

# **The Uttarakhand Motor Vehicles (Fourth Amendment) Rules, 2016**

UTTARAKHAND

India

## **The Uttarakhand Motor Vehicles (Fourth Amendment) Rules, 2016**

### **Rule**

### **THE-UTTARAKHAND-MOTOR-VEHICLES-FOURTH-AMENDMENT-RULES of 2016**

- Published on 16 December 2016
- Commenced on 16 December 2016
- [This is the version of this document from 16 December 2016.]
- [Note: The original publication document is not available and this content could not be verified.]

The Uttarakhand Motor Vehicles (Fourth Amendment) Rules, 2016 Published vide Notification No. 1397/9-1/302(2007)/2016, dated December 16, 2016, published in the Uttarakhand Gazette, Extraordinary, dated 16th December, 2016, pp. 60-126, In exercise of the power under Sections 28, 65, 96, 111, 138 and 176 of the Motor Vehicle Act, 1988 (Act No. 59 of 1988), the Governor, with a view to further amending the Uttarakhand Motor Vehicles Rules, 2011, is pleased to publish the Uttarakhand Motor Vehicles (Fourth Amendment) Rules, 2016, after pre-publication of the rules in the State Gazette by Notification No. 270/IX-1/302(2007)/2016 dated 29 April, 2016, as required under sub-section (1) of Section 212.

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

(1) These rules may be called the Uttarakhand Motor Vehicles (Fourth Amendment) Rules, 2016. (2) They shall come into force with effect from the date of their publication in the Gazette. Proviso that the Rule 52 shall come into force on such date as the State Government may notified by Gazette notification separately.

### **2. Amendment of Rule 2.**

- In the Uttarakhand Motor Vehicles Rules, 2011 hereinafter referred to as principal rules, in Rule 2 - (a) After clause (a) the following clauses shall be inserted, namely - (a1) "Accident" means an accident involving use of any motor vehicle at a public place; (a2) "Investigating Police Officer" means the Station House Officer of a police station or any other police officer subordinate or

superior to him, entrusted with investigation relating to accident;(a3)"Additional Secretary" means an officer appointed as such by the State Government in the State Transport Authority.(b)After clause (p) the following clauses shall be inserted, namely -(p1)"Radio Taxi" means the motor cab equipped with necessary specifications;(p2)"School Cab" means a motor cab or maxi cab owned or controlled by a school or college or controlled by its recognised parent teacher association used for carrying students to and from such school or college;

### **3. Amendment of Rule 4.**

- In the principal rules, for the existing Rule 4 the following rule shall be substituted, namely -

**4. Fee payable for the issue of a medical certificate. - The fee payable for the issue of a medical certificate under sub-section (3) of Section 8 and in case any doctor duly empowered to issue such certificate requires any specialist opinion for the purpose and takes it from any other doctor empowered to issue such certificate shall be decided and notified by the Transport Commissioner.**

### **4. Amendment of Rule 12.**

- In the principal rules, for the existing sub-rule (6) of Rule 12, the following rule shall be substituted, namely -(6)Before renewal of driving licence for transport vehicle applicant shall have to undergo through in the case of light motor vehicle one day and in the case of medium or heavy motor vehicle two days refresher training course in a driving training institute established by State Government or authorised by Transport Commissioner and on presenting a certificate of the aforesaid refresher course along with other formalities, the Licensing Authority shall renew the licence. Order authorising the driving training institute for applicants of different districts, fees charged by them for imparting training and refresher course shall be decided, issued and notified by the Transport Commissioner from time to time. But the drivers of Government vehicles will be exempted from refresher training.

### **5. Insertion of Rule 12-B and 12-C.**

- In the principal rules, after Rule 12-A, the following rules shall be inserted, namely -(a)12-B. Document for the proof of address and age. - In addition to the document specified in Rule 4 of the Central Rules the Licensing Authority of the Registering Authority, as the case may be, may also accept applicant's (1) Voter Identity Card, (2) Aadhaar Card, (3) Permanent Residence Certificate issued by Competent Officer, as evidence of address and age, for issue of Motor Vehicle Driving Licence and Motor Vehicle Registration Certificate.(b)12-C. Delivery of Driving Licence. - Driving licence issued under Rule 16 of the Central Rules shall be delivered to the applicant on his address given under Rule 14 of the Central Rules through registered post on the day when licence is ready or on the following next working day. Its receipt shall be kept safe for record. For it the applicant shall

submit a self addressed properly stamped envelope for registered post along with the application for driving licence."

## **6. Insertion of Rule 19-A and Rule 19-B.**

- In the principal rules, after Rule 19, the following rules shall be inserted, namely -

### **19.**

-A. Prior test for Learner's licence. - Prior to conducting the preliminary test under sub-rule (IA) of sub-rule (11) of the Central Rules before issuing learner's licence the Licensing Authority shall test every applicant that he possesses adequate knowledge and understanding of the matters specified in sub-rule (1) of Rule 11 of the Central Rules. This Test may be manual or computerised or web based online.

### **19.**

-B. Additional conditions for driving school. - Besides the provisions of Rules 24 to 31-A of the Central Rules, the following shall be the additional conditions for every driving school in the state

-(i) In accordance with the provisions of clause (ii) of sub-rule (3) of Rule 24 of the Central Rules, the adequate space mentioned therein shall be 1000 square feet covered area which includes office room, lecture hall, room for demonstration of model, toilet and bathroom. Besides sufficient area shall be required for vehicle parking. (ii) The licensee of the school shall furnish a minimum bank guarantee of Rupees 25,000. It shall be maintained till the validity of the school. (iii) The licensee of the school shall have two or more vehicles having dual control facility system registered in his name. It shall be used only for imparting driving training. (iv) In addition to the equipment specified in "clause (vi)" of sub-rule (3) of Rule 24 of the Central Rules the school shall maintain appropriate simulator for imparting training to light motor vehicle driver and or heavy motor vehicle driver as the case may be. (v) The school shall fix on an average 24 number of trainees per instructor in a vehicle per month. (vi) The Licensing Authority shall issue authority letter to the instructor employed by the school who possesses the qualifications prescribed under clause (viii) of sub-rule (3) of Rule 24 of the Central Rules for a period of one year which may be renewed every year for imparting instructions. (vii) Officer not below the rank of Assistant Regional Inspector who is authorised by the Licensing Authority shall inspect the register maintained by school in form 14 and form 15 under clause (a) and clause (i) of Rule 27 of the Central Rules. (viii) The school shall provide to the trainees study material showing the subject matter of training along with the knowledge of maintenance of vehicle and all the signs of First Schedule of the Act which may be seen by the Licensing Authority before issuing learning licence. (ix) The school shall submit, in the office of Licensing Authority, the specimen signature of the person authorised to sign form 5 of the Central Rules. A list of all recognised schools of the state shall be kept in sub regional, regional transport offices and in Transport Commissioner Office. (x) The school shall prior decide the leaves training and lectures to be given by it and shall submit it to the Licensing Authority. (xi) The school shall be inspected by the Licensing Authority once in a year, by the concerned Regional Transport Officer twice in a year and by the Assistant Regional Transport Officer (Administered) four times in a year. (xii) The school shall

send trainees list per vehicle per month on or before 15th day of next following month to the Transport Commissioner Office and the Licensing Authority in whose jurisdiction the school is situated. It shall contain the name of trainee his father's name, address, date of birth, training period and certificate number given him.(xiii)The school shall follow the instruction issued from time to time by the Transport Commissioner to it."

## **7. Amendment of Rule 21.**

- In the principal rules, for the existing Rule 21, the following rule shall be substituted namely -

**21. Minimum Educational Qualification of grant of Conductor's licence. - The minimum educational qualification for the grant of conductor's shall be High School or any equivalent examination recognised by the State Government, In addition to it the applicant shall the furnish first aid certificate on the subjects mentioned in part 'K.' of Rule 31 of the Central Rules, issued by the Red cross Society or Authorise Doctor:**

Provided that this rule shall not apply to the person who has obtained a conductor licence before the date of coming into course of this rules."

## **8. Amendment of Rule 40.**

- In the principal rules, after sub-rule (8) of Rule 40, the following sub-rule shall be inserted, namely -  
-(9)The Inspecting Officer mentioned in the proviso of sub-rule (1) of Rule 62 of the Central Rules shall be the such Registering Authority, Senior Motor Vehicles Inspector or Motor Vehicle Inspector holding the qualification notified under sub-section (4) of Section 213 of the Act."

## **9. Amendment of Rule 51.**

- In the principal rules, for the existing Rule 51, the following rule shall be substituted, namely -

**51. Exemption from payment of registration fee. - Motor vehicles of the following descriptions shall be exempted from payment of registration fee to the extent mentioned against each of them -**

(i)Tractors and locomotives used solely for agricultural purposes ten per cent;(ii)Motor Ambulances owned by charitable institutions and used solely for the conveyance of sick or injured twenty five per cent;(iii)Such motor vehicles as are owned by Government fully exempted."

