

The Orissa Requisitioning of Goods Vehicles Rules, 1993

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Rule

THE-ORISSA-REQUISITIONING-OF-GOODS-VEHICLES-RULES-1993 of 1993

- Published on 1 January 1993
- Commenced on 1 January 1993
- [This is the version of this document from 1 January 1993.]
- [Note: The original publication document is not available and this content could not be verified.]

The Orissa Requisitioning of Goods Vehicles Rules, 1993Published vide Notification Orissa Gazette Extraordinary No. 970/21.7.1993, Notification No. 11453-LC-I-A-32/93-T./14.7.1993-w.e.f. 21.7.1993

1. Short title, commencement and application.

(1)These rules may be called the Orissa Requisitioning of Goods Vehicles Rules, 1993.(2)They shall come into force on the date of their publication in the Official Gazette.(3)They shall apply to all goods vehicles in the State of Orissa.

2. Definitions.

(1)In these rules, unless the context otherwise requires-(a)"Act" means the Orissa Requisitioning of Goods Vehicles Act, 1986 (Orissa Act 5 of 1986);(b)"Form" means a Form appended to these rules;(c)"Section" means a section of the Act.(2)All other words and expressions used but not defined in these rules, unless the context otherwise requires shall have the same meanings as assigned to them in the Act.

3. Order of requisition.

- The order of the Collector for requisitioning any goods vehicle under Section 3 shall be made in Form I.

4. Authorisation by the Collector.

- The Collector may authorise any person to exercise the powers under the Act in Form II.

5. Service of requisition.

- Save as otherwise provided in the Act, service of any requisition or order or notice under the Act shall be made-(i)by tendering a copy of the requisition or order or notice to the person concerned and obtaining his acknowledgment on the reverse of the other copy; or(ii)sending a copy of the requisition or order or notice to the person concerned through registered post with acknowledgement due; or(iii)by affixing a copy of the requisition or order or notice on the outdoor or some other conspicuous part of the house in which the person concerned ordinarily resides or carries on business or personally works for gain, in which case, the serving officer/person shall return the original stating that he has so affixed the copy, the circumstances under which he did so and the name and address of the person by whom the house was identified and in whose presence the copy was affixed.

6. Preparation of inventory.

- The inventory of the goods vehicle, materials or documents referred to in Sub-section (7) of Section 3, shall be made in Form III.

7. Power to require information.

- The order of the Collector requiring information under Section 8 shall be made in Form IV.

8. Recovery of cost, fee or tax.

- Where the cost of garaging, maintenance and repair of any goods vehicle requisitioned under Sub-section (8) of Section 3 and the tax or fee paid under Sub-section (2) of Section 7 exceeds the amount payable to the owner under Section 6 on account of its requisition under the Act, the balance of such amount which remains after recovery from the amount so payable to the owner shall be recovered as a public demand under the Orissa Public Demands Recovery Act, 1962. Form I[See Section 3 and Rule 3]Requisition for goods vehiclesTo(1)Shri.....Address.....Owner of Goods Vehicle No.....OR(2)Name of persons having possession/control of the goods vehicleAddress :.....(3)Registration number of the goods vehicle to be requisitioned.....Whereas in the opinion of the undersigned, it is necessary/ expedient so to do for providing better and more coordinated goods transport service in the State and to meet an emergency in the maintenance of such service, the undersigned hereby orders for the requisition of the above-mentioned goods vehicle for the said purpose.The above-named owner/person, in possession or control of the above-mentioned goods vehicle, is hereby directed to deliver the said goods vehicle at the place.....on the date.....at.....A.M./P.M. to

Shri.....designation (if any) who has been authorised for this purpose by the undersigned. Take notice that due action under law shall be taken against you in case of non-compliance of this order. Given under hand and seal of on this.....day of.....20....Seal : Signature of the Collector Form II [See Sub-sections (3) and (6) of Section 3 and Rule 4] Authorisation of competent authority In exercise of the powers conferred under the Orissa Requisitioning of Goods Vehicles Act, 1986 (Orissa Act 5 of 1986), I do hereby authorise

Shri.....(name, designation and address) to perform the duties and exercise the powers under Sub-section (3) and/or Sub-section (6) of Section 3 of the said Act.

Place..... Signature of the Collector

Date..... Seal :

Form III [See Sub-section (7) of Section 3 and Rule 6] Inventory

1. Date and time of taking possession of the goods vehicle :

2. Place where the possession of the goods vehicle is taken :

3. Registration mark of the goods vehicle :

4. Name and address of the owner :

5. Name, father's name and address of the person from whom the possession taken (if any) :

6. List of materials taken possession of along with the goods vehicle:

7. List of documents taken possession of :

Signature of owner/person in possession Signature of the authorised person taking possession.
Name and address of witnesses : (1)(2) Signature of witnesses with dates : (1)(2) Form IV [See Section 8 and Rule 7] To, Shri Son of Address Whereas the undersigned requires the following information or document (s) with a view to requisitioning the following goods vehicle(s) or taking further action with respect thereto in pursuance of the provisions of the Orissa Requisitioning of Goods Vehicles Act, 1986, you are hereby required to be present before the undersigned on.....at.....at.....(Write here the date) (Write here the time) (Write here the place) and to submit the following information or document (s) which is/are in your possession/knowledge-Note. - In suitable cases presence of any person can be dispensed with by the Collector if the person concerned undertakes to furnish required information through his/her agent. Take notice that due action under law shall be taken against you in case of your default. Given under my hand and seal on this.....day of.....20....Description-

1. Registration number(s) of the Goods Vehicle(s)

2. Particulars of information required....

3. List of documents required to be produced.....

Signature of the CollectorSeal :