

Rajasthan Ropeway Rules, 2000

RAJASTHAN

India

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Rule RAJASTHAN-ROPEWAY-RULES-2000 of 2000

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1. Short title and commencement.

(1)These rules may be called the Rajasthan Ropeways Rules, 2000.(2)They shall come into force at once.

2. Definitions.

- In these rules, unless the subject or context otherwise requires-(a)"Act" means the Rajasthan Ropeways Act, 1996 (Act No. 18 of 1997); and(b)The terms and expressions used in the these rules but not defined shall have the meanings assigned to them under the Act or as have been provided thereunder.

3. Power and duties of Chief Inspector.

(1)The Chief Inspector shall have power to inspect any Ropeway in the State at any time and it shall be his duty to inspect every Ropeway at least once in a year;(2)It shall be the duty of the Chief Inspector, while inspecting any Ropeway, to ensure that-(i)the same is being maintained in a fit condition;(ii)the same is being maintained with due regard to the safety of persons using the same or to the general public;(iii)the same is being operated in accordance with the provisions of the Act and these rules;(iv)the moving and fixed dimensions as specified under rule 7 of these rules are being complied with by the promoter;(v)the Ropeway is sufficiently equipped for the traffic for which it is intended;(vi)due compliance of the provisions of the Act, rules and conditions of the License has been made;(vii)sufficient measures have been taken to prevent control of pollution caused or likely to be caused by working of the Ropeway;(viii)the ropeway is fit for traffic and can be used without danger to those using it or to the person employed thereon or to the general

public;(ix)the carriers and other components of the Ropeways including the cable, wire or rail are in safe workable conditions;(x)the arrangements for embarkation and disembarkation of persons, animals and goods are safe and efficient and do not involve danger to life or property;(xi)in the case of public Ropeways, the rates as fixed under the provision of the Act alone are being charged by the servants of the promoter for carriage of persons, animals and goods and there is no violation of such such provision; and(xii)proper receipt or ticket of charges or fair collected by the servants of the promoter is given to the persons using the rope ways for carriage of persons, animals or goods.(3)The Chief Inspector shall have power to call for information from the District Inspector as to the working of the Ropeway at any time as also of the out come of his periodical or other inspection.

4. Power and duties of the District Inspector.

(1)The District Inspector shall have power to inspect any Ropeway under his jurisdiction at any time and it shall be his duty to inspect every Ropeway at least once in a quarter.(2)The District Inspector, while inspecting the Ropeway shall ensure that-(i)the same is being maintained in a fit condition;(ii)the same is being maintained with due care and regard to the safety of persons using the same or the general public;(iii)the same is being operated in accordance with provisions of the Act and these rules-(iv)the moving and fixed dimensions as specified under rule 7 of these rules are being complied with by the promoter;(v)the Ropeway is sufficiently equipped for the traffic for which it is intended;(vi)due compliance of the provisions of the Act, rules and conditions of the License has been made;(vii)sufficient measures have been taken to prevent control of pollution caused or likely to be caused by working of the Ropeway;(viii)the ropeway is fit for traffic and can be used without danger to those using it or to the person employed thereon or to the general public;(ix)the carriers and other components of the Ropeways including the cable, wire or rail are in safe workable conditions;(x)the arrangements for embarkation and disembarkation of persons, animals and goods are safe and efficient and do not involve danger to life or property;(xi)in the case of public Ropeways, the rates as fixed under the provision of the Act alone are being charged by the servants of the promoter for carriage of persons, animals and goods and there is no violation of such such provision;(xii)in case of public using the Ropeway for carriage of persons proper receipt of ticket or charges or fair collected by the servants of the promoter is given to the persons using the Ropeways for carriage of person, animal or goods;(3)The District Inspector shall report without delay to the Chief Inspector about the short comings, deficiencies and violation or any other inspection carried out by him;(4)The District Inspector shall have power to call for information from the promoter as to the working of the Ropeway at any time as also of the out come of his periodical or other inspections.