## **10. Amendment of Rule 52.**

- In the principal rules, for the existing Rule 52, the following rule shall be substituted, namely -

### **52. Assignment of registration mark. - (1) The registration numbers to the motor vehicles shall be assigned as per the notification issued by the Central Government under sub-section (6) of Section 41.**

(2) On receipt of an application Form 20 of the Central Rules, the Registering Authority shall assign the registration number which falls in serial order after the last registration mark assigned, subject to the following provisions - (i) Transport Commissioner may reserve any registration numbers as are considered necessary to be assigned to the vehicles of Government and transport vehicles on the basis of their categories. (ii) The Transport Commissioner may from time to time notify in the website the available registration number given in the Second Schedule for online e-auction fixing Rupees 10,000 as minimum reserve price for them in addition to fees prescribed under sub-section (2) of section 41 of the Act. The online e-auction procedure shall be fixed by the Transport Commissioner. (iii) The Transport Commissioner may from time to time notify attractive registration numbers, other than those specified in clause (ii) of sub-rule (2), for online booking. The Registering Authority may on an online application made to it by any person reserve on payment of a fee Rs. 10,000 for a very attractive number, Rs. 5000 for a very important number, Rs. 2000 for a important number in advance, along with application, in addition to fees prescribed under sub-section (2) of Section 41 of the Act on the principal of "first come first serve" basis and such number once reserved shall not be transferable. Online booking procedure shall be fixed by the Transport Commissioner. (iv) The number reserved shall be allotted on production of vehicle along with the application in form 20 of the Central Rules. The reservation of the registration number shall be cancelled if the vehicle is not produced within 30 days from the date of reserving the registration number and the number so cancelled can be allotted to any other person, by the Registering Authority, who makes an application along with the fees prescribed under this rule: Provided that if a person, who could not produce vehicle within 30 days from the date of reserving the number, applies and pay the addition fee equivalent to 25 per cent of the highest bid amount of online e-auction or of the fee prescribed in clause (iii) for online booking, as the case may be, this period can be extended for 30 days and, in any case, it shall not be extended further. (v) In case no application is received for reservation of the registration number notified under this rule they shall not be allotted to any vehicle. (3) A number once assigned to a motor vehicle shall not be assigned to any other motor vehicle nor the cancelled registered number of a motor vehicle shall be assigned to any other motor vehicle. (4) No person shall exhibit or use a registered number on any vehicle other than the motor vehicle to which it has been assigned under these rules."

## **11. Insertion of Rule 53.**

- In the principal rules, after Rule 53, the following rule shall be inserted, namely -

## **53.**

-A. Delivery of registration certificate. - Registration certificate of motor vehicles other than transport vehicles issued under Rule 48 of the central rules shall be delivered to the motor vehicle owner on his address given by him under Rule 47 of the central rules through registered post on the day when registration certificate is ready or on the following next working day. Its receipt shall be kept safe for record. For it the applicant shall submit a self addressed properly stamped envelope for registered post".

## **12. Amendment of Rule 56.**

- In the principal rules, for the existing sub-rule (7) of Rule 56, below the following rule shall be substituted, namely -(7)The State Government shall appoint an officer of the Transport Department not below the rank of Deputy Transport Commissioner as Secretary and an officer not below the rank of Assistant Transport Commissioner as Additional Secretary of the State Transport Authority. In the absence of Secretary the Additional Secretary shall function as Secretary of the State Transport Authority."

## **13. Amendment of Rule 65.**

- In the principal rules, for the existing Rule 65, the following rule shall be substituted, namely -

**65. Application for permits, fees and forms of. - Every application for a permit in respect of a transport vehicle shall be in one of the following forms accompanied by a fee as specified in Rule 126 -**

(i)In respect of a stage carriage in Form SR-20;(ii)In respect of a contract carriage in Form SR 21;(iii)In respect of a goods carriage in Form SR 22;(iv)In respect of a private service vehicle in Form SR 23;(v)In respect of a temporary permit in Form SR 24;(vi)In respect of a special permit in Form SR-25."

## **14. Insertion of Rule 125-A to Rule 125-M.**

- In the principal rules, after Rule 125, the following rules shall be inserted, namely -

## **125.**

-A. Restriction on operation of Radio Taxi. - No person shall act as Radio Taxi Service Provider, Radio Taxi Service Aggregator or I.T. Service Provider unless he has obtained the licence for it and also he shall not engage himself in the business of Radio Taxi without valid permit.Explanation. - For the purposes of Rule 125-A to Rule 125-M permit means a permit granted in pursuance of sub-section (1) of Section 74 and issued or renewed in terms of Rule 125-F to radio taxi to operate on the fare prescribed by the State Government.

## 125.

-B. Eligibility criteria for making an application. - An applicant must -(i)be an individual, association of individuals either a company incorporated under the Indian Companies Act, 1956, or a society registered under the Societies Registration Act, 1860;(ii)be financially sound so as to run and manage the radio taxi operation and shall deposit Rupees Fifty thousand in cash in the office of Transport Commissioner towards licence fee and shall also furnish a bank guarantee for performance guarantee of Rupees Two lakh in Form SR 43-A on or before the date of issue of letter of intent;(iii)demonstrate possession of adequate parking space for all taxis and office space (minimum of one hundred sq. feet) for accommodating the control room with radio communication and two telephone line which are accessible throughout day and night;(iv)have minimum ten radio taxis of following profile -(a)every vehicle should be brand new at the time of induction;(b)the vehicle should be of engine capacity of 750 cc or above, jeep type vehicle like Gypsy, etc. is prohibited;(c)the vehicle must be equipped with temperature control devices such as air conditioning, heating and maintained in proper working order at all times;(d)the vehicle should be fitted with electronic fare meters on the front panel (dashboard) and maintained in a proper working order;(e)on the roof of the vehicle there should be a Light Emitting Diode/Liquid Crystal Display Board to display that the vehicle is a radio taxi. The dimensions of the LED/LCD display panel must conform to the norms prescribed by the State Transport Authority; the vehicle is allowed to carry advertisement in such a manner so that it will not disturb any one using the road and are only visible to the people standing on the road side. This permission will be granted by ensuring that road safety is not being compromised in any way;(g)the vehicle should meet emission standards as prescribed from time to time;(h)the vehicle must be fitted with Global Positioning System/General Packet Radio Switching based tracking devices which must be in constant communication with central control unit while the vehicles is on duty;(i)the vehicle must be equipped with a mobile radio fitted in the front panel for communication between driver and the main control room of the operator;(j)the vehicle shall carry fully equipped first aid box of the design approved by the State Transport Authority;(k)the vehicle should be replaced on completion of 9 years with a brand new vehicle meeting the prevailing emission standard;(l)photograph of driver along with operator, particulars of driver and details of the operator will have to be displayed on the dashboard of the vehicle;(m)the radio taxi shall remain in white colour with different colour strip of one foot on both of the panels of the car for differentiating each operator;(n)Transport help line number should be prominently displayed inside and outside of radio taxis necessarily; and(v)operator shall employ the drivers in radio taxis of the profile prescribed in Rule 125-C.Explanation. - For the purpose of the Rule 125-A to Rule 125-M the operator means the holder of permit granted in pursuance of the sub-section (1) of Section 74 and issued in term of Rule 125-F to radio taxi to operate on the fare prescribed by the State Government.

## 125.

-C. Profile of radio taxi driver. - (a) The driver must possess a valid driving licence for heavy or light motor vehicle, as the case may be, for a period of not less than three years preceding the date on which they are employed to drive the radio taxis under these rules.(b)the drivers must have passed Class X examination or equivalent from a recognised institution.(c)the drivers shall be required to

successfully pass a special driving test as and when devised/prescribed by the State Transport Authority.(d)the drivers must at all times be in uniform as per these rules or dress as approved by the State Transport Authority.(e)the drivers must be of good behaviour and good character without any criminal record. The operator shall be responsible for the conduct of the driver.(f)the drivers must be totally reliable and trustworthy who are employed only after police verification.

## **125.**

-D. Area of operation. - A radio taxi to which permit is issued shall be permitted to operate under the permit within the territorial limit of any Municipal Corporation and shall also be valid for the journey extended beyond the municipal limit if demanded by the passenger for any visiting place situated within the state.Explanation. - For the purpose of this rule, the Municipal Corporation means a Municipal Corporation under the Uttar Pradesh Municipal Corporation's Act, 1959 as applicable in Uttarakhand.

## **125.**

-E. Application for grant or renewal of permit. - (1) An application for grant or renewal of a permit under the Act and these rules shall be made vehicle wise in Form SR 43-B to the State Transport Authority for operation within the territorial limit of a Municipal Corporation and shall be accompanied by a fee as prescribed by the State Government from time to time. If an operator is not in possession of the vehicles at the time of application, he may request to the State Transport Authority for issuance of letter of intent in the same application format for purchasing the vehicles.(2)The State Transport Authority shall normally dispose of the applications for grant or renewal of permit under these rules within thirty days from the date of receipt thereof.

## **125.**

-F. Procedure for issue and renewal of permit. - (1) The State Transport Authority may, on receipt of an application under Rule 125-E and after satisfying himself that the applicant has complied with the requirement of Rule 125-B, issue a letter of intent in Form SR 43-C in favour of the applicant for purchase of a minimum ten vehicles of the prescribed category as per induction schedule finalised by the State Transport Authority under Rule 1254. Under the induction schedule, this fleet may be achieved by the applicant within four month from the date of issue of letter of intent. However, temporary permits can be granted vehicle wise presenting at least five vehicles to start the operation.(2)Temporary permits, on having at least five vehicles, shall be \_granted to operator for four months so as to establish a control room fully equipped with a radio network and GPS/GPRS tracking system within a period of four months from the date of issue of letter of intent.(3)In the event that operator fails to fulfil these conditions in four months, an application giving reasons for delay and accompanied with a penalty of Rupees Five thousand to be paid through demand draft drawn in favour of Transport Commissioner, Government of Uttarakhand, shall presented before the State Transport Authority. After being satisfied from the causes explained, the State Transport Authority may grant further two months time to establish the infrastructure.(4)Vehicle wise temporary permits shall be issued to the operator unless and until he procures at least ten vehicles



as per induction schedule approved by the State Transport Authority under Rule 125-I. On compliance of all conditions prescribed in the letter of intent, vehicle wise regular permit valid for a period of five year shall be issued by the State Transport Authority in Form SR 43-D.(5)In the event that operator fails to comply with the stipulations as described in preceding items within the prescribed period, his temporary permits shall automatically stand cancelled and the performance guarantee of Rupees Two lakh shall be forfeited.(6)The permit initially granted for a period of five years shall be renewable for a further period of five years subject to the satisfactory performance of the operator as per terms and conditions and any vehicle wise other conditions prescribed by State Transport Authority. The applicant may submit the applications vehicle wise in Form SR 43-B for renewal of permits after completion of four years but not less than three months before the expiry of the permits accompanied a renewed/fresh performance guarantee of Rupees Two lakh or, as the case may be, of such extended amount as may be fixed by the State Transport Authority in view of rate of increase in the cost of radio taxis and expenses of operation thereof.(7)On receipt of the applications for renewal of permits, an inspection of the business premises of the operator shall be carried out and performance of the operator shall be evaluated as per the terms and conditions of these rules. The State Transport Authority shall keep in view the complaints received against the operator at the time of granting renewal of the permits. After satisfying himself that the operator has performed the services as per requirements of these rules, State Transport Authority shall grant the renewals in Form SR 43-D.

