ANDAMAN AND NICOBAR ADMINISTRATION
Secretariat
***

Port Blair, dated the 18th April, 2006

NOTIFICATION

No. /2006/F. No. 32-53/RULES/2001-TR. In exercise of the powers conferred by Sections 28, 38, 65, 95, 96, 107, 111, 138, 176 and 211 read with sub-section (41) of Section 2 of the Motor Vehicles Act, 1988 (Act No. 59 of 1988), the Lieutenant Governor (Administrator), Andaman and Nicobar Islands hereby makes the following rules after the same having been previously published in the Andaman and Nicobar Extraordinary Gazette No. 190 dated 18.10.2004 vide Administration's Notification No.182/2004/F.No.32=53/RULES/2001-TR dated 18.10.2004, as required by sub-section (1) of Section 212 of the said Act, namely:-

CHPATER I

Preliminary

1. Short title, extent and commencement:

(i) These Rules may be called the Andaman and Nicobar Islands Motor Vehicles Rules, 2006

(ii) They extend to the whole of Andaman and Nicobar Islands.

(iii) They shall come into force on the date of publication of this Notification in the Andaman and Nicobar Gazette.

2. **Definitions:**

(i) In these Rules, unless the context otherwise requires:

a) "Act" means the Motor Vehicles Act, 1988.

b) "Board of Inspection" means a team comprising Inspectors of Motor Vehicles appointed by the Commissioner to inspect the Motor Vehicles and issue relevant certificates, etc. under the provisions of the Act and Rules framed thereunder.

c) "Claims Tribunal" means a Motor Accident Claims Tribunal constituted under Chapter XII of the Act.

d) "Commissioner" means the Commissioner-cum-Secretary or Secretary of Andaman and Nicobar Administration in charge of Transport Department.

e) “Andaman and Nicobar” means the areas notified for Districts of Andamans and Nicobars.

f) “Agent or Canvasser” means any person other than a Conductor who engages directly or indirectly.

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

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

g) "Auto rickshaw" means a motor vehicles constructed, adapted or used to carry not more than three passenger excluding the driver for hire or reward and having less than four wheels;

h) "City and Town Service" means a service plying in a city or a Municipal Town or any built up place notified in the Andaman & Nicobar Administration Gazette as "City" or "Town" for this purpose by the Transport Authority concerned with the prior concurrence of the State Transport Authority. No route shall lie entirely outside, but at least one terminus of it shall be within the limits of Municipal town or a city or "town" of "City or Service" route lying partly within and partly outside the limits of the Municipal town or city or any built up place notified for the purposed should not exceed 30 Kilometers:

i) "Double trip" or "round trip" or "return trip" means one to and fro journey from terminus of a route;

j) "Express Service" means a service plying on route covering a distance of not less than 120 kms, the permit for which prescribed that on an average the stage carrier should stop to pick up or set down passengers only once in 25 kms. of the total distance covered by its route, the starting and terminal places being excluded for this purpose;

k) "Magistrate" means a salaried Magistrate in the Union Territory of A&N Islands.

l) "Minibus" means a stage carriage constructed on wheelbase of not exceeding 370cms. and carrying or adapted to carry more than six passengers but not more than twenty five passengers excluding the driver and the conductor;

m) "Ordinary Service" means a service plying in an area other than City and Town service routes and excludes and Express Service;

n) "Passengers-cum-Goods Carriage" means a stage carriage carrying or adopted to carry not more than 30 passengers excluding the driver and conductor with provisions of racks to carry the goods with the Motor Vehicles;

o) "Taxi Meter" means any approved mechanical or electronic device attached to a motor cab or the calculation and legible calculation of fares and other charges due from passenger therein;

p) "Trip or Single Trip" means a single journey from one terminus to the other of a route;

q) "ATR" means the road declared to be Andaman Trunk Road in Andamans District by a Gazette notification from A&N Administration.

r) "Form" means the forms appended to these Rules;

s) "Inspectors of Motor Vehicles" means pollution level Test Inspector/Motor Vehicles Inspector having technical qualifications as prescribed under the Act to inspect Motor Vehicles;

t) Legal Representative" shall have the meaning as assigned to it under clause (ii) of Section 2 of the Code of Civil Procedure, 1908;

u) "Lieutenant Governor" means the Lieutenant Governor of the Andaman and Nicobar Islands appointed by the President under Article 239 of the Constitution of India;

v) "Passenger" means for the purpose of the Rules in Chapter V, any person traveling in a Public service vehicle other than the driver or the conductor or an employee of the permit holder while on duty;

w) "Pollution Under Control Certificate" means a written document indicating that the level of pollution from the exhaust of motor vehicles is within the limits prescribed under the Central Motor Vehicles Rule 1989;

x) "Registered" means registered under the Act;

y) "Section " means a Section under the Act;

z) "State Transport Authority" means the State Transport Authority constituted for the Andaman and Nicobar Islands under Chapter V of the Act;

aa) "Stand" means a place duly appointed as a stand under the provisions of these Rules;

bb) "Travel Agent" means a person engaged in the business of making travel arrangement for tourists for monetary consideration and includes a tourist guide, excursion agent, traveling agent, or tour operator;

cc) "Transport Department" means the Motor Vehicle Department established under Section 213 of the Act;

dd) "Administration" means Andaman and Nicobar Administration.

ee) "UT" means the Union Territory of Andaman and Nicobar Islands

ii. Any word or expressions appearing in these rules, but not defined shall have the same meaning as assigned to given and under the act.

iii. The words and expressions appearing in these rules, but not defined under these Rules, or the Act, shall have the meaning as giving to them under the General Clauses Act, 1897 (No. X of 1897).

CHAPTER - II

LICENSING OF DRIVERS OF MOTOR VEHICLES

3. Licensing authority and jurisdiction:

a) The Licensing Authority:- For the purpose of grant of a license under this Chapter, licensing authority shall be the officer appointed/empowered as such by the Commissioner.

b) Superintendence of Control:- Subject to the general control and superintendence of the UT Administration, the Control over the person appointed as licensing Authority shall vest in the Commissioner;

c) Jurisdiction:- A licensing Authority shall have jurisdiction over the area as specified by the Commissioner;

d) Communication:- The Licensing Authority shall communicate the particulars of an adverse entry received from any other agency /court to all the Zones of the Transport Department for their records;

e) Functions:- The functions of the licensing authority shall be to deal with the issue of driving licenses, conductor's license, under the Act and any other functions as assigned by the Commissioner;

4. Conduct and Hearing of Appeal:

a) Appellate Authority:- The authority empowered under the Act and this Rule to hear an appeal against the decision of the licensing authority shall be the Commissioner;

b) Conduct of hearing of appeals:- An appeal shall be preferred in duplicate in the form of a memorandum, one copy of which shall bear a fee of Rs. 25/- setting forth the grounds of objection to the order of the licensing authority and shall be accompanied by a certified copy of that order;

c) When an appeal is lodged, a notice shall be issued to the authority against whose order the appeal is preferred in such forms as the appellate authority may direct;

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

e. Any person preferring an appeal under the provisions of the Act and of this Rule shall be entitled to obtain the copy of document filed with the licensing authority on payment of a fee at the rate of Rs. 5 per page;

f. The appellate authority may make such orders for the refund of the fee as it may consider just and proper.

5. <u>Issue of Duplicate Licenses/Badges:</u>-

a) If at any time a license or a badge is lost by the holder thereof or it is destroyed, the holder shall forthwith intimate the facts in writing in Form LLD in case of driving license badge and in Form L.Con.A in case of Conductor's license badge, as the case may be, to the licensing authority;

b) Upon receipt of the intimation as aforesaid, the licensing authority shall, if he is not the authority by whom the license was issued, apply to that authority for the particulars of the license and of any endorsements thereon, and after making such enquiries as he thinks fit shall if he is satisfied that a duplicate may properly be issued, issue a duplicate license/badge;

c) When a photograph is affixed in case of a conductor to a duplicate license issued under the provisions of the Rules, the holder of the licence should furnish the Licensing Authority with two clear copies of a recent photograph of himself one of which shall be affixed to the duplicate certificates;'

d) The fee for a duplicate license issued under this rule shall be Rs. 100/- only in the case of a driving license in Form 7 and Rs. 150/- only in case of a conductor's license in from L.COM provided that if the license/badge is lost while in the custody of a court or an authority to which it has been submitted or surrendered in pursuance of the provisions of the Act or these Rules the duplicate shall be issued free of charge;

e) When a duplicate license or badge has been issued upon representation that a license has been lost and the original license or is afterwards found by the holder he shall deliver it forthwith to the licensing authority;

f) Any other person finding driver's/conductor's license or badge, as the case may be, shall deliver it to the holder of the license or to the nearest police station;

g) For the replacement of a photograph, which has become obsolete, the same procedure shall be adopted as prescribed for the issue of a duplicate driving license.

6. Driver's Badge:

a) The driver of a public service vehicle shall display on his left chest a metal or a plastic badge of the shape, size and colour approved by the Commissioner from time to time issued by, and inscribed with, the name of the authority by which an authorization to drive a public service vehicle has been granted and the word “Driver", together with an identification number. The issuing authority for the badges shall be the licensing authority as given in Rule 3;

b) A driver of a public service vehicle shall not hold more than one such badge issued in the UT;

c) The fee for the issue of the badge as aforesaid by the licensing authority shall be Rs. 100/-. If the badge is lost or destroyed, a duplicate badge shall be issued on payment of Rs.100/- as penalty/charges thereof;

d) If at any time the authorization on a driver's license entitling him to drive a public service vehicle is suspended or revoked by any authority or by any Court or ceased to be valid by the efflux by the time, the driver shall within seven days thereof surrender the badge to the licensing authority;

e) An appeal against the order of issuing authority for badges shall be dealt within the same manner as in the case of driving license given in Rule 4;

7. Driver's Uniform:- The driver of a public service vehicle other than driver of State Transport Service (STS), while on duty, shall wear khaki uniform with a name plate in Hindi & English affixed on it. The driver of STS shall wear uniform as prescribed by the STS of A&N Administration.

8. Fee for issue of a Medical Certificate:- The fee for the issue of a Medical Certificate Under Section 8(3) of Motor Vehicle Act in connection with a driver/conductor's license shall be maximum of Rs 50/-.

9. Exemption from Payment of Fee:- No fee shall be charged from the officers of the diplomatic missions and their wives for the driving test and for the issue or renewal of the driving license. However, non-diplomatic persons of the missions or their employees of Indian Nationality shall not be entitled to such exemption;

10. Communication of particulars of Driving Licenses granted by one licensing authority to another licensing authority:-

a) In case a driving license issued by any other State or Union Territory of India is submitted for renewal, and there are good reasons to suspect that it is not genuine or some tampering has been done, the licensing authority

by sending one copy of the renewing form to it and requesting that authority to verify the same within thirty days by post under certificate of posting;

b) In case of renewal of driving license for a vehicle other than MMV/HMV;

i) If particulars are verified by the issuing authority, the licensing authority shall endorse A&N number on the license and renew the same, or

ii) If no reply is received from the issuing authority within stipulated period, the applicant may be put to driving test as defined under sub-rule (3) of Rule 15 of Central Motor Vehicle Rules, 1989 at Government Motor Driving Training School;

c) In case of renewal of Driving license for MMV/HMV, the applicant shall be put to a driving test as if not defined under Rule (3) of Rule 15 of the Central Motor Vehicle Rules, 1989 at Government Motor Driving Training School irrespective of intimation/non-intimation of the particulars from issuing authority.

d) If the applicant qualifies the aforesaid driving test, he shall be issued the driving license after taking from him an affidavit on a non-judicial stamp-paper of Rs. 2/- value regarding the genuineness of the license and its endorsements. Thereafter, the A&N Number shall be endorsed on that license and renewed. The fact shall also be communicated to the original licensing authority by post, under certificate of posting

e) In case the reply from issuing authority indicates that the particulars of driving license have been tampered with or the license is not genuine then the licensing authority shall seize the driving license and may initiate appropriate legal actions.

11. <u>Duties, functions and conduct of Transport Vehicle Drivers and Conductors:</u> The driver and conductor of a transport vehicle:

a) shall, as far as may be reasonably possible having regards to his duties, be responsible for the due observance of the provisions of the Act and of these rules and of the conditions of the permit relating to the vehicle;

b) shall not smoke in or on the vehicle during a journey or when it has passengers on board and shall not be, while on duty, under the influence of drink or drug.

c) shall behave in a civil and orderly manner to passengers and intending passengers;

d) shall be cleanly dressed in such a manner as the State Transport Authority of may specify;

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

f) shall not interfere with persons mounting or preparing to mount on other vehicles;

g) shall not allow any persons to be carried in any public service vehicle in excess of the seating capacity specified in the certificate of registration of the vehicle and any additional number permitted under the terms of permit to be carried standing in the vehicle;

h) shall not willfully deceive or refuse to inform any passenger of intending as to the destination or route of the vehicle or as to the fare of any journey;

i) shall not, save for good or sufficient reason, refuse to carry any person tendering the legal fare;

j) shall, where goods are carried on the vehicles in addition to the passengers, take all reasonable precautions to ensure that the passengers are not endangered or unduly inconvenienced by the presence of the goods;

k) shall not, save for good and sufficient reasons require any persons who has the legal fare to alight from the vehicle before the conclusion of the journey;

l) 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 reason-dispatch;

m) shall, in the event of a stage carriage being unable to proceed to its destination on account of mechanical breakdown or other cause beyond the control of the driver or the conductor, arrange to convey the passengers to their destination in some other similar vehicle, or if unable to do so within a period of half an hour after the failure of the vehicle shall on demand refund to each passenger a proper proportion of fare relating to the completion of he journey for which the passenger has paid the fare;

n) shall not, in the case of stage carriage cause or allow anything to be placed in the vehicle in such a manner as to obstruct the entry or exit of passengers;

o) shall station themselves at the parking places provided within the premises of the aerodrome or port and shall not approach any person for the purpose of getting his vehicle hired;

p) shall strictly adhere to the notified timetable of arrival departure of vehicle from authorized depots and bus stands for the convenience of the passengers;

q) shall not act as an guide to any person or a tout to any shopkeeper;

r) shall carry Government servant in connection with enforcement of the provisions of the Act and these rules specified by the State Transport Authority without charging any fare;

s) shall, in the event of a motor cab fitted with a taxi meter, not set in motion before it is hired and shall stop it immediately when the hirer has noted the reading and the hiring charges are paid;

t) shall, in the event of a motor cab fitted with a taxi meter which is hired by any person being unable to proceed owing to any defect in the mechanism of the tyres of the cab, at once lower the flag to "stopped" or "Break down" and shall not start his meter until such time the defect is remedied;

u) shall not cover or obscure the face of a taxi meter under any circumstances, or at any time and shall not without reasonable excuse, refuse to let the cab for hire when the flag is in vertical position;

v) shall, on demand on by any Police officer in uniform or any officer of the Transport Department in uniform or any member of the State Transport Authority, produce his license or badge for inspection;

w) shall not allow anybody to sit at the bonnet of the vehicle;

x) shall not allow anybody to sit along with him at the driver's seat;

12. Exemption of Driver's of road rollers: The driver of a road roller may be exempted from the provisions of the rules under this chapter;

13. Maintainance of UT Register of driving license in Zonal office and head office: The Union Territory register of driving licenses, as prescribed under Section 26 of the Act, shall be maintained by the officer-in-charge of each Zonal office who shall submit a copy thereof every month by the 5th day of the next succeeding month to the Joint Director of the Transport Department specifically authorized in writing and who shall consolidate and supply a copy of the same to the Central Government as required under sub-section (2) of Section 26 of the

Act, i.e. a printed copy of the consolidated register quarter wise by the 15th day of the next following quarter in Form 10.

14. <u>Authorization of Registered Medical Practitioner:</u>

a) Commissioner may refer any applicant who has been issued medical certificate by any Registered Medical Practitioner for second opinion to a medical officer of any Govt. Hospital/Dispensary, as deemed fit.

b) Commissioner may refer any case to the Medical Council, where the Registered Medical Practitioner is registered for taking necessary action as deemed fit against that Registered Medical Practitioner who has issued Medical fitness Certificate to an unfit person.

c) Commissioner may debar any Registered Medical Practitioner from issuing Medical Certificate for the purpose of obtaining a license under these rules incase he has charged more than the fee prescribed under Rule 8.

d) The Commissioner if he so considers necessary may by an order and for reasons to be recorded therein, disqualify any Registered Medical Practitioner from issuing any certificate for consideration for the Transport Department, under the Act or these Rules.

CHAPTER-III

LICENSING OF CONDUCTORS OF STAGE CARRIAGE

15. Licensing Authority: The licensing authority in the case of Conductor's license shall be same in the case of driving license, given in Chapter II.

16. Appointment of driver or any other person as conductor: A driver or any other person temporarily employed can act as a conductor without license:

(i) When in an emergency it becomes difficult for the permit holder to provide for a conductor for his stage carriage, or where a conductor on duty, for reasons beyond his control cannot perform his duties, the driver of stage carriage may, for a period not exceeding one month, act as a conductor of the stage carriage without holding a conductor's license as required by sub-section (2) of Section 29 of the Act;

(ii) A person other than driver of a stage carriage may act as a conductor without holding a conductor's license for a period not exceeding one month in any calendar year, provided that;

a) He intimates through his employer in advance his intimation so to the licensing authority within whose jurisdiction he intends to act as a conductor.

b) He is disqualified for holding a conductor's license and

c) He carries an authorization from the owner stating the reasons why an unlicensed conductor has been employed.

17. Qualifications, duties, functions and conduct of conductor:

a) No person shall be granted a conductor's license 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 conductors,

ii) he possesses a good moral character,

iii) he posses a valid Adult First Aid Certificate issued by the Directorate of Health Services of the Administration;

iv) he possess working knowledge in Hindi/English Language and

v) he is not below 18 years of age.

b) The licensing authority may decline to issues/renew a conductor's license if he is satisfied that:

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

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

iii) the character or physique of the applicant is such as to render him an unsuitable person to hold a conductor's license;

c) The licensing authority may, for reasons to be recorded in writing, suspend or cancel a conductor's license issued by itself or any countersignature granted in accordance with this rule;

d) Any court by which a conductor is convicted of any offence in connection with his duty as a conductor may cancel the conductor's license;

e) A conductor of a stage carriage shall on demand by the Police officer in uniform not below the rank of Sub-Inspector produce his conductor's license for inspection;

f) Duties and functions of Conductors:

i) a conductor should be jointly responsible with the driver in the performance of their duties and functions given in Rule 11;

ii) in addition to the aforesaid a conductor shall perform to following functions namely;

aa) announce the name of each halting place, bus stand or bus station or is stopping on request just before the vehicle is about to stop.

bb) ensure, before giving signal to the driver to start the vehicle, that the alighting persons have got down and intending passenger have got into the vehicle;

cc) issue ticket immediately on payment of legal fare or freight;

dd) at the conclusion of the journey, make reasonable search in the vehicle for anything left behind by any passenger and shall take into his custody anything so found and further deal with it as is given in Rule 69 under the heading "Lost Property" and

ee) take all reasonable precautions to prevent luggage, which may be carried on the roof of the vehicle, being miscarried, or lost on the way or drenched in the rain;

ff) shall not cause the driver to loiter or unduly delay on any journey;

gg) shall ensure that time table, fare table etc. are clearly and correctly exhibited in the vehicle and that the First Aid Box containing all the articles prescribed;

hh) shall on demand by any passenger who intends to make a complaint against him, give his name and address and the authority, which issued him the license.

18. <u>The form of application for issue of conductor's license:</u>

a) An application for the grant of conductor's license as required by the sub-section (1) of Section 30 of the Act, shall, be made in the form. L. Con. A and shall be accompanied by a medical certificate in Form M.C. Con., valid Adult First Aid certificate from the Directorate of Health Services and the fee as prescribed in sub-section (5) of the said Section 30.

b) Upon receipt of an application for conductor's license, the licensing authority after making such enquiries as may reasonably be necessary to establish the identity of the applicant and after scrutinizing that the applicant is not disqualified for holding a conductor's license, may issue the license in Form L. Con;

19. <u>Renewal of conductor's license</u>:

a) Application for the renewal of conductor's license shall be made in Form L. Con. A to the licensing authority who has issued the license or if the holder has changed the residence, otherwise than by way of temporary absence from his usual place of residence to the licensing authority of the area in which he is residing. The application must be accompanied by the conductor's license, valid Adult First-Aid Certificate issued by the Directorate of Health Services and the fee prescribed in Sub-Section (5) of Section 30 of the Act;

b) Upon receipt of an application of the renewal of the conductor's license, the licensing authority may after making such enquiries as it may deem necessary renew the license;

c) When the authority renewing the license is not the authority which issued the license, it shall intimate the fact of renewal to the authority which issued the license;

20. Issue of duplicate conductor's license:

a) If at any time a conductor's license is lost or destroyed or become illegal or the photograph attached thereto cease in the opinion of the authority by which the license was granted to be reasonable likeness of the holder, the authority shall proceed in the manner as if the conductor's license was a driving license.

b) The fee for the issue of a duplicate conductor's license shall be Rs. 25/- and the application for the duplicate license shall be made on forms, L. Con. A.

