

Central Motor Vehicles (Regulation of Bus Service Between Agartala And Dhaka) Rules, 2002

UNION OF INDIA

India

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Rule

CENTRAL-MOTOR-VEHICLES-REGULATION-OF-BUS-SERVICE-BETW of 2002

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Central Motor Vehicles (Regulation of Bus Service Between Agartala And Dhaka) Rules, 2002Published vide Notification in the Gazette of India, Extra; Part 2, Section 3(i), dated 28th May, 2002.

1836.

G.S.R. 383(E), dated 28th May, 2002. - Whereas the draft of the Central Motor Vehicles (Regulation of Bus Service between Agartala and Dhaka) Rules, 2001, were published as required by sub-section (1) of Section 212 of the Motor Vehicles Act, 1988 (59 of 1988) with the notification of Government of India in the Ministry of Road Transport and Highways, No. G.S.R. 882(E), dated the 6th December, 2001, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 6th November, 2001, inviting objections and suggestions from all persons likely to be affected thereby within a period thirty days from the date on which copies of the Gazette of India in which the notification was published, were made available to the public;And whereas copies of the said Gazette of India were made available to the public on the 7th December, 2001;And whereas the objections and suggestions received from the public on the said draft rules have been considered by the Central Government;Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 139 of the said Act,1988; the Central Government hereby makes the following rules, namely :-

1. Short title and commencement. - (1) These rules may be called the Central Motor Vehicles (Regulation of Bits Service between Agartala and Dhaka) Rules, 2002.

(2) They shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions. - In these rules, unless the context otherwise requires,--

(a) "Agreement" means the Agreement between the Government of the Republic of India and the Peoples' Republic of Bangladesh for regulation of passenger traffic between the two countries; (b) "bus crew" means driver and conductor; (c) "competent authority" means,--(i) in relation to a regular permit for transport vehicle, an authority competent to issue such permit under the law of the country concerned; (ii) in relation to driving licence, an authority competent to issue driving licence under the law of the country concerned; (iii) in relation to a conductor's licence, an authority competent to issue conductor's licence under the law of the country concerned; (d) "Conductor's Certificate" means a certificate/licence issued under clause (5) of Article III of the Agreement; (e) "Driving Licence" means the document issued by a competent authority authorizing the person specified therein to drive a motor vehicle or a motor vehicle of any specified class or description; (f) "Identity Card/Documents" means the Cards/Documents issued by the competent authority as referred to in clause (4) or (5) of Article III of the Agreement; (g) "passenger vehicle" means motor vehicle for the carriage of passengers for hire, for hire or reward between Bangladesh and India, subject to such restrictions on the gross laden weight, wheel base, seating capacity and overall height of vehicle as may be operating in either country from time to time; (h) "Schedule" means a Schedule annexed to these rules; (I) Words and expressions used but not defined in this rule and defined in the Agreement shall have the meanings respectively assigned to them in that Agreement.

3. Forms, contents and duration, etc. of the permit. - (1) A route permit for passenger vehicle shall be in the Form set out in the Schedule I and shall be non-transferable.

(2) A route permit for passenger vehicle shall be valid for one year at a time.

4. Eligibility conditions of a vehicle. - (1) A passenger vehicle registered in either country when entering the other country shall be so constructed and maintained as to be at all times under the effective control of the person driving it, and shall carry the documents referred to in sub-rule (2).

(2) Driver of a passenger vehicle shall have: (a) a valid registration certificate; (b) a valid certificate of fitness; (c) a valid insurance policy; (d) a valid route permit; issued under the law of the country concerned in respect of such vehicle and shall make the said documents available for inspection by

any authority competent to inspect such vehicle.

5. Conditions for the driver or conductor of the passenger vehicle. - (1) The driver of a passenger vehicle shall be in possession of a valid driving licence to drive such a vehicle and driver's Identity Card/Document issued by a competent authority in the Form set out in Schedule II.

