

Bye-Laws of Solang Ropeway-cum-Ski Centre, Ski Himalayas Ropeway Pvt. Ltd, an SPV of a Power Himalayas Ltd., at Solang Nallah of Tehsil Manali, Distt. Kullu, Himachal Pradesh bye-laws, 2010

HIMACHAL PRADESH

India

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Rule

BYE-LAWS-OF-SOLANG-ROPEWAY-CUM-SKI-CENTRE-SKI-HIMALAYAS of 2010

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Bye-Laws of Solang Ropeway-cum-Ski Centre, Ski Himalayas Ropeway Pvt. Ltd, an SPV of a Power Himalayas Ltd., at Solang Nallah of Tehsil Manali, Distt. Kullu, Himachal Pradesh bye-laws, 2010 Published vide Notification No. PBW(B)3(6)7/93, dated 7.12.2010 Government of Himachal Pradesh Department of Public Works Whereas M/S A. Power Himalayas Ltd., Regency Complex Paonta Sahib, Distt. Sirmour, PIN-173025 has entered into an agreement on 18th January, 2003 with the Government of Himachal Pradesh through Pr. Secretary, Department of Tourism, Government of Himachal Pradesh to construct the Aerial Ropeway cum- Ski Centre Project on a Build, Own, Operate and Transfer ("BOOT") basis at Solang Nallah, Tehsil Manali, Distt. Kullu (HP); Whereas the said company has framed draft bye-laws under section 27 of the Himachal Pradesh Aerial Ropeways Act, 1968 and the same were published by them in pursuance of section 27(3) of the Himachal Pradesh Aerial Ropeway Act, 1968 (Act No. 7 of 1969) in two daily news papers namely, the Tribune and Apka Faisala on 10th November, 2010, for information of the general public; And whereas the Inspector of Aerial Ropeways, Kullu has scrutinized the above draft bye-laws as per the requirement of rule 12 of the Himachal Pradesh Aerial Ropeways Rule, 1972 and forwarded the same to the State Government for approval and publication in the Official Gazettee. Now, therefore, the Governor Himachal Pradesh in exercise of powers conferred by sub

section (3) of section 27 of the Act ibid is pleased to confirm/approve the following, bye-laws framed by Ski Himalayas Ropeways Pvt Ltd; an S.P.V of A Power Himalayas, namely:-

1. Short title and Commencement.

(1)These bye-laws shall be called the Bye-Laws of Solang Ropeway-cum-Ski Centre, Ski Himalayas Ropeway Pvt. Ltd, an SPV of a Power Himalayas Ltd., at Solang Nallah of Tehsil Manali, Distt. Kullu, Himachal Pradesh bye-laws, 2010.(2)These shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

2. Definitions.

(1)In these bye-laws, unless there is any thing repugnant in the subject or context,-(a)"Act" means the Himachal Pradesh Aerial Ropeways Act, 1968 (Act No. 7 of 1969);(b)"Cabin" means carrier used for carrying the passengers on ropeway; and(c)"promoter company" means M/S A. Power Himalayas ltd., Regency Complex, Paonta Sahib, Distt. Sirmour, Himachal Pradesh.(2)The words and expressions used in these bye-laws but not defined shall have the meanings respectively assigned to them in the Act and rules framed there under.

3. Manner and other conditions to regulate.

- The manner and other conditions to regulate the operation of ropeways shall be as under:-(a)the speed of the aerial ropeways shall be upto 6 meters per second.(b)The maximum weight of passengers including pets to be carried in each cabin shall not exceed 640 Kg.(c)The maximum number of persons allowed to be carried in each cabin shall be 8 adults.Explanation. - (i) For the purpose of this bye-law, 2 children above the age of 3 years upto the age of 12 years shall be counted as one adult and(ii)Children below the age of 3 years shall not be counted for the purpose of maximum number of passengers to be carried in each cabin.(d)the passengers shall not be allowed to carry the arms and ammunition as defined in the Arms Act, 1959 and the alcohols/intoxicants while traveling on the ropeways.(e)the passengers shall not be allowed to eat, drink or smoke while traveling on the ropeway; and(f)the promoter company may refuse any passenger to ride the cabin if any employee of the company finds that any person is under the influence of any intoxicant or is otherwise physically/mentally unfit to travel on the ropeway or apprehend any danger to himself or the co-passengers or employee(s) of the promoter company.(g)The promoter company shall allow passengers to carry small luggage like brief case or hand bags with them free of charge.(h)The promoter company shall not be responsible for loss of personal belongings of the passengers and they will themselves take care of their belongings during travel on the aerial ropeway.(i)If the employee(s) of the promoter company have any doubt on any passenger travelling on the aerial ropeway that he is carrying some goods which are prohibited as per bye-law 3(d), the employee of the promoter company shall be allowed by the passenger to search his luggage.(j)During the maintenance/break down period of aerial ropeway, the promoter shall inform the Inspector Ropeways and public by advertising in the leading newspapers of the region and local newspapers in respect of the closure and re-opening of the aerial ropeway(k)Ticket once sold will not be re-fundable under normal circumstances. The refund will only be granted in case of any reason