21. Conduct and hearing of appeals : The procedure of hearing appeals in the case of conductor's license shall be the same as in the case of appeals with respect to driving license given in Rule 4;

22. Conductor's Badge:-

a) The conductor of stage carriage shall display on his chest a metal or plastic badge in shape, size and colour approved by the Commissioner from time to time issued by and inscribed with the name of the authority by which the conductor's license is granted and the word "conductor" together with an identification number. The issuing authority for badge shall be licensing authority as given in Rule 15;

b) A conductor shall not have more than one such badge in the UT.

c) The fee for the issue of a conductor's badge as aforesaid by the licensing authority shall be Rs. 100/- only. If the badge is lost or destroyed a duplicate badge shall be issued on payment of Rs. 100/- only.

d) If at any time a conductor's license is suspended or cancelled by competent authority or by any court or cases to be valid by the efflux of time, the conductor shall within seven days surrender the badge to the licensing authority;

e) An appeal against the order of issuing authority as regards badges shall be dealt within the same manner as in case of conductor's license given in Rule 21.

23. Conductor's Uniform:

a) A conductor while on duty shall wear a khaki uniform with the name plate, written in Hindi/English, displayed prominently above the left hand pocket of the shirt;

b) The conductor of a State Transport Service shall wear the uniform as prescribed by such State Transport Service.

24. Issue of certificate by Registered Medical Practitioner:

a) The procedure and fee for issue of certificate by a Registered Medical Practitioner for issue of conductor's license shall be same as for a driving license;

b) The medical certificate referred to in sub-rule (1) of this Rule shall be issued in Form M.C. CON.

25. Validity of Conductor's license issued by other State/UT in Andaman & Nicobar Islands: A conductor's license issued by any other State or Union Territory of India, shall be valid in the UT of A&N Islands;

26. Communication of Particulars of Conductors license: In the case of Conductor's license issued by any other competent authority, outside the UT and submitted for renewal in the UT, the same procedure as for a driver's license given in Rule 10, shall be followed.

CHAPTER IV.

REGISTRATION OF MOTOR VEHICLES

27. **Appellate Authority**: The authority to hear appeals under Section 57 of the Act shall be the Commissioner.

28. **Conduct of Hearing of Appeals:** (1) An appeal under Section 57 of the Act shall be preferred in duplicate in the form of memorandum, one copy of which shall accompany a fee of Rs. 50/- setting forth concisely the grounds of objection to the order of the registering authority or Inspector of Motor Vehicles (as the case may be) and shall be accompanied by a certified copy of the order;

(2) When an appeal is lodged a notice shall be issued to the Registering Authority in such forms that the Appellate Authority may direct.

(3) The appellate authority after giving an opportunity to the parties to be heard and after further enquiry if any, as he may deem necessary, may confirm, vary or set aside the order of the Registering Authority or the Inspector of the Motor Vehicles, as the case may be, and shall make an order accordingly.

(4) Any persons preferring an appeal under the provisions of the Act and or this rule shall be entitled to obtain a copy of any document filed with the Registering Authority, or the Inspector of Motor Vehicles in connection with any order against which he is preferring an appeal on payment of the fee at the rate of Rs. 10/- per page;

29. **Refund of Fees:** The Appellate Authority may make such order as to the refund of the fees as appears to be just and equitable.

30. **Registering Authority:** The Registering Authority shall be any officer appointed or empowered by the Commissioner.

31. **Issue/Renewal of Certificate of Fitness:** (1) When a transport vehicle is produced for the issue/renewal of the certificate of fitness after the expiry of validity of last certificate of fitness and no intimation is given regarding its non-use by the owner of the vehicle by surrender of its registration certificate to the Registering Authority, the vehicle shall not be deemed to be validly registered under Section 40 and in addition to fresh registration fee, a late fee at the rate of Rs. 20/- per day shall also be paid by the vehicle owner before the issue/renewal of the certificate of fitness under Section 56 of the Act.

(2) At the time of the issue/renewal of registration certificate or certificate of fitness, the vehicle owner shall submit a proof of residence as given under Rule 4 of the Central Motor Vehicles Rules, 1989.

32. **<u>Issue of Duplicate Certificate of Registration/Fitness:</u>** (1) For transport Vehicle:

a) If at any time the certificate of registration of a transport vehicle is lost, destroyed or mutilated, the owner shall forthwith intimate the facts in writing to the registering authority by whom the certificate of registration was issued or by whom the registration mark of the vehicle was assigned under sub-section (6) of Section 41 of the Act and shall apply in Form 26 to the said authority for the issue of a duplicate certificate of registration. In case certificate of registration has been lost, a copy of the first information report lodged with the police shall also be furnished by the owner along with his application;

b) upon receipt of an application in Form 26 along with a proof of his present residence together with a prescribed fee, the registration authority may, after making such enquiries as appear necessary and obtaining a 'No Objection Certificate' from the A&N Islands Traffic Police and from the Enforcement Branch of the Transport Department and obtaining particulars of the original certificate of fitness from Chief Motor Vehicle Inspector, "No due certificate" from the Recovery Branch of the Transport Department, etc., issue in Form-23 a duplicate certificate of registration and a certificate of fitness in Form 38 clearly stamped "DUPLICATE" in red ink;

c) application for duplicate certificate of fitness shall be on a plain paper giving full particulars together with a fee of Rs. 50/- only.

(2) Vehicle other than transport vehicle:

a) If at any time the certificate of registration of a vehicle other than a transport vehicle is lost, destroyed or mutilated, the owner shall forthwith intimate the facts in writing to the registering authority by whom the certificate was issued or whom the registration mark of the vehicle was assigned under sub-section (6) of Section 41 of the Act and shall apply in the Form 26 to the said authority for the issue of the duplicate certificate of registration;

b) upon receipt of application in Form 26 together with a prescribed fee, the Registering Authority may after making such enquiries as appear necessary, issue in Form 23 a duplicate certificate of registration clearly stamped "DUPLICATE' in red ink;

c) application for duplicate certificate of fitness of the above vehicles shall be on a plain paper giving full particulars together with a fee of Rs. 50 only.

3) Procedure when a lost certificate is subsequently found:

a) When a duplicate certificate of fitness or certificate of registration has been issued upon representation that the original has been lost and the original is after wards found by the holder, the original certificate of fitness or certificate of registration shall be delivered forthwith to the Registering Authority;

b) Any other person finding a certificate of fitness or a certificate of registration shall deliver to the holder or the nearest police station or to the Registering Authority as early as possible.

33. <u>Entry of Revised Registration Weight:</u> If the gross vehicle weight entered in the certificate of registration is to be altered in accordance with the provisions of sub-section (5) of Section 58 of the Act, then the Registering Authority will send to the owner of such vehicle a notice under registered cover acknowledgement due requiring the owner to produce the certificate of registration personally or through some authorized person within 15 days of the receipt of the notice for the alteration, failing which the registration certificate will be deemed to be cancelled;

34. <u>Temporary Registration of Motor Vehicles and issue of Temporary Certificate of Registration Mark:</u> (1) When the purchase of the vehicle which is not previously registered and the owner/purchaser:

a) desires to drive his vehicle to the office of Registering Authority for the purpose of inspection and registration of the vehicles; or

b) is unable to obtain a certificate of registration in the ordinary course owing to the temporary closure of the Registering Authority; or

c) is required in accordance with the provisions of Section 40 of the Act to obtain the certificate of registration elsewhere than in the UT;

he may be granted a temporary certificate of registration and temporary registration mark, which shall for the time being serve all the purposes of a regular certificate and registration mark;

(2) Temporary certificate of registration may be granted and the registration marks may be assigned by the Registering Authority.

(3) A temporary certificate of registration or a temporary registration mark shall not be issued except in respect of a vehicle, which has not previously been registered under the Act.

(4) Every application for a temporary certificate of registration shall be in writing and shall indicate the district or place where the vehicle is intended to be produced for permanent registration. It shall be supported by a certificate from the person or firm from whom the vehicle has been purchased to the effect that it has been sold to the applicant on the day when the certificate is signed.

(5) On presentation of the application with its accompanying certificate an authority empower under sub-rule (2) above may issue a temporary certificate of registration in Form CR Tem. Foil A. This Form shall be handed to the applicant. If the place in which it is intended permanently to register the vehicle is in India, Foil B shall be dispatched immediately to the registering authority of the district in which it is to be registered. In other cases Foil B shall be dealt with according to such directions as may be issued by the Commissioner from time to time. The counterfoil together with the application and its accompanying certificate shall be kept on record by the authority issuing certificate and shall be exhibited for the inspection of the Registering Authority. The counterfoil with the connecting application and certificate shall be preserved for a period of not less than twelve months from the date of issue.

(6) In case of vehicles intended to be permanently registered in any other State or Union Territory of India, the registering authority on receiving Foil B under the preceding sub-rule shall forthwith send an acknowledgement to the authority which issued it and that authority shall attach the acknowledgement to the counterfoil.

(7) A temporary certificate of registration shall not be valid for more than one month except in the case of a chassis, which is detained in the workshop for being fitted with the body. In such case, the period may be extended upto three months on payment of additional fee of Rupees three hundred only;

(8) An authority issuing a temporary certificate of registration shall at the same time assign to the vehicle a distinguishing mark, to be displayed on in a manner prescribed for distinguishing marks assigned under Section 43 of the Act, the letters and figures composing the mark being in red on yellow ground.

35. <u>Pollution Under Control Certification</u>: No vehicle shall be registered in A&N Islands without "Pollution Under Control" certification by concerned zonal office or Inspector/Sub-Inspector, Incharge Traffic. It will also apply to the issue of temporary registration.

36. <u>Exhibition of Particulars</u>: The particulars as referred to under sub-section (2) of Section 8 of the Act and other prescribed particulars shall be exhibited on the left hand side of every transport vehicle.

37. Exemption from payment of Fee: Notwithstanding anything contained in these rules, the Commissioner may, by an order, exempt a person or a class of persons from payment of fee for the issue of renewal of a registration certificate.

38. Forms to be used: The following forms shall be used other than those prescribed by the Central Government for the purpose of this chapter.

S. No.	Form	Subject
1.	C.R. Tem.	Temporary Certificate of Registration
2.	C.F.X	Refusal to renew a Certificate of Fitness
3.	R. Tem.	Temporary Receipt for Certificate of Registration
4.	TVC	Road Tax Verification Certificate

39. Communication of the Particulars of Vehicles Entering the UT from outside: When any motor vehicle which is not registered in the UT has been kept in the UT for a period exceeding 14 days, the owner or the other person in charge of the vehicle shall send intimation to the Registering Authority, and shall intimate:

a) his name and permanent address, and his address for the time being;

b) the registration mark of the vehicle;

c) the mark and description of the vehicle; and

d) in case of a transport vehicle the date on which the permit has been issued or countersigned within the UT.

40. Amount to be paid for the period of delay: The amount to be paid for the period of delay as laid down under sub-section (7) of Section 47 or sub-section (4) of Section 49 or sub-section (5) of Section 50 of the Act shall be rupees ten per month or a part of the month subject to maximum of rupees one hundred only.

41. Extension of validity of certificate of fitness pending consideration: (1) Pending consideration of an application for the renewal certificate or pending carrying out of repairs to the vehicle, the Board of Inspection shall note the condition on the Form C.F.X under which it shall be permissible for the vehicle to be used pending the grant of renewal of the certificate. These conditions shall in no case permit the use of the vehicle for the conveyance of passengers for hire or reward or for the carriage of goods other than the goods carried in connection with the repairing of the vehicle.

(2) If the Board of Inspection defers his decision under sub-rule (1) above and supplies the owner of the vehicle or his agent with the list of defects in Form C.F.X and if thereafter the vehicle is not produced before the same Board of Inspection for further examination within a period of two months (or such longer period as may have been specified by the Board of Inspection in the Form C.F.X.), the certificate of fitness, if it is not already expired, shall be deemed to be cancelled with effect from the date when it was suspended.

(3) In issuing or renewing a certificate of fitness, the Board of Inspection shall endorse thereon for which the certificate shall remain effective and the date, time and place appointed for next inspection of the vehicle.

(4) The fee for issue of certificate in Form C.F.X shall be Rs.50/-.

42. **Exemption:** The Commissioner may give exemption from the provisions of this chapter subject to such condition and on payment of due fee as prescribed by him for the exemption of Motor Vehicles in the possession of dealers in motor vehicles.

43. Information regarding stolen and recovered vehicles: The information regarding stolen and recovered vehicles shall be furnished by the Police Department, A&N Islands to the Commissioner every month so as to reach him latest by the fifth day of the following month to which it pertains.

44. Maintenance of UT Register of Motor Vehicles: The UT Register of Motor Vehicles shall be maintained in each Zonal Office and its copy shall be endorsed to Joint Director of Transport Department every month in Form 41.

45. Temporary receipt for a certificate of registration/certificate of fitness: (1) When the holder of a certificate of a registration or a certificate of fitness of a transport vehicle has submitted them to a Registering Authority or other authority for any purpose under the Act or these rules and neither the certificate of registration nor the certificate of fitness has been suspended or cancelled, the registering authority shall furnish him with a receipt for the certificate of registration in Form R. Tem. and during such time as the receipt shall be specified to remain in force it may be produced in place of certificate of registration or the certificate of fitness.

(1) Any authority granting a receipt under the preceding sub-rule may at his discretion extend the term thereof by order endorsed thereon.

(2) No fee shall be payable in respect of a receipt given under this rule.

46. **Issue of road tax verification certificate:** The fee for the verification of the road tax shall be rupees twenty per vehicle and the road tax verification

certificate shall be issued in Form T.V.C. on receipt of an application from the owner of the vehicle and on payment of the verification fee;

47. <u>Exemption from provisions of this chapter in general</u>: The Commissioner may by order in writing exempt any vehicle, and any person or class of persons from the provisions of the rules given in this chapter.

CHAPTER V

CONTROL OF TRANSPORT VEHICLES

48. State Transport Authority: (1) An official appointed to be the member of the State Transport Authority shall continue unless otherwise ordered by the UT Administration for a period of one year and thereafter until a successor is appointed. A non-official member of the State Transport Authority shall hold office for a period of one year and thereafter until a successor is appointed provided that the U.T Administration may at any time remove a non-official member on any ground, which it thinks proper and fit.

(2) A non-official member of the State Transport Authority shall be entitled to receive a fee of Rs.100/- for every day on which he attends a meeting of the authority and any such member performing any journey under the orders of the Chairman in connection with the Business of the Authority, other than to attend a meeting of the Authority, shall be entitled to receive traveling and halting allowance at the scale and on the conditions admissible to a Government servant of the Grade 'A' service.

49. Meeting of the State Transport Authority: (1) The State Transport Authority shall meet at such times and at such places as the chairman may appoint.

(2) Not less than ten days notice shall be given of any meeting of State Transport Authority.

(3) Two members shall constitute the quorum.

(4) The chairman, if unable to attend a meeting, shall nominate a member to act as Chairman at the meeting.

(5) The Chairman, or the acting Chairman nominated under the preceding sub-rule shall have a second or casting vote.

50. Conduct of business of State Transport Authority: (1) Subject to the provisions of the Act and these rules and to the approval of the UT Administration, the State Transport Authority shall have power to make byelaws, and the business of such authority shall be conducted accordingly under the directions of the Chairman.

(2) The Secretary shall lay before the State Transport Authority the agenda to be considered at any meeting.

(3) Save in the case of the hearing of an objection to the grant of the stage carriage permit or a public carrier's permit and in the case of hearing of a

representation under the Act, the State Transport Authority may decide any matter without holding a meeting by the majority of votes of members recorded in writing and send it to the Secretary (here in after referred to this procedure by circulation).

(4) In the event of procedure by circulation, the Secretary shall send to each member of the State 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 the date by which the votes of members are to be received in the Office of the State Transport Authority. Upon receipt of 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 application or other documents, as the case may be, according to the votes received and the vote or the 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 a member of the State Transport Authority at regular constituted meeting of the State Transport Authority.

No decision shall be made upon procedure by circulation if before the date by which the votes of the members are required to reach the Office of the State Transport Authority, not less than one third of the members of the State Transport Authority by notice in writing to the Secretary demand that the matter be referred to a meeting of the State Transport Authority.

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

(6) The State Transport Authority, may summon any applicant for permit to appear before it and may decline to grant the permit until the applicant for permit to appear before it and may decline to grant the permit until the applicant has so appeared either in person or by an agent authorized by him in writing and until the applicant has furnished such information as may reasonably be required by the State Transport Authority in connection with the application.

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

(8) When a matter is decided by the votes of the members present at the meeting of the State Transport Authority no person other than the member of the State Transport Authority shall be entitled to be present and no record of the voting shall be kept save of the number of the votes cast on either side.

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

51. Refusal to consider applications for permits: When the UT Administration, if so directed by Central Government under the Act, impose a limit upon the number of permits of any class which may be granted for a specified route or a specified area and has already granted such number of permits of that class the State Transport Authority shall decline to consider further applications for such permits in respect of any such route or area.

52. Hearing of application or representation: Any person or authority who has made an application or representation in connection with any type of permit to the State Transport Authority under the provisions of the Act, may appear before the State Transport Authority upon the date appointed for the consideration of hearing the application or the representation in person or by a representative authorized by him or by it as the case may be, in writing in this behalf;

53. Application for permits: (1) Every application for a permit in respect of a transport vehicle shall be addressed to the Secretary, State Transport Authority, A & N Islands and be in one of the Form prescribed in different categories of vehicles as under.

Category of Transport vehicle	Form
Particular Stage Carriage	P.St.A.
Reserve of Stage Carriage	P.R.S.A.
Contract Carriage	P.C.A.
Goods Carrier	P.G.A.
Temporary Permit	P.Tem.A.
Private Service Vehicle	P.S.A

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(2)(a) Application for the renewal of permit countersignature shall be made in Form P.R.A and addressed to the Secretary of the State Transport Authority by which the permits was issued/countersigned not less than fifteen days before the expiry of the permit and shall be accompanied by the permit.

(b) The applicant shall state the period for which the renewal is required and shall be accompanied by the prescribed fee.

(3) In granting any permit the State Transport Authority shall have powers to modify the terms of the application in a reasonable degree, and in such case the application shall be deemed to be an application for a permit in the form granted.

54. **Forms of Permit**: (1) Every permit issued shall be in one of the following forms:

Forms	Permit in respect of
P.St.C.	Particular Stage Carrier
P.R.S.C.	Reserve of Stage carriage
P.C.C.	Contract Carriage
P.Pr.C.	Private Goods Carrier
P.Pu.C.	Public Goods Carrier
P.Tem.	Temporary Permit
P.S.C.	Private Service Vehicle

(2) Save in the case of a temporary permit, every permit shall be issued, together with a number of copies of permit equal to the number of the vehicles which the holder of the permit is permitted to have in use on the road at any one time. Each such copy shall carry in addition to the number of the permit a separate serial number contained in brackets after the number of the permit, and shall be sealed and signed by the Secretary of the State Transport Authority.

(3) The holder of the permit shall cause the relevant copy of permit or the temporary permit, as the as may be, to be carried in frame or other suitable container affixed to the inside of one of the doors used by passengers for gaining access to the vehicle in the case of public service vehicle and one of the doors used for gaining access to the driver's seat in the case of goods vehicle and shall maintain it in a clean and legible manner. Each public service vehicle must also display the entire route as given in the permit in bold letters.

55. **Entry of registration marks on permit :** (1) Save in the case of temporary permit, where the registration marks of the vehicle is to be entered in the permit and the applicant is not on the date of the application in possession of the vehicle duly registered, the applicant shall within one month of the sanction of the application by the State Transport Authority, or such longer period as the State Transport Authority may specify, produce the certificate of registration of the vehicle before the State Transport Authority in order that particulars of the registration mark may be entered in the permit;

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

56. Issue of duplicate permits: (1) When any permit has been lost or destroyed the holder shall forthwith intimate the fact to the State Transport Authority and shall deposit the prescribed fee for the issue of a duplicate.

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

(3) A duplicate permit or duplicate part of a permit issued under this rule shall be clearly stamped duplicate in red ink.

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

(5) The fee for the issue of the duplicate permit or the part of the permit shall be Rs.100/-.

(6) Any permit or the part of the permit found by any person should be delivered by the person to the nearest Police Station or to the holder or to the State Transport Authority and if the holder finds or receives any permit or the part of the permit in respect of which a duplicate has been issued, he shall return the original to the State Transport Authority by which it was issued.

57. Special marks to be exhibited on stage carriage when in use as a contract carriage: (1) No stage carriage or vehicle forming part of the service of stage carriage shall be used as contract carriage unless a board is affixed on each side of the vehicle showing that it is for the time being in use as such and not as the stage carriage;

(2) The boards required by the preceding sub-rule shall exhibit the words "On Contract" in red letters on a white ground, the letters being of a size not less than that the prescribed for the numerals of a registration marks and shall be affixed in prominent and unobscured position at or near roof level;

(3) The board required by sub-rule (1) shall be affixed before the commencement of any trip for which the vehicle is being needed as a contract carriage and shall be kept throughout the whole trip, and any board or mark indicating the route or routes on which the vehicles is operated at other times shall be removed or covered up throughout the trip.

58. Route plan and fare table: Every stage carriage which has been allotted specified route shall carry route plan duly attested by the Secretary, State Transport Authority showing the place of origin, termination via and detailed route it has to follow. The detailed route plans shall be exhibited inside the vehicle also giving the road map it shall follow unless specifically prohibited by the Traffic Police at the time of emergency. A fare table giving details of fare from one stage to another duly attested by the Secretary, State Transport Authority shall also be displayed permanently inside stage carriage.