## **125.**

-G. Special conditions to be adhered by the operator. - (1) An operator or a permit holder shall - (a)not shift the main place or the business mentioned in the permit without prior approval in writing of the State Transport Authority;(b)keep the premises and all the records and registers maintained by him and radio taxis open for inspection at all reasonable time by any person not below the rank of Senior Motor Vehicle Inspector or Taxation Officer authorised by the State Transport Authority;(c)submit from time to time to the State Transport Authority such information and return as may be called for by it;(d)maintain in their radio taxis, at his main office of business and other offices, at a conspicuous place "complaint book" in Form SR 43-E with serially numbered pages in triplicate. The operator shall dispatch the duplicate copy of the complaint, if any, to the State Transport Authority by registered post expeditiously and in any case not later than three days; and(e)maintain the suggestion book in the main and branch offices and forward suggestion received with comments, if any, to the State Transport Authority once in a month.(2)The permit shall not be transferred to any one by the operator without prior written permission of the State Transport Authority.

## **125.**

-H. Fare and Detention charges. - Fare, detention charges and other charges shall be fixed by the State Government by notification in the Official Gazette from time to time.

## **125.**

-I. Induction Schedule. - (1) An applicant must submit an induction schedule in respect of not less than ten vehicles at the time of making an initial application for issue of letter of intent. The State Transport Authority may approve the schedule mentioning primarily to present at least 5 vehicles as first lot within a reasonable time from the date of issue of letter of intent, and for further schedule with or without modifications or may require the applicant to submit a modified induction schedule prior to issue of letter of intent.(2)The operator shall submit a compliance report of each stage of the approved schedule to the State Transport Authority.(3)If the operator fails to induct radio taxis as per approved schedule performance guarantee may be forfeited and temporary permit may be cancelled by the State Transport Authority.

## **125.**

-J. Power of State Transport Authority to suspend or cancel the permits. - (1) The State Transport Authority on being satisfied after giving the operator an opportunity of being heard, is of the opinion that -(a)he has failed to comply with any of the provisions of these rules or the conditions of the permit; or(b)he has failed to maintain the radio taxi in compliance with the provisions of the Act and these rules; or(c)any one of his employee is guilty of misbehaviour with customers; or(d)any complaint against the permit by any person has been proved;shall suspend the permit for specified period of cancel it.(2)Where the permit is liable to be suspended or cancelled and the State Transport Authority is of the opinion that having regard to the circumstances of the case, it would not be necessary or expedient to suspend or cancel the permit, if the operator agrees to pay the sum of money that may be imposed by the State Transport Authority, then notwithstanding anything to the contrary contained in sub-rule (1) the State Transport Authority may instead of suspending or cancelling the permit, as the case may be, recover from the operator, the sum of money agree upon.(3)When the permit is suspended or cancelled under sub-rule (1) the operator shall surrender the permit to the State Transport Authority.(4)On being satisfied that it is necessary to do so the State Transport Authority may modify any of the conditions of Rule 125-B and Rule 125-F or can attach additional conditions on permit.

## **125.**

-K. Appeal. - Any person aggrieved by any order of the State Transport Authority under sub-rule (1) Rule 125-F or Rule 25-.1 may, within thirty days of the receipt of the order, appeal to the State Transport Appellate Tribunal.

## **125.**

-L. Procedure for appeal. - (1) An appeal under Rule 125-k shall be preferred in duplicate in the form of a memorandum setting forth the grounds of objections to the order of the State Transport Authority and shall be accompanied by fee as may be specified by the State Government from time to time.(2)The State Transport Appellate Tribunal may after giving an opportunity to the parties to

be heard and after such enquiry, as it may deem fit, pass appropriate orders.

## **125.**

-M. General conditions attached to all radio taxi permits. - (1) The conditions of every such permit shall be as follows -(i)working hours of drivers is to be limited in accordance to the Transport Workers Act, 1961;(ii)radio taxi will be available to the general public in three way:(a)on call by dialing the concerned telephone numbers;(b)by hiring the taxi from the designated locations;(c)by stopping the taxi on the road;Except aforesaid radio taxi shall not be booked either by mobile or e-booking net.(iii)availability of radio taxi or its exclusive parking shall be ensured near all major bus terminals, railway station, airports and higher medical institution;(iv)if the radio taxi operator uses or causes or allows a vehicle to be used in any manner not authorised by the permit or provisions of these rules, the operator/driver shall be jointly and severally responsible for any offence or crime which has been committed by person using the said vehicle;(v)an operator may at any time surrender the permit issued to him by the State Transport Authority and, on such surrender, the State Transport Authority shall cancel the permit. The operator shall clear all dues before surrendering the permit and seeking release of bank guarantee.(2)The State Government shall have power to change any or all of the terms and conditions mentioned in sub-rule (1) in public interest."

## **15. Amendment of Rule 126.**

- In the principal rules, after serial no. (1) of the table Rule 126, the following serial no. (1-A) shall be inserted, namely -(1-A) Application fee (in rupees) for grant, renewal, transfer and counter-signature of permit other than temporary permit."

## **16. Amendment of Rule 163.**

- In the principal rules, for the existing Rule 163, the following rule shall be substituted, namely -

**163. Painting of motor vehicles. - (1) Subject to Rule 111 and sub-rule (2) a motor vehicle of four wheel drive such as jeep and command cars which originally belonged to the military shall be painted in any of the following colours -**

(a)White (b) Black (c) Green(2)Every motor cab permitted to ply exclusively within city area shall be painted in black colour with a yellow hood and no other motor car shall be painted in this colour combination:Provided that this sub-rule shall not apply to the motor cabs specified in Rule 85-A of the Central Motor Vehicles Rules, 1989.(3)Contract carriage other than those specified in sub-rule (2) shall be painted in any colour other than maroon or black or red colour. The words "contract carriage" shall be mentioned on two sides of the contract carriage within a circle of sixty centimeters diameter in case of other than motor cab and within a circle of twenty five centimeters diameter in case of motor cab.(4)No motor vehicle other than military motor vehicle shall be used in any public

place unless it is painted in any colour different from those usually used for military motor vehicles.(5)Education institutions bus and school cab shall be painted in yellow colour.(6)Ambulance shall be painted in white colour and the letters in word ambulance shall be upside down."

## 17.

(a). Amendment of Rule 169.- In Rule 169 of the principal rules, for the existing Rule 169, the following rule shall be substituted, namely -

## 169.

(1)An application for authorising Pollution Checking Center for issuing of 'pollution under control certificate' under sub-rule (7) of Rule 115 of Central Rules shall be made by authorised garages/workshop, petroleum company, petrol pump and voluntary organisation to work as such to the Additional Transport Commissioner on Form SR-48. The application shall contain the following -  
(i)Security of Rupees Twenty five thousand either cash or in any Government Securities recognised by the Transport Commissioner mortgaged in the name of Transport Commissioner.(ii)The prototype of the test instrument approved by an agency/institution mentioned in Rule 126 of the Central Rules, its invoice, installation from and the list of other tools.(iii)In case of application by voluntary organisation, registration certificate under Societies Registration Act, 1860, building map (blue print) of the proposed checking centre issued by an approved architect, evidence of address, proof of land ownership/rent agreement, electric connection.(iv)In case of partnership firm, copy of the partnership deed.(v)List of tools for checking repairing and improving the engine of the vehicle that emits the pollutant in excess of prescribed standard.(vi)Fee as prescribed under sub-rule (2) below;  
(2)Fee for issue and renewal of the authorisation certificate -  
(a)For motor vehicles driven by petrol: Rs 4000.00  
(b)For motor vehicles driven by diesel: Rs 4000.00  
(c)For both categories of motor vehicles: Rs 8000.00  
(3)On receipt of application the inspection of the proposed Pollution Checking Centre and the test instruments and tools installed therein shall be done by an officer of the Transport Department not below the rank of Senior Motor Vehicles Inspector Motor Vehicle Inspector. His inspection report shall be forwarded to the Additional Transport Commissioner along with the recommendations of the concerned Assistant Regional Transport Officer/Regional Transport Officer.  
(4)The authorisation certificate shall be issued in Form SR-49 by the Additional Transport Commissioner under the following terms and conditions -  
(i)The agency shall install the type of instrument approved under sub-rule (3) of Rule 116 of the Central Rules for test of emission standard prescribed under Rule 115 of the Central Rules. The instrument shall be upgraded/changed according to the amendment made in the Central Rules from time to time.  
(ii)The authorisation certificate shall be valid for five years from the date of issue and can be renewed for a period of five years subject to the condition that in case of voluntary organisation up to the period of registration of the society under the Societies Registration Act, 1860 or in case of approved garage/workshop, petroleum company, petrol pump till the validity of dealership, whichever is earlier. The authorisation certificate shall renewed by making endorsement on it.An application for renewal of authorisation certificate shall be made in plain paper accompanied with renewal fee, to the Additional Transport Commissioner not less than sixty days before the date of its expiry.  
(iii)The

