

The Central Motor Vehicles (Regulation of Bus Service Between New Delhi and Lahore) Rules, 2000

UNION OF INDIA

India

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Rule

THE-CENTRAL-MOTOR-VEHICLES-REGULATION-OF-BUS-SERVICE-BETWEEN-NEW-DELHI-AND-LAHORE-RULES-2000

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The Central Motor Vehicles (Regulation of Bus Service Between New Delhi and Lahore) Rules, 2000 Published vide Notification No. G.S.R. 127(E), dated 16th February, 2000 Ministry of Surface Transport (Department of Road Transport and Highways) (Transport Wing) G.S.R. 127(E). - Whereas the draft of the Central Motor Vehicles (Regulation of Bus Service Between New Delhi and Lahore) Rules was published as required by sub-section (1) of section 212 of the Motor Vehicles Act, 1988 (59 of 1988) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dated 03rd November, 1999 with the notification of Government of India in the Ministry of Surface Transport (Transport Wing), No. G.S.R. 747(E), dated, the 03rd November, 1999 inviting objections and suggestions from all persons likely to be affected thereby within a period of thirty days from the date on which copies of the Gazette of India containing the notification are made available to the public; And whereas copies of the said Gazette were made available to the public on 05th November, 1999; And whereas the objections and suggestions received from the public have been considered by the Central Government; Now, therefore, in exercise of the powers conferred by sub-section (2) of section 139 of the Motor Vehicles Act, 1988 (59 of 1988), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement.

- These rules may be called the Central Motor Vehicles (Regulation of Bus Service Between New Delhi and Lahore) Rules, 2000.

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 Islamic Republic of Pakistan for the regulation of bus service between New Delhi and Lahore;(b)"authorization fee" means the fee to be paid by the permit holder of one country to the other country for obtaining authorization;(c)"bus crew" means driver, conductor and the liaison officer;(d)"competent authority" means, -(i)in relation to a regular permit for transport vehicle, an authority competent to issue such a permit under the law of the country concerned;(ii)in relation to a driving licence, an authority competent to issue the driving licence under the law of the country concerned;(iii)in relation to a conductor's licence, an authority competent to issue the conductor's licence under the law of the country concerned;(e)"country" means India or Pakistan, as the case may be ;(f)"form" means a form specified in the Schedule annexed to these rules;(g)"passenger" means a person in possession of a valid ticket for travel from New Delhi to Lahore or vice-versa and a valid passport, visa and any other travel document which may be mutually agreed to between the Government of the Republic of India and the Government of the Islamic Republic of Pakistan;(h)"scheduled service route" means the route along with the time schedule and other related operational aspects specified in the Protocol to the Agreement between the Government of the Republic of India and the Government of the Islamic Republic of Pakistan for the regulation of bus service between New Delhi and Lahore;(i)"transport vehicle" means a motor vehicle (coach or bus) for the carriage of passengers for hire or reward, between India and Pakistan, subject to such restrictions on the gross laden weight, wheel base or seating capacity of such vehicle as may be imposed under the law of either of the countries, as the case may be;

3. Forms, contents and duration etc. of the permit.

(1)A regular permit for transport vehicle shall be in the form set out in the Schedule annexed to these rules and shall be non-transferable.(2)A regular permit for transport vehicle shall be valid for one year and on renewable upto five years on a yearly basis.

4. Eligibility conditions of a vehicle.

(1)A transport vehicle shall be so constructed and maintained as to be at all times under the effective control of the person driving it.(2)Driver of a transport vehicle referred to in sub-rule (1) shall have -(a)a valid registration certificate issued under the law of the country concerned;(b)a valid certificate of fitness issued under the law of the country concerned;(c)a valid insurance policy issued under the law of the country concerned;in respect of such vehicle and shall make all the said documents available for inspection by any authority competent to inspect such vehicle;

5. Conditions for the driver/conductor.

(1)The person driving a transport vehicle shall be in possession of a valid driving licence issued by a competent authority to drive such a vehicle and the driver's badge.(2)A conductor of a transport

vehicle shall be in possession of a valid conductor's licence issued by a competent authority.(3)If, for any reason, a driver referred to in sub-rule (1) or a conductor referred to in sub-rule (2), of a country is unable to perform his duties in the other country, a driver or a conductor in possession of a valid licence issued by the competent authority of such other country, may drive, or act as a conductor of, the vehicle.

6. Distinguishing particulars to be exhibited on the transport vehicle.

- In addition to the registration number assigned to a transport vehicle operating under the agreement by the competent authority, the following particulars shall be painted in English (each letter being not less than one inch or 2.5 cm high and one inch or 2.5 cm wide legibly painted on a plain surface or a plate or plates affixed to the vehicles), namely:-(i)New Delhi - Lahore - New Delhi (on front and back of such transport vehicle)(ii)Name of the operator of the bus service (on the sides of such transport vehicle).

7. Personal effects of bus crew.

- The bus crew of a transport vehicle operating under the Agreement may carry such personal effects, as may be necessary, having regard to the period of their stay in the host country subject to conditions specified in the custom laws of both countries.

8. Insurance of the vehicle.

- No transport vehicle which does not have a policy of insurance which covers comprehensive or third party risks, arising out of the use of a transport 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 Pakistan 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 Pakistan to any other point in Pakistan.

Schedule

(See Rule 3)Form of Permit to Ply Transport Vehicles on Lahore - New Delhi/New Delhi - Lahore RoutesRegular Permit*(Strike out whichever is not applicable)Government of India/PakistanPermit to ply transport vehicles between India (New Delhi) and Pakistan (Lahore).a) Name, address and nationality of the operator of motor vehicle.b) Registration number of the vehicle.c) Nature of transport operations: Point to point (Lahore - New Delhi)d) Capacity of the vehicle:i) Seating capacityii) Laden Weighte) Particulars of insurance policy.f) Particulars of Certificate of fitness.g) The starting and terminal points in each country.h) The route or routes to be followed by the

scheduled passenger service vehicle. This permit is valid from to and is not transferable.

Signature, Designation and Seal of the
competent authority of the Government of India.

Signature, Designation and Seal of the competent
authority of the Government of Pakistan

This permit is hereby renewed up to the day of 19..... *means a permit issued by competent authority of one country and countersigned by the competent authority of the other country, authorizing the transport vehicle to ply on the scheduled service route, as specified in such permit, and includes regular permit for passenger transport; Note: Registration papers and other documents such as insurance certificate, 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.