59. Fees to be paid in respect of permits: (1) The following fees shall be payable for the issue and the renewal of the permit and for the countersignature of permits under the Act;

Type of vehicle	Fee payable
(a) For issue or renewal of permit valid for five years in case of a Heavy Motor Vehicle	Rs. 2,500/- (Rupees two thousand five hundred only).
(b) For issue or renewal of permit valid for 5 years in case of vehicle other than HMV	Rs. 1,500/- (Rupees one thousand five hundred only).

(2) In the case of reserve of stage carriages the fees payable shall be calculated on the maximum number of vehicles, which the permit holder is authorized to have in operation at any time.

(3) The fees shall be paid in advance.

(4) If any fee is not paid by the due date, the permit or the countersignature (as the case may be) shall forthwith cease to be valid.

(5) In case the State Transport Authority extends the effects of a permit to any other area or route, a supplementary fee shall be payable at the same rate as if the permit has been countersigned for the second region.

(6) For a temporary permit granted under Section 43 of the Act, a fee of Rs.20/- per day shall be payable.

(7) The fee for a temporary permit issued or renewed for the period of four months at the time shall be Rupees Five Hundred only.

(8) The fee payable for issue of a duplicate permit or part thereof shall be Rupees One Hundred only.

60. Exemption from payment of fees: (1) No fee shall be payable for the permit issued to a foreign Embassy in India.

(2) The Commissioner may, by order in writing, exempt any person from the payment of the prescribed fee in this chapter.

61. Custody, production and cancellation of permits: (1) Permit shall be produced on demand made at any reasonable time by a person authorized by the Chairman or the Secretary, State Transport Authority or any Police Officer not below the rank of Assistant Sub-Inspector.

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

(3) The holder of the permit may at any time surrender it to the State Transport Authority and the said Authority shall forthwith cancel any permit so surrendered.

(4) When the State Transport Authority suspends or cancels any permit:-

(i) the holder shall surrender permit within seven days of the receipt of a demand in writing by the State Transport Authority;

(ii) the State Transport Authority shall send intimation to any other authority by which the permit has been countersigned.

62. Validity of the permit issued by other Region : (1) There shall be no Regional Transport Authority for the Union Territory of A & N Islands. There shall be only one State Transport Authority for the whole of Union Territory of A&N Islands;

(2) The Zonal Office(s) shall work as branch office(s) of the Transport Department performing the functions as assigned by the Commissioner.

63. Condition attached to permit for giving effect to agreement: The permits issued as result of any agreement with any other State shall be subject to the conditions as laid down in the agreement. These conditions may be altered/Amended at any time as a result of change in such agreement and the said permit may be revoked or terminated as result of such agreement;

64. Appeal against the orders of the State Transport Authority: (1) The authority to decide an appeal against the order of the State Transport Authority shall be the State Transport Appellate Tribunal constituted Under sub-section (2) of Section 89 of the Act.

(2) An appeal to the State Transport Appellate Tribunal Under Section 89 of the Act against the order of the State Transport Authority shall be made in the form of a memorandum submitted in duplicate setting forth the ground of objection to the order of the State Transport Authority, and shall be accompanied by a certified copy of the order appealed against and a fee of Rupees Two Hundred only in cash. The ground of objection to the order shall be stated concisely and under distinct heads, without any argument of narrative and numbered consecutively;

(3) When an appeal Under Section 89 of the Act is preferred to the State Transport Appellate Tribunal, the Secretary, State Transport Authority, shall give to any person interested in the appeal or revision, on the application, copies of any document connected therewith and filed with him, on payment of Rupees Ten only per page copy of each such document.

(4) After the State Transport Appellate Tribunal has admitted an appeal it shall appoint time and place for the hearing of the appeal, and give an intimation to the authority against whose order appeal or revision application is made, also the appellant or applicant concerned and any other person likely to be affected by the grant of the relief prayed for, such appellant, respondent or the person interested shall appear before the said Tribunal in person or through an authorized representative with the original document or record pertaining to the case on the appointed date and at the place of hearing and subsequent hearings, if any;

(5) The Secretary, State Transport Authority shall within fourteen days of the receipt of such intimation send all the original documents and records pertaining to any appeal or revision application with proper index and paging to the State Transport Appellate Tribunal when the same are called by it. The said Tribunal may, after following the procedure and after such further enquiries, if any, as it may consider necessary, confirm, vary or set aside the order against which an appeal or revision application is made or pass such order in relation with the fact of the case it deems fit, and shall make an order accordingly.

(6) The State Transport Appellate Tribunal upon hearing an appeal may make such order as to cost as appears to be just and equitable;

65. <u>Equipment to be carried by State and Contract carriages:</u> (1) Every stage/contract carriage shall carry a first aid box containing the following articles, namely:

i. Sterilized finger dressings;

ii. Sterilized hand and foot dressings;

iii. Sterilized large or body dressings;

iv. One extra large, two large and three small sterilized burn dressings;

v. Two 15 grams packets of sterilized cotton wool;

vi. A bottle of two percent, tincture iodine;

vii. A bottle of Sal Volatile.

viii. Empty bottle fitted with Dropper for eye drops.

ix. 55 grams medicine glass;

x. Any other article/medicine prescribed as considered to be necessary for providing first aid facilities.

(2) The State Transport Authority may, as a condition of grant of any permit, require any public service vehicle to be equipped with a fire extinguisher of the type specified by the State Transport Authority in consultation with the Andaman and Nicobar Police Fire Service and may require that such fire extinguisher shall be got inspected at such intervals and by such persons/authority as the State Transport Authority may specify from time to time.

(3) Save as otherwise specified by the State Transport Authority in respect of Municipal or Panchayat areas, every public service vehicle shall at all times be equipped with pneumatic tyres in good and sound condition readily inflated and mounted in such a way that it can be easily dismounted and fitted to the vehicle in the place of any one of the roads wheels.

(4) 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 spare wheel or rim and tyre into use or when vehicle is going for repair purpose.

5. Every public service vehicle shall at all times be furnished with an efficient jack and other tools necessary to change the wheel or rim or tyre and with the equipment necessary to repair the puncture, including the followings, namely:

(i) Spanners to fit every nut of the vehicle;

(ii) One screw driver;

(iii) One pair of pliers;

(iv) One hammer;

(v) Two tyre levers;

(vi) Tyre repair outfit;

(vii) Tyre pump;

(viii) Wheel jack;

(ix) One spare headlight bulb and one spare rear lamp bulb;

(x) A supply of spare fuses.

68. <u>Number of passengers to be carried in a stage or contract carriage:</u> (1) Save with the special permission of the State Transport Authority, no permission or countersignature on a permit shall authorize of conveyance of more than a number of passengers as authorized in the registration certificate in any stage carriage or contract carriage;

(2) Notwithstanding with the provisions contained in the sub-rule (1), vehicle of the State Transport Service may carry standing passengers upto the prescribed limits by the State Transport Authority;

(3) Notwithstanding anything contained in these rules, no public service vehicles other than a motor car shall be registered for a number of passengers in excess of the numbers contained by subtracting 120 Kilograms from the difference in Kilograms between the registered laden and unladen weight of the vehicle and dividing the resulting figure by 70 in case of a single decked vehicle and 60 in case of double decked vehicle, or such number of passengers that when the vehicle is loaded in the normal manner, the axle weight of any axle will exceed the registered axle weight for that axle;

67. <u>Carriage of children and infants in a public service vehicle</u>: In relation to the number of the persons permitted to be carried in a public service vehicle:

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

(ii) a child of not more than three years of age shall not be reckoned.

68. <u>Carriage of goods in stage and contract carriage</u>: (1) No goods shall be carried on the top of the deck of the double-decked stage carriage.

(2) No goods liable to foul the interior of the vehicle or render it in sanitary shall be carried at any time in any stage carriage or contract carriage.

(3) The State Transport Authority may specify in any permit the goods, which shall not be carried in any stage carriage or a contract carriage or the conditions subject to which certain classes of goods may be so carried.

(4) Subject to the provisions of the preceding sub-rules, goods may be carried in the stage carriage or contract carriage at any time in accordance with the conditions specified in the permit, provided that the obligation of the holder to carry passengers in accordance with the terms of the permit is discharged.

(5) If the holder of the stage carriage permit uses a vehicle authorized by the permit for the carriage of the goods for the detriment of the public convenience by failing thereby to meet demand for passengers transport, the State Transport Authority may after giving the holder an opportunity of being heard, declare that

the breach of conditions of the permit has occurred and may thereafter proceed under the provisions of the Act.

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

(7) The weight in kilograms of goods (other than the luggage and personal effects allowed under sub-rule (8) of this rule) carried in a stage carriage or motor cab shall not exceed (N-X) 75, the letters in the formula signifying, N-the maximum numbers of passengers for which the vehicle might be registered under these rules;

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

(8) Except as permitted by sub-rule (7) of this rule not more than 14 kilograms of luggage and personal effects for each passenger shall be carried in each stage carriage.

(9) The State Transport Authority may impose conditions on the use of any contract carriage in regard to the weight of luggage and goods, which may be carried therein generally or in any specified area.

69. Lost Property: (1) The driver of public service vehicle or conductor of a stage carriage shall, at the conclusion of every journey make a search in the vehicle for anything left by any passenger and shall take into his custody anything so found and shall immediately hand over the same to the person in charge of the office of the permit holder of the vehicle or to the permit holder himself or to an officer in charge of the police station, and shall likewise take into his custody and deal with anything so found in the vehicle with any other person.

(2) The person in charge of the office of the permit holder of the vehicle or the permit holder himself, as the case may be, shall keep these articles lying with him for a period of seventy-two hours and if during the period, nobody claims them, the property shall be deposited at the nearest police station as unclaimed property.

(3) If during a period of seventy-two hours, the owner of any article claims the same, then after the verification of the claim, the article may be made over to him

by the person incharge of the permit holder of the vehicle or the permit holder, as the case may be.

(3) Nothing in this rule shall apply to the State Transport Service, which may follow their own rules/procedure prescribed by the State Transport Service to deal with lost properties of passengers.

70. Painting/marking and display of advertising material on Transport vehicle: (1) Every public service vehicle and all parts thereof including paint work or varnish shall be maintained in a clean and sound condition and the engine mechanism and all working parts in reliable working order.

(2) No advertising device, figure or writing shall be exhibited on any public service vehicle, save as may be permitted by the State Transport Authority by general or specific orders.

(3) A public service vehicle when regularly used for carrying Government mail by or under a contract with the Indian Postal and Telegraphs Department may exhibit in a conspicuous place upon a plate or a plain surface of the motor vehicle the words "Mail" in red on white ground, each letter not being less than 15 centimeters in height and of a uniform thickness of 2 centimeters.

(4) No public service vehicle, other than "contract carriage", shall ply on hire unless it clearly exhibits on the front top of the vehicle immediately above driver's seat, a route board, enabling the starting place, destination and registration number to be read by any person approaching the vehicle. Public service vehicle used for local service shall be illuminated by a white light from half an hour before the sun set to half an hour after the sun rise

(5) No motor vehicle, other than a taxi cab, shall be painted in a colour or colours prescribed for motor cabs in this rule and no motor cab shall be permitted to ply if it does not confirm to the provisions of this sub-rule, namely:-

(a) colour of hood of all motor cabs (except tourists) shall be painted in cream yellow and rest of the body in black;

(b) the permit number in addition to the registration mark, shall be painted on the cab in white in a red circle, the size of number being 5 centimeters in height and 4 centimeters in breadth at four different places;

(i) on left hand top portion of the windscreen readable from inside;

(ii) on the rear boot against black background;

(iii) on the left front door against black background;

(iv) on the right front door against black background;

(6) (i) The registering authority subject to the provisions of the Act, shall not register the vehicle in the UT painted in the following colours namely:-

(a) Olive green, and

(b) Disruptive pattern with combination of colors as used by security forces or Para military forces.

(ii) In case any motor vehicle is found plying in the UT in contravention of the provision of clause (i) above or the Rules 50 and 51 of the Central Motor Vehicles Rules, 1989, then it shall be prosecuted and its registration shall be liable for cancellation.

(7) The registering authority may, subject to the provisions of the Act, require the owner of the motor vehicle to produce a certificate that the vehicle is not to be painted in olive green or disruptive pattern.

71. Conveyance in stage carriage or contract carriage of corpses or persons suffering from contagious disease: (1) No driver or conductor of a public service vehicle 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 infectious or contagious disease or the corpse of any persons whom he knows or has reason to believe to have been suffering from any such disease.

(2) Notwithstanding the provisions of sub-rule (1) above the driver and the conductor may, upon application in writing by a registered medical practitioner, allow a person suffering from an infectious or contagious disease or the corpse of any such person to be carried in a public service vehicle provided that no other person or persons in attendance of the sick person, shall be carried in the vehicle at the same time.

(3) When a person suffering from an infectious or contagious diseases or the corpse of any such person has been carried in a public service vehicle, the driver and the conductor of the vehicle shall be responsible that the fact is reported to the authorized medical officers of health department and to the owner of the vehicle, and neither the owner nor the driver nor the conductor shall cause or allow any person to use the vehicle under the driver and the conductor and the vehicle has been disinfected in such a manner as the said medical officer may specify and a certificate to this effect has been obtained from the said medical officer.

72. Disinfection : All passenger buses shall be disinfected once in two months and the owner shall furnish a certificate to this effect to the State Transport Authority.

73. <u>Provision of Taxi Meters on Motor cabs</u>: (1) Every Taxi/Auto Rickshaw shall be fitted with any measuring instrument (Fare Meter) duly approved, tested and sealed by Director (Civil Supplies)/Assistant Director (Weights & Measures), Civil Supplies Department, A&N Islands or an Inspector (Weights & Measures) of the Department, duly authorized by the Director (Civil Supplies) for that purpose.

(2) A permit holder required to fit a Fare Meter shall produce the fare meter fitted to the vehicle before the Inspector (Weights & Measures) referred to in sub-rule (1) above, so that it may be tested and sealed and shall produce the fare meter for examination before the expiry of the permit of validity of certificate for verification or whenever for any reason it has become necessary to break the seal.

(3) A permit holder shall furnish a certificate issued by the Director (Civil Supplies) or the Assistant Director / Inspector (Weights & Measures) of the Civil Supplies Department to the effect that the fare meter has been verified for the purpose of sub-rule (2).

(4) No person shall drive or cause or permit to be driven any motor cab or auto-rickshaw, if the fare meter is not attached to the vehicle and sealed or if he knows or has reasons to believe that the meter is not accurate or it is not in proper working order.

(5) No fare meter, which is in any way defective, shall be fitted to any motor cab or auto-rickshaw and no motor cab or auto rickshaw, which is in any way fitted with a defective fare meter, shall be used in any public place.

(6) Upon service of a notice by an Inspector of Weights & Measures, the owner of any motor cab or auto-rickshaw, prohibiting the use of the fare meter shall at once be removed and the motor cab or auto-rickshaw shall be immediately withdrawn from the service.

(7) The driver of motor cab or auto-rickshaw fitted with a fare meter shall not set it in motion before it is hired and shall immediately stop when hirer has noted the reading and the fare charges are paid.

(8) A motor cab or an auto-rickshaw shall be considered to be hired from the time it has been engaged or if called from a distance from the point of such call.

(9) If the driver or any motor cab or auto-rickshaw fitted with a fare meter which is hired by any person is unable to proceed owing to any defect in the mechanism of the meter thereof, he shall at once lower the flag to “stopped” or “break down’ and shall not restart his meter until such time the defect is removed.

(10) No driver shall cover or obscure the face of a fare meter under any circumstances or at any time.

(11) No driver shall without reasonable excuse refuse to let the cab or the auto-rickshaw for hire when the flag is in the vertical position.

(12) Method for indicating fare, etc-

(a) every mechanical or electronic digital meter shall be so constructed as;

(i) to indicate upon the dial in suitable slots or on a suitable digital display consisting of Light Emitting Diodes (LEDs), as the case may be, the amount of fare calculated by time or by distance in kilometer, and

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

(b) Information to be given in slots of a mechanical meter or on digital display of an electronic digital meter. The nature of the information given in each slot of a mechanical meter, or a digital display of an electronic meter, shall be indicated by suitable working immediately above or below slot or digital display, as the case may be. The words or signs denoting rupee or rupees and paise shall be placed immediately above, below or beside the appropriate disc or drum position.

(c) If, it is an electronic digital meter, it shall be provided with two switches "Meter Switch" and "Stop Switch" for operating the meter and shall also be provided with a "Roof Light" synchronized with the operation of the meter;

(d) Mechanism and operation of an electronic digital meter. The mechanism of an electronic digital meter shall be so designed that-

(i) (aa) the "For Hire" window is illuminated when the Roof Light is "ON".

(bb) the "Hired" window is illuminated and the roof light is turned "OFF" when the meter switch is pressed "ON".

(cc) the "Stopped" window is illuminated when the "Stopped Switch" is pressed "ON".

(ii) it shall not be possible to set the meter in any position other than the three positions mentioned in sub clause (i) above;

(iii) the fare by time ceases to be recorded when the meter is in the "Stopped" position;

(iv) the fare by distance is recorded off the meter if the taxi cab or auto-rickshaw is driven with the meter in "Stopped" position;

(v) the fare recorded is not obscured when the meter is in the "Hired" or "Stopped" position;

(vi) when the "meter switch" is turned off, the "For Hire" window is illuminated, the "Roof Light" is turned on and the previous record of fare is cleared and the various mechanism of the meter are brought back to the initial positions;

(vii) the mechanism for recording time and distance cannot be engaged or disengaged except by the normal sequence of operation of the switches referred to in sub-clauses (i) to (vi);

(e) Every meter shall be so made as to be capable of being sealed by seal of the type specified by the Commissioner by issuing specific instructions in this behalf, after the meter has been tested and approved

(f) In case of mechanical meter, the mechanism driving the distance recording gearing of meters and in case of any electronic digital meter, the mechanism giving signal to the distance recording mechanism of the electronic meter, shall be fitted not to the driving wheels of the cab but to the non-driving wheels of the chassis gear-box attached to the cab.

74. **Halting of Motor Vehicle in public places –** (1) Halting of stage carriages: - No stage carriage shall be halted in an urban area for more than five minutes consecutively for taking up or getting down of passengers of at any time during the course of run except at a stand.

(2) Bus Stop: - (i) The District Magistrate Andamans or Nicobars may direct that in any street or any road any area as notified by them in this behalf (the notification being made by public proclamation or in such a manner as the District Magistrate may deem fit), no stage carriage shall take up or get down passenger except at the place appointed by him as a bus stop or as a stand.

(ii) No stage carriage shall be halted at a bus stop for longer than it is necessary to take up such passengers as are waiting when the vehicle arrives, and to get down such passengers as are wish to alight.

(3) Every stage carriage trip to be begun and ended to a stand- (a) In the run of any stage carriage starts or finishes in an urban area shall, unless the District Magistrate specially exempts the vehicle from the provision of this sub-rule, began or end from a stand.

(b) Where a stage carriage is exempted from the provisions of preceding sub-rule it shall be condition of the exemption that no passengers shall be taken up or get down, as the case may be, at any point within a distance of two hundred yards or such other distance, as may be named in the order of exemption from the place where the stage carriage is garaged or parked at the start or the finish of the run.

(c) In exempting a stage carriage from the provisions of clause.(i) of this sub-rule the District Magistrate may make it a condition that the first passenger be taken up or the last passenger be set down at a particular bus stop fixed for the purpose in the order of exemption.

(d) An order of exemption made under clause.(i) of this sub-rule shall remain in force for one year or such lesser period as the District Magistrate may direct and may be cancelled or modified by him at his discretion at any time.

(4) Stage carriage to be properly marked when not in use:- The State Transport Authority may attach to a stage carriage permit a condition that when the vehicle is not in use it shall not be halted in any public place except at a stand or at a parking place appointed by a competent authority under the Act.

(5) Halting of contract carriages:- The State Transport Authority may impose, on the use of any contract carriage, or any stage carriage when the same is being used as a contract carriage, a condition that the vehicle shall not be halted in any public place in an urban area save at a parking place or (in the case of motor cab) a cab rank duly appointed under Section117 of the Act as a stand.

(6) Responsibilities of driver, conductor and permit holder for securing compliance with these rules:- In so far as any rule in this Chapter, or any order issued in conformity therewith directs that a transport vehicle shall or shall not be halted in a certain place or in a certain manner, the rule shall be read as if it included provisions enjoining the driver and in the case of a stage carriage the conductor to ensure that it is so halted or not halted, and requiring the holder of any permit issued in respect of the vehicle to take all measures open to him to secure compliance with the direction.

(7) Involuntary halts: No person shall be liable to be punished for halting a vehicle in contravention of any of these rules if the stopping of the vehicle was occasioned by a mechanical defect or by any other cause beyond the control of the driver or the person in charge.