agency shall charge maximum fee of Rupees Seventy from the vehicle owner for issue of "pollution under control certificate".(iv)The form of the "pollution under control certificate" shall be made available to the agency by the Transport Commissioner Office or by concerned regional/sub-regional office on depositing Rupees Twenty per form. The agency shall compulsory issue "pollution under control certificate" on such form. None of entries on it shall be made manually except the signature of authorised operator. In case web based system comes into force for pollution checking and issue of pollution under control certificate the agency shall issue pollution under control certificate through such web software. The agency shall procure an internet connection for it either through a "broad band" or data card" having continuous connectivity with the Central Server of Transport Department and in such cases where pollution under control certificate is downloaded through web software, the agency shall deposit cash in advance in the Transport Commissioner Office at the rate of Rupees 20 per such certificate.(v)Agency shall deploy the operator trained by instrument manufacturer/supplier/dealer for pollution checking. He should be in regular employment of the concerned agency. Function of pollution checking level and issue of "pollution under control certificate" shall be done under his signature. Agency shall also submit the exact signature of such operator duly attested in Form 49-A to the Office of the Transport Commissioner, Uttarakhand, Dehradun. The agency shall also display the authorised certificate and the training certificate of such trained operator at a prominent place.(vi)The authorised agency shall furnish to the concerned Regional/Assistant Regional Transport Officer and Transport Commissioner the monthly information of the certificate issued at the centre through internet.(vii)The Pollution Checking Centre established by the authorised testing agency may be inspected from time to time by an officer of the Transport Department not below the rank of Motor Vehicles Inspector.(5)The authorised agency may establish such number of mobile checking centres at the specified area, place as empowered by the Additional Transport Commissioner for issue of 'pollution under control' certificate. All conditions which apply on authorised agency shall apply on such mobile checking centres. The authorised agency shall install separate instrument at such mobile checking centres and shall have to pay separate fee for it.(6)If the authorised agency closes business before the expiry of validity period the security shall be refunded to the owner/or representative on the written consent of all the partners.(7)No eligible applicant for authorisation certificate shall be refused unless he is given an opportunity of being heard and reasons for such refusal are given in writing."

## **18. Insertion of Rule 169-A to 169-D.**

- In the principal rules, after Rule 169, the following rules shall be inserted, namely -

### **169.**

-A. Issue of duplicate copy of the authorisation certificate. - (1) If at any time the authorisation certificate issued under sub-rule (4) of Rule 169 is lost or destroyed the authorised agency shall forthwith intimate it to the Additional Transport Commissioner and shall apply in Form SR 49-B for its duplicate copy accompanied with half of the fees fixed for its issue. Thereafter a duplicate authorisation certificate shall be issued clearly marked "Duplicate".(2)If after the issue of a duplicate copy of the authorisation certificate, the original is found, the same shall be surrendered to the

Additional Transport Commissioner.

## **169.**

-B. Penalty, suspension or revocation of authorisation certificate. - (1) If the Additional Transport Commissioner, after giving the holder of the authorisation certificate an opportunity of being heard, is satisfied that he has failed to comply the requisites specified in sub-rule (1) and sub-rule (4) of Rule 169 he may, for reasons to be recorded in writing may by order in writing forfeit the whole or part amount of security deposited by the authorisation certificate holder or suspend or revoke the authorisation certificate. For such period as it think fit.(2)Where the authorisation certificate is liable to be suspended or revoked under this rule and the officer which granted the authorisation certificate is of opinion that having regard to the circumstances of the case it would not be necessary or expedient to suspend or revoke the authorisation certificate, if the authorisation certificate holder agrees to pay a certain amount of money then notwithstanding anything contained in sub-rule (1), the officer who granted the authorisation certificate may instead of suspending or revoking the authorisation certificate as the case may be, recover from the authorisation certificate holder the sum of money agreed upon.(3)Where the security deposited by the authorisation certificate holder has been forfeited in whole or in part, the authorisation certificate holder shall within fifteen days of the date of the order deposit the amount so as to make good the total amount of the security failing which the authorisation certificate shall stand suspended till such time as the amount has been deposited.(4)Notwithstanding anything contained in sub-rule (3), the officer who granted the authorisation certificate may, if he is satisfied that the authorisation certificate holder could not for reasonable cause deposit the amount within the period specified in the foregoing sub-rule, extend the period for depositing the amount.(5)Where the form fee prescribed under clause (iv) of sub-rule (4) of Rule 169 is evaded by authorisation certificate holder then an amount equivalent to twice the amount evaded shall be payable as penalty.(6)Where an authorisation certificate is suspended or cancelled under this rule than the machinery established under clause (i) of sub-rule (4) of Rule 169 by the authorised agency shall be sealed.

## **169.**

-C. Appeal any authorised agency aggrieved by an order issued under sub-rule (4) of Rule 169 and Rule 169-B it may within 30 days of the date of receipt of such order, appeal to the Transport Commissioner. The fee for appeal shall be Rupees One thousand.

## **169.**

-D. Procedure for appeal (1) An appeal under Rule 169-C shall be preferred in duplicate in the form of memorandum setting forth the ground of objection to the order(2)The Transport Commissioner after giving an opportunity to the parties to be heard and after such further enquiry, if any, as he may deem necessary, pass appropriate orders."

## 19. Insertion of Rule 177-A to 177-D.

- In the principal rules, after Rule 177, the following rules shall be inserted, namely -

### 177.

-A. Specification of sleeper coach. - (1) Sleeper coach shall be air conditioned deluxe vehicle under these rules and the wheel base of such vehicle shall not be less than 205 inches.(2)The provision of Rule 93 read with the provisions of sub-rules (2), (3), (4), (5), (6), (9)(i), (12) and (13) of Rule 128 of the Central Rules shall be applicable to the sleeper coach.(3)Permit given to the sleeper coach whose age is more than ten years from the date of first registration shall become invalid when the vehicle becomes more than ten years age.(4)The vehicle covered by sleeper coach permit shall not be more than five years from the date of its first registration at the time of initial issue of permit or replacement of vehicle.(5)Sleeper/Berth arrangements. - (i) The sleeper berth shall be provided along with the vehicle with two tier system only. The length of each berth shall not be less than 1750 millimetre and width not less than 760 millimetre and not more than 900 millimetre. The thickness of each berth shall not be less than 75 millimetre.(ii)The width of the Gangway shall not be less than 450 millimetres.(iii)The width of the structure partition shall not be less than 25 millimetre between the two sleeper berths.(iv)The lower berth shall be fixed at a minimum height of 150 millimetre from the flooring of vehicle.(v)The clear head room for the sitting passenger at lower sleeper berth shall not be less than 800 millimetre.(vi)The clear head room for upper sleeper berth shall not be less than 650 millimetre except at the side curves of the roof(vii)The upper sleeper berth shall be either fixed type with supports fixed rigidly by means of bolting or welding or pivot mounted at the partition and suspended by two bright steel chains mounted on hinges on berths. These chains shall be fixed rigidly by means of bolting or welding to the roof structural members. The length of chain shall be such and sufficient that the passenger could move easily in or out on the berths.(viii)Suitable arrangements shall be made for the upper berth passengers to enable them to go up or come down from the upper berth.(ix)An assist handle and footrest shall be provided for comfortable occupation of the upper sleeper berth at the convenient height.(x)No seat/berth shall be permitted to be fitted in the gangway except a seat for coach attendant/manager at suitable place.(xi)Each sleeper berth shall be provided with fabric covering, which shall be capable of being kept in a clean and hygienic condition.(xii)One pillow and two neat lines shall be provided to each passenger (one for covering another for spreading). These shall be always in good and hygienic condition.(xiii)Safety guard covered with soft material on either side of the upper sleeper berth shall be provided.(6)Other particulars. - (i) Headroom. - The internal height of the vehicle saloon shall not be less than 1850 millimetre.(ii)Body mounting. - In case of rigid chassis the body of such public service vehicle shall be mounted on the chassis with high tensile, steel bolts with diameter of not less than 16 millimetre. No holes shall be drilled in the chassis side members (Longitudinal) except where such drilling is technically approved by the chassis manufacturers. Rubberised packing or mounting of adequate thickness shall be used between the body structure and the chassis frame.(iii)Flooring. - Flooring material of such public service vehicle shall be sound proof antiskid and washable. The floor shall be safe for the passengers and be covered with rubber or synthetic matting or carpets. All joints shall be dust proof by suitable packing material.(iv)Roof. - Roof of ceiling of such public service vehicle shall be provided with soft material or equivalent materials like

A.B.S. plastics to prevent impact.(v)Light. - Individual reading light at convenient location for each sleeper berth shall be provided in addition to normal lighting arrangement.(vi)Painting and finishing. - Such public service vehicle shall be painted in Nitro Cellules or synthetic enamel or other suitable paints of any permissible colour scheme.(7)Air condition unit mounting. - (a) Such people service vehicle may be equipped with air conditioning unit of adequate standard.(b)The air conditioned engine compartment shall be provided with sound proof materials so as to damper the engine noise to suitable D.B. level and with vibrating mounting so as to minimise vibration factors in the saloon compartment.(8)Power of grant relaxation. - The State Government may grant relaxation by order to the vehicle registered as deluxe sleeper coach/sleeper bus from cooling capacity or any of the above condition, giving reasons in writing.(9)Windows. - (a) The windows shall be provided with double sliding type slider running smoothly in channels without rattle and with all safety or laminated safety glasses conforming to the standard laid down by the Bureau of Indian Standards. Windows shall be provided with sliding curtains.(b)In case where the fixed glasses are provided minimum one hatch should be provided on roof top at suitable place for air circulation.(c)Sliding windows shall be provided to the driver partition immediately behind the driver.(10)Miscellaneous. - (a) No hat rack shall be permitted in such public service vehicle.(b)Such public service vehicle shall have waveler suspension or pneumatic suspension.(c)Reflective tape of canary yellow colour of 50 millimeter width shall be provided at rear and front label of the bumper label.(d)In addition to driver/drivers and conductor an attendant/steward shall be provided is such public service vehicle.

