.
- (i) (a) ¹[X X X]
- (b) Motor Vehicles Inspector shall wear Three Stars, The Stars shall be five pointed star (Star) of Indian pattern 25.4mm) broad. These stars should be slightly frosted without design in the centre. The shoulder badges with letters 'RT'. will be one at the base of the shoulder straps. The Stars and the letters will be of white metal.
- (c) The Motor Vehicles Sub-Inspector shall wear Two Stars. The stars shall be five pointed star (Star of Indian pattern 25.4mm) broad. These stars should be slightly frosted without design in the centre. Shoulder badge

with letters 'R.T.' will be one at the base of shoulder straps. The stars and the letters will be of white metal.

- (j) The officers for whom the uniform has been prescribed under these rules shall also wear a plastic name plate on the pocket on the left side of the shirt of the size of 9 cm x 2 cm with their name with initials carved in Hindi. The colour of the name plate shall be black with white letters.
- (k) The officer who shall wear the uniform as provided under these rules, shall always be in uniform whenever they are on either in the office or in field duty.

12.6. Application for inspection.- Any party to any proceedings or any person aggrieved from any other against which appeal or revision lies, if any officer or Authority under the Act and rules made thereunder, or their Advocate, may apply for order to inspect the record or any papers in such proceeding or orders.

12.7. Application for inspection by non-party.- Any person, other than the person to whom rule (a) applies, on showing reasonable grounds of doing so may also apply for an order for inspection of record in any proceedings. No such person shall be entitled as of right to obtain an order for inspection.

12.8. Form of Application.- (1) Every application for inspection of record shall be in writing in the prescribed Form R.S.12.2 and shall set forth;

- (a) the name and the description of applicant and his position in the proceedings.
- (b) Detailed description of the record of which the inspection is desired it it is for appeal, number and Year of the case, title of case, date of disposal when the case was disposed off and the date of hearing when the case is pending. If it is resolution of State Transport Authority/Regional Transport Authority then the number, date and order of the resolution may be mentioned.

(2) The fee for the inspection of the record shall be paid in court fee labels in accordance with the following scales viz:-

- | | |
|-------------|----------|
| 1. Ordinary | Re. 1.00 |
| 2. Urgent | Re. 2.00 |

(3) Inspection of an ordinary application shall be allowed on the date following the date of which the application is made or on subsequent dates mentioned in the order.

(4) Inspection on urgent application as a rule be allowed on the same day provided such application is presented before 1.00 P.M.

12.9. Day and hours of Inspection.- (1) Every order of inspection shall specified the date on which such inspection may be made.

(2) Inspection on any one application shall be allowed for one date only between 12 noon to 3.00 PM.

12.10. Order for inspection.- Every order for inspection of record shall be sent to the inspection clerk and will entitle the person or persons named in such order but no any other person or persons to inspect the record specified in the order on the date and named in the order, but on no other date. If no inspection is made on the date fixed, the application and stamp paper shall be filed with file of the record and shall not entitle the applicant to inspect on any other date.

12.11. Inspection of record by the legal practitioner's clerks forbidden.- Inspection of record by legal practitioner's clerk is not permitted. The recognized clerk may be permitted to assist the legal practitioner in his inspection. Such clerk must, however, withdraw from the place of inspection as soon as the legal practitioner ceases inspecting.

12.12. Duty of Inspection clerk.- (1) The inspection clerk shall keep an inspection register in the prescribed form (12.3.)

(2) The inspection clerk shall on the day of inspection should immediately after the inspection has begun make an order on memorandum showing the date on which the order has been compiled with and shall on the same day return the record to the official from whom he received.

(3) The inspection shall be made in the presence of the inspection clerk, who before returning the file shall examine the record and shall satisfy himself that all the papers in the record are as they were before the inspection.

12.13. Use of Pen and Ink during the inspection prohibited.- No person inspecting a record shall be allowed to bring into the room in which inspection is made any Pen or Ink not use any Pen and Ink nor shall he be allowed to make any mark upon or any respect to mutilate any record or paper which is being inspected.

N.T. The use of fountain pen including a ball pen is also prohibited.

