

The Orissa Tourist Vehicles Rules, 1967

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Rule THE-ORISSA-TOURIST-VEHICLES-RULES-1967 of 1967

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The Orissa Tourist Vehicles Rules, 1967Published vide Notification No. 5389-TAR-IA, 20/68-T., dated 19th/20th June, 1967, Orissa Gazette Extraordinary No. 747/1967Notification No. 5389-TAR-IA, 20/68-T., dated 19th/20th June, 1967. - In exercise of the powers conferred by Section 68 of the Motor Vehicles Act, 1939 (IV of 1939), and all other powers hereunto enabling the State Government do hereby make the following rules, the same having been previously published as required by Sub-section (1) of Section 133 of the said Act.

1. Short title and commencement.

- (i) These rules may be called the Orissa Tourist Vehicles Rules, 1967.(ii)They shall come into force on the 1st July, 1967.

2. Definitions.

- In these rules unless the context otherwise requires-(a)"permit" means a permit issued under Section 51 of the Motor Vehicles Act, 1939;(b)"Schedule" means a Schedule annexed to these rules;(c)"State" includes a Union territory;(d)"tourist motor cab" means a motor cab, on the permit relating to which an endorsement is made by the State Transport Authority of the State in which such permit is granted to the effect that it is a tourist motor cab;(e)"tourist omnibus" means an omnibus on the permit relating to which an endorsement is made by the State Transport Authority of the State in which such permit is granted, to the effect that it is a tourist omnibus;(f)"tourist vehicle" means a tourist motor cab or a tourist omnibus.

3. Endorsement on permits of vehicles.

(1)The State Transport Authority may, in accordance with the provisions of this rule, make an endorsement on any permit granted in the State in relation to any motor cab or omnibus to the effect that the vehicle to which the permit relates is an All India Tourists Vehicle :Provided that at no

time the total number of motor cabs and omnibuses in respect of which such endorsements are in force shall exceed the number as specified by Government of India from time to time.(2)Any Person who holds a permit issued in the State in relation to a motor cab or an omnibus may apply in the forms specified in Schedule I, to the State Transport Authority for an endorsement on the permit to the effect that the vehicle to which the permit relates is a tourist vehicle.(3)An application under Sub-rule (2) shall be accompanied by a fee of Rs. 5 in shape of bankers cheque or bank draft and shall be made not less then six weeks before the date on which it is desired that the endorsement shall take effect or, if the State Transport Authority appoints a date for the receipt of such applications, on such date.(4)On receipt of an application under Sub-rule (2) the State Transport Authority shall make the application available for inspection at the office of the Authority and shall publish the application or the substance thereof in the official Gazette, office notice board as well in the notice board of Regional Transport Authority together with a notice of the date which will be not less than 15 days before which representations in connection therewith may be submitted by-(i)any person who holds a permit on which an endorsement has been made under this rule;(ii)any local or police authority in the State, and the date, not being less than thirty days from such publication on or after which the application and any representation received will be considered :Provided that a motor vehicle for being eligible for a permit under Sub-section (7) of Section 63 of the Motor Vehicles Act, 1939 (4 of 1939) shall be on a chassis which is not more than five years old from the date of its initial registration.(5)No representation in connection with an application referred to in Sub-rule (4) shall be considered by the State Transport Authority unless it is made in writing before the appointed date unless a copy thereof is furnished simultaneously, to the applicant by the person making such representation.(6)The State Transport Authority shall, having regard to the provision of Sub-rule (7) and the representations, if any, made under Sub-rule (4) in relation to an application, consider the application and may either make the endorsement or refuse to make the endorsement. Where the State Transport Authority refuses to make the endorsement, it shall do so by an order in writing giving reasons for such refusal and shall communicate the same to the applicant.(7)In making or refusing to make an endorsement the State Transport Authority shall have regard among other things to the suitability of the vehicle for tourist purposes and the interests of public generally.(8)Any person aggrieved by an order of the State Transport Authority refusing to make an endorsement under Sub-rule (b) may, within fourteen days of the receipt of the order, prefer an appeal before the State Government. The appeal shall be in the form of a memorandum duly signed by the party and shall be delivered in duplicate to the Secretary to the State Government in the Transport Department. The order passed in an appeal under this sub-rule shall be final.