## 177.

-B. Specification of semi sleeper coach. - (1) Semi sleeper coach is such public service vehicle having passenger seats on the floor and sleeper berth on the upper side of it and the wheelbase of such vehicle shall not be less than 205 inches.(2)The provisions of deluxe sleeper coach shall as far as possible be applicable to semi sleeper coach except the sleeper berth should be provided along with the vehicle in the upper half side of the coach in single berth row on both side. The length of each berth shall not be less than 1750 millimetre and width not less than 450 millimetre. The thickness of each berth shall not be less than 75 millimetre.(3)Permit given to the semi sleeper coach whose age is more than ten years from the date of first registration shall become invalid. Where the vehicle becomes more than ten years age.(4)The vehicle covered by semi sleeper coach permit, shall not be more than five years from the date of its first registration at the time of initial issue of permit or replacement of vehicle.(5)Seating layout shall be two and two on either side, all seats facing forward, with a clear gangway of at least 355 millimetre at the centre. Each passenger seat shall have a minimum area of 447 millimetres x 457 millimetre and an arm rest on both side and seat back of full height.

## 177.

-C. Powers of State Government to grant relaxation. - The State Government may grant relaxation by order to the vehicles registered as deluxe sleeper coach/semi sleeper coach from one or any of the above conditions giving reasons in writing.



**177.**

-D. Entries in the registration certificate and permit details regarding seating capacity, sleeping capacity, whether with or without air conditioned shall be entered in the registration certificate and permit of deluxe sleeper coach or semi deluxe sleeper coach as the case may be."

## **20. Insertion of Rules 205-A to 205-C.**

- In the principal rules, after Rule 205, the following rules shall be inserted, namely -

**205.**

-A. Duties of Investigating Police Officer. - (1) The Investigating Police Officer shall prepare a site plan, drawn on scale as to indicate the layout and width, etc. of the road/roads or place, as the case may be, the position of vehicle/vehicles, or persons, involved and such other facts, as the case may be, relevant, authenticated by the witnesses and in case no witness is available same shall be recorded, so as to preserve the evidence relating to accident. He shall also get the scene of accident photographed from such angles as to clearly depict the accident, as above inter alia for the purpose of proceeding before the Claims Tribunal.(2)The Investigating Police Officer shall get full particulars of the insurance certificate/policy in respect of the motor vehicle involved in the accident and to require the production of documents mentioned in sub-section (1) of Section 158, and thereupon either to take the same in possession against receipt, or to retain the photocopies of the same, after attestation thereof by the person producing them.(3)The Investigating Police Officer may verify the genuineness of the documents gathered under sub-rule (2) by obtaining confirmation in writing from the authority purporting to have issued the same.(4)The Investigating Police Officer shall submit detailed report regarding the accident to the Claims Tribunal along with site plan and photographs prepared under sub-rule (1), document gathered and verified under sub-rules (2) and (3) or action taken in case of documents found forged, copies of report under Section 173 of the Code of Criminal Procedure, medicolegal reports and postmortem report (in case of death), first information report, by not later than fifteen days of receipt of order/requisition issued by the Claims Tribunal:Provided that such information may also be furnished to the Insurance Company if required by or through its agent or by the injured/sufferer or next of the kin or legal representatives of the deceased of the accident.The Investigating Police Officers shall submit report under this rule to the Claims Tribunal in Form SR 49-C.(5)Duties of Investigating Police Officer enumerated in sub-rules (1) to (3) shall be construed as if they are included in Section 23 of UP Police Act, 1861, as applicable in Uttarakhand and any break thereof, shall entail consequences envisaged in that law.

**205.**

-B. Prohibition against release of vehicle. - (1) No vehicle, involved in any accident, shall be released by Investigating Police Officer or any Police Officer superior to him unless a release order is passed by the Court having jurisdiction.(2)No vehicle, involved in any accident shall be released by the Judicial Magistrate, having jurisdiction, unless the compliance of sub-rules (1) to (3) of Rule 205-A

is ensured from the Investigating Police Officer and duly attested copies of Registration Certificates, Insurance Certificate, Route Permit, Fitness Certificate of Vehicle as the case may be and Driving Licence of the driver who was driving at the time of accident are filed by the applicant.(3)No court shall release a vehicle involved in accident causing death or permanent disability when such vehicle is not covered by policy of insurance against third party risks unless the owner/registered owner of the vehicle furnishes sufficient security to the satisfaction of the court to pay compensation that may be awarded in a claim case arising out of such accident.(4)Where the vehicle is not covered by a policy of insurance against third party risks, or when the owner/registered owner of the vehicle has failed to furnish sufficient security under sub-rule (3) or the policy of insurance produced by owner is found fake/forged, the vehicle shall be sold in public auction by the Judicial Magistrate, having jurisdiction, on expiry of six months of the vehicle being seized by the Investigating Police Officer and proceeds thereof, shall be deposited with the Claims Tribunal, having jurisdiction over the area in question, for the purpose of satisfying the compensation to be awarded in claim case.

## **205.**

-C. Duties of Registering Authority. - (1) The Registering Authority of motor vehicles and Licensing Authority, issuing driving licence, shall submit a report or issue a certificate relating to verification of registration and other documents with complete details and of driving licence of the driver of the vehicle involved in accident when directed by the Tribunal or asked by the Insurance Company.(2)The Registering Authority of motor vehicles and Licensing Authority shall also provide information mentioned in sub-rule (1) to the person/persons who wishes or have filed petitions for compensation or who is involved in an accident or his next of kin or to the legal representative of the deceased as the case may be."

## **21. Amendment of Rule 206.**

- In the principal rules, after Rule 206, the following rule shall be substituted, namely -

**206. Application for compensation. - (1) Every application for payment of compensation made under Section 166 shall as far as possible be made in Form SR 50 if the compensation is claimed otherwise than under Section 163-A and in Form SR 51 if compensation is claimed under Section 163-A and be accompanied by a fee of Rupees Ten in the form of court fee stamps:**

Provided that the compensation under Section 163-A shall be full and final settlement of the claim and the claimant shall not be entitled to file any other application for claim under the Act.(2)All applications before the Claims Tribunal, other than those mentioned in sub-rule (1) shall be stamped with a court fee stamp of Rupees Five. A process fee of Rupees Ten shall be in the form of court fee stamps paid for each witness or party summoned.(3)An application under this rule shall be presented before the Claims Tribunal by the applicant in person unless he is prevented by sufficient cause from appearing personally in which case the application may either be sent to the claim Tribunal by registered post or may be presented by his agent authorised in writing in this

behalf.(4)All the documents and affidavits for the proof thereof and affidavits in support of all facts on which the applicant relies in context of his claim shall be filed after entering in a list of documents:Provided that the Claim Tribunal may not allow the applicant to rely, in support of his claim, on any document or affidavit not filed with the application, unless it is satisfied that for good or sufficient cause, he was prevented from filing such documents or affidavits earlier.(5)The applicant shall file copies of medicolegal examination report, post-mortem report (in case of death), insurance certificate/policy and driving licence obtained under Rule 205-C and report information obtained under sub-rule (4) of Rule 205-A along with the application presented under sub-rule (3).(6)The applicant shall affix his/their photographs on the application for compensation duly attested by their counsel and shall also file proof of his/their identity to the satisfaction of the Claims Tribunal unless exempted from doing so for the reasons recorded in writing.(7)The driver of the vehicle involved in the accident, shall be the necessary party in the application for compensation filed under Section 166 of the Act."

## **22. Insertion of Rule 206-A and 206-B.**

- In the principal rules, after Rule 206, the following rules shall be inserted, namely -

### **206.**

-A. Police report submitted under sub-section (6) of. - (1) On receipt of report of Investigating Police Officer submitted under sub-rule (4) of Rule 205-A the Claims Tribunal shall go through the same and may call for such further information or material as considered necessary for proper and effective action in accordance with sub-section (4) of Section 166.(2)The Claims Tribunal after examining the report and further information/material, if called for, shall register the claim case thereon and, then, issue notice for appearance to all the parties concerned, which would include the victim of the accident, or the legal representatives of persons deceased, as the case may be, driver, owner and insurer of the vehicle involved in the accident.(3)On receipt of notice the parties mentioned in sub-rule (2) would be required to appear and declare through affidavit, if any, claim case had been preferred, or was being preferred in respect of the same cause of action, and if so, the report of Investigation Police Officer, treated as claim case, would be tagged to such claim case preferred independently by the parties.(4)If the persons injured or legal representative of the person deceased do not appear in response to the notice issued under sub-rule (2) in the manner indicated in sub-rule (3) the Claims Tribunal may presume that the said parties were not interested in pursuing the same for any compensation in such proceedings, and on such presumption the case shall be closed.(5)Unless the police report treated as claim case stands tagged to independent claim case preferred by the parties themselves, the Claims Tribunal shall call upon the person injured or legal representatives of the person, deceased, as the case may be, and the persons who have appeared in response to the notice, to submit statements of facts regarding compensation if claimed by them.(6)If statements of facts about compensation claimed and basis thereof are furnished by the parties. The case shall be further proceeded in the same manner as required to deal with applicants moved by the parties for compensation directly before the Claims Tribunal.(7)If the statements of facts about the compensation claimed, has been furnished by the parties and subsequently commits default in appearance, the provisions of Order IX of the Code of Civil Procedure, 1908, would apply.

## **206.**

-B. Duties of the Insurance Company. - (1) The Insurance Company who has insured the vehicle involved in the accident shall ascertain and verify the facts about insurance and insurance policy of the vehicle and shall file the requisite copies of the insurance policy along with the written statements/objections in the claim petition before the Tribunal.(2)The Insurance Company shall deposit with the written statements in the Tribunal the amount equivalent to the compensation awardable on the principle of no fault liability under Section 140 of the Act, in such cases where death or permanent disability have been caused as a result of the case of motor vehicle covered by the insurance policy.(3)The amount of compensation deposited under sub-rule (2) may be paid in part or full to the claimant on the terms and conditions reasonably imposed by the Tribunal as interim compensation subject to adjustment with the final award in the matter."