5. Notice of accidents to the Licensing Authority and the District Inspectors.

(1)Whenever any accident occurs in the working of a Ropeways involving loss of human life or serious physical injury to a human being, the promoter or any person acting for the time being as incharge of Ropeways system on his behalf, or any person duly authorised by him in this behalf shall, besides informing the officer in charge of a police station having Jurisdiction over the area where the site of the accident is situated and taking necessary steps for first aid and seeking

necessary medical aid from the nearest hospital or Dispensary, inform forthwith in writing to the Licensing Authority, the Collector and District Magistrate of the District in which the accident occurs, setting out all necessary details of the persons involved with accident including name parentage, age, sex, address and nationality of the person as also circumstances under which the accident occurred.(2)Whenever any accident occurs in the course of working of a Ropeways and no loss of human life or serious physical injury to any person is involved but serious injury to property is occasioned, the promoter or any person acting on his behalf or duly authorised by him in this behalf, shall, besides reporting incident of accident to the officer in charge of the police station having jurisdiction over the site of accident, inform in writing to Licensing Authority, the Collector and District Magistrate of the District in which the accident occurs.(3)A copy of the reports of the accidents sent by the promoter or any person acting in his behalf to the Licensing Authority and the Collector and District Magistrate of the District under sub- rules (1) or (2), as the case may be, shall simultaneously be sent to the District Inspector.

6. Duties of the promoter, promoter's servants and of police officers and the District Magistrate on the occurrence of an accident.

(1)The promoter and his servants running the Ropeways, on occurrence of any accident, besides taking necessary steps and intimating the various authorities about the accident under rule 5, shall take urgent steps providing for medical facilities to the persons injured in the accident and when loss of human life is involved, the dead bodies of the victims of accident shall be kept with due care and dignity till such time the officers in charge the police station having jurisdiction takes charge of the bodies or are carried to a Hospital or Dispensary for post-mortem.(2)The Collector and District Magistrate on receipt of information of accident involving loss of human life shall either personally visit the site of accident or direct the Executive Magistrate having Jurisdiction to visit the site of accident and supervise the expeditious and timely completion of legal prerequisites for handing over to the next of kin, of the dead bodies of the persons met with accident on a Ropeway.(3)The Collector and District Magistrate or any other Executive Magistrate deputed by him under sub-rule (2), shall besides acting as contemplated under sub-rule (2), take steps for informing the next of kin of the victims of accident and assist in timely completion of legal requirements for handing over of dead bodies to them.(4)The officer in-charge of the police station having jurisdiction over the site of accident shall act promptly in accordance with law.(5)When the accident in the working of the Ropeway involves no loss of human life but involves serious physical injuries to any person-(a)the Collector and District Magistrate or any other Executive Magistrate having jurisdiction, on receipt of information of the accident, shall personally visit the site of accidents and supervise relief operations and the help being provided to the victims of accidents and ensure that the incident is properly conveyed to the next of kin of the persons involved in accident;(b)the Collector and District Magistrate or the Executive Magistrate shall ensure that proper medical facilities are provided promptly at the Hospital where the victims of accidents are admitted and are being treated.(6)It shall be the duty of the promoter or any person for the time being in-charge of and responsible for the running of the Ropeway to seek and arrange for treatment of the injured in a Hospital and bear the expenses of all the hospital charges in connection with treatment which shall however be liable to be set off. out of the charges or damages/compensation, if any, awarded by any court in accordance with law.(7)Where any accident in the running of the Ropeway neither involves any loss