75. **Construction and control of stands**: (1) Notification of stands:-

(a) The District Magistrate, Andamans or Nicobars may in consultations with the local authority having jurisdiction in the area concerned, make an order permitting any place to be used as a stand and without such an order no place shall be so used;

(b) The respective District Magistrate shall, from time to time, fix the fees or the maximum fees payable at any stand;

(c) No vehicle shall be admitted to any stand other than the vehicles in respect of which a permit is held by the person or company in whose name the stand has been sanctioned, together with any vehicle, which may have been specially mentioned in the District Magistrate's order as entitled to use the stand.

(2) Inspection of Stand**:** Every stand whether public or private shall be open to inspection at any time to the District Magistrate or any official deputed by the District Magistrate in this behalf or any official empowered by the Commissioner not below the rank of Asst. Sub Inspector of Police.

(3) Prohibition on use of loud Sounding Devices at stands:- (i) No horn, gong, bell, whistle, gramophone, loudspeaker, musical instrument or other device for creating a loud sound shall be used to attract passengers to any stand.

(ii) In the event of such use the manager or the contractor employed to administer the stand, and the owner, driver and conductor of the vehicle to which the sound was intended to attract customer shall, in addition to the person who used the instrument, be punishable for contravening this sub-rule, unless he can show that the use of the instrument was without his consent.

(4) Cancellation of orders for the establishment of stands:- (i) The District Magistrate may at any time revoke any order made by himself or any of his predecessors permitting the establishment of any stand if in his opinion any of the condition on which the stand was permitted to be establishment have been contravened or the stand has not been satisfactorily managed or its continuance is no longer required in the public interest.

(ii) Before revoking any order under the prescribed clause (i) of this sub-rule, the District Magistrate shall give the person authorized to administer the stand, an opportunity of being heard, and shall record his reasons in writing.

(iii) If an order permitting the establishment of a stand is not revoked under clause (i) of this sub-rule, it shall remain in force for three years or such lesser period as may be mentioned in the order and may be renewed from time to time by the District Magistrate for a further period of not more than three years at a time.

(5) Control over District Magistrates:- All orders by a District Magistrate sanctioning the establishment of a stand, revoking or modifying an order permitting the establishment of a stand, shall be appealable to the U.T Administration whose order thereon shall be final.

(6) Regulation of motor cab-ranks – (i) At every cab-rank appointed under Section 117 of the Act::

(a) The driver shall station their motor cabs, shall stay by their vehicles, ready to be hired by any person.

(b) The driver of the first two motor cabs shall stay by their vehicles, ready to be hired by any person;

(c) No motor cab engaged for future time shall be kept in the rank unless the driver is willing to accept any intermediate hiring that may be offered, and

(d) No disabled motor cab shall be kept in the rank unless the disablement can be and is intended to be remedied forthwith.

(ii) The district Magistrate may be in the case of any motor cab relax any or all the directions given in the sub-clause of the preceding clause(i).

(iii) Nothing in clause (i) of this sub-rule render it obligatory on a person wishing to hire a motor cab from cab-rank the first cab or restrict his freedom to choose whichever vehicle he prefers.

76. <u>Intimation of change of address of permit holder:-</u> (1) If the holder of a permit ceases to reside or to have his place of business changed, as the case

may be, at the address set forth in the permit, he shall within fourteen days send the permit to the State Transport Authority intimating the new address.

(2) Upon receipt of intimation under sub-rule (1) the State Transport Authority shall, after making such enquiries as it deems fit, enter in the permit the new address and shall intimate the new particulars to the authority of any region in which the permit is valid by virtue of countersignature or otherwise.

77. Intimation of damage to or failure of public service vehicle (1) The holder of any stage carriage or contract carriage permit shall within twenty four hours of the occurrence, report in writing to the State Transport Authority, any failure of or damage to such vehicle or to any part thereof, if the failure or damage is 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 stage carriage shall within twenty-four hours of the occurrence report in writing to the State Transport Authority, any failure of or damage to any vehicle used by him under the authority of the permit of such a nature as to prevent the holder from complying with any of the provisions or conditions of the permit for a period exceeding three days.

(3) Upon the receipt of a report referred to in the preceding sub-rules, the State Transport Authority may, subject to provision of these rules.

(i) direct the holder of a permit within such period, not exceeding one month from the date of occurrence either to make good the damage to or failure of with in a period of one month from the date of the occurrence; or

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

(4) Inspection of premises used by the permit holder:– Any police officer in uniform not below the rank of Assistant Sub-Inspector or any officer of the Transport Department empowered in this respect by the Commissioner may enter at all reasonable time and inspect the premises used by the permit holder for the purpose of their business for any enquiry or verification.

78. Carriage of any person tendering legal or customary fare:- Subject to the provisions of the Rule 71, the person incharge of a stage carriage shall carry in such vehicle any person tendering the legal or customary fares.

79. Carriage of animals in goods vehicle;-(1) No cattle/animal shall be carried in a goods vehicle unless the owner of the vehicle provides that;

(i) 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.

(ii) the cattle/animals are properly secured by ropes tied to the sides of the vehicles.

(iii) each cattle/animals is provided reasonable space.

(2) The number of cattle that may be carried in a goods vehicles shall not exceed;-

(a) in the case of goats, sheeps, pigs, rams, cows, kids and the likes,

(i) 40, when the wheelbase of such vehicle is below 3.5 meters.

(ii) 50, when the wheelbase is 3.5 meters or above.

(b) in case of other cattle,

(i) 4 with calves/young ones or 5 without calves/young ones when the wheel base of such vehicles is below 3.5 meters, and

(ii) 5 with calves/young ones or 6 without calves/young ones when the wheel base of such vehicles is 3.5 meters or above.

(3) No animal belonging to or intended for a circus menageries or zoo shall be carried in a goods vehicle unless the owner of the vehicle besides providing reasonable floor space for each animal also provides in case of wild or ferocious animals, a suitable cage, either separated from or integral with the load body of the vehicle used of sufficient strength to contain the animal securely at all times.

(4) No cattle under sub-rule (2) or animal under sub-rule (3) shall be carried for more than 320 Kilometers at a stretch.

(5) No goods vehicle when carrying any goods under sub-rule (2) or animal under sub-rule (3) shall be driven at a speed in excess of twenty-four Kilometers per hour.

80. **Licensing of traveling agents**:- (1) Licensing authority:-

(i) The licensing authority for the purpose of tour operation, excursion agent/traveling agent license shall be any officer empowered by the Commissioner.

(ii) The license shall be valid for a period of one year in the first instance and will be renewable annually.

(iii) The fee for the issue of a tour operator's/excursion agent's/travel agent's license shall be Rupees one thousand only and for the renewal of such license it shall be Rupees one thousand only per year.

(2) Application:- An Application for the grant of traveling agent's license shall be made to UT Government/Administration along with a licence fee of Rupees one thousand only.

(3) Security for compliance with conditions:- Every traveling agent, etc. shall furnish a security of Rupees five thousand in the form of a Bank Draft in favour of Tourism Department, A&N Islands.

(4) Forfeiture of Security:- Without prejudice to any other action that may be taken against a licensee, the licensing authority in its discretion may by an order in writing forfeit either in full of in part the security deposit of travel agent/tour operator/excursion agent, etc. if in its opinion, any of the condition under which the license granted has been contravened by such agent;

(5) Refund of Security:- The Security deposit of a tour operator/travel agent/excursion agent, etc. unless forfeited shall be refunded at the expiry of the license or earlier in the event of voluntary closing down of the business before the expiry of the license;

(6) Issue of duplicate license:- If the original licence is at any time lost or destroyed the duplicate may be issued after proper verification which shall be clearly stamped in red ink "Duplicate". The fee for a duplicate licence shall be Rupee one hundred only. If the original license is subsequently found, the same shall be surrendered to the licensing authority.

(7) Display of license:- (a) Every tour operator/travel agent/excursion agent, etc. shall carry with him licence while on duty and shall produce it on the demand by any police officer not below the rank of Assistant Sub-Inspector or an officer authorized by the licensing authority.

(b) The tour operator/travel agent/excursion agent, etc. in case of firm shall exhibit the licence at a prominent place in the office and the licence shall be made available for the inspection by any police officer not below the rank of Assistant Sub-Inspector or any officer authorized by the licensing authority.

(8) Refusal of issuing licence:- The licensing authority may refuse the licence to a tour operator/travel agent/excursion agent, etc., under this rule on any of the following grounds, namely:

(i) If he does not possesses the qualification as prescribed by the UT Government from time to time;

(ii) If he has been convicted of an offence under Chapter XIV or Chapter XVI of the Indian Panel Code, 1860 (Act No. 45 of 1860) or under any of the provisions of any Act or any offence(s) punishable under any law providing for prevention of hoarding or smuggling or profiteering or adulteration of food and drugs illegal sale or transportation of illicit liquor or corruption and two years have not elapsed since the termination of the sentence imposed upon him;

(iii) If he has been declared an insolvent by a court of the competent jurisdiction and has not been discharged;

(iv) If his name has been removed from the Register of licensees under the scheme and one year has not elapsed since the date of removal.

(9) Removal of the agents name from the Register:- (a) The licensing authority may by an order in writing remove the name of a tour operator/travel agent/excursion agent etc., from the Register and cancel his license on any of the following grounds, namely:

(i) If he ceases to act as an agent;

(ii) If he is convicted of any offence under Chapters XIV and XVI of the Indian Panel Code, 1860 (Act No. 45 of 1860) or under any of the provision of any Act or any offence punishable under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food or drugs or corruption or illicit sale/transportation of liquor.

(iii) If he is declared an insolvent by a court of competent jurisdiction and have not been discharged;

(iv) If any compliant of malpractice is received and proved against him;

(v) If he is black-listed by the licensing authority.

(b) Any agent whose name is removed from the Register under clause (a) shall forthwith cease to be an agent.

(10) Black-listing of Travel Agent/Tour Operators/Excursion Agent etc:- (a) The licensing authority may on proof of any complaint of malpractice or for any other offence committed under this rule for reasons to be recorded, black list an agent after taking into consideration the nature of malpractice or the gravity of the offence(s), for such period as the licensing authority deems fit.

(b) The particulars of the agent black-listed shall be exhibited at conspicuous place and notified to all travel trade and other concerned organizations, foreign missions in India and Indian missions aboard, etc.

(c) The action under clause (a) of this sub-rule shall not protect such agent from being prosecuted under the provision of any other Act.

(d) If the licensing authority is satisfied that there are sufficient grounds for removal of the travel agent/tour operator/excursion agent etc. from the black-list, he may, after recording the reasons, order his removal from such list and issue a fresh licence on payment of the prescribed fee and notify the name for the information of all concerned.

(11) Notice of Removal and Black-Listing:- Before removing the name of tour operator/excursion agent, etc. from the register under sub-rule (9) of this rule or black-listing him under sub-rule (10) of this rule, the licensing authority shall give notice of ground or grounds on which it is proposed to take action and hold any enquiry in the presence of that person thereby giving a reasonable opportunity of showing cause against it.

(12) Fixation of Rates:- The Licensing Authority may by notification in the official Gazette fix the reasonable maximum rates which may be charged by a tour operator/excursion agent/travel agent or guide for the service rendered by

him to a person engaging him as such. Such rate list duly attested by the licensing authority shall be displayed along with the licence and also carried by the agent while on duty.

(13) Tour Operator/Excursion Agent/Travel Agent, etc. not to demand tip, etc:- No agent shall demand any tip, gratuity, presentation or commission other than that permissible under this rule from any person engaging him or from any dealer or from any hotel keeper in whose hotel such person resides or intent to resides.

(14) Condition for licence:- (a) The object of issuing licence shall be to promote the development of tourism industry,

(b) The license shall not concern himself/herself either directly or indirectly with any vehicle that is not covered by a permit.

(c) The licensee shall behave in a civil and orderly manner with passenger or passengers.

(d) The licensee shall possess and maintain fully furnished office with adequate staff to attend to the need of customers and to look after their luggage and maintain the records containing complete particulars regarding names and addresses of the tourists, the fare collected from each of the group of travelers, the particulars of journeys and the particular of the contract carriage for the journey and shall furnish to the licensing authority who issue the licence, a daily return showing particulars of contracts in the prescribed form, etc.

(e) No person shall hold more than one licence effective to any persons.

(f) The Licensing authority may vary the conditions of licence or attach new condition(s) to such licence any time.

(g) No licensee shall lend or transfer the license to any person.

(h) The licensee shall undertake to maintain an office under the charge of full time member who should be in a position to give accurate and update information regarding the transport and accommodation facilities, currency and customs regulations and general information about travels, etc.

(i) No agent or canvasser to whom the licence is granted shall advertise in any newspaper, book list, classified directory or other publication unless, there is mention of such advertisement appearing in such newspaper, book list, classified directory or other publication, the licence number, the date of expiry of the licence and the particulars of the authority which granted the licence.

(j) The licensee shall maintain a complaint book, which shall be produced at the time of renewal. The renewal shall be refused if there is any serious complaint.

(15) Appeal and Revision: - (a) Any licensee aggrieved by any order under these rules may appeal to the appellate authority within ninety days from the date of receipt of such order. The appellate authority shall be the Commissioner.

(b)The memorandum of appeal/revision shall be filed in writing in duplicate setting forth concisely the grounds of appeal and shall be accompanied by an

authenticated copy of the order against which the appeal is made and any other document relating to the appeal along with a fee of Rupees one hundred only.

(c) The appellant have a right to appear by a counsel and the prescribed authority may be represented by such an officer or person as the Commissioner may appoint.

(d) On receipt of any such appeal the Appellate Authority shall after giving the appellant a reasonable opportunity of being heard and after making of such enquiry as it deems proper, dispose of the appeal for reasons to be recorded in writing.

(e) The Appellate Authority may make such order regarding refund of the fee for appeal as appears to be just and equitable.

(16) Fees for supply of copies of documents:- "The Authority, which may pass an order to be appealed against, shall on application from the party, give a certified copy of the order or of any other relevant document on payment of a fee @ Rupees Five per page per copy".

81. <u>Licensing of public carrier goods agents:-</u> *(1)Definitions:-*

(a) "Agent's licensee" means any person who is engaged directly or indirectly in the business of collecting, forwarding or distributing goods carried by any public carrier;

(b) "Agent's licence" means a licence granted under this rule;

(c) "Collecting Agent" means a person licensed to do the business of collecting goods carried by any public carrier;

(d) "Collecting and Forwarding Agent" means a person licensed to do the business of collecting, forwarding and distributing goods carried by any public carrier;

(e) "Forwarding Agent" means a persons licensed to do the business of forwarding and distributing goods carried by any public carriage;

(f) "Licensing Authority" means any officer empowered by the Commissioner for this purpose;

(g) "Head Office" means a place within the UT declared as Head Office by the agent for running his business for collecting/forwarding/distributing the goods carried by any public carrier;

(h) **"**Branch Office" means any place other than Head Office used simultaneously by the agent for his business purpose for collection/forwarding/distributing the goods carried by any public carrier.

(2*) Licensing of an agent:-* No person shall act as an agent unless he holds valid licence granted by the licensing authority authorizing him to carry on such business.

(3) *Application:* (i) Any person desiring to obtain a licence for carrying on any business referred to in sub-rule (1) of this rule or for renewing such licence may make an application to the licensing authority.

(ii) The application shall be accompanied by the licence fee of Rupees two thousand only for the Head Office and Rupees five hundred only for each Branch Office.

(iii) On receipt of an application, the licensing authority shall grant or renew or refuse to grant or renew the licence, having regard among other things, to the following matters namely:

(a) the number of goods vehicle either owned by the applicant or under his control exclusively by virtue of a written contract or agreement;

(b) the suitability of accommodation possessed by the applicant for the storage of goods;

(c) the facilities, if any, provided by the applicants for parking the goods vehicle; and

(d) the financial resources and experience of the applicant and his ability to mange the business efficiently.

(4) Security of compliance with condition. (i) For ensuring proper compliance of the condition laid down in the rule, the licensing authority may, at the time of granting a licence order the licensee to furnish security of Rupees fifty thousand only in case of head office and Rupees ten thousand only for each branch office.

(ii) Security shall be acceptable in the form of bank draft in favour of the Licensing Authority.

(5) Forfeiture of Security;- (a) Without prejudice to any action, which may be taken against a licensee, the licensing authority at its discretion may, by an order in writing, forfeit either in full or in part, the security deposit of the agent, if in its opinion any of the condition, under which the license has been granted, has been contravened.

(b) Before making any order of forfeiture under this rule, the licensing authority shall give the licensee an opportunity of being heard and shall record reasons in writing for such forfeiture.

(6) Refund of Security:-The security deposit if not forfeited shall be refundable to the party, at the expiry of the licence or earlier in the event of voluntary closing down of the business before the expiry of the licence.

(7) Forwarding and Collecting Agents:- (i) An agent's licence shall, where the holder thereof is licensed to act only as a forwarding agent or as a collecting agent, specify the fact clearly.

(ii) An agent's licence shall be non-transferable.

(iii) No agent's licence shall authorize a person to act as such agent unless he had adequate facilities to load and unload goods at the premises approved by the Commissioner under these rules.

(8) Period of Validity and Renewal:- (i) An agent's licence shall be valid for a period of one year from the date of its grant or renewal, but can be revoked or suspended at any time at the discretion of the licensing authority after giving an opportunity to the licensee of being heard.

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

(iii) The renewal of licence shall be by an endorsement of the renewal thereof by the licensing authority on the original licence. The renewal fee shall be Rupees two thousand only in case of Head office and Rupees five hundred only for each Branch office and it shall be renewed for a period of one year at a time.

(9) Conditions for Agent's Licence:- An agent's licence shall be subject to the following conditions, namely;-

(a) that the licensee shall, subject to the provisions of the rules, provide places for loading and unloading of goods;

(b) that the licensee shall be responsible for proper arrangements for storage of goods collected for despatch and delivery;

(c) that where he is authorized to forward and distribute goods the licensee:

(i) shall be responsible for proper delivery of the goods to the consignee;

(ii) shall be liable to indemnify the consignee for any loss or damage to goods arising out of his negligence while in his control or possession;

(iii) shall not issue a goods transport receipt without having actually received the goods;

(iv) shall not deliver the goods to the consignee without actually receiving from the consignee a goods transport receipt or if the receipt is lost or misplaced; an indemnity bond covering the value of the goods.

(d) that the licensee shall insure the goods against any loss or damage while in his control or possession;

(e) that the licensee shall maintain a proper record of the vehicle(s) under his control and the collection, despatch and delivery of goods which shall be open to inspection by the Commissioner or by any person duly authorized in this behalf by him and shall furnish to the Commissioner by 31st day of January every year a return in respect of previous calendar year;

(f) that the licensee shall not charge any commission exceeding that prescribed by the Commissioner.

(g) that the licensee shall as far as possible furnish the operators with correct figures of the freight receivable by them from the consigners for the consignees;

(h) that the licensee shall maintain proper accounts of the commission charged by him which shall be opened for inspection by the Commissioner or by a person duly authorized by him in this behalf;

(i) that the licensee shall ensure that the goods vehicle under his control have valid permits for routes on which the vehicle(s) have to ply;

(j) that the licensee shall maintain in good condition a weighing device capable of weighing at a time not less than 226 kilograms of weight;

(k) that the licensee shall as far as possible attend to his customers in the order in which they approach him;

(l) that the licensee assign the available traffic amongst the traffic 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;

(m) that the licensee shall comply with the provisions of these rules and shall observe such other conditions as the licensing authority may specify in the licence;

(n) that the licensing authority may after giving notice of not less than one month in writing either vary the conditions of the licence or attach to the licence, further conditions;

(o) that the licensee shall keep a complaint book which shall be given to the customers or the operators without any hesitation. It shall be opened for inspection by any officer of Transport Department, so empowered by the Commissioner or by police officer in uniform not below the rank of Assistant Sub-Inspector. The complaint book shall be produced before the licensing authority at the time of renewal. If there is any serous complaint, the renewal shall be refused;

(p). that the agent shall display a notice board as under:-

"In case of any complaint against the booking agency please inform Commissioner-cum-Secretary (Transport)/Secretary (Transport), A&N Administration or the Inspector General of Police, A&N Islands, Port Blair";

(q) that the agent shall display a rate list, for different types of services provided by him, duly approved by the Commissioner.

(10) Particulars to be mentioned in Contract of Agency;- All contracts entered into by the licensee, for the purpose of collecting, forwarding and distributing goods, as the case may be, shall be in writing and shall contain the following particulars namely:

(i) names and addresses of the consignors and the consignees;

(ii) description and weight of the consignment;

(iii) destination;

(iv) freight per tonne kilometer or for the whole consignment;

(v) delivery instruction (e.g., the date by which and the exact place where the goods are to be delivered to the consignee etc.);

(vi) terms of the agreements of payment, whether to pay or paid;

(vii) Name of the owner, driver, the registration number of the vehicle and its authorized load and the rate and amount of commission.

(11) Rate of Commission:- The Commissioner may, by notification in the official Gazette, prescribe the maximum rate at which the commission may be charged by the licensees under these rules.

(12) Premises to be used:- (a) The Commissioner may in consultation with the local authority or the police authority having jurisdiction over the area concerned, approve any premises owned by or in possession of, a licencee or an applicant for an agent licence to be used for loading or unloading goods or for parking goods vehicles or for the storage of goods in the custody of the agent, having regard to the suitability of the site, sanitary conditions and storage facilities provided at such premises

(b) Any approval under clause (a) of this sub-rule shall be subject to the following condition, namely:

(i) that the premises shall be administered in a seemly and orderly manner;

(ii) that the premises shall at all time be kept in a clean condition and good state of repairs;

(iii) that the licensee shall take all possible precaution to ensure that no breach of any of the provisions of the Act/Central Motor Vehicles Rules, 1989 or of these rules is committed in respect of any vehicles entering or leaving or parking at such premises and shall report any such breach to the nearest police station.