## **23. Amendment of Rule 209.**

- In the principal rules, for Rule 209, the following rule shall be substituted, namely -

**209. Notice to parties involved. - (1) If the application is not dismissed under Rule 208 the Claims Tribunal shall send to the owner of the motor vehicle involved in the accident and its insurer, a copy of the application and documents filed together with a notice of the date on which it will hear the application, and shall call upon the opposite parties to produce on that date any evidence which they may like to produce.**

(2)Each Insurance Company shall nominate its counsel with an authority to receive notices, issued in the claim petitions by the Tribunal on behalf of the Insurance Company with the intimation in writing to the District Judge/Tribunal:Provided that the nominated counsel, so appointed, shall receive the notice issued by the Tribunal in the claim petition on behalf of Insurance Company concerned and refusal of notice by him shall be treated as refusal of notice by the Insurance Company concerned."

## **24. Insertion of Rule 209-A.**

- In the principal rules, after Rule 209, the following rule shall be inserted, namely -

## **209.**

-A. Creation of websites by the Insurance Companies. - All the insurance companies shall, create a website of all its pending claim cases with complete details. The website shall contain the cases district wise of states separately so that delicacy, etc. of cases may be indentified.

## **25. Amendment of Rule 210.**

- In the principal rules, for Rule 210, the following rules shall be substituted, namely-

**210. Appearance and oral examination of parties. - (1) The owner of the motor vehicle and the insurer may at or before the first hearing or within such further time as the Claim Tribunal may allow, file a written statement dealing with the claim raised in the application, and any such written statement shall form part of the record.**

(2) Where the claim is contested, the Claims Tribunal shall, with a view to elucidating matters in controversy between the parties, examine orally such of the parties to the claim proceeding as it deems fit and shall reduce the substance of the examination, if any to writing. (3) The date of first hearing for filing written statement under sub-rule (1) shall not be more than one month from the date of issuance of notices to owner/driver and insurer of the motor vehicle and no further time, more than one month shall be given for that. (4) The opposite parties shall file their written statement, all the documents and affidavits for the proof thereof and in support of all facts on which, they rely in context of their defence duly entered in a list of documents and shall give copies of written statement, documents and affidavits so filed, to applicant: Provided that the Tribunal may not allow the opposite party to rely on any document or affidavit in support of their defence, not filed along with the written statement unless, it is satisfied that for good or sufficient reasons, he was prevented from filing such documents or affidavit earlier. (5) The application for compensation shall be decided on the date of filing of written statement when the claim is not denied/opposed by any of the opposite parties."

## **26. Insertion of Rule 210-A.**

- In the principal rules, after Rule 210, the following rule shall be inserted, namely -

**210. A reference for settlement in Lok Adalat. - (1) After appearance and filing of written statement by the opposite parties, the Claims Tribunal shall make efforts for disposal of the claim petition through mutual settlement or composition and may refer to Lok Adalat for settlement through mediation and conciliation:**

Provided that parties to the petition and their agents, may be asked by the Claims Tribunal to appear and participate in Lok Adalat. (2) The case referred to Lok Adalat under sub-rule (1) if not settled, shall not be retained more than two months in Lok Adalat and may be sent back to the tribunal after fixing a date to appear therein."

## **27. Amendment of Rule 212.**

- In the principal rules, for Rule 212, the following rule shall be substituted, namely -

**212. Summoning of witnesses. - (1) Where an application is presented by any party to the proceeding for summoning of witness, the Claims Tribunal shall on payment of the expenses involved, if any, issue summons for the appearance of such witness, unless it considers that their appearance is not necessary for a just decision of the case.**

(2) If in the opinion of the Claims Tribunal, the party is financially poor, it may not insist him for the payment of expenses involved in summoning the witnesses and the same shall be borne by the Government: Provided that in case the party succeeds in whole or in part in the claim case, the expenses so incurred by the Government, shall be directed to be paid to the Government by the opposite party."

## **28. Insertion of Rule 213-A.**

- In the principal rules, after Rule 213, the following rule shall be inserted, namely -

### **213.**

-A. Presumption about the papers. - The reports, certificates and papers submitted or issued under Rules 205-A, 205-B and 205-C shall be presumed to be correct and shall be read in evidence without format proof, unless proved contrary."

## **29. Amendment of Rule 214.**

- In the principal rules, for Rule 214, the following rule shall be substituted, namely -

**214. Method of recording evidence. - (1) The Claims Tribunal shall as examination of a party or a witness proceeds, make a brief memorandum of the substance of what is deposed and such memorandum shall be written and signed by the Claims Tribunal and shall form part of the record:**

Provided that evidence of any medical witness shall, as nearly as may be, be taken down word for word: Provided further that where the Claims Tribunal is unable to make a memorandum it shall cause the reason of such inability to be recorded and shall cause the memorandum to be made in writing from its dictation. (2) The copies of medicolegal reports, post-mortem reports, papers relating to reports submitted by Investigating Police Officer or any other person which the Claims Tribunal deems appropriate, shall be admissible in evidence without formal proof thereof. However, the witness relating to these documents and papers may be examined on oath if required necessary

in any circumstances of the case."

### **30. Amendment of Rule 215.**

- In the principal rules, for Rule 215, the following rule shall be substituted, namely -

**215. Local inspection. - (1) The Claims Tribunal may at any stage of an enquiry before it and after due notice to the parties, visit and inspect the site at which the accident occurred or any other place or thing which it is in its opinion, necessary to view for a proper decision of the case.**

(2) A party to proceeding or his representative may be present at the time of the local inspection by the Claims Tribunal. (3) As soon as may be after the local inspection the Claims Tribunal shall record memorandum of any relevant fact observed as such inspection, and such memorandum shall form part of the record. (4) The Claims Tribunal during the local inspection under this rule or at any other stage of the case pending before it, may examine summarily any person likely to be able to provide information relating to such case whether such person has been or is to be called as witness in the case or not and whether any or none of the parties are present or not. 11

### **31. Insertion of Rule 222-A and 222-B.**

- In the principal rules, after Rule 222, the following rules shall be inserted, namely -

#### **222.**

-A. Determination of compensation. - (1) The multiplier for determination of loss of income payable as compensation in all the claim cases shall be applied as per Second Schedule provided in the Act. (2) Deduction for personal and living expenses of a deceased, shall be as follows - (i) The deduction towards personal expenses of a deceased unmarried shall be 50% where the family of a bachelor is large and dependent on the income of the deceased, the deduction shall be 1/3 (33.3%). (ii) The deduction towards personal and living expenses of a married person deceased shall be 1/3rd where dependent family members are 2 to 3 in number, 1/4th where dependent family members are 4 to 6 in number and 1/5th where dependent family members are more than 6 in number. (iii) For the purpose of calculation of number of family members in clause (ii) a minor dependent will be counted as half. (3) The further prospects of a deceased shall be added in the actual salary or minimum wages of the deceased as under - (i) Below 40 years of age - 50% of the Salary. (ii) Below 40-50 years of age - 30% of the Salary. (iii) More than 50 years of age - 20% of the Salary. (iv) When wages not sufficiently proved - 50% towards inflation and price index. (4) The non-pecuniary damages shall also be payable in the compensation as follow - (i) Compensation for loss of estate - Rs 5000 to Rs 10,000 (ii) Compensation for loss of consortium - Rs 5000 to Rs 10,000 (iii) Compensation for loss of love and affection - Rs 5000 to Rs 15,000 (iv) Funeral expenses costs of transportation of body - Rs 5000 or actual expenses whichever is less. (v) Medical expenses actual expenses proved to the satisfaction of the Claims Tribunal. (5) For determination of

compensation in case of injuries, partial or permanent disability provision of Second Schedule of the Act shall apply: Provided that the Claims Tribunal may also award compensation for future prospects according to sub-rule (3) in case of permanent disability depending upon the nature, extent and its effect on the future of disabled claimants. (6) The rate of interest shall be 7% pendentlite and future till the actual payment.

## 222.

-B. Securing the interest of claimants. - (1) Where any lump sum amount of compensation, deposited with the Claims Tribunal is payable to a woman or a person under legal disability, such sum may be invested applied or otherwise dealt with for the benefit of the woman or such person during his disability in such manner as the Claims Tribunal may direct to be paid to any dependent of the injured or heirs of the deceased or to any other person whom the Claims Tribunal thinks best filed to provide for the welfare of the injured or the heir of the deceased. (2) Where an application made to the Claims Tribunal in this behalf or otherwise the Claims Tribunal is satisfied that on account of neglect of the children on the part of the parents, or on account of the variation of the circumstances of any dependent, or for any other sufficient cause an order of the Claims Tribunal as to the distribution of any sum paid as compensation or as to the manner in which any sum payable to any such dependent is to be invested applied or otherwise dealt with, ought to be varied, the Claims Tribunal may make such further orders for the variation of the former order as it thinks just in the circumstances of the case. (3) The Claims Tribunal shall, in the case of minor, order that amount of compensation awards to such minor, be invested in fixed deposits till such minor attains majority. The expenses incurred by the guardian or the next friend may be allowed to be withdrawn by such guardian or the next friend from such deposits before it is deposited: Provided that the interest payable on such deposits may be allowed to be utilised for education, maintenance and development of the minor with the permission of the Claims Tribunal. (4) The Claims Tribunal shall, in the case of illiterate claimants, order that the amount of compensation awarded be invested in fixed deposits for a minimum period of three years, but if any amount is required for effecting purchases of any movable or immovable property for improving the income of the claimant, the Claims Tribunal may consider such a request after being satisfied that amount would be actually spent for the purpose and the demand is not a ruse to withdraw money. (5) The Claims Tribunal shall, in the case of semi-literate person, resort to the procedure for the deposit of award amounts set out in sub-rule (4) unless it is satisfied for reasons to be recorded in writing that the whole or part of the amount is required for the expansion of any existing business or for the purchases of some property as specified and mentioned, in sub-rule (4) in which case the Claims Tribunal shall ensure that the amount is invested for the purpose for which it is prays for and paid. (6) The Claims Tribunal may, in the case of literate persons, also resort to the procedure for deposit of awarded amount specified in sub-rules (4) and (5) if having regard to the age, fiscal background and state of society to which the claimant belongs and such other consideration, the Claims Tribunal in the larger interest of the claimant and with a view to ensure the safety of compensation awarded thinks in necessary to order. (7) The Claims Tribunal may, in personal injury cases, if further treatment is necessary, on being satisfied which shall be recorded in writing, permit the withdrawal of such amount as is necessary for the expenses of such treatment. (8) The Claims Tribunal may, in the matter of investment of money, have regard to a maximum return by ways of periodical income to



the claimant deposit with public sector undertaking of the State or Central Government which offers higher rate of interest.(9)The Claims Tribunal shall, in investing money, direct that the interest on the deposits be paid directly to the claimants or the guardian of the minor claimants by the institution holdings the deposits under intimation to the Claims Tribunal.