of human life nor serious physical injury but involves serious mental, physical stress and agony with imminent danger to life owing to dis-functioning of the Ropeway, the promoter or any person for the time being acting on his behalf or being the in-charge of the Ropeway system, shall take all possible steps to ensure safety of the persons involved in the accident or malfunctioning of the Ropeway and seek all possible help and take all prudent steps for safety and providing relief to the persons involved in the accident or malfunctioning of the Ropeway.(8)Upon reporting of an accident of the nature contemplated under sub rule (7), the Collector and District Magistrate of the District where the site of accident on the Ropeway is situated, shall either visit personally or direct any other Executive Magistrate to visit the site of accident to supervise and where the collector and District Magistrate is satisfied that the things are beyond the control of the promoter or his servants to have the life of the persons, he shall take necessary steps to assist the promoter or his servant, in seeking help from other quarters competent to render help and for that purpose he may exercise all powers vested him under any law, for the time being in force, and expenses incurred on seeking such outside help shall be borne by the promoter.

7. Standard dimension and specification of a Ropeway.

- The standard dimensions and specifications of a Ropeway shall be such as may be specified by the State Government in the Tourism Department, on receipt of a project report from the Licensing Authority, in respect of each and every individual Ropeway project and the same shall form part of the license agreement. ,

8. The manner of serving notice under the Act.

- The notice under the provisions of the Act shall be served by delivering the same personally or by means of registered post.

9. Safe and efficient working of Ropeway.

(1)Every promoter of a Ropeway installed for the purpose of carrying passengers, goods or animals shall make necessary arrangement for efficient and safe working of the Ropeways.(2)The person in charge of the Public Ropeways acting on the authority of the promoter shall each time before the start of the Ropeway operations ensure that,-(a)an inspection all its systems and appurtenances is carried out;(b)it is fit for traffic;(c)it can be used without danger to those using it or to those employed thereon or to the general public;(3)Every promoter of a Ropeway meant for industrial use shall make necessary arrangement for efficient and safe working of the Ropeway.(4)The person in-charge of the Ropeway (meant for industrial use) acting on the authority of the promoter shall, each time before the start of Ropeway operation ensure that-(a)an inspection of all its system or appurtenance is carried out;(b)it is fit of use;(c)it can be used without danger to those using it or to those working in that industrial undertaking.(5)Every promoter shall ensure that besides regular checking and inspection of the Ropeway system by the employees and officers, special checking and inspection is also carried out periodically as per directions of the Licensing Authority by the engineers and staff of the company which initially installed the system or by any other company or consultant specialised in the field of Ropeways installation or maintenance.(6)The wear and tear of

the equipments trolley or Gondola shall be promptly serviced and the defective parts shall be replaced immediately without delay.(7)Every promoter or its manager shall maintain register of inspections regularly for each Ropeway system and all necessary details of day to day and periodical inspections shall be maintained in Form 'C' appended to these rules and shall be submitted to the Licensing Authority or the District Inspector or the Chief Inspector or Ropeway as and when they come to inspect the Ropeway system.

10. Exercise of powers conferred on the promoter under section 14 and 15 of the Act.

(1)The promoter may, in respect of the property not belonging to the promoter, exercise power under subsection (1) of 14 of the Act only when the Collector of the District authorizes him to do so after following the due procedure under and in accordance with the provisions of the Land Acquisition Act, 1894 (Central Act No. 1 of 1894).(2)In respect of the matter covered under proviso to sub-section (1) of section 14 of the Act, the power can be exercised by the promoter only when the Collector passes orders and determines compensation under sub-section (2) of section 14 and the amount of compensation or in the case of annual rent, the first annual installment has been paid to the owner of the property affected there by.(3)The promoter while exercising power under section 14 and 15 of the Act, shall act with dignity and honour with the owner of the property effected by the exercise of power under section 14 and 15 and before entering in or upon any land or premises, he shall give due notice to the owner or occupants of the land or premises and no ingress or egress upon such land and other properties/premises shall be effected before sun rise or after sun set:Provided that in case of grave emergency when any accident occurs on the Ropeway and life of the human beings cannot be served except by having ingress or egress in or over of the Land and premises of other person, the promoter may do so even at odd hours after according a memo in this behalf.