Rules for obtaining certified copy

12.14 Details necessary in application for certified copy.- Every application for a copy shall be on the prescribed Form R.S. 12.4 which can be obtained from licensed stamped vendor and shall set forth-

(1) the name and description of the applicant, and his position (if any) in the proceedings, from the records of which the copy is asked for;

(2) the description of the document of which a copy is requires;

(3) the following particulars concerning the record from which the copy is sought:-

(i). Number and year of case of proceedings.

(ii). Name of the Authority,

(iii). Brief description or the proceeding/case,

(iv). Date of disposal, when the case has been disposed of and the date of hearing, when the case is pending.

(4) whether or not the application is 'urgent'/immediate.

(5) whether a Photostat copy is required.

12.15. Sending of copy by post.- If the applicant desires the copy to be sent by post, he shall also send or submit with his application for copies.-

(1) a duty stamped and address postcard to enable him to be informed of the extra charges to be paid, if any, on his application for the copy, and

(2) a duly stamped and addressed envelop for sending the copies.

Note.- If the extra charges are not paid within 15 days from the date of issue of notice, the application for copy shall be rejected and the addressed envelope shall be used for informing the applicant of the order of rejection of his application.

12.16. Pleader's Clerk may apply for copy.- An application for copy duly signed by a pleader may be presented by his recognized clerk and the copy may be delivered to such clerk.

Persons entitled to copies:

12.17. Parties to the proceedings.- Except as hereinafter provided, any party to an appeal, revision or proceedings may at any time obtain, upon an application/ an order for a copy or copies of the record in such appeal. Revision or proceeding, or of any judgment, order, pleading, paper, exhibit or document in such record.

12.18. Stranger to appeal or proceedings.- A stranger to an appeal, revision or other proceedings may, after final judgement or final order, obtain pleading, paper or document in the record and may, for sufficient reason shown to the satisfaction of the Head of the Office, obtain upon application at any time before final judgment or final order, an order from the Head of the Office for a copy or copies of any judgment order, pleading, paper or other document in record other than an exhibit.

No order for a copy of an exhibit shall be made on the application of stranger to the appeal, revision or proceeding in which such exhibit was produced unless along with the application filed a properly authenticated consent, in writing of the person who produced such exhibit to the granting of an order of the copy.

12.19. Government and certain court.- Notwithstanding anything contained in these rules, Head of the Office may, upon application by or on behalf of the Head of any Department of the Government of India or the Head of any Department of any State in India or any High Court in India, any authority in India, any authority in India exercising jurisdiction similar to h High Corry, any Court subordinate to the Rajasthan High court or Rajasthan Revenue Board any Principal Court in foreign country in his discretion order a copy or copies may be made free of charges unless they be required for the purpose of a litigant other than the Government.

12.20. Government Law officer.- (1) In case in which Government is a party copies of judgments, orders and of any other paper required for purpose of conducting the case shall be supplied free of charges to the Government Law Officer.

(2) A copy of the whole or any part of a record when required for the purpose of conducting any trial or investigation or appeal on the part of Government in any Revenue Courts, shall ordinarily, on application be supplied free of charge to a Government Law Officer provided that, should the Head of the Office be of opinion that the demand made is in excess of what is necessary for the purpose stated in the application for such copy or copies, he may refuse to grant free of charges any or all of the copies applied for, and in such case, he shall at once report his refusal, with the reasons therefore to the Collector.

12.21. Procedure on receipt of an application for a copy of record.- (1) Every officer receiving an application for a copy of record shall:-

- (a) Endorse or cause to be endorsed thereon the date of presentation,
- (b) Initial the endorsement,
- (c) Cause the court-fee stamp thereon to be cancelled according to law.
- (d) Cause the application to be registered, and endorsed thereon the serial number of its entry in the register, and
- (e) Shall enter thereon the date on which copy shall be issued.

(2) On the stamped sheets accompanying the application shall be entered only the date of the application and the register number R.S. 12.6.