## 32. Officers of Transport Department-Power of.

- In the principal rules, for Rule 229, the following rule shall be substituted, namely -

### 229.

(1)The officer of the Transport Department specified in Column 1 below, shall exercise the powers under the provisions of sections specified against them in Column 2:

Sl. No.	Officer	Sections
(1)	Transport Commissioner	114(1), 130(2), 130(3), 136, 203, 206, 207 and 213 (5)
(2)	Additional Transport Commissioner	-do-
(3)	Deputy Transport Commissioner	-do-
(4)	Secretary, State Transport Authority	-do-
(5)	Assistant Transport Commissioner	-do-
(6)	Regional Transport Officer	-do-
(7)	Assistant Regional Transport Officer	-do-
(8)	Transport Tax Officer-1	-do-
(9)	Transport Tax Officer-2	114(1), 130(2), 130(3), 206 and 207
(10)	Officer specified by the Transport Commissioner who shall not be below the rank of Transport Tax Officer-2	-do-

(2)An officer of the Transport Department specified in Column 1 of sub-rule (1) shall carry with him an identity card issued by the Transport Commissioner in Form SR-52.(3)The uniform to be worn by the various officer of the Transport Department mentioned in Column 2 below shall be such as is mentioned against them in Column 3 -

Sl. No.	Officer	Uniform
(1)	Assistant Regional Transport Officer(Enforcement)	<p>(i) Khaki forage cap with monogram UttarakhandParivahan;</p> <p>(ii) Coat (open collar), bush-shirt or shirt with trousers of Police pattern in khaki;</p> <p>(iii) Tie and round weeven whistle cord of light Khaki colour;</p>

- (iv) Shoulder badge with monogram UttarakhandParivahan;
- (v) Cross belt of police pattern of dark brownleather with silver fittings;
- (vi) Silver plated Ashok Chakra on shoulder strap;
- (vii) Brown shoes as in the case of Indian Army;
- (viii) Name badge with name and designation prominentlyexhibited on the front of the uniform.
- (2) Transport Tax Officer-1
  - (i) Khaki forage cap with monogram UttarakhandParivahan;
  - (ii) Coat (open collar), bush-shirt or shirt withtrousers of Police pattern in khaki;
  - (iii) Tie and round weeven whistle cord of light khakicolour;
  - (iv) Shoulder badge with monogram UttarakhandParivahan;
  - (v) Cross belt of police pattern of dark brownleather with silver fittings;
  - (vi) Three five pointed silver plated stars onshoulder strap;
  - (vii) Brown shoes as in the case of Indian Army;
  - (viii) Name badge with name and designation prominentlyexhibited on the front of the uniform.
- (3) Transport Tax Officer-2
  - (i) Khaki forage cap with monogram UttarakhandParivahan;
  - (ii) Khaki coat (open collar), Khaki bush-shirt orKhaki shirt with trousers of Police pattern in khaki;
  - (iii) The round weeven whistle cord of light bluecolour;
  - (iv) Cross belt of police pattern of dark brownleather with silver fittings;
  - (v) Sliver plated buttons;
  - (vi) Black shoes;
  - (vii) Two five pointer stars, measuring 25 mm indiameter. The star should be slightly frosted but without anydesign in the centre. Shoulder badge with letters UttarakhandParivahan. In block letters will be worn at the base of shoulderstrap. The stars and letters will be of white metal;
  - (viii) Name badge with name and designation prominentlyexhibited on the front of the uniform.
- (4) Senior Motor Vehicles Inspector
  - (i) Khaki forage cap with monogram. UttarakhandParivahan;
  - (ii) Khaki coat (open collar), Khaki bush-shirt orKhaki shirt with trousers of Police pattern in khaki;
  - (iii) Tie and round weeven whistle cord of light khakicolour;
  - (iv) Shoulder badge with monogram UttarakhandParivahan;

- (v) Cross belt of police pattern of dark brown leather with silver fittings;
  - (vi) Three five pointed yellow plated stars on half red and half black parallel shoulder strap.
  - (vii) Brown shoes as in the case of Indian Army;
  - (viii) Name badge with name and designation prominently exhibited on the front of the uniform.
- (5) Motor Vehicles Inspector
  - (i) Khaki forage or beret cap with monogram Uttarakhand Parivahan;
  - (ii) Tie and round weeven whistle cord of light khaki colour;
  - (iii) Khaki coat (open collar), Khaki bush-shirt or Khaki shirt with trousers of Police pattern in khaki;
  - (iv) Shoulder badge with monogram Uttarakhand Parivahan;
  - (v) Cross belt of police pattern of dark brown leather with silver fittings;
  - (vi) Two five pointed yellow plated stars on half red and half black parallel shoulder strap;
  - (vii) Brown shoes as in the case of Indian Army;
  - (viii) Name badge with name and designation prominently exhibited on the front of the uniform.
- (6) Enforcement driver
  - A. Summer uniform
    - (i) V cap of dark blue colour having red colour in front and with monogram Uttarakhand Parivahan;
    - (ii) Round weeven whistle cord of blue colour;
    - (iii) Khaki bush-shirt or Khaki shirt with trousers of police pattern in khaki;
    - (iv) Shoulder badge with monogram Uttarakhand Parivahan;
    - (v) Half blue colour shoulder strap;
    - (vi) Black shoes;
    - (vii) Black socks;
    - (viii) Cross belt of police pattern of black colour with silver fittings along with monogram;
    - (ix) Name badge with name and designation prominently exhibited on the front of the uniform.
  - B. Winter uniform
    - (i) Full sleeve Angora shirt;
    - (ii) Black woollen stocking;
    - (iii) Khaki Jacket Note.—Cap, whistle, shoulder badge, cross belt name and designation badge shall be similar to summer

- uniform.
- (7) Enforcement supervisor
- A. Summer uniform
    - (i) V cap of dark blue colour having red colour in front and with monogram Uttarakhand Parivahan;
    - (ii) Round weeven whistle cord of blue colour;
    - (iii) Khaki bush-shirt or Khaki shirt with trousers of police pattern in khaki;
    - (iv) Shoulder badge with monogram Uttarakhand Parivahan;
    - (v) Half blue colour shoulder strap;
    - (vi) Black shoes;
    - (vii) Black socks;
    - (viii) Cross belt of police pattern of black colour with silver fittings along with monogram;
    - (ix) Name badge, with name and designation prominently exhibited, on the front of the uniform.
  - B. Winter uniform
    - (i) Full sleeve Angola shirt
    - (ii) Black woolen stocking
    - (iii) Khaki Jacket Note.—cap, whistle, shoulder badge, cross belt name and designation badge shall be similar to summer uniform

### 33. Amendment of First Schedule.

- In the principal rules, for the existing first Schedule, the following First Schedule shall be substituted, namely -

Name of the District/Area	Letters allotted
Almora	UKA
Nainital	UKD
Bageshwar	UKB
Pithoragarh	UKE
Chamoli	UKK
Rudraprayag	UKM
Champawat	UKC
Tehri Garhwal	UKI
Dehradun	UKG
Uttarkashi	UKJ
Garhwal	UKL
Udhamsinghnagar	UKF

Haridwar	UKH
Rishikesh	UKR
Kotdwar	UKH
Vikasnagar	UKO
Roorkee	UKP
Kashipur	UKQ

### **34. Amendment of Second Schedule.**

- In the principal rules, for the existing Second Schedule, the following Second Schedule shall be substituted, namely -

0001 to 0009, 0011,  
 0022, 0033, 0044,  
 0055, 0066, 0077,  
 0088, 0099, 0100,  
 0101, 0777, 0786,  
 0999, 1111, 2222,  
 3333, 4444, 5555  
 6666, 7000, 7070,  
 7272, 7777, 7979,  
 8888, 9000, 9191,  
 9999.

### **35. Insertion of from SR 43-A to From 43-E.**

- In the principal rules, after from SR-43, the following forms shall be inserted, namely -Form SR 43-A[See Rule 125-B(ii)]Bank Guarantee for Performnce Guarantee (On Bank Letter Head With Adhesive Stamp)To,The Transport Commissioner,Uttarakhand, Kulhan,Sahastradhara Road, Dehradun.Know All Men by these presents that we ..... (Name and address of Bank) having our registered office at ..... (hereinafter called "the Bank") are bound unto, Transport Commissioner, Uttarakhand (hereinafter called "the regulator") for the sum of Rs. .... lakhs (Rupees ..... lakhs only) for which payment will and truly to be made to the said regulator , the Bank binds itself, its successors and assigns by these present.Whereas, a letter of intent No. ....dated ..... has been issued by State Transport Authority to ..... (Name of operator) (hereinafter called "the operator") for execution of the Radio Taxi permits.And, whereas, the operator is required to furnish a Bank Guarantee for the sum of Rs. .... lakhs (Rupees ..... lakhs only) towards performance guarantee.And Whereas, .....(name of Bank) have, at the request of the ..... operator, agreed to give this guarantee as hereinafter contained without demur.

## 2. We further agree as follow -

(a) That the guarantee hereinbefore contained shall not be affected by any change in the constitution of our bank or in the constitution of the operator. (b) That any account settled between the regulator and the operator shall be conclusive evidence against us of the amount due hereunder and shall not be questioned by us. (c) That this guarantee commences from the date hereof and shall remain in force for a period of five years extendable by five years. (d) That the expression 'the operator' and 'the Bank' herein used shall, unless such an interpretation is repugnant to the subject or context, include their respective successor and assigns.

