

The Punjab Motor Vehicles State Transport Service Undertaking Scheme Rules, 1989

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Rule

THE-PUNJAB-MOTOR-VEHICLES-STATE-TRANSPORT-SERVICE-UND of 1989

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The Punjab Motor Vehicles State Transport Service Undertaking Scheme Rules, 1989Published vide Noitfication Punjab Gazette, (Extra.) Legislative Supplement, Part 3, dated 4.7.1989.No. G.S.R. 60/C.A. 59/88/S. 107/89 - With reference to Government of Punjab, Department of Transport (Transport-II Branch) Notification No. G.S.R. 49/C.A. 59/88/S. 107/89, dated the 8th May, 1989 and in exercise of the powers conferred by Section 107 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988), the President of India is pleased to make the following rules, namely :-

1. Short title and commencement.

(1)These rules may be called the Punjab Motor Vehicles State Transport Service Undertaking Scheme Rules, 1989.(2)They shall come into force at once.

2. Definitions

. - In these rules, unless the context otherwise requires, -(i)'Act' means the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988);(ii)'Government' means the Government of Punjab in the Department of Transport; and(iii)'Section' means a section of the Act.

3. Particulars of the Scheme.

[Sections 99 and 101] - The proposal regarding a Scheme formulated under Section 99 shall be in the form of a memorandum and shall contain the following particulars, -(i)name of the State

Transport Undertaking;(ii)area or route proposed to be covered under the Scheme alongwith the full details of such area or route in the form of an annexure appended thereto;(iii)purpose of the Scheme;(iv)number of services proposed to be operated in such area or on such route;(v)whether the Scheme is to the exclusion, complete or partial, of other persons or otherwise; and(vi)in case of partial exclusion of other persons, -(a)the extent of the same in favour of the State Transport Undertaking;(b)mode of grant of remaining services to be operated by other persons or otherwise.

4. Publication of the Scheme.

[Sections 99 and 107] - The proposal regarding a Scheme shall be published in the Official Gazette as well as in one newspaper in Punjabi language having circulation in the area or in the area of the route or routes covered by the Scheme and in a newspaper in the English language with sufficient circulation in the State of Punjab for the general information of the public and for inviting objections as required under section 100.

5. Manner of filing objections.

[Sections 99 and 107] - The objections in terms of sub-section (1) of Section 100 shall be filed through a communication addressed to the Secretary to the Government of Punjab, Department of Transport with a copy to the Chairman of the State Transport Authority and the State Transport Undertaking under registered post within a period of thirty days as specified in the said sub-section (1).

6. Manner of consideration and disposal of objections.

[Sections 100 and 107] - (1) The State Transport Undertaking concerned shall forward its comments with regard to the objections received under rule 5 to the Chairman of the State Transport Authority, as well as to the Secretary to Government of Punjab, Department of Transport, within fifteen days after the expiry of the last date fixed for the receipt of such objections.(2)The Chairman of the State Transport Authority shall consider the comments of the State Transport Undertaking received under sub-rule (1) and shall give his views thereon to the Secretary to Government of Punjab, Department of Transport, within a period of ten days from the receipt of comments of the State Transport Undertaking.(3)On receipt of the views of Chairman of the State Transport Authority, in terms of sub-rule (2), Government shall consider and dispose of the objections after giving an opportunity of being heard in the matter to the objector or his representatives and the representatives of the State Transport Undertaking and it may either approve or modify the Scheme.

7. Publication of the Scheme.

[Sections 100 and 107] - The approved or modified Scheme, as the case may be, under sub-rule (3) of rule 6 shall be published in the Official Gazette and also in a newspaper in the Punjabi language having circulation in the area or route covered by the Scheme.

8. Grant of permit to State Transport Undertaking.

[Sections 103, 107 and 211] - (1) For securing a stage carriage permit or a goods carriage permit or a contract carriage permit in respect of a notified area on notified route in pursuance of an approved Scheme, a State Transport Undertaking may make an application to the Regional Transport Authority concerned in the form appended to these rules :Provided that in case the notified area or route falls within the jurisdiction of more than one Regional Transport Authority the application shall be made to the Regional Transport Authority in whose jurisdiction the major portion of the area or route lies and that Regional Transport Authority shall transmit the same to the State Transport Authority for consideration with its comments thereon.(2)The following fees shall be payable in respect of the applications to be made under sub-rule (1) :-

(i) Fee for the grant of a stage carriage permit :-	Rs.
(a) which is not more than fifty kilometres	25
(b) which is more than fifty kilometres but is not more than one hundred kilometres	50
(c) which is more than one hundred kilometres	100
(ii) Application fee for grant of :-	
(a) public carrier or a private carrier permit or grant of countersignature	10
(b) contract carriage permit, variation of permits in the case of the stage carriage, contract carriage, public carriage and private carriers	5

9. Manner of service of orders.

[Sections 99 and 107] - The orders of State Transport Authority, or, as the case may be, the Regional Transport Authority concerned under sub-section (2) of section 103 shall be served under registered post or through notice in a newspaper in the Punjabi language having circulation in the area covered by the Scheme. Form (See rule 8) Application For A Stage Carriage Permit or A Goods Carriage Permit or A Contract Carriage Permit To, The Regional Transport Authority, _____ I/We the undersigned hereby apply for a permit under Section 70 of the Motor Vehicles Act, 1988 in respect of as hereunder :-

1. Full Name.....

2. Name of father (in the case of an individual).....

3. Address.....

4. Route or routes or area for which the permit is desired.....

5. The type and seating capacity of each such vehicle

6. The minimum and maximum number of daily trips proposed to be provided in the time table of the normal trips.....

7. The number of vehicles intended to be kept in reserve to maintain the service and to provide for special occasions.....

8. The arrangements intended to be made for the housing, maintenance, and repair of the vehicles for the comfort and convenience of passengers and for the storage and safe custody of luggage.

Signature of Applicant