beyond the control of the promoter company or due to fault on their part.(i)The time of alighting at upper/lower terminal stations shall be exhibited on the tickets.(m)Ticket counter and sale of tickets shall normally be closed one hour before the closing time of aerial ropeway operation schedule and the same shall be mentioned in the notice board at the counter.(n)The promoter company shall make the adequate arrangements for keeping cabins and reception area clean and shall provide proper lighting, toilet, drinking water facilities at upper and lower stations.(o)The promoter company shall provide a special chair at upper and lower stations to help the handicapped persons in embarking and disembarking.(p)The promoter company shall make provision for issuing out-of turn Ticket to handicapped persons, so that they are not required to stand in normal queue.(q)The promoter company shall provide Fire-Fighting equipments at both stations(r)The promoter company shall make adequate arrangements for parking of vehicles of passengers traveling on this ropeway.(s)Passengers shall not be allowed to resort to any activity causing nuisance to public in the premises of the ropeway and while travelling in the cabins.(t)The passengers as well as the promoter shall abide by the provisions of these bye-laws and the Act.(u)The company reserves the right of admission.

4. Qualifications of staff.

- The staff employed for running and maintenance of aerial ropeways and their qualification shall be as under:(1)Mechanical Engineers:At least 3 having Diploma or above from recognized Institute/Polytechnic;(2)Electrical EngineerAt least 3 having Diploma or above from recognized Institute/Polytechnic;(3)Electronic Engineer:At least 3 having Diploma or above from recognized Institute/Polytechnic;(4)Mechanical Trade ManAt least 3 having Diploma from ITI or above from the State/Central Government recognized Institute in trade.;(5)Electrical Trade Man:At least 3 having Diploma from ITI or above from the State/Central Government recognized Institute in trade.(6)Customer Care ExecutivesAt least 5 who are Graduate in any stream from State/Central Government recognized institute.(7)Marshals:At least 10 who have passed 10th or above from the State/Central Government recognized institute.(8)Ground Handling Staff:At least 10 who are 10+2 from the State/Central Government recognized institute.

5. Conduct of Promoter's Company employee.

(1)Every employee of the Promoter's Company shall behave properly and show courtesy to the passengers.(2)Every employee of promoter's Company shall strictly abide by any law relating to intoxication within the area of operation of the aerial ropeway and during the course of his duties.(3)Every employee of the promoter company shall abide by the provisions of these bye-laws and also ensure that the bye-laws are not violated by any person.(4)In case of breach of bye-laws by the promoter's servant the company shall forfeit a sum not exceeding one month pay of the servant responsible for the act and may take further suitable action under the provision of company bye-laws.

6. Timing of operation of aerial ropeway.

- The aerial ropeway shall normally be operative for 24 hours every day or as per the time schedule duly approved by the Inspector, Aerial Ropeway which shall be communicated to District Administration and also displayed on the notice board at the aerial ropeway station.

7. Power to be used for operation of the Aerial Ropeway.

- The electrical power shall be used for operating the aerial ropeway. In case of break down of electrical power supply, the aerial ropeway shall be operated with the diesel Engine back up.

8. Compensation in case of accident.

- In case of death or permanent disablement of person(s) resulting from any accident arising out of the use or operation of the aerial ropeway, the promoter company shall be responsible to pay compensation in respect of such death or disablement through insurance company. The minimum amount of compensation shall be payable as under:-a. Children below 12 years: Rs. 50,000/-b. Lady passenger: Rs.1,00,000/-c. Gents passenger: Rs.5,00,000/-d. Foreign passenger: Rs.10,00,000/-(2)For minor injuries during the aerial ropeway journey, normal first aid shall be provided by the employee of Promoter Company.

9. Penalty for violation of bye-laws.

(1)Any person who contravenes any of the provisions of these bye-laws shall be liable to fine which may extend to any sum not exceeding fifty rupees.(2)Passenger(s) shall follow the directions of the Ground Staff for embarkation, disembarkation and riding in the cabins for safety purposes. Passengers shall not be allowed to enter, restricted/no entry area and any violation of the safety rules shall be the responsibility of the passengers and for such violation action may be taken by the promoter under sections 34, 35,36 and 37 of the Act.