11. The opening of the Ropeway closed under sub-section (1) of the section 19.

(1)Whenever any Ropeway is closed to all traffic or any specified class of traffic under sub-section (1) of section 19 of the Act, the same shall not be opened to said traffic until the-(a)the promoter requests the Licensing Authority in writing stating that the grounds on which the Ropeway was closed, no longer exist and that the defect/faults in the Ropeway system or part thereof, as the case may be, have been removed and the Ropeway is in a safe and fit. condition; and(b)Licensing authority has got the Ropeway or part thereof which was closed to traffic, inspected by the District Inspector or the Chief Inspector, as the Licensing Authority may deem necessary and the report of the said Inspector certifies that the Ropeway or part thereof, as the case may be, is in a safe and fit conditions to traffic for which it was closed earlier owing to unsafe condition.(2)Upon consideration of the report of the District Inspectors or Chief Inspector, as the case may be, if the Licensing Authority is satisfied that there is no danger to the class of traffic for which the Ropeway was closed and the Ropeway is in a safe and fit condition for said traffic, he may sanction the opening of the Ropeway by order in writing and there upon the promoter may be authorised to open

the Ropeway.

12. Procedure for filing, hearing and disposal of appeals.

(1) All appeals under section 22 of the Act shall be preferred in the form of a plaint as provided under the Code of Civil Procedure, 1908 (Central Act No. 5 of, 1908) stating the cause of action, grounds of appeal and the relief sought and shall be addressed to the Secretary to the Government of Rajasthan, Tourism Department. (2) On receipt of an appeal, the Secretary to the Government shall process the appeal on a new file and submit forthwith the same to the Minister In-charge of the Tourism Department and the Minister shall fix time place and date of hearing and orders for issue of the notices to the concerned parties including the authority against whose order the appeal has been preferred. The notice shall be served either personally or by registered post. (3) On the date so fixed under sub-rule (2), the Minister In-charge shall hear the parties and record evidence and also allow any documents to be exhibited. (4) After hearing the parties, the Minister In-charge may confirm or modify or set aside or revise the order or may remit it for reconsideration. (5) The Minister In-charge of the Tourism Department may delegate his power to the Secretary to the Department, Department of Tourism, Government of Rajasthan. (6) The certified copies of the order passed by the State Government shall be made available to all the parties.

13. Fees to be charged from an applicant promoter and other persons for services rendered under the Act.

(1) An application made by any person to the Licensing Authority under section 6 for the permission to undertake preliminary investigation for the Ropeway shall be accompanied by an application fee of rupees one thousand. (2) The application fee shall be deposited in head of account of the State Government and in the manner as may be specified by the Licensing Authority. (3) The Chief Inspector of Ropeway for the State and the Inspector of Ropeways for a District appointed under section 4 of the Act shall be paid a fee of rupees one thousand by the promoter as and when he may visit for inspection of the Ropeway or called upon to do so by the promoter. The fee thus received by the Chief Inspector and the Inspector for the District, shall be deposited in the account of the State Government in the manner as may be specified by the State Government. (4) Whenever any license is granted to any promoter, he shall deposit a license fee of rupees five thousand in the account of the Tourism Department of the State Government in the manner as may be specified by the State Government.

14. Procedures for the making, hearing and disposing of application.

(1) An Application by an intending promoter for permission to undertake investigation in regard to setting up a Ropeway shall be made in Form 'A' appended to these rules. (2) Upon receipt of an application under sub-rule (1), the Licensing Authority shall scrutinise the application and may seek such further information from the applicant (the intending promoter) in order to form any fair idea of the proposal. (3) After considering all the details in the application and as also additional details, if any, if the Licensing Authority is satisfied that proposal to undertake preliminary investigation for