(3) The copiest shall promptly make proper entries in the register of applications for copies in the prescribed form. The copiest shall send the applications to the official in-charge of the record/section required who will enter each in the appropriate column of the register, his signatures and the date and hour on which he received the application relating to him. The official in-charge of the record shall without delay on such application, order and stamped paper and the record to the copiest and shall take from the copiest in register in prescribed form to be kept for the purpose a receipt of the date and hour when such, record was delivered to him and the copiest shall enter in the appropriate column of the register the date and hour on which he received the aforesaid record.

12.22. Duties of Copiest.- (1) As soon as the copy is made, the copiest shall forthwith return the record together with the application and order, to the official from whom he received them and such official shall forthwith place such application and order, in part at appropriate place in the last part of file.

(2) The copiest shall at the end of each working day, deposit in a locked box of almirah to be kept for that purpose in the record room or other secure room allotted by the Head of office all documents under copying.

(3) If any application is rejected, the copiest shall at once return to the applicant the stamped paper which accompanied the application and take his receipt for the same in the register. In case the applicant is a pleader, the unused stamp paper may be returned to his registered clerk.

(4) If the applicant be not present, the copiest shall inform him by post of the fact and direct him to appear without delay and take back the stamped-sheets forwarded by him with

his application, provided that he has previously sent a duly stamped addressed envelope. When the applicant requests that the unused folios may be returned to his pleader, they may be returned to his pleader or his registered clerk. If the pleader practices at the Headquarters station, the unused folios shall be returned to his of his registered clerk and his signatures taken.

(5) The copiest before returning any stamped sheets shall endorse each sheet with the words returned unused to (being the applicant) and initial them.

(6) Stamped-sheets so returned may be used by the applicant in a subsequent application for copies.

(7) If the applicant does not appear within thirty days of the date on which the letter was sent to him under paragraph (2) above on in the case of an applicant who has not sent a duly stamped addressed envelope within 30 days of the date on which the application was rejected the copiest shall render useless the stamped-sheets by folding them down the middle vertically tearing off the right half of each sheet destroying it and causing the left half on which is entered the date and number to be filled in the record along with the application. An entry of the fact of destruction shall be made in the register of copies against the application.

Copying fees:

12.23. Copies to be made on stamped paper provided by applicant.- (1) Except for the use of the court, or in a case falling within rules 12.19 and 12.20. No copy of any record of any part thereof or of any judgment, order, proceeding paper or other document in any record, shall be made, except on stamped paper provided by the person who has obtained an order for the copy.

(2) If necessary stamped paper is no available, judicial watermarked paper with adhesive stamp of the requisite value may be provided instead.

12.24. Scale of copying charges.- The following shall ordinarily be the scale of the charges for copies:-

(1) Application Fee:

(i). In case of matter regarding RTA/STA Rs. 10 stamp

(ii). In other cases Rs. 5 stamp

(2) Fee for copies:

(i). Ordinary per page (containing 200 words) Rs. 2 stamp

(ii). Urgent per page (containing 200 words) Rs. 5 stamp

(3) In the case of Photostat copy the requisite value of adhesive stamps will be reduced to half of the scale mentioned above other than application fee and the charges of photostating shall be borne by the applicant.

12.25. Use of stamped sheet for copy.- (1) Every application for a copy for which a charge is to be made, shall be accompanied by sheet or sheets of stamped copying paper equal in value to the scheduled charges for the copy of the document in the preceding rule.

If upon any sheet of sheets so supplied, no part of the copy be written, the copiest shall make and sign upon such sheet or upon each of such sheets as the case may be, an endorsement to the following effect filling up the blanks-

"This sheet was used in application No. dated.....if the whole of the copy cannot be made upon the sheet or sheets supplied, the remainder shall be written upon foolscap paper of durable texture. Each sheet of the copy including every sheet supplied shall be stamped with the stamp of the offices and serially numbered by the copiest"

(2) If the application is not accompanied by a sheet of stamped copying paper of the minimum value of Rs. 2/- in case of ordinary, Rs. 5/- in case of urgent, it shall be rejected unless the Head of the Office otherwise directs,

(3) If the application is accompanied by a sheet or sheets of not less than the minimum value as stated in the preceding sub-rule, but the copying fees leviable are found to be in less the value of the sheet or sheets thus filed, the applicant shall be called upon to make up the deficiency is not so made up, the application shall be rejected.

