

# **Tamil Nadu Motor Vehicles (Special Provisions) Rules, 1995**

TAMILNADU

India

## **Tamil Nadu Motor Vehicles (Special Provisions) Rules, 1995**

### **Rule**

### **TAMIL-NADU-MOTOR-VEHICLES-SPECIAL-PROVISIONS-RULES-1995 of 1995**

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Tamil Nadu Motor Vehicles (Special Provisions) Rules, 1995 Published vide Notification No. G.O. Ms. No. 718, Home, dated 18th May 1995 - No. SRO A-31/95 G.O. Ms. No. 718. - In exercise of the powers conferred by sub-section (1) of section 8 of the Tamil Nadu Motor Vehicles (Special Provisions) Act, 1992 (Tamil Nadu Act 41 of 1992), the Governor of Tamil Nadu hereby makes the following rules : -

### **1. Short title and commencement.**

(1) These rules be called the Tamil Nadu Motor Vehicles (Special Provision) Rules, 1995. (2) They shall come into force on the 18th day of May 1995.

### **2. Definition.**

- In these rules, unless the context otherwise requires, -(1) "Act" means the Tamil Nadu Motor Vehicle (Special Provisions) Act, 1992 (Tamil Nadu Act 41 of 1992); (2) "Motor Vehicles Rules" means the Tamil Nadu Motor Vehicles Rules, 1989, issued under the Motor Vehicles Act, 1988 (Central Act 59 of 1988).

### **3. Renewal of permit.**

- The Motor Vehicles Rules in relation to the renewal of permit under Chapter V of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) shall, so far as they are not inconsistent with the provisions of this Act, apply to the renewal of permit under sub-section (1) of section 6 of the Act.

#### 4. Variation of conditions of permit.

(1) Application for variation of conditions of permit under sub-section (4) of section 6 of the Act shall be made to the State Transport Authority or the Regional Transport Authority, as the case may be, in Form PVA prescribed in the Motor Vehicles Rules and shall be accompanied by the fee prescribed in the Table under rule 279 of the said Rules. (2) On receipt of an application under sub-rule (1), the State Transport Authority or the Regional Transport Authority, as the case may be, shall display on a notice board provided in its "office, a notice containing the substance of the application, the period before which any representation may be submitted, which shall not be less than fifteen days and the date appointed for consideration of the representation and a copy of such notice shall also be sent to the operators who are providing stage carriage transport service on the route (including the variation portion) or sector thereof. (3) In case where any representations received by the State Transport Authority or the Regional Transport Authority, as the case may be, shall, after considering the representation, dispose of the application on the date appointed for consideration at a public hearing at which the applicant and the person making the representation shall have an opportunity of being heard either in person or by a duly authorised representative. (4) The State Transport Authority or the Regional Transport Authority, as the case may be, after recording the reasons, by order, grant or refuse to grant variation sought for in the application and shall furnish a copy of such order to the person who filed the representation: Provided that in the case of variation, the distance covered by such variation shall not exceed twenty-four kilometers. Provided further that such variation shall not have effect of increasing the number of stage carriages as originally fixed. (5) If an order granting the variation is passed by the State Transport Authority or the Regional Transport Authority, as the case may be, under sub-rule (4), the authority granting the variation shall call upon the holder of the permit to produce, within four months from the date of receipt of such order, the permit, the registration certificate of fitness, the insurance certificate and the proof for payment of tax under the Tamil Nadu Motor Vehicles Taxation Act, 1974 (Tamil Nadu Act 13 of 1974), so as to make entries of variation in the permit and then fix a date for convening a timing conference, wherever necessary. If the permit holder fails to produce the aforesaid documents within the aforesaid period of four months, the Authority granting the variation shall cancel the variation. (6) The State Transport Authority or the Regional Transport Authority, as the case may be, may delegate to its Secretary the powers conferred on it under this rule. (7) Any person aggrieved by an order of the State Transport Authority or the Regional Transport Authority, as the case may be, may prefer an appeal to the appellate authority prescribed under the Motor Vehicles Rules. On such appeal, if the appellate authority passes an order, the provisions of sub-rule (5) shall, so far as may be, apply to such order, as they apply to an order passed under sub-rule (4). (8) Variation of conditions of permit shall not be granted more than once a year under this rule: Provided that no application for variation by an operator shall be entertained before the completion of one full year of the implementation of the earlier variation order issued to that operator.