setting up of a Ropeway is worth acceptable, he may accord sanction for preliminary investigation in accordance with the provisions of section 8 of the Act.(4)Where the preliminary investigation is proposed to be conducted in or over the land or premises not belonging to the applicant (the intending promoter), the Licensing Authority in his capacity as Collector of the District shall before according sanction for preliminary investigation proceed under and in accordance with the provisions of the Land Acquisition Act 1894 (Central Act No. 1 of 1894) and comply with the provision of that law.(5)Once an award is made and that becoming final and payment of compensation having been made in accordance with the provisions of the Land Acquisition Act 1894 (Central Act No. 1 of 1894) or section 14 of this Act, the Licensing Authority may proceed further to consider the proposal of the applicant (intending promoter) on receipt of preliminary investigation report from him.(6)The Licensing Authority after considering all the details supplied by the applicant and on being satisfied that License can be granted to the applicant (the intending promoter) may publish the proposed license in the manner as provided under section 9 of the Act.(7)The draft proposed License shall contain the following details of the proposed Public Ropeway namely:-(i)the name, address and other descriptions of the proposed Licensee;(ii)the place or places where the Ropeway is to be constructed/installed with the route over which the same shall operate;(iii)the time within which the capital required for construction of the Ropeway shall be raised;(iv)the time within which the construction shall be completed:(v)the time within which the Ropeway shall be completed;(vi)the condition under which the concession, guarantee or financial assistance may be given to the promoter;(vii)the right of purchase of Ropeway by the State Government or Local Authority;(viii)The conditions regarding audit and accounts;(ix)the conditions regarding arbitration for settlement of disputes;(x)the specifications relating to structural designs, quality of material, factors of safety, methods of computing stresses and other such technical details as may be considered necessary by the Licensing Authority with power approval of the State Government in the Tourism Department;(xi)the moving the fixed dimensions of the rope way, its subsystems and appurtenances;(xii)the maps, plans, sections and diagrams as approved by the Licensing Authority with the prior concurrence of the State Government in the Tourism Department;(xiii)the condition relating to the construction of Ropeway over roads or other public ways of communication except Railways for which previous sanction of the Railways for which previous sanction of the Railways shall have to be obtained through the Central Government before constructing or communicating Ropeway over the Railways;(xiv)the condition under which the promoter may sell or transfer his right to the State Government or to a Local Authority or to any person, body corporate, firm, association of individuals other than the promoter;(xv)the motive power to be used on the rope way and the condition, if any, on which such power may be used;(xvi)the minimum headway to be maintained under different parts of the rope;(xvii)the points of or under rope way at which bridges or guards shall be constructed or maintained or parks shall be developed;(xviii)the traffic which may be carried on the rope way, the traffic which the promoter shall be bound to carry and the traffic which he may refuse to carry;(xix)the maximum and minimum rates that may be charged by the promoter subject, however to the maximum rates as may be ordered by the Licensing Authority.(xx)the amount of security, if any, to be deposited by the promoter in the event of application being granted;(xxi)the measures that may be considered necessary to be taken by the promoter for the prevention and control of likely accident in the working of the Ropeways;(xxii)the measures that may be considered necessary for the prevention and control of any type of pollution caused of or likely to be caused by the working of the

Ropeways;(xxiii)the measures for comfortable sitting and or standing space for persons using the ropeway at the entry and exit points as also provisions for fresh air, drinking water and other civic amenities at these places;(xxiv)such matters as the State Government may deem necessary and lay down from time to time which shall be deemed to be forming part of the conditions of License; and(xxv)duration of License (i.e. the date of commencement and termination)(8)The draft license for private or Industrial Ropeway, may contain such matters at the State Government may specify by order with respect to each such Ropeway.(9)After considering the objections or suggestions, if any, which are received before the expire of the period specified in the notice published under section 9 of the Act, if the Licensing Authority is of the pinion that the License should be granted with or without modification or subject to restrictions or conditions, he shall grant the license accordingly.(10)The License authorising the construction and running of a Ropeway shall be in form "B" appended to these rules.(11)The License granted to any promoter under section 10 of the Act shall be, as soon as may be, published in the Official Gazette.

