

अण्डमान तथा  
Andaman And



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अण्डमान तथा निकोबार प्रशासन

ANDAMAN AND NICOBAR ADMINISTRATION

सचिवालय/ SECRETARIAT

**NOTIFICATION**

Port Blair, dated the 18<sup>th</sup> April, 2006

No. 76/2006/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:-

**CHAPTER 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 travelling 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, travelling 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. Issue of Duplicate Licenses/Badges:-**

- 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. Duties, functions and conduct of Transport Vehicle Drivers and Conductors:** 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 the 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. Maintenance 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 5<sup>th</sup> 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 15<sup>th</sup> day of the next following quarter in Form 10.

**14. Authorization of Registered Medical Practitioner:**

- 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 possesses a valid Adult First Aid Certificate issued by the Directorate of Health Services of the Administration;
    - iv) he possesses 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 the 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 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 the following functions namely:
      - aa) announce the name of each halting place, bus stand or bus station or is stopping 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. The form of application for issue of conductor's license:**

- 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. Renewal of conductor's license:**

- 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 the 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 form 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 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 the 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 Vehicle Rules, 1989.
- 32. Issue of Duplicate Certificate of Registration/Fitness:** (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 registering 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 station 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 afterwards 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. **Entry of Revised Registration Weight:** 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. **Temporary Registration of Motor Vehicles and issue of Temporary Certificate of Registration Mark:** (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. Pollution Under Control Certification:** 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. Exhibition of Particulars:** 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. **Exemption from provisions of this chapter in general:** 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 travelling 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 (hereinafter 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 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.



- (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 permit or 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 board 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. Equipment to be carried by State and Contract Carriages:** (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. Number of passengers to be carried in a stage or contract carriage:** (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 motor car shall be registered for a number of passengers in excess of the numbers contained in the following formula, namely:—  
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. Carriage of children and infants in a public service vehicle:** In relation to the number of 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. Carriage of goods in stage and contract carriage:** (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 insanitary 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 the 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  $(N-X)$  where N—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 for 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 in-charge 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/markings 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 conform 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 a 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 the 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. Provision of Taxi Meters on Motor cabs:** (1) Every Taxi/Auto Rickshaw shall be fitted with a 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.
- (5) 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 hire 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 a 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 in a 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 Section 117 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