(c) Where the Commissioner refuses to approve any premises under clause (a) of this sub-rule, he shall record in writing the reasons for such refusal.

(13) Suspension/Cancellation of Licences:- (a) Without prejudice to any action which may be taken against a licensee, the licensing authority may by order in writing cancel the agent's licence or suspend it for such period as it thinks fit, if in its opinion, any of the conditions under which the licence has been granted, has been contravened.

(b) The licensing authority may by order in writing cancel the agent's licence or suspend it for such period as it thinks fit, if in its opinion any of the conditions under which any premises have been approved under this rule has been contravened.

(c) Before making any order for 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.

(14) Issue of Duplicate Licence:- If at any time an agent's licence is lost destroyed, torn or otherwise defaced to be illegible, the agent shall forthwith apply to the licensing authority for the grant of a duplicate licence. The application shall be accompanied by a fee of Rupees one hundred only. Upon receipt of such an application that authority shall issue a duplicate agent's licence clearly stamped "Duplicate". If a duplicate agent's licence is granted on a representation (in the form of an affidavit on non-judicial stamp paper of value of Rs.2/-) that the licence originally granted has been lost or destroyed and if the original licence is subsequently found the original licence shall be surrender to the licensing authority.

(15) Display of Agent's Licence:- (a) A collecting agents shall carry with him his agent's licence while on duty and shall produce it on demand any inspecting officer of the Transport Department or any police officer in uniform not below the rank of Assistant Sub-Inspector.

(b) A forwarding agent shall exhibit his agent's licence at a prominent place in the premises approved under this rule and the licence shall be made available for inspection by any inspecting officer of the Transport Department or any police officer in uniform not below the rank of Assistant Sub-Inspector.

(c) A collecting and forwarding agent shall carry with him his agent's licence while on duty and shall produce it on demand to any inspecting officer of the Transport Department or any police officer in uniform not below the rank of a Assistant Sub-Inspector and shall also cause a true copy of his agent's licence to be exhibited at a prominent place in the premises approved under the rule.

(16) Position *on Suspension/Cancellation of Licence:-* (a) The licensing authority can suspend or cancel the licence at any time after giving an opportunity to the licensee of being heard. In such case the licensee shall stop further booking at once but the goods already booked shall, of course, be forwarded or distributed so that there may be no damage to the goods. This action will be without prejudice to any other action taken.

(b) The owner or partner of that booking agency shall not be eligible to apply for fresh licence within three years of its cancellation.

(c) On cancellation of the licence the fee paid and the security deposited shall be forfeited.

(17) Appeals:- -(i) Any person aggrieved by any order made under this rule may appeal to the Commissioner within thirty days from the date of the receipt of such order.

(ii) The memorandum of appeal shall be filed in duplicate setting forth concisely the ground of objection and shall be accompanied by a certified copy of that order and fee of Rupees fuve hundred only.

(18) Regarding Levies of Fees for Supply of Copies of Documents By Transport Department:- The authority which passed an order to be appealed against shall, on an application by a party, give a certified copy of the order or of

any other relevant document on payment of a fee at the rate of Rs.5/- per-page per-copy.

82. <u>Inspection of Transport Vehicles</u>:- (1) Any police officer in uniform not below the rank of Assistant Sub-Inspector at any time when the vehicle is in a public place call upon the driver of a goods vehicle to stop the vehicle and to keep it at rest for such time as may be necessary to enable the police officer to make reasonable examination of the contents of the vehicle.

(2) Notwithstanding the provision of sub-rule (1) the police officer to make reasonable examination of the contents of any goods vehicle, unless:

(i) the permit in respect of the vehicle contains a provision or condition in respect of the goods which may or which may not be carried in the vehicle;

(ii) the police officer has reason to suspect that the vehicle is used in contravention of the provisions of the Act or the rules made there under.

(3) Any police officer in uniform not below the rank of a Assistant Sub-Inspector may, at any time when the vehicle is in a public place, call upon the driver of a public service vehicle to stop the vehicle and to keep-it rest for such time as may be necessary to enable the police officer to make reasonable examination of the number of passengers and other contents of the vehicle so as to satisfy himself that the provision of the Act/Rules and the provisions and the conditions of the permit in respect of the vehicle are complied with.

(4) Any officer of the Transport department empowered by the Commissioner shall be entitled at any reasonable time to inspect any vehicle in a public place.

83. <u>Carriage of Persons in a Goods Vehicle</u>:- (1) Save in the case of a vehicle which is being used for carrying of troops or police or in the case of a stage carriage in which the goods are being carried and in a goods vehicle other than a *bonafide* employee of the owner or hirer of the vehicle, and except in accordance with this rule.

(2) No person shall be carried in a goods vehicle beyond the number for which there is seating accommodation at the rate of thirty eight centimeters (measured along the seat excluding the space reserved for the driver) for each person, not more that six person in all in addition to the driver shall be carried in any goods vehicle.

(3) No person shall be carried upon the goods or otherwise in such a manner that such person is in danger of falling from the vehicle, and in no case shall any person be carried in a goods vehicle in such a manner that any part of this person, when he is in a sitting position is at a height exceeding 3.8. meter from a surface upon which the vehicles rests.

(4) Notwithstanding the provision of sub-rules (1), (2) and (3) the rule, the Commissioner may, as a condition of a permit granted for any goods vehicles,

specify the condition subject to which a larger number of passenger may be carried on a regular or temporary basis including persons transporting dead body, provided that such number shall not exceed area in square decimeter of the vehicle divided by sixty-five.

(5) Notwithstanding the provision of sub-rules (1), (2) and (3) of this rule, the U.T Government/Administration may, in case of goods vehicle owned by the Government, or Local Bodies, allow carriage of more than six persons provided that such numbers shall not exceed the area in square decimeter of the floor of vehicle divided by sixty-five.

(6) Nothing contained in this rule shall be deemed to authorize the carriage of any persons for hire or reward in any vehicle unless there is in force in respect of the vehicle a permit authorizing the use of the vehicle for such purpose, and save in accordance with the provisions of such permit.

84. **Record to be Maintained and Returns to be furnished by Owners of Transport Vehicles:-** (1) The driver of every contract carriage other than a motor cab and of every goods vehicle for which a public carrier's permit has been granted and which has not been restricted for any specified route or routes, shall maintain log book and shall enter particulars of every hiring therein.

(2) Particulars to be entered in the logs-books.

(A) In the case of contract carriage:- (i) the name of the hirer, with sufficient particulars to enable him to be identified;

(ii) the appropriate number of persons included in the party;

(iii) the starting point and the ending of the trip and the route to be followed;

(iv) the date and time from which the hiring has effect;

(v) the date and time when the journey is excepted to be completed; and

(vi) the nature and weight of any goods carried,

(B) In the case of a goods vehicles:- (i) the name(s) of the person or persons for whom the goods are being carried.

(ii) the nature and weight of the goods;

(iii) the staring point and the ending point of the trip and the route to be followed; and

(iv) the date and time when the trip is to be begun and when it is to be completed

(3) The particulars required by the preceding sub-rule shall be entered in the logbook before the passenger or goods are taken into the vehicles and before the journey is begun.

(4) The provisions of this rule shall also apply to any stage carriage, authorized for use as a contract carriage or for the carriage of goods, in so far as the vehicle is used for the either of these purpose.

(5) Log-books required to be maintained under this rule shall be produced by the driver at any time when the vehicle is on the road or at any reasonable time on the demand of any police officer not below the rank of Assistant Sub-Inspector or any official as empowered by the Commissioner.

(6) The State Transport Authority may, by general or special order, require the holder of a permit in respect of any transport vehicle to maintain records and submit returns in respect of the vehicle in such form as the authority may specify and such records and returns may include particulars of the daily use of the vehicle in respect of:-

(i) the name and license number of the driver and conductor and other attendant, if any;

(ii) the route upon which or the area within which the vehicle was used;

(iii) the number of kilometers traveled;

(iv) the time of commencement and termination of a journey and of any halts on a journey when the driver obtained rest;

(v) the weight of goods carried between specified places and the nature of the goods;

(vi).in the case of goods carried in a stage carriage, the number of trips and the distances when goods were carried solely and when goods were carried in addition to passengers and in the latter case the number of the seats available for passengers.

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

85. <u>Conduct of passengers in stage carriage and contract carriage:-</u> (1) Every passenger in a stage carriage and contract carriage shall:

(i) behave in an orderly manner;

(ii) behave in a manner not likely to cause annoyance to any female passenger;

(iii) not use abusive language;

(iv) not molest any other passenger;

(v) not smoke in the vehicle;

(vi) not spit;

(vii) neither obstruct the driver and the conductor in the execution of their duties nor obstruct or interfere without due cause with the working or driving of the vehicle;

(viii) not refuse to pay the fare;

(ix) not refuse to show any ticket on demand by any authorized person, and shall surrender any ticket held by him/her on completion of the journey for which it was issued.

(x) not use or attempt to use any ticket which has been altered or defaced or in the case of a ticket, bearing an identification that it is not transferable, issued to another person;

(xi) neither be suffering from any contagious/infectious disease nor be under the influence of alcohol;

(xii) not willfully or negligently damage the vehicle or its fittings;

(xiii) in the case of cab neither refuse to pay the legal fare on termination of hiring, nor refuse to alight on completion of journey for which he/she has paid the fare;

(xiv) leave the vehicle on completion of journey for which he has paid the fare;

(2) Any passenger who is reasonably suspected by the driver or conductor of contravening these rules shall give his name and address to a police officer or to the driver or the conductor or to any passenger on demand and shall also give whatever information is required by any police officer or any official so empowered by the Commissioner.

(3) A passengers shall declare, if so demanded by the driver or conductor, the journey he intends to take in the vehicle and to pay the fare for the whole of such journey and to accept any ticket therefore.

(4) If a passenger violates the provision of this rule, the driver and the conductor, if any, may require such passenger to alight from the vehicle forthwith and may stop the vehicle and keep it standing until the passenger has alighted. Such passenger shall not be entitled to the refund of any fare, which he may have paid, and any passenger failing to comply forthwith with such a requirement may be forcibly removed by the conductor or the driver and shall be punishable under Section 177 of the Act. If such passenger cannot be removed from the vehicle, the vehicle shall be taken to the nearest police station and got removed forcibly with the help of the police at the request of the driver or the conductor or any of the passengers traveling in the vehicle.

(5) In the case of a dispute between the driver of a cab and the passenger either party may require the other to proceed to the nearest Police Station, where the officer incharge shall, if the dispute is not settled amicably, proceed according to law.

86. <u>Complaint Book</u>:- (1) The conductor of every stage carriage shall keep a complaint book which shall be maintained in a clean and tidy condition and which shall be produced by him on the demand of any passenger without any hesitation, as if complaint book was the property of passengers and the passenger shall be at liberty to make any entry therein.

(2) The owner of the vehicle shall endorse on the complain book the action taken by him on the complaint within a week of the complaint and inform the complainant in writing under intimation to the Commissioner under certificate of posting, regarding the action taken on the complaint.

87. <u>Exemption from provisions of this Chapter in General</u>- The Commissioner by order in writing exempt any vehicle or class of vehicle and any persons or class of persons from the provisions of the rules given in this Chapter.

CHAPTER VI

SPECIAL PROVISIONS RELATING TO STATE TRANSPORT SERVICE

88. Publication of proposal regarding a scheme;-(1) Particulars of the scheme and its publication:

Every scheme for road transport service and every scheme proposing modification of an approved scheme for road transport service shall be prepared by the State Transport Service in Form P.S.U- (A) or P.S.U (B), as the case may be. A copy of every scheme proposed to be published in the Official Gazette, shall be submitted by the State Transport Service to the Commissioner.

(2) Publication of the scheme in newspaper and putting it up on Notice Board of the offices concerned:

Apart from the publication in the official Gazette, every such scheme prepared by the State Transport Service shall be put up on the Notice Boards of the offices of the State Transport Service and shall also be published in atleast one daily newspaper in English and Hindi circulating in the area involved.

89. Filing of Objections:-

(1) Any person affected by the scheme published by State Transport Service under Section 99 of the Act may, within thirty days from the date of publication of the scheme in the Official Gazette, file any objection in the form of a memorandum addressed to the Commissioner stating concisely the grounds for objection to the scheme and furnishing the following information, namely;

(a) The name and address of the objector;

(b) Whether he is a holder of any permit or permits under the provisions of Chapter V of the Act and if so, in respect which particular route or routes or area.

(c) Details of any alternative route or routes or area for which he desires to have permit.

(2) The memorandum may be signed by the objector himself or person authorized by him in this behalf by a valid power of attorney.

(3) The objector or his authorized agent, as the case may be, shall send a copy of the memorandum simultaneously to the State Transport Service.

90. Consideration of the objections:- The representative of the State Transport Servicde and the objectors or their authorized agents, if they so desire, shall be heard by the Commissioner on such date, at such time and place and in such manner, as may be determined by him, and communicated to the parties concerned not less than fourteen days in advance.

91. Publication of approved scheme:- Any scheme for the road transport service or any modification of an approved scheme for road transport scheme as

approved or modified in by the UT Government shall be notified in the Official Gazette in Form P.S.U.(C).

92. **Procedure for elimination of existing service**;- The State Transport Authority shall cause every order passed under Section 103 of the Act to be published in the Official Gazette and every such order shall take effect from such date, not earlier than fifteen days from the date of the publication, as may be specified in the order. A copy of every such order shall be served upon the permit holder concerned and pasted on the notice board of the office of the State Transport Authority.

93. **Manner or service of orders:-** Every order under Chapter VI of the Act shall be served:

(a) by tendering or delivering it or a true copy thereof to the person on whom it is to be served or his agent if any, or any adult member of his family or servant residing with him; 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 affixing it to some conspicuous place of business in case of the above two methods are considered impracticable.

CHAPTER – VII

CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF MOTOR VEHICLES

94. Seating arrangement of public service vehicle other than tourism vehicles:-

(1) Driver's Seat:

(a) No public service vehicle shall be driven otherwise than from the right hand side of the vehicle.

(b) On every public service vehicle space shall be reserved for the driver's seat such as to allow him to exercise 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 twenty eight centimeters from the nearest point of the steering wheel;

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

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

(c) 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.

(2) *Passenger's Seat in the Buses;*

(a) In every public service vehicle other than a motor cab, there shall be provision for a conductor seating space of 38 cm x 30 cm and for each passenger a reasonable comfortable seating space as specified below:

(i) In the case of the vehicle having seats for two passengers on each side across the vehicle, seating space of not less than thirty-eight centimeters square measured on straight lines along at right angles to the front of each seat;

(ii) In the case of vehicle having seats for two passengers on one side and three passengers on the other side across of the vehicle, a seating space of not less than thirty eight centimeters square on straight lines along and at right angles to the front of each seat in case of seats for two passengers, and a seating space of not less than forty centimeters measured on straight lines

along the seat and thirty eight centimeters at right angles to the front of each seat (i.e. depth of the seat) air the case of seats for three passengers; and

(iii) When the seats are placed alongside the vehicle, the seating space of not less than thirty eight centimeters square measured on straight lines along and at right angles of the front of each seat for two passengers, and a seating space of not less than forty centimeters measured on straight lines along the seat (i.e. width of the seat) and thirty eight centimeters at right angles to the front of each seat (i.e. depth of the seat) in the case of seats for three passengers; and

(aa) When the seats are placed along the vehicle, the backs of the seats on one side shall be atleast one hundred and forty centimeters distant from the back of the seats on the other side;

(bb) when the seats are placed across the vehicle and are facing in the same direction, there shall be everywhere a clear space of not less than sixty-five centimeters between the back of the seats; and

(cc) When the seats are placed across the vehicle and are facing each other, there shall be everywhere a clear space of not less than one hundred and thirty five centimeters between the backs of facing seats.

(b) The height of all seats from the floor shall not be less than forty centimeters including cushion in all buses.

(c) The backs (cushion portion) of all seats shall be closed to the height of atleast forty five centimeters above the level of the seat.

(3) Passenger's seat in four passengers auto-rickshaw:- (a) There shall be provided for each passenger a reasonable comfortable seating space of not less than forty centimeters square measured on straight lines along and on right angles to the front of each seat. The seats shall be placed across the vehicle. When all the seats are placed in the same directions there shall be at all places a clear space of not less than sixty seven centimeters between the backs of either of the seat and shall face to the front or two seats to the front and two seats to the rear back;

(b) leg space- there shall be provided at least twenty seven centimeters leg space

(4) Passenger seat in three Passenger Auto-Rickshaw:- (a) There shall be provided a seat not less than one hundred twenty centimeters in length. The depth of the seat shall not be less than forty centimeters.

(b) the backs of the seats shall be slanting and closed to a height of at least forty five centimeters above the level of the seat.

(c) the seats shall be provided with fixed or movable cushions. The cushions shall be covered with leather cloth of good quality or other material of such kind that these are capable of being kept in a clear condition.

(d) the height of the seats from the floor shall be not less than thirty five centimeters including cushions.

(e) leg space:- There shall be provided at least thirty seven centimeters of leg space.

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

Provided that the above shall not apply to the upper deck of a double-decked vehicle.

(b) Save in the case of the uncovered top deck of a double decker, every public service vehicle shall have suitable windows, venetians or screen capable at all the times of protecting the passengers from weather without preventing adequate ventilation of the vehicle, when the screen are made of fabric, the whole of them shall at all time be fastened securely to the vehicle.

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

95. <u>Sound Signals:-</u>

(1) No driver of a motor vehicle shall sound the horn or other device for giving audible warning with which the motor is equipped or shall cause or allow any other person to do so, continuously or to an extent beyond what is necessary to ensure safety.

(2) The District Magistrate may, in consultation with police by notification publish in the official Gazette or in one or more newspapers circulating in the U.T. or by the erection of traffic sign(s), in suitable place(s), prohibit the use of horn, gong or any other device by drivers of motor vehicles for giving audible warning in any area:

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

(3) Except to avoid an imminent accident no person shall sound horn or other audible warning device of any motor vehicle within the limits of a stand, parking place of cab-rank.

96. <u>Prohibition of carrying of appliances likely to cause annoyance or dangers:-</u> (1)No vehicle owner shall be allowed to carry or fix any appliance/fitting on the motor vehicle, which may cause annoyance or danger to the other road users;

(2) Restrictions on the use of coloured lights on motor vehicles:- No motor vehicle owner shall allow or fix any coloured light in the front and on top of the roof other than the rear of the motor vehicle, provided that this provision shall not apply to the internal portion of the vehicle or to light, if displayed by a direction indicator, save the following categories which are specified below:

Revolving-cum-flasher/without flasher red/blue light shall be used only by motor vehicles on emergency duties such as ambulances, fire brigade, Control Room vehicles of A&N Police and other vehicles of high dignitaries as may be notified by the UT Government/Administration and such light shall be on top front at the middle of the roof of such vehicles.

(3) Save the provisions of Rule 107 of the Central Motor Vehicles Rules, 1989, if any motor vehicle found plying within the U.T in contravention of above provisions, the vehicle shall be challaned/impounded by the traffic police/checking staff of the Transport Department and its registration shall also liable for cancellation.

97. Periodical Testing and Inspection of vehicles by prescribed authority:-

(1) The prescribed authority for the periodical testing and inspection of vehicles shall be Board of Inspection.

(2) The testing and inspection of vehicle shall be conducted according to the methods prescribed in this regards by the Commissioner from time to time.

98. Air pollution by motor vehicle:- (1) Necessity of a Pollution Under Control Certificate:- (a) Every motor vehicle shall have to carry a valid "Pollution Under Control Certificate" issued by the Transport Department or by any pollution checking center, duly authorized by the Commissioner to carry out pollution level checking from the exhaust of Motor Vehicles and for the tuning of the same if required;

(b) Notwithstanding the provisions contained in clause (a) above, any pollution level Test Inspector authorized for the purpose by the Commissioner, may test the pollution level of the exhaust of any vehicle. If the pollution level of the exhaust of the vehicle is found beyond the prescribed standard he may direct the owner, driver of the vehicle to obtain a fresh "Pollution Under Control Certificate" and cancel the existing Pollution Certificate;

(2) Validity and fees:- "Pollution Under Control Certificate" shall be issued for Rupees twenty five only and be valid for a period of six months from the date of issue.

(3) Authorization of Pollution Checking Centre:- (a) No service station workshop shall act as pollution checking centre unless it holds valid authorization granted by the Commissioner.

(b) Application: An application for authorization for Pollution Checking Centre shall be made to the Commissioner along with the fee.

(c) Pollution checking: Pollution Checking Centre authorized by Transport Department shall charge such fees for pollution checking and for minor adjustment, if any, for different categories of vehicles as shall be prescribed by the Transport Department form time to time.

(d) Inspection: (i) A pollution Level Test Inspector authorized by the Commissioner may check working of any pollution checking centre.

(ii) If at any stage it is found that any pollution checking centre is violating the terms and conditions as prescribed by Transport Department or indulging in any unlawful activity, pollution level test Inspector may pass the order to stop the pollution checking activity of the Pollution Checking Centre and shall report the case to the Commissioner.