3A. Fare table.

- Fare table shall be exhibited in the inner side of the vehicle in English as well as in Oriya.

4. Validity of endorsement and cancellation or suspension of endorsement.

- (i) An endorsement made on a permit under Rule 3 cease to be valid on the expiry of the period for which that permit has been granted.(ii)If the State Transport Authority has reason to believe that a vehicle on the permit relating to which an endorsement has been made by it under Rule 3-(a)has been or is being used in contravention of the provisions of Rules 6, 7 and 8;(b)being an omnibus,

fails to comply with the requirements of Sub-rules (3) and (4) of Rule 9 or has been, or is being used in contravention of the provisions of Sub-rules (1) and (2) of that rule; that authority may, after giving the holder of the permit an opportunity to be heard, either suspend the endorsement for such period as it may think fit or cancel the endorsement and in either case the authority suspending and cancelling of the endorsement shall inform the applicant in writing giving reasons. (iii) Any person aggrieved by an order of the State Transport Authority suspending or cancelling an endorsement under Sub-rule (ii) may within fourteen days of the receipt of the order prefer an appeal before the State Government. The appeal shall be in the form of a memorandum duly signed by the party and shall be delivered in duplicate to the Secretary to the State Government in the Transport Department. The order passed in an appeal under this sub-rule shall be final.

4A.

The State Transport Authority shall grant certified copy of all orders passed under Rules 3 and 4 to the parties concerned on applications.

5. Information of endorsements to be sent to the other State Transport Authorities.

- (i) Where an endorsement is made by the State Transport Authority under Rule 3, that Authority shall forward to each of the State Transport Authorities in the other States information relating to the endorsement and the vehicles to which the endorsement relates in the form specified in Schedule II. (ii) Where an endorsement is suspended or cancelled by the State Transport Authority under Sub-rule (2) of Rule 4, that authority shall forward to each of the State Transport Authorities in other States - (a) information relating to the suspension or cancellation in the form specified in Schedule III ; and (b) where an appeal has been preferred against such suspension or cancellation, a copy of the decision in such appeal. (iii) The State Transport Authority shall also forward, at intervals of three months, a statement in the form specified in Schedule IV giving classified information in regard to the endorsements made by that authority under Rule 3 which are valid on the date of the statement.

6.

[Deleted].

7.

The driver of a tourist vehicle shall possess the following qualifications, namely : (a) a driver's licence with at least five years' experience; (b) elementary knowledge of the mechanism and maintenance of tourist vehicle he drives; (c) knowledge of the topography of the route or area or region in which the tourist vehicle is proposed to be used; (d) working knowledge of English and Hindi or any language of the region where he works. Note. - Qualification(s) shall not apply in cases where the driver is accompanied by a conductor who has the said qualification.

7A.

A driver of a tourist vehicle shall satisfy the following conditions, namely : (a) in summer months he shall wear a white uniform of the following description, namely: (i) Loose trousers; (ii) Bush shirt or coat with two pockets and the letter 'T' sewn on the left hand pocket of the bush shirt or coat in red thread; (b) In winter months he shall wear a blue or grey uniform of the following descriptions, namely : (i) Loose trousers; (ii) buttoned up coat with two pockets and the letter 'T' sewn on left hand pocket in red thread or open coat with two pockets and the letter 'T' sewn in left hand pocket in red thread, white full sleeves shirt and blue tie.

8. Special rules as to painting and marking of tourist vehicles.

- A tourist vehicle shall prominently display on it the letter 'T' and the serial number allotted by the authority making the endorsement on the permit relating to the vehicle shall be painted on the front fender of the tourist vehicle. The letter and numerals shall be painted on a white surface enclosed by a circle drawn in red and shall not be less than 5 cm. in height and 4 cm. in breadth.

9. Special rules as to tourist omnibus.

- (i) Every tourist omnibus shall have a conductor. (ii) No tourist vehicle shall carry more than twenty-nine persons excluding the driver and the conductor : Provided that this restriction shall not apply to a special built tourist omnibus to carry sight seeing groups of tourist ranging from forty to fifty persons.