## 3. The conditions on this obligation are -

(i) If the operator fails or refuse to induct the radio taxi within the time-limit specified in the letter of intent. (ii) If the operator fails to perform its obligations under the radio taxi scheme. We undertake to immediately pay to the Regulator at Dehradun in Uttarakhand the above amount upon receipt of the first written demand, without the regulator having to substantiate his demand provided that in his demand the regulator will note that the amount claimed by him is due to him owing to the occurrence of any one or more of the conditions (i) and (ii) mentioned above, specifying the occurred condition or conditions.

Signature of the Witness Address of the witness

Signature of ..... Authorised  
official of the Bank

Designation ..... Stamp/Seal of the  
Bank

Form SR 43-B [See Rule 125-E(1)] Application for grant or issue or renewal of letter of intent/permit for radio taxi To, The State Transport Authority Uttarakhand, Dehradun. I/We, the undersigned, hereby apply for a permit for radio taxi

1 Full Name .....

Name of the Father/Husband, in the case of an individual and in

2 the case of a cooperative society or company, the name of the .....

Secretary or the Managing Director, as the case may be

3 Status of the applicant, (whether individual association of  
individuals, cooperative society or company, etc. ....

4 Full address

(i) Permanent .....

(ii) Present .....

(To be supported by attested copy of ration card, electricity bill or any other valid documentary proof to the satisfaction of the State Transport Authority in the case of an individual and in the case of company or cooperative society certified copy of the registration).  
.....

5 (i) Registration mark of the vehicle .....

- (ii) Model .....
- (iii) Chassis Number .....
- (iv) Engine Number .....
- (v) Class of vehicle .....
- (vi) Number of passengers to be carried .....
- (vii) Name of financier, if any, with whom the vehicle is under hire purchase agreement .....
- 6 Route/Area for which permit is valid .....
- 7 Whether specifications are complete as radio tax .....
- 8 Whether fitted with taxi meter/GPS/GPRS .....
- 9 (a) Experience in management of transport business .....
- (b) Number of radio taxi held with in the name of applicant (To be supported by the attested copy of registration certificate issued by the registering authority concerned) (To be supported by the attested copy of registration certificate issued by the registering authority concerned) .....
- 10 Particulars or permit, if already held .....
- 11 (a) Place where the applicant has his main office with detailed address. ....
- (b) Place where the applicant has his branch office with detailed address .....
- (c) The number of radio taxi to be stationed in each branch office .....
- 12 Nature and extent of financial resources of the applicant .....
- 13 Whether the applicant has furnished the Bank guarantee for performance guarantee (if yes the detail thereof) .....
- 14 Whether the operator is conversant with the conditions for carrying the business under the radio taxi scheme .....
- Whether the operator has submitted the induction schedule of the vehicles to be inducted within a year from the date of issue of Letter of Intent (LOI). (If yes, enclose the same) .....
- 15 Details of prescribed fee- .....
- 17 I hereby declare that to the best of my knowledge and belief the particulars given above are correct and true

I/we, therefore, request to the authority for issue the letter of intent as per supplied induction schedule so that the vehicle may be arranged accordingly for grant/issue of permits. Signature of the Applicant Note-. Strike out if not applicable. Form SR 43-C [See Rule 125-F (1)] Transport Department Uttarakhand Letter of Intent No. Date To, Mr./Mrs. With reference to your application dated ..... regarding grant of letter of intent for purchasing/arranging the radio taxis, letter of intent is being issued for inducting the vehicles as per following induction schedule

.....It is being clarified that on failure to induct the radio taxis as per above approved schedule, shall be liable to result in forfeiture of bank guarantee for performance guarantee. Secretary State Transport Authority Uttarakhand. Form SR 43-D[See Rule 125-F(4)]Permit In Respect of Radio TaxiPermit Number

**1. Name of the operator .....**

**2. Name of the Father/Husband, in the case of an individual and in the case of a cooperative society or company, the name of its Secretary or the Managing Director, as the case may be .....**

**3. Address .....**

**4. Main place of business .....**

**5. (i) Registration Mark of the vehicle .....**

(ii)Model .....(ii)Chassis Number

.....(iv)Engine Number .....(v)Class of vehicle

.....(vi)Number of passengers to be carried .....(vii)Name of financier, if any, with whom the vehicle is under hire purchase agreement .....

**6. Route/Area for which permit is valid .....**

**7. Date of issue of the permit .....**

**8. Date of expiry of the permit .....**

**9. Date of replacement of vehicle .....**

**10. Whether specification are complete as radio taxi .....**

**11. Nature of goods to be carried .....**

**12. Conditions of permit are enclosed .....**

Secretary State Transport Authority Uttarakhand.RenewalRenewed from  
.....to.....Secretary State Transport Authority Uttarakhand. Form SR  
43-E[See Rule 125-G(1)(d)]Complaint Book (With Pages Serially Numbered In Triplicate)



- 1. Name of complainant .....**
- 2. Full address .....**
- 3. The name and address of the Operator .....**
- 4. Permit number and authority which issued the permit .....**
- 5. The date and time of hiring the vehicle and date and time when the vehicle was returned .....**
- 6. Vehicle number .....**
- 7. Complaint in brief .....**

Date.....Place .....SignatureCopy to

**1. The State Transport Authority Uttarakhand, Dehradun by registered post..... (duplicate copy)**

**2. The complainant ..... (Triplicate copy)**

Name and address of the Operator

### **36. Insertion of Form SR 49-A to Form SR 49-C.**

- In the said rules, after Form SR-49, the following forms shall be inserted, namely -Form SR 49-A[See Rule 169(4)(v)]Details/specimen Signature of the Operator Employed In Authorised Pollution Checking CentreDated .....

To,The Transfer  
Commissioner,Uttarakhand,Kulhan, Sahastradhara  
Road,Deharadun.

Paste here a P.P. size photograph of  
the proposed operator duty attested by owner  
of authorised agency.

SirMr.....(Name) S/o.....(Name) is employed in our authorised agency  
.....(Name) from dated ..... It is requested that he may be approved as authorised  
operator for "Pollution checking and for issuing "pollution under control certificates" at our  
authorised agency. In this context the following details are submitted -

### **1. Authorisation certificate no. and date of authorisation agency**

.....

**2. Name of proposed operator .....**

**3. Technical qualifications of the proposed operator .....**

**4. Specimen signatures of proposed operator .....**

**5. Specimen signature attested by owner of authorised agency**

.....

**6. Names of other operators working in authorised agency**

.....

**7. If any of the previous operators has left service furnish details -**

(i)Name of previous operator .....(ii)Date of leaving employment

.....

**8. (i) Make of pollution checking equipment .....**

(ii)AMC with manufacturer/dealer vehicle up to .....(iii)Equipments calibration valid up to .....I hereby solemnly declare that the above particulars are correct and true to the best of my knowledge and belief.Your Faithfully Signature of owner of authorised agency Enclosures(i)Copy of the technical qualification of the operator duly attested by the proprietor.(ii)Training certificate in respect of concerned checking equipment in original.(iii)Two (additional) passport size photograph of operator duly attested by the proprietor.Form SR 49-B[See Rule 169-A(1)]Intimation of Loss Or Destruction of Authorisation Certificate and Application for DuplicateTo,The Transport Commissioner,Uttarakhand.I/We .....name of the organisation address..... name of the owner/owners.....hereby report that the authorisation certificate issued to me/us by the Transport Commissioner to work as authorised Pollution Checking Center under sub-rule (7) of Rule 115 of the Central Motor Vehicles Rules, 1989, has been lost or destroyed on or about dated .....in the following circumstances -.....

**2. I/we hereby apply for a duplicate authorisation certificate.**

**3. I/we have paid the prescribed fee Rs.....Receipt No.....dated.**

YoursName and signature of the applicant.Form SR 49-C[See Rule 205-A(4)]Report of Investigation Police OfficerTo,.....Sir,The requisite report regarding accident is submitted herein as under -

**1. Name of the Police Station.....**

**2. Case Crime No/Traffic accident report/FIR No. (Copy to be annexed)**

.....

**3. Date, time and place of the accident**

.....

**4. Name and full address of the injured/deceased .....**

**5. Name of the Hospital to which he/she was removed (Copy of X-ray report  
Medicolegal report/Postmortem to be annexed).....**

**6. Registration No. of vehicle and type of the vehicle (Copy to be  
annexed).....**

**7. Driving licence particulars (Copy to be annexed) -**

(a)Driving licence no. and date of expiry .....(b)Name and address of the driver  
.....(c)Address of the issuing authority .....(d)Badge No.  
(In case of public service vehicle) .....

**8. Name and address of the owner of the vehicle at the time of accident**

.....

**9. Name and address of the Insurance Company with whom the vehicle was  
insured and the particulars of the Divisional Office of the said Insurance  
Company (Copy of cover note/certificate of Insurance/Policy/Receipt to be  
annexed) .....**

**10. No. of insurance policy/insurance certificate and the date of validity of the  
insurance policy/insurance certificates .....**

**11. Registration particulars of the vehicle (Class of vehicle) -**

(a)Registration No.....(b)Engine No.....(c)Chassis  
No.....

**12. Route permit particulars (copy to be annexed) .....**

**13. Report about verification of driving licence, Insurance policy, registration certificate and permit etc. (Copy of the document to be annexed)**

.....

**14. Names and addresses of the witnesses found or present at the time of accident .....**

**15. Action taken, if any, and the result thereof (copy of report under Section 173 of the Code of Criminal Procedure, 1973, presented to be annexed)**

.....

Enclosures: (Give details) -Station House Officer/InvestigatingPolice Officer.....Police Station.....Date.....Verified that the contents of above report are correct as per investigation done by the Police Station.Police Station.....Station House Officer