(iii) The Commissioner may at its discretion suspend/cancel the authorization of the such Pollution Checking Centre after hearing the accused or after making such enquiry as it deems just and proper.

99. <u>Particulars other than the registration mark to be exhibited:-</u> Save in the case of motor cab, delivery van or trailer, the name of the owner as set forth in the certificate of registration and his address in brief shall be written on the left side of every transport vehicle.

All the particulars to be exhibited on a transport vehicle shall be set forth in English/Hindi letters and numerals each not less than two and a half centimeters square legibly painted on a plain surface or on a plate affixed on the vehicle.

100. <u>Specific rules applicable to trailers:-</u> (1) Trailers prohibited with Motor Cycles:

(a) A motorcycle with not more than two wheels with or without a side car shall not draw a trailer.

(b) No motorcycle shall draw a trailer exceeding two hundred thirty kilograms in weight unladen or 1.5 meters in overall width.

(2) Prohibition of Attachment of Trailer to certain Vehicles:- No motor vehicle which exceeds eight meters in length shall draw a trailer;

Provided that this rule shall not apply to any motor vehicle being towed in consequence of disablement.

(3) Attachment of Trailers:- (a) when 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 vehicles, as the case may be, the following persons, not less than twenty years of age and competent to discharge their duties, that is to say;

(i) if the brakes of the trailer cannot be operated by the driver of the drawing motor vehicle, or by some other person carried on that vehicle-

(aa) one person on every trailer competent to apply brakes, and

(bb) 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 the rear of the trailer, to signal to the drivers of overtaking vehicles and to communicate with the driver of the drawing motor vehicle;

(ii) If the brakes of the trailer can be operated by the driver of the drawing motor vehicle or by some other person carried on that vehicle, such other person in addition to the driver shall be carried on that vehicle and one operator on the last trailer in train in accordance with the provisions of sub-clause (bb) of clause (i);

(iii) If the trailer is or trailers are being drawn by a locomotive, notwithstanding that the brake of the trailer can be operated by the driver or some other person on the locomotive, not less than one person on each trailer and not less than two persons on the last trailer in train one of whom shall be the person required by the provisions of sub-clause (bb) of clause (i).

(b) The above clause (a) shall not apply:

(i) to any trailer not having more than two wheels and not exceeding seven hundred and seventy kilograms in weight laden when used singularly and not in a train with other trailers;

(ii) to the trailing half of an articulated vehicle;

(iii) to any trailer used solely for carrying water, for the purpose of the drawing vehicle, when used singularly and not in a train with other trailers;

(iv) to any agricultural or road making or road repairing or road cleaning equipment drawn by a motor vehicle;

(v) to any trailer specially constructed or adopted for any specific purpose, upon which an attendant cannot safely be carried; or

(vi) to any closed trailer specially constructed for a specific purpose and specifically exempted from any or all of the provisions of this rule by an order in writing made by the Commissioner to the extent, so exempted.

(4) Distinguishing marks trailers:- (a) No person shall drive or cause to be driven in any public place any motor vehicle to which a trailer is or trailers are attached, there is exhibited on the back of the trailers or the last trailer in train, as the case may be, a distinguishing mark 'T' in white on a black background.

(b) The mark shall be kept clean and unobscured and shall be so fixed to the trailer that;-

(i) the letter of 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 trailer;

(iii) no part thereof is at height exceeding four feet from the ground; and

(iv) the letter is eighteen centimeters in height and thirteen centimeters in width, the stroke being four centimeters broad. The overall measurement of the mark is twenty centimeters high and eighteen centimeters wide.

Explanation: The above dimensions are the minimum, and the marks may be exhibited in a larger size if so desired.

101. <u>Placement of Audio, Radio, Tape Recorder etc. in the Motor Vehicle:-</u> Owner , driver or passenger of a motor vehicle shall follow the orders given by the Traffic Branch of A&N Police from time to time in regard to the placement in the vehicle an audio visual, radio, tape recorder, etc. or like type of devices.

102. <u>Exemption from provisions of this Chapter in General</u>: The U.T Government/Administration may, by order in writing, and subject to such conditions as may be prescribed by Central Government, exempt any vehicle or class of vehicles and any person or class of persons from the provisions of the rules given in this chapter.

CHAPTER – VIII

CONTROL OF TRAFFIC

103. **Vehicles abandoned on the road:-** (1) When an abandoned, unattended, wrecked, burnt, or partially dismantled vehicle is removed under Section 127 of the Act, the vehicle including its load, shall be taken to the nearest police station/police post, if possible, or may be given in the safe custody of any person or agency/deemed fit for the purpose by the police officer removing the vehicle.

(2) The delivery of the vehicle shall be made only after fine or penalty due in respect of the vehicle or in respect of the delay in the removal thereof has been paid by the owner of the motor vehicle, under Section 127 and/or Section 201 of the Act to the police officer removing the vehicle against a proper receipt.

(3) Notwithstanding any fine or penalty which may be imposed upon any person for the delay in the removal of the vehicle, the owner of the motor vehicle or his heirs or assignee shall be liable to pay expenses incurred by any police officer in connection with the removing of the vehicle, etc. The police officer who receives payment accordingly shall give a receipt to the person making payment.

(4) Notwithstanding any fine or penalty which may be imposed upon any person upon contravention of the provision of Section 127 of the Act, or of any regulations made by a competent authority, the owner of the motor vehicle or his heirs or assignee shall be liable to make good any reasonable expense incurred by any police officer in connection with moving, lighting, watching or removal of a vehicle or its contents in accordance with the provisions of the Act and this rule; and any police officer, shall be entitled to detain the vehicle until he has received payment accordingly and shall upon receiving such payment give a receipt to the persons making the payment.

104. **Use of Weighing Devices:-** (1) The driver of any goods vehicle required by a competent authority under Section 114 of the Act, to convey the vehicle to a weighing device, shall upon the demand of such authority so drive and manipulate the vehicle so as to place it or any wheel or wheels thereof, as the case may be, upon the weigh bridge or wheel-weigher in such manner that the weight of the vehicle or weight transmitted by any wheel or wheels may be exhibited by the weight-bridge or wheel-weigher.

(2) If the driver of a motor vehicle fails within a reasonable time to comply with a requisition under sub-rule (1), a person authorized under Section 114 of the Act, may cause any person, being the holder of licence authorizing him to drive such a vehicle, so to drive and manipulate the vehicle.

(3) When the weight or axle weight of a motor vehicle determined by separate or independent determination of the weight transmitted by any wheel or wheels of the axle, the Laden Weight or Axle Weight of the vehicle shall be deemed to be the sum of the weights transmitted by the wheels of the vehicle or wheels of any axle of the vehicle, as the case may be.

(4) Upon the weighment of a vehicle in accordance with the said section and this rule, the person who has required 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 axle the weight of which is separately determined.

(5) No weighing device shall be used for the purpose of Section 114 of the Act unless it is tested and certified by the Weight and Measures Unit of the Civil Supplies Department, Andaman and Nicobar Administration once in a year.

106. Maintenance and Management of Way Side Amenities Complexes:- The way side amenities complexes wherever required, shall be developed, maintained and managed by respective agencies/department to whom this work is entrusted according to the instructions and to the satisfaction of the UT Administration.

106. Exemption of Fire Brigades, Ambulances and other Special classes of Vehicles:- In order to prevent danger to the public and to facilitate free passage of Fire Brigades, Ambulances and Police Patrol Van, all motor vehicles being driven or used at the time of passage of a Fire Brigades, Ambulance or a Police Patrol Van, as the case may be, proceeding to the scene of a fire or other incident, which shall be indicated by continuous sounding of an electric or manipulated bell, shall draw to the extreme left to the road and there remain stationary until the Fire Brigades, Ambulance or the Police Patrol Van, as the case may be, has passed.

107. Parking places:- (1) The District Magistrate after consultation with State Transport Authority, the Superintendent of Police, Andamans District and local authority having jurisdiction in the area may make orders appointing parking places for motor vehicles.

(2) *Consideration governing the location of parking places and stands.* – In deciding whether to grant permission for the use of any place as a stand or a parking place, as the case may be, the District Magistrate shall have regard to the following matters, namely:

(a) the interests of the public generally and efficient organization of the motor transport;

(b) the suitability of the site from the point of view of traffic control:

(c) the avoidance of annoyance to persons living or having property in the location;

(d) the suitability of the site in relation to other stands or parking places, as the case may be, in the same town;

(e) any other consideration that may appear to be relevant.

(3) *Conditions applicable to parking places and stands. –(a)* Every order permitting a place to be used as a parking place or a stand shall be subject to the following conditions, namely:

(i) that the land and the building of the parking places or the stands, as the case may be, shall at all times be kept clean and in a good state of repair;

(ii) that the parking places or the stands, as the case may be, shall be administered in a seemly and orderly manner;

(iii) that the person, company or authority permitted by District Magistrate to use the place or a stand as the case may be shall take all possible precautions to ensure that no breach of the Act or of these rules is committed in respect of any vehicle entering or leaving or halting at the parking place or the stand and that such breach is reported to the Traffic Police or the nearest police station;

(iv) that a board shall be set up in a conspicuous position at the parking place or the stand, as the case may be, showing the fees payable (if an order has been made fixing the fees) and that the full amount of fees due from the owners and drivers of the vehicles shall be charged, neither more nor less.

(b) In making an order permitting a place to be used as a parking place or as a stand, as the case may be, the District Magistrate may further attach to it any one or more of the following conditions, namely, that the local authority or person authorized to administer the parking place or the stand shall:

(i) maintain such records as the District Magistrate may from time to time direct;

(ii) employ such staff at the parking place or the stand, as may be specified in the order.

(c) With the approval of State Transport Authority, the District Magistrate may attach to the order any other condition that may seem to him to be

necessary to secure the efficient administration of the parking place or the stand, as the case may be, or otherwise in the public interest.

108. Restriction of Driving with Gear Disengaged:- No person shall drive a transport vehicle with the engine free, that is to say, with the gear lever in neutral, the clutch pedal depressed or with any free wheel or other device in operation which frees the engine from driving wheels and prevents the engine from acting as a brake when the vehicle is traveling down an inclin on any hill marked by traffic sign.

109. Prohibition on Mounting or Taking Hold of vehicle:- (1) No person shall mount or attempt to mount or alight from any motor vehicle, when the motor vehicle is in motion.

(2) 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.

110. Traffic Segregation and Prohibition on Use of Footpath:- 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 to be driven on any such footpath or track.

111. Prevention of Danger, Injury or Noise to Public:- (1) *Projection of loads: (a)* Nothing shall be placed or carried upon the outside of the roof of a double-decked public service vehicle.

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

(c) No projection of any load or part thereof shall be allowed in any type of vehicle and on any direction of the vehicle, that is to say, to the front, rear, left, right, upward or downward beyond the actual body of the vehicle.

(2) *Cut-Outs:* 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.

(3) *Use of lamps when a vehicle is at rest: (a)* If within the limits of any Municipality or Cantonment a motor vehicle is at rest, within the hours during which the lights are required, at the left hand side of the 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.

(b) Outside the limits of a Municipality or Cantonment if a motor vehicle is at rest, within the hours during which the lights are required, in such a position as not be cause danger or undue inconvenience to the other users of the road, it shall not be necessary for the motor vehicle to display any lights.

(4) *Dazzling lights: (a)* The driver of a motor vehicle shall at all times, when the lights of the motor vehicle are in use so manipulate them that danger of undue inconvenience is not caused to any person by dazzle.

(b) The District Magistrate may by Notification in the Official Gazette and by erection of suitable notices in English and Hindi prohibit the use, within such areas or in such places as may be specified in the notification, of lamps giving a powerful or intense light.

(c) The driver of a motor vehicle shall at all times ensure that there is no misuse of bright head light and the same is properly regulated.

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

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

112. <u>Stop Sign on Road Surface:-</u> (1) When any line is painted on or inlaid into the surface of any road at the approach to a road junction or to a pedestrian crossing or otherwise, no driver shall drive a motor vehicle so that any part thereof projects beyond that line at any time when a signal to stop is being given by a police officer or by means of traffic control lights or by temporary display of such sign.

(2) A line for this purpose of the rule shall be not less than five centimeters in width at any part and shall be either in white/back or yellow colour.

113. <u>Arrangement and Maintenance of Glass:-</u> The glass of front windscreen, and side and rear windows of every motor vehicle shall be such and shall be maintained in such condition as to be clearly transparent and allow the

driver a clear vision to the front and to the sides and through the prescribed mirror to the rear of the vehicle.

114. <u>Wearing of Protective Head Gears:-</u> The protective head gear, which a person is required to wear under Section 129 of the Act, shall be of ISI specification and in good condition. It shall be securely fastened to the head by means of strips and other fastenings, provided on headgear.

115. <u>Exemption from the Provision of this Chapter in General:-</u> The Commissioner may by order in writing exempt any vehicle, or class of vehicles, and any person or class of persons from the provisions of the rules given in this Chapter.

CHAPTER IX

CLAIMS TRIBUNALS

116. Application of Claims:- Every application for payment of compensation made under Section 166 shall be made in the Form-CTA and shall be accompanied by the fee of Rupees twenty only.

117. Procedure to be followed by Claims Tribunal:- (1) *Examination of Applicant:* On receipt of an application under rule 116, the Claims Tribunal may examine the applicant on oath, and the substance of such examination, if any shall be reduced to writing.

(2) *Summary Dismissal of Application:* The Claims Tribunal may, after consideration of the application and the statement, if any, of the applicant recorded under preceding sub-rule (1) dismiss the application summarily, if for reasons to be recorded, it is of the opinion that there are no sufficient grounds for proceeding therewith.

(3) *Notice to the parties involved:* If the application is not dismissed under sub-rule (2) above, the Claims Tribunal shall send to the owner of the motor vehicle, involved in the accident and its insurer, a copy of the application together with a notice of the date on which it will hear the application, and may call upon the parties to produce on that date any evidence which they may wish to tender.

(4) *Appearance and Examination of Parties: (a)* The owner of the motor vehicle and the insurer may, and if so required by the Claims Tribunal shall at or before the first hearing or within such further time as the Claims Tribunal may allow, file a written statement dealing with the claims raised in the application, and any such written statement shall form part of the record.

(b) If the owner or the insurer contests the claim, the Claims Tribunal may, and if no written statement has been filed, proceed to examine the owner and the insurer upon the claim and shall reduce the substance of the examination to writing.

(5) *Summoning of Witness:* If an application is presented by any party to the proceedings for the summoning of witnesses, the Claims Tribunal shall, on payment of expenses involved, if any, issue summons for the appearances of such witness, unless it considers that their appearance is not necessary for a just decision in the case.

(6) *Appearance of Legal Practitioner:* The Claims Tribunal may in its discretion, allow any party to appear before it through a legal practitioner.

(7) *Local Inspection: (a)* The Claims Tribunal may during the course of 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 proceedings.

(b) Any party to a proceeding or the representative of any such party may accompany the Claims Tribunal for a local inspection.

(c) The Claims Tribunal after making a local inspection shall note briefly in a memorandum any facts observed and such memorandum shall form part of the record of inquiry.

(d) The memorandum referred to in clause (c) above may be shown to any party to the proceedings who desires to see it and a copy thereof may, on application, be supplied to any such party.

(8) *Inspection of the Vehicle:* The Claims Tribunal may, if it thinks fit, require the motor vehicle involved in the accident to be produced by the owner for inspection at a particular time and place to be mentioned by it, if necessary, in consultation with the owner.

(9) *Power of Summary Examination: (a)* The Claims Tribunal during a local inspection or at any time, save at the formal hearing of a case pending before it, may examine summarily any person likely to be able to give information relating to such case, whether such person has been or is to be called as a witness in the case or not, and whether any or all the parties are present or not.

(b) No oath shall be administered to a person examined under clause (a) above.

(10) *Method of Recording Evidence:* The Claims Tribunal shall, as examination of witnesses proceeds, make a brief memorandum of such substance of the evidence of each witness and such memorandum shall be written and signed by the members of the Claims Tribunal and shall form part of the records, provided that evidence of any medical witness shall be taken down as nearly as may word for word.

(11) *Adjournment of Hearing:* If the Claims Tribunal finds that an application cannot be disposed of at one hearing, it shall record the reasons which necessitates the adjournment and also inform the parties present on the date of adjournment hearing.

(12) *Co-opting of Persons during Inquiry: (a)* The Claims Tribunal may, if it thinks fit, co-opt one or more persons possessing special knowledge with respect to any matter relevant to the inquiry, to assist in holding the inquiry.

(b) The remuneration, if any, to be paid to the person(s) co-opted, shall in every case, be determined by Claims Tribunal.

(13) *Framing of Issues:* After framing the issues, the Claims Tribunal shall proceed to record evidence examined and the result of any local inspection, the Claims Tribunal shall proceed to frame and record issues upon which the right decision of the case appears to depend.

(14) *Determination of Issues:* After framing the issues, the Claims Tribunal shall proceed to record evidence thereon, which each party may desire to produce.

(15) *Diary:* The Claims Tribunal shall maintain a brief diary of the proceedings on the application.

(16) *Judgment and Award of Compensation: (a)* The Claims Tribunal, in passing orders, shall record concisely in judgment the findings on each of the issues framed and the reason for such finding and make an award specifying the amount of compensation to be paid by the insurer and also the person or persons to whom compensation shall be paid.

(b) Where compensation is awarded to two or more persons, the Claims Tribunal shall also specify the amount payable to each of them.

118. Power vested in the Civil Court which may be exercised by Claims Tribunal:- The following provisions of the first schedule to the Code of Civil Procedure, 1908, shall, so far as may be, apply to the proceedings before the Claims Tribunal, namely:-

(a) Order V, Rules 9 to 13 and 15 to 39;

(b) Order IX;

(c) Order XIII, Rules 3 to 10;

(d) Order XVI, Rules 2 to 21;

(e) Order XVII and;

(f) Order XXIII, Rules 1 to 3.

119. <u>Appeal against the award of Claims Tribunal:-</u> (1) Forms and number of appeals against the decision of the Claims Tribunal.

An appeal against the award of Claims Tribunal shall be preferred in the form of a memorandum stating concisely the grounds on which the appeal is preferred.

(2) It shall be accompanied by a copy of the judgment and the award appealed against alongwith a fee of Rupees fifty only in the form of court fee stamps.

CHAPTER X

MISCELLANEOUS

120. Repealing and Saving:- On the day on which these Rules come into force, the Andaman and Nicobar Islands Motor Vehicles Rules, 1939 as in force in the Andaman and Nicobar Islands shall stand repealed:

Provided that the repeal shall not affect-

(a) the previous operation of the Rules so repealed or anything duly done or suffered hereunder; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the said Rules; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the Rules, so repealed; or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and such penalty, forfeiture or punishment may be imposed as if the Rules had not been repealed.

[Lt. Gen. (Retd) M.M. Lakhera]
Lieutenant Governor
Andaman and Nicobar Islands

By order and in the name of Lieutenant Governor

(Brij Lall)
Assistant Secretary (Transport)

FORM L.L.D

(See Rule 5 of A&N Islands Motor Vehicles Rules, 2006)

INTIMATION OF LOSS OR DESTRUCTION OF DRIVING LICENCE AND APPLICATION FOR DUPLICATE

To

The Licensing Authority,
A&N Islands,'
Port Blair.

I, ----------, son/daughter/wife of ..... with my permanent address as ..... and temporary address as..... do hereby report that my driving licence, the particulars of which are given below, has been lost/destroyed:-

1. Driving Licence No. : .....
2. Vehicle(s) for which licensed to drive : .....
3. Date of issue : .....
4. Valid upto : .....
5. Endorsement, if any : .....

I solemnly affirm and declare that the licence has not been impounded by any authority and shall surrender the same to the licensing authority if at any stage the licence is found.

The fee for the duplicate licence has been paid vide receipt No. ..... dated .....

Signature or thumb impression
the applicant

(For office use of Licensing Authority)

1. The particulars as given above have been checked.
2. The adverse entries as per the records are as under:
   .....
   .....
3. Duplicate licence may be issued/refused on the basis of reasons given below:
   .....
   .....

Dealing Clerk of Licensing Authority

Duplicate Driving Licence No. ..... dated ..... issued/refused.....

Licensing Authority

FORM C.F.X.

(See Rule 38 of A&N Islands Motor Vehicles Rules, 2006)

REFUSAL TO RENEW A CERTIFICATE OF FITNESS

Registration Mark .....
Engine No. .....
Chassis No. .....

1. The vehicle described above fails in my/our opinion to comply with the provisions of Chapter IV of the Motor Vehicles Act, 1988 and the rules made thereunder and that it exhibits the defects indicated on reverse.

2. The certificate of fitness accordingly has been impounded.

3. The vehicle may be produced for re-examination on ..... Until the certificate of fitness is return, the vehicle may be driven to such an extent as may be necessary in connection with the remedying of the defects, and then subject to the condition that no passenger shall be carried therein for hire or reward and no goods shall be carried other than goods required in connection with the repair of the vehicle.

Place: .....

Date: .....

(Board or Inspection)

FORM C.R. Tem.