15. Provisions for fire fighting.

- The promoter shall take adequate measures for safety against out break of fire and shall install necessary fire lighting equipment at the Ropeway establishment and its all systems.

16. First aid.

(1)The promoter shall maintain sufficient stock of first aid material including common unrestricted medicines at convenient place of the Ropeway system for being used during emergencies.(2)the promoter shall get some of its employees trained in emergent handling of cases needing first aid and be in touch with the nearest hospital, dispensary and medical practitioner for prompt relief if the situation to warrants.

17. Amenities.

(1)The promoter of a public Ropeway shall make necessary arrangements at the entry and exit points for safe, convenient and comfortable stay of the persons using the Rope way system.(2)facility of pure drinking water may be provided at entry or exist points as also at various sub-systems or junctions, if any. During summer, it may be ensure that the water made available is cool.(3)adequate facilities for toilets and urinals shall be provided by the promoter at all entry, exit and waiting places.(4)where any stalls or eating jaunts or counter or stalls of cold drink or hot drinks are provided either by the promoter or under License from him in the premises under his control or possession shall ensure that reasonable rates of all these things are charged from the persons and each counter or stall shall conspicuously display rate chart.(5)In case where the rates are found to be excessive in comparison to that class of things supplied in the areas/town/city, the Licensing Authority may regulate the rates and direct the promoter to ensure due compliance from the vendors.(6)Where civic amenities, facilities as specified under this rule are found to be lacking or are inadequate, the Licensing Authority may require the promoter to provide such facilities to the persons using the Ropeway.(7)Non compliance of the directions of the Licensing Authority may be deemed to be breach of the conditions of the License.

18. Inspection by the Officers of Tourism Department.

(1) With a view to ensure that the Ropeway attracts good number of inland and foreign tourists, the Director Tourism, Art and Culture Department, Rajasthan or any Officer subordinate to him duly authorised by him in that behalf may, inspect the Ropeway installations its appurtenances and facility areas and make suggestions to the promoter for improvements in the existing facilities as also to provide additional facilities to the tourists and other people using in the Ropeway. (2) Where suggestion made by the Officers of the Tourism Department are not taken into consideration by the promoter within a reasonable period, the matters shall be referred to the Licensing Authority and the Licensing Authority on being satisfied as to be appropriateness of those suggestions, shall take adequate measures under the provisions of the Act and these rules as also under the terms and conditions of License to implement the suggestions made under sub-rule(1). Form - A (See Rule 14) Application for permission to undertake preliminary investigations. To The Licensing Authority, Rajasthan. Sir, In pursuance to the provisions of section 6 of the Rajasthan Ropeways Act, 1996 (Act No. 18 of 1997) I hereby seek your permission for undertaking preliminary investigation for setting up Ropeway (locality City/Town/Village) Tehsil District in the State of Rajasthan. The requisite information, including that which is required under section 7 of the aforesaid Act is given have under: -

1. Name

2. Nationality

3. Age

(in the case of registered firm or a company, the date of registration or corporation.)

4. Occupation

5. Address.-

(in the case of firm or a company, the registered address.)

6. Description of the Ropeway undertaking and of the route to be followed by the proposed Rope way

7. Estimate of cost of construction and management and of the advantage of the community to be expected from the proposed Ropeway

8. Estimated cost of the proposed Ropeway.....

9. Statement of estimated working expense and profits expected
.....

10. Statement of maximum and minimum rates which the applicant proposes to charge.....

11. Specification, standard dimensions, maps, plans, sections and diagrams of the Ropeway.....

12. Financial standing of the applicant and the source through which additional resource are to be mobilised for the project