(2)The conductor of a passenger vehicle shall be in possession of a valid conductor's certificate and a conductor's Identity Card/Document issued by the respective competent authority.(3)If, for any reason, a driver or conductor referred to in sub-rules (1) and (2), of a country is unable to perform his duties in the other country, another driver or conductor in possession of a valid driving licence/certificate and Identity Card/Document issued by a competent authority, may drive or control the vehicle.

6. Distinguishing particulars to be exhibited on the passenger vehicle. - In addition to the registration number assigned to a passenger vehicle, by the competent authority of the respective Government, the following particulars shall be painted in English and in the official language of the respective country in red colour on white surface on both the sides of the passenger vehicle each letter being not less than one inch (2.5 cm) high and one inch (2.5cm) wide legibly painted on a plain surface or a plate or plates affixed to the passenger vehicle, namely :-

(i)Name of the country; and(ii)Starting and terminal points in each country.

7. Personal effects of bus crew. - The bus crew of a passenger vehicle may carry such personal effects, including wearing apparel, bedding and cooked food as permissible under the passenger baggage rules of the respective country.

8. Insurance of the vehicle. - No passenger vehicle which does not have a policy of insurance, which covers comprehensive or third party risks, arising out of the use of the passenger vehicle and which complies with the requirements of the law of the country concerned shall operate under these rules.

9. Conditions for transport of passengers. - No transport vehicle registered in Bangladesh shall be engaged in the transport of passengers from any point in India to any other point in India, and similarly no transport vehicle

registered in India shall be engaged in the transport of passengers from any point in Bangladesh to any other point in Bangladesh.

I

[See Rule 3 (1)]FORM OF ROUTE PERMIT*AS PER ARTICLE 11(2) OF THE PASSENGER MOTOR VEHICLE AGREEMENT BETWEEN INDIA AND BANGLADESHGovernment of.....Route Permit No Valid up to.....Name of the CountryRoute Permit to o ply passenger motor vehicle between India and Bangladesh

(a) Particulars of the registered owner of the vehicle :

(i) Name _____

(ii) Father's/Husband's Name _____

(iii) Address _____

Present Address _____

Permanent Address _____

(iv) Nationality _____

(b) Particulars of the vehicle

(i) Registration Number _____

(ii) Type of the vehicle _____

(iii) Maker's name _____

(iv) Year of manufacturing _____

(v) Engine No. _____

(vi) Chassis No. _____

(c) Seating capacity (including driver) of passenger vehicle _____

(d) Particulars of insurance policy against third party risk.

(i) Policy Number _____

(ii) Name insurer _____

(iii) Date of expiry _____

(e) Particulars of certificate of fitness of the passenger _____

vehicle

(i) Certificate Number _____

(ii) Validity date:

From _____ to _____

(f) The starting and terminal points in each country

(i) Place of starting _____

(ii) Place of termination _____

(iii) Stoppages _____

(g) The routes to be followed by the vehicle _____

(h) Number of trips allowed

Signature, designation and seal of the competent authority

Signature, designation and seal of the countersigning authority _____

Document required under Article II of the Agreement issued by the competent authority of one country and countersigned by the competent authority of the other country. Note : Registration papers and other documents such as registration certificate, insurance certificates, fitness certificate, etc. shall be carried on the vehicle(s) and made available for inspection on demand by the competent authority or any officer duly authorized by the authority in each country.

II

[Sec Rule 5(1)(2)] FORM OF DRIVER'S/CONDUCTOR'S IDENTITY

CARD/DOCUMENT Government of Sl. No Date of Issue

1. Issuing Authority _____

2. Name of driver/conductor _____

3. Father's Name _____

4. Date of Birth _____

5. Address

Permanent Address

Present Address

6. Nationality _____

Signature of driver/conductor

7.Details of driving/conductor's licence:

LicenceNo _____ Vehicle class _____ Valid till _____

8.Name and address of owner of passenger vehicle

Name _____

Address _____

PresentAddress _____

PermanentAddress _____

9.Identity card/document valid from _____ to _____

Signature and Seal of Competent Authority