(See Rule 38 of A&N Islands Motor Vehicles Rules, 2006)

TEMPORARY CERTIFICATE OF REGISTRATION

Counter Foil
Book No. .....
Serial No. .....
Andaman and Nicobar islands
Temporary Certificate of Registration
Issued by .....
.....
Owner's Name: .....
.....
Address: .....
.....
Description of vehicle
Make.....
H.P. .....
Engine No. .....
Chassis No. .....
Type of body .....
Colour .....
Temporary Registration Mark assigned to vehicle
AN .....
Place in which the vehicle has to be permanently registered
.....

Temporary Registration Certificate
Issued on .....
Valid upto .....

Registering Authority,
A&N Islands
Dated: .....

Foil B
Book No. .....
Serial No. .....
Andaman and Nicobar Islands
Temporary Certificate of Registration
Issued by .....
.....
Owner's Name: .....
.....
Address: .....
.....
Description of vehicle
Make.....
Make.....
Engine No. .....
Chassis No. .....
Type of body .....
Colour .....
Temporary Registration Mark assigned to vehicle
AN .....
Place in which the vehicle has to be permanently registered
.....
Valid for 30 days from the
.....

Copy forwarded to the Registering Authority, ...for information.

Registering Authority,
A&N Islands
Dated: .....

Foil A
Book No. .....
Serial No. .....
Andaman and Nicobar Islands
Temporary Certificate of Registration
Issued by .....
.....
Owner's Name: .....
.....
Address: .....
.....
Description of vehicle
Make.....
Make.....
Engine No. .....
Chassis No. .....
Type of body .....
Colour .....
Temporary Registration Mark assigned to vehicle
AN .....
Place in which the vehicle has to be permanently registered
.....
This temporary certificate is valid upto .....
only .....
and the vehicle must be presented for permanent registration before that date.

Registering Authority,
A&N Islands
Dated: .....

FORM R. Tem.

(See Rule 38 of the A&N Islands Motor Vehicles Rules, 2006)

RECEIPT OF CERTIFICATE OF REGISTRATION OR CERTIFICATE OF FITNESS OF A TRANSPORT VEHICLE

I have taken possession of the certificate of registration/certificate of fitness hereunder described:

Registration Number of Vehicle .....

Name of Holder .....

Father's Name .....

Present Address .....

(2) The holder is hereby exempted from the obligation to produce his certificate of registration/certificate of fitness.

(3) The receipt is valid upto ..... or until the certificate of registration/certificate of fitness has been suspended or cancelled by competent authority whichever is earlier.

Date:

Signature and Designation of Authority

FORM P. St. A.

(See Rule 53 of the A&N Islands Motor Vehicles Rules, 2006)

APPLICATION FOR A PERMIT IN RESPECT OF A PARTICULAR STAGE CARRIAGE

To

The State Transport Authority,
A&N Islands,
Port Blair.

In accordance with the provisions of Sections 69, 70, 71 and 72 of the Motor Vehicles Act, 1988, I/We the undersigned hereby apply for a permit in respect of a stage carriage as hereunder set out::-

1. Full name/name of the firm or company : .....
.....
.....

2. Name of father/husband (in case of individual): .....

3. Address : .....
.....
.....
.....

4. (i) Route/area for which the permit is desired : .....

(ii) Approximate length of Route (attach detailed route plan showing alongwith fare table in triplicate) : .....

5. Type of vehicle : .....

6. Seating capacity of vehicle : .....

7. Maximum and minimum number of daily trips and Time Table is appended : (Yes/No)

8. The standard rate of fare proposed to be charged : .....
(Rs. /per KM/per passenger)

9. Particulars of stage carriage permits already held by the applicant (if space is not sufficient, a separate sheet may be attached): Permit No. Vehicle No. Route
(i)
(ii)
(iii)
(iv)
(v)

10. (i) Particulars of any permit or Public Motor Vehicle Licence held by the applicant in respect of the use of any transport vehicle in India during the last 4 years which has been subject of an order of suspension or cancellation : .....
.....
.....
.....

(ii) Prosecutions/Challans or Convictions, if any : .....

11. I am/the company is in possession of a bus, which is not more than six months old at the time of this application. Certificate of Registration of the bus is enclosed. : .....

12. I/we have not yet obtained possession of a bus and understand the permit will not be issued until I procure a bus not more than six months old. : .....

13. Registration number of the vehicle intended to be kept as reserve to maintain service and to provide for special occasion. : .....

14. I/We have arrangement for parking of the bus (enclose location plan of parking area and premises) : .....

15. Income Tax No. and circle where assessed (attach details of assessment for the last three years) : .....

16. I am a permanent resident of A&N Islands (attach a certificate of domicile in A&N Islands): .....

17. (i) I do not hold more than 5 Stage Carriage Permits: .....

or

(II) The Company does not hold more than 10 Stage Carriage Permits: .....

18. I/We hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me/us. I/We also agree that in the event of any of the statements made above or information furnished being found false, the permit granted ..... shall be liable for cancellation.

Date:

Signature or thumb impression
of the applicant(s)

FORM P.C.A.

(See Rule 53 of the A&N Islands Motor Vehicles Rules, 2006)

APPLICATION FOR A CONTRACT CARRIAGE PERMIT

To

The State Transport Authority,
A&N Islands,
Port Blair.

In accordance with the provision of Sections 69, 73 and 74 of the Motor Vehicles Act, 1988, I/we the undersigned hereby apply for a permit in respect of contract carriage as hereunder set out:-

1. Full name/Name of the firm or company : .....
.....
2. Name of father/husband (in case of an individual) : .....
3. Address : .....
.....
.....
4. Area for which permit required : .....
.....
5. Type of vehicle : .....
6. Seating capacity : .....
7. Particulars of service to be performed by the contract carriage and the manner in which it is claimed that the public convenience will be served : .....
.....
.....
.....
8. Particulars of any stage carriage or contract carriage permit already held by the applicant(s):

S. No.	Registration No. of vehicle	Type of permit (whether contract/stage carriage permit)	Permit Number

9. (i) Particulars of any permit or Public Motor Vehicle Licence held by the applicant(s) in respect of use of any transport vehicle in India during the last 4 years which has been subject of an order of suspension or cancellation: .....
(ii) Prosecutions/Challans or Convictions : .....
10. I/We am/are in possession of the vehicle whose certificate of registration is enclosed.

OR

I/We will produce the vehicle within a month.

11. I/We hereby declare that the above statement are true and agree that they shall be conditions of any permit issued to me/us. I/We also agree that in the event of any of the statement made above or information furnished being found false, the permit granted shall be liable for cancellation.

Date:

Signature or thumb impression of
the Applicant(s)

FORM P.R.S.A.

(See Rule 53 of the A&N Islands Motor Vehicles Rules 2006)

APPLICATION FOR A PERMIT IN RESPECT OF RESERVE STAGE CARRIAGE

To

The State Transport Authority,
A&N Islands,
Port Blair.

In accordance with the provisions of Sections 69, 70, 71 and 72 of Motor Vehicles Act, 1988, I/We the undersigned hereby apply for a permit in respect of reserve stage carriages as hereunder set out:-

1. Full name/Name of Firm or Company : .....
2. Name of father/husband (in case of an individual): .....
3. Address : .....
   .....
   .....
4. The route or area for which a permit is desired: .....
5. Maximum number of vehicles which it is desired to operate at any one time under the terms of the permit : .....
6. Maximum number of vehicles which will be operated at any one time under the terms of the permit in the area or on any route or any part of the route : .....
7. Type and seating capacity of each vehicle : .....
8. Maximum and minimum number of daily trips and particulars of the time table(s) proposed are appended : .....
9. The standard rate of fare which it is proposed to be charged : .....
10. Particulars of any stage or contract carriage valid in A&N Islands held by the applicant(s) and details of the route over which or area in which the applicant's vehicles are plying regularly : .....
    .....
    .....
    .....
    .....
11. (i) Particulars of any permit or public motor vehicle licence held by the applicant in respect of the use of any transport vehicle in India during the last four years, which has been subject of an order of suspension or cancellation : .....
    (ii) Prosecutions/Challans or Convictions, if any : .....
12. Provided that if sufficient passengers do not offer at any time, I/we desire to carry goods in these vehicles in addition to passengers on the understanding that goods will be so carried on not more than ..... of the vehicle trips on any route on any day and not more than ..... the accommodation for passengers in any vehicle will be replaced by goods.
13. I/We declare that not more than ..... of these vehicles are or will be subject of permits (other than temporary permits) for use as a contract carriage.
14. I/We am/are at present in possession of vehicle(s) available for use under the permit applied for (indicate the Registration Mark(s) of the vehicle(s) : .....
15. I/We desire for a permit valid for ..... years.
16. I/We hereby declare that the above statements are true and agree that they shall be conditions of any permits issued to me/us. I/We also agree that in the event of any of the statements made above or information furnished being found false, the permit granted shall be liable for cancellation.

Date:

Signature or thumb impression
of the applicant(s)

FORM P.G.A.

(See Rule 53 of A&N Islands Motor Vehicles Rules, 2006)

APPLICATION FOR A GOODS CARRIER PERMIT

To

The State Transport Authority,
A&N Islands,
Port Blair.

In accordance with the provisions of Sections 69 and 77 of the Motor Vehicles Act, 1988, I/we the undersigned here apply for a goods carrier permit as hereunder set out:-

1. Name of the Applicant/Firm or Company : .....
2. Name of father/husband(in case of individual): .....
3. Address : .....
.....
.....
4. Route or area for which permit is desired : .....
.....
5. Type and capacity of vehicle(s) for which permit is desired:-

S. No.	Type	GVW (in kgs)	Unladen weight (in kgs)	Registration Mark(s)
(1)	(2)	(3)	(4)	(5)

Note:- If any of the vehicle is not in the possession of the applicants it will suffice if the figures in columns 3 and 4 are correct with 10 percent above or below, subject to any limitation of weight in force. The certificate of registration must be presented to the State Transport Authority, so that the registration marks may be entered in the permit before the permit is issued.

6. The arrangement intended to be made for the parking, maintenance and repair of the vehicle and for the storage and safe custody of goods .....
7. Details of any business as a carrier of goods for him on hire or reward carried by the applicant at any time before making of application and the rates charged by the applicant .....
.....
8. Particulars of any agreement or arrangement regarding facilities for the transport of goods for hire or rewards entered into by the applicant with any person by whom such facilities are provided .....
.....
9. Particulars of the service to be performed by the vehicle(s) and the manner in which it is claimed that the public convenience will be served .....
10. Particulars of goods carrier permit held by the applicant at present:-

S. No.	Regn. Mark of vehicle	Type of permit	Permit No.	Max/min. freight charged	Area where applied

11. (i) Particulars of any goods carrier permit or public motor vehicle licence held by the applicant which has been subject of any order of suspension or cancellation .....
.....

(ii) Particulars of challan/prosecution/conviction of any goods of suspension or cancellation .....
.....

12. Particulars, other than particulars furnished under item 8, or any agreement or arrangement effecting in any material in respect of the provision of facilities of transport or goods for hire or reward entered into by the applicant with any other person whom such facilities are provided whether within or outside A&N Islands .....
.....

13. (i) Name of goods proposes to carry .....
.....

(ii) Whether these are dangerous or hazardous goods Yes/No

(iii) Nature of the chemical or explosive to be carried with special reference to their dangerous or hazardous nature to human life .....
.....
.....

14. I/We desire to use the vehicle(s) as goods carrier(s) for carriage of goods which are my/our own property on the carriage of which is incidental to may business (indicate nature of business) .....
.....
.....

15. I/We enclose herewith the certificate(s) of registration of the vehicle(s) or will produce the certificate(s) of registration of the vehicle(s) before the permit is issued.

16. I/We hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me/us. I/We also agree that in the even of any of the statements made above or information furnished being found false, the permit granted shall be liable for cancellation.

Date:

Signature or thumb impression
of the applicant(s)

FORM P.Tem.A.

(See Rule 53 of A&N Islands Motor Vehicles Rules, 2006)

APPLICATION FOR A TEMPORARY PERMIT

To

The State Transport Authority,
A&N Islands,
Port Blair.

In accordance with the provisions of Sections 67 and 87 of the Motor Vehicles Act, 1988, I/We the undersigned hereby apply for a temporary permit as hereunder se out:-

1. Name of Applicant/Firm or Company : .....
2. Name of father/husband (in case of individual): .....
3. Address : .....
   .....
   .....
4. Purpose for which permit is required : .....
5. Route(s) : .....
6. Period of duration of permit from ..... to .....
7. Type and Gross Vehicle Weight/Seating capacity of the vehicle for which the permit is required .....
   .....
8. (i) The registered owner(s) of the vehicle(s) is/are .....
   and the registration mark(s) is are .....

   OR

   (ii) The vehicle(s) has/have not yet been hired by me/us and I/we undertake to intimate the registration mark(s) as required within twenty-four hours of hiring of vehicle/vehicles.
9. I/We hereby declare that the above statements are true and agree that they shall be conditions of any permit issued to me/us. I/We also agree that in the event of any of the statements made above or information furnished being found false, the permit granted shall be liable for cancellation.

Date:

Signature or thumb impression
of the applicant(s)

(To be filled in the office of State Transport Authority, A&N Islands)

1. Date of receipt of the application : .....
2. Granted or granted in modified form or rejected on : .....
3. Permit Number granted : .....
4. Registration Mark(s) of vehicle(s) if intimated after issue: .....

Secretary,
State Transport Authority,
A&N Islands.

FORM P.S.A.

(See Rule 53 of A&N Islands Motor Vehicles Rules, 2006)

APPLICATION FOR A PRIVATE SERVICE VEHICLE PERMIT

To

The State Transport Authority,
A&N Islands, Port Blair.

In accordance with the provisions of Sections 69 and 76 of the Motor Vehicles Act, 1988, I/We the undersigned hereby apply for permit under Section 69 of the Act in respect of a private service vehicle as hereunder set out:-

1. Name of the Applicant/Firm or Company : .....
2. Name of father/husband (in case of an individual): .....
3. Address : .....
4. Area/Route for which permit is required : .....
5. Type of vehicle : .....
6. Registered seating capacity of vehicle : .....
7. Particulars of service to be performed by the public service vehicle and the manner in which it will benefit the owner : .....
8. Particulars of any stage carriage or contract carriage permit already held by the applicant:

S. No.	Registration Mark of Vehicles	Type of Permit (whether contract/stage carriage)	Permit Number

9. (i) Particulars of any permit or motor vehicle licence held by the applicant in respect of use of any transport vehicle in India during the last 4 years which has been the subject of an order of suspension or cancellation : .....

   (ii) Prosecutions/challans or convictions if any : .....
10. Income Tax number and circle where assessed (attach details of assessment for the last three years) : .....
11. Manner in which it is claimed that the purpose passengers otherwise for hire or reward or in connection with trade or business carried by the applicant will be served by the vehicle : .....
12. I/We hereby undertake that the vehicle shall not be used for hire or reward.
13. I/We have not yet obtained possession of the vehicle and I/we understand that the permit will not be issued until I/we have produced the certificate of registration.
14. I/We have arrangements for parking of the vehicle (enclose location plan of the parking area and the premises).
15. I/We hereby declare that the above statements are true and agree that they shall be the conditions of permit. I also agree that in the event of any of the statements made above or information furnished being found false, the permit granted shall be liable for cancellation.

Date:

Signature or thumb impression of the applicant(s)

FORM P.St..C.
(See Rule 54 of A&N Islands Motor Vehicles Rules 2006)

ANDAMAN AND NICOBAR ADMINISTRATION

PERMIT IN RESPECT OF A PARTICULAR STAGE CARRIAGE

Permit No. P. St. C. .....

1.	(i)	Registration Mark	: .....
	(ii)	Model	: .....
	(iii)	Make	: .....
2.		Name of Permit holder	: .....
3.		Father's name (in case of individual)	: .....
4.		Address	: .....
			.....
			.....
5.		Maximum number of passenger which may be carried at any one time	: .....
6.		Route/Area for which the permit is valid (Copy of route plan, duly attested showing via also enclosed)	: .....
7.		Date of Expiry	: .....
8.		Rate of fares	: .....
9.		Particulars of time table	: .....
10.		Idle Parking place of the vehicle	: .....
11.		Whether fare table will be exhibited on the vehicle	: (Yes/No) .....
12.		Whether time table will be exhibited on the vehicle	: (Yes/No) .....
13.		Vehicle is hypothecated to	: .....
14.		Whether a Conductor shall be carried on the vehicle at all times (if no, mention the circumstances)	: (Yes/No) .....
15.		Any other condition(s) as laid down by S.T.A.	: .....
			.....
			.....

Dated:

Secretary
State Transport Authority
A&N Islands

RENEWAL

This permit is hereby renewed upto the ..... day of 200

Date:

Secretary
State Transport Authority
A&N Islands

COUNTERSIGNATURE

No. .....

Countersigned as required by Section 88 of the Motor Vehicles Act, 1988 for route/are .....
subject to the conditions .....

Date:

Secretary
State Transport Authority
A&N Islands

RENEWAL OF COUNTERSIGNATURE

The above countersignature is hereby renewed upto the ..... subject to the following conditions:

Date:

Secretary
State Transport Authority
A&N Islands

FORM P.R.S.C.

(See Rule 54 of A&N Islands Motor Vehicles Rules, 2006)

ANDAMAN AND NICOBAR ADMINISTRATION

PERMIT IN RESPECT OF RESERVE OF STAGE CARRIAGE

Permit No. P.R.S.C. .....

1. Name of Permit holder : .....
2. Father's Name (in case of individual) : .....
3. Address : .....
   .....
   .....
4. Route/Area for which permit is valid (The entries are subject to the conditions in item No. 16 below) : .....
5. Maximum number of passengers which may be carried at any one time : .....
6. Date of expiry : .....
7. Maximum and minimum fares, if fixed under Sec. 67 of the Act : .....
8. Particulars of time-table to be observed, if any : .....
9. Whether goods may be carried on any or all of the vehicles solely or in addition to passengers, and conditions subject to which goods may be so carried .....
   .....
10. A larger number of passengers than the number specified in the certificate of registration or exhibited on the vehicle shall not be carried in any of the vehicles at any time.
11. A conductor shall be carried on the vehicles at all times when they are in use as stage carriage (or contract carriages).
12. Whether fare table is to be exhibited on the vehicles : (Yes/No)
13. Whether time table is to be exhibited on the vehicles : (Yes/No)
14. The records to be maintained and the dates on which returns are to be submitted to the Transport Authority:
    .....
    .....
15. The permit shall, to the extent specified in entry 9 above, be deemed to be a public carrier's permit.
16. Not more that ..... vehicles of the reserve may be used as a contract carriage within area hereunder specified and subject to the following conditions.
17. When the vehicles are not in use they shall be halted in any public place except at a stand or a parking place appointed by a competent authority under Section 117 of the Motor Vehicles Act, 1988.
18. Any other condition(s) as laid down by the State Transport Authority.

Date:

Secretary
State Transport Authority
A&N Islands

RENEWAL

This permit is renewed upto the ..... day of .....200.... subject to the following further conditions:

Date:

Secretary
State Transport Authority
A&N Islands

COUNTERSIGNATURE

No. .....

Countersigned for (Route/Area) ..... subject to following variation of conditions:

Date:

Secretary
State Transport Authority
A&N Islands

RENEWAL OF COUNTERSIGNATURE

The above countersignature is herby renewed upto the ..... day of .....200...

Date:

Secretary
State Transport Authority
A&N Islands

FORM P.C.C.
(See Rule 54 of A&N Islands Motor Vehicles Rules 2006)

ANDAMAN AND NICOBAR ADMINISTRATION

PERMIT IN RESPECT OF A CONTRACT CARRIAGE

Permit No. .....

1. Registration Mark : .....
2. Model : .....
3. Make : .....
4. Name of Permit holder : .....
5. Father's name (in case of individual) : .....
6. Address : .....
   .....
   .....
7. Date of expiry : .....
8. Class of vehicle (category as given below : .....
   [Bus (standard/mini)/Taxi (luxury/tourist/cab)/Auto Rickshaw/MCR]
9. Maximum number of passengers which may be carried at any one time : .....
10. Permit fee : .....
11. Idle-parking place of the vehicle : .....
12. Whether a taxi meter is to be fitted : (Yes/No)
13. Hypothecated to : .....
14. The vehicle is not to be plied as stage carriage
15. Any other condition(s) as laid down by STA .....
    .....

Date:

Secretary
State Transport authority
A&N Islands

Note: Use any of the following codes before the permit number, as the case may be:

Contract Carriage Bus	: PCC
DLZ Luxury Taxi	: PCZ
DLY Tourist Taxi	: PCY
Taxi Cab	: PCT
Auto Rickshaw	: TSR
Motor cycle Rickshaw	: MCR

RENEWAL

This permit is hereby renewed upto the ..... day of ....., 200..... subject to the following conditions:

Date:

Secretary
State Transport authority
A&N Islands

COUNTERSIGNATURE

No. .....

Countersigned for (Route/Area) ..... subject to follwoing variation of conditions .....

Date:

Secretary
State Transport Authority
A&N Islands

RENEWAL OF COUNTERSIGNATURE

The above countersignature is hereby renewed upto the ..... day of ..... 200.... subject to the following conditons:

Date:

Secretary
State Transport Authority
A&N Islands

FORM P.Pr.C.
(See Rule 54 of A&N Islands Motor Vehicles Rules, 2006)

ANDAMAN AND NICOBAR ADMINISTRATION

PERMIT IN RESPECT OF A PRIVATE GOODS CARRIER

Permit No. P.Pr.C. .....