(4) The notice to an applicant indicated in sub-rule (3) above may given by means of a notice in the prescribed Form R.S. 12.5 affixed on the notice board of the office.

12.26. Signing examination and certification of copies.- When a copy has been made, it shall be signed by the person who made it, and it shall be examined, corrected, if necessary, and certified to be true copy by the copiest. If the copy was made by the copiest and the copiest is unable to certify, it shall be examined, corrected, if necessary and certified to be a true copy by some other person, selected by the Head of Office for that purpose.

No copy of a document shall be so certified to be a true copy unless it shows correctly number of words therein and also the value of the stamps if any, in the original document.

No copy shall be delivered to an applicant until it has been examined and certified, in the manner stated above, and countersigned by the Head of Office.

12.27. Heading on Copies.- Every copy shall commence with a heading in the following form:-

Certified copy of (description of paper copies in title of case) Appeal No.(number) or (year) in case of resolution of RTA,STA its resolution No..... and dateand year.....

12.28. Endorsement on a copy.- Every copy shall bear an endorsement showing the following particulars.-

- (a) The number of the application on the register and the year,
- (b) The date, month or year of the presentation of application,
- (c) Number of words copied/page
- (d) Amount of copying fees,
- (e) Name of copiest,

- (f) Name of clerk who compared it,
- (g) Date fixed for issue of copy,
- (h) Date on which copy was ready.
- (i) Date of issue of notice to applicant (if issued), and
- (j) Date of delivery/posting.

12.29. A register of applications for copies disposed of .- A register of applications for copies disposed of shall be maintained in the prescribed Form. R.S. 12.7. All copies issued and all applications disposed of without issue of copies shall be entered in this register,

12.30. Order of priority amongst applications.- Orders made on urgent applications shall have priority over all orders made on ordinary applications. Orders made on applications shall have strict priority amongst themselves according to the date and serial number of the order. Any departure from this rule shall be at once reported to the Head Office with the reasons for such departure and fact of such departure shall be attested by the presiding officer's initials against the entry in register of applications for copies relating to the applications exceptionally treated.

12.31. Urgent copies.- Copy for which an order has been made on an urgent application shall be delivered as rule, not later than the working day next after the day on which the order was made.

12.32. Ordinary Copies.- A copy for which an order has been made on an ordinary application shall be delivered as a rule, not later than the working day, next after the day on which the order was made.

12.33. Date for delivery of a copy.- A definite date not ordinarily exceeding seven days ahead shall be fixed for the delivery of the copy and intimated to the applicant. The copy as far as possible, shall be delivered on the date so fixed. If for any reason, the copy is not ready for delivery on the date so fixed, the applicant shall be directed to attend on another date when the copy may be expected to be ready for delivery.

If the copy is not ready and the applicant does not appear on the date fixed, notice of the next date fixed for the delivery of copy shall be sent to him by post, if he was deposited the necessary postal charges. If necessary postal charges have not been deposited, it shall be affixed on the notice board of the office and an entry shall be made on the application.

12.34. Delivery of a copy when ready.- When a copy is ready and the applicant or his authorized agent is present, the copy shall be given to him. If the applicant or his authorized agent is not present, a notice over the signature of the head of the office shall be affixed to the notice board notifying that the copy is ready for delivery. If from the date of the fixing of the notice, the applicant appears within two months, the copy shall be delivered to him. If the applicant does not appear within this period, the copy shall be destroyed under the order of the Head of the office and entry to that effect being made in the remarks column in the register of copying applications.

12.35. Copies Prohibited.- Except for special reasons to be noted by the Head of the Office upon the back of the application, no copy shall be granted (1) of official correspondence and reports and (2) of a document which is itself a copy and (3) Registration Certificate, Fitness Certificate, License for driving motor vehicle, Conductor License, any other License issued under the Central Motor Vehicles Rules, 1989 and these rules and Trade Certificates.