13. Previous experience in the fields of running the Ropeway, if any.....

14. Other expertise, specialised knowledge or experience in executing or running the projects of like nature.....

15. Any other information as the licensing authority may require, shall be furnished.....

16. Information as required under the provisions of the Act.....

It is therefore requested that sanction for preliminary investigation under sanction 8 of the Rajasthan Ropeway Act, 1996 (Act No. 18 of 1977) may be accorded early. Place : Dated : Yours faithfully (Signatures) Full Name, address of the applicant/applicants Form - B (See rule 14 (10)) License Agreement This agreement made at this day between the Governor of the state of Rajasthan called the "Licensor" of the One Part and the a registered firm/company incorporated under the companies Act, 1956 and having registered office at (here in after called the "Licensee") which expression shall include its assignees or successors) of the Other Part The Licensee has applied for construction, communication and running of the Ropeway for carriage of passengers/goods/passengers and goods/animals and goods/passengers alone from the foot of Hill to the upper portion/top side of the Hill and associated amenities situated near/at Village/Town/City- in District in the State of Rajasthan. The Licensee had agreed to install, maintain and operate at its own cost an (aerial) Ropeway for carriage of passengers/goods/animals from the foot of Hill to upper most/Top hill portion of Hill and to provide for other associated and ancillary tourist amenities. The Licensor has agreed to the grant of Licensee under and in accordance with the provisions of the Rajasthan Ropeways Act, 1996 (Act No. 18 of 1997). Now, this license agreement

grants all the liberties and power of a licensee upon the terms and conditions hereinafter expressed. The license agreement witnesses as follows, namely:-(1) In consideration of the royalties, covenants and conditions hereinafter reserved and contained on the part of the licensee, to be paid, observed and performed, the licensor having considered the proposals of the licensee in accordance with the provisions of the Rajasthan Ropeways Act, 1996 (Act No. 18 of 1997) hereby grants unto the licensee full liberty and power to enter upon and use such of the land and hill side situated at hill shown in the plan annexed hereto distinguished as "line of the aerial Ropeway" and thereon to construct and maintain as near the red line, as conveniently may be, Aerial Ropeway, with all necessary usual and other usual ancillary work facility and there after to use the same for the carriage of passenger/goods/ animals: Provided always that the said liberty shall be subject to the provisions of the Rajasthan Ropeways Act, 1996 (Act No. 18 of 1997) and the rules made there under as amended from time to time, and the restrictions here-in-after contained. (2) The Licensee shall hold enjoy all the rights, liberties, power and authorities hereinbefore granted for a term of.....years computed from the date of execution of this agreement. The Lease period may be subject to future extension by the Licensor for a period of years, if the Licensee may so desire, subject to the royalty mentioned in clause (3) of this agreement. (3) The Licensee shall pay a royalty of Rs..... per annum for the original period of License and the royalty for the extended period shall be such as may be determined by the State Government. (4) All communications addressed to the Licensee above named shall be sent either at the registered office mentioned hereinbefore in this License or at the Local Office of the Ropeways. (5) The Ropeway shall be constructed/installed at.....(place) and shall operate from (place/location) to.....(place/location). (6) The License shall in case where he has no sufficient capital of his own/its own raise necessary capital within three months from the date of execution of this License agreement. (7) The construction/installation work of the Ropeway shall be completed within a period of one year or within such extended period as the Licensor may allow on the request by order in writing. (8) The Licensee while raising capital shall not encumber the Ropeway beyond its net capital worth at any given time. (9) The Licensee shall be entitled to transfer to Ropeway to the State Government, Local authority of the circle or to any person firm or a body corporate at any time but while transferring the undertaking to any person or body the Licensee shall inform the Licensor before hand and clear all outstanding dues, if any. The Licensee shall maintain proper accounts of installation and operation of the Ropeway and these Accounts shall be audited by a Chartered Accountant. (10) The Ropeway shall conform to the specifications relating to structural designs, quality of material factors of safety, methods of computing stresses and other technical details as have been set forth and provided in Annexure-I appended to this License Agreement. [Note: - This Annexure may contain the standard specifications, technical details to which a Ropeway must conforms as are duly approved by the Licensing the provisions of the Act and the Rules.] (11) The moving and fixed dimension of the Ropeway, its subsystem and appurtenances shall be such as are given in Annexure- II appended this License Agreement. (12) The maps, plans, sections and diagrams submitted by the Licensee and approved by the Licensor are given in Annexure-III appended to this License Agreement. (13) The licensee shall adhere to the specification, structure designs and the quality of material as set forth in the preceding Clauses (10) to (13), while constructing and running the Ropeways. (14) The Licensee during the course of construction, repair, working, maintenance or management of the Ropeway, shall neither cause any permanent injury to any public or other means of communication including water way, if any, or high tension power line or any other thing of