9A.

While granting a vehicle a tourist permit, preference in the following order shall be given to- (a) public sector undertakings of Central/State Government and private tourist car operators, who are on the approved list of the department of tourist and who have some foreign exchange earning at their credit; (b) the owners of air-conditioned coaches complying with the specifications as may be laid down by the Government of India ; Provided that in case of approved private operators, the number of permit shall be linked to the amount of foreign exchange earning.

10. Countersignature not necessary in respect of tourist vehicles belonging to other States.

- Subject to the provisions of Rules 6, 7, 8 and 9, a permit granted in relation to any tourist motorcab or a tourist omnibus in any other State shall be valid in the State without countersignature, if there are in force in that other State rules similar to these rules.

I

[See Rule 3 (2)]Application for the grant of endorsement on the permit of a motor cab/ omnibus for country-wide operation under the Orissa Tourist Vehicles Rules, 1967I/We the undersigned apply for endorsement on the following permit for a country-wide operation :

1. Description of the permit.....

2. (i) No. of permit and the date of issue.....

(ii)Date of expiry.....(iii)Particulars of vehicle(s)

1. Make of the vehicle.....

2. Year of manufacture.....

3. (a) Year of the registration.....

(b)Registration No.....

4. Type of body.....

5. Number of cylinders.....

6. Horse power

7. Chassis No.....

8. Engine No.....

9. Seating capacity.....

10. Laden Weight.....

11. Unladen weight.....

12. Colour of body.....

13. Date of grant of permit.....

14. Date of the grant of endorsement

15. Date on which permit or the endorsement will expire.....

2. I/We declare to fulfill/abide by the conditions laid down in Orissa Tourist Vehicles Rules, 1967.

3. This is with reference to the circular date inviting application for the endorsement.

N.B. Strike out the portion that is not applicable. Signature or thumb-impression of applicant (s) (To be filled in the office of the Transport Authority)

1. Date of receipt.....

2. Date of publication.....

3. Date or dates of hearing of objections.....

4. Granted subject to the.....Tourist Vehicles Rules, 1967.

Granted in modified form on the.....day of.....20.....Subject to the.....Tourist Vehicles Rules, 1967. The Serial No. allotted to the vehicle is.....rejected. Secretary, State Transport Authority

II

Intimation to the State Transport Authorities in other States regarding grant of endorsement on the permit of a vehicle under the Orissa Tourist Vehicles Rules, 1967 [See Rule 5 (1)] To The State Transport Authority The permit relating to the following transport vehicle(s) has been endorsed for operation as tourist vehicle(s) under the..... Tourist Vehicles Rules, 1967:

No.	Special no. allotted to the vehicle	Type of the vehicle	Year of manufacture	Year of registration and Registration no.	Type of body	Number of cylinders
1	2	3	4	5	6	7
8	Horse Power	Chassis No.	Engine No.	Seating capacity	Laden weight	Unladen weight
	9	10	11	12	13	14
					Colour of body	

Secretary, State Transport Authority

III

Intimation to the State Transport Authorities in other States regarding suspension and cancellation of endorsement on the permit of a tourist vehicle under the Orissa Tourist Vehicles Rules, 1967[See Rule 5 (2)]ToThe State Transport AuthorityThe endorsement granted on permit No..... in respect of tourist vehicle bearing serial number..... registered in the name of..... and communicated to you under the Authority's letter No..... dated..... has been suspended/cancelled with effect from..... day of..... 20..... under Rule 4(2) of the..... Tourist Vehicles Rules, 1967.Secretary, State Transport Authority

IV

Intimation to the State Transport Authorities in other States regarding grant of endorsement on the permits relating to the vehicles during the quarter ending.....20.....[See Rule 5 (3)]ToThe State Transport AuthorityThe permit relating to the motor vehicles particulars of which are given below bear valid endorsement for operation as tourist vehicles on.....

Number	Serial no. allotted to vehicles	Class of vehicle (Motor Car)	Make, Model and year of manufacture	Registration no.	Permit no.	Date of expiry of permit
1	2	3	4	5	6	7

Secretary, State Transport Authority

V

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