12.36. A copy of a copy may only be granted if the original document is not traceable,- A copy of a copy may only be granted if the original document is not traceable, or is not accessible to the applicant for the purpose of obtaining a copy. Each page of such copy shall bear in red ink, the remarks that it is a copy of a copy.

12.37. Difficulty to be referred to the Presiding Officer.- In case difficulty arises in complying with an order for a copy, the application and order together with an office report shall be forthwith laid before the Head of Office for orders.

12.38. Repeals and Savings.- (1) On commencement of these rules, the Rajasthan Motor Vehicles Rules, 1951, The Rajasthan licensing Agent engaged in the business of collecting, forwarding and distributing Goods carried by Public Carrier Rules, 1977, Rajasthan State Road Transport Services (Development) Rules, 1965, Rajasthan State Road Transport Corporation, Motor Vehicle Third Party Liability Insurance Funds Rules, 1967, The Rajasthan Motor Accidents Claims Tribunal Rules, 1964, in force in any part of the State immediately before the commencement of these rules shall stand repealed.

(2) Notwithstanding the repeal by sub-section (1) of the Repealed Rules, any notification regulations order of notice issued or any appointment of declaration made of exemption granted or any penalty or fine imposed, any forfeiture cancellation of any other thing done or any other action taken under the Repealed rules and in force immediately before such commencement shall so far as it is not inconsistent with the provisions of the Motor Vehicles Act, 1988, Central Motor Vehicles Rules, 1989 and under these rules be deemed to have been issued made granted done or taken under the corresponding provisions of these rules.

¹[CHAPTER XIII]

Special Provisions Relating to Smart Card

13.1 Driving license on smart card.- (1) Where the Licensing Authority has necessary apparatus for the issue of smart card type driving license, such driving license shall be issued on smart card in Form 7. In respect of renewal, addition of category, address change, issue of duplicate license and entry of driver's badge of all previously issued driving licenses in Form 6 and Form 7 (not on smart card), shall also be made only on smart card in Form 7.

(2) The State register of driving licenses shall be maintained in electronic mode.

13.2 Conductor's license on smart card.- (1) Where the Licensing Authority has necessary apparatus for the issue of smart card type conductor's license, such conductor's license shall be issued on smart card in Form R.S.13.1. In respect of renewal, address change, issue of duplicate licence and entry of conductor's badge of all previously issued conductor's licences in Form R.S.3.3 shall also be made only on smart card in Form R.S. 13.1

13.3. Registration certificate on smart card.- The certificate of registration for all categories of Motor Vehicles registered in Rajasthan shall be issued by Registering Authority in Form 23A from such date as notified by the State Government for this purpose under the rule 48 of the Central Motor Vehicle Rules, 1989. The certificate of registration for vehicles registered prior to the above notified date, shall be issued in Form 23A whenever such vehicles undertake applications in respect to renewal of registration, duplicate certificate of registration, transfer of ownership, change of residence, endorsement of termination of hire-purchase agreements, alteration in Motor Vehicles, issue or renewal of fitness certificate and duplicate fitness certificate,

(2) The State Register of Motor Vehicles shall be maintained in electronic mode.

13.4 Permit on Smart card.- All permits issued in the forms/formats prescribed in rule 5.9 and authorisations in respect to tourist permits and national permits except special permits granted under section 88 (8) of the Motor vehicles Act, 1988 shall be issued on smart card related to registration certificate (Form 23A). All applications relating to renewal, duplicate, replacement, counter-signature, curtailment or extension of the route, change in service, transfer of ownership and surrender, cancellation shall be made on smart card (Form 23A).

13.5. Issuance of hard copy (paper based document) with smart card.- Hard copy of complete document entered in the smart card shall be provided, if so required by the card holder, on payment of fee of rupees One Hundred.”

1. Ins. by Noti No. F7(4) Pari/Rules/Hq/ 92 dated 20-06-2005 (Pub. in Raj. Gaz. Ex-ord. Pt. 4(Ga)(I) dated 20-06-2005)

2- Ins. by Noti. No. F7(38)pari/rules/Hq/2011/14964 date 02-08-2016