public utility service nor shall obstruct or interfere with, otherwise then temporarily as may be necessary in emergent situations the traffic on any public road, any other means of mass communication including a water way.(15)The motive power to be used for conveying the Ropes and running the system as also stand by arrangements are given in Annexure-IV.[Note: - This Annexure will contain all the details of motive power used and the stand by arrangements including generator or engine.(16)The points of or under the Ropeway at which bridges or guards shall be constructed or maintained or parks shall be developed are given in Annexure-V. The Licensee shall constructed and maintains these facilities/guards.(17)The Licensee shall be authorised to carry the following type of traffic and to which he may refuse.....As far other traffic for which he is not authorised, he may decline.(18)The promoter shall for the purpose of working of a public Ropeway, subject to the maximum rates as may be ordered by the Licensing Authority have power from time to time to fix rates for the carriage of passengers, animals or goods on the Ropeway.(19)The Licensee shall abide by the terms and conditions embodied in this Licensee agreement.(20)In the event of breach on the part of the licensee of the provisions of the Rajasthan Ropeways Act, 1996 (Act No. 18 of 1997) and rule made thereunder or any of the terms and conditions of this License Agreement, the Licensing Authority shall have power to suspend or cancel the License at any time.(21)Other terms/conditions.....(i).....(ii)..... witness whereof the parties aforesaid have signed, in the presence of witness given below on this day of 1999/2000.

PromoterThe party of the other
part.(for an on behalf of the Governor
of Rajasthan)Party of the one

LicensingAuthorityWitness: (1)
post.Witness: (1) Name Name:.....Address:.....Occupation:.....Witness:
:.....Address (1)
:.....Occupation:.....WitnessName:.....Address:.....Occupation:.....
(1) Name :.....Address
:.....Occupation:.....

Form - C(See rule 9(7))

1. Name of the Ropeway system with location

2. Name of the Promoter

3. Name of the person for the time being in-charge of the Ropeway operations.

Name of the TechnicalOfficer/Employee or any other person

Date Time Carrying out inspection

Details of

Inspections

- 1 Where the Ropes are in fit condition ? (Yes/No)
- 2 Where the Gondola/Trolley with all its appurtenances are improper conditions and fit for use (Yes/No)
- 3 Whether all other system are in order (Yes/No)

Note: - Where any defect, deficiency, wear or tear in the system is noticed, that should be clearly mentioned and explained. Certified that the Ropeway alongwith all its, appurtenances including Gondola/Trolley are fit for use/not fit for use owing to following defects/faults. Details of faults/defects _____

of the person inspecting the Ropeway Certified that the Ropeway alongwith all its sub-system/appurtenances including Gondola/Trolley are- * (i) fit for use* (ii) not fit for use owing to following defects/faults. (all defects/faults be clearly indicated with precise details) _____

Strike out the portion which is not applicable Certificate after removal of defects/faults Certified that the defects/faults indicated above in the inspection have been removed and the Ropeway alongwith all its sub-system/appurtenances including Gondola/Trolley is fit for use.

Signature
of the person removing the
defects/faults

Counter signature
of the person acting on behalf of the promoter and in-charge of
the Ropeway.