

# **The Orissa Requisitioning of Omnibuses Rules, 1992**

ODISHA

India

## **The Orissa Requisitioning of Omnibuses Rules, 1992**

### **Rule**

### **THE-ORISSA-REQUISITIONING-OF-OMNIBUSES-RULES-1992 of 1992**

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

(1)These rules may be called the Orissa Requisitioning of Omnibuses Rules, 1992.(2)They shall apply to all Omnibuses in the State of Orissa.(3)They shall come into force on the date of their publication in the Official Gazette.

### **2. Definitions.**

(1)In these rules, unless the context otherwise requires-(a)"Act" means the Orissa Requisitioning of Omnibuses Act, 1984 (Orissa Act 11 of 1984);(b)"Form" means a Form appended to the rules;(c)"section" means a section of the Act.(2)All other words and expressions used but not defined in these rules unless the context otherwise requires shall have the same meanings as assigned to them in the Act.

### **3. Order of requisition.**

- The orders of the competent authority for requisitioning any Omnibus under Section 3 shall be made in Form I.

#### **4. Authorisation by the competent authority.**

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

#### **5. Service of requisition.**

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

#### **6. Preparation of inventory.**

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

#### **7. Power to require information.**

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

#### **8. Recovery of cost, fee or tax.**

- Where the cost of garaging, maintenance and repair of any Omnibus under Sub-section (8) of Section 3 and the tax or fee paid by the Corporation under Sub-section (2) of Section 7 exceeds the amount payable to the owner, under Section 6 on account of its requisition under the Act, the balance of such amount which remains after recovery from the amount so payable to the owner shall be recovered as a public demand under the, Orissa Public Demands Recovery Act, 1962. Form I[See Section 3 and Rule 3]Requisition for

OmnibusesTo(1)Shri.....Address.....Owner of  
Omnibus No.....OR(2)Name of person having possession/control of theOmnibus  
.....Address .....(3)Registration Number of the  
Omnibus to be requisitioned.....Whereas in the opinion of the undersigned (competent authority)  
it is necessary/expedient so to do for providing better and more coordinated passenger transport  
service in the State and to meet an emergency in the maintenance of such service, the undersigned  
hereby orders for the requisition of the above-mentioned Omnibus for the said purpose.The

above-named owner/person, in possession or control of the above-mentioned omnibus, is hereby directed to deliver the said omnibus at the place.....on the date.....at.....A.M./P.M. to Shri .....designation (if any).....who has been authorised for this purpose by the undersigned. Take notice that due action under law shall be taken against you in case of non-compliance of this order. Given under the hand and seal of the competent authority on this .....day of.....20....Seal :Signature of the competent authorityForm II[See Sub-sections (3) and (6) of Sections 3 and 4]Authorisation by competent authorityIn exercise of the powers conferred under the Orissa Requisitioning of Omnibuses Act, 1984 (Orissa Act II of 1984), I do hereby authorise Shri

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

Place..... Signature of the competent authority

Date..... Seal :

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

**1. Date and time of taking possession of the Omnibus.....**

**2. Place where the possession of the Omnibus is taken.....**

**3. Registration mark of the Omnibus.....**

**4. Name and address of the owner .....**

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

**6. List of materials taken possession of along with the Omnibus...**

**7. List of documents taken possession of.....**

Signature of owner/person in possession Signature of the authorised person taking possession.

Name and address of witnesses-(1)(2)Signature of witnesses with dates(1)(2)Form IV[See Section 8 and Rule 7]ToShri.....S/o.....:.....Address

,.....Whereas the undersigned requires the following information or document (s) with a view to requisitioning the following Omnibus(es) or taking further action with respect thereto in pursuance of the provisions of the Orissa Requisitioning of Omnibuses Act, 1984, you are hereby required to be present before the undersigned on ..... at.....at..... (Write here the dates)(Write here the time)(Write here the place) and to submit the following information or document (s) which is/are in your possession/knowledge. Take notice that due action under law shall be taken against you in case of your default. Given under the hand and seal of the competent

authority this..... day of.....20....Description -

**1. Registration Number(s) of the Omnibus(es).....**

**2. Particulars of information required...**

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

Signature of the competent authoritySeal :NotificationBhubaneswar, the 7th October, 1983 No. 15297/T. - In pursuance of Clause (a) of Section 2 of the Orissa Requisitioning of Omnibus Ordinance, 1983 (Orissa Ordinance No. 13 of 1983), the State Government do hereby appoint all District Magistrates to perform the function of the competent authority under the said Ordinance within their jurisdictions.By order of the Governor