1. Name of Permit holder : .....
2. Father's Name (in case of individual) : .....
3. Address : .....
.....
.....
4. Route/Area for which permit is valid with the exception of following roads : .....
5. Type and capacity of vehicles, including trailers and alternative trailers of articulated vehicles

S. No.	Registration Mark	Type of vehicle	Gross vehicle weight in KGs	Unladen weight in Kgs.

Note: Of the above, vehicle described below by their registration marks are held up under a hire-purchase agreement with:
.....
.....

6. Nature of goods to be carried (details to be indicated from item No. 13 of the application)
.....
.....
7. Date of expiry : .....
8. Records to be maintained and the date on which the returns are to be submitted to the Transport Authority:
.....
.....
9. Any other condition(s) as laid down by STA: .....
.....
.....

Date:

Secretary
State Transport Authority
A&N Islands

RENEWAL

This permit is hereby renewed upto ..... day of ..... 200..... subject to the following conditions.....
Date:

Secretary
State Transport Authority
A&N Islands

COUNTERSIGNATURE

No. .....

Countersigned for Route/Area ..... subject to following variation of conditions.....
.....

Date:

Secretary
State Transport Authority
A&N Islands

RENEWAL OF COUNTERSIGNATURE

The above countersignature is hereby renewed upto the ..... day of .....200… subject to following conditions.....

Date:

Secretary
State Transport Authority
A&N Islands

FORM P.Pu.C.
(See Rule 54 of A&N Islands Motor Vehicles Rules 2006)

ANDAMAN AND NICOBAR ADMINISTRATION

PERMIT IN RESPECT OF A PUBLIC GOODS CARRIER

Permit No. P.Pu. C. .....

1. Name of permit holder : .....
2. Father's Name (in case of individual) : .....
3. Address : .....
.....
.....
4. Route/Area for which permit is valid : .....
5. Type and capacity of vehicles, including trailers and the alternative trailers of articulated vehicles:

S. No.	Registration Mark	Type of Vehicle	Gross Vehicle Weight (in Kgs)	Unladen Weight (in Kgs)
(1)	2)	(3)	(4)	(5)

Note: Of the above, vehicles described below by registration marks are held under a hire-purchase agreement with:
.....
.....

6. Date of expiry : .....
7. Records to be maintained and the date on which the returns are to be submitted to the Transport Authority
.....
.....
8. Condition(s) - (i) The vehicle(s) authorized by this permit may be used by a holder as a private carrier with the area of ..... for the purpose of carrying the following goods .....
(ii) Any other condition(s) .....

Date:

Secretary
State Transport Authority
A&N Islands

RENEWAL

This permit is hereby renewed upto ..... day of ..... 200 ..... subject to the following conditions .....
Date:

Secretary
State Transport Authority
A&N Islands

COUNTERSIGNATURE

Countersignature for Route/Area ..... subject to following conditions
.....

Date:

Secretary
State Transport Authority
A&N Islands

RENEWAL OF COUNTERSIGNATURE

The above countersignature is hereby renewed upto the ..... day of ..... 200... subject to following conditions:

Date:

Secretary
State Transport authority
A&N Islands

FORM P.Tem.

(See Rule 54 of A&N Islands Motor Vehicles Rules, 2006)

ANDAMAN AND NICOBAR ADMINISTRATION

TEMPORARY PERMIT

1.		Name of the permit holder	: .....
2.		Father's Name (in case of individual)	: .....
3.		Address	: .....
			.....
			.....
4.		Type of vehicle	: .....
5.	(i)	Registration Mark	: .....
	(ii)	Unladen Weight	: .....
	(iii)	G.V.W. Weight Seating capacity	: .....
6.		Purpose of journey(s)	: .....
7.	(a)	Route or area for which Temporary permit is valid	: .....
	(b)	In the case of a passenger vehicle, the maximum of passengers which may be carried at one time	: .....
	(c)	Whether a Conductor must be carried	: Yes/No
	(d)	Whether the vehicle may be used for the carriage of goods in place of passengers	: Yes/No
	(e)	Whether - (i) Fare rates prescribed	: Yes/No
	(ii)	Fare-table is to be prescribed	: Yes/No
	(f)	Whether time-table - (i) to be observed	: Yes/No
	(ii)	to be displayed	: Yes/No
	(g)	Restrictions on the type of goods to be carried	: .....
	(h)	Any other condition(s) as laid down by STA	: .....
8.		Date of expiry	: .....

Date:

Secretary
State Transport Authority
A&N Islands

COUNTERSIGNATURE (If necessary)

No. .....

Countersigned for region of ..... subject to following conditions .....

Date:

Secretary
State Transport authority
A&N Islands

FORM P.S.C.
(See Rule 54 of A&N Islands Motor Vehicles Rules, 2006)

ANDAMAN AND NICOBAR ADMINISTRATION

FORM OF PERMIT OF PRIVATE SERVICE VEHICLE
(Valid within A&N Islands)

Permit No. P.S. C. .....

1.	Registration Mark	: .....
2.	Model	: .....
3.	Make	: .....
4.	Name of the permit holder	: .....
5.	Father's name (in case of individual)	: .....
6.	Address	: .....
7.	Date of Expiry	: .....
8.	Class of vehicle	: .....
9.	Route/Area for which permit is valid	: .....
10.	Idle parking place of the vehicle	: .....
11.	Permit fee	: .....
12.	Maximum number of passengers allowed to be carried at any one time	: .....
13.	Hypothecated to	: .....
14.	The vehicle is not to be used for hire or reward	: .....
15.	Any other condition(s) as laid down by STA	: .....

Date:

Secretary
State Transport Authority
A&N Islands

RENEWAL

This permit is hereby renewed upto the ..... day of ..... 200 ..... subject to the following conditions: .....

Date:

Secretary
State Transport Authority
A&N Island

FORM P.R.A.

(See Rule 53 of A&N Islands Motor Vehicles Rules, 2006)

APPLICATION FOR RENEWAL OF PERMIT/COUNTERSIGNATURE

To

The State Transport Authority,
A&N Islands
Port Blair.

I/We the undersigned hereby apply for renewal of permit/countersignature as hereunder set out:

1. Number of Permit/Countersignature : .....
2. Registration Mark(s) of the vehicle(s) covered by permit / countersignature number : .....
3. Name and address of permit holder : .....
4. Date of issue of Permit/Countersignature : .....
5. Date of expiry : .....
6. Permit/Countersignature is in respect of State Carriage/ Reserve of Stage Carriage/Contract Carriage/Goods Carrier/Private Service Vehicle (Tick whichever is the case) .....
7. Route/Area for which Permit/Countersignature is valid : .....
8. Goods which are not permitted to be carried (in case of Goods carrier permit) : .....

Date:

Signature or thumb impression of the applicant(s)

FORM L.Con.A.

(See Rule 18 and 20 of A&N Islands Motor Vehicles Rules, 2006)

APPLICATION FOR ISSUE/RENEWAL OF OR DUPLICATE CONDUCTOR'S LICENCE OR BADGE

1. Full Name : .....
2. Name of Father : .....
3. Date of Birth : .....
4. Present Address : .....
   .....
   .....
5. Permanent Address : .....
   .....
   .....
6. Conductor's Licence No. ..... Badge No. .....
7. Date of Issue ..... Date of expiry .....
8. Issuing Authority : .....
   .....
9. Valid upto : .....
10. Endorsement, if any : .....
11. (1) Certified that I am not disqualified from holding a Conductor's Licence
    (2) Certified that there is no adverse entry on my Conductor's Licence

    OR

    The adverse entry or punishment given to me since date of last issue is as under:
    .....
    (3) Certified that I am possessing a valid Adult First Aid Certificate No. ..... dated .... issued by .....
    (4) Certified that I am not less than 18 years of age and that the above statements are true.
    (5) I attach two copes of latest photographs of myself (in case of new licence)

Date:

Signature or thumb impression of applicant

FORM L.Con.
(See Rule 18 of A&N Islands Motor Vehicles Rules, 2006)

ANDAMAN AND NICOBAR ADMINISTRATION

CONDUCTOR'S LICENCE

Space for photograph

Licence No. .....

1. Name : .....
2. Father's Name : .....
3. Address : .....
   .....
   .....
4. Date of Birth : .....

Duplicate signature or thumb impression of
Applicant, from Form L. Con. A.

This licence is valid upto ..... However the validity of this licence is subject to the validity of ADULT FIRST AID CERTIFICATE held by the licencsee.

Date:

Licensing Authority

Renewed upto .....
Date:

Licensing Authority

Renewed upto .....
Date:

Licensing Authority

Renewed upto .....
Date:

Licensing Authority

FORM M.C.Con.

(See Rule 18 of A&N Islands Motor Vehicles Rules, 2006)

FORM OF MEDICAL CERTIFICATE FOR A CONDUCTOR

(To be filled by a Registered Medical Practitioner)

Space for photograph

1. Name of the persons examined : .....
2. Name of father : .....
3. Apparent age ..... Date of Birth .....
4. Is the person examined fit physically to perform the duties of a conductor of a stage carriage: : Yes/No
5. Does he show any evidence of being addicted to the excessive use of alcohol or drugs: : Yes/No
6. Identification marks : .....
7. Certified that the person examined has affixed his signature/thumb impression hereto in my presence and that to the best of my knowledge and belief the above statements are true and the attached photograph is a reasonably correct likeness of the person described.

Signature or thumb impression of the applicant examined

Date:

Signature.....
Name.....
Designation.....
Registration No. .....
Address.....

FORM T.V.C.

(Rule 46 of A&N Islands Motor Vehicles Rules, 2006)

ANDAMAN AND NICOBAR ADMINISTRATION

ROAD TAX VERIFICATION CERTIFICATE

S. No. ..... Date .....

Registration Mark of Vehicle ..... Tax Verification Fee Rs. .....
Paid vide Receipt No. .....
Dated .....

Type of Vehicle

Period		Amount paid			Amount Due	
S. No.	Tax	Penalty	Date of Payment	Receipt No.	Tax	Penalty
(1)						
(2)						
(3)						

FORM P.S.U. (A)

(See Rule 89 of A&N Islands Motor Vehicles Rules, 2006)

PUBLICATION OF PROPOSED SCHEME

Whereas the State Transport Service, A&N Islands is of the opinion that for the purpose of providing an efficient adequate, economical and properly coordinated road transport service, it is necessary in the public interest that road transport service in relation to the area/route specified in Schedule-I hereunder should be run and operated by the State Transport Service.

And whereas the State Transport Service has prepared a scheme for the purpose as set out in Schedule-II hereunder.

Now, therefore, the same is hereby published as required by Section 99 of the Motor Vehicles Act, 1988 for the information of persons likely to be effected thereby and notice is hereby given that any person effected by the scheme may with thirty days from the date of publication of the scheme in the Official Gazette, file objections thereto, if any, before the Secretary (Transport), A&N Administration:

Note:- Strike out which is not applicable.

SCHEDULE-I

Area or route in relation to which the scheme is proposed.

SCHEDULE-II

1. Routes (starting point and terminal with important intermediate stations and route length) in case of stage carriages.
2. Areas or roads in case of goods vehicles and contract carriages.
3. Whether Town service or Mufossil service or both.
4. Number of vehicles scheduled to operate on each route or area (in case of partially nationalized routes or areas):
   (a) by private operators;
   (b) by State Transport Service
5. Number of daily trips scheduled on each route or area (in case of partially nationalized routes or areas):
   (a) by private operators:
   (b) by State Transport Service.
6. Maximum and minimum number of vehicles proposed to be operated on each route/area by the State Transport Service to the exclusion of private operators:
   (a) Maximum number
   (b) Minimum number
   (c) Type
   (d) Capacity
7. Maximum number of trips proposed to be preformed by State Transport Service to the exclusion of private operators.
8. Number of vehicles intended to be kept in reserve to maintain the service and to provide for special occasions.
9. The arrangement proposed for housing, maintenance and repairs of the vehicles.
10. The arrangement proposed to for the comfort and convenience of passengers.
11. The arrangements proposed for the stands and halts on the route at which copies of time tables of the services are proposed to be exhibited.
12. The weight and nature of passenger luggage that shall be carried free of charge.
13. The total weight and luggage that is proposed to be carried in relation to each passenger and the arrangements that are proposed to be made to carry the luggage without inconvenience to the passengers.
14. The rates of freight charges proposed to be levied on luggage in excess of free allowance.
15. Whether it is proposed to permit the carriage of goods in addition to the passengers.
16. The rates of fares proposed to be charged both on ordinary and special occasions.
17. Nature of goods proposed to be carried.
18. The arrangements proposed for storage and safe custody of the goods to be carried.
19. The rates of freights proposed to be charged.
20. Particulars of existing permit which will have to be cancelled or modified as a result of approval of the scheme and the extent of cancellation or modification.
21. How dies the State Transport Service consider that an efficient, adequate, economical and properly coordinated road transport services will be provided by the proposes scheme and how the approval of the scheme is necessary in public interest.
22. Any other information the State Transport Service desires to submit

Signature.....

Designation.....

FORM P.S.U.(B)

(See Rule 88 of A&N Islands Motor Vehicles Rules, 2006)

PUBLICATION REGARDING AMENDMENT IN SCHEME

Whereas the State Transport Service, A&N Islands is of the opinion that the scheme of road transport service in relation to (herein specify the area or route) approved by the State Transport authority, A&N Islands/ Andaman and Nicobar Administration vide Notification No. ..... dated ..... published in the Andaman and Nicobar Gazette dated ..... requires modification.

And whereas the State Transport Service, A&N Islands has prepared a scheme in modification of the approved scheme referred to above. Now, therefore, the modified scheme along with the approved scheme is hereby published, as required by Section 102 of the Motor Vehicles Act, 1988 for the information of persons likely to be affected thereby, and notice is hereby given that any person affected by the scheme may, within thirty days from the date of publication of the scheme in the Gazette, file objection thereto, if any, before the Secretary (Transport), A&N Administration.

APPROVED SCHEME NOTIFICATION PROPOSED

1. Routes (starting point and the terminal with important intermediate stations and route length) in case of state carriages.
2. Areas or roads in case of goods vehicles and contract carriages.
3. Whether town service or Mofussil service or both.
4. Number of vehicles scheduled to operate on each route or area (in case of partially nationalized routes or areas):
   (a) by Private Operators;
   (b) by State Transport Service.
5. The number of daily trips scheduled on each route or area (in case of partially nationalized routes or areas):
   (a) by Private Operators;
   (b) by State Transport Service.
6. Maximum and Minimum number of vehicles proposed to be operated on each route/area by State Transport Service to the exclusion of Private Operators:
   (a) Maximum Number
   (b) Minimum Number
   (c) Type
   (d) Capacity
7. Maximum number of trips proposed to be performed by State Transport Service to the exclusion of Private Operators.
8. Number of vehicles intended to be kept in reserve to maintain the service and to provide for special occasions.
9. The arrangement proposed for the housing, maintenance and repair of the vehicles.
10. The arrangements proposed for the comfort and convenience of passengers.
11. The arrangements proposed for the stands and halts on the route at which copes of time table of the services are proposed to be exhibited.
12. The weight and the nature of passenger luggage that shall be carried free of charge.
13. The total weight of luggage that is proposed to be carried in relation to each passenger and the arrangements that are proposed to be made to carry the luggage without inconvenience to the passengers.
14. The rates of freight charges proposed to be levied on luggage in excess of free allowance.
15. Whether it is proposed to permit the carriage of goods in addition to the passengers.
16. The rates of fares proposed to be charged both on ordinary and special occasions.
17. Nature of goods proposed to be carried.
18. The arrangements proposed for the storage and safe custody of the goods to be carried.
19. The rates of freights proposed to be charged.
20. Particulars of the existing permits which will have to be cancelled or modified as a result of approval of the scheme and the extent of cancellation or modification.
21. How does the State Transport Service consider that an efficient, adequate, economical and properly coordinated road transport service will be provided by the proposed scheme and how the approval of the scheme is necessary in public interest.
22. Any other information the State Transport Service desires to submit.

Date:

Signature.....

Designation.....

FORM P.S.U.(C)

(See Rule 91 of A&N Islands Motor Vehicles Rules, 2006)

PUBLICATION REGARDING APPROVED SCHEME

Whereas the Andaman and Nicobar Administration, having considered the scheme prepared and published by the State Transport Service, A&N Islands in the Andaman and Nicobar Gazette (Part .....) dated ..... and the objections thereto received, have decided to approve/modify the schem under Section 100 of the Motor Vehicles Act, 1988.

Now, therefore, the Lieutenant Governor (Administrator), Andaman and Nicobar Islands hereby publishes the scheme so approved/modified as required under Section 100 of the Motor Vehicles Act, 1988.

(Note - Strike out which is not applicable)

THE SCHEME

1. Routes (starting point and the terminal with important intermediate stations and route length) in case of state carriages.
2. Areas or roads in case of goods vehicles and contract carriages.
3. Whether town service or Mofussil service or both.
4. Number of vehicles scheduled to operate on each route or area (in case of partially nationalized routes or areas):
   (a) by Private Operators;
   (b) by State Transport Service.
5. The number of daily trips scheduled on each route or area (in case of partially nationalized routes or areas):
   (a) by Private Operators;
   (b) by State Transport Service.
6. Maximum and Minimum number of vehicles proposed to be operated on each route/area by State Transport Service to the exclusion of Private Operators:
   (a) Maximum Number
   (b) Minimum Number
   (c) Type
   (d) Capacity
7. Maximum number of trips proposed to be performed by State Transport Service to the exclusion of Private Operators.
8. Number of vehicles intended to be kept in reserve to maintain the service and to provide for special occasions.
9. The arrangement proposed for the housing, maintenance and repair of the vehicles.
10. The arrangements proposed for the comfort and convenience of passengers.
11. The arrangements proposed for the stands and halts on the route at which copes of time table of the services are proposed to be exhibited.
12. The weight and the nature of passenger luggage that shall be carried free of charge.
13. The total weight of luggage that is proposed to be carried in relation to each passenger and the arrangements that are proposed to be made to carry the luggage without inconvenience to the passengers.
14. The rates of freight charges proposed to be levied on luggage in excess of free allowance.
15. Whether it is proposed to permit the carriage of goods in addition to the passengers.
16. The rates of fares proposed to be charged both on ordinary and special occasions.
17. Nature of goods proposed to be carried.
18. The arrangements proposed for the storage and safe custody of the goods to be carried.
19. The rates of freights proposed to be charged.
20. Particulars of the existing permits which will have to be cancelled or modified as a result of approval of the scheme and the extent of cancellation or modification.
21. How does the State Transport Service consider that an efficient, adequate, economical and properly coordinated road transport service will be provided by the proposed scheme and how the approval of the scheme is necessary in public interest.
22. Any other information the State Transport Service desires to submit.

Date:

Signature.....

Designation.....

FORM C.T.A.

FORM OF APPLICATION FOR PAYMENT OF COMPENSATION UNDER SECTION 166 OF THE MOTOR VEHICLES ACT, 1988

(See Rule 116 of A&N Islands Motor Vehicles Rules, 2006)

To

The Motor Accident Claims Tribunal,
A&N Islands,
Port Blair.

I, ... son/daughter/wife/widow of ..... residing at ..... having been injured in motor vehicle accident hereby apply for grant of compensation for the injury sustained.

Necessary particulars in respect of the injury, vehicle etc. are given below:

I, ... son/daughter/wife/widow of ..... residing at ..... hereby apply, as a legal representative/agent for the grant of compensation on account of death of Shri/Smti./Kumari ..... son/daughter/wife/widow of Shri/Smti, ... who died/was injured, in a motor vehicle accident.

Necessary particulars in respect of the deceased/injured, the vehicles etc. are given below:

1. Name and father's name of the person injured/dead (husband's name in the case of married woman/widow) : .....
2.. Full address of the person injured/dead : .....
3. Age of the person injured/dead : .....
4. Occupation of the person injured/dead : .....
5. Name and address of the employer of the deceased, if any : .....
6. Monthly income of the person injured/dead : .....
7. Does the person in respect of who compensation is claimed, pay income tax? If so, state the amount of income tax (to be supported by document by evidence): .....
8. Place, date and time of the accident : .....
9. Name and address of Police Station in whose jurisdiction the accident took place or was registered : .....
10. Was the person in respect of whom compensation is claimed, traveling by the vehicle involved in the accident. If so, give the name of place of starting journey and destination : .....
11. Nature of injuries sustained. : .....
12. Name and address of the Medical Officer/Practitioner, if any, who attended on the injured/dead : .....
13. Period of treatment and expenditure, if any, incurred thereon (to be supported by documentary evidence) : .....
14. Registration No. and the type of the vehicle involved accident : .....
15. Name and address of the owner of the vehicle : .....
16. Name and address of the insurer of the vehicle : .....
17. Has any claims had been lodged with the owner/insurer, if so, with what result : .....
18. Name and address of the applicant : .....
19. Relationship with the deceased : .....
20. Title to, the property of the deceased : .....
21. Amount of compensation claimed : .....
22. Any other information that may be necessary or helpful in the disposal of the claims : .....

I hereby solemnly declare that the particulars given below are true and correct to the best of my knowledge.

Date:

Signature or thumb impression of the applicant